

Application Number	21/05484/ADV	Agenda Item	
Date Received	15th December 2021	Officer	Laurence Moore
Target Date	9th February 2022		
Ward	Abbey		
Site	Advertising Right 1501/0112 City Adshel Bus Shelter O/S Tesco Newmarket Road Cambridge		
Proposal	Replace existing double-sided internally illuminated 6-sheet Bus Shelter advertising displays with double-sided digital advertising displays.		
Applicant	Mrs Louise Roberts 1 Schoolhouse 2nd Avenue Trafford Park Manchester M17 1DZ		

SUMMARY	<p>The proposal accords with Cambridge Local Plan 2018, policies 34 and 65 for the following reasons:</p> <ul style="list-style-type: none"> -The site is currently a bus stop with an illuminated screen / advertising board located on a main arterial route into Cambridge -There is no objection from the Highways Authority on highway safety grounds -There is no objection from Environmental Health, on grounds of light pollution -The proposal, replacing an existing advertisement, would not introduce any additional street clutter or be harmful to visual amenity
RECOMMENDATION	APPROVE (subject to conditions)

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site consists of an existing bus stop along Newmarket Road, the site has been an established bus stop for some time. The immediate context consists of a war memorial and public seating area, with Newmarket Road to the south, and the Cambridge Retail Park situated opposite the application site, and the Tesco Superstore to the north of the site. The site is not situated within a conservation area.

2.0 THE PROPOSAL

- 2.1 This advert consent application proposes to replace an existing double-sided internally illuminated 6-sheet Bus Shelter advertising display with a double-sided digital advertising display. The proposal would provide a more up-to-date advertising unit which can offer a more diverse range of advertising options compared with the existing 6-sheet bus shelter currently on site.
- 2.2 The replacement digital displays would portray static advertising images in sequence, changing no more frequently than every 10 seconds, the change via smooth fade.
- 2.3 The application is accompanied by the following:
- ☐ Digital Advertising Supporting Information
 - ☐ DS75 Specification
 - ☐ DS75 Street Screen Portfolio
 - ☐ Drawings (Bus Shelter)
 - ☐ Drawings (Digital Screen) – Excluding 3D views
 - ☐ Location Plan
 - ☐ Photo of existing bus shelter

3.0 SITE HISTORY

Reference	Description	Outcome
	No relevant site history	

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	34 (light pollution) 65 (visual pollution and public safety)

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework July 2021 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
Supplementary Planning Documents	Sustainable Design and Construction (2020)
Material Considerations	<u>City Wide Guidance</u> Air Quality in Cambridge – Developers Guide (2008) Arboricultural Strategy (2004) Cambridge City Council Draft Air Quality Action Plan 2018-2023 Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No Objection: Although the advertising image will change periodically, the degree of distraction provided by these changes and the likely information on the images is considered, at this location, not to provide such a significant distraction as to constitute a highway hazard and therefore the Highway Authority has no objection to the proposal.

Environmental Health

- 6.2 No Objection: The application documents advise that the bus shelter display is restricted to a maximum brightness of 280 cd/sq.m. The International Commission of Illumination (CIE) have produced a document *“Guide on the Limitation of the Effects of Obtrusive Light from Outdoor Lighting Installations, 2nd Edition”* (CIE 150:2017). The guidance advises on sign luminance limits dependant on environmental zones. The application site location is considered to be E3 – Medium district brightness – well inhabited rural and urban settlement. An E3 zone is stated within CIE 150:2017 to allow a maximum average surface illuminance of 800 cd/m² at any time (day / night). The stated bus shelter display brightness is considerably lower than the specified limits and also incorporates energy saving to turn the backlight off during stated early a.m hours. I have no objections to the above application subject to the illuminated screen specifications submitted within the application being fully implemented.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations objecting to the application:

672 Newmarket Road

The representations can be summarised as follows:

- Aesthetic
- Colour and Light from Digital Displays

- 7.2 The following Councillors from Cambridge City council have made the following objections:

Cllr Markham

- Energy consumption incompatible with Council's role in fighting climate change
- Increased light pollution contrary to policy 34
- Contrary to NPPF para 185: Not appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.
- Adverts too visible
- A distraction to drivers, particularly through constant change
- Contrary to NPPF para 106. The Local Highway Authority's response is not evidenced.

Cllr Bennet & Cllr Copley

- The two stretches of Newmarket Road are particularly congested, are close to road junctions and have mixed car and cycle traffic and has a particularly bad reputation for car /cycle accidents
- The advert will pose a threat to highway safety and will undermine the work of the Greater Cambridge Partnership

- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 **ASSESSMENT**

- 8.1 Paragraph 136 of the NPPF advises that a separate consent process within the planning system controls the display of advertisements and that they should be subject to control **only in the interests of amenity and public safety**, taking account of cumulative impacts. Members are therefore confined to these two areas of consideration when deliberating the merits of the proposal.
- 8.2 Amenity can include broadly the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or

site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

- 8.3 Public safety is not confined to road safety and includes all of the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water or in the air.
- 8.4 The NPPG advises that unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused because the local planning authority considers the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary, or offensive to public morals.
- 8.5 From the consultation responses and representations received the main issues are as follows:
- 1 Amenity
 - 2 Public Safety
 - 3 Other Matters

Amenity

- 8.6 The site is not situated within a conservation area and is located directly adjacent to Newmarket Road, a main arterial road into Cambridge. The proposed replacement advert is similar in design, scale and use of materials as that existing.
- 8.7 The application proposes the replacement of existing 6 sheet internally illuminated advertising displays, with digital internally illuminated advertising displays. The digital screens are similar in scale and design. The main change to be assessed with regards to visual amenity is the digital element which proposes to change advert no less than every 10 secs through a fade out - fade in process. The adverts would be static and there would be no audible element to them.
- 8.8 Concerns have been raised regarding the appearance of the digital adverts and their intrusiveness in terms of light pollution. As the existing signs are illuminated, it has been determined that the new replacement digital displays will have no adverse impacts on the visual significance or character of the site or surrounding context. The Environmental Health Officer has no

objections to the proposed lighting levels noting they incorporate energy saving to turn the backlight off during stated early am hours.

- 8.9 No cumulative issues arise with the siting of the advertisement. In terms of amenity impact, provided conditions are imposed to ensure the proposed lighting specification is adhered to, including maximum illumination levels and a switch over rate to no less than every 10 secs is secured, the proposal is compliant with policies 34 and 65 of the Cambridge Local Plan (2018).

Public Safety

- 8.10 Concerns have been raised with regards to the impact of the proposal on highway safety. The Local highway Authority has provided their views, stating that: "Although the advertising image will change periodically, the degree of distraction provided by these changes and the likely information on the images is considered, at this location, not to provide such a significant distraction as to constitute a highway hazard and therefore the Highway Authority has no objection to the proposal."
- 8.11 Given the response from the Highway Authority, officers are of the view that the proposal is compliant with Cambridge Local Plan (2018) policy 65 (b)

Other Matters

- 8.12 Concerns have been raised with regards to the energy consumption of the proposed digital screens. The DS75 Bus Shelter Unit Technical Specification, provided as part of the application, highlights the significant amount of energy used by the digital screens, amounting to a max power consumption of 1920W.
- 8.13 Whilst officers note the representations raised in respect of energy consumption, as this is an application for advertisement consent, this is not a matter which is capable of being considered under the Town and Country Planning (Control of Advertisements) Regulations 1992. As such, policy 28 of the Cambridge Local Plan (2018) is not engaged.

9.0 CONCLUSION

- 9.1 In conclusion, the proposals raise no concerns with regards to its impact on amenity and have been deemed acceptable by Environmental Health and the Highway Authority as having no significant impact on light pollution or highway safety.
- 9.2 The application is for advert consent only and cannot be assessed on the grounds of environmental concern or energy consumption.
- 9.3 The proposal is compliant with policies 34 and 65 of the Cambridge Local Plan 2018.

10.0 RECOMMENDATION

APPROVE (Subject to conditions)

1. The express consent hereby approved expires 5 years from the date of this permission.
2. The advertisement(s) hereby permitted shall be installed in accordance with the following approved plans: .

Reason: In the interests of good planning and for the avoidance of doubt.

3. Before any advertisement is displayed in pursuance of this consent the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

4. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

5. Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying

advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

Reason: as required by the Town and Country (Control of Advertisements) Regulations in force at this time.

6. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign or so as otherwise to render hazardous the use of any highway.

Reason: In the interests of road safety and the amenities of the area.

7. The digital advertisement hereby consented shall not involve any moving images or audible sound and shall not change any less than every 10 seconds. The levels of illumination shall be as specified as part of the application on sheet DS75. The advertisement shall not be lit between 12am and 6am on any day.

Reason: In the interests of amenity (Cambridge Local Plan policies 34 and 65)

INFORMATIVES

1. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.