

# **CITY CENTRE DIGITAL MEDIA INTERIM PLANNING STATEMENT**

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## **CITY CENTRE DIGITAL MEDIA INTERIM PLANNING STATEMENT**

### **Quick guide to the City Centre Digital Media Interim Planning Statement**

This document provides guidance to inform development proposals for the siting of large digital screens aimed at providing public information, advertising or showing commercial television coverage within the City Centre. In particular it focuses on how such screens can address amenity and public safety issues.

The document supports and is in alignment with Policy BE19 of the Saved Nottingham Local Plan 2005, and with draft Policy DE3 of the emerging Part 2 Local Plan (Publication 2016), the Land and Planning Policies Document.

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## **1 INTRODUCTION**

- 1.1 Digital Media is a relatively new medium for advertising and communication using public digital screens. It usually takes the form of large scale TV style images, which can be either moving or static. They are already found in many shopping centres and are also increasingly being developed for outdoor use. In some cases the screen can be similar to a TV screen carrying many and varied messages, or to show major events. These differ from static screens or other advertisements in that their content is made up of moving images (and sometimes sound), which can draw the eye in the same way as a television in an indoor space. As such they can have a disproportionate impact on public spaces.
- 1.2 Where large digital screens are sited appropriately, and their content appropriately curated and managed, they have the potential to contribute positively to town and city centre spaces and support local policy objectives such as regeneration, economic development, and community engagement and development.
- 1.3 In other cases the digital screen is simply a digital 6 sheet advertising panel without moving images. This type of screen can also carry emergency messages where required and provides a more flexible medium for carrying advertising. For these types of screens, considerations are similar to those for non- digital advertising. However, as they display lit digital images which will change at regular intervals, they too can have a greater impact on the public realm and on highway safety.
- 1.4 The regime for advertisement consent is a separate control process within the planning system and is less restrictive than for planning applications. The relevant legislation, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 pre-dates the availability of digital screens, and allows local planning authorities to control the display of advertisements only in the interests of amenity and public safety. Digital screens being a new concept, little specific existing guidance or policy is available at a national or local level. However, this statement draws heavily on joint guidance prepared by English Heritage (now Historic England) and CABE (now part of the Design Council), "Large Digital Screens in Public Places" 2009 which has now been archived.

## **2 PURPOSE OF STATEMENT**

- 2.1 The purpose of this document is to set out the matters to be considered when siting large digital screens aimed at providing advertising, publicising events, providing public information or showing commercial television coverage within

the City Centre. A two-stage approach to digital media is proposed, with this interim statement covering the City Centre, and a further statement or policy to cover the whole of the City to be prepared in due course. In the meantime, proposals for digital media outside of the City Centre will be determined in the light of existing policies.

- 2.2 The matters to be considered vary for screens aimed at advertising to passers-by, and those aimed at also showing content to congregations of people, where additional matters will be relevant.
- 2.3 This statement also sets out possible locations for digital screens within the City Centre<sup>1</sup>.

## **2.4 Key Principles**

In summary, digital screens should:

- Be visible to the target audience
- Contribute to positive place-making
- Be well designed in their own right
- Have an acceptable impact on Heritage Assets or their setting
- Have an acceptable impact on public amenity, including in visual terms and also in terms of any sound
- Not impact on public safety (including highway safety)
- For digital screens aimed at showing public events, allow for safe congregation of people.

## **3 POLICY BACKGROUND**

### **National Planning Policy Framework (NPPF)**

- 3.1 The NPPF makes no specific mention of digital media. However, paragraph 67 of the NPPF concerns adverts, and states “Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. 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. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”
- 3.2 Due to the lighting, moving images and possibly sound associated with digital media, and the presence of Conservation Areas and heritage assets in the

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<sup>1</sup> The area of the City Centre is as defined in the Land and Planning Policies Document (Local Plan Part 2), Publication Version, January 2016

City Centre, particular care will need to be taken with regard to any impact on heritage assets. Section 12 of the NPPF “Conserving and Enhancing the Historic Environment” will be relevant to many proposals.

### **3.3 Saved Policy of the Nottingham Local Plan 2005**

Saved Policy BE19 states that:

“Advertisement consent will be granted where:

- a) The sign is not detrimental to the visual amenity of the building or area by reason of its scale, detail, character or design;
- b) Any illumination is not detrimental to the visual amenity of the area;
- c) The display of the sign would not result in clutter; and
- d) The display of the sign should not prejudice highway safety.”

### **3.4 Land and Planning Policies Document (Local Plan Part 2) 2016**

The Land and Planning Policies Document is shortly to be submitted for Examination. Once adopted its Policies will supersede the saved policies of the 2005 Local Plan. Draft Policy DE6 states that:

1. Applications for advertisement consent will be considered with regard to their impact on visual amenity and public safety. In assessing these applications, the following considerations will be applied:
  - a) the impact upon the visual amenity of the building or area by reason of its scale, position, quality, character, illumination or design;
  - b) whether the advertisement would result in a wider environmental benefit, such as providing the screening of an unsightly site;
  - c) whether the sign would assist with the regeneration of a site or area;
  - d) the impact upon heritage assets;
  - e) the cumulative impact of the sign and any resulting clutter; and
  - f) the impact upon highway or pedestrian safety.
2. Action will be taken against unauthorised advertisements or advertisements with deemed consent to secure their removal where they are detrimental to the appearance of the buildings on which they are displayed, or to the amenity of the surrounding area, or prejudice public safety.

(NB minor changes to this Policy may be made prior to Submission).

## **4 CONSIDERATIONS IN DECISION MAKING**

### **(i) Digital screens which carry information or adverts**

- 4.1 This section considers digital screens with the main purpose of advertising or carrying information. In essence, the policy approach to these is similar to standard adverts, albeit they are illuminated and can carry moving images, and possibly incorporate sound.
- 4.2 These do not need space for people to congregate, but to be commercially viable will require prominent positions visible to large numbers of people. Accordingly, the main routes in the City Centre are likely to be the most attractive for operators.
- 4.3 As stated at paragraph 1.4, the only considerations will be the impact on amenity, especially where heritage assets are present, and impact on public safety.
- advertising screens are unlikely to be appropriate in conservation areas and predominantly residential areas unless they do not detract from visual and audio amenity of the building, of the character of the street, or the locality including in combination with existing or other proposed signage.
  - special care is essential to ensure that any advertising display does not lead to a reduction in road safety, especially in locations with a history of safety problems, and this is particularly the case where moving images are proposed.
  - special care is essential to ensure that any advertisement displayed on, or close to, a listed building, schedule monument or other heritage asset, does not detract from the integrity of the building's design, historic character or structure, and does not detract from or compromise its setting.
- 4.4 In identifying appropriate locations, a comprehensive assessment of the impact of the screen on the public realm, urban design and existing and future uses of the place will be required covering both visual, and if relevant, audio impacts.

#### **This comprehensive assessment should include:**

- Taking into account the historical context of the wider area, in particular buildings and areas of architectural and historic interest (listed buildings, conservation areas etc).
- Assessing the visual and audio impact on the amenity of nearby occupiers.
- Assessing the potential impact on local movement patterns.
- Undertaking a local character appraisal of the immediate context (including for instance local topography, urban grain, scale and height, streetscape,

heritage assets, landmark buildings/features, important views, planting/landscaping).

- Consideration of competing lighting, sound and physical activities, e.g. local traffic, water features, street lighting and nearby uses.
- Taking account of the proposed visual and audio content in terms of the likelihood of large gatherings of people.
- Taking the opportunity to remove competing/unnecessary visual clutter.
- Where visible from a public highway, a safety audit, taking into account the following:
  - Moving images, defined as something that changes more frequently than 5 seconds, should not be used.
  - The display should not be (a) positioned near to the view of anything drivers need to pay attention to e.g. traffic signals; or (b) positioned to be visible from a point where drivers are expected to be making a manoeuvre e.g. lane changing or where there is poor inter-visibility to other road users.

4.5 Temporary permissions will be considered where the ability to review the amenity or safety impact of a screen is in the public interest.

#### **4.6 The Screen should:**

- avoid having a blank rear by preferably being mounted on a building, noting that buildings which can be specifically designed or modified to accommodate the scheme will be preferred, where mounting on a building is not appropriate, consideration should be given to double sided screens.
- take advantage of opportunities to be incorporated within new public realm which is purpose designed to accommodate the screen and the activity it will generate.
- be well designed in its own right.
- contribute positively its surroundings.
- avoid overshadowing, consider noise and light pollution, consider the local microclimate.
- show content that is carefully curated, to ensure it is appropriate, with an understanding of its potential influence on audience size, movement, public access and safety.

#### **(ii) Digital screens aimed at showing events**

4.7 This section considers digital screens where the main purpose is to show public events or other content that is likely to lead to people congregating.

**4.8 In addition to taking account of the above guidance, proposed locations for screens aimed at showing events, screenings etc should be places:**

- with a high footfall and are or will be natural gathering points which allow for safe management of groups of people.
- that can accommodate the needs of disabled people.
- have appropriate management regimes to ensure litter, amenity and public safety issues can be addressed.
- that where possible, incorporate new public realm which is designed to accommodate the needs of digital screenings. Where this is not possible, ensure proposals exist to integrate the screen through the adaptation/redesign of the existing space.
- which avoid the potential to disturb residential or commercial occupiers.
- that have facilities nearby such as food and drink, toilets, seating, safe access etc.

## **5 MANAGING VISUAL CONTENT**

- 5.1 The planning process is limited by the legislation in the extent of its control over the content of adverts. It can stipulate whether screens display static or moving images for safety reasons and consider the amenity impact of proposed screens; primarily these would be the visual and audio impacts.
- 5.2 Where the City Council is landlord then greater control can be exercised and screens can be required to comply with the Council's advertising policy and not show advertising for the following prohibited categories: tobacco, alcohol, pay day loans, gambling, and adult entertainment.
- 5.3 Discussions with media providers strongly indicate that their advertising content on these large digital screens will be in line with the Council's advertising policy.
- 5.4 A Digital Advertising Forum will be established, which will provide a mechanism to reinforce the Council's advertising policy.
- 5.5 The City Council will seek an agreed percentage of advertising space on screens for Council and community campaigns/events – a minimum of 10%. Market feedback has clearly indicated that no other Councils are close to using 10% of available time and media operators will welcome content.
- 5.6 Whilst the matters detailed at 5.2-5.5 above are desirable and to be encouraged they would however fall to the Council's Property and Communications and Marketing teams to monitor and control. As they do not directly relate to public safety or amenity issues these are not matters to which the planning authority can have regard in the proper determination of advertisement applications.

## 6 POSSIBLE LOCATIONS

6.1 This section proposes locations for digital screens in the City.

**Victoria Centre** – Mounted on the new facade of the intu Victoria Centre, promoted by intu and granted consent by Planning Committee in September.

**Broadmarsh / Collin Street area** – the proposed pedestrian environment and public realm and redevelopment of Broadmarsh Multi-storey Car Park offers opportunities for a screen to be well integrated in this area, capitalising on this main pedestrian route into the City Centre from the south.

**Maid Marian Way Roundabout** – provides an opportunity to install a screen well related to major highway routes.

6.2 In addition, there is an opportunity to replace and digitise the City Centre Wayfinder signs.