

Planning and Rights of Way Panel 20th September 2022
Planning Application Report of the Head of Green City & Infrastructure

Application address: Redbridge Roundabout, Redbridge Road, Southampton			
Proposed development: Installation of 2 x freestanding tower structures each containing 2 x internally illuminated LED digital displays.			
Application number:	19/00639/ADV	Application type:	FUL
Case officer:	Anna Lee	Public speaking time:	5 minutes
Last date for determination:	27.09.2022 (ETA)	Ward:	Redbridge
Reason for Panel Referral:	Referred due to wider public interest	Ward Councillors:	Cllr Goodfellow Cllr Guest Cllr McEwing
Applicant: Ocean Outdoor UK Ltd		Agent: Metropolis Planning & Design	

Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	No
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (NPPF) (2021). Policies –CS13 and 14 of the of the Local Development Framework Core Strategy Development Plan Document (Amended 2015). Policies – SDP1, SDP7, SDP 8, SDP24 of the City of Southampton Local Plan Review (Amended 2015).

Appendix attached			
1	Development Plan Policies		

Recommendation in Full

Conditionally approve

1. The site and its context

- 1.1 The application site is on the Redbridge roundabout grass verge – under Council Highways ownership - adjacent to the eastern approach exiting the A35 towards the city centre, the roundabout exit to the north east goes to M271, and the roundabout A35 flyover passes to the south.
- 1.2 There is a mix of commercial and residential buildings with varying style and size nearby the roundabout, with a garage premises to the west and south and residential areas to the north and east via Gover Road and Cuckmere Lane. There is existing street furniture and sparse vegetation, including safety road signs with a number of lamp columns on the roundabout and adjacent highway verges.

2. Proposal

- 2.1 Advertisement consent is sought to install two free standing towers the overall height of each structure will be 14.4m – similar in height to a 4 storey block of flats - with two side advertisement panels 6 metres high by 4 metres wide. Therefore, the underside of the display will be at a height of 8.4m. The proposal seeks to provide four screens to display the adverts. However, one of the screens will not be in use due to highway safety concerns as set out below. Luminance levels proposed are set at 300 cd/m² during night time hours. One advert tower structure is to be located either side of the flyover.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**. Policy SDP1 indicates that planning permission would only be granted for development that, amongst other things, would not unacceptably affect the safety of the city and its citizens. LP Policy SDP24 indicates that advertisement consent would only be given where, amongst other things, there would be no adverse effect on public safety, including the safety of people using the highway. Text to policy SDP24 indicates that the consideration is whether the sign or its location is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own safety and others’ safety. Whilst these policies are material the Advertisement Regulations and the National Planning Policy Framework both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
- 3.2 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in

compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

4.1 The only relevant planning history relates to application number 08/01257/ADV which sought the installation of one internally-illuminated, free-standing 6.27m x 3.33m poster sign. This sign was proposed to be positioned on the western side of the central roundabout, to face traffic approaching at street level from the west. The application was withdrawn following a highway and design objection.

4.2 The highway objection concluded that the advert would have created a distraction hazard that could have endangered drivers approaching this roundabout from the east A35 exit road. The design objection related to the proposal providing a simplistic design for a gateway entrance.

5. Consultation Responses and Notification Representations

5.1 There is no statutory requirement for a Local Planning Authority to publicise applications for advertisement consent, in this case Ward Councillors have been notified both when the application was initially submitted and, recently, following the receipt of the amended plans and details.

Consultation Responses

5.2 Consultee	Comments
Cllr Catherine McEwing	<p>I have no objections to this planning application.</p> <p><i>Officer comment: This comment was received during the initial consultation period for the application.</i></p>
SCC Highway Development Management	<p>No objection (following amendments)</p> <p>Since the pre-app application, the applicant has now removed the East-facing advert on the southern tower. This was the sign which generated the significant highway safety risk due to its positioning (forming a backdrop to traffic signals), on a bend and dip which limits forward visibility and proximity to street-level traffic.</p> <p>The signs are also now angled so that it is not visible from the northern arm connecting with the M271.</p> <p>The signs are located at a height and position</p>

so it is mainly directed at flyover traffic. The west-facing sign on the Northern tower will likely be visible to street-level traffic but due to the size of the advert sign and distance, it is not considered to be as prominent and distracting to a level where it is considered to result in significant harm. Likewise, traffic from the Gover Road arm of the roundabout would likely be able to see the advertisement sign but again, due to distance and being more 'off-angle', the sign is not considered to be as prominent.

Amended plans have now plotted the towers in more detail which ensures they do not affect the new roundabout layout including the footpaths and cycleways. It is noted that the southern tower will likely be constructed within some embankment areas. This will need technical approval to ensure it does not affect any structural integrity of the embankment. It is noted that a condition is to be agreed and secured to ensure technical approval will be achieved prior to commencement of development.

In summary, the application can be supported subject to the following conditions:

- 1) Standard LED advert condition to restrict luminance levels, display management and static images only.
- 2) Structural and Technical Approval. Details of the construction of the towers and groundworks (including works to the embankment) will need to be submitted and agreed in writing prior to the commencement of development. Reason: in order to ensure the signs can be safely built and do not create a detrimental impact on ground conditions including the embankment.
- 3) No advert shall be displayed on the structure facing West on the Southern tower.

Officer comment: *In respect of the 2nd bullet an informative is included advising the applicant that Highway Structures Technical*

	<i>Approval is needed. This falls outside of the planning considerations for an advertisement and, therefore, an informative will be added to advise the applicant of this requirement.</i>
SCC Historic Environment Officer	The whole flyover network has substantially altered the historic context and amenity of this whole area and given that the listed buildings are orientated to face south onto Old Redbridge Road, the advertising signs would not intrude into their backdrop as they would only likely come into view when you move further east along this road past the more modern buildings so they would not really be considered of sufficient harm to refuse the scheme on heritage grounds.
SCC Design Officer	<p>As the adverts are not visible from the Grade II listed terrace of buildings 2-8 Old Redbridge Road no objection is raised.</p> <p>However, it is hard to understand how such structures meet the Government's desire for beautiful design. The design document includes designs with spiral bases and greenery, but the actual proposal shows a basic design. Therefore, it is not clear why the other designs were included as these more interesting designs don't appear to have progressed. It is clear the design process has not followed the concept ideas through to completion.</p>

6.0 Planning Consideration Key Issues

The key issues for consideration in the determination of this application for advertisement consent are:

- The principle of development;
- Design and visual amenity; and,
- Highways safety; and,
- Impact on heritage

6.1 Principle of Development

6.1.1 The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system

controls the display of advertisements, which should be operated in a way which is simple, efficient and effective.

Saved policy SDP 24 states that advertisement consent will only be given where:

- i. the scale, size, design, materials, colouring and luminance respects the character and appearance of the building or areas in which they are displayed.*
- ii. (ii) There is no adverse effect on public safety including the safety of people using the highway*

6.1.2 Therefore, the key issues for consideration of the application relate to its impact on the character of the area and visual amenity of the street scene, its effect on the character and appearance of the nearby Listed buildings effect on public and highway safety.

6.2 Visual amenity

6.2.1 The proposal would result in two structures being erected adjacent to a raised highway structure. This will change the streetscene and the location of the advertisement boards along the main entry into the city from the east would be visually prominent and would affect the skyline and sense of arrival into the City. However, these structures would not appear sufficiently out of keeping as they would be located adjacent to the other supporting structures.

6.2.2 There are residential properties and commercial premises adjacent to the site but not close enough to cause significantly adversely harm. The nearest residential properties are approximately 50 metres away and their main habitable views face east and west and not north towards the site, in particular those residential properties located along Old Redbridge Road, Cuckmere Lane and Coniston Road. The introduction of the adverts in this prominent location would alter the character and appearance of the area. However, the character of the area is mixed with a number of commercial properties displaying advertisements/signage. In addition the area comprises of a number of highway street furniture such as lighting columns, traffic light controls, road signs, raised walkways and the physical flyover itself. On this basis, it is not considered that the proposed signage would be out of keeping or result in any significant addition street clutter in this particular context.

6.2.3 The plain design of the tower structure is noted as a concern by the Council's City Design Officer. A number of alternative designs were submitted within the supporting document which do not form part of the proposal. The designs illustrated would have provided an interesting gateway feature into the city as in effect they provide public art in their own right. However, these illustrations were not replicated in the final design of the proposal, which is instead relatively simple. Whilst is disappointing that these alternative design illustrations were not carried forward into the formal design submitted, the design and appearance of the tower structure and advertisement is not considered to be visually harmful given the context of the surroundings, and

therefore the relatively poor design (when compared to other precedents provided) is not considered to warrant a refusal on this basis.

6.2.4 Taking into consideration that the site is adjacent to residential properties it is considered that illumination of these signs over a 24 hour period would not be appropriate. For this reason it is proposed that a condition be included to limit the hours of illumination of the proposed signage. The advertising units are acceptable in terms of scale, size, materials (subject to condition), and luminance levels. In summary, the proposal is considered not to appear out of place or adversely harm the visual character of the area, having regard to the surrounding commercial context.

6.3 Highway safety

6.3.1 With regard to highway safety, there have been a number of discussions with respect to the proposal in highway safety terms. During the application stage a further safety audit has been submitted. Highway Officers were concerned with the siting of one of the screens on the southern structure which faces east and fronts the west bound traffic. The concern arising from this advert is its placement and proximity so close to the traffic signals on the center leaved traffic lights below. The insertion of this advert could result in distraction to westbound drivers leading to concerns over highway safety. As a result the applicant has agreed to a condition preventing an advert being visible in this location. Following this agreeing the highway objection has been removed.

6.3.2 Works have taken place at Redbridge roundabout and, therefore, the previous concern relating to the siting of the southern tower structure being located within the cycle path is no longer an issue. The sign would not be sufficiently visible from any nearby roads and therefore the advert is judged not to be a distraction to drivers. Additionally, the positioning of the advertisement structure does not present any significant danger to pedestrians and will not adversely harm the safe use and operation of the public highway.

6.4 Impact on designated heritage assets

6.4.1 The proposed adverts are not sited within a conservation area, but there are listed buildings within 200 metres of the site. It is clear from the comments above from the Historic Environment officer that the proposal will not harm the nearby historic aspects. The proposal needs to be assessed in accordance with the statutory tests for the proposal, as set out in sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, are: whether the proposal would preserve the building, its setting or, any features of special architectural or historic interest with respect to section 66. The NPPF (paragraph 197) requires the proposal to be assessed in terms of the impact on the significance of the building having regard to:

- a) *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and;*

c) The desirability of new development making a positive contribution to local character and distinctiveness.

6.4.2 The proposal would be a distance away from the designated heritage assets. Due to the scale of the existing street furniture between the site and the listed buildings on Old Redbridge Road, the proposal would not be detrimentally harmful to the listed building nor would the proposal conflict with above. On this basis, in accordance with sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, it is considered that the proposal would, at least, preserve the character of the nearby listed buildings.

7. Summary

7.1 Having considered the particular circumstances of this site, highway safety, its proximity to residential properties and designated heritage assets, overall the proposal is judged to be an acceptable feature when assessed against the character of the area, neighbouring residential amenity and would not have a detrimental impact on highway safety for pedestrians/cyclists and motorists. The development is therefore acceptable taking into account the proposals of the Development Plan Policies/guidance, and the Advertisement Regulations, as detailed above. As such, the application is recommended for approval.

8. Conclusion

8.1 Subject to the imposition of the suggested conditions attached to this report, the proposal would be acceptable. The application is therefore recommended for approval.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) (g) 4.(f) (g) (vv) 6. (a) (b) 7. (a)

Case Officer **Anna Lee** for **20/09/2022** PROW Panel

PLANNING CONDITIONS to include:

1. Restricting the number of screens in use (Performance Condition)

Notwithstanding the approved plans the east facing advertisement panel within the southern tower facing the westbound traffic shall not be in operation at any time.

Reason: In the interests of protecting highway safety.

2. Luminance and Imaging (Performance Condition)

The structure incorporating the LED digital display panel hereby approved shall be displayed only in accordance with the following;

- a) No individual advertisement displayed on the LED panel shall contain any images that resemble road signs or traffic signals.
- b) The adverts shall not display moving images.
- c) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light level. At all times there should be no glare.
- d) A mechanism shall be in place to ensure that if the installation breaks down, it

shall default to a blank black screen, to avoid any flashing error messages or pixilation.

- e) The maximum luminance for the advertisements shall not exceed 300cd/sq.m after dusk.
- f) The sign shall display adverts for a minimum of 10 seconds.
- g) The merging of images displayed on the screen hereby approved, shall take place over a 1.8 second period comprising an initial fade out over 0.4 seconds to a middle grey colour which would remain static for 1 second. Followed by a 0.4 second fade in to the next image.
- h) The structure incorporating the LED digital display panel hereby approved shall not be in operation during the following hours 23.00-06.00.

Reason: In the interests of protecting highway safety and residential amenity

3. Landscaping (Performance)

If any of the existing landscaping is removed or is damaged during construction the planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent in writing to any variation.

Reason: To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

4. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

NOTE TO APPLICANT

Please note the towers structures hereby approved need Highway Structures Technical Approval for further information please contact Southampton.Highways@bblivingplaces.com

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS13 Fundamentals of Design
CS14 Historic Environment

City of Southampton Local Plan Review – (as amended 2015)

SDP1 Quality of Development
SDP7 Urban Design Context
SDP 8 Urban Form and Public Space
SDP24 Advertisements
HE3 Listed Buildings

Other Relevant Guidance

The National Planning Policy Framework (2019)
The Town and Country Planning (Control of Advertisements) (England) Regulations
2007