

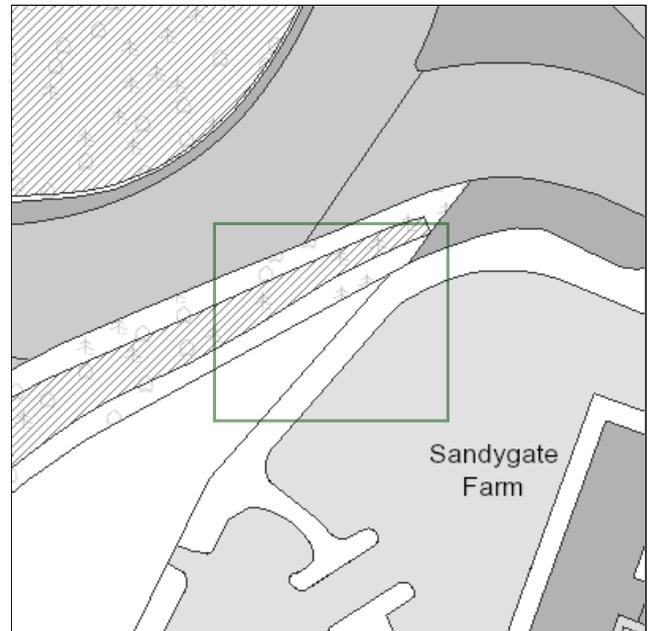
**Ward** Clyst Valley

**Reference** 21/1441/ADV

**Applicant** Mr Graeme Hughes

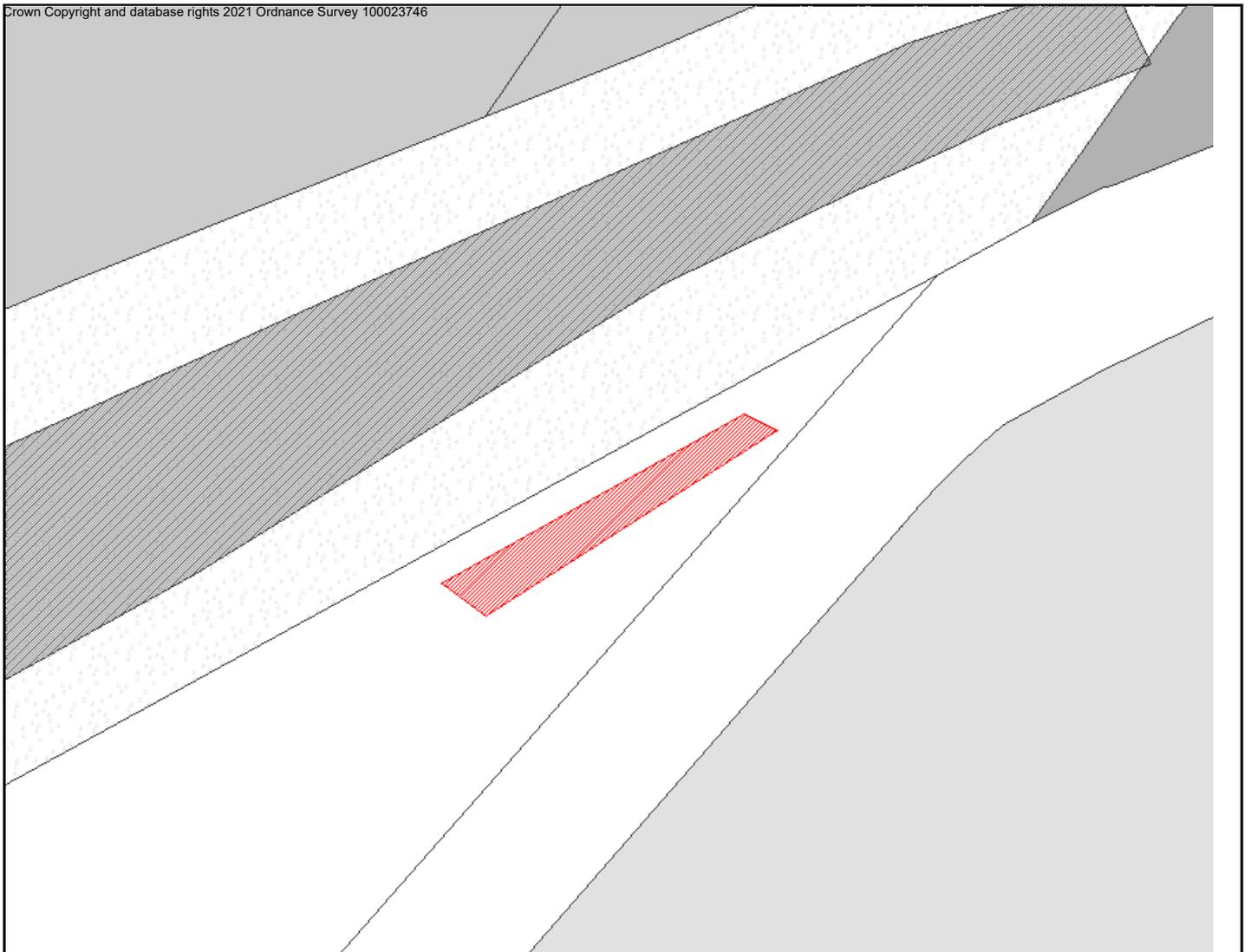
**Location** Martins Of Exeter Ltd Sandygate Exeter EX2 7JL

**Proposal** Installation of 1x48 sheet freestanding digital advertising display unit, measuring 6.4m wide x 3.4m high and comprising pressed metal frame and sealed LED lighting



**RECOMMENDATION: Approval with conditions**

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		<b>Committee Date: 29<sup>th</sup> September 2021</b>
<b>Clyst Valley (Clyst St George)</b>	<b>21/1441/ADV</b>	<b>Target Date: 30.07.2021</b>
<b>Applicant:</b>	<b>Mr Graeme Hughes</b>	
<b>Location:</b>	<b>Martins Of Exeter Ltd Sandygate</b>	
<b>Proposal:</b>	<b>Installation of 1x48 sheet freestanding digital advertising display unit, measuring 6.4m wide x 3.4m high and comprising pressed metal frame and sealed LED lighting</b>	

**RECOMMENDATION: Approval with conditions**

#### **EXECUTIVE SUMMARY**

**This application is before Members having been referred from Chair Delegation for consideration of the concerns raised by the Ward Member and Parish Council.**

**The proposed advertisement display unit is sited at business premises used for the sale of motorhomes and caravans adjacent to the M5 Junction 30 at Sandygate. The site is within a Green Wedge and the land to the south east and north east extends into open countryside. The M5 motorway, which is to the immediate west of the site, marks the boundary between the District of East Devon and Exeter City.**

**As this is an application for advertisement consent, the considerations of the proposal are limited to public safety and amenity.**

**Highways England are satisfied that the position of the structure will not result in an adverse impact on the safe operation of M5 Junction 30 or the long-term integrity of its assets.**

**Given the context of the siting of the proposed display unit, it is considered that the proposal would not result in having any significant detrimental impact upon the character and appearance of the area in this location.**

**The proposal is therefore considered to be acceptable and is recommended for approval.**

## **CONSULTATIONS**

### **Local Consultations**

#### **Clyst Valley - Cllr Mike Howe**

I believe that this is not only a dangerous distraction to drivers, it also doesn't seem to comply with our policy's as this is not advertising the business that it is located at, This will also harm the open countryside that starts at this point, the other side of the Roundabout Exeter is far a far more industrialised view this side is more open and signifies the start of the countryside surrounding Exeter.

I can find no reason that this is a good idea.

Disclaimer Clause: In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

#### **Parish/Town Council**

Unanimous Vote to object on size and probably distraction to drivers.

#### **Adjoining Parish – Bishops Clyst**

As a neighbouring parish to Clyst St George we are writing to register our objection to application 21/1441/ADV for a 48 panel digital advertising display at Sandygate Roundabout. This roundabout is renowned for being difficult to negotiate with four lanes merging into three, five major exits and extremely busy traffic which causes confusion to motorists, especially tourists. It is our view that such a large and impactful advertising display right on the roundabout will be a distraction to motorists, be a road safety hazard and the application should therefore be rejected.

#### **Other Representations**

No other third party comments received.

### **Technical Consultations**

#### **Highways England**

Thank you for consulting Highways England on the advertisement application referenced above. The application seeks permission for the installation of a freestanding digital advertising display unit adjacent to M5 Junction 30, which forms part of the strategic road network (SRN).

Our fundamental position with regards to all signing, digital or otherwise, is whether the proposed signing constitutes a risk to road safety by creating an unacceptable distraction to road users.

Based on the proposed location and collapse radius of the sign we are satisfied that the position of the structure will not result in an adverse impact on the safe operation of M5 Junction 30 or the long-term integrity of its assets. However, in order to ensure that the display of digital advertisements at this location will not result in any risk to the safe operation of M5 Junction 30 we require that the below planning conditions be applied to any consent the Local Planning Authority may be minded to grant, and which are consistent with those applied to other advertisement consents adjacent to the strategic road network.

#### Recommended Planning Conditions

1. The maximum level of illumination shall not exceed 600cd/m<sup>2</sup> during daylight hours or exceed 300cd/m<sup>2</sup> during the hours of darkness in accordance with the terms of the Institution of Lighting Professionals, Professional Lighting Guide 2015 recommendations for maximum luminance (cd/m<sup>2</sup>). 2. Before the advertisement is displayed a scheme to control the maximum luminance of the display during daylight hours and the hours of darkness shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with Highways England). The scheme shall be implemented as approved.

2. The approved display should contain at all times a feature that will turn off the screen in the event that the display is unable to operate correctly.

3. No advertisement on the LED screen will contain moving images, or apparently moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals; nor shall they display any telephone number, website, email or other social media details.

4. 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 30 seconds. 6. Within three months following the third year of operation a report comparing and analysing accident data from the previous six years (three years prior to operation and three years post operation) shall be submitted to and approved by the local planning authority in consultation with Highways England.

Any revisions to the control and operation of the displays required by Highways England as a result of the analysis including changes to levels of luminance, rate and speed of change and sequencing of advertisements will be agreed in writing and implemented in accordance with an agreed programme.

On the basis that the above conditions are applied to any consent, which are necessary to ensure there will be no risk to highway safety arising from an unacceptable distraction to road users, Highways England offers no objection to application 21/1441/ADV.

I trust the above is clear, but please do not hesitate to contact me should you wish to discuss further.

## **POLICIES**

### Government Planning Documents

NPPF (National Planning Policy Framework 2021)

### Adopted East Devon Local Plan 2013-2031 Policies

D4 (Applications for Display of Advertisements)

Strategy 7 (Development in the Countryside)

### Clyst St George Parish Neighbourhood Plan (2015 – 2031)

Policy CSG9 (Design Matters)

## **Site Location and Description**

The application site is a business premises used for the sale of motorhomes and caravans at Sandygate Farm, which is located between Clyst Road and the M5 motorway and adjacent to the A376 Sidmouth Road at Clyst St Mary. The sign is sited on a bank adjacent to the boundary fence between the site and highway land which adjoins the motorway slip road.

## **The Proposed Development**

The display area of the proposed sign measures 6m x 3m and the overall size of the digital display unit including the surrounding frame measures 6.4m x 3.4m. The sign is to be supported on posts approximately 2m above ground level. The frame and the supporting posts are to be finished in a dark grey colour.

The applicant has stated that primarily the display unit would be used to advertise products and services sold by the landlord and other local businesses, together with some national advertisements. However, the technology would provide the flexibility to display messages relating to Council, highway or emergency safety information. Local businesses would be able to access the display unit to raise their profile and generate an increase in their business activities and so support the local economy and employment in the area.

## **ANALYSIS**

The site is within an Area of Special Control for Advertisement (ASCA), as indeed the majority of the District is, excluding the town centres and the more recent additions of the enterprise zones of Skypark, Science Park, Airport Business Park and Cranbrook. An ASCA places additional controls on what types of advertisement can be displayed without consent and/or when it is necessary to apply for consent to display an advertisement. The main consequence for advertisements which can be displayed with deemed consent in an Area of Special Control is that there are stricter limits on the permitted height and size of the advertisement than elsewhere.

In the case of this proposal, consent would have been required, whether or not the site was within an ASCA.

Paragraph 136 of the NPPF states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The same criteria is reiterated in the East Devon Local Plan Policy D4 and there is no specific reference to sites within ASCA's

Policy D4 states that consent will be granted for applications for the display of advertisements taking into consideration their merits in the interests of amenity and/or public safety and where the following five criteria are met:

**The advertisement is appropriately positioned in relation to the design of the building and is of an appropriate scale.**

The proposal is not related to any building on the site, although it is viewed in association with the business and its motorhomes on display. Whilst the proposed display unit may be considered relatively large in size, given the context of its siting adjacent to the business, expanse of the motorway junction and associated infrastructure, it is considered that the scale of the proposal is appropriate in this case.

**The advertisement does not create a hazard to traffic safety, whether vehicular or pedestrian.**

Highways England are satisfied that the position of the structure will not result in an adverse impact on the safe operation of M5 Junction 30, subject to conditions.

**Advertisements are kept to the minimum, and amalgamated wherever possible, to avoid clutter which would detract from the character of the building and the street scene.**

There are no other advertisements in the near vicinity of the site.

**Where a sign is lit the type and level of illumination is appropriate given the general level of lighting in the area.**

Highways England have suggested strict conditions regarding the type and level of illumination and the area is currently well lit by street lighting during the hours of darkness.

**The construction materials and the colours of the advertisement are sympathetic to the building and area.**

The display frame and supporting posts will be finished in a dark grey colour which is consistent with other street furniture in the vicinity of the site. The information shown on the coloured digital screen will be constantly changing and as the images are not permanent it is therefore considered that colours displayed on the screen are not likely to cause any harm to the character or the appearance of the area.

## **CONCLUSION**

Having regard to the above, it is considered that the proposal would not be detrimental to public safety and would not result in causing any significant harm to the character and appearance of the area. The proposal is therefore in accordance with Government advice and the relevant local plan and neighbourhood plan policies referred to in this report.

## **RECOMMENDATION**

APPROVE subject to the following conditions:

1. No advertisement shall be sited or displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. The approved display should contain at all times a feature that will turn off the screen in the event that the display is unable to operate correctly.
7. No advertisement on the LED screen will contain moving images, or apparently moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals; nor shall they display any telephone number, website, email or other social media details.
8. 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 30 seconds.

9. Within three months following the third year of operation a report comparing and analysing accident data from the previous six years (three years prior to operation and three years post operation) shall be submitted to and approved by the local planning authority in consultation with Highways England. Any revisions to the control and operation of the displays required by Highways England as a result of the analysis including changes to levels of luminance, rate and speed of change and sequencing of advertisements will be agreed in writing and implemented in accordance with an agreed programme.

## NOTE FOR APPLICANT

### Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

Any queries regarding CIL, please telephone 01395 571585 or email [cil@eastdevon.gov.uk](mailto:cil@eastdevon.gov.uk).

### Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

#### Plans relating to this application:

T4626 A4 060	Proposed Elevation	04.06.21
	Location Plan	20.05.21
PROPOSED DIGITAL 48 LED DISPLAY	Other Plans	04.06.21
	Block Plan	20.05.21
1	Proposed Site Plan	20.05.21
XDW0044582 STEELWORK & FOUNDATION	Other Plans	20.05.21

#### List of Background Papers

Application file, consultations and policy documents referred to in the report.