

PLANNING STATEMENT

REPLACEMENT BUS SHELTER ADVERTISING DISPLAY UNIT **(DOUBLE-SIDED DIGITAL DISPLAYS)**

TOWN AND COUNTRY PLANNING ACT 1990 **TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND)** **REGULATIONS 2007**

1.0 Proposal

- 1.1 The proposal is to replace the existing double-sided internally illuminated 6-sheet advertisement displays within the Bus Shelter with double-sided digital displays. The replacement digital panels would display static advertising images in sequence, changing no more frequently than every 10 seconds, the change via smooth fade.

2.0 Scale

- 2.1 The proposals involve converting what are currently double-sided internally illuminated 6-sheet advertisement displays within the Bus Shelter to double-sided digital displays. The existing double-sided internally illuminated 6-sheet advertising displays have an active area measuring 2sq.m each. The proposed replacement digital displays measure 1641.7mm (H) by 926.5mm (W), with an active area of 1.5sq.m each. Therefore, the proposed replacement displays would be less tall, narrower and 0.5sq.m (or 25%) smaller in terms of display active area compared to the existing internally illuminated displays.

3.0 Means of illumination

- 3.1 The proposed replacement displays would be digital liquid crystal display (LCD) panels. This panel type represents the latest technology for outdoor signage applications and, accordingly, displays of this kind are increasingly common in large towns and cities across the UK, in centres of activity and/or alongside main movement corridors. There are in the region of 4,000 such street furniture digital displays across the UK.
- 3.2 The proposed replacement digital displays would display static advertising images in sequence, changing no more frequently than every 10 seconds, the change via smooth

fade. Illumination of the proposed displays is controlled by light sensor which monitors ambient light. During periods of darkness, the displays' illumination would be restricted to a maximum brightness of 280cd/m², which is within the levels recommended by the Institute of Lighting Professionals¹. The displays would never therefore appear overly bright or cause glare.

- 3.3 The replacement of existing internally illuminated 6-sheet advertisement displays with digital displays is increasingly accepted and therefore commonplace in major urban areas across the UK. To assist, we refer below to a number of recent appeal cases involving this change in display type. All cases need to be considered on their own merits of course, but we include the below excerpts as evidence of how digital displays are being considered by Planning Inspectors.

London Borough of Hillingdon (Appeal lead case. Ref: APP/R5510/Z/16/3157043)
Islington (Appeal case Ref: APP/V5570/Z/17/3169006)

- 3.4 These cases involved the same proposed LCD advertisement displays albeit housed within a telephone kiosk. Specifically, we refer to the Inspectors' findings on the digital nature of the proposed advertisement displays, the same technology proposed in this case.
- 3.5 In the Hillingdon cases, para. 18 of the decision letter states, *"Whilst I can appreciate the Council's concerns, there is no technical reason why digital displays should be any brighter or more intrusive than a conventional advertisement display unit with internal fluorescent lighting"*.
- 3.6 In the Islington case, para. 8 of the decision letter states, *"I accept that this form of display technology is increasingly common in major urban areas, and I see no reason why it should be any brighter or more intrusive than some other forms of display such as those with fluorescent lighting."*

Birmingham City Council (Appeal Ref: APP/P4605/Z/18/3204927)

- 3.7 In this case, para. 7 of the decision letter states, *"The proposed advertising display would be digital and internally illuminated but this would not necessarily make it brighter or more prominent in the street scene than the existing display which is also internally illuminated."*

East Hertfordshire District Council (Appeal Ref: APP/J1915/Z/18/3208972)

¹ Institute of lighting Professionals, Professional Lighting Guide 05, "The Brightness of Illuminated Advertisements."

- 3.8 In this case, para. 8 of the decision letter states, *“Although they would be digital and internally illuminated, this would not necessarily make them brighter or more prominent in the street scene than the existing display which is also internally illuminated.”*
- 3.9 In summary, the proposed change from internal illumination to digital illumination is increasingly accepted and therefore common in major urban areas across the UK, reflecting the view that there is no technical reason why digital illumination should be any brighter or more intrusive than conventional internal illumination.

4.0 Amenity - General comments

- 4.1 Factors relevant to assessing amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, cultural, or similar interest. In assessing the effect on visual amenity within the locality of a proposed advertisement as experienced by residents or passers-by, the test is whether the proposed advertisement display is in scale and in keeping with features that characterize the locality.
- 4.2 Advertising displays integrated within street furniture, located in centres of activity and/or alongside main movement corridors, are no longer uncommon. They exist in the form of Bus Shelter 6-sheet advertising displays, as Free-standing Advertising Display Units and as displays integrated within Telephone Kiosks of various kinds (eg. BT’s In-Link and ST6 kiosks).
- 4.3 With this application, the proposal is to change from the existing consented situation comprising double-sided internally illuminated 6-sheet displays to double-sided digital displays. It is important therefore in the planning assessment to weight the existing consented situation. The current displays are established existing features within the street scene and locality, within the Conservation Area (if applicable) as existing, and within the setting of any listed buildings (if applicable) as existing.
- 4.4 Therefore, where there is an existing Bus Shelter with integrated internally illuminated advertising displays, the said advertising displays are established features of the locality and street scene as existing. All that is proposed is replacement of the existing displays which are already established features of the locality in question.
- 4.5 As with the existing advertising displays, the replacement displays would be contained physically and visually within the host Bus Shelter, which would serve to moderate their prominence in the street scene. Also as with the existing displays, the replacement displays would have a black outer frame ensuring their continued visual integration within the Shelter surrounding.

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- 4.6 Digital displays of the type proposed are on the way to becoming the accepted norm in street furniture advertising structures in major urban areas across the UK. The replacement displays would be viewed by passers-by as an evolution of what are established forms of street furniture advertising. They would be in scale and in keeping with features that characterize the locality and would therefore preserve the amenity, character and appearance of the locality related to their siting.

5.0 Public safety – General comments

- 5.1 National Planning Practice Guidance recognizes that while all advertisements are intended to attract attention, advertisements that are proposed at points *“where drivers need to take more care are more likely to affect public safety”*. The guidance lists such points as junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards. The guidance adds that there are less likely to be road safety problems if the advertisement is within a commercial or industrial locality, if it is a shop fascia sign, name-board, trade or business sign, or a normal poster panel, and if the advertisement is not on the skyline.
- 5.2 We refer below to a guidance document produced by Transport for London (TfL) which is used by London Boroughs in assessing proposed roadside digital advertisement displays. Key provisions within the document that are relevant to this proposal are reproduced below.

Transport for London, ‘Guidance for Digital Roadside Advertising and Proposed Best Practice’ (2013)

- 5.3 Under the heading ‘Locations’, the document states, *“Static digital advertising is likely to be acceptable in locations where static advertising exists or would be accepted.”*
- 5.4 In section 5. ‘Summary and Conclusion’, the document states:

“5.2. Sites at locations with increased driver cognitive demand should not immediately be excluded or discounted, but should be subject to detailed assessment.

5.4. Controls over the use of digital adverts should follow the best practice guidelines in this report and should be secured by special condition, with more careful management required in higher risk locations. As a minimum, the OMC roadside digital code should be complied with (Appendix B).

5.5. Not all sites will be appropriate for advertising, but with appropriate controls, digital advertising should be no more or less acceptable than traditional forms of advertising (i.e. backlight, poster and paste, vinyl etc).”

5.5 The OMC roadside digital code referred to above is reproduced below:

“THE CODE

- Mirroring current roadside legislation, there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays.
- The advertising copy on digital roadside billboards should not change more frequently than every 5 seconds unless consent has been granted for such displays.
- The luminance level of a digital roadside billboard shall comply with the Institute of Lighting Engineers Technical Report no 5 (2003).
- Roadside digital displays in England will conform to the five 'Standard Conditions' specified in Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, in Wales in Schedule 1 of The Town and Country Planning (Control of Advertisements) Regulations 1992, in Scotland in Schedule 1 of The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, and in Northern Ireland in Schedule 1 of The Planning (Control of Advertisements) Regulations (Northern Ireland) 1992.”

5.6 The above TfL Guidance takes a pragmatic approach to proposed roadside digital advertisement displays, stating that static digital advertising (which is proposed in this application) is likely to be acceptable in locations where static advertising exists or would be accepted and that with appropriate controls, digital advertising should be no less acceptable than traditional forms of advertising (i.e. backlight, poster and paste, vinyl, etc).

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