
Ref 2022/00089 – Advertisement Consent Application

Applicant: John Sutherland

Proposal: 2 No. illuminated fascia signs and 2 no. illuminated projecting

Address: 5 The Glass Works, Barnsley, S70 1GW

Planning History

There is a complex planning history on the site relating to the Glass Works redevelopment and its previous incarnations, the most relevant recent planning permissions being:

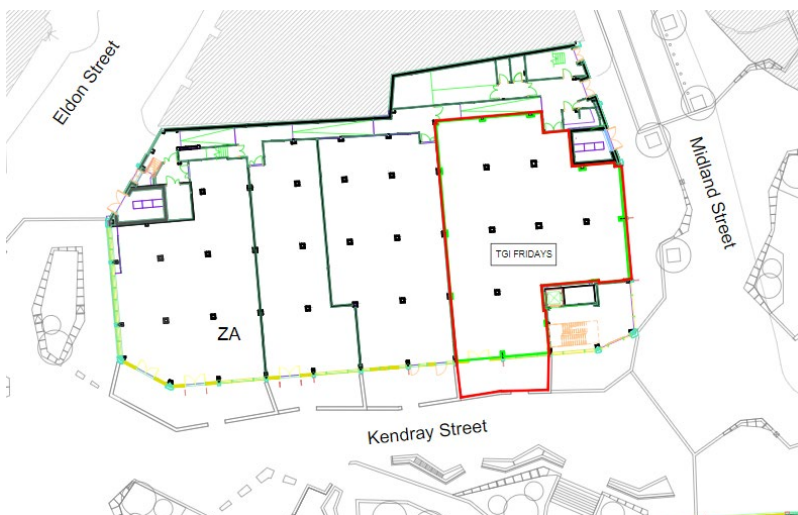
2017/0135 - Proposed refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1, A3, A4), and leisure (D2) uses - Reserved matters of outline planning permission 2015/0549 (access, appearance, layout and scale, excluding landscaping)

2018/1569 - Variation of condition 2 (approved plans) of planning permission 2017/0586 to enable changes to the design of the multi storey car park and its access arrangements - Mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road

2019/0135 – reserved matters approved for Phase one (Met Centre Renovation) with a mix of uses including A1, A3 and A4 (retail, food and drink).

Site Description

The application relates to unit 5 of the Glassworks Development in the Markets District of Barnsley Town Centre. The unit is one of a number on the ground floor of this building which is sited to the north of and fronting onto the new public square and also having a frontage onto Midland Street





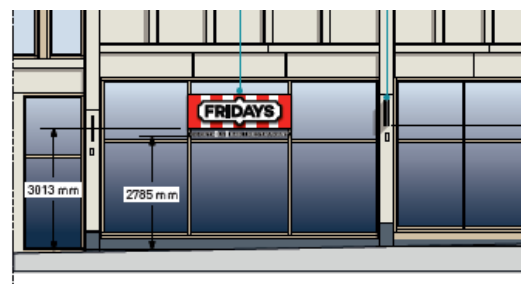
Proposed Development

The applicant seeks permission to display two fascia signs and two projecting signs and has amended the proposal to reflect the comments of the Design Officer, including reducing the size of the fascia signs and removing a free standing menu stand.

The proposed fascia signs.

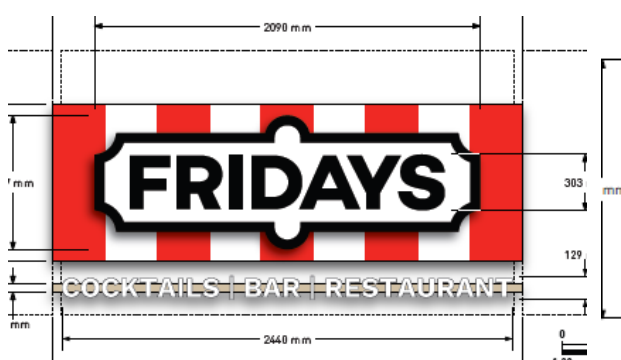


FRONT ELEVATION

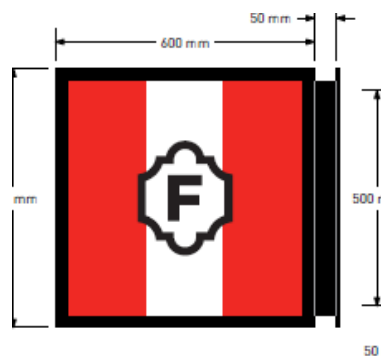


SIDE ELEVATION

Detail of fascia signs



Proposed projecting signs



Policy Context

Decisions on applications for advertisement consent are not determined under the S38/6 presumption in favour of the development plan. However, development plan policies are a material consideration, and will inform consideration of the two principal issues of public safety and amenity

Local Plan

The new Local Plan was adopted at the full Council meeting held on 3rd January 2019.

The application site is in the primary shopping area of Barnsley Town Centre as designated in the Local Plan. The following policies are relevant:

Policy GD1 General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

Policy D1 High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy TC1 Town Centres – indicates that new retail and town centre development will be directed to centres in order to maintain and enhance their vitality and viability and that a sequential approach will be used to assess proposals for new retail and town centre development outside the designated centres.

Policy BTC12 The Markets Area District – we will allow shops, offices, leisure developments, and food and drink uses within the Markets District. Other uses will only be supported where they contribute towards the vitality and viability of the town centre.

Policy T4 New development and Transport Safety – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

Supplementary Planning Documents

Advertisements SPD – offers guidance to anyone seeking to display an outdoor advertisement and in particular cautions against cluttered advertising and excessive illumination.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, the policies above are considered to reflect the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 136 which states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Consultations

Design – Original comments – Objection to the use of vinyl on upper windows; objection to the external menu totem; object to the changes to the colour of entrance doors; objection to the use of red and white finish to the upstand to the internal raised area; no objection to the external projecting signs; ask for clarification of the nature of a 75" digital screen; object to red and white parasols and planters on the outdoor seating area; object to the size and design of the fascia signs.

Response to amended plans – Note that the vinyl has been removed; the totem has been removed; there is no proposal to change the colour of the entrance doors; the internal upstand will have a polished timber finish; the digital screen is set back from the glazing internally; the planters will have a black finish; the parasols have been removed and the additional lettering shown below the 'Fridays' fascia signs is acceptable. No remaining objections.

Highways Development Control - The luminance of the proposed signage scheme is well within the maximum level allowed. The projecting signs are considerably above head height at just over 3m high and are considered acceptable.

However, this Service wishes to note its objection to the scheme due to the free standing menu board. The proposed location of the menu board is within the adopted highway and following internal liaison with the Highway Authority it is considered that the proposed menu board would obstruct and interfere with the safe and convenient use of the highway. Furthermore, and notwithstanding the fact that obstruction of the highway is contrary to provisions within the Highways Act, it could be considered as setting a precedent, with a proliferation of such items within the extent of the public highway.

Ward Councillors – no comments received

Representations

The application was advertised by way of a site notice (8 February to 1st March) and consultation letters (2 to 23 February) which were sent to units/properties adjacent and near to the proposal site. No comments have been received.

Assessment

Principle

Advertisements are acceptable where they would not be harmful to amenity, by virtue of size, position, location or proliferation and level of illumination; and where the proposal would not be prejudicial to public safety.

The site is located within a block that was approved for food and drink uses at ground floor under the 2019 planning permission for the Glass Works development. The advertisements therefore relate to an authorised use and the principle of consent is acceptable subject to matters of detail.

Visual Amenity

Following adverse comments from the Design Officer, the application has been amended to remove an unacceptable free standing sign and vinyls; to reduce the size of the fascia signs, to remove or reduce the visual impact of internal and external features and to clarify the display of an internal digital screen. The amended design reflects the advice of the Design Officer and accords with the guidance in the Glass Works Shop Front Design Guide.

The amendments reflect the advice given and the proposed signs are considered to be high quality, of a good standard of design and appropriate illumination for its setting. The signs are considered to be acceptable in terms of their impact on visual amenity and are in compliance with the Glassworks Shopfront Design Guide, the SPD Advertisements and Local Plan Policies GD1 and D1. Conditions are recommended to ensure that the advertisement is displayed in accordance

with the amended plans submitted; and also to remove deemed consent for any further advertisements – this will ensure that any further advertisements remain under the control of the Local Planning Authority, in the interests of the continued satisfactory appearance of the property.

Highway Safety

The free-standing menu board which the Highways Development Control officer objected to has been removed from the proposal. Reflecting the advice of the Highways Development Control officer, it is considered that the proposed signs do not adversely impact upon the highway and are considered acceptable from a public safety perspective and in accordance with Local Plan policy T4 – New Development and Transport Safety. It is concluded that the proposed signs would not be prejudicial to public highway safety.

Conclusion

As amended, the proposed signs are a high quality addition and proportionate to the unit upon which they will be situated. The signs will ensure the vibrancy, vitality and viability of the town centre without incurring negative impacts to visual amenity or public highway safety.

Recommendation

Grant subject to conditions