

21/01280/ADI

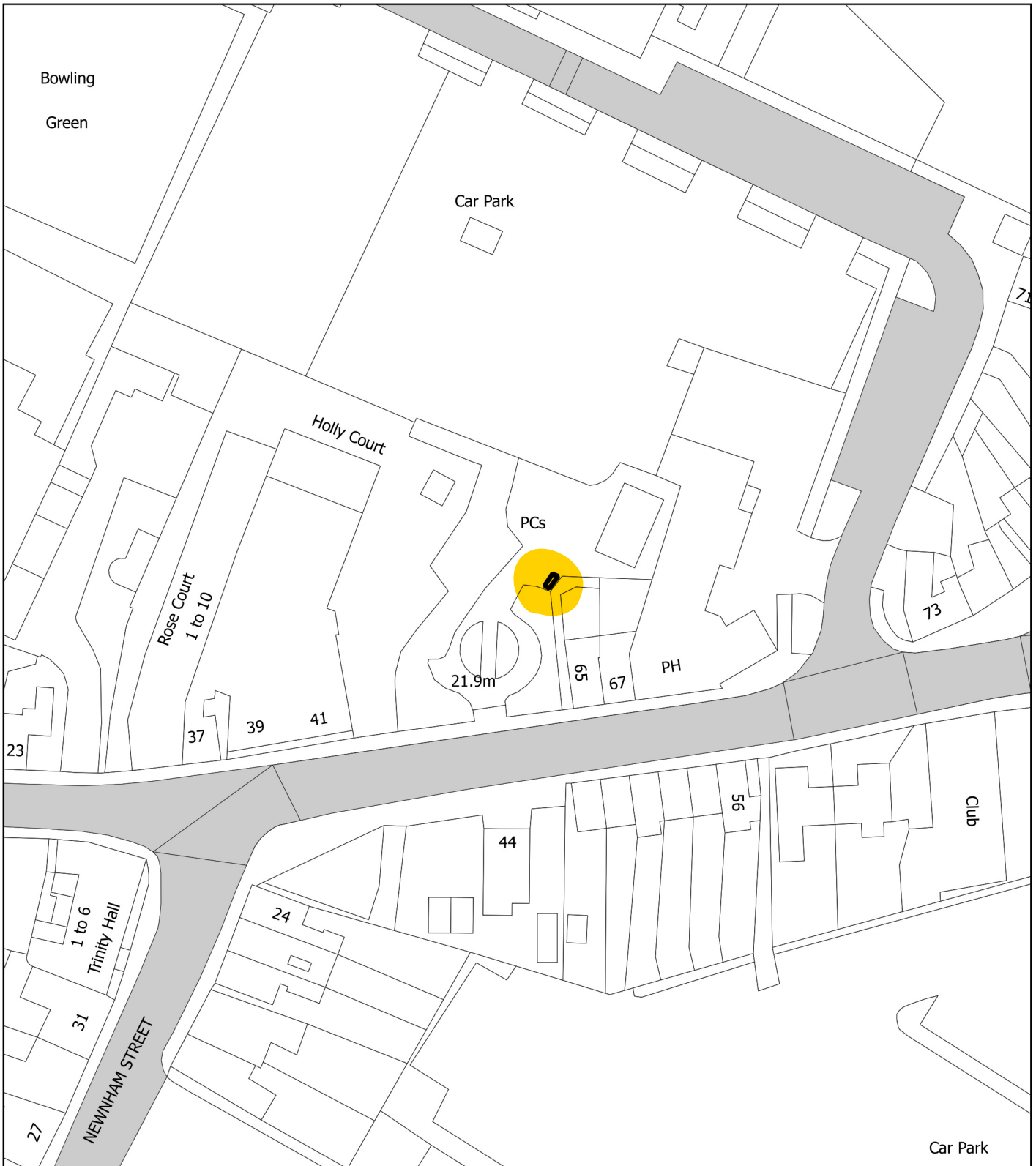
Multiple Sites Across Ely
Cambridgeshire

Installation of multiple digital signage screens around the City of Ely

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QZS185GG0CT00>





21/01280/ADI

Central Ely (1)
Multiple sites around Ely



East Cambridgeshire
District Council

Date: 17/11/2021
Scale: 1:750



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AGENDA ITEM NO 10



21/01280/ADI

Central Ely (2)
Multiple sites around Ely



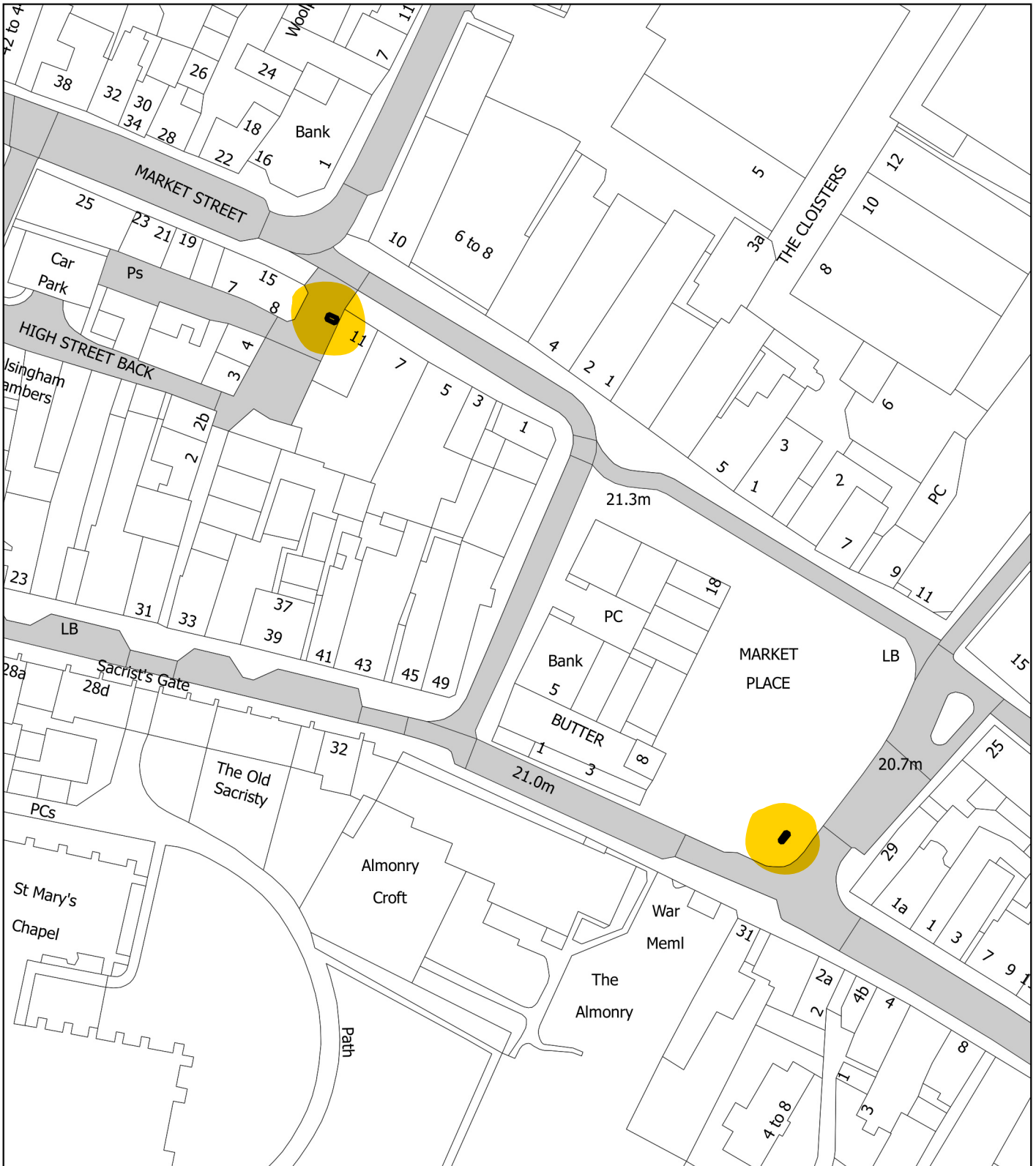
East Cambridgeshire
District Council

Date: 16/11/2021
Scale: 1:2,000



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AGENDA ITEM NO 10



21/01280/ADI

Central Ely (3)
Multiple sites around Ely

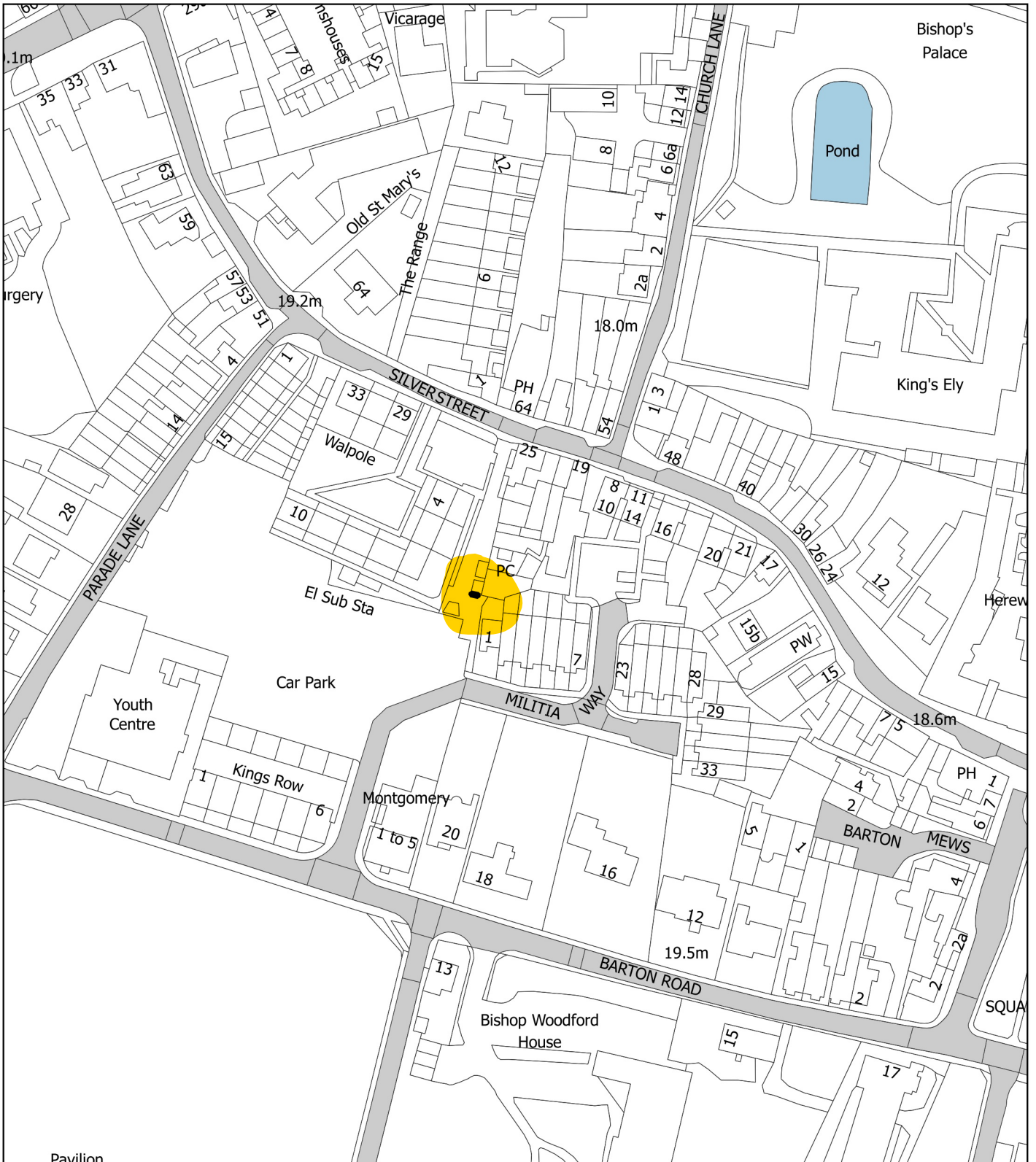


East Cambridgeshire
District Council

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21/01280/ADI

Central Ely (4)
Multiple sites around Ely

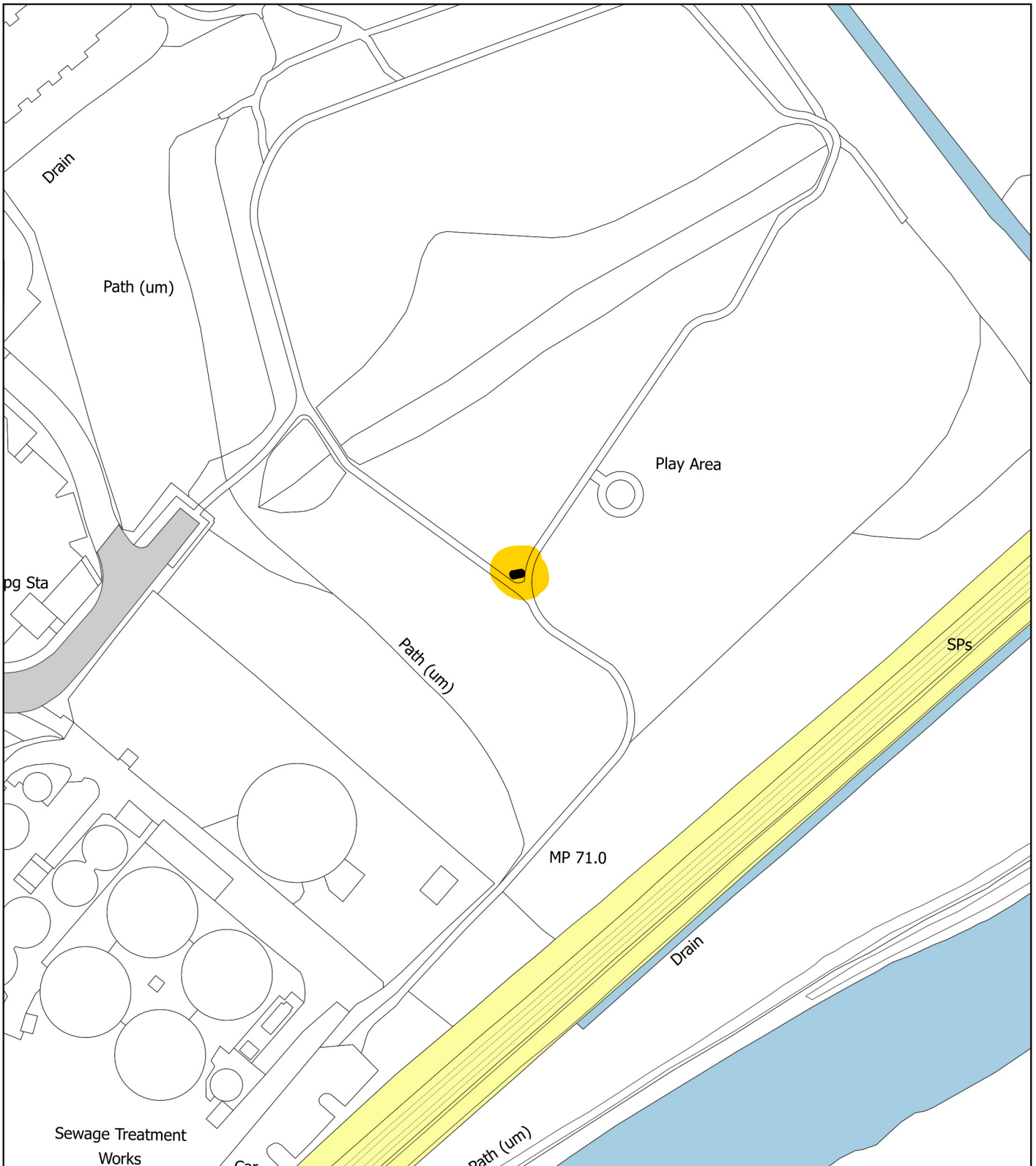


East Cambridgeshire
District Council

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21/01280/ADI

South East (1)
Multiple sites around Ely



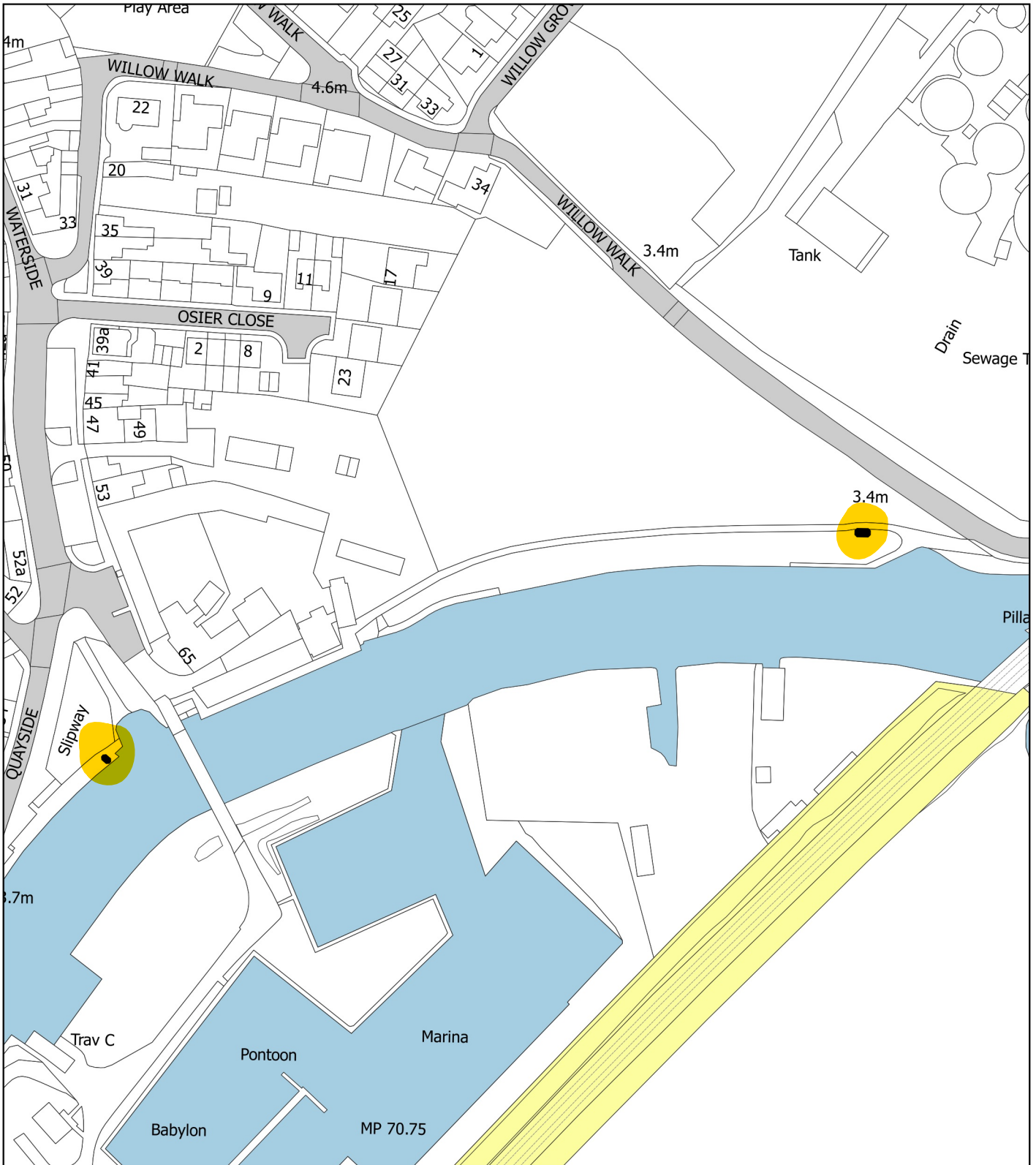
East Cambridgeshire
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AGENDA ITEM NO 10



21/01280/ADI

South East (2)
Multiple sites around Ely

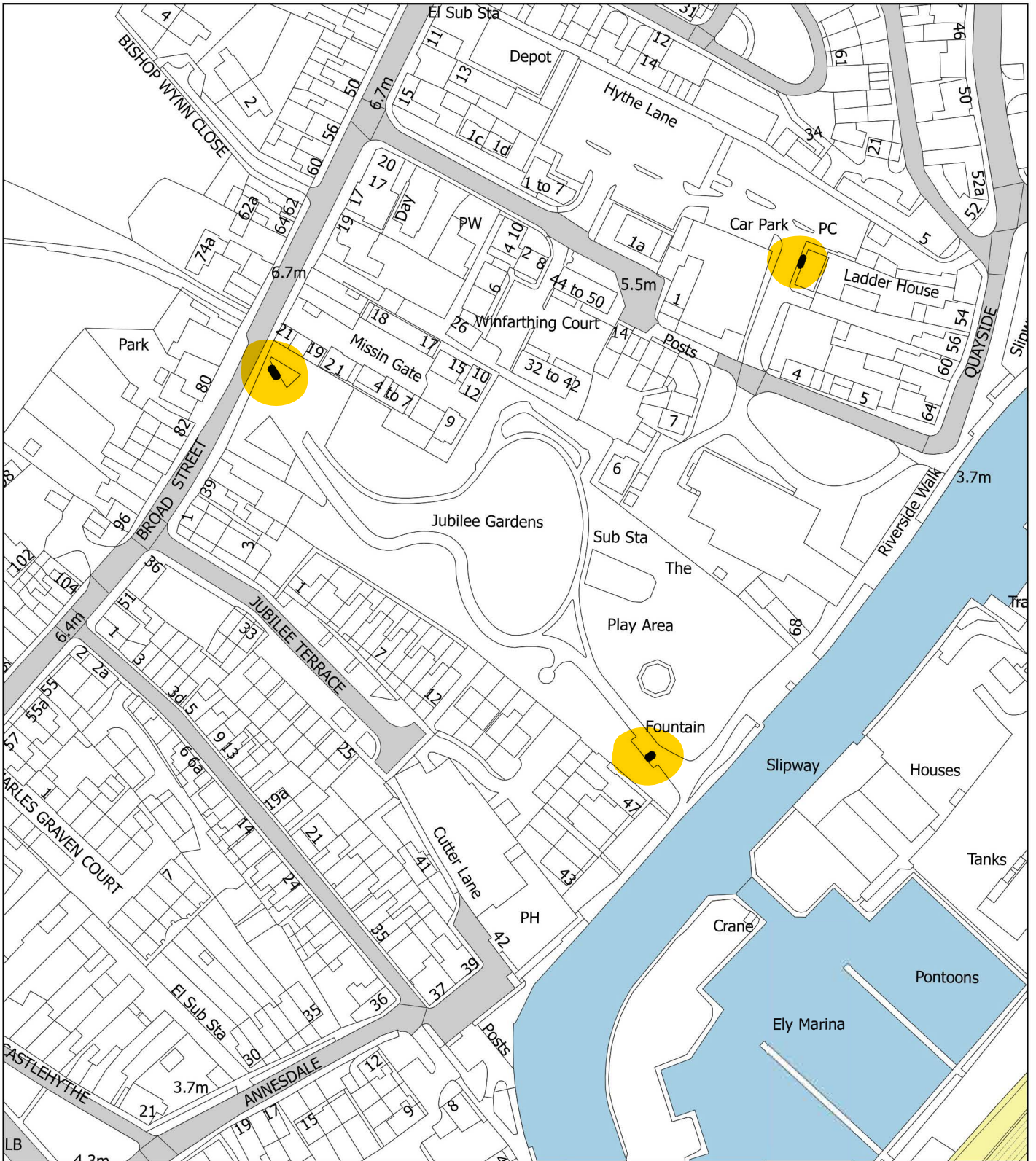


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21/01280/ADI

South East (3)
Multiple sites around Ely

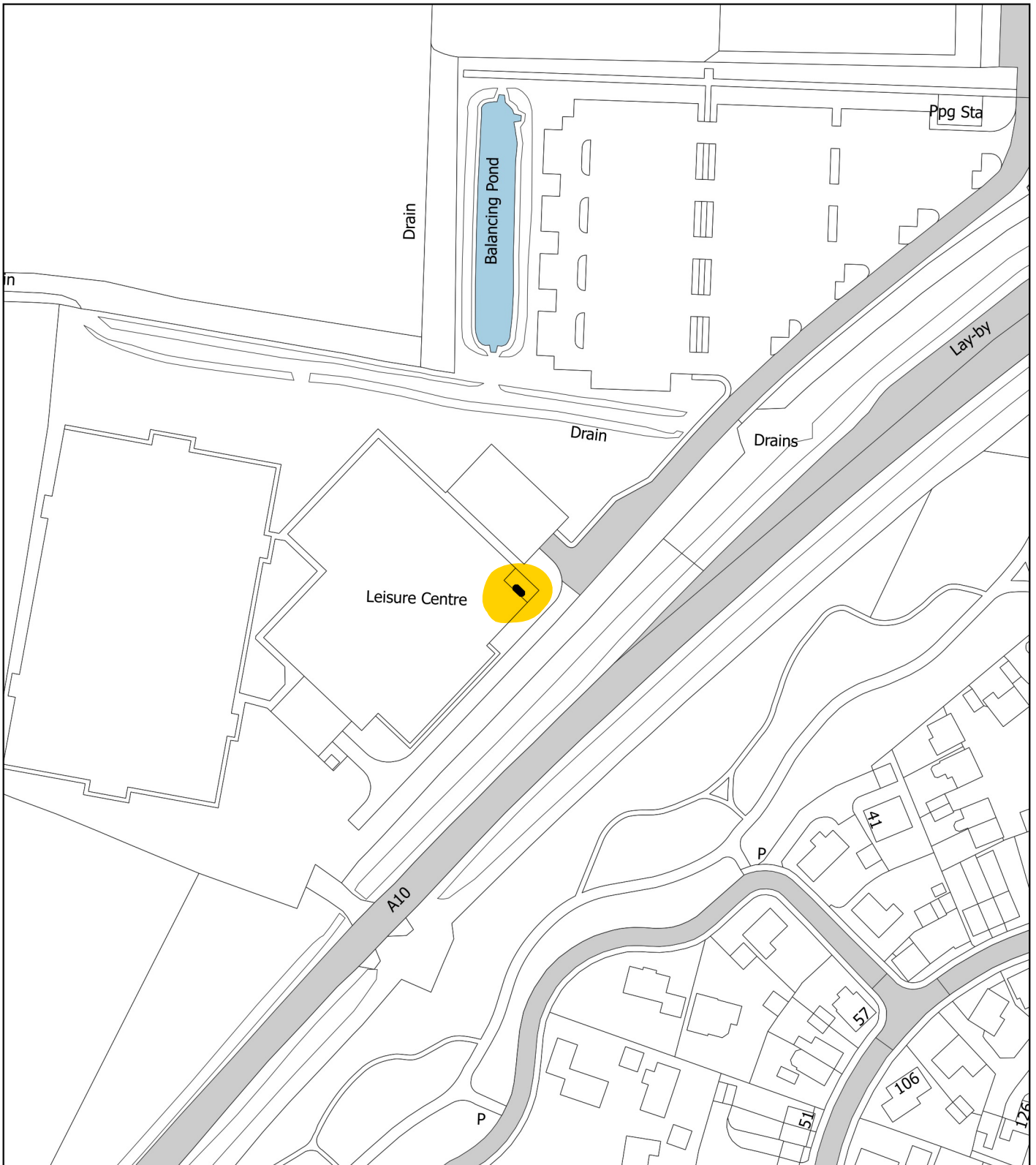


East Cambridgeshire
District Council

Date: 16/11/2021
Scale: 1:1,700



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21/01280/ADI

West Ely
Multiple sites around Ely



East Cambridgeshire
District Council

Date: 16/11/2021
Scale: 1:1,500



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MAIN CASE

Reference No: 21/01280/ADI

Proposal: Installation of multiple digital signage screens around the City of Ely

Site Address: Multiple Sites Across Ely Cambridgeshire

Applicant: East Cambridgeshire District Council

Case Officer: Holly Chapman Planning Officer

Parish: Ely

Ward: Ely East
 Ward Councillor/s: Matthew Downey
 Lis Every

Date Received: 4 October 2021 **Expiry Date:** 10 December 2021
Report Number W124

1.0 **RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the recommended conditions below:

1. Approved Plans
2. Consent for display of advertisement
3. Standard advertisement safety
4. Maintenance of the advertisements
5. Structure/hoarding advertisement safety
6. Removal of advertisement
7. Time Limit – 10 years
8. Removal of the existing Tourism Information Points
9. Luminance of the advertisements (Oct to March)
10. Luminance of the advertisements (Apr to Sept)
11. Noise

1.2 The conditions can be read in full on the attached Appendix 1

2.0 **SUMMARY OF APPLICATION**

2.1 The application submitted seeks planning permission for the installation of twelve digital advertisements, with interactive touch screens, in multiple locations throughout the city of Ely. The original submission included 16 advertisements, four of which have since been removed from the proposals for reasons set out within this report. The proposals are intended to replace a number of the existing Tourist Information Points (TIPs).

2.2 The proposals comprise four types of advertisement, the details of which are set out within the Table 1:

	Single Sided Totem	Single Sided Totem (Solar)	Double Sided Totem	Wall Mounted Screen
Height	2.35m (7'9")	2.35m (7'9")	2.35m (7'9")	0.85m (2'10")
Width	1.04m (3'5")	1.04m (3'5")	1.04m (3'5")	1.32m (4'4")
Depth	30cm (12")	30cm (12")	30cm (12")	0.15m (6")
Screen Size	140cm (55")	110cm (43")	140cm (55")	125cm (49")
Luminance	2,500 cd/m ² (dimmbable)	2,500 cd/m ² (dimmbable)	2,500 cd/m ² (dimmbable)	2,500 cd/m ² (dimmbable)
Noise	No	No	No	No
Totem/Screen Surround Colour	Black	Black	Black	Black
Lettering Size	6cm (2.4")	6cm (2.4")	6cm (2.4")	6cm (2.4")
Lettering Colour	White	White	White	White

Table 1 – Proposed Advertisements

2.3 The proposals are to be sited in the following locations around the city:

1. Barton Road Car Park – Single Sided Totem
2. Jubilee Gardens (Riverside – South) – Double Sided Totem
3. Jubilee Gardens (Top – North) – Single Sided Totem
4. High Street Passage – Double Sided Totem
5. Waterside – Double Sided Totem
6. Forehill – Single Sided Totem
7. Ship Lane Car Park – Wall Mounted
8. Newnham Street Car Park – Double Sided Totem
9. Market Place – Single Sided Totem
10. Pegasus Walk – Double Sided Totem
11. Ely Country Park – Single Sided Totem (Solar)
12. The Hive Leisure Centre – Double Sided Totem

2.4 Advertisements proposed at The Gallery, Steeple Row, St Mary's Green and Ely Museum have been removed from the proposals.

2.5 The proposed content of the advertisement remains indicative at this stage, but it is understood from the information submitted with the application that the content of the screens would comprise tourist and wayfinding information, to replace the older and outdated information on the existing TIPs.

2.6 The advertisements are proposed to be illuminated for 24 hours across the day given their function as wayfinding structures.

2.7 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcamb.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

15/01097/ADI	Display of various signs including illuminated signage to advertise new KFC restaurant	Approved	26.11.2015
15/01093/ADI	Various signs including illuminated signage for new McDonalds Restaurant	Approved	26.11.2015
15/00876/ADI	1 x fascia sign, 3x externally illuminated GRP HH logos, 1 x reverse applied door etch logo and 20x reverse applied etch logos	Approved	21.09.2015
15/00875/ADN	1x Totem sign & 3x pole mounted signs	Approved	21.09.2015
17/02208/ADI	2 No. Building Signs	Approved	08.02.2018
81/00006/ADV	FREE STANDING BRICK PILLAR WITH DIRECTIONAL SIGN	Refused	02.07.1981
13/00238/ADN	3No. Advertisement Signs	Approved	13.06.2013
20/01053/ADN	The addition of 2no high level projecting aluminium signs to the listed building, 3no A1 aluminium poster cases to replace the existing poster cases on the southern courtyard wall and 2no aluminium signage panels to either side of the entrance gate into the Museum courtyard	Approved	05.10.2020

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application sites comprise in part locations whereby existing tourism information points (TIPs) are already in existence (seven of the twelve advertisements.) Five 'new' advertisements are therefore proposed as part of the application proposals which do not currently exist.
- 4.2 All sites, with the exception of The Hive Leisure Centre, lie within the Ely Conservation Area. A number of the proposed advertisements lie within proximity to Grade II listed

buildings and buildings of local importance. These will be identified throughout this report where relevant.

- 4.3 The proposed advertisements at Waterside and Pegasus Walk are located within Flood Zone 2 and Flood Zone 3.
- 4.4 The proposed advertisements at Pegasus Walk and the Country Park are located outside of the development envelope for Ely. The proposed advertisement at The Hive Leisure Centre lies outside of the development envelope for Ely but falls within the Leisure Allocation (Policy ELY10).
- 4.5 The proposed advertisements at Waterside, Pegasus Walk, Country Park, Ship Lane Car Park and Forehill lie within the Water Treatment Works Safeguarding Area. (Policy 16 'Consultation Areas' of the Minerals and Waste Local Plan 2021). Notwithstanding, under Policy 16, the Minerals and Waste Planning Authority are not required to be consulted as part of applications for advertisements.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

5.2 **Local Highways Authority** - 22 October 2021

States: "Subject to the following comments and recommendations:

I do not object to the principle of this application as all signage is suitably located so as not to cause an obstruction or impact upon safety.

However, the application form states that the signs' luminance levels will be 2,500 cdm-2. Based on guidance from the Institute of Lighting Professionals, no illuminated signage (up to 10 m2) in an urban or suburban environment should exceed 600 cdm-2 during the night. Provided the luminance is limited to 600 cdm-2 during hours of darkness, I do not object to the application. If the signs are brighter they risk acting as a distraction to highway users or may temporarily impede their vision. Please can the applicant elaborate on night-time luminance levels?

Should the applicant be granted permission, they will need to contact Cambridgeshire County Council's Street Works team to arrange for the appropriate licenses and permission to install the signage within the highway.

Local Highways Authority (following amendments) - 10 November 2021

States: "Subject to the following comments and recommendations:

As the sign brightness is to dim during hours of darkness, I do not object to the application. Where the proposed signs are located within the public highway, the locations are unlikely to cause any obstruction or otherwise impact on highway safety.

5.3 **Conservation Officer** - 25 October 2021

States: "Historic England's 2018 'Streets for All - Advice for Highway and Public Realm Works in Historic Places' notes: 'The quality of our environment is a measure of our quality of life and contributes significantly to the experience of visitors and customers. To achieve (or sustain) a high quality environment, public realm and highways works need to be both functional and attractive, using materials of appropriate quality and durability for the setting and purpose (and enabling on-going maintenance), as well as achieving a positive aesthetic impact. In historic places this means ensuring works complement the character of the area, sustain the significance of its historic buildings and spaces, and potentially also enhance access to heritage or understanding of its significance. It is important that designers identify the significance of places and value of historic public realm features (from paving or street furniture to green spaces) where they contribute to the quality or identity of

historic places, and seek to sustain this value. The introduction of street furniture requires coordination. Its style, colour and materials should all be inspired by its surroundings and it should be sited with reference to existing building and footway lines. As a rule, advertising panels tend to be incompatible with the visual sensitivity of historical and rural settings and the need to reduce clutter... Poorly sited advertising can have a degrading effect on the character of conservation areas and the setting of listed buildings, especially when digital screens and internally illuminated signs are used.' As this is a group application, the individual sites have been summarised as follows:

Site	Assets affected	Unit type	Heritage sensitivity	Townscape sensitivity
Barton Road Car Park	Ely CA	Single	Low	Low
Country Park	Ely CA	Double	Low	Low
Ely Museum courtyard	Ely CA Old Gaol Grade II LB	Wall mounted	High	Low
Forehill	Ely CA Opposite Grade II LBs	Single	Medium	Medium
High Street Passage	Ely CA	Double	Medium	Medium
Jubilee Gardens River Side	Ely CA	Double	Low	Medium
Jubilee Gardens Top	Ely CA	Single	Low	Medium
Market Place	Ely CA Opposite Grade II LBs	Single	Medium	High
Pegasus Walk	Ely CA	Double	Low	Medium
Ship Lane Car Park	Ely CA	Wall	Low	Low
St Mary's Green	Ely CA St Mary's Church Grade I LB Oliver Cromwell House Grade II* LB Old Fire Engine House Grade II LB	Double	High	High
Steeple Row	Ely CA Ely Cathedral Grade I LB	Double	High	High
The Gallery	Ely CA Bishop's Palace Grade I LB Ely Cathedral Grade I LB	Double	High	High
The Hive		Double	Low	Low
Waterside	Ely CA Opposite Grade II LBs	Double	Medium	High
Newnham St Car Park	Ely CA	Double	Low	Low

Although the units are information points, their technology and visual impact are effectively the same as digital adverts and the same reservations cited in 'Streets for All' apply around their deployment in heritage-critical locations. The sites at St Mary's Green, Steeple Row and The Gallery are especially sensitive in this regard due to the concentration and status of surrounding listed buildings, and the impact of units here cannot be supported from a conservation perspective. Furthermore a wall-mounted unit at Ely Museum will require listed building consent, and its impact would be more justifiable if this were a freestanding unit against, but not directly attached to, the building.

It is recommended that the units at St Mary's Green, Steeple Row and The Gallery are omitted and alternative sites sought and that the unit in the Ely Museum courtyard is altered to a freestanding single-sided model. Given that there are a number of public car parks, for example, which are not currently included in the scheme, there should be ample scope to accommodate the three displaced units elsewhere.
Recommendation: amendments recommended"

Conservation Officer (following amendments) - 08 November 2021

States: "The amended schedule of 29/10/21 omitting the units at St Mary's Green, the Gallery & Steeple Row is welcome. On balance, the remainder are considered acceptable.

Recommendation: no objection"

5.4 City of Ely Council - 26 October 2021

States: "The City of Ely Council has no concerns with regards to this application."

City of Ely Council (following amendments) - 9 November 2021

States: "The City of Ely Council has no concerns with regards to this application."

5.5 Historic England - 25 October 2021

States: "On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Ely is a small city, the historic core of which is centred around the Cathedral and the former monastic claustral buildings. It is broadly confined by the River Great Ouse to the east and the modern day A10 to the west. The city is expanding with new developments to the north and the south.

The historic core of Ely contains a large number of listed buildings within a small area. The Cathedral of the Holy Trinity is Grade I listed but surrounding this are the scheduled monuments of the claustral buildings and the other Grade I listed buildings of The Bishops Palace, The Almonry, The Chapel of the Infirmary and The Queens Hall to name only a few. There are also Grade II* listed Buildings as well as numerous examples of Grade II listed buildings. The historic core of the city is therefore densely packed with listed buildings, all of which are susceptible to changes within their setting.

Given the high survival rate of historic street patterns and buildings within the Conservation Area, the highly graded buildings are experienced broadly free of brightly lit modern clutter. While there is the usual array of street lights there are discreetly designed and modestly lit and street furniture is mostly placed so as to minimise the harm to the historic setting of these wonderful heritage assets. Ely Conservation Area Appraisal states it is "one of the jewels of England" but this places great responsibility upon professionals to make sure that modern interventions respect the traditional character of this important city.

Impact of the proposed development

It is proposed to erect electronic screens in 16 different locations to display visitor information in a modern and interactive way. It is hoped these will encourage visitors to visit different parts of the city.

The heritage assessment submitted with this application provides minimal information relating to the highly graded heritage assets, preferring to rely heavily on the Conservation Area Appraisal and concentrating briefly on the mitigation proposed to the harm caused in that area. There is little reference to the setting of the grade I and grade II* listed buildings which could be affected and there is no information on how the proposal will affect this significance.

Most of the screens are placed in locations which would cause minimal harm to either the Conservation Area or highly graded assets however, the screens placed at St Mary's Green, The Gallery and Steeple Row have the potential to impact upon the setting of a number of heritage assets:

St Marys Green

This screen would be placed in one of the most historically sensitive parts of Ely. Surrounding the Green are the Grade I listed Church of St Mary, the Grade I listed Bishops Palace, Grade II* listed Oliver Cromwells House and numerous grade II listed buildings. St

Mary's Green is shown on historic OS maps as being an area of open space but in the modern day it is a crossing area with street lights, pedestrian crossings, benches and broadband cabinets - all of this directly in one of the main views from the road into the city towards the cathedral. The proposed illuminated panel would sit in the centre of this space where it would join a finger post direction marker a bench and a bin. This adds further, prominent clutter into this important area There is an existing non-illuminated board by Oliver Cromwell's House which seems to be used for displaying A4 posters. While not ideal in this location it is unobtrusive and could perhaps be made better use of.

The Gallery

This is an incredibly sensitive location. It is between the Grade I Listed Cathedral of the Holy Trinity and the Grade I listed Bishops Palace as well as being within the setting of the Grade I listed Queens Hall and the Grade I Listed Great Hall. It is one of the most important views of the cathedral and aside from bollards and street lights (both used sparingly) it is one of the most unspoiled. An illuminated board in this location would therefore impact upon the setting of these 4 highly graded heritage assets.

Steeple Row

This footpath runs alongside the cathedral open space between the rear of grade II and grade II* listed buildings and a line of trees. It is a pretty view from the entrance to steeple row taking in the view across the cathedral to the Bishops Palace beyond. The grade II* listed 3 Palace Green is also within this view. The illuminated board would be prominent in this location, particularly at night where, as proposed there would also be 1 other illuminated board, both of which would be visible from each other. This would detract from the setting of the listed buildings in the vicinity.

There is no information relating to whether these screens are proposed to replace the existing noticeboards in various locations or whether they are an addition. This needs to be clarified.

Policy Context

Paragraph 194 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage asset affected including any contribution made by its setting.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's importance (the more important the asset, the greater that weight should be).

Paragraph 200 states that any harm to, or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification; and,

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Historic England's Position

Historic England have considered the proposal on heritage grounds and consider that there is a potential for less than substantial harm, low in scale to the setting of highly graded heritage assets through three of the screens proposed in this application. These locations are described above.

The screens are all sited in sensitive, historic locations which sit in key areas surrounded by highly graded heritage assets. Two of the screens will be visible from each other leading to a dominance of these illuminated screens within the street scene. The screen in St Mary's Green will contribute to a proliferation of clutter and public realm paraphernalia which detracts from the former open setting of St Marys Church. We therefore consider that for these reasons the application does not accord with paragraphs 199 and 200 of the NPPF.

The application contains no detail relating to the significance of the setting of the identified highly graded heritage assets or the impact that the scheme would have. There is no detail, no map regression or reference to the historic environment record. There is no mention of whether these are replacement or additional boards and for this reason the application is not in accordance with the information requirements of paragraphs 194 and 200 of the NPPF.

We therefore consider that there is the potential for less than substantial harm, low in scale to the significance of the heritage assets identified above and your local authority should carry out the planning balance as required by paragraph 202 of the NPPF.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194, 199, 200 and 202 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us."

Historic England (following further information) – 18 November 2021

States: "Following the submission of the amended plans showing the removal of the screens at The Gallery, Steeple Row, St Mary's Green and Ely Museum Courtyard, we have no further concerns on heritage grounds and do not object to this application.

Recommendation

Historic England has no objection to the application on heritage grounds.

5.6 Environmental Health (following amendments) – 2 November 2021

States: "We do not appear to have been initially consulted.

I have read the Planning Statement which advises that the screens have a brightness sensor and so will automatically dim outside of daylight hours however, it is not clear how much they will dim.

I am not aware of an ECDC Policy on illuminated signage but I have attached two other LA policies to this email for reference.

Candelas per square metre (cd/m²) is the recognised measure of brightness. It measures the amount of light emitted in a given direction for a given unit area of the sign surface.

Hart District Council have an upper limit of 2,000 cd/m² for an illuminated area up to 0.5 m² in a shopping or commercial area.

This proposal is for two different types of illuminated signage with surface areas of 2.4m² (where Hart have an upper limit of 1,200 cd/m² for a shopping or commercial area or 600 cd/m² for a poorly lit/unlit area) and an illuminated surface area of 1.35 m² (where Hart have an upper limit of 1,600 cd/m² for a shopping or commercial area or 800 cd/m² for a poorly lit/unlit area).

Table 1: Levels of Maximum Luminance

Illuminated Area (m ²)	Zone 1 (cd/m ²)**	Zone 2 (cd/m ²)**
Up to 0.5	2,000	1,000
0.5 - 2.0	1,600	800
2.0 - 5.0	1,200	600
5.0 - 10.0	1,000	600
Over 10.0	800	400

Zone 1 covers Fleet Road in Fleet and other shopping and commercial areas, and all other areas where adequate street lighting is provided.

Zone 2 covers all the poorly lit and unlit areas of the District i.e. areas where there is no street lighting or where street lighting is negligible.

The Application Form states that the proposed signs will be internally illuminated to 2500 (cd/m²) and so I do have concerns to raise. It is assumed that this figure is for daytime illumination so I would want to know what the dimmed rating is (or if it's continually varying the brightness depending on the external light levels).

It would also be useful to confirm whether they will play audio.”

Environmental Health (following further discussion with the Planning Officer) – 18 November 2021

Responding to a query by the Planning Officer on the recommended 600cd/m² luminescence of the proposed advertisements during night time hours proposed under draft Conditions 9 and 10 at Appendix 1 of this report, the EHO has confirmed that they would have no issues to raise with the conditions proposed as they meet the Institution of Lighting Professionals guidance on The Brightness of Illuminated Advertisements.

- 5.7 **Technical Officer Access** - No Comments Received
NB: Whilst no comments have been received as part of the consultation of the application, the application was submitted with a letter from the Access Group fully supporting the proposals. A full copy of this letter can be found on the file.
- 5.8 **Cambridge Ramblers Association** - No Comments Received
- 5.9 **Asset Information Definitive Map Team** - No Comments Received
- 5.10 **Ward Councillors** - No Comments Received
- 5.11 **Consultee For Other Wards In Parish** - No Comments Received

5.12 **Cambridgeshire Archaeology** - No Comments Received

5.13 A site notice was displayed near all of the application sites on the 15th and 26th October 2021 and a press advert was published in the Cambridge Evening News on 14 October 2021.

5.14 **Neighbours** – 109 neighbouring properties were notified and the thirteen responses (all objecting) received are summarised below. A full copy of the responses is available on the Council's website.

Character, Appearance and Heritage

- Out of keeping
- Interfere with historic views towards the cathedral and other historic architecture
- Contradict Council's past careful stewardship of the area
- Do not preserve or enhance the Conservation Area
- Contradictory heritage statement
- Harmful to the character of the area
- Affects public views
- Affects street scene
- Contrary to Policy
- Form and character
- Loss of public amenity
- Setting of a Listed Building
- Visual amenity
- Concerns over size
- Concerns over noise

Public/Highway Safety

- Concerns over highway safety and visibility
- Pollution issues (light)
- Concerns over glare
- Concerns over flashing/bright screens

Other Matters

- Concerns over content of the advertisement
- Concerns over the groundworks necessary
- Concerns over the power source for the advertisements
- Concerns over the cost of the advertisements
- Concerns over maintenance
- No justification as to why existing information boards are inadequate
- Targets for vandalism
- Technology is already obsolete
- Block the view of existing business and subsequent impact upon tourism
- Impacts upon public/popular tourist photograph locations
- Concerns over the interaction of people with the signs and hygiene

Climate Change

- Concerns over the environmental impact of the advertisements (energy consumption)

5.15 It is relevant to note that a number of the above objections and concerns were raised with regard to the previously proposed advertisements at St Mary's Green, Steeple Row and The Gallery, which have now been removed from the proposals.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 3	Shop fronts and advertisements
ENV 11	Conservation areas
ENV 12	Listed buildings
COM 7	Transport impacts

Supplementary Planning Documents

Design Guide
Ely Conservation Area Appraisal

National Planning Policy Framework 2021

6	Building a strong, competitive economy
8	Promoting healthy and safe communities
12	Achieving well-designed places
15	Conserving and enhancing the natural environment
16	Conserving and enhancing the historic environment

7.0 PLANNING COMMENTS

The main considerations in the determination of this application are the impacts on the character and appearance of the area, and the setting and significance of the heritage assets, and highway/pedestrian safety

7.1 Background

7.2 The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and amendments to these regulations. Advertisements are controlled with reference to their effects on amenity and public safety only, and related material planning considerations of the East Cambridgeshire Local Plan 2015. 'Amenity' includes both visual and aural. 'Public Safety' can include crime prevention.

7.3 On a procedural matter, the proposals include the erection a number of single/double sided 'totem' structures, which will also require a degree of subterranean works in order to anchor them to the ground. It is relevant that S336(1) of the Town and Country Planning Act 1990 (as amended) sets out that the definition of an 'advertisement' includes any "similar structure used or designed, or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements, and references to the display of advertisements shall be construed accordingly".

7.4 The proposed totem advertisements are therefore considered to satisfy the above definition, and can therefore be considered as part of this application for advertisement consent. Section 222 of the Town and Country Planning Act 1990 (as amended) goes on to clarify that express planning consent for a structure is not required where its primary purpose is to display advertisements. Notwithstanding, this is subject to the advert itself obtaining express consent.

7.5 The subterranean works included within the proposals are also considered to comply with the above Section 222.

7.6 Amenity and Public Safety

- 7.7 Policy ENV 1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states that development proposals should ensure that the location, layout, massing, materials and colour of buildings relate sympathetically to the surrounding area. ENV 2 also seeks to ensure that proposals create safe environments addressing crime prevention and community safety. Policy ENV 3 seeks to ensure that the size, design, colour and number of any advertisements or signs respects the character, scale, design and location of the building and shop front on which is being displayed, as well as the street scene and the character of the area in which they are sited.
- 7.8 Policy ENV 11 of the ECDC Local Plan 2015 requires that proposed development within a Conservation Area be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. Policy ENV 12 of the ECDC Local Plan 2015 makes clear that proposals that affect a Listed Building will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset.
- 7.9 Policy COM 7 of the ECDC Local Plan 2015 requires that proposals provide safe and convenient access to the highway network, as well as protecting existing rights of way, giving priority for walking and cycling.
- 7.10 The Ely Conservation Area Appraisal identifies a number of character areas within the Ely Conservation Area and their defining characteristics, as well as important architectural and heritage features, sensitivities and views. The appraisal will be referenced where relevant within this report.
- 7.11 The Design Guide SPD does not specifically address advertisements, but emphasises the need for all development to give consideration to highway safety and crime prevention, as well as heritage and amenity.
- 7.12 Chapters 12 and 16 of the NPPF seeks to ensure high quality development which respects, enhances and conserves the character and appearance of an area and heritage assets and their settings.
- 7.13 Section 16 of the NPPF (Paragraphs 184 – 202) also seeks to ensure that heritage assets are conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 202 of the NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.14 Chapter 15 of the NPPF sets out that planning decisions should seek to mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 7.15 An assessment of the amenity and public safety impacts of each of the proposed advertisements is set out below.

- 7.16 Barton Road, Newnham Street and Ship Lane Car Parks
- 7.17 **Amenity** – The proposed advertisements will replace existing TIP boards adjoining or affixed to public conveniences within the existing car parks and are to be located along pedestrian footpaths. The proposed advertisements would be seen within the context of existing functional infrastructure and street furniture including CCTV cameras, lamp posts to which signage is affixed, post boxes, bins and salt bins. Whilst within a Conservation Area, the proposed advertisements are all therefore considered to be located in areas with low heritage and townscape sensitivity. There are no listed buildings, structures or monuments nearby the advertisements which are considered to be affected by the proposals.
- 7.18 The proposed advertisements would result in a noticeable change for pedestrians utilising the footpaths, given that the advertisements are of a larger scale than the existing TIP boards and would be illuminated. Notwithstanding, the character of the application sites is considered to be dominated by the presence of the car parks and the functional infrastructure they contain. For this reason, and given that the proposals would replace existing TIP boards, the introduction of the advertisements in these locations is not considered to result in a significant change or harm to the setting or significance of the Conservation Area, and would not be out of keeping with the character and appearance of the areas. The proposed advertisements would not be prominent in views from the streets surrounding the car parks given their siting within the car parks themselves. The Conservation Officer has raised no specific objection to these proposed advertisements.
- 7.19 It is considered that the introduction of the proposed advertisements in these locations is also logical, functional and not unexpected, as the car parks themselves will represent the starting point for a number of journeys throughout the city. The proposed advertisements in these locations, providing wayfinding and tourism information, would therefore be useful.
- 7.20 The proposed advertisements would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², but would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisements during later hours, whereby the illumination and subsequent light spill would have a greater visual amenity impact if not controlled. The proposed advertisements would not emit any noise, and this will be secured by way of a planning condition.
- 7.21 The dimming of the advertisements during the night time would also preclude detrimental residential amenity impacts upon No.1 Militia Way, No.65 Newnham Street and No.1 Ship Lane (the nearest residential properties to the Barton Road Car Park, Newnham Street Car Park and Ship Lane Car Park respectively) in terms of light spill.
- 7.22 For these reasons, the visual and aural amenity of the proposed advertisements is considered to result in no harm to the significance or setting of the Conservation Area or the character and appearance of the areas, or the residential amenity of nearby occupiers. The proposed advertisements are therefore considered to comply with Policies ENV 1, ENV 2, ENV 3 and ENV 11 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.23 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisements being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below). The Access Group have also not raised any concerns with proposals.

- 7.24 The advertisements would not block the view of CCTV cameras, which are set at a much higher level than the proposed advertisement, and the dimming of the advertisement during the night time will reduce glare upon the cameras to ensure the effectiveness of crime prevention and detection measures is not diminished.
- 7.25 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policy ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.26 Jubilee Gardens (Riverside (South) and Top (North))
- 7.27 **Amenity** – The proposed advertisements would be located in place of the existing TIPs at the top and bottom of Jubilee Gardens.
- 7.28 The top (northern-most) advertisement will be set back from the highway of Broad Street within a large area of hardstanding. The existing TIP is seen within the context of a variety of functional infrastructure along Broad Street and within the gardens themselves, including traffic lights, lamp posts, bins, utility boxes, a bench, bollards and large tree planters, and the proposed advertisement would also be seen in this context. Broad Street is not entirely devoid of advertisements, but illumination of advertisements has been kept to a minimum. The proposed advertisement would be located in proximity to a single Grade II listed building (25 Broad Street), and in proximity to a number of locally important buildings.
- 7.29 The bottom (southern-most) advertisement would be seen in the context of the existing bike racks, lamp posts and benches, although the character of the southern part of Jubilee Gardens is generally more open than the northern part, with the long run of TPO trees stretching along the waterfront. The proposed advertisement in this location would not be located in close proximity to any listed buildings, although would be visible in the views of Grade II listed Maltings Cottage along the eastern boundary of Jubilee Gardens.
- 7.30 The heritage sensitivity of both sites is considered to be low given the quantity of listed buildings in proximity to the proposals and the relationship of the advertisements with these heritage assets. Nevertheless, their townscape sensitivity is considered to be medium given the higher visibility of the proposals within the street-scenes of Broad Street, Jubilee Gardens and the waterfront.
- 7.31 The proposed advertisements are contemporary in nature, and whilst the darker colour of their outer shell and white lettering is considered to be generally unobtrusive given that this would emulate the existing TIPs, the scale of the proposed advertisements themselves is considered to result in a prominent form of development within the Conservation Area and street-scenes. The illumination of the advertisements and the proposed large screens, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structures within the street-scenes, within which illumination and digital adverts have been controlled. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area.
- 7.32 This prominence would nevertheless be aided by the set back of the advertisements from Broad Street and the waterfront, and the starkness of the advertisements will be softened to a degree by the existing functional infrastructure surrounding them. The advertisements would therefore not be seen in isolation.
- 7.33 Whilst the proposed advertisements would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², they would be

dimmed to a maximum of 600cd/m² during the night time (see 'Luminance Condition' section below). This would further reduce the prominence of the advertisements during later hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity impact if not controlled in these more sensitive townscape areas. The proposed advertisements would not emit any noise, and this will be secured by way of a planning condition.

- 7.34 There are no residential dwellings nearby the application sites which would be detrimentally impacted by the proposed advertisements in terms of residential amenity in this location.
- 7.35 Despite the above, it is considered that the introduction of the advertisements in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given their location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.36 The proposed advertisements are intended to provide tourist and wayfinding information, and must therefore be sited in locations typically expected to experience high levels of footfall. The proposals replace existing TIPs for this reason. The proposed advertisements will form part of a cohesive wayfinding scheme to aid tourists and locals alike throughout the city, by providing what are intended to be interactive tourist information points in critical tourist locations. The improvement of wayfinding throughout the city, as well as educational information about the city itself, is considered to provide social and economic benefits for the city. These public benefits are considered to justify and outweigh the less than substantial harm identified.
- 7.37 For these reasons, whilst the proposals are considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore, on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.38 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisements being dimmed to no more than 600cd/m² during night time hours (see 'Luminance Condition' section below). The Access Group have also not raised any concerns with proposals.
- 7.39 The proposed advertisements are not considered to pose a threat to crime prevention upon their introduction, as the advertisements would not block the view of CCTV cameras.
- 7.40 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policy ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF
- 7.41 High Street Passage
- 7.42 **Amenity** – The proposed advertisement would be located within the existing bike racks within the High Street Passage. Whilst the advertisement will be set back into the passage, the width of the passage and its location at the pedestrian and vehicular juncture of Market Street, Market Place and Newnham Street affords a number of public views onto the application site. Views of the application site, and the site itself, are punctuated by existing

street furniture and infrastructure, including lamp posts, bollards, utility boxes, salt bin, bin and benches.

- 7.43 The advertisement would be located in proximity to a Grade II listed building (3 High Street Passage) and a high density of locally important buildings. The Ely Conservation Area Appraisal notes that the view along Newnham Street facing towards High Street Passage is an important view, providing views of the cathedral in the narrow and angled gap between the buildings.
- 7.44 The heritage and townscape sensitivity of the application site is therefore considered to be medium, given the proximity of the application site to listed buildings, the important view and the visibility of the advertisement within the street-scene.
- 7.45 Market Street, Market Place and High Street Passage incorporate a variety of colour schemes in existing shopfronts, the majority of which have been sensitively designed. The contemporary design, darker colour of the outer shell of the advertisement and white lettering are therefore considered to be generally unobtrusive in this context.
- 7.46 Nevertheless, the scale of the proposed advertisement is considered to result in a prominent form of development within the Conservation Area and street-scene. The illumination of the advertisement and the proposed large screens, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structure within the street-scene, within which illumination and digital adverts have been controlled. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area.
- 7.47 The proposed advertisement would not be seen in isolation given the presence of existing functional infrastructure and street-furniture, and this will go some way in reducing the starkness of the advertisement within the street-scene. The proposed advertisement is also not considered to impinge upon important views of the cathedral through the passage, as it would be sited forward of an existing building (currently 'Boswell's') which provides a visual stop within the passage. The siting of the advertisement would not therefore preclude views of the Cathedral from this direction.
- 7.48 Whilst the proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², it would be dimmed to a maximum of 600cd/m² during the night time (see 'Luminance Condition' section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity and heritage impact if not controlled in this more sensitive townscape area. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.49 There are no residential dwellings nearby the application site which would be detrimentally impacted by the proposed advertisements in terms of residential amenity in this location.
- 7.50 Despite the above, it is considered that the introduction of the advertisement in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given their location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.51 As set out above, the proposals are considered to deliver a social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network.

- 7.52 For these reasons, whilst the proposals are considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore, on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.53 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisements being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below). The Access Group have also not raised any concerns with proposals.
- 7.54 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.
- 7.55 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policy ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.56 Waterside
- 7.57 **Amenity** – The proposed advertisement would be located further to the east of the existing TIP along the waterfront. The application site is very open in its character, and whilst set within the context of riverside moorings, the application site is generally uncluttered and would be set in front of a large grassed verge with an established willow tree. The application site is very prominent in public views from the water way itself, along the river side (Ship Lane), from Waterside, Pegasus Walk, Babylon Bridge and Back Lane.
- 7.58 The application site is also located in front of group of prominent Grade II listed buildings (54-64 Quayside), Quayside House, 52 Waterside, Malthouse Adjoining Number 53, and The House Adjoining Number 55. The application is visible in views of these listed buildings.
- 7.59 The contemporary design, darker colour of the outer shell of the advertisement and white lettering are not considered to be inherently harmful in this location. Nevertheless, the scale of the proposed advertisement is considered to result in a prominent form of development within the Conservation Area and street-scene. The illumination of the advertisement and the proposed large screens, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structure within the street-scene, within which illumination and digital adverts have been controlled. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area.
- 7.60 The proposed advertisement is not however considered to impinge significantly upon the setting or significance of the nearby listed buildings. Whilst visible in views of the listed buildings, the proposed advertisement is set a significant distance from the heritage assets. The water front is also very open, meaning that wide and unobstructed vistas of the listed buildings can be afforded. The introduction of the single advertisement, which would also remove an existing TIP, is not therefore considered to pose as a significant visual obstruction to these views. The proposed advertisement would also be set down at a lower level than the street level, and this would minimise its prominence in the Conservation Area when viewed from the north and west.

- 7.61 Whilst the proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², it would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity and heritage impact if not controlled in this more sensitive townscape area. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.62 There are no residential dwellings nearby the application site which would be detrimentally impacted by the proposed advertisements in terms of residential amenity in this location.
- 7.63 Despite the above, it is considered that the introduction of the advertisement in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given their location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.64 As set out above, the proposals are considered to deliver a social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network.
- 7.65 For these reasons, whilst the proposals are considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore, on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.66 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisements being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below). The Access Group have also not raised any concerns with proposals.
- 7.67 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.
- 7.68 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policy ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.69 Forehill
- 7.70 **Amenity** – The proposed advertisement would be located on a highly prominent corner junction of Broad Street and Forehill, nearby an existing bench, bin, utility box, lamp posts and a road sign. There are a number of Grade II listed buildings (39, 41 and 47 Forehill) nearby the application site, and the proposed advertisement would be visible in views of these buildings. There are also a number of locally important buildings nearby the application site. For these reasons, the heritage and townscape sensitivities of the application site are considered to be medium.
- 7.71 Forehill incorporates a variety of colour schemes in existing shopfronts, the majority of which have been sensitively designed as noted within the Ely Conservation Area

Appraisal. The contemporary design, darker colour of the outer shell of the advertisement and white lettering are therefore considered to be generally unobtrusive in this context.

- 7.72 Nevertheless, the scale of the proposed advertisement is considered to result in a prominent form of development within the Conservation Area and street-scene. The illumination of the advertisement and the proposed large screens, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structure within the street-scene, within which illumination and digital adverts have been controlled. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area in a very prominent location.
- 7.73 The proposed advertisement is not however considered to impinge upon important views up and down Forehill itself given its siting, and would only be peripheral to these views. The proposed advertisement would also not be seen in isolation given the presence of existing functional infrastructure and street-furniture, and this will go some way in reducing the starkness of the advertisement within the street-scene.
- 7.74 Whilst the proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², it would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity impact if not controlled in this more sensitive townscape area. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.75 There are a number of residential dwellings nearby the application site, in particular the dwellings under construction at The Old Tannery to the north of the proposed advertisement. The proposed advertisement would be sited away from these properties, and the dimming of the advertisements during the night time would further preclude detrimental residential amenity impacts upon these properties during the night time in terms of light spill.
- 7.76 Despite the above, it is considered that the introduction of the advertisement in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given their location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.77 As set out above, the proposals are considered to deliver a social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network.
- 7.78 For these reasons, whilst the proposals are considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.79 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisements being dimmed to no more than 600cd/m² during night time

hours (see 'Luminance Condition' section below). The Access Group have also not raised any concerns with proposals.

- 7.80 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.
- 7.81 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policy ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.82 Market Place
- 7.83 **Amenity** – The proposed advertisement would replace an existing TIP near the pedestrian entrance to the Market Place from Forehill. The existing TIP is surrounded by functional infrastructure and street-furniture, as well as the presence of vendors within the market on market days and throughout the week. The application site occupies a key pedestrian route and location, as the Market Place lies at the confluence of Forehill, High Street, Market Place, Brays Lane and The Vineyards. The application is therefore highly visible in public views onto the site.
- 7.84 The application site is also surrounded by a number of Grade II listed and locally important buildings, including Grade II listed Club Hotel; Archer House; 2 Fore Hill; Wall to the Garden of the Almonry and Painted Chamber; and Almonry, Sacrists Hall, Gate and Goldsmiths Tower The Almonry. The application site would be visible in views of these listed buildings.
- 7.85 The heritage sensitivity of the application site is therefore considered to be medium, and the townscape sensitivity of the site high.
- 7.86 Market Place and the surrounding streets incorporate a variety of colour schemes and styles in existing shopfronts. The contemporary design, darker colour of the outer shell of the advertisement and white lettering are therefore considered to be generally unobtrusive in this context. It is also noted that, whilst external illumination is not a prominent feature within the Market Place or surrounding streets, many of the shop fronts are illuminated internally of an evening and night time.
- 7.87 The scale of the proposed advertisement is however considered to result in a prominent form of development within the Conservation Area and street-scene. The illumination of the advertisement and the proposed large screens, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structure within the street-scene, within which illumination and digital adverts have been controlled. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area in a very prominent location.
- 7.88 The proposed advertisement would also not be seen in isolation given the presence of existing functional infrastructure and the activities of the Market Place itself, which will compete visually with the proposed advertisement. The existing infrastructure and context of the application site will therefore go some way in reducing the starkness of the advertisement within the street-scene.
- 7.89 Whilst the proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m²), it would be dimmed to a maximum of 600cd/m² during the night time (see 'Luminance Condition' section below). This would further reduce the prominence of the advertisement during later

hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity impact if not controlled in this more sensitive townscape area. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.

- 7.90 There are a no residential properties near the application site that are considered to be detrimentally impacted by the proposals.
- 7.91 Despite the above, it is considered that the introduction of the advertisement in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given their location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.92 As set out above, the proposals are considered to deliver a social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network.
- 7.93 For these reasons, whilst the proposals are considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore, on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.94 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisements being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below). The Access Group have also not raised any concerns with proposals.
- 7.95 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.
- 7.96 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policy ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.97 Pegasus Walk
- 7.98 **Amenity** – The proposed advertisement would be located within the grass verge along the riverside (Pegasus Walk), in front of the existing pump-out and water facilities associated with the moorings infrastructure along the riverside. A bin and a number of lamp posts are also located nearby the application site. There are no listed buildings or buildings of local importance nearby the application site. Pegasus Walk is generally verdant and open in nature, enclosed by a number of prominent and established trees.
- 7.99 The heritage sensitivity of the site is therefore considered to be low, but the townscape sensitivity is considered to be medium given the open nature of the application site and its visibility along Pegasus Walk, Willow Walk and the waterfront.
- 7.100 The contemporary design, darker colour of the advertisement’s enclosure and white lettering is considered to be generally unobtrusive within the open space along Pegasus Walk, and the use of colourful screens is also not considered to be inherently harmful in this location, subject to luminance being controlled during the night time.

- 7.101 Nevertheless, the scale of the proposed advertisement is considered to result in a prominent form of development within the Conservation Area and street-scene. The illumination of the advertisement and the proposed large screens, with changing graphics and the possibility of multiple colours at any given time, is also considered to contribute to the prominence of the proposed structure within the street-scene, within which no illuminated or large scale advertisements can be found. The proposals would ultimately introduce an uncharacteristic form of advertisement within the Conservation Area in a prominent location.
- 7.102 The proposed advertisement would however not be viewed in isolation, and would be seen in the context of the existing pump-out and water facilities along the water front. The proposed advertisement would therefore form part of a group of structures along the riverside, and would not result in the spreading of these structures throughout the open space. It is therefore considered that the existing functional infrastructure and street-furniture along the riverside this will go some way in reducing the starkness of the advertisement within the street-scene. The pump-out enclosure would also limit views of the advertisement from the riverside itself.
- 7.103 Whilst the proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², it would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have an unacceptable visual amenity impact if not controlled in this more sensitive townscape area. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.104 There are no residential dwellings nearby the application site that would be affected by the proposals.
- 7.105 Despite the above, it is considered that the introduction of the advertisement in this location would result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of the nearby heritage assets given their location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.106 As set out above, the proposals are considered to deliver a social and economic public benefit to the city by providing a cohesive tourist and wayfinding information network.
- 7.107 For these reasons, whilst the proposals are considered to result in less than substantial harm to the Conservation Area, its setting and significance, and the setting of nearby heritage assets, this harm has been outweighed by the public benefits of the proposals. Therefore, on balance, the visual and aural amenity of the proposed advertisement is considered to be acceptable and would comply with Policies ENV 1, ENV 2, ENV 3 and ENV 11 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.108 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisements being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below). The Access Group have also not raised any concerns with proposals.
- 7.109 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.

- 7.110 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policy ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.111 Ely Country Park
- 7.112 **Amenity** – The proposed advertisement will be located at a juncture of footpaths running through the Ely Country Park. The park is characterised by large areas laid to grass, dense hedgerow and treed boundaries. There are two large equipped play and exercise areas either side of the central path running through the site. The country park is generally rural in its character, albeit comprising maintained grassed areas and punctuated by various built forms.
- 7.113 Whilst the proposed advertisement is of scale, the advertisement would not be only structure of scale within the park, and the advertisement is not therefore considered to be unduly prominent. The darker colour of the advertisement and white lettering is considered to be unobtrusive in the country park location. The use of colourful screens is also not considered to be inherently harmful in the rural location, subject to luminance being controlled during the night time.
- 7.114 The Cathedral is visible from the country park, which itself lies within the Conservation Area boundary. Notwithstanding, this is not considered to be a key view of the cathedral, which is visible from many points in and around the city. Furthermore, the contemporary nature of the advertisement is not considered to be inherently harmful to the rural character of the country park or the Conservation Area, and the slimline nature of the proposed advertisement reduces the overall bulk of the freestanding structure within the park to minimise its visual impact and prominence. The Conservation Officer has raised no concerns with the advertisement, and for the reasons above the proposals are not considered to result in any harm upon the setting or significance of the Conservation Area, or the character and appearance of the area.
- 7.115 The proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², but would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have a greater visual amenity impact if not controlled. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.116 There are no nearby residential dwellings which would be impacted by the proposed advertisement in this location.
- 7.117 For these reasons, the visual and aural amenity of the proposed advertisement is considered to result in no harm to the character and appearance of the area, or the residential amenity of nearby occupiers. The proposed advertisement is therefore considered to comply with Policies ENV 1, ENV 2, ENV 3 and ENV 11 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.118 **Public Safety** – The Local Highways Authority have raised no objections to the proposals. The Access Group have also not raised any concerns with proposals.
- 7.119 The proposed advertisement is not considered to pose a threat to crime prevention upon its introduction, as the advertisement would not block the view of CCTV cameras.

- 7.120 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policies ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.121 The Hive Leisure Centre
- 7.122 **Amenity** – The proposed advertisement will be located outside of The Hive Leisure Centre, nearby the entrance doors. The Hive Leisure Centre is contemporary in its design, with large areas of floor to ceiling glazing and a prominent awning at the entrance to the centre.
- 7.123 The proposed advertisement will be located under the awning to the building, and would only be visible in direct views onto the front elevation of The Hive. Given the location and scale of the proposed advertisement in comparison to The Hive building, which is substantial in scale, the advertisement would not be prominent or compete with the host building of The Hive in any way. The contemporary style of the advertisement and its colour scheme is also considered to be in-keeping with the style of The Hive itself.
- 7.124 The proposed advertisement would be illuminated (static – with varying images and content) to a high level of brightness during the day (maximum 2,500cd/m², but would be dimmed to a maximum of 600cd/m² during the night time (see ‘Luminance Condition’ section below). This would further reduce the prominence of the advertisement during later hours, whereby the illumination and subsequent light spill would have a greater visual amenity impact if not controlled. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.125 There are no nearby residential dwellings which would be impacted by the proposed advertisement in this location.
- 7.126 For these reasons, the visual and aural amenity of the proposed advertisement is considered to result in no harm to the character and appearance of the area, or the residential amenity of nearby occupiers. The proposed advertisement is therefore considered to comply with Policies ENV 1, ENV 2 and ENV 3 of the ECDC Local Plan 2015, the Design Guide, and the NPPF, subject to the imposition of the conditions set out within Appendix 1.
- 7.127 **Public Safety** – The Local Highways Authority have raised no objections to the proposals, subject to the advertisement being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below). The Access Group have also not raised any concerns with proposals.
- 7.128 The proposed advertisement is not considered to pose any greater threat to crime prevention upon its introduction. The advertisement would not block the view of any CCTV cameras and the dimming of the advertisement during the night time will reduce glare upon any cameras nearby to the advertisement.
- 7.129 For these reasons, the proposals are not considered to result in unacceptable public safety concerns and would comply with Policies ENV 2 and ENV 7 of the ECDC Local Plan 2015 and the NPPF.
- 7.130 Luminance Condition
- 7.131 The application proposals will be subject to a luminance condition, restricting the luminance of the proposed advertisements during the night time. This is considered necessary for the reasons provided above to limit visual and heritage impacts, in the interests of residential amenity and in the interests of highway safety.

- 7.132 The maximum brightness of the proposed advertisements is 2,500cd/m². This is approximately 10x brighter than a standard domestic television, and is necessary in outdoor environments to ensure the screens are visible even with glare from the sun.
- 7.133 The Environmental Health Officer has not raised any objections to the proposed brightness of the screens during the day time, but has raised concern over the brightness of the screens during the night time. The Local Highways Authority have also recommended that the screens be no brighter than 600cd/m² during the night in the interests of highway safety.
- 7.134 Given that the UK experiences both Greenwich Mean time (GMT) and British Summer Time (BST), the times of darkness can vary drastically during these periods. Times of darkness can also vary between the two solstices and equinoxes. As the proposed advertisements would be active 24 hours a day, any planning condition limiting luminance must take heed of the above changes in daylight to ensure that, with the changing seasons, the brightness of the advertisements is not unduly prominent during hours of darkness.
- 7.135 During GMT (the end of October to the following end of March) each year, the sun can typically rise as late as 8:00am and set as early as 16:00pm. Whilst the sun will begin to rise earlier and set later towards March, as a worst-case scenario, it is considered that the advertisements should be dimmed to a maximum of 600cd/m² between the hours of 16:00-08:00 across these months.
- 7.136 During BST (the beginning of April to the end of October) each year, the sun can typically rise a late as 07:00am and set as early 18:30pm. Whilst the sun will rise much sooner and set much later throughout BST, particularly in peak summer, as a worst case scenario, it is considered that the advertisements should be dimmed to a maximum of 600cd/m² between the hours of 18:30-07:00 across these months.
- 7.137 Members are reminded that GMT and BST are unlikely to fall on exactly the same day year to year, as the clock changes take place on the last Sunday of the October and March each year respectively. To account for this variance, the conditions are proposed reflect the following dates and times:
- 1st October to 31st March – advertisements shall be dimmed between 16:00 to 08:00
- 1st April to 30th September – advertisements shall be dimmed between 18:30 to 07:00
- 7.138 The above dates account for the variance in GMT and BST, as well as being specific and not unduly complex.
- 7.139 The Environmental Health Officer has accepted the above dates, times and luminance as being acceptable in the proposed twelve locations.
- 7.140 Time Limit
- 7.141 Given the scale and nature of the proposals, the traditional five-year consent period is considered to be unreasonable. The Applicant has sought consent for 30 years. This is considered to be excessive, and would not be in the best interests of protecting amenity and public safety. It is nevertheless considered that a 10-year consent would be reasonable, and should the Applicant wish to retain the advertisements after this period, the proposals can be re-assessed as part of a new submission prior to the expiration of the original consent.

7.142 Other Material Matters

7.143 Public comments received for the proposals raise concerns over the construction impacts of the advertisements, the power sources, their cost, their maintenance, hygiene and concerns over their obsolescence. These are not considered to be material considerations under this application, or in general planning terms.

7.144 Concerns also been raised over the advertisements blocking views of existing businesses and tourist photo spots. These concerns were raised more specifically in the context of the advertisements proposed at St Mary's Green and The Gallery, which have now been removed as part of the proposals.

7.145 Vandalism of the proposed structures has also been raised by members of the public. The LPA have a duty to consider the impacts of the proposals upon crime prevention. As the proposed advertisements would not obstruct any CCTV cameras, nor would they result in significant glare upon CCTV cameras given the dimming of the advertisements during the night time, the advertisements are not considered to impinge upon crime prevention or detection.

7.146 Concern has also been raised over the climate change impact of the proposals, but this cannot be considered under an advertisement consent application.

7.147 Planning Balance

7.148 The advertisement proposals include the installation of twelve illuminated digital advertisements, to be located throughout the city. A proportion of the proposed advertisements would result in less than substantial harm to the character and appearance of the area, the setting and significance of the Conservation Area and nearby heritage assets. Notwithstanding, the social and economic public benefits of the proposals in providing a cohesive wayfinding and tourism information network are considered to outweigh the harm identified in accordance with Paragraph 202 of the NPPF. For the reasons set out within this report, the proposals are considered to comply with Policies ENV 1, ENV 2, ENV 3, ENV 11 and ENV 12 of the ECDC Local Plan 2015, the Design Guide, the Ely Conservation Area Appraisal and the NPPF, subject to the imposition of the conditions set out within Appendix 1.

7.149 The proposals are therefore recommended for approval.

8.0 APPENDICES

8.1 Appendix 1 – Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/01280/ADI	Holly Chapman Room No. 01, The Grange Ely	Holly Chapman, Planning Officer 01353 665555 holly.chapman@eastcambs.gov.uk
National Planning Policy Framework - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf		
East Cambridgeshire Local Plan 2015 - http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf		
Ely Conservation Area Appraisal https://www.eastcambs.gov.uk/sites/default/files/Ely%20Final%20Copy.pdf		

APPENDIX 1 - 21/01280/ADI Conditions

1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
Double Sided 55 Totem		17th September 2021
Wall mounted 49 Digital Screen		17th September 2021
Barton Road Car Park	A	17th September 2021
Country Park	A	17th September 2021
Forehill	A	17th September 2021
High Street Passage	A	17th September 2021
Jubilee Gardens (River Side)	A	17th September 2021
Jubilee Gardens (Top)	A	17th September 2021
Market Place	A	17th September 2021
Pegasus Walk	A	17th September 2021
Ship Lane Car Park	A	17th September 2021
Single Sided 55 Totem		17th September 2021
The Hive	A	17th September 2021
Waterside	A	17th September 2021
Newnham Street Car Park	A	17th September 2021
Wayfaring and Digital Signage	D	12th November 2021

- 1 Reason: To define the scope and extent of this permission.
- 2 No advertisement is to be 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 Reason: To comply with the statutory provisions of the Advertisement Regulations.
- 3 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 the 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 Reason: In the interests of highway safety, in accordance with policies COM7 of the East Cambridgeshire Local Plan 2015.
- 4 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 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 5 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 Reason: To ensure the safety and amenity of the public and in the interests of highway safety in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.
- 6 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 Reason: To ensure the safety and amenity of the public, in the interests of highway safety and safeguard the character and appearance of the area in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.
- 7 The consent expires 10 years from the date of this permission
- 7 Reason: To comply with the statutory provisions of the Advertisement Regulations in the interests of highway safety and visual amenity.
- 8 The existing Tourism Information Points at Barton Road Car Park (1x); Jubilee Gardens (waterfront and Broad Street ends)(2x); the Market Place (1x); Ship Lane Car Park (1x); Waterside (1x); and Newnham Street Car Park (1x) shall be removed from the site within 28 days of the installation of the advertisements hereby approved in these locations.
- 8 Reason: To safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Building, in accordance with policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 9 Between the 1st October to 31st March in any given year, the advertisements hereby permitted shall be illuminated to a maximum of 600cd/m² between the hours of 16:00 to 08:00.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in the interests of highway safety, and to safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Buildings, in accordance with policies ENV2, ENV11, ENV12 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 10 Between the 1st April to 30th September in any given year, the advertisements hereby permitted shall be illuminated to a maximum of 600cd/m² between the hours of 18:30 to 07:00.
- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, in the interests of highway safety, and to safeguard the special architectural or historic interest, character and appearance and integrity of the Conservation Area and the setting of the Listed Buildings, in accordance with policies ENV2, ENV11, ENV12 and COM 7 of the East Cambridgeshire Local Plan 2015.
- 11 The advertisements hereby permitted shall not emit any noise.
- 11 Reason: To safeguard residential and public aural amenity, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

