

Our Ref: B024917/JS

07 December 2020

Stockton Borough Council  
Planning Development Services  
Church Road  
Stockton-on-Tees  
TS18 1LD

### **Submission via the Planning Portal**

Dear Sir/Madam

**ADVERTISEMENT CONSENT APPLICATION FOR DISPLAY OF D POSTER ADVERTISEMENTS  
LAND NORTH OF ALBERTO STREETM STOCKTON-ON-TEES, TS18 2BQ  
PLANNING PORTAL REFERENCE: PP-09323759**

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Please find enclosed an application for advertisement consent to upgrade an established paper and paste advertising site for the display of a modern digital format capable of being operated from a central location without the need to visit each site individually.

This is part of an industry wide drive to modernise and upgrade advertising infrastructure to meet modern requirements. It is proposed to replace the previous advertising display at the site using new display technology that is lightweight, durable, efficient, and can be easily erected, as it is of similar size and scale to the previous units.

#### **The Proposal**

The proposal seeks to replace the previous 48 sheet advertisement hoardings at on land to the north of Alberton Street, Stockton-on-Tees with a digital equivalent which will display static advertisements on rotation. The scheme will meet modern requirements of advertisers. This will bring a wide range of benefits as follows:

- Upgrade of sites lacking in investment;
- Reduction in vehicle trips for reposting adverts (i.e. from an average of 34 trips to 2);
- Consolidation and overall reduction in the number of advertising displays in the network;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- Ability to broadcast emergency messaging (e.g. public health messaging);
- Ability to use void periods for non-commercial campaigns;
- Opportunity for more creative real time and locally relevant advertising;
- Opportunity to integrate additional hardware to meet Smart City objectives.

Content will be controlled remotely in real time from a Networks Operation Centre (NOC) and the site will be monitored remotely 24/7 to facilitate responsive maintenance. Diagnostics software will report and resolve the majority of issues remotely.

The display would be limited to 300cd/m<sup>2</sup> at night time (on a full white display) in accordance with the Institute of Lighting Professionals best practice guidance; *The Brightness of Illuminated Advertisements PLG05 2015* and will adjust according to ambient brightness. The level of illuminance will be set on site manually to be at an appropriate level for the area and to mimic the poster being replaced.

The following conditions have become established as best practice for roadside digital displays and will be applied to control the operation of the digital poster in the interests of amenity and public safety:

- Static images to be displayed only (no moving or flashing images);
- Changes between adverts to take place instantly with no sequencing, fading, swiping or merging of images;
- Advertisements to change no more frequently than once every ten seconds;
- At no time shall the Luminance level of the signs exceed the thresholds contained within the Institute of Lighting Professionals (ILP) guidance document PLG05 – The Brightness of Illuminated Advertisements 2015 (or any subsequent amendment/replacement to this guidance).

Where circumstances demand, additional controls or variations of these conditions may be acceptable to the applicant. However, it would be expected that the Local Planning Authority present evidence based justification for deviating from the standard approach as any planning conditions imposed must meet the six tests as set out in National Planning Policy Guidance (NPPG).

### **The Site**

The proposal site is located on land to the north of Alberton Street and to the south west of A177 which previously supported 4no. advertisement hoardings. The surroundings are predominantly commercial and industrial in character with a gas works, used car dealerships, a training centre and GP surgery nearby. No residential properties are close to the site of the proposed advertisements and due to the surrounding land uses, there is a variety of advertisements and signage visible in the local area.

The proposal site is an established location for advertising, having supported 2no. 48, and 2no. 96 sheet advertisement hoardings for over 10 years prior to their removal in August 2019. As the size and nature of the advertisement had not altered in over ten years the signage benefitted from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

### **Planning Policy**

The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the "Regulations"). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.

The National Planning Policy Framework 2019 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 132 of the National Planning Policy Framework (NPPF) advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. As described in the National Planning Practice Guidance (NPPG) the regime is a "lighter touch" than the system for obtaining planning

permission for development. The NPPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.

## **Planning Considerations**

It is acknowledged by the applicant that the change in the type of illumination and the potential to increase the rate of change of the adverts would require express advertisement consent. The impact of these alterations has been considered in amenity and public safety terms as follows:

### Amenity

On a strategic level the digitisation of the advertising network will see an overall reduction in the number of advertising sites in the area. At a local level, the proposal will see a reduction in the number of adverts previously displayed on site from 4no. hoardings, to 2.

The proposal seeks to replicate the previous 48 sheet advertisement hoardings and mimic their situation so there will be minimal impact on the visual amenity of the surroundings. The size and positioning of the advertisement will remain the same and the level of illumination will reflect local and ambient conditions, with little material change to the site as it currently exists.

The controls proposed over the level of luminance at night are in line with the ILP Guidelines and industry best practice and will ensure that the proposed display does not cause any material harm to amenity. The context of the surroundings, including illuminated signage at the nearby training centre and street lighting along the A177 establish the site as appropriate for an illuminated advert of this type. Additional controls over the display will be considered if necessary to remedy a specific amenity concern.

The proposal would not be detrimental in either an immediate or wider sense. It is not within a conservation area, attached or adjacent to a listed building, or within proximity of any local heritage assets.

The character and setting of the site, and surrounding area is commercial and industrial, populated by small businesses and services. The D-Posters will relate well to the wider area and the commercial and industrial functions of the area would mean that the proposals would not be read as an incongruous element within the area and, as such, would not negatively impact the amenity of the area.

Given the characteristics of the site and surrounding area, the proposal would not be detrimental to amenity in either an immediate or wider sense. The D-Poster will have no special effects, animation or movement which would increase its visual prominence within the local area and instead will sit comfortably in its visual context without harming amenity, the qualities of the site, or the character and appearance of the wider area.

### Public Safety

When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from the driving task. As the principle of an

advertisement has already been established at this location, the Council must only consider whether the proposed controls are sufficient to ensure that there is no additional distraction which would cause an unacceptable impact on highway safety. Should the Council's Highways department identify any reasons why the location might be challenging to drivers, the applicant would be open to discussing alternative controls. However it should be noted that the proposed conditions are now well established as best practice and as such any change (e.g. to the rate of change) would need to be evidence based and be specific to the location.

The proposed displays would occupy the same setback and offset position as the previous hoardings, ensuring sight lines and visibility splays are maintained. They would be seen by traffic travelling east and west along the A177 which is limited to 30mph as it passes the site and is well lit, straight and level with excellent forward visibility. Highway users would therefore be fully capable of glancing content far in advance of the site without being distracted from the road or traffic conditions ahead. The cognitive demand on road users at this point is low as there are no unusual highway complexities which would require extra care to be taken. As such, drivers would be entirely capable of viewing advertisements whilst maintaining stopping distances and an awareness of surrounding traffic movements.

The D-Poster will not conflict with the junction of the A177 and Richmond Street nor with the pedestrian crossing to the south of the site. The long-range visibility will ensure that drivers are able to easily assimilate the information on the display and it will not conflict with the traffic signals which are clearly distinguishable from the advert. Under these circumstances, the proposals would not constitute a hazardous distraction to anyone exercising a reasonable standard of care. Consequently, the proposal would not give rise to public safety issues, which would prevent the granting of an express advertisement consent.

## **Conclusion**

The proposals will not change the size, position or orientation of the 2no. 48 advertisement hoardings that were previously displayed at the site for over 10 years. As such the established acceptability of the advertisement should not change materially. The proposed conditions to control the luminance of the screens and the operation of the digital screens will ensure that there is no additional harm to amenity or road safety.

For these reasons and the positive benefits set out above, it is considered that the application should be granted consent.

## **Application Submission**

In order to complete the application, please find attached the following documentation:

- Completed application forms prepared by WYG;
- Letter Statement prepared by WYG (this letter);
- The following drawings and plans;
  - ENG\_00018 PA 01 Site Location Plan;
  - ENG\_00018 PA 02 Existing Site Plan;
  - ENG\_00044 PA 03 Proposed Site Plan;
  - ENG\_00044 PA 04 Existing and Proposed Elevations;

We can confirm that payment for the sum of £462 to cover the cost of the Advertisement Consent application has been made separately to Stockton on Tees Borough Council.

We trust that the above is clear and we look forward to receiving notification that the application has been registered in due course. Should you have any queries in relation to any of the attached information, please do not hesitate to contact us.

A handwritten signature in blue ink, appearing to read "John Shakespear".

**John Shakespear**  
Senior Planner