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Barnsley Metropolitan Borough Council
Planning and Transportation Service
Planning and Building Control
PO Box 634
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24th February 2022

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007

UPGRADE AND INSTALLATION OF POSTER ADVERTISEMENT DISPLAYS AT WOMBWELL LANE, ADJ. TESCO, BARNSLEY, S70

Please find enclosed an application for advertisement consent to upgrade an established paper and paste advertising display to a modern digital format in addition to the installation of a new digital advertisement located to the north of the existing, both capable of being operated from a central location without the need to visit each site individually.

This is part of an industry wide drive to modernise and upgrade advertising infrastructure to meet modern requirements. The D-Poster is a digital equivalent of a traditional poster and paste 48-sheet advert and can carry 6 advertisement campaigns at a time. On a strategic level, the appropriate positioning of new digital infrastructure is leading to an overall reduction in the number of traditional paper and paste billboard advertisements across the UK. The quality of the images produced will mimic that of a traditional poster, with the overall aim of the project being to replace like for like with no adverse impact on visual amenity or public safety.

The Proposal

The proposal seeks to provide two 48 sheet digital advertisements.

Taking each of the proposed advertisements in turn, the proposal will first seek to reduce the existing display from a 96 sheet to 48 sheet advertisement and “repost” the display on the east side of Wombwell Lane with a “D-Poster” which will display multiple static advertisements on rotation. Given the reduction in size from a 48 sheet to a 96 sheet advertisement, the position of the advertisement will be amended slightly so it is positioned in the middle of where the existing 96 sheet advert is situated.

Whilst the proposed replacement advertisement will be of the same height (3m), the width of the advertisement will be reduced (from 12m to 6m). The advertisement will also be positioned at the same height from ground

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Classification L2 - Business Data

level and landscaping surrounding the advertisement will be upgraded. The new display technology is lightweight, durable, efficient and can be easily erected with minimal engineering. In most instances the re-posting of a D-Poster can be achieved at a similar speed to traditional posting, with minimal structural work and the existing 150mm frames repaired or replaced and painted black. The quality of the image produced will mimic that of a traditional poster as shown at Appendix 1.

In addition to the above, the proposal also seeks to erect a new freestanding 48 sheet "D-Poster" measuring 6m (w) x 3m (h) x 0.25m (d) to the north of the existing billboard, to be situated adjacent to the Tesco petrol filling station and car park. The signage will be positioned 2.40m from ground level and existing landscaping will be upgraded.

The proposed displays will meet modern requirements and will be able to carry 6 advertising campaigns at a time, sequencing every ten seconds. The ability to carry multiple adverts and the willingness of the advertising industry to invest in the best sites, has led to a huge decrease in the number of traditional billboard advertisements across the Country. The stats show that there are 877 digital 48-sheet advertisements in the UK at present, up from 105 just five years ago. Over the same period, the number of poster and paste 48 sheets almost halved, from 16,125 to 8,519. As such there is a clear pattern that shows the benefit of digital advertising on a strategic level. As well as removing clutter, this consolidation has additional benefits such as the reduction in vehicle trips to repost adverts every two weeks, as this can now be done remotely.

As well as meeting the modern requirements of advertisers the screen will bring a range of wider public benefits, including:

- Upgrade of sites lacking in investment and uplift in business rates;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- Ability to broadcast emergency messaging (e.g. public health messaging);
- Ability to use void periods for non-commercial campaigns;
- Opportunity for more creative real time and locally relevant advertising;
- Opportunity to integrate additional hardware to meet Smart City objectives.

Content will be controlled remotely in real time from a Networks Operation Centre (NOC) and the site will be monitored remotely 24/7 to facilitate responsive maintenance. Diagnostics software will report and resolve the majority of issues remotely.

The displays would be limited to 300cd/m2 at night-time in accordance with the Institute of Lighting Professionals best practice guidance; *The Brightness of Illuminated Advertisements PLG05 2015* and will adjust according to ambient brightness. This would be based on a worst-case scenario of a full white display and as such will be below this level when showing content. The screens are set to switch to the night-time operational mode between dusk and dawn, adjusting on a daily basis to follow the changes in the seasons. The change between daytime and night time modes takes place gradually to avoid sudden changes in contrast.

During the daytime light sensors will alert the displays to lower light levels to ensure that it is not overly bright in low light conditions.

Lower night-time levels of illumination may be considered according to the level of ambient light in the local environment.

The following conditions have become established as best practice for roadside digital displays and will be applied to control the operation of the digital posters in the interests of amenity and public safety:

- Static images to be displayed only (no moving or flashing images);
- Changes between adverts to take place instantly with no sequencing, fading, swiping or merging of images;
- Advertisements to change no more frequently than once every ten seconds;
- At no time shall the Luminance level of the signs exceed the thresholds contained within the Institute of Lighting Professionals (ILP) guidance document PLG05 – The Brightness of Illuminated Advertisements 2015 (or any subsequent amendment/replacement to this guidance).

Where circumstances demand, additional controls or variations of these conditions may be acceptable to the applicant. However, it would be expected that the Local Planning Authority present evidence-based justification for deviating from the standard approach as any planning conditions imposed must meet the six tests as set out in National Planning Policy Guidance (NPPG).

The Site

The proposal site is located on the eastern side of Wombwell Lane, Barnsley, adjacent to the Wombwell Lane Retail Park, specifically Costa Coffee and Tesco supermarket. The application site comprises one freestanding existing paper and paste 96 sheet billboard, as well as a parcel of land to the north which does not contain an existing billboard and comprises an area of vegetation along the roadside.

The site's surroundings are solely commercial with a large retail park situated opposite the site to the west comprising of large commercial out of town centre uses. The site is designated as a retail park that is suitable for warehouse use in the Local Plan. There are no residential properties situated in the vicinity of the site. The site is not located within a Conservation Area, nor is it close to any heritage assets.

Part of the proposal site is an established location for advertising, having supported the existing 96 sheet billboard for at least 12 years since June 2009. As the size and nature of the advertisement has not altered in over ten years the signage benefits from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It is acknowledged the part of the proposal site located to the north of the existing advertisement does not benefit from deemed or express consent.

Planning Policy

The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the "Regulations"). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.

The National Planning Policy Framework 2021 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 136 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. As described in the National Planning Practice Guidance (NPPG) the regime is a "lighter touch" than the system for obtaining planning permission for development. The NPPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.

The development plan for the area consists of the Barnsley Local Plan (adopted January 2019). The provision of advertisements is covered by Policy GD1 (General Development) and Policy D1 (High Quality Design and Place Making). Policy GD1 states that all proposals for development will be approved so long as, there is no significant adverse effect on the living conditions and residential amenity of existing and future residents; the proposed use is compatible with neighbouring land uses and will not significantly prejudice the current or future

use of neighbouring land; and any impact on the environment is minimised and mitigated. Whilst Policy D1 sets the specific design principles required by proposals, which should be of a high design quality and respect the local character.

In addition, the Council's Advertisement SPD (adopted May 2019) states the main issues considered in determining an application will be, the impact of the advertisement on the appearance of the site or building upon which it is displayed and the visual character of the area; and the impact of the proposal on the safety of pedestrians and vehicles. On the basis, as part of the proposals comprise the upgrade of an existing advertisement which has deemed consent and the introduction of a new advertisement within an area already established as being appropriate for such a use, the suitability of this site for an advertisement is already established and measures will be implemented to ensure any potential impact from the illumination of the proposal on both amenity and public safety is alleviated.

Planning Considerations

The impact of this proposal has been considered in amenity and public safety terms as follows:

Amenity

Although this application seeks to install a new advertising display in this location, the development forms part of a nationwide strategic portfolio approach that will see an overall reduction in the number of advertising sites in the area, thus having wider benefits beyond this application.

The proposed signage is on a commercial site which can be considered as wholly appropriate in principle for advertising of this type. Indeed, it is commonplace to see adverts of this nature in this type of location. The context of the surroundings, as set out above, include a retail park comprising solely commercial uses and there are no nearby residential properties. It is in such areas that National Guidance and advice advocates locating advertisements; here, any impacts are appreciably less and commensurate to the commercial and industrial surroundings

The controls proposed over the level of luminance at night are in line with the ILP Guidelines and industry best practice and will ensure that the proposed displays do not cause any material harm to amenity. The context of the surroundings, including the illuminated shop signage, petrol forecourt, abundance of street lighting and nearby traffic signals establishes the site as appropriate for an illuminated advert of this type. There is also a considerable level of other advertising located in close proximity to the proposal site, particularly to the north, including a number of shop advertisements as well as a digital 48 sheet billboard. Additional controls over the display will be considered, if necessary, to remedy a specific amenity concern.

Public Safety

When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is appropriately controlled to prevent distraction from the driving task.

In terms of the southern part of the proposal site, which is already an established location for advertising, the Council must only consider whether the proposed controls are sufficient to ensure that there is no additional distraction which would cause an unacceptable impact on highway safety.

The proposal site is in an uncomplicated location which drivers should be able to navigate with ease. The road is straight and the cognitive demand on road users at this point is low as there are no unusual highway complexities which would require extra care to be taken. As such, drivers would be entirely capable of glancing

at both the replaced and new advertisements whilst maintaining stopping distances and an awareness of surrounding traffic movements.

Should the Council's Highways department identify any reasons why the location might be challenging to drivers, the applicant would be open to discussing alternative controls. However, it should be noted that the proposed conditions are now well established as best practice and as such any change (e.g. to the rate of change) would be unusual and would need to be evidence based and specific to the location.

Both of the proposed displays would be positioned to ensure site lines and visibility splays are maintained.

Under these circumstances, such a familiar feature of the urban environment would constitute a hazardous distraction to anyone exercising a reasonable standard of care. Consequently, the proposals would not give rise to public safety issues, which would prevent the granting of an express advertisement consent.

Conclusion

The proposal will reduce the size of an existing advertisement and as such the established acceptability of this advertisement should not change materially. Furthermore, the proposals are located in a wholly commercial location where advertising of this type is evidently commonplace therefore the addition of a new advertisement in this location is deemed to be acceptable. The proposed conditions to control the luminance of the screens will ensure that there is no adverse impact on amenity or road safety.

For these reasons and the positive benefits set out above, it is considered that the application should be granted consent.

Application Submission

In order to complete the application, please find attached the following documentation:

- Completed application forms prepared by Carter Jonas;
- Letter Statement prepared by Carter Jonas (this letter);
- Appendix 1- D Poster
- Architectural drawings and CGIs:
    - 011-0401-1007-PA-01 Site Location Plan
    - 011-0401-1007-PA-02 Existing Site Plan
    - 011-0401-1007-PA-03 Proposed Site Plan
    - 011-0401-1007-PA-03 Proposed Landscaping Plan
    - 011-0401-1007-PA-04 Existing and Proposed Elevations
    - 011-0401-1007-PA-05 Existing and Proposed Elevations

Payment of the full application fee (£462.00 plus £28 Planning Portal Fee) has been made to the Council to cover the cost of the advertisement consent application.

I trust that the above is clear and we look forward to receiving notification that the application has been registered in due course. Should you have any queries in relation to any of the attached information, please do not hesitate to contact me.

Yours faithfully,

Jenna Murray
Associate
For and on behalf of Carter Jonas LLP

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