

PLANNING & DEVELOPMENT COMMITTEE

17 August 2023

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 23/0651/01 (LJT)
APPLICANT: The Coliseum Theatre
DEVELOPMENT: Replacement of the current backlit static advertising poster with an internally illuminated LED digital poster.
LOCATION: THE COLISEUM THEATRE, MOUNT PLEASANT STREET, TRECYNON, ABERDARE, CF44 8NG
DATE REGISTERED: 28/06/2023
ELECTORAL DIVISION: Aberdare West and Llwydcoed

RECOMMENDATION: APPROVE

REASONS: The proposed signage is considered to be visually acceptable, in context with the nature of the site, and have no adverse impact on highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

- The application has been submitted by the Council, involving land owned by the Council.

APPLICATION DETAILS

Advertisement consent is sought for an internally illuminated LED digital poster at The Coliseum Theatre, Mount Pleasant Street, Trecynon, Aberdare, CF44 8NG. The proposed signage would replace an existing gloss poster and be sited on the principal elevation (west). The proposed LED digital poster would advertise current and upcoming events scheduled at The Coliseum Theatre.

The proposed LED digital poster would measure 1500 mm in height by 1000 mm in width, and 84 mm in depth.

SITE APPRAISAL

The Coliseum is a prominent Theatre building situated on Mount Pleasant Street, which is a side street off the B4275 Aberdare – Penywaun Road. The building is of an 'art-deco' design with a smooth render external finish. The building is elevated above street level with a slight gradient from pavement to the main entrance. The surrounding area is predominantly residential with the exception of Aberdare Park Primary School which is located approximately 27 metres to the west of the site and Harlequins Bowls Club, located immediately to the east.

The Coliseum is not a designated Listed Building nor is located within a conservation area.

PLANNING HISTORY

The most recent planning applications on record associated with this site are:

21/0799/10	The Coliseum Theatre, Mount Pleasant Street, Trecynon, Aberdare, CF44 8NG	Refurbishment and single storey extension to the existing WC facility	Granted 10/08/2021
08/1877/10	The Coliseum Theatre, Mount Pleasant Street, Trecynon, Aberdare, CF44 8NG	Installation of lighting design scheme to the front elevation of Coliseum Theatre, Aberdare which includes 4 narrow beam up/down lights, 2 colour changing up light system and 35 small LED crystal lights set under the entrance canopy	Granted 06/04/2009
05/0196/08	The Coliseum Theatre, Mount Pleasant Street, Trecynon, Aberdare, CF44 8NG	Alterations to main entrance forecourt	Granted 18/03/2005

PUBLICITY

The application was advertised by direct neighbour notifications and site notices. No letters of representation have been received in response to the publicity.

CONSULTATION

Highways and Transportation – No objection subject to condition

Public Health – No comments

Theatres Trust – In support

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and a replacement is in the process of being produced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies within the settlement boundary for Trecynon but is not allocated for any specific purpose.

Policy AW2 – supports development in sustainable locations

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to placemaking, including landscaping.

Policy AW10 – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity.

National Guidance

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales (Edition 11) (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of all planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Given the minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Planning Policy Wales

3.5 sets out the criteria for the control of outdoor advertisements.

3.5.2 The test in considering an advertisement's impact on amenity is whether it will adversely affect the appearance of the building, or of the immediate neighbourhood, where it is to be displayed. Local planning authorities should therefore consider the local characteristics of the neighbourhood, including its scenic, historic, architectural or cultural features. Because assessment of these factors may appear to involve some subjective judgement, authorities should be consistent in their assessment of visual impact in similar or comparable neighbourhoods or surroundings.

Technical Advice Note 7: Outdoor Advertisement Control - November 1996

Section 3. The control regime specified by the Secretary of State enables local planning authorities to control virtually all outdoor advertisements in the interests of amenity and public safety.

Section 5. Designers should be prepared to compromise on matters of corporate design where it is unsuitable in a particular area, but corporate designs should not be refused simply because a local planning authority dislikes the design.

Section 12. Development plan policies, controlling outdoor advertisements in areas or parts of areas where the display of poorly designed advertisements will be especially harmful, will be a material factor in considering an advertisement application... It will always be necessary to assess the specific amenity and public safety merits of the proposed advertisement display in relation to the particular application site.

REASONS FOR REACHING THE RECOMMENDATION

Part 1 4. (1) of the Town and Country Planning (Control of Advertisements) Regulations 1992 requires that in considering applications for the display of

advertisements, Local Planning Authorities shall exercise their powers only in the interests of amenity and public safety.

Therefore, in considering and determining applications of this nature, the primary considerations are the effect on the amenity of the area and on public safety including, the safety of any person travelling by road, rail, on any waterway, or by air.

Main Issues:

The key considerations in determining this application are the impact of the advertisement scheme on the visual amenity of the application site and building, in addition to the immediate area, and also the potential impact upon highway safety.

Amenity

In respect of the impact of the new signage on the visual amenity of the area, it is considered that the scale, appearance and proportions of the advertisements are appropriate to the context of the site.

With regards to the impact upon the amenity of nearby properties, it is considered that during hours of darkness the proposed illuminated sign could have an impact if unregulated. Therefore, a condition will be appended to the consent to restrict the illuminance levels to 300 candelas per m² during hours of darkness, which is the level of illuminance that is recommended by the Institute of Lighting Professionals. The application is therefore considered acceptable in this regard.

Consequently, both the principle of the proposed signage and its appearance are considered to be of an acceptable style and appropriate scale.

Public safety

In terms of the schemes impact on public safety, the application has been the subject of consultation with the Council's Highways and Public Health sections, neither of whom has raised any objections.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

Having assessed the scheme, it is considered that the proposal complies with the relevant section of the Town and Country Planning (Control of Advertisements)

Regulations 1992 and the policies of the Local Development Plan in respect of its visual impact and effect on public safety.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. This consent shall expire five years from the date of this Notice.

Reason: Standard condition under the provisions of the above mentioned Regulations.

2. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: Standard condition under the provisions of the above mentioned Regulations.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: Standard condition under the provisions of the above mentioned Regulations.

4. Where an advertisement is required under the above mentioned Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: Standard condition under the provisions of the above mentioned Regulations.

5. No advert 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

Reason: Standard condition under the provisions of the above mentioned Regulations.

6. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

- Document: Existing Sign
- Document: Existing Sign Dimensions
- Document: Proposed Replacement Sign
- Document: Proposed Replacement Sign Dimensions
- Document: Proposed Replacement Sign Location

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

7. The intensity of the illumination of the sign permitted by this consent shall be no greater than 300cd/m² in the hours of darkness. During the daylight hours the luminance shall be controlled by sensors and/or timers to reflect ambient light conditions. At all times the display shall operate within that recommended by the Institution of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement guide).

Reason: In the interests of amenity and in order to retain effective planning control.