

21/01487/ADI

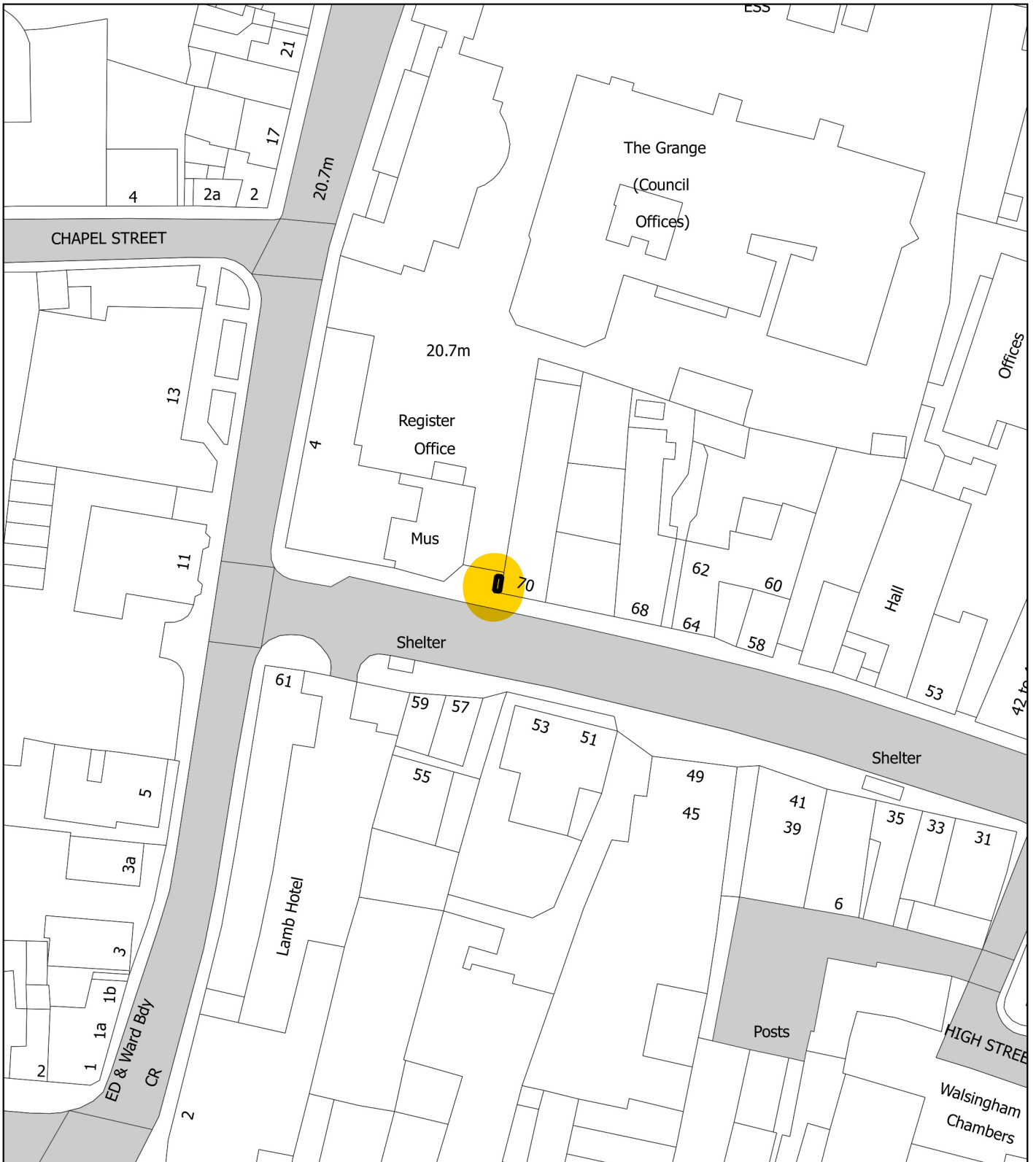
Multiple Sites Across Ely
Cambridgeshire

Installation of multiple digital signage screens around the City of Ely - Phase 2

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=R29766GG0D800>





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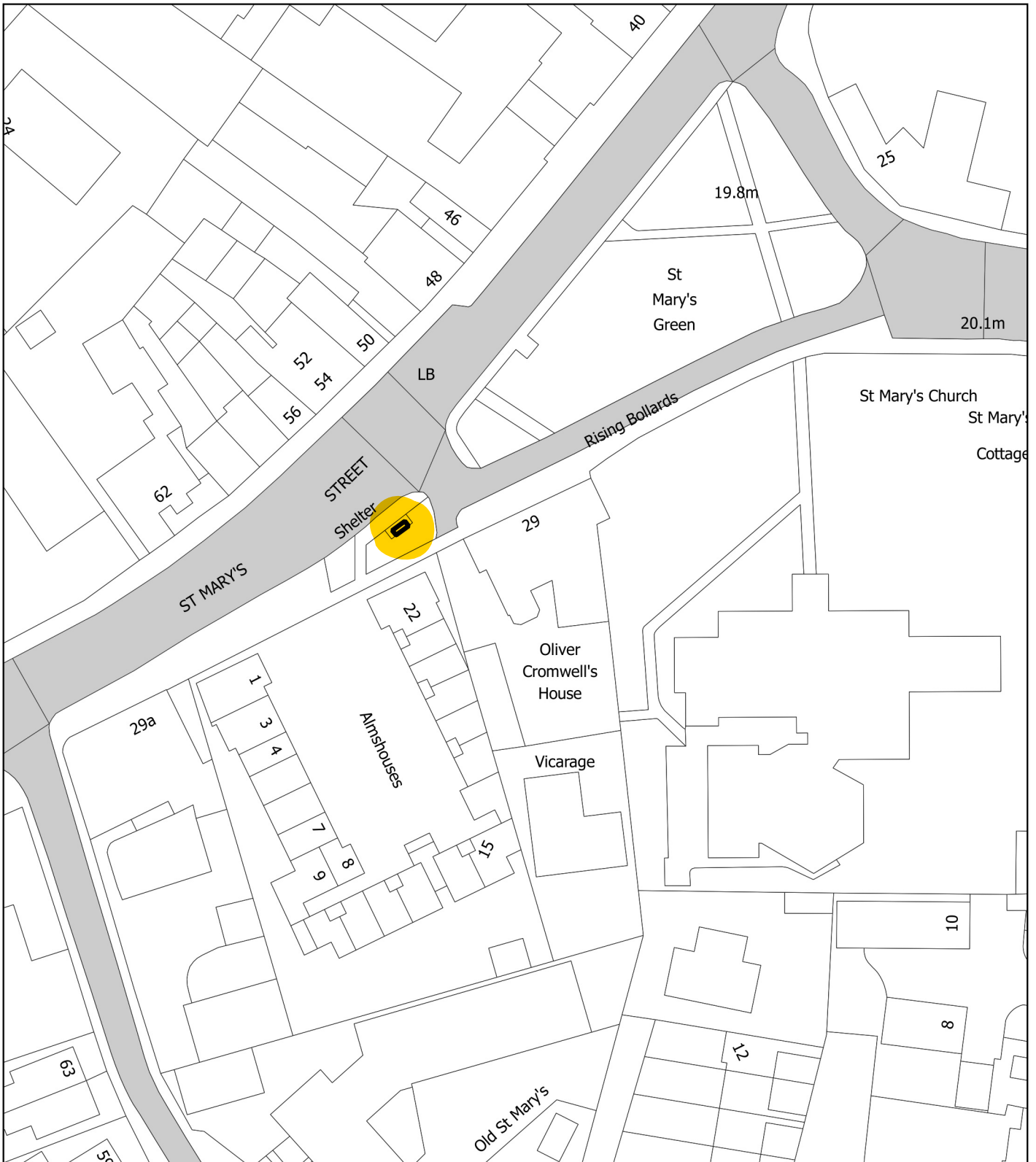


East Cambridgeshire
District Council

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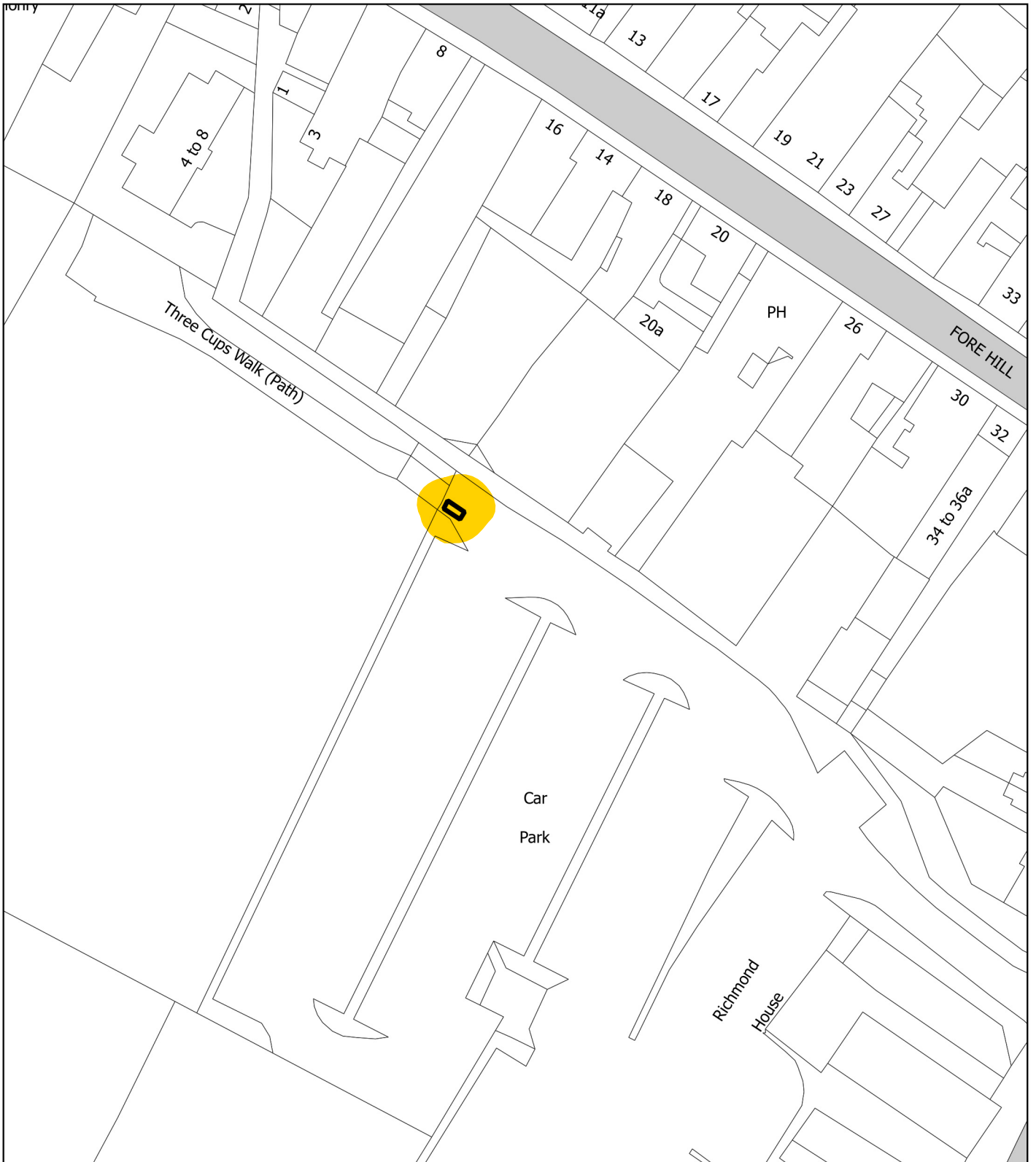
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MAIN CASE

Reference No: 21/01487/ADI

Proposal: Installation of multiple digital signage screens around the City of Ely - Phase 2

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: 5 November 2021 **Expiry Date:** 14 January 2022
Report Number W129

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 three digital advertisements, with interactive touch screens, in multiple locations throughout the city of Ely. The original submission included four advertisements,

one of which has 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 three types of advertisement, the details of which are set out within the Table 1:

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

Table 1 – Proposed Advertisements

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

1. Forehill Car Park – Single Sided Totem
2. St Mary Street Bus Stop – Single Sided Totem
3. 72 Market Street – Wall Mounted Screen

2.4 The advertisement at Barton Square has 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 application is being considered at Planning Committee because the applicant is East Cambridgeshire District Council (submitted by the Infrastructure and Strategic Planning Team), in accordance with the Council's Constitution. The first phase of advertisements was approved by Members at the 1st December 2021 Planning Committee – LPA Ref. 21/01280/ADI.

2.8 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.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

21/01280/ADI	Installation of multiple digital signage screens around the City of Ely	Approved	07.12.2021
76/00517/LBC	EXTENSIONS TO EXISTING RETAIL STORE	Refused	23.03.1977
76/00518/FUL	EXTENSION TO EXISTING RETAIL STORE, SALES ON GROUND AND FIRST FLOOR, WITH STORAGE FIRST FLOOR	Refused	23.03.1977
76/00519/FUL	EXTENSION TO EXISTING RETAIL STORE WITH SALES ON GROUND FLOOR AND STORAGE ON FIRST FLOOR	Refused	23.03.1977
77/00098/LBC	EXTENSION TO EXISTING RETAIL STORE	Refused	23.03.1977

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 (two of the three advertisements). One 'new' advertisement is therefore proposed as part of the application proposals which does not currently exist.
- 4.2 All three application sites lie within the Ely Conservation Area. Two of the proposed advertisements lie within proximity to Grade II and Grade II* listed buildings and buildings of local importance. These will be identified throughout this report where relevant.
- 4.3 The proposed advertisements all lie within Flood Zone 1 (lowest risk).
- 4.4 All application sites lie within the development envelope for Ely.

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 website.
- 5.2 **Local Highways Authority** - 22 November 2021
States: "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. 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.”

5.3 **City of Ely Council - 23 November 2021**

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

5.4 **Conservation Officer - 26 November 2021**

States: “Comments: 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
72 Market Street	Ely CA Old Gaol Grade II LB	Wall mounted	Medium	Low
Barton Square	Ely CA Fountain Inn Grade II LB K6 telephone box Grade II LB Ely Porta Grade I LB	Double	Medium	High
Forehill Car Park	Ely CA	Single	Low	Low
St Mary's Street Bus Stop	Ely CA Oliver Cromwell House Grade II* LB Parson's Almshouses Grade II LB	Single	High	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 proposed sites at Barton Square and St Mary’s Street are especially sensitive in this regard, although the latter is already dominated by existing street furniture, notably the bus shelter. Whilst this will ameliorate the impact of the unit within St Mary’s Street, Barton Square is a very important space within the conservation area in townscape terms and a unit here cannot be supported from a conservation perspective. It is recommended that the unit at Barton Square be omitted. There remain alternative

sites (eg Ely railway station) which could easily absorb any surplus.
Recommendation: amendment recommended.”

Conservation Officer (following amendments) – 21 December 2021

States: “The omission of the Barton Square unit allays the principal heritage concern. On balance there are no objections to the remainder of the sites proposed.
Recommendation: no objection.”

5.5 Technical Officer Access - 30 November 2021

States: “The totem displays are not accessible to those using wheelchairs. There is no information on how wheelchair users will be able to use this facility.”

5.6 Historic England - 7 December 2021

States: “Historic England Advice

Ely is a small city, the historic core of which is centered 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 modern interventions should respect the traditional character of this important city.

Impact of the scheme

It is proposed to site digital screens in four different locations in Ely City. This is on top of those already applied for in the phase one works in application number 21/012V80/ADIV.

It is noted that there is a desire to guide visitors to important areas of Ely however, given the high numbers of Listed Buildings it is sensitive to change. Historic England have identified the proposed screen at St Mary's Street Bus Stop and Barton Square as being particularly harmful. The heritage assessment submitted with the application does not detail the heritage assets affected or consider any of the harm caused.

St Mary's Street Bus Stop

This location is on the edge of the historic core of the city. The location chosen is in the vicinity of the Grade I listed Church of St Mary, grade II* listed Oliver Cromwell's House and the Grade II listed Parsons Almshouses as well as numerous other

grade II listed buildings and the Ely Conservation Area. There is already a bus shelter, three telephone/internet cabinets, a street light and a rubbish bin in this location which, despite being of the same design palette, do add a proliferation of street furniture to this small area of space which detracts from the setting of the aforementioned heritage assets. A public noticeboard is already present on St Mary's Green and better use could be made of this to display a map of the town.

Barton Square

This location is within the historic core of the town centre. It is opposite the grade II listed wall of the monastery and the grade II listed The Fountain Public House as well as the grade II* listed storehouse and barn and the grade II* listed Ely Porta. The grade II listed K6 telephone box is also on Barton Green. Apart from the benches and dustbins on Barton Green and a roundabout road sign, the area is rather unspoiled by street furniture which retains the traditional feel of this street scene. A digital screen in this location would be out of keeping with this traditional street scene and damaging to the setting of the highly graded heritage assets.

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 of the NPPF states that 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 Position

Historic England considers that two of the locations for digital signs within this phase two proposal would be harmful to the significance of highly graded heritage assets. Those at Barton Square and St Mary's Green would be within the setting of sensitive heritage assets and should be removed or re-sited away from these sensitive areas. We therefore consider that the scheme is not in accordance with paragraphs 199 and 200 of the NPPF.

The Heritage Assessment submitted is not sufficiently detailed so as to understand the heritage assets affected by each sign nor is it detailed enough to understand the impact upon the heritage assets which it is close to. It is therefore not in accordance with paragraph 194 of the NPPF.

Historic England consider that the scheme would cause less than substantial harm, low on the scale to highly graded heritage assets and your local authority should undertake 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 and 200] of the NPPF.”

5.7 **Environmental Health – 21 December 2021**

States: “Thank you for consulting us on the above application.

My comments will be the same as for 21/01280/ADI which I include below for reference –

“We have discussed this application informally and I am happy with the proposed condition which states that –

The advertisements must be dimmed to a maximum of 600cd/m2 as based upon the guidance we have available.

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”

Environmental Health (following amendments) – 21 December 2021

States: “Thank you for reconsulting us on the above application with regard to: The amendment involves the removal of the Barton Square advertisement from the proposals. All other elements of the proposals remain unchanged. I have nothing to add to my previous comments below.”

5.8 **Ward Councillors - No Comments Received**

5.9 **Consultee For Other Wards In Parish - No Comments Received**

5.10 **Cambridgeshire Archaeology - No Comments Received**

5.11 **Cambridge Ramblers Association - No Comments Received**

5.12 **Asset Information Definitive Map Team - No Comments Received**

5.13 A site notice was displayed near the site on 29 November 2021 and a press advert was published in the Cambridge Evening News on 18 November 2021.

5.14 **Neighbours** – 20 neighbouring properties were notified. No responses were received.

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

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

7.1 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

7.2 Background

7.3 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.

7.4 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”.

7.5 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.

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

7.7 Amenity and Public Safety

- 7.8 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. Policy 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.
- 7.9 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.
- 7.10 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.
- 7.11 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.
- 7.12 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.
- 7.13 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.
- 7.14 Section 16 of the NPPF (Paragraphs 194 – 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.
- 7.15 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.

- 7.16 An assessment of the amenity and public safety impacts of each of the proposed advertisements is set out below.
- 7.17 Forehill Car Park
- 7.18 **Amenity** – The proposed advertisements will replace an existing TIP board at the entrance to Three Cups Walk within the existing car park and is to be located next to a pedestrian footpath. The proposed advertisement would be seen within the context of existing functional infrastructure and street furniture including a salt bin and numerous highway and car-park related signs. Whilst within a Conservation Area, the proposed advertisement is therefore considered to be located in an area with low heritage and townscape sensitivity. There are no listed buildings, structures or monuments nearby the advertisement which are considered to be affected by the proposals. There is a TPO tree nearby the existing TIP at the entrance to Three Cups Walk, but considering that the proposed advertisement would be constructed within the existing hard surfacing within the car park, the impact of the proposed advertisement upon the tree is considered to be minimal.
- 7.19 The proposed advertisement would result in a noticeable change for pedestrians utilising the footpath, given that the advertisement is of a larger scale than the existing TIP board and would be illuminated. Notwithstanding, the character of the application site is considered to be dominated by the presence of the car park and the functional infrastructure it contains. For this reason, and given that the proposal would replace the existing TIP board, the introduction of the advertisement in this location 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 area. The proposed advertisement would not be prominent in views from the streets surrounding the car park given it siting set back significantly within the car park itself. The Conservation Officer has raised no specific objection to the proposed advertisement in this location.
- 7.20 It is considered that the introduction of the proposed advertisement in this location is also logical, functional and not unexpected, as the car park itself will represent the starting point for a number of journeys throughout the city and is a popular and central location. The proposed advertisement in this location, providing wayfinding and tourism information, would therefore be useful.
- 7.21 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.
- 7.22 There are no nearby residential properties that would detrimentally be impacted by the proposed advertisement.
- 7.23 For these reasons, the visual and aural amenity of the proposed advertisement is considered to result in no harm to the significance or setting of the Conservation

Area or 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.

- 7.24 **Public Safety** – The Local Highways Authority have raised no objections to the proposal. The LHA have queried the luminance of the proposed advertisement under the application. On the basis of the LHA comments under LPA Ref. 21/01280/ADI (for Phase 1 of the digital advertisements – approved at the December 2021 Planning Committee), the LHA concluded that the proposed advertisement would be acceptable subject to the advertisement being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below).
- 7.25 The Access Group have raised queries over the accessibility of the proposals for wheelchair users. These concerns were not raised by the Access Group under LPA Ref. 21/01280/ADI, which has since been approved by the LPA. The Applicant will however be made aware of the Access Group’s comments by way of an informative.
- 7.26 The advertisement would not block the view of CCTV cameras to ensure the effectiveness of crime prevention and detection measures is not diminished.
- 7.27 For these reasons, the proposal is 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.
- 7.28 St Mary’s Street Bus Stop
- 7.29 **Amenity** – The proposed advertisement would be located further south than the existing TIP, which lies in front of Oliver Cromwell’s House (Grade II* Listed Building), and would be located along the southern side of the existing bus stop along St Mary’ Street. The proposed advertisement is also located in front of Grade II Listed Alms Houses. The immediate application site is characterised by the bus stop itself and functional surrounding infrastructure, including lamp posts and utility boxes; these are considered to be a prominent feature along St Mary’s Street. Whilst the site is sited away from St Mary’s Green, noted within the Ely Conservation Area appraisal as being an important open space, it is still seen in the context of the green and Oliver Cromwell’s house. The application site is open in its character, given the widening of St Mary’s Street and the presence of the green; this means that the application site itself is highly visible in public views, albeit the prominence of the application site is lessened by the functional infrastructure which provides visually competing and prominent structures in an otherwise uncluttered street-scene. For these reasons, the application site is considered to have a high heritage sensitivity and a low townscape sensitivity.
- 7.30 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 screen, 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 and in proximity to listed buildings.

- 7.31 The proposed advertisement is not however considered to impinge significantly upon the setting or significance of the nearby heritage assets. Whilst visible in views of the listed buildings and conservation area, the proposed advertisement would be seen in the context of and screened to a degree by the existing bus stop along St Mary's Street and surrounding functional infrastructure. Albeit illuminated, the physical introduction of the proposed advertisement in this location is not considered to result in a significantly altered street-scene along St Mary's Street. This is particularly so when the application site is viewed from the north, given that the existing bus stop would screen a significant portion of the proposed advertisement from view. The advertisement would also be single sided with the screen facing south, meaning that its illumination would be facing away from the more sensitive heritage asset of Oliver Cromwell's house as well as the green. The proposed advertisement would also remove the existing TIP from its prominent location in front of Oliver Cromwell's house, and this is considered to be a significant benefit to the proposals.
- 7.32 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 heritage setting. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.33 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.
- 7.34 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 its location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.
- 7.35 The proposed advertisements submitted under this application (and the Phase I application 21/01280/ADI) 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. The removal of the prominent TIP in front of Oliver Cromwell's house is also considered to provide a further benefit to outweigh the identified harm.

- 7.36 For these reasons, whilst the proposal is 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.
- 7.37 **Public Safety** – The Local Highways Authority have raised no objections to the proposal. The LHA have queried the luminance of the proposed advertisement under the application. On the basis of the LHA comments under LPA Ref. 21/01280/ADI (for Phase 1 of the digital advertisements – approved at the December 2021 Planning Committee), the LHA concluded that the proposed advertisement would be acceptable subject to the advertisement being dimmed to no more than 600cd/m² during night time hours (see 'Luminance Condition' section below).
- 7.38 The Access Group have raised queries over the accessibility of the proposals for wheelchair users. These concerns were not raised by the Access Group under LPA Ref. 21/01280/ADI, which has since been approved by the LPA. The Applicant will however be made aware of the Access Group's comments by way of an informative.
- 7.39 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.
- 7.40 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.
- 7.41 72 Market Street
- 7.42 **Amenity** – The proposed advertisement would be located along the external wall of No.72 Market Street (a locally important building), which runs past the entrance to the Ely Museum (Grade II Listed Building) and parallel to a pedestrian walk way through the Council's rear car park. The proposed advertisement would comprise a wall-mounted module, and would be located next to an existing bin. The scale of the entrance courtyard to the Ely Museum, its chamfered edge and the gap between the museum and No.72 Market Street means that the application site is visible in public views when viewed from the west and south along Market Street, as well as from within the Council's car park itself. The application site is not visible when viewed from the east. However, the application site, whilst visible, is not considered to be prominent within the Market Street street-scape, given its siting

off of the main street. The application site is therefore considered to have a medium heritage sensitivity and a low townscape sensitivity.

- 7.43 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 screen, 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.
- 7.44 The proposed advertisement is not however considered to impinge significantly upon the setting or significance of the nearby heritage assets, or result in a significantly altered street-scene along Market Street. Whilst the application site itself is generally uncluttered, the proposed advertisement would be seen in the context of the existing Council car park, as well as the shops and functional infrastructure along Market Street itself, which will compete visually with the application site. The minimalistic design of the wall-mounted structure is also considered to reduce the overall prominence and visual bulk of the proposed advertisement. It is considered that the introduction of the proposed advertisement in this location is also logical, functional and not unexpected, as the Council car park and pedestrian walk way are popular pedestrian routes which will represent the starting point for a number of journeys throughout the city and is a popular and central location. The proposed advertisement in this location, providing wayfinding and tourism information, would therefore be useful.
- 7.45 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 heritage setting. The proposed advertisement would not emit any noise, and this will be secured by way of a planning condition.
- 7.46 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.
- 7.47 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 its location, scale and illumination. Paragraph 202 of the NPPF thereby requires that this harm is balanced against the public benefits of the proposals.

- 7.48 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.
- 7.49 For these reasons, whilst the proposal is 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.
- 7.50 **Public Safety** – The Local Highways Authority have raised no objections to the proposal. The LHA have queried the luminance of the proposed advertisement under the application. On the basis of the LHA comments under LPA Ref. 21/01280/ADI (for Phase 1 of the digital advertisements – approved at the December 2021 Planning Committee), the LHA concluded that the proposed advertisement would be acceptable subject to the advertisement being dimmed to no more than 600cd/m² during night time hours (see ‘Luminance Condition’ section below).
- 7.51 The Access Group have raised queries over the accessibility of the proposals for wheelchair users. These concerns were not raised by the Access Group under LPA Ref. 21/01280/ADI, which has since been approved by the LPA. The Applicant will however be made aware of the Access Group’s comments by way of an informative.
- 7.52 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.
- 7.53 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.
- 7.54 Luminance Condition
- 7.55 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.
- 7.56 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.
- 7.57 The Environmental Health Officer has not raised any objections to the proposed brightness of the screens, subject to these being dimmed during the night time. The Local Highways Authority have also raised no objections to the proposed

luminance of the proposed advertisements, and upon considering the LHA's comments under LPA ref. 21/01280/ADI (Phase 1 of the digital screens), it was recommended that the screens be no brighter than 600cd/m² during the night in the interests of highway safety.

- 7.58 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.
- 7.59 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.
- 7.60 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.
- 7.61 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
- 7.62 The above dates account for the variance in GMT and BST, as well as being specific and not unduly complex.
- 7.63 The Environmental Health Officer has accepted the above dates, times and luminance as being acceptable in the proposed three locations and conditions are recommended to reflect these luminance times.
- 7.64 Time Limit
- 7.65 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.

7.66 Planning Balance

7.67 The advertisement proposals include the installation of three 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.

7.68 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>
21/01487/ADI	Holly Chapman Room No. 011 The Grange	Holly Chapman Planning Officer 01353 665555
21/01280/ADI	Ely	holly.chapman@eastcambs.gov.uk
76/00517/LBC		
76/00518/FUL		
76/00519/FUL		
77/00098/LBC		

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 - 21/01487/ADI Conditions

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

Plan Reference	Version No	Date Received
Forehill Car Park		5th November 2021
St Marys Street Bus Stop		5th November 2021
72 Market Street		5th November 2021
Double sided 55 Totem		5th November 2021
Single sided 55 Totem		5th November 2021
Wall mounted 49 digital screen		5th November 2021
Wayfaring _ Digital Signage Overview Rev B		17th December 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 Forehill Car Park (1x) and St Mary's Street/Green (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: 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: 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.