

Committee: 16th December 2015 **Ward:** Charlemont With Grove Vale
DC/15/6211A & DC/15/6212A

<p>Mr Nick Bubalo Sandwell MBC Freeth Street Oldbury B69 2DE</p>	<p>Proposed 2 No. internally illuminated digital commercial advertising screens (6211A). Land To The West Adjacent M5 Motorway Ray Hall Lane, Great Barr and Proposed 2 No. internally illuminated digital commercial advertising screens (6212A) Land to the East Adjacent M5 Motorway, Ray Hall Lane, Great Barr.</p>
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Date Valid Application Received 14th October 2015

1. Recommendations

Subject to the referral of the applications to Full Council, approval of advertisement consent is recommended in respect of both applications and to the following condition:-

- i) Illumination levels to accord with Lighting Professionals Guidance (PLG05), together with reduced lighting levels during the hours of darkness, details of which shall be submitted to and agreed by the local planning authority in consultation with Highways England; and
- ii) The submission of technical details in accordance with DMRB BD2/12 requirements, and precise design of supporting structures, being submitted to the local planning authority and agreed with Highways England prior to the commencement of the development and constructed in accordance with the approved details.

2. Observations

At your last meeting Committee resolved to visit the sites.

Both applications are for the installation of two 'v'-shaped digitally illuminated commercial advertising screens that would be sited

adjacent to the M5 motorway, on land off Ray Hall Lane and within designated Green Belt and within a designated wildlife corridor. The applications have been submitted by the Director of Regeneration and Economy and form part of the Facing the Future Initiative.

Detailed Proposals

The application sites lie immediately south of Ray Hall Lane, at the southern tip of the Ray Hall Lane triangle, where the M5 and M6 motorways join, around 4km north of West Bromwich town centre. Both sites form part of the adopted highway verge and are within the applicant's ownership.

The applications are supported by planning statements and plans showing the angles of the screens and extent to which the screens could be viewed from residential property in Charlemont and Great Barr.

Location of DC/15/6211A – The site stands alongside and immediately east of the elevated deck that carries traffic on the M5 motorway in both directions to and from the M6 northbound (please refer to photograph no.1(A&B) and plan no. 1).

On the opposite side of Ray Hall Lane there is an area of woodland and immediately east of the application site runs a double line of National Grid high-voltage transmission lines, supported by pylons up to 35 metres tall, the nearest of which is 60m to the east of the application site. West of the application site, on the far side of the elevated motorway deck, runs the electrified Birmingham to Walsall railway line which, at its closest point is around 90 metres away.

The Motorway deck at this point is about 9m above the level of Ray Hall Lane, with a further 1m of parapet wall taking the apparent height of the complete motorway structure to around 10m above ground level. The motorway deck width, from parapet to parapet and comprising four running lanes and two hard shoulders, is approximately 28m wide.

Location of DC/15/6212A – The site stands alongside and immediately east of the separate (but adjacent) elevated decks that carry traffic on the M5 in both directions to and from the M6

southbound (please refer to photograph no. 2 (A&B) and plan no. 2).

On the opposite side of Ray Hall Lane is a screen of dense trees and shrubs, leading to an area of open access grassland; along one side of this runs the National Cycle Network Route. Further west, immediately beyond the motorway deck and about 50 metres from the application site, an access road leads to the main entrance into the South Staffs sewage works, either side of which are further areas of woodland and a network of informal footpaths. South-west of the application site, and on both sides of the motorway decks, runs a double line of national grid high-voltage transmission lines, supported by pylons up to 35m tall. The nearest pylon is around 150m away from the application site. To the south of the application site, around 100m away, runs the northern boundary to the Birmingham County Football Association playing fields, which are bounded by tall mature hedging.

The motorway decks here are about 9m above the level of Ray Hall Lane, with a further 1m of parapet wall, taking the apparent height of the complete motorway structure to around 10m above ground level. The combined motorway deck width, between the outer parapet, is approximately 31m at this point – including four running lanes, two hard shoulders and a 3m gap between the structures where the two decks are separate.

Detained designs/illumination of the advertising screens at both locations

Both structures would have maximum heights of 24m high broken down into 9m tall x 6m wide screens, 14m high supporting structures (constructed of either a steel monopole or lattice tower), and possibly an additional 1m of framing above the top of each screen. The bottom of the screens would be positioned a maximum of 4m above the top of the parapet walls of the carriageways with the intention to be visible by users of the motorway.

Each screen would consist of an internally illuminated, single-sided LED digital display, which would present a series of static commercial advertising images. Each image would be displayed for a minimum of 10 seconds, before being replaced by the next image in the sequence, by means of a fade out/fade in motion. No

moving images, flashing lights or videos would be displayed. The intensity of illumination would not exceed 600 cd/m² (candelas per square metre). This corresponds with the level of illumination agreed by a Planning Inspector for a similar roadside screen alongside the M5 at Springfield Industrial Estate, Manchester Street, Oldbury (DC/08/5591A).

Publicity and consultation responses

The application has been publicised by over 300 neighbour letters in Charlemont and Great Barr and by site notices posted around Charlemont. I have received a total of 11 objections. The objections can be summarised as follows:-

1. Contrary to Green Belt policy and there are no special circumstances to approve;
2. Out of character with the area/poor design;
3. Light and noise pollution;
4. Impact on wildlife;
5. Over-development;
6. Devaluation of properties;
7. Loss of outlook/privacy;
8. Highway safety/health and safety;
9. There are too many of these structures/the development would set an undesirable precedent.

Councillor Preece has also expressed concern about the proposal both from amenity and public safety points of view.

Highways England is satisfied that the proposals would not cause any significant impact upon the M5 subject to the conditions set out in the recommendation to this report.

Central Motorway Police has not responded.

Strategic Planning Policy - Although the screens are located in land that is allocated as Green Belt, the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Whilst it is not considered that 'very special circumstances' exist in this case, the land in this area already contains a number of structures and built form that is not currently open in nature. This includes the elevated sections of the M5 and a number of electricity pylons, some of which are double height. Therefore, it is felt that if the application were to be approved the overall impact on the Green belt across the two sites would not cause material harm. The overall integrity of the Green Belt would not be diminished as the impact of the panels against the back drop of man-made structures will be minimal.

Response to residential objections

In response to the objections raised by neighbouring residents, I have the following comments:-

1. Contrary to Green Belt Policy/no special circumstances to approve – It is accepted that the proposal is contrary to Green Belt policy. However, in this location the Green Belt is dominated by elevated motorway sections and pylons so any harm to the integrity of the Green Belt would be marginal.
2. Out of character with the area/poor design – The design of the structure is functional and serves a specific advertising purpose. Its design, and size, is not uncommon for this type of structure and will be viewed in relation to large sections of elevated motorway structures and significantly higher pylons. Therefore, I do not consider that the structures would be out of character or of such poor quality in design terms to warrant refusal.
3. Light and noise pollution – The structures would be seen in conjunction with the existing lighting columns of this illuminated section of the M5 and would be some considerable distance away from nearby houses. However, the screens would be substantially larger than the lighting columns and could be quite bright during hours of darkness if the same level of illumination is used during daylight and night time hours. Therefore a reduced

level of illuminance may be appropriate during the hours of darkness. There will be no noise generated from the structures.

4. Impact on wildlife – Given that the structures are vertical and have a small ground footprint, would be sited next to the motorway, are close to large pylons and would be erected on scrub land adjacent to a hard surfaced drive, any impact on wildlife would be insignificant and would not harm the integrity of the designated wildlife corridor.
5. Over-development – In comparison to the motorway structures the size of these structures would be small, although it is recognised that they would be higher, but no taller than nearby pylons. I consider therefore that over-development would not be material.
6. Devaluation of properties – This is not a material planning matter.
7. Loss of outlook/privacy – Houses in Charlemont would be located at least 360m (min) away from the structure and houses in Great Barr approximately 160m (min) away. Although some houses, particularly in Charlemont, are built on higher ground levels than the proposed site, the view of the structures would be limited, seen in conjunction with large pylons, illuminated and elevated motorway sections; and extensive belts of trees surrounding the sites that obscure the structures from view. Also, the faces of the structures would be directed towards motorway drivers with the backs of the screens generally facing towards the houses. Therefore, it is not considered that there would be a significant loss of outlook. There would be no loss of privacy suffered by residents from these structures given the distance away from houses and that they would not be permanently manned.
8. Highway safety/health and safety – Highways England has raised no objections subject to conditions that would safeguard health and safety of users of the motorway.
9. There are too many of these structures/the development would set an undesirable precedent – The proposals would be the first of these types of structures along this particular section of the motorway network. Should any further proposals come forward there is an option to resist on grounds of cumulative impact.

Comments

The determining issues with this application are impact on public safety and impact on amenity, taking into account cumulative

impacts. When assessing amenity, the impact on Green Belt is a prime consideration.

Turning firstly to public safety, Highways England has raised no objections to the proposal subject to the conditions contained in the recommendation to this report.

In terms of amenity, national advice contained in the National Planning Policy Framework (NPPF) attaches great importance to Green Belt land and advises that inappropriate development is harmful and should not be approved except in very special circumstances. The proposed development constitutes 'inappropriate' development and there are no 'exceptional circumstances'. However, this particular part of the Green Belt is poor quality as it is dominated by man-made elevated and illuminated sections of motorway as well as substantial pylons. In addition, the screens and their supporting structures would be built on scrub land directly adjacent to the motorway rather than high quality green belt land. Therefore, any harm to the Green Belt in this location would be negligible as a result of this development. Nevertheless, the proposal constitutes a departure from the adopted development plan as it is development in the designated Green Belt. Therefore, should your Committee be minded to grant advertisement consent then the applications will need to be referred to Full Council for determination.

The NPPF (para 67) advises that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. It goes on to advise that only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment and shall be controlled in the interests of amenity and public safety, taking account of cumulative impacts. These proposals are being given detailed assessment in this instance and being considered on the grounds suggested. With reference to cumulative impacts, the advertising screens would be the first proposals of this nature along this stretch of the motorway.

Locally adopted policies contained in the BCCS and SADD support the protection and enhancement of the Green Belt. Policy SAD DM2 (poster panels) advises that particular regard should be given to the scale of buildings and character of the locality in which the

panels are to be sited (amenity) together with any potential impact on highway safety (public safety). It is clear to me that the circumstances relating to this location, mentioned in the preceding paragraphs, justify the recommendation for approval of these applications in this instance.

In terms of impact on residential amenity, I am satisfied that the proposals would not have a significant adverse impact because of their relationship to larger man-made structures, screening from these structures/tree planting, that they would not directly face housing, and the fact that they are a considerable distance away from the closest houses. Nevertheless, there would be some long range views of these large screens and I am concerned that the level of brightness during the hours of darkness, when the screens would potentially be more visible, would exceed the levels of brightness of the motorway lighting columns. Therefore, the level of brightness should be reduced from 600 cd/m² to 300 cd/m² when dark and this can be controlled within the condition set out by Highways England.

3. Relevant History

None

4. Central Government Guidance

National Planning Policy Framework - Section 9 (Green Belt)

5. Development Plan Policy

Black Country Core Strategy:

CSP2 – Development Outside the Growth Network

ENV1 – Nature Conservation (Applies only to DC/15/6211A)

Site Allocations and Delivery Development Plan Document:

SAD EOS 2 – Green Belt

SAD DM 2 – Poster Panels

6. Contact Officer

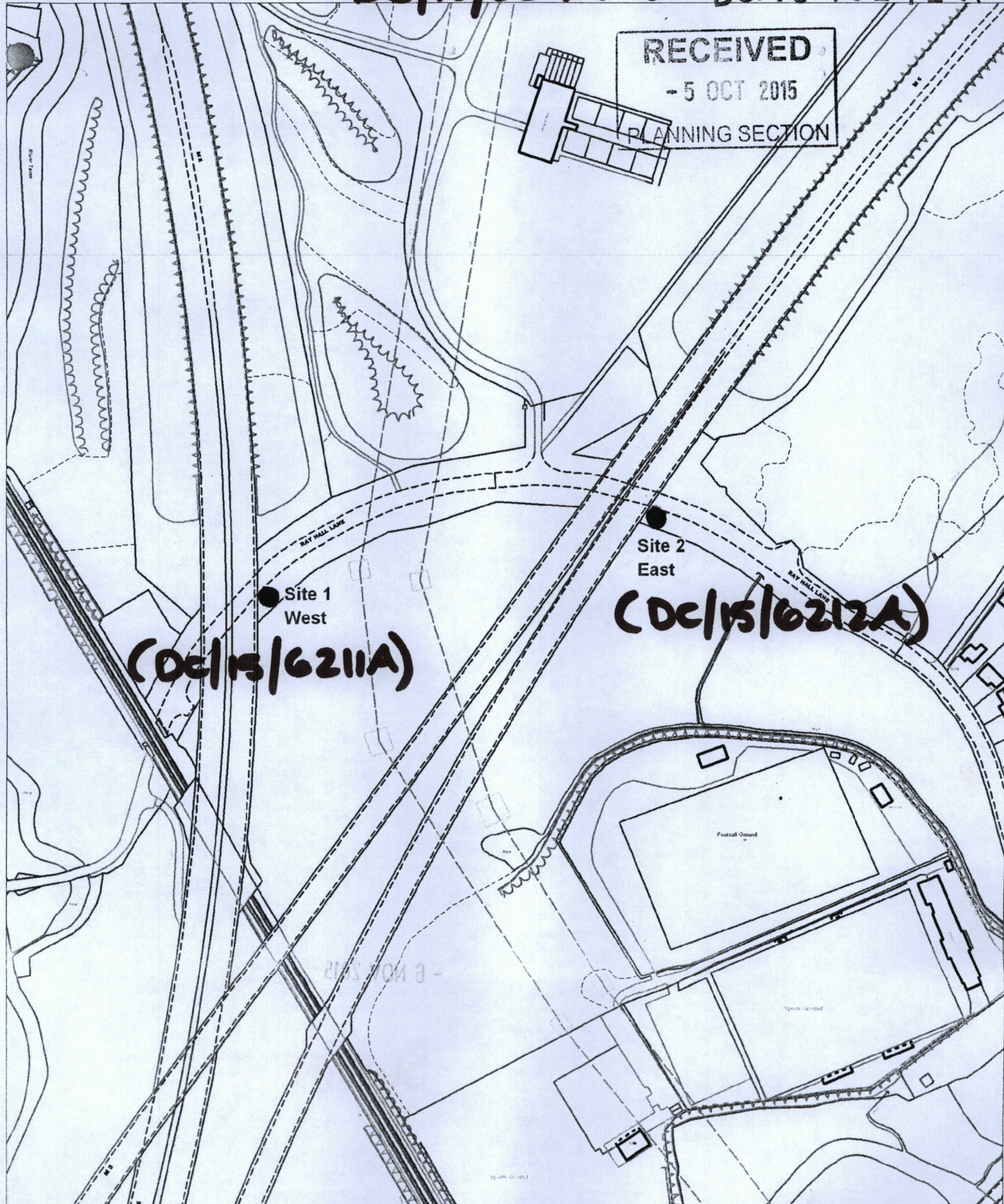
Mrs Christine Phillips

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DC/15/6211A 8 DC/15/16212A

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- 5 OCT 2015
PLANNING SECTION



**Proposed LED Digital Roadside Advertising
Ray Hall Lane, West Bromwich B43 6JE**

Site Locations

Scale 1:2500

September 2015

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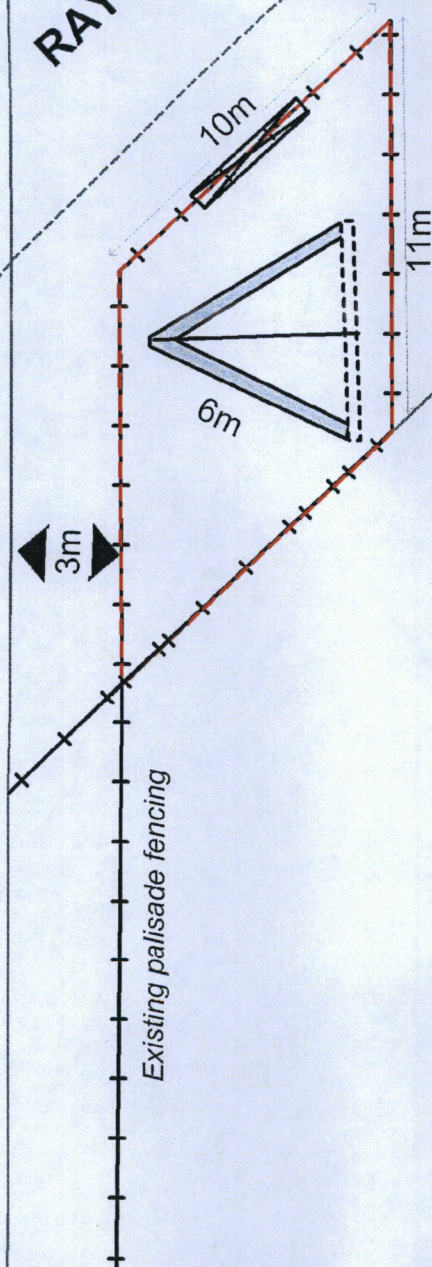
PLAN NO-1

DC/15 16211A

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RAY HALL LANE

Highway Verge



vated



Proposed LED Digital Roadside Advertising
Ray Hall Lane, West Bromwich B43 6JE

Application Site (West)

Scale 1:200

September 2015

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Photograph no. 1

Dc/15/6211 A



Looking towards the east site, with pylon's and the elevated M5 in the background. The height of the cherry picker denotes the approximate height of the advertising screens

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PHOTO No. 1 (A)

DC/15 16211A



Site 1 - View north



Site 1 - View north with digital advertising screen

PHOTO NO. 1 (B)

DC/15 16211A



Site 1 - View south



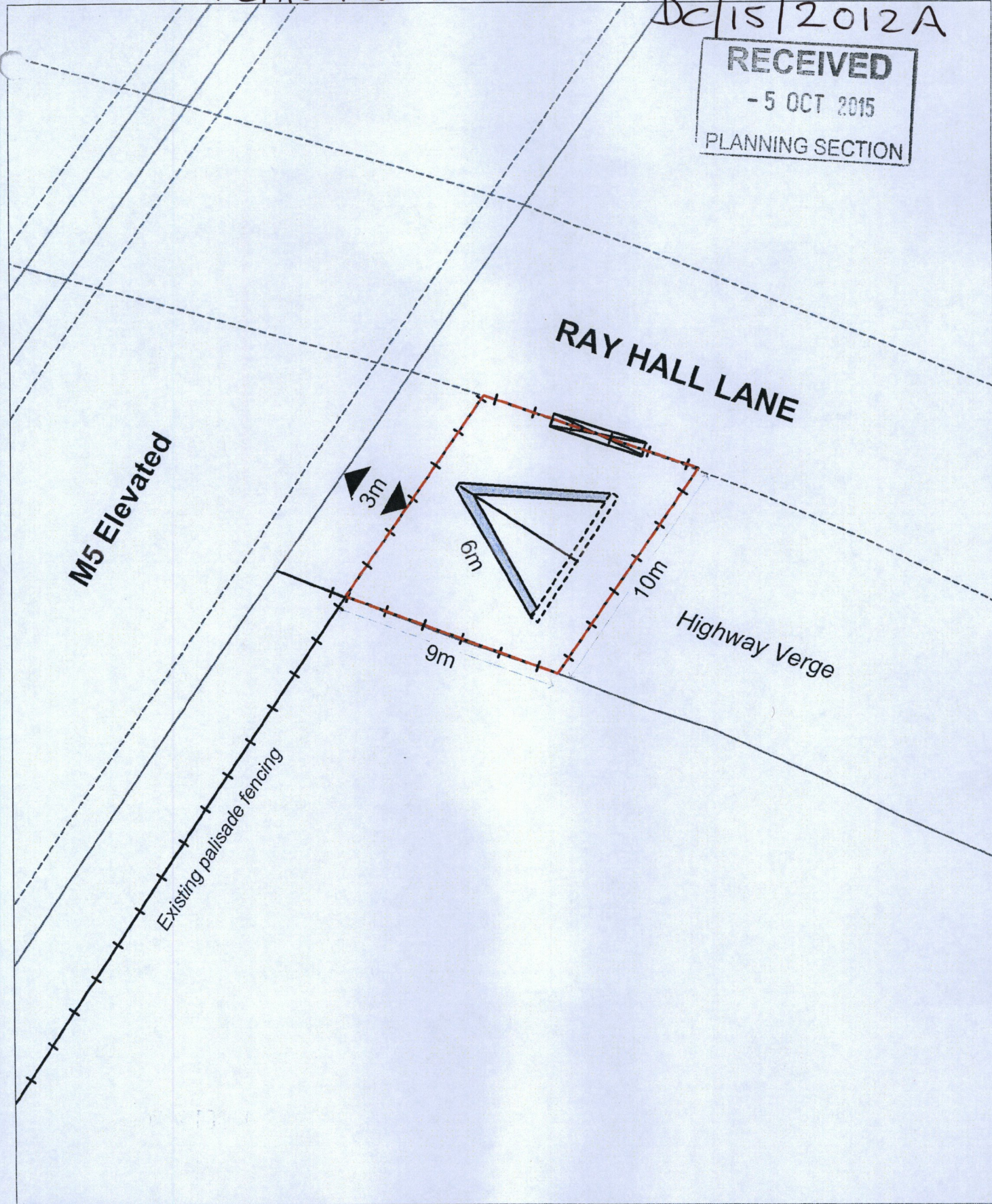
Site 1 - View south with digital advertising screen

PLAN NO. 2


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**Proposed LED Digital Roadside Advertising
Ray Hall Lane, West Bromwich B43 6JE**

 Application Site (East)

Scale 1:200

September 2015

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Photograph no. 2

Dc/15/6212 A.



Looking towards the West site with the elevated M5 and double height pylons in the background. The height of the cherry picker denotes the approximate height of the advertising screens. (Taken from land in Ray Hall Triangle)

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PHOTO NO. 2(A)

DC/15 16212A

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Site 2 - View north



Site 2 - View north with digital advertising screen

PHOTO NO. 2 (B)

DCI15 162 12 ↑



Site 2 - View south



Site 2 - View south with digital advertising screen

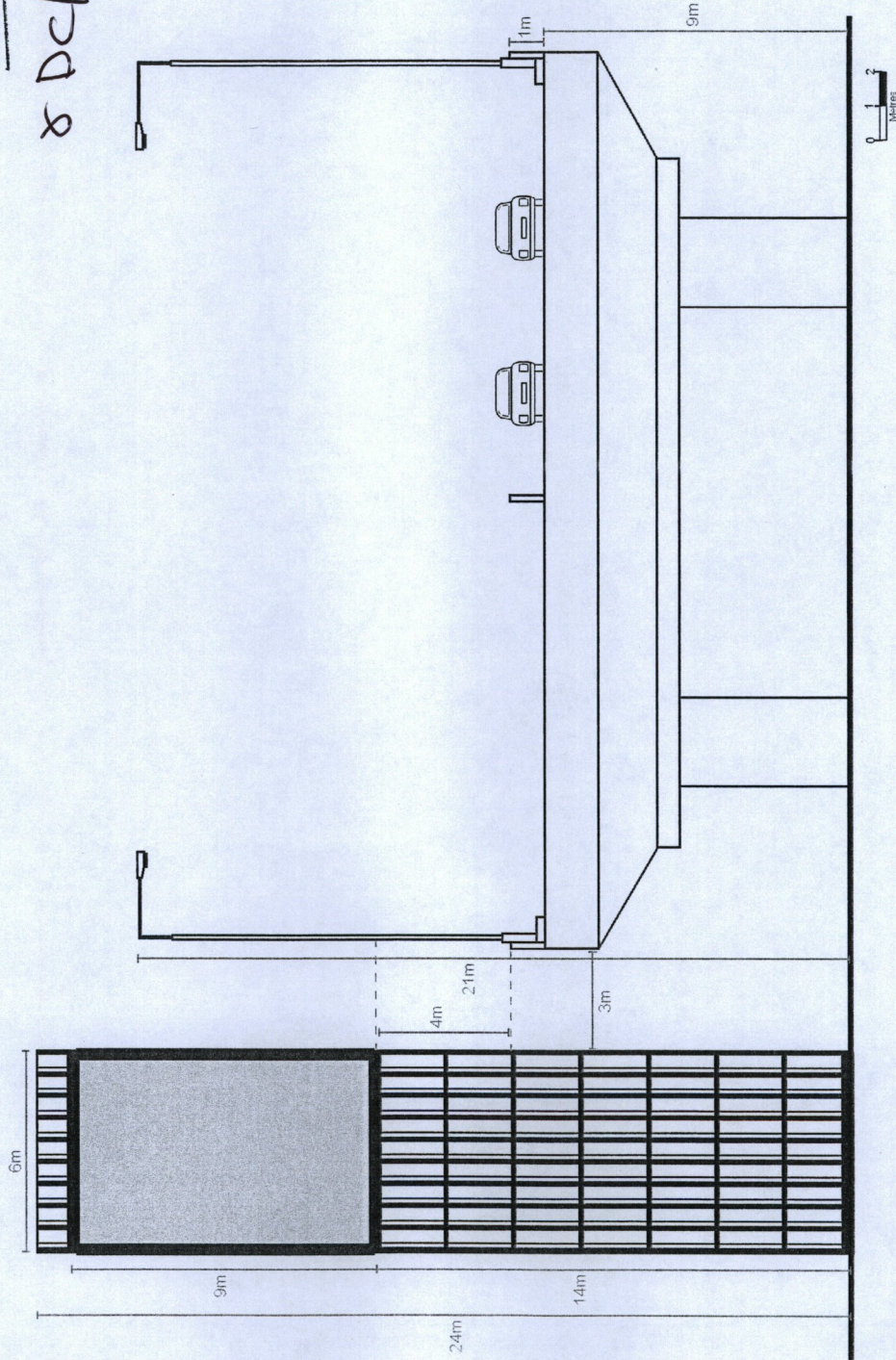
DESIGN DETAIL.

Site 1

DC/15 16211A

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