

Our Ref: JT/GM/93456

21 September 2021

**alder
king**

PLANNING
CONSULTANTS

Southwark Council
160 Tooley St
London
SE1 2QH

Dear Sir/Madam,

**WILDSTONE ESTATES LTD
CONVERSION OF POSTER ADVERTISEMENT DISPLAY
THE JOLLY WAGGONERS PUBLIC HOUSE, 11 ROTHERHITHE OLD ROAD, LONDON, SE16
2PP
PORTAL REFERENCE: PP-10234189**

Please find enclosed an application for advertisement consent to upgrade an established paper and paste advertising display to 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 existing advertising display on a like for like basis, using new display technology that is lightweight, durable, efficient, and can be easily erected, as it is of similar size and scale to the existing unit.

The Proposal

The proposal seeks to update the existing display on the gable end of 11 Rotherhithe Old Road with a digital equivalent that 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.

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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/m² 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 within Canada Water Major Town Centre and the Canada Water Action Area. It is on the east side of Rotherhithe Old Road, on the gable end of a public house, above the beer garden. To the south of the public house is a car dealership. The site currently supports a static, externally illuminated, billboard facing south. The surroundings of the site are characterised by a variety of commercial uses and residential dwellings. The commercial uses include retail, takeaway units, a car dealership and a public house on which the billboard is hosted. Residential uses extend to the north and the south of the site on both sides of Rotherhithe Old Road with the Hawkstone Estate being located opposite the billboard on the western side of Rotherhithe Old Road.

The proposal site is not located within or adjacent to a conservation area or near any listed or non-listed heritage assets. The proposal site is an established location for advertising, having supported one externally illuminated billboard since at least June 2008. As the size and nature of the advertisement has not altered in over ten years the signage benefits from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Alongside the existing advertisement in situ at the proposal site, there is a variety of other signage and advertisements visible within the surrounding area. This includes shopfront and building fascia signs

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from the commercial units and car dealership on Rotherhithe Old Road along with signage for the public house which hosts the proposed billboard.

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 2021 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 136 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.

Policy 13: High environmental standards, of the Southwark Council Core Strategy (2011) states the need for development to be of the highest possible environmental standards and maximise its potential sustainability. The policy encourages development to be more energy-efficient and minimise the number of greenhouse emissions across its lifetime.

The Southwark Plan (2007) has several saved policies relevant to advertisements. Policy 3.2 states the need for development to not cause any negative impacts on the amenity on any present or future occupiers in the surrounding area. Any possible adverse effects will need to be avoided or mitigated in order for development to be acceptable. Policy 23 relates specifically to outdoor advertisements and signage, stating outdoor advertisements will be permitted provided they do not harm the amenity of the local area, as well as being designed to be appropriate within the context of the area as to not harm its character. They must also not obscure highway sightlines and allow free movement along the public highway by all its users and not cause light pollution. This relates to policy 5.2 where planning permission will be granted for development unless there is an adverse impact on the transport network.

Planning Considerations

The proposal will not cumulatively increase the number of adverts in the area. The like for like replacement of the display and the control over operation seeks to ensure that the change in the visual impact of the site on the surroundings is *de minimus* and not material. Nevertheless, 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 have been considered in amenity and public safety terms as follows:

Amenity

As the proposal seeks to “repost” the existing advert and therefore mimic the existing situation, there will be minimal impact on visual amenity. The size and positioning of the advertisement will remain the same and the level of illumination will be set to ensure that the proposed advertisement is not materially different from the existing position. The side by side comparison photograph on the D-Poster

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information sheet provided with the planning drawings helps to illustrate the minimal difference between the existing type of display and the proposed replacement once controls are put in place.

At night-time, the digital display will dim significantly so that the billboard is visible but not overly bright. Unlike other illuminated adverts, the proposed display will have a dynamic brightness control whereby sensors will ensure that the display is only as bright as the need to be seen. Given that brighter displays consume more power, it is in the site operator's interest to ensure that the displays are never brighter than they need to be. 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 is one which is already well illuminated at night. The existing sign itself is externally illuminated, as is the signage to the public house. There is also a street lamp immediately in front of the pub's beer garden which the sign overlooks. This context helps to ensure that the illumination from the proposed digital posterboard will not be incongruous and will not cause any materially adverse impacts on the amenity of the immediate surroundings (which is the test set out in National Planning Practice Guidance).

Although there are residential dwellings along the western side of Rotherhithe Old Road, the siting of the D-Poster on the gable end of the host building and coverage from trees on the street means that only oblique views of the sign will be gained from these properties. The proposed advertisement will have no special effects, animation or movement that would increase its visual prominence and the nature of the illumination proposed means that light-spill from the sign will be minimised. Additional controls over the display will be considered if necessary to remedy a specific amenity concern.

The character of this area is mixed, with a variety of shops and businesses within the local area displaying signage and advertisements. Both the existing billboard and the signage for the public house have been illuminated for over ten years without any action being taken against them. Given the similarities between the existing and proposed unit, and the presence of the other advertisement on Rotherhithe Old Road, there would be little, if any, material change in the appearance of the street scene. As a straight swap, the display would not amount to clutter or contribute to any cumulative impacts, sitting 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 that 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 display would occupy the same setback and offset position as the existing unit, ensuring site lines and visibility splays are maintained. It would be seen by traffic travelling north along Rotherhithe Old Road, which is limited to 30 mph, is well lit, straight, level, and has 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

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at this point is low as there are no unusual highway complexities that 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. Under these circumstances, such a familiar feature of Rotherhithe Old Road and surrounding highway network, 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 proposal will not change the size, position or orientation of the advertising display. 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 summary

Please find attached the following application documentation:

- Completed application forms prepared by Alder King;
- Letter Statement prepared by Alder King (this letter);
- The following drawing and plans:
 - 011-0128-1388_PA_01_Site Location Plan
 - 011-0128-1388_PA_02_Existing Site Plan
 - 011-0128-1388_PA_03_Proposed Site Plan
 - 011-0128-1388_PA_04_Existing and Proposed Elevations
- D-Poster information sheet
- Site photographs

Additionally, we will arrange payment to Southwark Council for the sum of £462 to cover the cost of the Advertisement Consent application.

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.

Yours faithfully,

A handwritten signature in blue ink that reads 'J.J. Tarpy'.

JAMES TARPY

GRADUATE PLANNER

E-mail: jtarp@alderking.com
Direct dial: 0117 317 1104

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