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Wrexham County Borough Council
Planning Service
21 Lord Street
Wrexham
LL11 1LG

My Ref: CW/LL 9130

28th May 2021

Dear Sir /Madam

The Town and Country Planning 1990**The Town and Country Planning (Control of Advertisements) Regulations 1992****Re: Land at Brook Street, Wrexham LL13 7LH****Proposal: Installation of 1 x 48 sheet freestanding digital advertising display unit.**

This planning statement is submitted in support of an application for express advertisement consent by my client, Alight Media Ltd, relating to a proposed freestanding 48 sheet digital advertising display unit on land at Brook Street, Wrexham LL13 7LH.

The statement should be read in conjunction with the following documents which are submitted in support of the application:

- Express Consent Application Form
- Planning letter statement (this document)
- LL 9130 01 Location Plan at 1:1250
- LL 9130 02 Site Plan at 1: 500
- LL 9130 03 Existing Elevation
- LL 9130 04 Proposed Elevation with Digital 48 sheet display unit
- LL 9130 05 2 Legged Support Structures Specifications
- LL 9130 06 Digital 48s Unit Specifications
- LL 9130 07 Crash Map Statistics 2016 to 2020
- Planning Fee paid via Planning Portal

The application seeks the following:-

“Installation of 1 x 48 sheet freestanding digital advertising display unit”.

Site and Surroundings

The application site is located on a strip of land on the western boundary of a vacant development site on the south side of Brook Street. The immediate vicinity of the site is identified as lying within the area of the Wrexham Town Centre Masterplan (adopted April 2016), and is also identified by Policy H13 of the now time expired UDP as part of a regeneration area. (The Wrexham Local Development Plan 2 (LDP2) 2013 to 2028 will replace the UDP. The LDP2 will be a long-term land use and development strategy, focused on achieving sustainable development in the area).

The Masterplan is an evidence base for the LDP2 and a framework for decision making within the Masterplan area. It is used to market the town, encourage investment and guide planning applications in the Masterplan area. The Masterplan sets out a vision for the town centre as an attractive, distinctive and accessible place where people want to live, learn, work, visit and invest.

The general street scene of Brook Street comprises a wide mix of uses and building styles. Uses include offices, shops, cafes, takeaways, clubs and residential premises with buildings of varying scale, mass, style and design.

The application site is located outside of the town centre shopping area, but in close proximity to it, and is sited near the junction of Brook Street and Lea Road, approximately half a mile south of the main shopping centre.

Some of the buildings on the south side of Brook Street have fallen into disrepair, and so have a negative impact on the amenity of the locality. The Masterplan identifies the area of the application site as being suitable for mixed use development including any combination of small scale retail, office, leisure, and residential, in order to meet local needs.

The general scale of the buildings of the immediate locality is of 2-3 storey buildings with red brick and slated pitched roofs being common place on the north side of Brook Street, and larger more industrial looking buildings on the south side in a slightly elevated position. There is, however, no overriding style that dictates the street scene.

Many of the buildings in the area still have industrial and commercial uses, but many others have been abandoned or demolished. The poor economic climate within the area over recent decades has led to redundant and vacant buildings, which in turn has led to neglect and a number of buildings falling into disrepair.

Sites in the surrounding area have been subject to planning applications for mixed retail / student accommodation developments, however, the proposed redevelopment of these sites has been delayed due to the ongoing economic situation, and the proposed start dates of these works are still uncertain.

The application site therefore lies within a predominantly commercial area that has remained undeveloped for many years. It must be taken into consideration that this location is not going to change from its current form for some considerable time, and with this in mind, the application proposal is considered to be appropriate in this setting.

The overall visual impression of the street scene at the point of the application site is one of openness with most of the buildings on the south side of Brook Street being set back some distance from the highway. The street scene is typical of a commercial area where roads pass through a built up area with development, activity, and signage on all sides. It is considered that the size and scale of the application site is in keeping with the site's setting, and the application proposal is consistent with the advertising policy guidelines which state that developments should be *"appropriate in terms of scale, mass, height, layout, appearance, materials and relationship to adjoining buildings"*.

Background Information

The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) Regulations 1992 (and 2017 Amendments) which state that advertising should be controlled in the interest of visual amenity and public safety, taking into account any material factors.

Planning Policy Wales (PPW) is the National Planning Policy for Wales. Technical Advice Notes (TANs) supplement PPW and give greater clarification. TAN 7 '*Outdoor Advertisement Control*' provides advice on how Local Authorities should assess advertisement applications. The Guidance recognises "...*the importance of advertisements to the national economy and should not stifle original designs or new display techniques*" (Paragraph 4) and confirms that outdoor advertisements can only be controlled in the interests of "visual amenity" and "public safety" (Paragraph 6).

Paragraph A4 of TAN 7 outlines various requirements to consider when deciding advertising applications. These relate to respecting the scale of surrounding buildings and locations, and having regard to "*the symmetry or architectural features of their location*".

When discussing suitable locations for large format advertising, TAN 7 states: "*If a locality is in a mixed use, with shops or offices interspersed with residential development..... Poster advertising may be acceptable when it is carefully related to the scale of surrounding buildings, and designed and positioned so as not to intrude upon or interrupt existing features or landmarks*". The character of the area surrounding the application site is clearly one of mixed use with the locality dominated by the retail and commercial developments.

48 sheet digital advertisements are now a common sight on arterial roads in major towns and cities and as such, are not an '*unusual*' feature in the street scene of commercial and industrial areas. Digital signage is also in widespread use across the country to convey road safety messages to drivers, and there is no reason to suggest that a responsible driver would be distracted by this type of digital signage, or the digital advertisements proposed in this application.

The shift towards digital display screens away from traditional 'paper and paste' billboards is a positive response by the outdoor media industry to the Ministerial forward in the National Planning Policy Framework (NPPF) which states that, "*development means growth and we must respond to the changes that new technologies offer us.*" The NPPF states further that "*advanced, high quality communications infrastructure is essential for sustainable economic growth*".

The clear thrust of the above-mentioned national policy is that those involved in development and development control need to respond to the changes and innovations offered by new technology. Part of the national project to bring the outdoor industry into the 21st century has involved the development of modern and innovative digital display units.

The relevant policies in the Wrexham Unitary Development Plan are "*GDP1 – Development objectives and PS2 Development and the Environment*".

Local and National Government has a duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). The Applicant considers that the assessment of the application proposal should take into account the sustainable development principle and the well-being objectives of the Welsh Ministers which are set out in the WBFG Act.

The national presumption in favour of sustainable development means that unless there are specific adverse impacts that would significantly and demonstrably outweigh the benefits of the development proposal, it is considered that the LPA should take a positive approach that reflects the presumption in favour of sustainable development.

'*Sustainable development*' is usually defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Advertising panels

comply with this definition, as they are patently needed by advertisers and businesses, contribute to the economic health of the country, and can be easily removed without any trace and so not compromise the future.

Local and national policies recognise that outdoor advertising is an important part of commercial activity, in particular for retailing, which relies on external advertisements or signage to communicate information to sell goods or services. This will be particularly important in the 'post pandemic' period. Advertising is a prominent feature in modern society and contributes to the attractiveness of the urban street scene by introducing colour, variety, and interest.

At the same time, it is acknowledged that the Council has to balance need for sustainable development against the visual aspects of maintaining an attractive environment. It has been accepted that digital displays can enhance iconic town and city locations by providing features that are impactful, distinctive, innovative and modern, in addition to making a positive contribution to the street scene.

However, the Applicant accepts that careful control is necessary to ensure that advertisements do not adversely affect visual amenity or public safety, and that application proposals need to be compliant with the core principles of advertising guidelines that require signs to be of a good design and appropriate to their context.

Application Proposal

There is presently no advertising display at the application site, however, there is an existing 1 x 48 sheet freestanding digital display unit located approximately half a mile north of the application site in a similar commercial locality. The display was granted consent on appeal (**APP/H6955/H/20/3261337** dated 08/12/2020) after the Council had originally considered but refused the application on 05/10/2020 (**P/2020/0488**). This advertising display unit is now in situ and fully operational.

There are some striking similarities between the application proposal and the consented display, which is considered to be relevant to the application proposal, as it mirrors the application site in terms of size, scale and landscape orientation, and the same operational characteristics of digital illumination and static advert images.

The Planning Inspector concluded in the Appeal Decision Report for the consented site that ***“The Appeal site itself is located next to a modern commercial enterprise, with a number of other modern developments in the general vicinity “In scale/design terms the proposed signage would therefore not be detrimental to the visual amenity of the general area, or run contrary to the Act”.***

The Applicant seeks advertisement consent to erect 1 x 48 sheet freestanding digital advertising display unit, which would measure 6.4m wide x 3.4m high with the base of the digital display unit being approximately 3m from ground level.

The main reasons for using digital technology include the exceptional flexibility in display capability, efficiency savings in operational costs, and a more sustainable method of roadside advertising. The electronic method of changing advertisements (in contrast with the manual method of changing traditional poster displays) eliminates the need to physically produce posters, with the resultant savings in energy and material consumption across the media

The display screen would have an attractive and innovative appearance. The proposed layout would sit comfortably in its visual context without harming amenity, the qualities of the site, or the character and appearance of the wider area. The proposed digital screen are considered to be of an appropriate scale and design in relation to the surrounding buildings and spaces, and will not appear as intrusive within this locality.

It is considered that the proposed display would not detract from the visual amenity of the area, and would be identifiable as a bold and innovative design, which would be part of the modern approach to outdoor advertising in commercial settings such as this location.

The proposed unit has been architecturally designed with high quality materials to create an integrated unit, which requires no access for internal maintenance or changing of advertising displays. The digital display would be controlled remotely via a dedicated internet connection and computer software that would control every aspect of the display in real-time, including brightness, timing of each image, transition time between each image and transition method etc. The screen would also be linked to sensors which detect external lighting levels and automatically adjust the screen's level of luminance.

The display screen would present a range of changing static images with a smooth, uninterrupted transition from one image to another every 10 seconds, but there would be no moving images, animation, intermittent or full motion video images. The interchange between each image is virtually instantaneous.

Primarily the displays would be used to advertise local and national commercial products, however, the technology would provide the flexibility to display local messages relating to Council, highway or emergency safety information. The Applicant's proposal represents a significant investment in the site, and also reflects a forward thinking aspiration and a commitment to achieving a long term and sustainable future for outdoor advertising at this location.

To ensure the display operates without harming either visual amenity or public safety, the Applicant recommends that the proposal adheres to the schedule of planning conditions which are set out at the end of this letter. They reflect best practice guidance and recent digital consent decisions issued by planning authorities across the UK.

The application scheme proposes the development of an iconic advertising location on a main gateway route into and out of the town centre. It will give the display a '*sense of place*' in an area which is typical of an area where the overall visual impression of the street scene is one of openness with the wide carriageway and large scale commercial buildings in the locality of the site.

Local and national policies state that advertisements should be subject to control only in the interests of visual amenity and public safety, and therefore this application will be need to be assessed in terms of the effect of the proposed digital displays upon visual amenity and public safety.

Amenity Assessment

The area is predominantly commercial in character, and there is no significant residential element in the immediate vicinity of the application site, so the proposed display would not have any detriment to residential amenity in this location. The proposed display would be positioned within a street scene of commercial buildings, and traffic travels through this built up area with development activity and signage on all sides. National policy and advice advocates locating advertisements in such areas where their impact is appreciably less and commensurate to their function. In this regard, the application proposal should, in principle, be acceptable.

It is considered the proposal would sit comfortably in its visual context without harming amenity, the qualities of the site or the character and appearance of the wider area.

Paragraph A4 of TAN 7 states that "*free-standing units alongside the highway should be related to the scale of surrounding buildings and have regard to the symmetry or architectural features of their location*". The application site would be viewed in the context of the adjoining commercial street scene.

The proposed display unit would be located at a 90 degrees angle to the highway. Although the unit is large, it is considered that its simple rectangular form presented with horizontal emphasis would respond well to the form and size of the surrounding built environment. Given the size, height and location of the display unit, it is not considered that the proposed display unit would constitute a prominent feature in the street scene.

The application proposal would face traffic travelling east on Brook Street, and would be seen against the backdrop of the large industrial buildings. Against the mass of these buildings, the proposed display

unit would be acceptable in scale comparison. There must always be larger and smaller items in any street scene. There is no good reason why the proposed display should not form part of this mix. It will be a new, bright and attractive feature, which would be wholly beneficial to this rather undistinguished stretch of an urban street scene.

It is acknowledged that the proposed digital display unit would draw the eye, but it would be assimilated into the context of the surrounding area, and its proximity to the highway boundary simply reflects its function to display the advertising to passing traffic, rather than being overly prominent.

The proposed display unit would not obscure or cut across any significant architectural features, and its scale, design and landscape orientation would not harm the visual simplicity of the built environment in the surrounding area. The setting is highway dominated and predominantly commercial in character, and it is therefore considered as entirely appropriate for illuminated roadside advertising in line with the policy framework and current market requirements.

The proposed digital unit will be slim and elegant, and will be controlled remotely via a dedicated internet connection and computer software that controls every aspect of the display in real-time, including brightness, timing of each image, transition time between each image and transition method etc.

The proposed display would be digitally illuminated, however, the light does not radiate in the same way as either externally illuminated displays or traditional backlight units. In this regard the illumination only highlights the matter contained within the display. We do not consider that the proposal would be significant in the street scene as the display is located in close proximity to other sources of illumination and street lighting, which emit a considerably higher intensity of light.

It is acknowledged that each case should be considered on its own merits. However, it is considered that the proper consideration for the purpose of this application is to measure the proposal against Government advice and recent decisions for similar applications, but also the reality of the site and its surroundings. This will ensure that there is consistency in decision making, and the interpretation of the national guidelines relating to the impact of advertisements on visual amenity.

The application site has been vacant for many years, and in the absence of any approved development, it is considered that the application proposal will bring the site back into use, and be consistent with the objectives of Policy H13, and the proposed use in accordance with the Masterplan.

Furthermore, the role and functions of town centres are under increasing pressure to adapt to changes within the retail and commercial sectors and the wider economy. A greater diversity of uses is seen as an important strategy in the future sustainability of town centres, and it is considered that the application proposal will support rather than be in conflict with this approach and the objectives of the Masterplan.

The application site broadly reflects the description of acceptable locations for large advertisements given in national and local planning guidance, insofar as it is in a commercial area of large open scale. The street scene is typical of a commercial area where roads pass through a built up area with development, activity, and signage on all sides. It is therefore considered that the application site is the type of area where large advertisements of the scale and design proposed in the application would be acceptable.

Public Safety Assessment

With regard to public safety, this principally relates to the effect of advertisements upon the safe use and operation of any form of traffic or transport. The main issue for consideration is whether the digital display or its location is likely to be distracting and capable of being a hazard to public safety.

The proposed digital display would be viewed primarily by traffic travelling east on Brook Street. The highway is well-lit and provides excellent forward visibility on approach to the site, allowing drivers to glance at any advert far in advance without being distracted from the road ahead. Under these circumstances such a familiar urban feature would not constitute a potentially hazardous distraction to anyone exercising a reasonable standard of care.

Illuminated advertisements are now a common sight on arterial roads in major towns and cities and as such, are not an unusual distraction for drivers. Drivers are used to distractions in urban areas, whether it be buildings, shop fronts, traffic signs or other adverts. The proposed display would be no different in terms of attracting a driver's momentary attention and would not impact on the driving task.

In their assessment of the public safety implications of an advertisement display, LPAs will assume that the primary purpose of an advertisement is to attract people's attention, but they will not automatically presume that an advertisement will distract the attention of passers-by, whether they are drivers, cyclists or pedestrians.

Research on roadside advertising demonstrates that drivers always give priority to the driving environment, taking in non-essential information, according to road conditions and whether there is sufficient 'spare capacity' to perform such tasks. Where external stimuli are present in demanding circumstances drivers tend to adopt a 'glance' strategy taking repeated short duration views of less than one second to either side of the vehicle's path, but maintaining awareness of vehicle conditions. There is no conclusive evidence to show that a correlation exists between advertising and road safety.

"Research has shown that the period of change between adverts is an area where there could be some additional distraction to drivers. The intervals between successive displays should be essentially zero, as a slow merge or bright-dark-bright sequence is more visually compelling than a bright-bright sequence and hence has more potential for distraction". ('Guidance for Digital Roadside Advertising and Proposed Best Practice' - Transport for London (TfL) document 2013).

Planning guidance advises that all advertisements are intended to attract attention but those situated where drivers need to take more care are more likely to affect public safety, for example, at traffic light controlled junctions, roundabouts, pedestrian crossings, and other places where local conditions present traffic hazards. None of these factors are present at the application site.

At the point of the application site, the passage of traffic is relatively simple and drivers are faced with limited decision making on a relatively simple stretch of road with a 30 mph speed limit. Drivers have plenty of capacity to assimilate information without impacting on their decision making or their ability to concentrate on the driving task, particularly if signs and speed limits have been observed.

The proposed digital display will be located so that it will not interrupt the visibility of any highways, and it is therefore logical to assume that the location and the display itself will not cause any distraction or confusion to any road users, or endanger people in the vicinity who are taking reasonable care for their own and others safety.

There is no evidence to suggest that the accident record is a poor one at this location. In fact road traffic accident statistics from **Crash Map** for the area in the vicinity of the application site over the five year period from 2016 to 2020 show that there have been no incidents recorded during this period on this part of the transport network on the approach to the site. The data provided by **Crash Map** has been accessed from the records of the Department for Transport, and a copy has been submitted with the application as support document **Doc. No. LL 9130 07– Crash Map Statistics 2016 to 2020**.

Taking into account planning guidance, and comparisons with similar consented 48 sheet digital displays in LPA areas across the country, it is considered that the application proposal is not likely to distract drivers' attention, nor lead to an increase in the risk of accidents.

An analysis of road traffic accident statistics before and after the introduction of digital displays at similar locations has shown that this has not led to an increase in accident levels in the vicinities of these sites.

Recent industry research has shown that *"there is no additional material effect on highway safety when installing digital displays where static advertising exists or would be accepted, provided that the images are only "static poster like displays", and levels of illumination are controlled and monitored"*. (Transport for London document entitled **"Guidance for Digital Roadside Advertising and Proposed Best Practice - March 2013**).

Digital advertisements are highly controllable and it is therefore possible to provide recommendations to manage the level of distraction by control of type, brightness, form of change and interval between advertisements

Any concerns that the Council may have regarding the digital form of illumination would be addressed by granting consent subject to the appropriate conditions outlined in this planning statement. These conditions are now widely accepted by LPAs across the country as standard for the control of digital displays and reflect best practice guidance in the outdoor industry

Suggested Conditions

- The maximum level of illumination should not exceed 600cd/m² during daylight hours or exceed 300cd/m² during twilight and night hours (dusk until dawn), in accordance with the terms of the Institution of Lighting Professionals, Professional Lighting Guide 2015 recommendations for maximum luminance (cd/m²).
- The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level
- The approved display should contain at all times a feature that will turn off the screen (i.e. show a black screen) in the event that the display experiences a malfunction or error.
- No individual advertisement on the LED screen will contain moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
- There shall be a smooth uninterrupted transition from one image to another. Transitions shall be instantaneous, and no individual advertisement shall be displayed for a duration of less than 10 seconds.

Conclusions

For the reasons set out in this statement letter, it is considered that the proposal is in accordance with the relevant policy framework. It would not create a distraction for road users, and would sit comfortably in its visual context without harming amenity, the qualities of the site, or the character and appearance of the surrounding area which is predominantly commercial in character.

The proposal submitted reflects the Applicant's preferences, however, should the Council wish to discuss any aspect of the proposal, we would welcome the opportunity to address any concerns prior to determination.

The relevant fee of £460.00 for the consideration of this advertisement consent application will be paid to Wrexham County Borough Council via the Planning Portal. I trust you will find the above application in order and look forward to receiving your acknowledgement in due course.

Should you require any additional information, please do not hesitate to contact the undersigned.

Yours faithfully

Chris Welbourne
Outdoor Advertising Services