

# **Planning Appeal Statement**

**32 Summer Lane, Barnsley**

**Prepared on behalf of Wildstone Group Limited**

December 2020

## Document control

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|---------------------|---------------------------------------------------------------------|--------------------|--|
| Document:           | Planning Appeal Statement                                           |                    |  |
| Project:            | Cyclone – Site Ref: 784-B024917 – 32 Summer Lane, Barnsley, S40 6BN |                    |  |
| Client:             | Wildstone Group Limited                                             |                    |  |
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## 1.0 Introduction

- 1.1 This Planning Appeal Statement has been prepared by WYG on behalf of Wildstone Group Limited ('Appellant'), against Barnsley Metropolitan Borough Council ('Council' or 'LPA') decision to refuse to grant consent for the 'Upgrade of existing 48 sheet advert to support digital poster' on 32 Summer Lane, Barnsley, S40 6BN (LPA Ref: 2020/0877).
- 1.2 The advertisement consent application was submitted to Barnsley Metropolitan Borough Council and validated on 3 September 2020.
- 1.3 The Council refused advertisement consent in line with the decision notice dated 6 November 2020, which cited two reasons for refusal, as follows:

### **Reason for Refusal 01**

*"In the opinion of the Local Planning Authority, the proposed advertisement would adversely impact highway safety due to its location and interaction with highway users on Summer Lane, Wharnccliffe Street, Crookes Street and Fitzwilliam Street as well as those utilising the nearby pedestrian crossing or those entering or existing from the Wharnccliffe Garage petrol station or other adjacent businesses. Consequently it is considered that the signage would harm the safe, secure and convenient access and movement of highway users on Summer Lane and is therefore in conflict with Local Plan Policy T4 - New Development and Transport Safety and the SPD Advertisements"*

### **Reason for Refusal 02**

*"In the opinion of the Local Planning Authority, the proposed advertisement would materially harm the appearance of the street scene, by reason of its size, siting and undue prominence that would result in over-commercialisation and dominance of the locality and is therefore in conflict with Local Plan Policy D1 - High Quality Design and Place Making and the SPD Advertisements. "*

- 1.4 The LPA's decision notice and delegated report is attached at (**Appendix A**).
- 1.5 The appellant contests the reasons for refusal and does not consider that the proposal has been properly considered on its own merits having regard to the site, its surroundings and the existing advertising display panel on the site which benefits from deemed consent.

## 2.0 Site and Surroundings

2.1 The appeal site currently comprises an advertisement panel measuring 6 metres by 3 metres (known as a 48 sheet). The advertisement benefits from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the "Regulations") as it has been in situ for a continuous period of over ten years since at least June 2009.

2.2 Figure 1: View of the appeal site (Google, September 2020).



2.3 The site is located on the flank wall of 32 Summer Lane. An end of terrace property in a predominantly commercial area.

2.4 To the north of the site is a petrol filling station which has an externally illuminated canopy and multiple sources of lighting. To the east is the Barnsley Garage and car parking. To the rear of Barnsley Garage is a multi-storey car park, to the south of the site is a hairdressers and a row of residential properties. To the west of the site are warehouse units. The character of the area is commercial in nature where adverts are commonplace.

- 2.5 The nearest residential properties are approximately 15m south of the site, none will have a view of the proposed advertisement as it faces away from them. The proposed advertisement would therefore have no impact on the amenity of those immediate properties.
- 2.6 The site is located within a designated 'Westgate/Churchfields District'.
- 2.7 There is a pedestrian crossing approximately 40m south of the site and approximately 75m south of the site is the Townend Roundabout.
- 2.8 The site is not within a Conservation Area and there are no protected heritage assets in close proximity to the site.
- 2.9 The appeal site is not subject to Article 4 direction.

### 3.0 Proposal

- 3.1 It is proposed to upgrade the existing 48 sheet advertisement to a digital format (D-Poster) in line with modern requirements. The size, orientation and position of the advertisement will not change from the existing arrangement. As such, the relationship with and proximity to Summer Lane will be unchanged.
- 3.2 The Appellant proposed a maximum luminance level for the advertisement not exceeding 300 candela per square metre during the night time in accordance with the guidelines as set by the Institute of Lighting Professionals (ILP) Technical Note 5. The D-Poster will be controlled by light sensors to vary the brightness of the screen according to the brightness of the day. During the daytime, the maximum brightness may increase in order to make the screen visible during bright sunlight. This will ensure that the level of luminance of the advertisement is sensitive to the change in daylight from sunrise to sunset and from summer to winter.
- 3.3 Only static images (i.e. no moving images or flashing lights) will be displayed, but the advertisement will be capable of changing to display new adverts every ten seconds depending on how the advertising space is sold. This is in line with industry-standard units of advertising space for sale, and in compliance with the outdoor media code. The changeover between adverts will take place instantly in order to minimize the potential for driver distraction.

## 4.0 Planning Policy

- 4.1 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. This is reiterated both in national and local planning policy.
- 4.2 The updated National Planning Policy Framework (NPPF) (2019) sets out the government's planning policies for England and how these are expected to be applied. The overarching theme of the document is sustainable development and it seeks to achieve positive improvements in the quality of the built, natural and historic environment. The NPPF places great importance on the design of the built environment as a key aspect of sustainable development.
- 4.3 With regards to highways safety Paragraph 109 of the NPPF states:
- 4.4 *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*
- 4.5 With regards to advertisements, Paragraph 132 of the NPPF reflects the Regulations and states:  
  
*"The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."*
- 4.6 National Planning Practice Guidance states that *"in practice, amenity is usually understood to mean the effect on the visual and aural amenity in the **immediate neighbourhood** of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement"*. (our emphasis)
- 4.7 The relevant development plan for the area consists of the Barnsley Local Plan (adopted January 2019) and the Advertisements Supplementary Planning Document (SPD) (adopted May 2019).
- 4.8 The adopted plan policy, which was cited in the reasons for refusal, as referred to in the Council's decision notice, are listed below and enclosed at (**Appendix B**).

- 4.9 The Local Plan has no specific policies in relation to advertising. However, reference is made to an advertisements supplementary planning document (SPD) in Policy D1 (High Quality Design and Place Making Design Principles).
- 4.10 The Advertisements SPD (adopted May 2019) which supplements Local Plan Policy D1 'High-Quality Design and Place Making' sets out that advertisements should have regard for the design, scale and proportions of the building or site on which they are displayed. The Council is seeking to prevent 'a cluttered and aggressively commercial appearance which can have a damaging impact upon the visual character of an area.' (Paragraph 6.1). The SPD states at paragraph 6.2 that the Council is unlikely to grant consent for advertising hoardings, including poster panels.
- 4.11 Section 8 of the SPD provides guidance on illumination of advertisements. Paragraph 8.3 states that where the Council considers that the principle of illumination is acceptable, the light source should be designed so that it is not directly visible to drivers on adjacent roads or likely to cause nuisance to nearby residential properties. The level of illumination should be kept to a minimum.
- 4.12 Additionally, the Council referenced Local Plan Policy T4. Policy T4- 'New development and Transport Safety' states that New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

## 5.0 Planning Considerations

- 5.1 WYG has prepared this Advertisement Appeal Statement on behalf of the Appellant to address the matters raised by the Council in their decision notice which refused advertisement consent to display for the replacement of the existing 48 sheet advertisement with a digital D-Poster.
- 5.2 The existing advertisement board has been in situ for over 10 years and benefits from deemed consent. The sign is now an established part of the street scene. Failure to secure consent for the change to a digital format would not mean that the existing sign is removed. As such, there will be an advertisement in this location regardless of the outcome of this appeal.

### ***Reason for Refusal One***

- 5.3 The first reason for refusal for the proposal was that the Council considered:

*" In the opinion of the Local Planning Authority, the proposed advertisement would adversely impact highway safety due to its location and interaction with highway users on Summer Lane, Wharncliffe Street, Crookes Street and Fitzwilliam Street as well as those utilising the nearby pedestrian crossing or those entering or existing from the Wharncliffe Garage petrol station or other adjacent businesses. Consequently it is considered that the signage would harm the safe, secure and convenient access and movement of highway users on Summer Lane and is therefore in conflict with Local Plan Policy T4 - New Development and Transport Safety and the SPD Advertisements"*

- 5.4 The reason for refusal makes reference to the D-Poster adversely impacting on highways safety:

*"due to its location and interaction with highway users on Summer Lane, Wharncliffe Street, Crookes Street and Fitzwilliam Street as well as those utilising the nearby pedestrian crossing or those entering or existing from the Wharncliffe Garage petrol station or other adjacent businesses."*

- 5.5 A Highways Safety Report (HSR) prepared by Vectos (dated December 2020) attached at **Appendix C** supports this Statement.

- 5.6 The HSR has thoroughly reviewed the Council's first reason for refusal. Please refer to the Vectos HSR for the detailed assessment of the relationship of the proposed D-Poster on the following roads and junctions:

- Summer Lane Northbound Approach;
- Summer Lane Southbound Approach;

- Wharnccliffe Street / Petrol Filling Station / Crookes Street Junctions;
- Fitzwilliam Street Junction;
- Vehicles entering or existing from the adjacent businesses;
- The pedestrian crossing on Summer Lane.

5.7 In addition to reviewing the above roads and junctions, the HSR includes a review of the available accident data which has occurred in the five year period up to 31 December 2019 (section 3). The HSR concludes that:

*"the pattern of accidents does not suggest any problem associated with the presence of the existing poster and paste advert at the site."*

5.8 The Vectos HRS concludes at paragraph 4.9 that:

*"Taking into account the findings of this highway safety report the applicant considers that the proposed digital advertising screen would not have an unacceptable or severe impact on highway safety at this location and is therefore not contrary to paragraph 109 of the National Planning Policy Framework (February 2019)."*

5.9 There is no evidence to suggest that the replacement of the existing advertisement with an identically sized D-Poster sign in the same location will result in any material harm to matters of highway safety. We would therefore respectfully suggest that the Council's concerns regarding highway safety over the replacement advertisement are without foundation.

### ***Reason for Refusal Two***

5.10 The second reason for refusal was that the advertisement is considered to be unacceptable with regard to visual amenity.

5.11 The Council set out that proposed D-poster *'would materially harm the appearance of the street scene, by reason of its size, siting and undue prominence that would result in over-commercialisation and dominance of the locality'*.

5.12 As set out above, the advertising board has been in situ for over 10 years, since at least June 2008 and is an established part of the street scene.

- 5.13 The advertisement benefits from deemed consent under Class 13 of the Advertisement Regulations by virtue of being in situ for a period of over ten years without any enforcement or discontinuance action being brought against it. The fact of the advert being in situ for such a long period without any such action being taken for removal, is a clear indication that it is acceptable in this location and it is not causing material harm to the amenity of this part of Summer Lane. The existing advertisement is a significant material consideration as it sets out a baseline for what is acceptable. The assessment of the acceptability of the proposal should focus on the difference between the existing and proposed advertisement on amenity.

### ***Size***

- 5.14 This proposal is part of an industry wide drive to modernise and upgrade advertising infrastructure to meet modern requirements. It is proposed to replace the existing advertising display on a like for like basis, using new display technology that is lightweight, durable, and more sustainable. The proposed D-Poster is 6m wide by 3m wide which is the same size and scale to the existing unit.

- 5.15 As set out in the Council's delegated report on page 1:

*"Overall the proposed digital advertisement board will be the same dimensions as the existing advertisement."*

- 5.16 Further on page 6 of the Council's delegated report, it states:

*"It is acknowledged that the sign replaces an existing advertisement board erected on the northern elevation of No.32 and is more or less a technological update on the existing."*

- 5.17 Fundamentally, given that the size of the proposed advertisement is the same as that which is already present on site and that benefits from deemed consent, the size of the proposed advertisement is assessed to be acceptable and will have no adverse effect on amenity.

### ***Siting***

- 5.18 The proposed location and orientation of the advertisement will not change from the existing advertisement position which benefits from deemed consent.
- 5.19 Therefore, there is no material change in the siting of the D-Poster when compared to the existing advertisement board. Refusal by reference to this aspect, which does not change, is therefore not valid.

### ***Prominence***

- 5.20 As set out above, The D-Poster will have no special effects, animation or movement which would increase its visual prominence within the local area over and above the existing poster panel. The only element of change is that the D-Poster would be illuminated.
- 5.21 The proposal to digitise the poster would have no material impact on the visual amenity of the immediate neighbourhood, especially when considering the site context. The existing advertisement board is not illuminated. However, it is illuminated indirectly by the surrounding sources of light, notably the adjacent petrol filling station canopy which is flood lit. Even during darker hours, the existing advertisement is visible because of the lighting above and below the petrol filling station canopy, the ambient lighting from street lights and due to security lighting of surrounding buildings.
- 5.22 The replacement display seeks to mimic the existing poster display and the level of illumination will be adjusted on site to a comparable level of illuminance. The proposed D-Poster does not have a 'set' level of illumination, it has a dynamic system of brightness that adjusts (and which can be limited) to react to the ambient lighting at any moment in time. This ensures that the D-Poster mimics the effect of a paper-poster during the day and whilst it would remain visible during the darker hours by virtue of sensitive automatic adjustment, it would not be brightly illuminated. It should be noted that there is no commercial imperative for overly bright screens and there is a cost associated with displays that are run at higher levels of luminance – that in itself is an incentive for the Appellant to illuminate to the minimum levels necessary for the advertisement to be effective. The brightness of the digital advertisement display would be fully controllable to within 1% of its maximum output.
- 5.23 The D-Poster would therefore continue to reflect the existing commercial character and appearance of this stretch of Summer Lane and would not result in a sign that was so prominent that it would adversely affect the amenity of the area.

### ***Over-Commercialisation and dominance***

- 5.24 This proposal is for the replacement of the existing advertising board with a D-Poster, there will be no increase in the number of adverts on the site. As set out above, there is no material change in the size or siting of the D-Poster which would result in it contributing to any greater sense of 'over-commercialisation' or to the advertisement appearing 'dominant' in the immediate area.

- 5.25 When assessing local amenity, the National Planning Practice Guidance (PPG) at paragraph 79 is clear that local planning authorities should always consider the local characteristics of the neighbourhood and whether the advert is in scale and in keeping with these features. The PPG advises that (for example) poster hoardings will be refused where it would dominate a group of listed buildings, but they would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.
- 5.26 The site is located on a main road within the town centre of Barnsley. The immediate character of this part of Barnsley is commercial in nature. There is a mix of businesses surrounding the site, along with the petrol filling station and a number of larger buildings and structures including the McLintocks business centre and the multi-storey car park. Surrounding the site there are a number of warehouse units to the west of the site.
- 5.27 Due to the commercial nature of the area, there are examples of signage including on the petrol station filling station, hairdressers, on the McLintocks business centre, there are also examples of highways signage and temporary signage. Signage is commonplace in the vicinity and a component of the character of the area.
- 5.28 Along this stretch of road there is considerable activity during the day and evening. The proposed D-Poster would assimilate into the immediate environment where other signage is present and not lead to over commercialisation of the area.
- 5.29 Whilst we do not believe that the proposed D-Poster would lead to over-commercialisation of the area. We would draw the Inspectors attention to two D-Posters which have recently been approved a few hundred metres to the north of the appeal site. The Council approved two 6 metres by 3 metres (48 sheet) single-sided freestanding digital displays at this busy road junction in place of previous poster panel boards (application 2019/0734, approved 16 August 2019). These D-Posters, which the Council considered were acceptable, are located in an area which is far less commercial in nature than the appeal site. We would respectfully suggest that there is a lack of consistency in the approach adopted by the Council in this instance.
- 5.30 The commercial nature of the area would mean that the replacement of the existing sign with the D-Poster would not read as an incongruous element within the area and, as such, it would not negatively impact the street scene or lead to over commercialisation. In light of the above, the principle of the advertisement digital-poster (D-Poster) hoarding in this location is therefore considered acceptable.

## 6.0 Conclusion

- 6.1 In accordance with the NPPF, advertisements should only be controlled where they are harmful to amenity or public safety.
- 6.2 The appeal proposal seeks to upgrade an existing advertising site, which benefits from deemed consent under Class 13 of the regulations, to a modern digital form.
- 6.3 No changes are proposed to the size, scale, positioning or orientation of the advertisement.
- 6.4 The Council refused the application on highway safety and amenity grounds; however, it is considered that the Council did not fully consider the application on its merits and take into account the positive aspects of the proposal, including the existing advertisement on the site which benefits from deemed consent.
- 6.5 The existing board has been in situ for over 10 years, since at least August 2008 and is an established part of the street scene. The size and positioning of the advertisement will remain the same and the level of illumination will be set to ensure that the proposed advertisement is not materially different from the existing position.
- 6.6 As demonstrated by the submitted Highways Safety Report prepared by Vectos, the replacement digital advertising display will not result in an unacceptable highways safety impact on Summer Lane, Wharncliffe Street, Crookes Street and Fitzwilliam Street , the nearby pedestrian crossing or those entering or existing from the Wharncliffe Garage petrol station or from other adjacent businesses.
- 6.7 The proposed display would be internally illuminated and would only show static images, with a change over every ten seconds. There will be no animation or other special effects. As demonstrated in this Statement and the accompanying HSR, the proposed D-Poster would not interfere with the road signage or traffic signals. In these circumstances, such a familiar feature would not result in an adverse impact upon public safety.
- 6.8 As set out above, the appeal site is within an area which is commercial in nature and where advertising is acceptable and indeed a component part of that character.
- 6.9 The like for like replacement of the display and the control over luminance levels will ensure that the change in the visual impact of the site on the surroundings is not material.
- 6.10 For the reasons given above, it is respectfully requested that the appeal is allowed, and advertisement consent is granted for this proposal.

## Appendix A      Decision Notice and Delegated Report



**BARNSELY**  
Metropolitan Borough Council

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**Place Directorate  
Regeneration and Culture  
Planning and Building Control**

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### ADVERT REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

APPLICATION NO. 2020/0877

To WYG  
90 Victoria Street  
Redcliff  
Bristol  
BS1 6DP

In pursuance of its powers under the above-mentioned Act and Regulations the Barnsley Metropolitan Borough Council as the Local Planning Authority hereby **refuses** consent for the

**Upgrade of existing 48 sheet advert to support digital poster  
32 Summer Lane, Barnsley, S70 6BN**

in accordance with the application form and accompanying plan(s) registered by the Council on 03/09/2020.

The reasons for the Council's decision to refuse planning permission are:

1. In the opinion of the Local Planning Authority, the proposed advertisement would adversely impact highway safety due to its location and interaction with highway users on Summer Lane, Whamcliffe Street, Crookes Street and Fitzwilliam Street as well as those utilising the nearby pedestrian crossing or those entering or existing from the Whamcliffe Garage petrol station or other adjacent businesses. Consequently it is considered that the signage would harm the safe, secure and convenient access and movement of highway users on Summer Lane and is therefore in conflict with Local Plan Policy T4 - New Development and Transport Safety and the SPD Advertisements
2. In the opinion of the Local Planning Authority, the proposed advertisement would materially harm the appearance of the street scene, by reason of its size, siting and undue prominence that would result in over-commercialisation and dominance of the locality and is therefore in conflict with Local Plan Policy D1 - High Quality Design and Place Making and the SPD Advertisements.

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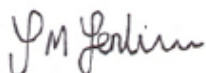
PO Box 634, Barnsley, South Yorkshire S70 9GG



*Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.*

Signed

Dated 06/11/2020



Joe Jenkinson  
Head of Planning and Building Control

## NOTES:-

### Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

2020/0877

Widstone Group Limited

Upgrade of Existing 48 Sheet Advert to Support Digital Poster

32 Summer Lane, Bamsley, S70 6BN.

### Site Location & Description

The site is the end gable of a row of terraces facing north west towards a petrol filling station. An existing 48 sheet advertisement board is currently in situ on the gable of No.32 Summer Lane and is visible to pedestrians and road users travelling towards Town End Roundabout on Summer Lane directly to the north and east.



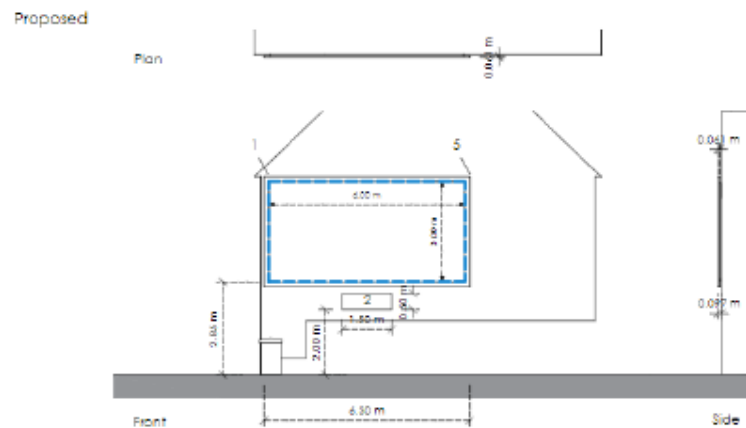
### Proposed Development

The applicant seeks permission for the installation of 1no. internally illuminated digital display advertisement board. The sign is to measure 6.3m in width by 3.3m in height at a maximum depth of 0.097m from the gable of No.32 Summer Lane, facing towards Whamcliffe Garage Petrol Station. The advertisements upon the panel are to be static (no moving images or flashing lights) and internally illuminated at 300cd/sqm at night in accordance with the Institute of Lighting Engineers. The illuminance is to be controlled via light sensor and the brightness will adjust accordingly to outside factors, such as changes from sunrise to sunset. Whilst the images are proposed as static, it is assumed that they will change intermittently for an undisclosed length of time. Overall the proposed digital advertisement board will be the same dimensions as the existing advertisement.



Proposed

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## Policy Context

Planning decisions should be made in accordance with the Local Plan unless material considerations indicate otherwise and the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Council has also adopted a series of Supplementary Planning Documents (SPDs), which are other material considerations.

## 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.

Paragraph 132 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interest of amenity and public safety, taking account of cumulative impacts.

## Local Plan

The site is allocated as Town Centre Gateway Site for Public Open Space Improvement and is on the Local Strategic Highway Network within the Local Plan Proposals Maps and therefore 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 BTC18 Westgate/Churchfields**

Within the Westgate/Churchfields District we will give priority to office development. We will also allow residential, shops, leisure and entertainment uses. Specific areas of the district will be developed for the following uses:

- Creating a civic quarter in the area bounded by Churchfields, St. Marys Gate, Westgate and Sackville Street, to include offices, education and small scale ancillary uses.
- Expanding the Lamproom theatre and associated facilities, and improving its setting within the wider Westgate area.
- A mix of office, hotel and residential uses in the area bounded by Westgate, St. Marys Gate, Shambles Street, Summer Lane and Fitzwilliam Street.

#### **Policy T4 New Development and Transport Safety**

New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

#### **Policy POLL1 Pollution Control and Protection**

Development will be expected to demonstrate that it is not likely to result directly or indirectly in an increase in air, surface water, and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment.

#### SPDs

##### **Advertisements**

The SPD sets out the design principles that specifically apply to the consideration of planning applications for Advertisements

The aim of the system is to regulate advertisements in the interest of 'amenity' and 'public safety'. The main issues in determining an application will, therefore, usually be:

- The impact of the advertisement on the appearance of the site or building upon which it is displayed and upon the visual character of the area.
- The impact of the proposal upon the safety of pedestrians and vehicles.

##### **Consultations**

##### Highways DC – Objections on highway safety grounds.

*"Having assess the application, I must advise that I have concerns with the proposal. The digital advertisement will be visible to road users approaching the busy Townend roundabout and on the approach to a well used signal controlled pedestrian crossing. Furthermore, there are a number of access points in the immediate vicinity for road users to be mindful of, including a busy petrol filling station and junctions with Fitzwilliam Street and Wharnccliffe Street. The primary purpose of such advertising is to gain the attention of drivers which is in direct conflict with the need for full driver attention on the road and vehicles around at all times.*

*For information, I enclose a study from Brunel University and cite the abstract below:*

*'There is growing concern that roadside advertising presents a real risk to driving safety, with conservative estimates putting external distractors responsible for up to 10% of all accidents. In this report, we present a simulator study quantifying the effects of billboards on driver attention,*

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*mental workload and performance in Urban, Motorway and Rural environments. The results demonstrate that roadside advertising has a clear detrimental effect on lateral control, increases mental workload and eye fixations, and on some roads can draw attention away from more relevant road signage. Detailed analysis of the data suggests that the effects of billboards may in fact be more consequential in scenarios which are monotonous or of lower workload. Nevertheless, the overriding conclusion is that prudence should be exercised when authorising or placing roadside advertising. The findings are discussed with respect to governmental policy and guidelines.'*

*Having reviewed the application, it is considered that the proposed moving digital signage may have a detrimental impact on road safety due to the distraction this may cause to drivers. Whilst it is difficult to quantify / assess this level of distraction, the aim of signs that contain illuminated moving images is to attract the attention of passers by, which in turn may distract drivers and be detrimental to driving safety. As such, as suggested in the passage above, prudence must be exercised in this instance and being mindful of the potential risk, the application is viewed unfavourably from a road safety perspective."*

#### Pollution Control – No Objections

#### Ward Councillors – Cllr Kath Mitchell objects on highway safety grounds

*"As with the other digital sign I am against this application due to it been placed facing a very busy road. Being approximately 100 yard from a busy pelican crossing and major roundabout . In the other direction within 100 yard there are 3 busy junctions. I think this will be a major distraction for motorists already looking at many points of uncertainty."*

#### **Representations**

Neighbour notification letters were sent to neighbouring properties and a site notice posted adjacent to the site; no responses have been received.

#### **Assessment**

##### Principle of Development

The site is allocated as within the Westgate/Churchfields District of the Town Centre on the Local Plan Policies map, where development

The erection of signage or replacement signage is deemed acceptable in principle, however, consent will only be granted where the development is found to be appropriate in design and respectful of the character of the area and advertisements should not adversely impact on the amenity of local residents, undermine highway safety or result in an increase in light pollution.

##### Highway Safety

There is growing concern that roadside advertising presents a risk to driving safety due to driver distraction.

The proposed sign would be highly visible on Summer Lane as one progresses towards the busy Town End roundabout and there are serious concerns in relation to the potential for driver distraction at a critical point on the highway network.

Summer Lane is busy throughout the day in excess of peak times as its southern section is not only located within the Town Centre but also a multitude of commercial premises and residential streets

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are located upon it as well as the siting of Barnsley Hospital at its northernmost extent. Peak times see traffic queuing to enter and exit Town End roundabout at the southernmost extent of Summer Lane.

A digital sign, by its very nature, is there to divert attention which is in direct conflict with the need for full driver attention on the road at all times and could lead to very serious safety implications. In respect of traffic progressing along Summer Lane, within the space of less than 140m vehicle users will have to consider the following factors:

- Vehicles pulling into and out of Fitzwilliam St, Whamcliffe Street and Crookes Street.
- Vehicles pulling into and out from the Whamcliffe Garage, W Hyde and Sons Funeral Directors, and the Enterprise Garage. All of these uses have a higher than normal level of vehicular movements relating to their use.
- 1no. Signal Controlled Pedestrian Crossing

At the same time as considering the above, vehicle users are offered the opportunity to look at and interpret the new sign. The sign will be brightly lit and, especially in the darker and wetter winter months, will contend against the signal lights of the pedestrian crossing, the lights of other vehicles, cyclists and even pedestrians who cross the aforementioned side streets.



As can be seen on the map above, the set back of Industry House allows long distance views to the north of the proposed sign up Summer Lane. Whilst this may be good for advertising purposes, it is detrimental to highway safety as the map clearly presents the volume of factors that a driver will need to consider. Further to this, emergency vehicles frequent Summer Lane as it is a principle route to and from the town centre for both ambulances from Barnsley Hospital as well as Police vehicles due to the location of the Police Station north east on Churchfield Street. This latter point adds a further dimension into the mix of factors for highway users to contend with, especially for those progressing northbound who may not be able to distinguish between the light of the sign and that of emergency vehicles – especially in their rear view mirror.

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Despite the above, it is difficult to quantify or assess the level of distraction from the sign. The aim of signs that contain illuminated changing images is to attract the attention of passers by, which in turn may distract drivers and be detrimental to driving safety. As such, prudence must be exercised in this instance and being mindful of the potential risk, the application is viewed unfavourably from a road safety perspective. It should also be borne in mind that this risk is something that can have a material impact on the safety of people who use this section of road and, unlike visual amenity for instance, highway safety is not an 'ideal' standard to be attained but a minimum requirement to prevent harm to people.

It is acknowledged that the authority has approved other digital signage within the borough and indeed further up Summer Lane adjacent to Victoria Crescent West, however this and the other sites are somewhat different, they are on single stretches of road, they are not located near complex junctions and the authority has ensured that there are no flashing sequences of advertisement. It is unlikely, in these instances that drivers will see more than one image when driving past, so in that respect, it's not too dissimilar to a static poster. Nevertheless each application is assessed on its own merits and in this instance the proposed location for a digital display advertisement in close proximity to a busy roundabout and pedestrian crossing on the highway network is considered unacceptable.

It is consequently determined that the proposed advertisement does not comply with policy in that it would adversely undermine highway safety due to its location and as such the proposed advertisement fails to maintain safe, secure and convenient access and movement for highway users contrary to Local Plan Policy T4 - New development and Transport Safety.

#### Visual Amenity

SPD: Advertisements states in section 6.1 that 'signs on shops, business and commercial premises should be limited to that which is necessary to identify the premises. Advertisement should, therefore, have regard for the design, scale and proportions of the building or site on which they are displayed. The over provision and poor design of signs can give rise to a cluttered and aggressively commercial appearance which will have a damaging impact upon the visual character of an area. The council is therefore unlikely to grant consent for '...advertisement hoardings, including poster panels and banners signs...'

It is acknowledged that the sign replaces an existing advertisement board erected on the northern elevation of No.32 and is more or less a technological update on the existing. Nevertheless, though the existing advertisement benefits from established development under the 4 year rule for planning enforcement, it never received formal planning consent. If the proposal's location did not benefit from the existing sign it would almost certainly be refused given its unsympathetic proportions relative to the former dwellinghouse it is located upon and the wider area in which it is situated.

When this is viewed in combination with the highways impacts above, the scale and size of the sign within the local area clearly serve the purpose of dominating the locality to draw attention to itself. It is appreciated that the sign is within a commercial area adjacent to a petrol station, however it is felt that approval of the advertisement will continue to detract from this section of Summer Lane and is therefore injurious to the streetscene. Indeed, given that the sign is illuminated, it has the potential to draw further attention to itself than the existing paper sheet advertisement and though this is understood to be the purpose of such development, it can diminish the quality of an area through aggressive over-commercialisation as identified in the SPD Advertisements. Undoubtedly the petrol station, hair dresser, funeral directors and MOT centre are justified in their signage being erected on this part of Summer Lane as they operate in this area. However the new digital display will advertise for businesses not within the immediate vicinity and given that another digital display has

been approved further to the north on Summer Lane, additional provision and commodification of the urban fabric given over to these types of digital advertisements is considered excessive.

The proposal is therefore found to be contrary to the SPD Advertisements as well as LP Policy D1 – High Quality Design and Placemaking.

#### Residential Amenity

The site is located at a major artery into the town centre and there are limited residential properties within the vicinity of the site. Given that the application is for an illuminated screen providing a digital display similar to that of a television screen and not a direct light source and there has been no objection from Pollution Control. It is considered that the proposal would not cause any nuisance given that it is located on the strategic highway network served by street lighting in conjunction with the lighting cast by the canopy of the fuel station.

As such, it is anticipated that there will be no detrimental effect from the new signage for local residents and it will not be prejudicial to the amenity of surrounding units in line with LP Policy GD1 – General Development.

#### Conclusion

In conclusion, the proposed signage is considered contrary to the policies of the adopted Local Plan.

In the opinion of the Local Planning Authority, the proposed advertisement would adversely impact highway safety due to its location and interaction with highway users on Summer Lane, Wharmcliffe Street, Crookes Street and Fitzwilliam Street as well as those utilising the nearby pedestrian crossing or those entering or existing from the Wharmcliffe Garage petrol station or other adjacent businesses. Consequently it is considered that the signage disrupts the safe, secure and convenient access and movement of highway users on Summer Lane and is therefore in conflict with Local Plan Policy T4 – New Development and Transport Safety and the SPD Advertisements

In the opinion of the Local Planning Authority, the proposed advertisement would materially harm the appearance of the street scene, by reason of its size, siting and undue prominence that would result in over-commercialisation and dominance of the locality and is therefore in conflict with Local Plan Policy D1 – High Quality Design and Place Making and the SPD Advertisements.

#### **Recommendation**

#### **Refuse**

## Appendix B Local Plan Policy

### 12 . Transport

#### Policy T3 New Development and Sustainable Travel

New development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists;
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document;
- Provide a transport statement or assessment in line with guidance set out in the National Planning Policy Framework and guidance including where appropriate regard for cross boundary local authority impacts; and
- Provide a travel plan statement or a travel plan in accordance with guidance set out in the National Planning Policy Framework including where appropriate regard for cross boundary local authority impacts. Travel plans will be secured through a planning obligation or a planning condition.

Where levels of accessibility through public transport, cycling and walking are unacceptable, we will expect developers to take action or make financial contributions in accordance with policy I1.

If it is not possible or appropriate for the minimum amount of parking for cycles, motorbikes, scooters and mopeds to be met on site, the developer must provide, or contribute towards, off-site parking, or improve or provide other forms of travel.

- 12.46** A fundamental goal of Barnsley's Local Plan is to provide for sustainable development and it includes a spatial strategy that reduces the need to travel by promoting growth in sustainable, accessible locations. This policy is about ensuring that sustainable and inclusive travel is embedded within any new development and providing the opportunities for people to change their travel behaviour where travel is necessary. It recognises that the availability of car parking is a key factor affecting whether people choose to travel by car or use a smarter alternative and aims to limit car parking associated with new development whilst providing appropriate facilities for cycles, motorbikes, scooters, mopeds and disabled people. This is balanced with the considerations of highway safety, living conditions and the economy, and the need to provide enough parking so people can use other forms of transport than the car.
- 12.47** We will produce a Supplementary Planning Document which will set out maximum standards of parking for broad classes of development within Urban Barnsley and the Principal Towns and will explain how we will decide the level of parking for particular developments.

#### Transport assessments and travel plans for new development

- 12.48** The need for transport assessments and travel plans, for all forms of development will be determined in accordance with government guidance.

## 12 . Transport

- 12.49** A transport assessment 'is a comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures (such as travel plans) will be taken to address the anticipated transport impacts of the scheme and to improve accessibility, and to encourage sustainable modes of travel.'<sup>(6)</sup>
- 12.50** When considering whether a transport assessment will be needed, we must take account of local circumstances. For example, if there are significant local transport difficulties, we may need to carry out an assessment for developments below the thresholds in the guidance. However, where a proposed development is expected to generate relatively low numbers of trips or traffic flows, with minor transport impacts, a less detailed transport statement may be sufficient.
- 12.51** The contents of a transport assessment will depend on the size, nature and location of a development, but in all cases the transport mitigation plans or package of measures should focus on maximising sustainable accessibility to the development and should show:
- Consideration of reducing the need to travel.
  - How accessible the development is by all forms of transport.
  - Whether the site access can deal with the predicted level of traffic.
  - Measures to reduce the negative impacts of transport.
  - What measures can be taken to encourage travel by walking, cycling and public transport.
  - Mitigation measures avoiding unnecessary physical highway improvements and promoting innovative and sustainable transport solutions.
- 12.52** Where appropriate, developers will be expected to use our multi modal transportation models to estimate the effects of new developments on the transport network and to confirm that submitted transport assessments are accurate.
- 12.53** A travel plan will normally be required alongside planning applications that are likely to have significant transport implications, alongside a full transport assessment. A travel plan statement may be required on smaller scale developments which are expected to have minor travel impacts, particularly where specific concerns are raised in a transport statement or assessment.
- 12.54** A travel plan is a long-term management strategy for an occupier or site that seeks to deliver sustainable transport objectives through positive action and is articulated in a document that is regularly reviewed. It involves developing a set of procedures, schemes and targets that encourage people to use sustainable forms of transport, and should:
- Be site specific.
  - Contain both measures addressing site design, infrastructure and new services, as well as marketing, promotion and awareness raising.

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6 PPG Transport Assessments Travel Plans

## 12 . Transport

- Provide a package of measures integrated into the design and use of the development.
  - Encourage walking, cycling and public transport use and facilitate disabled access.
  - Restrict on-site car-parking spaces.
  - Include arrangements for managing the process.
- 12.55** The travel plan is an important tool in implementing measures to influence travel behaviour. It should demonstrate a firm commitment by developers and occupiers to reduce the number of trips generated by, or attracted to their site. By encouraging walking and cycling in particular, travel plans can contribute to a healthier lifestyle, reducing obesity and improving quality of life. Highways England will work with us to advise developers how to prepare, implement, monitor, review and update travel plans to support their development and will consider tri-partite agreements with the council and developers where appropriate. Highways England has developed toolkits of Active Traffic Management and Integrated Demand Management which can be used to regulate traffic on the National Strategic Road Network. These interventions are preferred to capacity improvements.
- 12.56** The Council will also work with partners such as SYPTE and Highways England to ensure a consistent approach for the preparation, implementation and monitoring of travel plans.

### Policy T4 New development and Transport Safety

New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

If a development is not suitably served by the existing highway, or would create or add to problems of safety or the efficiency of the highway or any adjoining rail infrastructure for users, we will expect developers to take mitigating action or to make a financial contribution to make sure the necessary improvements go ahead. Any contributions will be secured through a planning obligation or planning condition.

- 12.57** With over 3,000 killed or seriously injured on the UK's roads every year road safety is a major concern for communities across the UK. There were 5952 casualties in collisions on roads in South Yorkshire in 2007, a 4.7% decrease on the 2006 level. The emotional cost to families of serious and sometimes fatal injuries, and the pressure on local health resources are of particular concern.
- 12.58** Whilst all applications will be expected to meet the sustainable travel criteria in policy T3 there will be occasions where improvements to the existing highway network are also required. We are responsible for making sure the borough's streets are safe for everyone using them. When new developments are built, we make sure any new roads are up to standard and that people using the new development can do so safely and without negatively affecting existing roads. They must be designed and built to provide safe, secure and convenient access for all road users, which will include pedestrians, cyclists, people with special needs and people with mobility problems. In doing so we will support the long term aspirations of the South

## 12 . Transport

Yorkshire Road Safety and Casualty Reduction Strategy (delivered through the LTP) which focuses on the need to achieve further reductions in casualties, focusing on vulnerable road users including children and motorcyclists, and on local areas where road safety is a known problem.

- 12.59** If a development is not suitably served by the existing highway, or would create or add to highway safety problems (including at railway level crossings) or would adversely affect the efficiency of the highway we will refuse planning permission, unless the developer agrees to take full responsibility for any necessary improvements or measures to upgrade the highway network to a suitable standard. Under the Highways Act, the developer may need to create and maintain new roads or improve existing ones.

### Policy T5 Reducing the Impact of Road Travel

We will reduce the impact of road travel by:

- Developing and implementing robust, evidence based air quality action plans to improve air quality;
- Working with our sub regional partners, fleet and freight operators to improve the efficiency of vehicles and goods delivery, and reduce exhaust emissions; and
- Implementing measures to ensure the current road system is used efficiently.

- 12.60** Where it is necessary to travel, it is important that our strategy includes measures to reduce the impact of those journeys on the environment, the health and safety of the community and on the local economy.
- 12.61** Traffic volumes in both South and West Yorkshire are rising, and journey times in Barnsley are increasing, despite Local Transport Plan measures aimed at stemming that growth. Rising traffic levels are also having a detrimental impact on the efficiency of our road network and are increasingly likely to effect the borough's economic performance. Congestion costs money and affects economic performance, costing UK businesses an estimated £17billion per annum (CBI).
- 12.62** Goods such as food, clothes, furniture and construction materials are a vital part of modern life which we depend upon the freight industry to deliver every day. The stability and growth of local businesses relies on just-in-time delivery, if they are to be competitive. Manufacturing, power stations, construction sites and retail establishments need materials to be delivered promptly ready to meet customer demand. With the development of the Internet, goods can increasingly be delivered directly to our homes at a time when we are available to receive them. As a result of this increasing consumer demand, freight vehicles are contributing to the rising levels of traffic on our roads, adding to the levels of noise, congestion, air pollution and accidents, as well as greenhouse gas emissions.

## Policy D1 High Quality Design and Place Making

### Design Principles:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm.

## 13 . Local Character

In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

- 13.1** As set out in the National Planning Policy Framework, the Government attaches great importance to the design and quality of the built environment, stating that 'it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.'
- 13.2** In terms of place making the quality of places has a major influence on the quality of life for people living and working in the borough. Through high quality and sustainable design developers should be able to create strong, locally-distinctive places that are safe, inclusive and accessible to all, that promote social interaction and a healthy and active lifestyle.
- 13.3** Inclusiveness and accessibility need to be considered from an early stage of design, preferably including consultation with a wide range of potential users.
- 13.4** The components of a development, including its integration with its surroundings and its mix, layout and form, will be assessed to ensure that development makes a positive contribution to achieving the qualities of a successful place.
- 13.5** Development should take account of the following design standards and guidance (and any future updates of these) which will be used (but not exclusively) to help assess the quality of design:
  - Building for Life 12 (for residential developments of 10 or more dwellings).
  - Secured By Design/ Safer Places- the Planning System and Crime Prevention.
  - Manual for Streets (for residential developments).
  - Manual for Streets 2- Wider Application of the Principles (which takes this guidance beyond just residential developments).
  - The South Yorkshire Residential Design Guide.
- 13.6** The Public Spaces Strategy and the Building Heights Study provide additional evidence for design decisions in Barnsley Town Centre. Inset map 8 illustrates the strategy for tall buildings in Barnsley Town Centre.
- 13.7** Supplementary Planning Documents also provide guidance on specific design issues.

### Policy LC1 Landscape Character

Development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located (as set out in the Landscape Character Assessment of Barnsley Borough 2002 and any subsequent amendments).

Development which would be harmful to the special qualities of the Peak District National Park will not be allowed.

## Advertisements SPD Extract

### Supplementary Planning Document: Advertisements

#### 1. About this guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

#### 2. Introduction

- 2.1** This advice note offers guidance to anyone seeking to display an outdoor advertisement, including signs, notices, hoardings and flags.

#### 3. Policy

- 3.1** This guidance supplements Local Plan Policy D1 High Quality Design and Place Making which states as follows:

##### Policy D1 High Quality Design and Place Making

###### Design Principles:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green Infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;

## Supplementary Planning Document: Advertisements

- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm

In terms of place-making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

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- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;

## Supplementary Planning Document: Advertisements

- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm

In terms of place-making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

### 4. The purpose of advertisement control

**4.1** The aim of the system is to regulate advertisements in the interests of 'amenity' and 'public safety'. The main issues in determining an application will, therefore, usually be:

- The impact of the advertisement on the appearance of the site or building upon which it is displayed and upon the visual character of the area.
- The impact of the proposal upon the safety of pedestrians and vehicles.

**4.2** The system is not intended to control the content of an advertisement.

### 5. Does my advertisement require consent?

**5.1** Some advertisements can be displayed without the consent of the Council. However the regulations relating to the display of advertisements are complex and you are therefore advised to contact Development Management on 01226 772595 to discuss whether the advertisement you wish to display requires consent.

**5.2** Generally, consent will be required to display an illuminated sign, poster hoarding or advance warning or directional sign. Many other signs will also need consent.

**5.3** It is illegal to display an advertisement without consent or without the permission of the site owner.

## Supplementary Planning Document: Advertisements

### 6. Is the Council likely to grant consent?

- 6.1** Signs on shops, businesses and commercial premises should be limited to that which is necessary to identify the premises. Advertisements should, therefore, have regard for the design, scale and proportions of the building or site on which they are displayed. The over provision or poor design of signs can give rise to a cluttered and aggressively commercial appearance which will can have a damaging impact upon the visual character of an area.
- 6.2** The Council is, therefore, unlikely to grant consent for:
- Advance warning or directional signs.
  - Advertising hoardings, including poster panels and banner signs.
  - Signs on shops above fascia level.
  - Signs on business premises above 1st floor level.
  - Signs which appear out of scale or character with the building locality or surrounding signage.

### 7. Signs on shop fronts

- 7.1** Well designed signs can project an image of quality, confidence and permanence; whereas too many or oversized signs can give a cluttered and unattractive appearance which does not relate to either the building or the surrounding area.
- 7.2** The Council is likely to approve signs which are:
- In character with the scale of the building;
  - Located at fascia level;
  - Respectful of the architectural features of the building, including first floor windows and shop front details;
  - Fascia box signs which do not protrude more than 100mm;
  - Designed using a style of lettering appropriate to the character of the building;
- 7.3** The best option for signs is often to use individual letters restricted to the shop name. Clear well spaced letters are as easy to read as larger oversized letters. If additional signage is required then this is best applied to the window. For the safety of pedestrians and vehicles the bottom of any protruding sign should be at least 2.3m above the pavement and should not overhang the carriageway.
- 7.4** A separate SPD on Shopfront Design has been produced and provides additional information.

### 8. Illumination

- 8.1** Excessive illumination causes light pollution and is therefore wasteful of energy. Well directed lighting can, however, aid personal safety within an area and enhance its attractiveness. The form which this illumination takes should also be considered at an early stage. For example, a suitably designed fascia box in a solid material which allows internal illumination to show through cut out lettering can be a very effective solution, whilst

## Supplementary Planning Document: Advertisements

internally illuminated box mounted signs in an opaque material is an unsightly option and will be discouraged.

- 8.2** External lights can also be an acceptable solution, either by means of trough lighting or carefully designed and located spot lighting.
- 8.3** Where the Council considers that the principle of illumination is acceptable, the light source should be designed so that it is not directly visible to drivers on adjacent roads or likely to cause nuisance to nearby residential properties. The level of illumination should be kept to a minimum.

## 9. Conservation areas and listed buildings

- 9.1** Special consideration should be given to the location and design of signage or advertisements when they affect heritage assets or their setting. These assets include listed or historically important buildings, conservation areas, registered parks and gardens and scheduled ancient monuments. Signage design that is proportionate in size, of a sympathetic design, respectful of architectural detail, and located in a way that respects what is significant about the heritage asset are likely to be approved. Lighting of signage on historic buildings or in historic areas will require particular care and may not always be appropriate.

## 10. Signs which project over the adopted highway

- 10.1** The consent of the highway authority is required for any signs that project over the adopted highway. This consent is separate from any need for advertisement consent. Failure to gain consent of the highway authority or to comply with any terms or conditions is an offence.

## Appendix C Vectos Highways Safety Report

# Wildstone Group Ltd

CONVERSION OF ROADSIDE ADVERTISING POSTER  
BILLBOARD TO DIGITAL D-POSTER DISPLAY, 32  
SUMMER LANE, BARNSELY

December 2020

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VN201822

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Highway Safety Report

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## Report control

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Document: Highway Safety Report

Project: Conversion of Roadside Advertising Poster Billboard to Digital D-Poster Display, 32 Summer Lane, Barnsley

Client: Wildstone Group Ltd

Job number: VN201822

File origin: **N:\Vectos Job Data\2020\VN201822 Advertising Site 32 Summer Lane, Barnsley\Docs\Reports\VN201822 Highway Safety Report.docx**

## Document checking

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Primary Author: James Whitton Initialled: JW

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| 1     | 19/12/2020 | Highway Safety Report V1 | PT                |
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# 1 INTRODUCTION

## Overview

- 1.1 Vectos have been commissioned by Wildstone Group Ltd on behalf of Clear Channel UK Ltd to provide a highway safety report to support appeal relating to a proposal to upgrade a traditional 48-sheet poster and paste roadside advert to a more modern digital format known as a “D-Poster” at 32 Summer Lane, Barnsley, S70 6BN.
- 1.2 It is worth noting that the principle of advertising in this location has long been established, as the proposal site appears to have hosted a poster and paste advert at this location for in excess of 10 years. As a result, the site is considered to benefit from Deemed Planning Consent under Class 13 of the Advertisement Regulations, as the advertisements have been continually displayed for the preceding 10 years.
- 1.3 The purpose of this report is to assess the highway safety implications of operating the existing site as a static digital advertising display rather than a static paper and paste advertisement.

## Proposal Site

- 1.4 The current poster and paste advert is located on the on the northwest facing side of No. 32 Summer Lane, which is an end terrace property at the northern end of a row of residential housing and shops situated to the north of the Townend Roundabout in Barnsley. The proposal site will comprise of a single-sided LED digital advertising display that will principally face towards the Summer Lane southbound carriageway.
- 1.5 The digital screen will have the same orientation and height above ground level as the existing advertising display on the west side of Summer Lane, with the location illustrated in **Figure 1.1**.

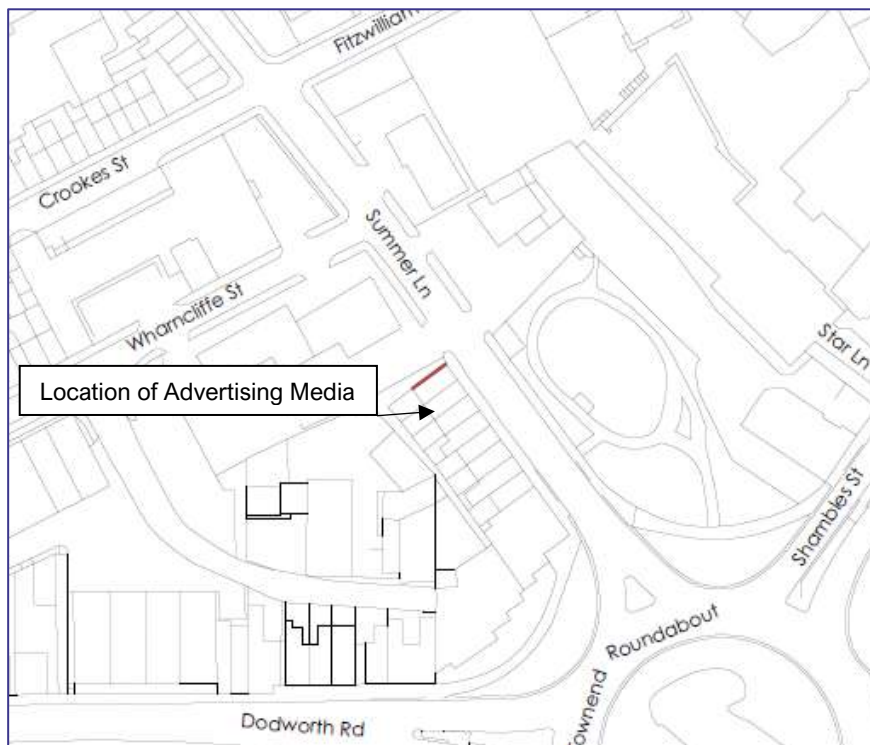


**Figure 1.1 – Site Location Plan**

## Planning Background

- 1.6 An advertising application to upgrade and digitalise the existing poster and paste advert was submitted to Barnsley Metropolitan Borough Council (BMBC) in September 2020 (application reference 2020/0877). However, the application was refused on 6th November 2020 due to concerns that the digital advertising display proposal would, “....adversely impact highway safety due to its location and interaction with highway users on Summer Lane, Wharncliffe Street, Crookes Street and Fitzwilliam Street, as well as those utilising the nearby pedestrian crossing or those entering or exiting from the Wharncliffe Garage petrol station or other adjacent businesses. Consequently, it is considered that the signage would harm the safe, secure and convenient access and movement of highway users on Summer Lane and is therefore in conflict with Local Plan Policy T4 - New Development and Transport Safety and the SPD Advertisements”.
- 1.7 BMBC also state that, “In the opinion of the Local Planning Authority, the proposed advertisement would materially harm the appearance of the street scene, by reason of its size, siting and undue prominence that would result in over-commercialisation and dominance of the locality and is therefore in conflict with Local Plan Policy D1 - High Quality Design and Place Making and the SPD Advertisements”.
- 1.8 Accordingly, this report sets out Vectos’s analysis of the road safety implications of the digital advertising proposal at the site at 32 Summer Lane in Barnsley, and addresses the comments raised by the BMBC and the associated public safety reasons for refusal in respect of the advertising application 2020/0877.

## Key Considerations

- 1.9 The following factors will be subject to detailed analysis to ensure that no conflicts will arise as a result of the proposal:
- i) Proximity to junctions;
  - ii) Proximity to pedestrian crossings;
  - iii) Sightlines on the key approaches;
  - iv) Proximity to traffic signs;
  - v) Existing accident rates at this location; and
  - vi) Arrangement of the highway layout in the vicinity of the proposal site.
- 1.10 This document has been prepared in due cognisance of the Barnsley Local Plan Supplementary Planning Document (SPD): Advertisements (May 2019), including detailing the proposed advertisement controls to ensure that the proposal will not have an unacceptable impact upon the safety of pedestrians and vehicles.
- 1.11 In addition, the Transport for London (TfL) document, ‘Guidance for Digital Roadside Advertising and Proposed Best Practice’ (2013) has also been taken into account. Although the proposal site is outside of London, it is considered that the TfL guidance document provides a good framework for assessing the suitability of sites for digital roadside advertising and it should be noted that it is fully endorsed by TfL.

## Report Structure

1.12 Following the introduction, the structure of this report is as follows:

- i) **Chapter 2** sets out the proposal in more detail and reviews its relationship with the surrounding highway infrastructure;
- ii) **Chapter 3** reviews the accident data relevant to the proposal site; and
- iii) **Chapter 4** sets out the summary and conclusion of the report.

## 2 SITE ASSESSMENT

### Introduction

- 2.1 The following image captures the view on the key approach to the site on Summer Lane southbound carriageway from the north.



**Figure 2.1 – Looking Towards the Site from the Summer Lane Southbound Carriageway**

Source – <https://www.google.co.uk/maps>

### Development Proposal

- 2.2 The proposal is to upgrade the existing 48-sheet (6m wide x 3m high) poster and paste roadside advert to a more modern static digital display of the same size. It will be a wall mounted unit located in the same position, orientation and height above ground level as per the existing advertising display. The media screen will face south towards the Summer Lane southbound carriageway.
- 2.3 The scheme will replace an advertising display that is currently in position at this site, and therefore in the consideration of this proposal during the application process it should be noted that there is already a precedent with regard to roadside advertising being in view to traffic at this location. It is considered that the proposed D-Poster format would represent an upgrade from the existing poster and paste advertising hoarding which would contribute to the provision of a higher quality public realm, therefore adhering to the principles set out in the BMBC SPD Advertisements guidance document.

- 2.4 In addition, the TfL Guidance and Best Practice document also states that static digital advertising is likely to be acceptable in locations where static advertising exists or would be accepted.
- 2.5 The following planning conditions are proposed by the applicant to control the operation of the digital advertising display to ensure that the screen operates in a safe manner:
- i) The display will be controlled by conditions in accordance with the Institution of Lighting Professionals '*Brightness of Illuminated Advertisements*' (2015) guidance, with night time luminance limited to 300cd/m<sup>2</sup> so as not to cause glare. This will also be in line with the Barnsley Local Plan Advertisements SPD;
  - ii) The advertising screen shall not display any moving, or apparently moving, images;
  - iii) The sequential advertisements shall not change more than once every 10 seconds; and
  - iv) Any sequential change between advertisements will take place over a period no greater than one second unless otherwise agreed with the Local Authority.
- 2.6 Detailed plans of the proposed scheme have been included in **Appendix A**.
- 2.7 It is important to note that the proposed digital screen will still be displaying static adverts and as such it is not considered that the proposal represents a material change or risk in terms of road safety. With the use of appropriate controls, digital advertising should be no more or less acceptable than traditional forms of advertising such as poster and paste.
- 2.8 The only changes that will result from the proposal relates to the digital LED illumination and the sequential change of adverts. The proposed upgrade of this Clear Channel poster and paste advertising site to static digital format will permit the changeover between adverts to be silent and instantaneous, which will ensure that both eye dwell time and the level of distraction is minimised. It is therefore considered that there should be no material difference in road safety terms between a static poster and paste site and a digital advertising site given that the proposed replacement digital screen will be subject to the appropriate controls as detailed above.

### Site Description

- 2.9 The proposal site is located at the west side of Summer Lane, approximately 70m to the north of the six-arm Townend Roundabout. The digital advertising display will be situated on the side of an end terrace property which faces northwards and therefore can only be seen by traffic heading in a southbound direction on Summer Lane.
- 2.10 Summer Lane is lit and subject to a 30mph speed limit with double yellow lines present on both sides of the carriageway. A signalised pedestrian crossing is situated approximately 40m to the south of the site on the approach to the Townend Roundabout.
- 2.11 Immediately to the north of the advertising site is a petrol filling station which features an access onto both Summer Lane and Wharnccliffe Street, which is a residential street that provides access to residential housing and some businesses, much like Crookes Street which runs parallel. Fitzwilliam Street lies on the eastern side of Summer Lane and provides access to a limited number of residential properties and the undercroft parking of the adjacent Gateway Plaza. There are also two business premises located on the east side of Summer Lane

in the vicinity of the proposal site that have separate access points. All of the aforementioned junctions are simple priority T-junctions.

- 2.12 **Figure 2.2** below presents an aerial image of the site and its surroundings, including the roads / accesses to which BMBC identify as the key safety concerns approaching the proposed digital advertising display location.



**Figure 2.2 – Site Location and Local Highway Network**

Source – <https://www.google.co.uk/maps>

- 2.13 The proposal site will face to the northwest and be principally visible to traffic on the Summer Lane southbound approach, but will also have some visibility from Wharncliffe Street, Crookes Street and Fitzwilliam Street. The potential effects of the advertising proposal in relation to driver distraction has been considered in more detail on these approaches, including a detailed analysis in relation to the pedestrian crossing on Summer Lane to the south.

### Summer Lane Northbound Approach

- 2.14 The Summer Lane northbound carriageway runs south to north and comprises of a single lane approach past the proposal site. The direction of the vehicular flow is in the opposite direction from the proposed northwest facing advertising display, which means that drivers on the Summer Lane northbound approach will not see the digital display.

### Summer Lane Southbound Approach

- 2.15 The Summer Lane southbound carriageway runs north to south and comprises of a single lane approach to the proposal site.
- 2.16 The digital advertising display will be located in an offside carriageway position in relation to this approach. It should be noted that although the TfL guidance document favours digital advertisements being located alongside the nearside carriageway, it acknowledges that other locations may be acceptable if they are within the eye line of drivers and do not create unacceptable risks of diverting attention. The presence of offside advertising hoardings adjacent to the motorway network and principal routes in urban areas is commonplace in the UK.
- 2.17 Due to the relatively straight alignment of the carriageway, it is considered that upstream drivers will have good visibility and a clear sight line towards the advertising screen, and this would give sufficient time for the proposal's contents to be assimilated without surprise. Given the adjacent carriageway location and the straight road alignment, it is considered that the advertising screen will be visible in the same view as drivers looking ahead.
- 2.18 Given that the proposed digital advertising display would be situated in exactly the same position as the existing poster and paste advert, and would also measure the same size and area, there would be no alteration of driver eye line over existing conditions.
- 2.19 The offside location of the proposal site means that it is not in conflict with any traffic signs on this approach, therefore this does not require any further analysis.
- 2.20 There is a controlled pedestrian crossing that is located approximately 40m past the proposal site. The straight alignment of the Summer Lane carriageway between the proposal site and the pedestrian crossing means that the proposed digital advertising screen will be seen by drivers to the right of both the nearside and offside signal heads. It is considered that the pedestrian crossing traffic signals and the advertising screen will not interact in respect of approaching drivers and there will be no safety conflict. In addition, the 40m separation distance between the pedestrian crossing is broadly in line with the Manual for Streets Stopping Sight Distance (SSD) for a 30mph road speed. The good visibility and sightline towards the proposal site will facilitate an early assimilation of the advertising screen, and the pedestrian crossing to the south of the site can also be processed in the same view by the driver and from an acceptable SSD.
- 2.21 For the above reasons, it is considered that the replacement proposed digital advertising display will not create an unacceptable impact for traffic passing the site on the Summer Lane southbound approach in terms of risk to public safety.

### Wharncliffe Street / Petrol Filling Station / Crookes Street Junctions

- 2.22 BMBC also identified the potential for increased interaction from users of Wharncliffe Street and the petrol filling station access as a road safety issue should the digital advertising proposal be implemented.
- 2.23 The petrol station totem and mobile poster hoardings are already displayed within the grounds of the filling station, and therefore it is considered that an upgrade of the existing poster and paste advert would not represent a material change or distraction for drivers passing the proposal site on the adjacent roads. A streetview image of the view for drivers turning right into Wharncliffe Street is provided in **Figure 2.3**.



**Figure 2.3 – View for Traffic Turning Right into Wharncliffe Street**

Source – <https://www.google.co.uk/maps>

- 2.24 Due to the straight alignment of Summer Lane, it is considered that drivers approaching the petrol filling station from the north will have assimilated the digital advertising display before the above two priority junctions. Drivers continuing straight on through these priority junctions will be able to safely react to the manoeuvres of vehicles in front if they slow down to turn right. Vehicles turning right into the petrol station and Wharncliffe Street will be looking straight ahead to give way to northbound traffic on Summer Lane and the digital advertising display will not be in this sightline of the driver. Therefore, the siting of the advertising screen is not considered to be a conflict in relation to the safe operation of the right turn movements into the petrol station and Wharncliffe Street from Summer Lane.
- 2.25 Vehicles exiting the petrol station and turning left will need to give way to northbound traffic on Summer Lane, and the location of the proposal site will not conflict with this sightline given the position of the digital advertising display behind the footway. Additionally, for vehicles turning left onto Summer Lane from Wharncliffe Street, the advertising display would be obscured from view by the petrol station totem, and hence there will be no driver interaction or safety conflict. Vehicles turning right out of the petrol station and Wharncliffe Street junctions will also need to give way to southbound traffic on Summer Lane, and drivers will be looking in the opposite direction away from the digital advertising display as they are making this manoeuvre, hence there is no conflict with the proposal site. The Crookes Street / Summer Lane priority T-junction is located approximately 75m north of the proposal site and also on the west side of Summer Lane. It is considered that

there will be less driver interaction with the proposal site with regard to this junction given the increased separation distance compared to the Wharncliffe Street and petrol station junctions, and there are no different or additional considerations and highway features that require detailed assessment.

- 2.26 For the above reasons, it is considered that the replacement proposed digital advertising display will not create an unacceptable impact for vehicles accessing the Summer Lane junctions with the petrol station, Wharncliffe Street and Crookes Street in terms of risk to public safety.

### Fitzwilliam Street Junction

- 2.27 The manoeuvres to / from the Summer Lane junction with Fitzwilliam Street will take place around 75m to the north of the proposed advertising display location. On the Summer Lane southbound approach to this junction the proposed advertising screen will only be partially visible to drivers on its left side due to existing street furniture, which will minimise the driver distraction effect.
- 2.28 This minimal level of distraction from the advertising display means that drivers continuing straight on through the priority junction will be able to safely react to the manoeuvres of vehicles in front if they slow down to turn left. Vehicles that are accessing Fitzwilliam Street will be making an unopposed left turn at the upstream junction from this direction. The left in arrangement at this junction represents an uncomplicated road layout where the demands on the driver are lower, and therefore the siting of the advertising screen is not considered to be a conflict in relation to the safe operation of the left turn movement into the Summer Lane / Fitzwilliam Street junction.
- 2.29 Vehicles exiting Fitzwilliam Street and turning left will be giving way to southbound traffic on Summer Lane and drivers will be looking in the opposite direction away from the digital advertising display as they are making this manoeuvre, hence there is no conflict with the proposal site. Vehicles exiting Fitzwilliam Street and turning right will also need to give way to northbound traffic on Summer Lane, and the location of the proposed advertising display will not conflict with the sightline into the offside lane. There are two businesses located between Fitzwilliam Street and the proposal site that also have access points on the east side of Summer Lane, however it is considered that there are no different or additional considerations and highway features that require detailed assessment.
- 2.30 For the above reasons, it is considered that the replacement proposed digital advertising display will not create an unacceptable impact for vehicles accessing the Summer Lane junctions with Fitzwilliam Street and the adjacent business accesses in terms of risk to public safety.

### Summary

- 2.31 The scheme will replace an advertising display that is currently in position at this site. The site assessment has reviewed the proposal site in the context of the key factors that are relevant in terms of the consideration of the acceptability of the site for roadside digital advertising.
- 2.32 Existing research and guidance on roadside advertising has shown that in certain circumstances, advertisements can contribute to driver distraction. Such circumstances are where drivers are faced with increased cognitive demand. Research has identified that locations of increased cognitive demand include merges, diverges, complicated road geometries and sections of roads with high speed limits. The highway conditions described above in the site assessment on the key approaches to the proposal site are considered to correspond with a less complicated road layout where the demands on the driver are lower, and therefore the siting of the advertising screen is considered acceptable in relation to this location on the highway network.

2.33 In summary, it is considered that the proposal to upgrade the existing 48-sheet poster and paste advert to a digital advertising display of the same size and position:

- i) Is in a location where the principle of advertising has long been established;
- ii) Benefits from good sightlines on the Summer Lane southbound approach;
- iii) Does not conflict with the Summer Lane junctions with the petrol station, Wharncliffe Street, Crookes Street, Fitzwilliam Street and adjacent business accesses, which are simple priority T-junction arrangements;
- iv) Does not conflict with traffic signs;
- v) The position of the proposed advertisement display will not be in conflict with the motorist's view and is in an acceptable location in terms of separation distance to the pedestrian crossing traffic signals to the south of the site on Summer Lane; and
- vi) Will not create an unacceptable impact in terms of driver distraction and risk to road safety for traffic passing the proposal site.

### 3 REVIEW OF ACCIDENT DATA

#### Introduction

- 3.1 In order to examine whether the proposal to replace the existing 48-sheet poster and paste advert at the site with a digital advertising screen of the same size is likely to cause a highway safety concern, the Crashmap database has been reviewed to identify personal injury accidents that have occurred in the vicinity of the site for the most recent five-year period available (2015-2019).
- 3.2 A plan extracted from Crashmap in the vicinity of the site is shown below in **Figure 3.1**.

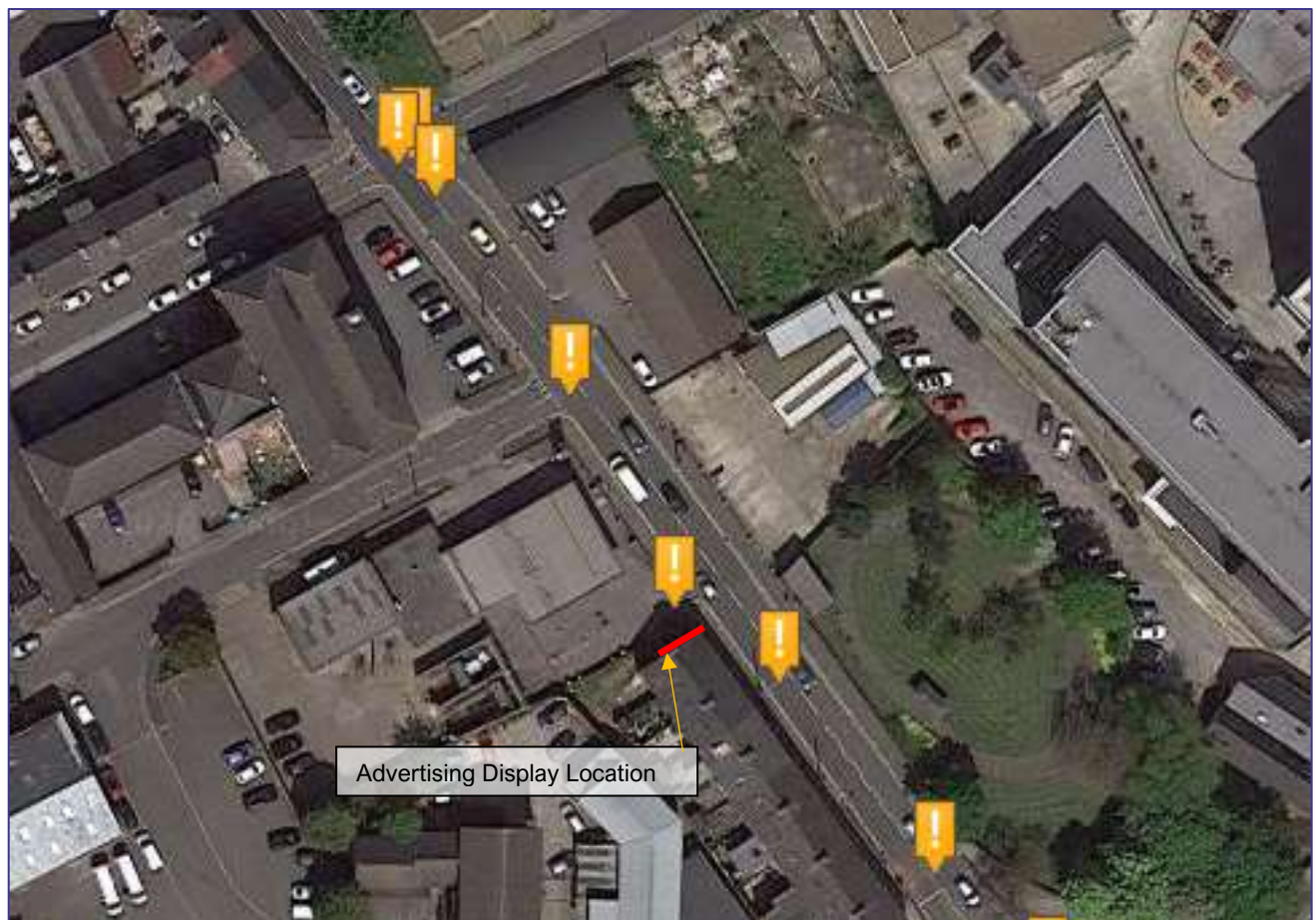


**Figure 3.1 – Summer Lane & Associated Junctions, Accident Location Plan**

Source – <https://www.crashmap.co.uk/>

#### Analysis

- 3.3 The Crashmap records demonstrate that a total of five accidents have occurred on Summer Lane within the vicinity of the site to the north of its location. All of the accidents are classified as slight and accident reports for each of these incidents are provided in **Appendix B**.
- 3.4 One accident is shown to have occurred in close proximity to the existing advertising hoarding location, at the access to the petrol station on Summer Lane. The associated accident report demonstrates that this accident was the result of an elderly driver pulling out of the filling station into a pedestrian on Summer Lane. As such, the advertising display would have not been visible by the driver in relation to the collision point with the

pedestrian, and therefore it is considered that it would not have had any bearing on the cause of the accident which would be attributed to driver error.

- 3.5 The report for the accident at the Wharncliffe Street junction describes how a car turning right into Wharncliffe Street was being let make the manoeuvre by a small van, which was then hit at the rear by a motorcyclist. Again, the suggested direction of travel of vehicles involved demonstrates that drivers would have not been able to see the advertising hoarding, and therefore it could not have been a causative factor in the accident.
- 3.6 The accident immediately to the south of the junction with Fitzwilliam Street was the result of a driver braking hard and colliding with an animal in the road. The accident report suggests that this was an isolated event and there is no evidence of the driver being distracted or inattentive. Consequently, there can be no link made between the cause of the accident and the advertising hoarding.
- 3.7 Two accidents are recorded at the Summer Lane / Fitzwilliam Street Junction. The first of which occurred as a vehicle was stationary waiting to turn right into Fitzwilliam Street and was subsequently hit at the rear by another car travelling northbound. Again, the existing advertising hoarding could not have had a bearing on this accident and the driver at fault would not have been able to see it. Finally, the other accident at the Fitzwilliam Street junction took place as a vehicle was turning right onto Summer Lane and was struck by a vehicle traveling southbound in the act of overtaking another moving vehicle. As such, it would appear that the accident was the result of careless driving rather than inattention brought on by a roadside distraction.

### Conclusion

- 3.8 The accident data shows that only five accidents, all of slight severity, have occurred in the five-year period up to 31st December 2019 in the vicinity of the proposal site.
- 3.9 These accidents have been reviewed and it is concluded that the pattern of accidents does not suggest any problem associated with the presence of the existing poster and paste advert at the site.
- 3.10 This recent accident record in the vicinity of No 32 Summer Lane and on the Summer Lane southbound approach to the site shows that the existing poster and paste advert is not linked to a road safety problem, and so there will not be a conflict with the proposal to upgrade it to a static digital advertising screen.

## 4 CONCLUSION

### Summary

- 4.1 Vectos have been commissioned by Wildstone Group Ltd on behalf of Clear Channel UK Ltd to provide a highway safety report to support an appeal relating to a proposal to upgrade a traditional 48-sheet poster and paste roadside advert to a static digital advertising screen at No. 32 Summer Lane, Barnsley, S70 6BN.
- 4.2 The digital screen will measure 6m wide x 3m high and it will be a wall mounted unit on the side of an end terrace property located in the same position, orientation and height above ground level as per the existing advertising display. The proposal will face northwest towards the Summer Lane southbound carriageway.
- 4.3 The principle of advertising in this location has long been established. The site also benefits from Deemed Planning Consent under Class 13 of the Advertisement Regulations, as the advertisements have been continually displayed for the preceding 10 years.
- 4.4 The report addresses the concerns raised by the BMBC and the associated public safety reasons for refusal in respect of the advertising application 2020/0877.
- 4.5 It is important to note that the proposed digital screen will still be displaying static adverts and as such it is not considered that the proposal represents a material change or risk in terms of road safety. With the use of appropriate controls, digital advertising should be no more or less acceptable than traditional forms of advertising such as poster and paste.
- 4.6 The only change that will result from the proposal relates to the digital LED illumination and the sequential change of adverts. The proposed upgrade of this Clear Channel poster and paste advertising site to static digital format will permit the changeover between adverts to be silent and instantaneous, which will ensure that both eye dwell time and the level of distraction is minimised. It is therefore considered that there should be no material difference in road safety terms between a static poster and paste site and a digital advertising site, given that the proposed replacement digital screen will be subject to the appropriate controls as detailed in chapter 2.
- 4.7 The proposal site has been reviewed with due consideration given to the following factors, and the assessment has demonstrated that the proposed digital advertising display:
- i) Is in a location where the principle of advertising has long been established;
  - ii) Benefits from good sightlines on the Summer Lane southbound approach;
  - iii) Does not conflict with the Summer Lane junctions with the petrol station, Wharncliffe Street, Crookes Street, Fitzwilliam Street and adjacent business accesses, which are simple priority T-junction arrangements;
  - iv) Does not conflict with traffic signs;

- v) The position of the proposed advertisement display will not be in conflict with the motorist's view and is in an acceptable location in terms of separation distance to the pedestrian crossing traffic signals to the south of the site on Summer Lane; and
- vi) Will not create an unacceptable impact in terms of driver distraction and risk to road safety for traffic passing the proposal site.

4.8 On review of the accident statistics in the vicinity of the proposal site, it is evident that there is no safety concern on this part of the transport network.

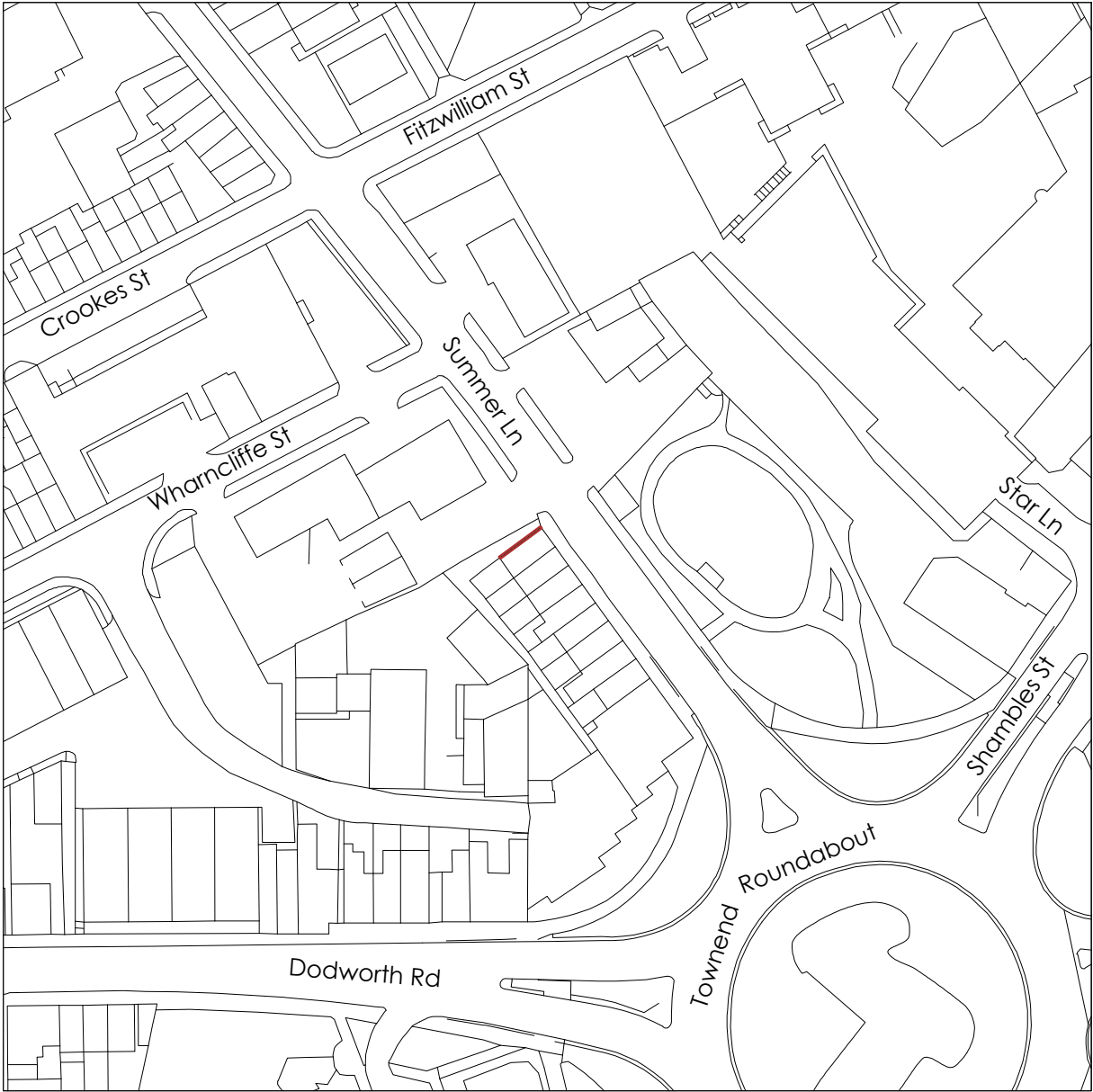
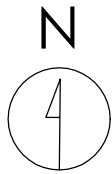
### Conclusion

4.9 Taking into account the findings of this highway safety report the applicant considers that the proposed digital advertising screen would not have an unacceptable or severe impact on highway safety at this location and is therefore not contrary to paragraph 109 of the National Planning Policy Framework (February 2019).

4.10 In conclusion, the proposal to upgrade a traditional 48-sheet poster and paste roadside advert to a static digital advertising screen at No. 32, Summer Lane, Barnsley, S70 6BN, will not adversely impact on driver distraction, and so does not present an increased risk to road safety over existing conditions. It is therefore considered that there are no significant transport reasons why the development proposals should not be granted planning permission.

# Appendix A

## ADVERTISING PROPOSALS



**Title**  
Site Location Plan

**Address**  
32 Summer Ln, Barnsley,  
S70 6BN

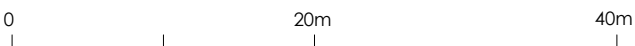
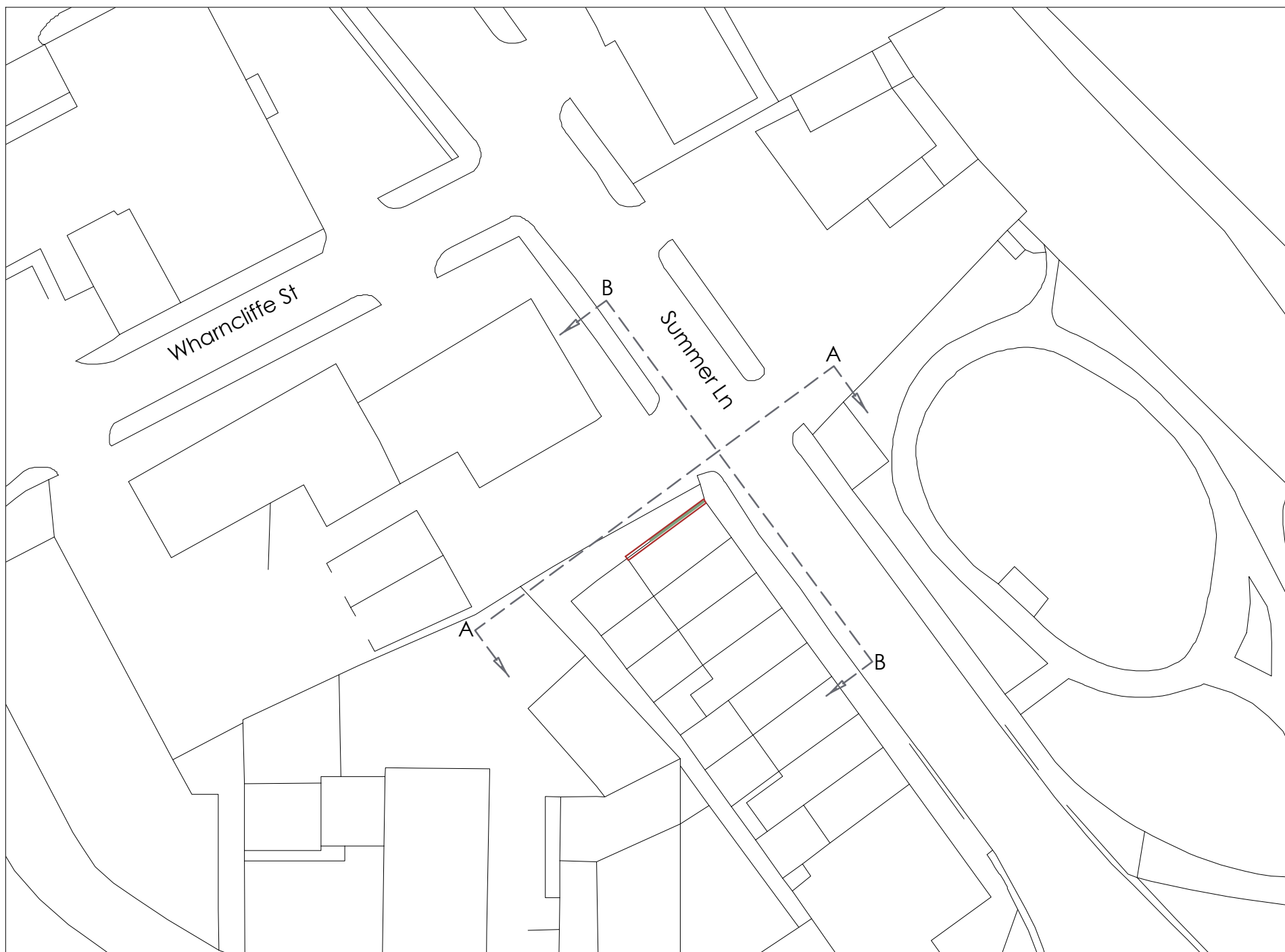
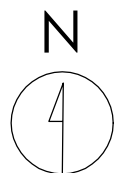
**Client**  
The Wildstone Group

**Job No.** 13364      **Issued** 10/07/20

**Scale**  
1:1250 @ A3

**Key**  
1. Site Boundary

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.



**Title**  
Existing Site Plan

**Address**  
32 Summer Ln, Barnsley,  
S70 6BN

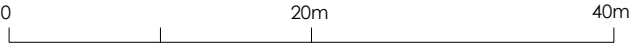
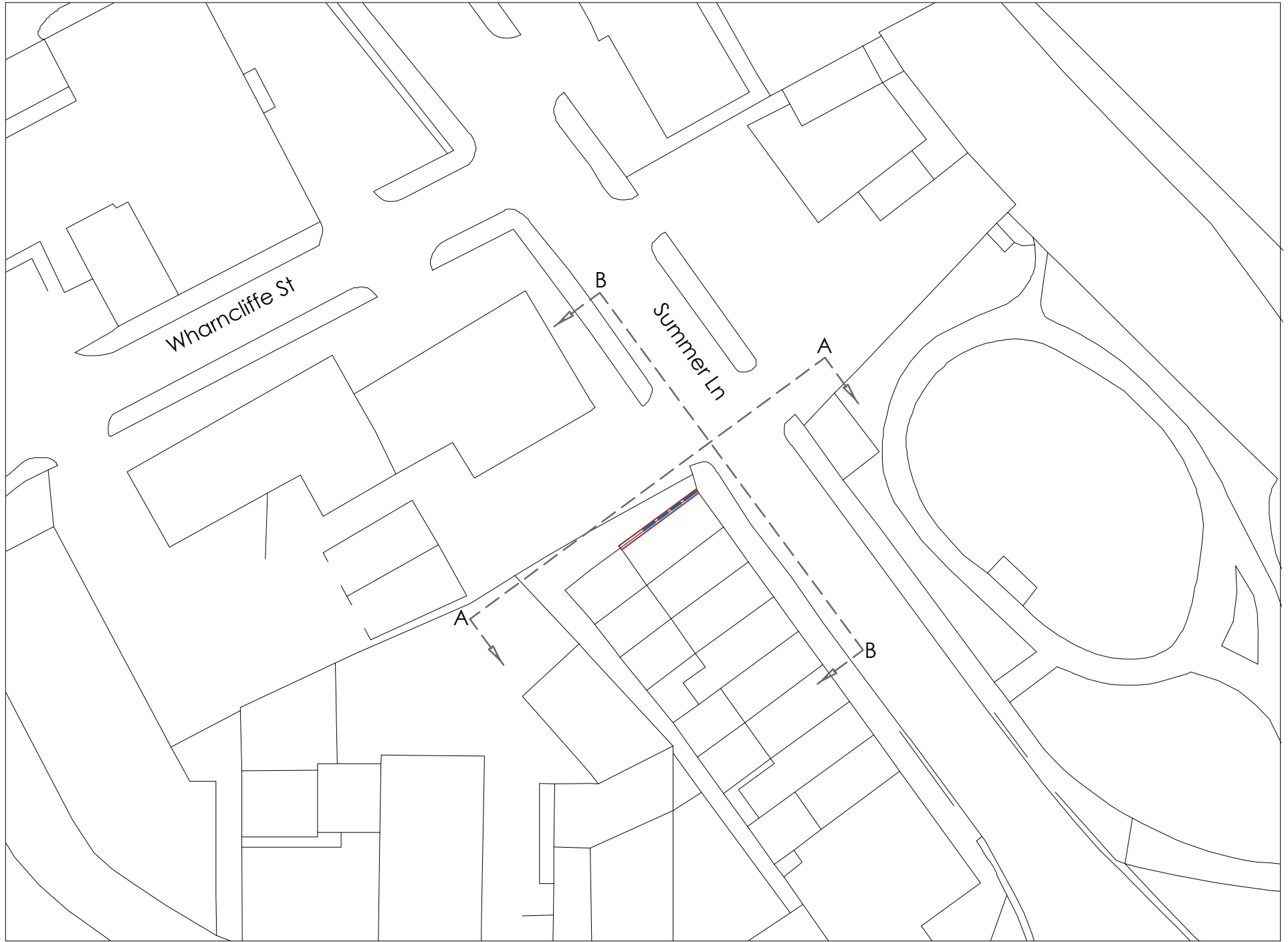
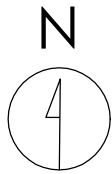
**Client**  
The Wildstone Group

**Job No.** 13364 **Issued** 10/07/20

**Scale**  
1:500 @ A3

**Key**  
1. Site Boundary  
2. Existing Advertising Board

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.



**Title**  
Proposed Site Plan

**Address**  
32 Summer Ln, Barnsley,  
S70 6BN

**Client**  
The Wildstone Group

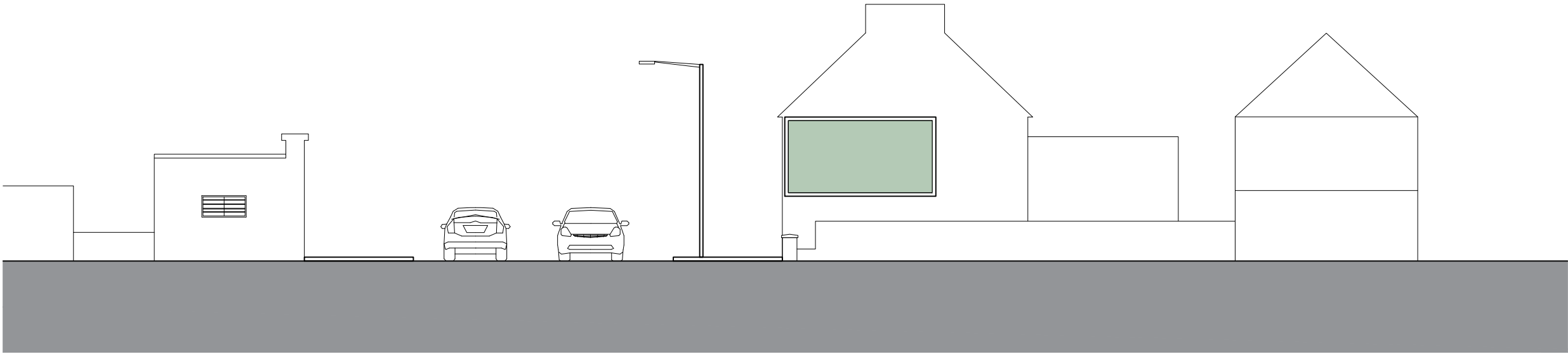
**Job No.** 13364 **Issued** 10/07/20

**Scale**  
1:500 @ A3

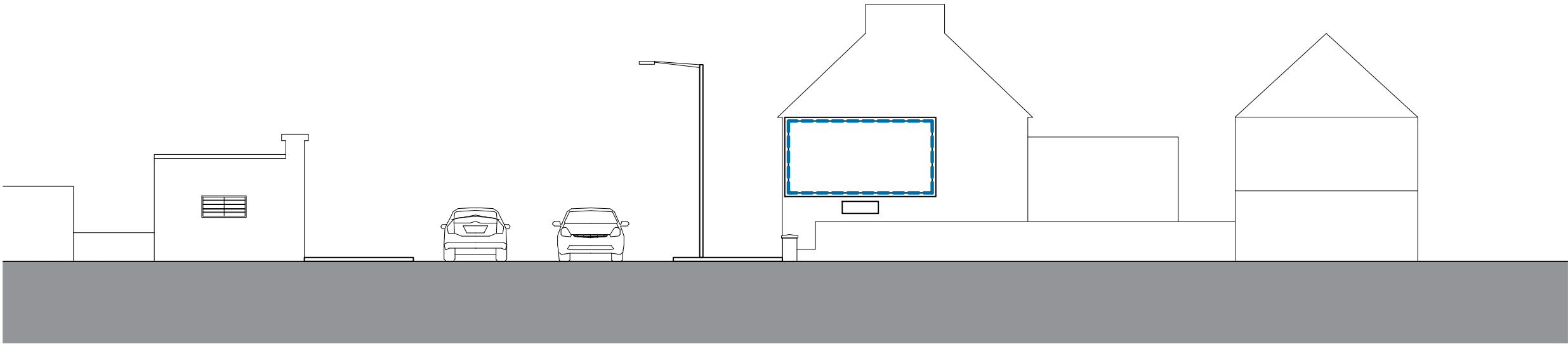
**Key**

|    |                       |
|----|-----------------------|
| 1. | Site Boundary         |
| 2. | Proposed Media Screen |

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.



Existing



Proposed



**Title**  
Elevation AA

**Address**  
32 Summer Ln, Barnsley,  
S70 6BN

**Client**  
The Wildstone Group

**Job No.**  
13364

**Issued**  
10/07/20

**Scale**  
1:200 @ A3

- Key**
- 1. Existing Advertising Board
  - 2. Proposed Media Screen

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.



Existing



Proposed



**Title**  
Elevation BB

**Address**  
32 Summer Ln, Barnsley,  
S70 6BN

**Client**  
The Wildstone Group

**Job No.**  
13364

**Issued**  
10/07/20

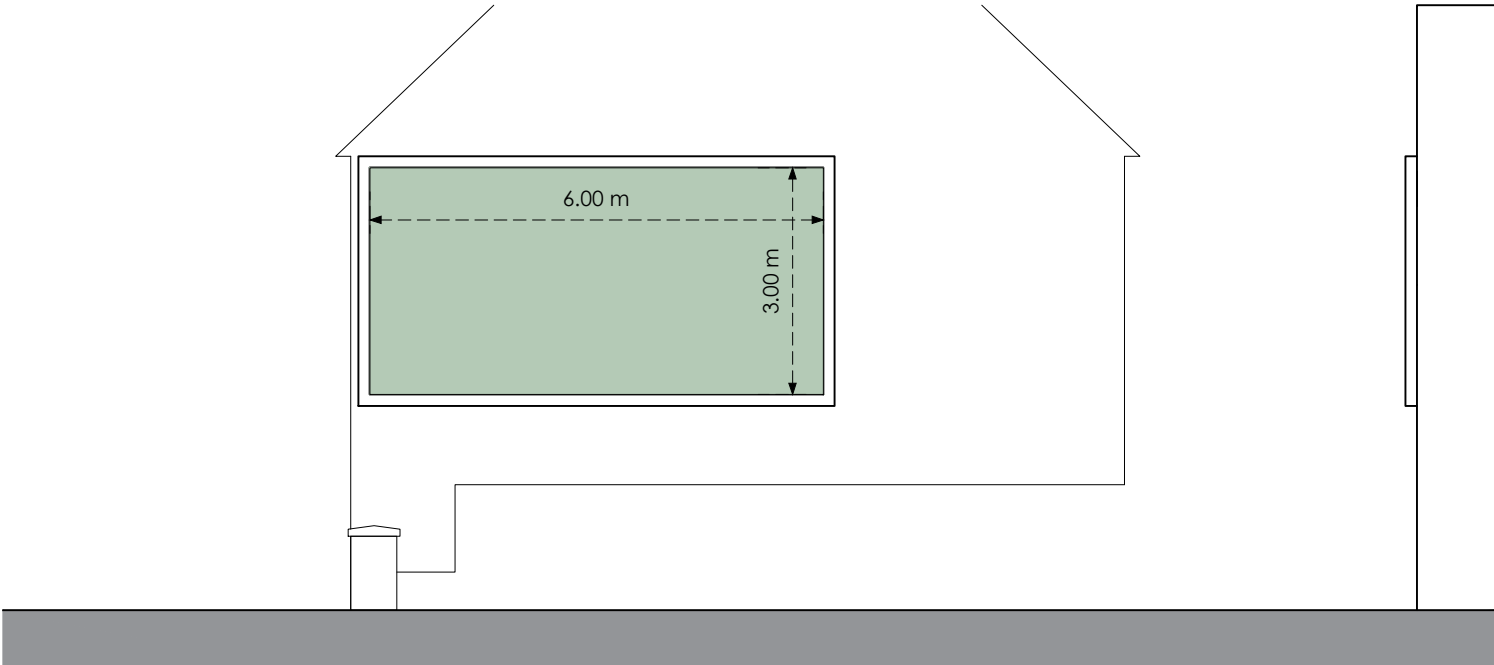
**Scale**  
1:200 @ A3

- Key**
- 1. Existing Advertising Board
  - 2. Proposed Media Screen

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.

Existing

Plan

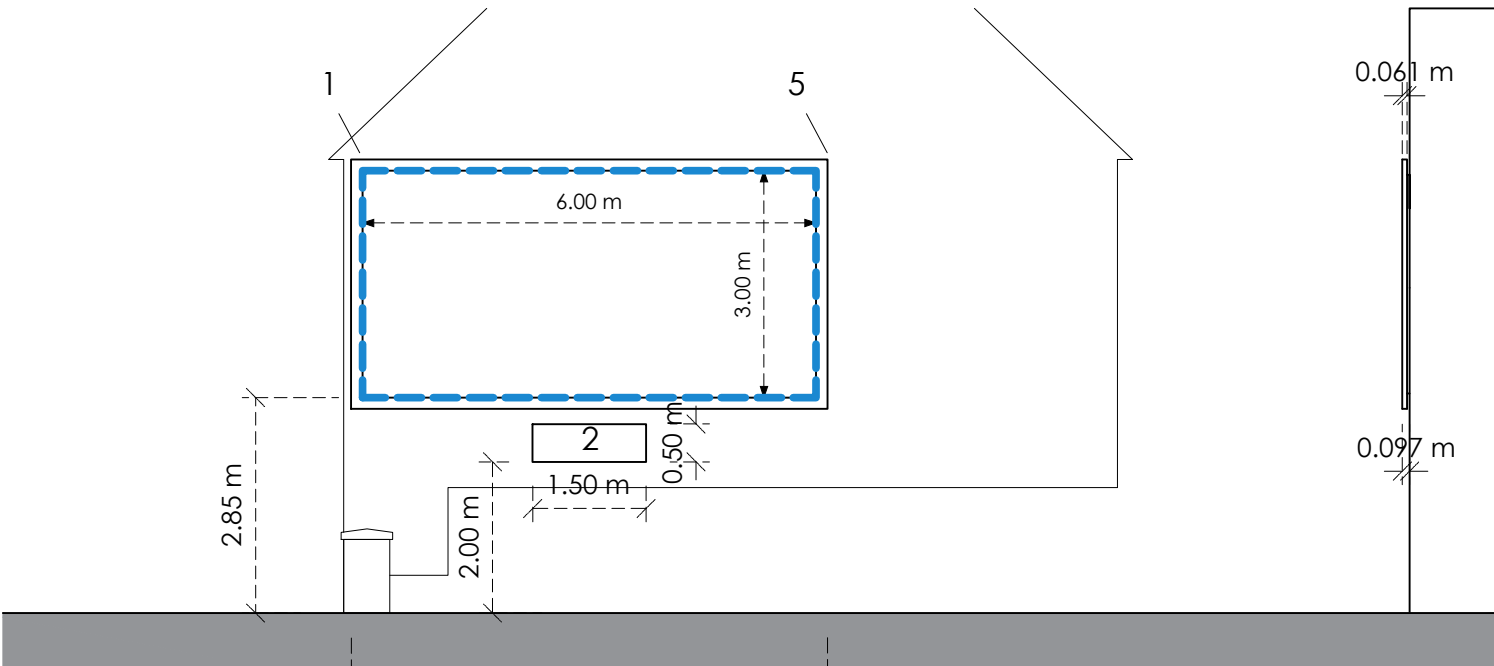


Front

Side

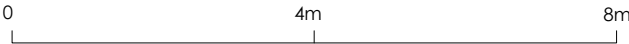
Proposed

Plan



Front

Side



**Title**  
Specification

**Address**  
32 Summer Ln, Barnsley,  
S70 6BN

**Client**  
The Wildstone Group

**Job No.**  
13364

**Issued**  
10/07/20

**Scale**  
1:100 @ A3

- Key**
- 1. Black Powder Coated Metallic Frame
  - 2. Logo Box
  - 3. Existing Advertising Board
  - 4. Proposed Media Screen
  - 5. Camera for Screen Monitoring

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.

# Appendix B

## ACCIDENT REPORTS

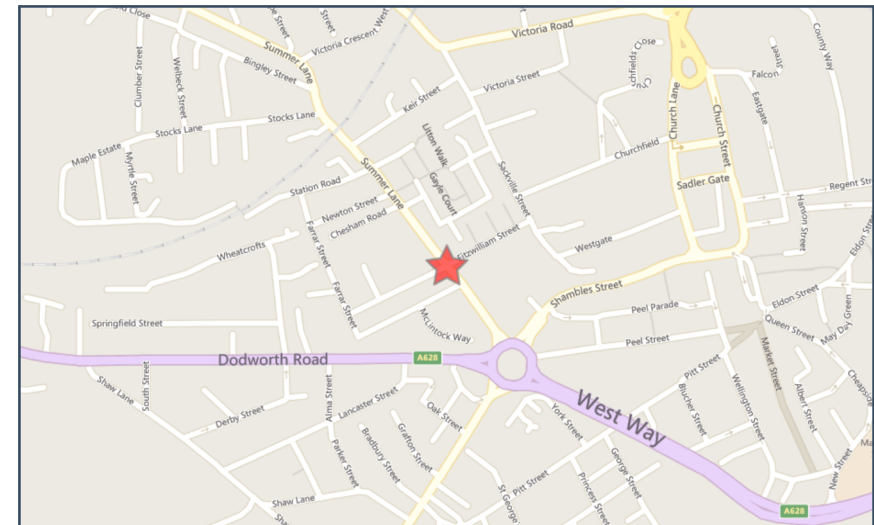


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No

**Crash Date:** Tuesday, March 20, 2018 **Time of Crash:** 12:40:00 PM **Crash Reference:** 2018140280439

**Highest Injury Severity:** Slight **Road Number:** U0 **Number of Casualties:** 3  
**Highway Authority:** Barnsley **Number of Vehicles:** 2  
**Local Authority:** Barnsley Metropolitan Borough **OS Grid Reference:** 433971 406428  
**Weather Description:** Fine without high winds  
**Road Surface Description:** Dry  
**Speed Limit:** 30  
**Light Conditions:** Daylight: regardless of presence of streetlights  
**Carriageway Hazards:** None  
**Junction Detail:** Crossroads  
**Junction Pedestrian Crossing:** No physical crossing facility within 50 metres  
**Road Type:** Single carriageway  
**Junction Control:** Give way or uncontrolled



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No

## Vehicles involved

| Vehicle Ref | Vehicle Type                 | Vehicle Age | Driver Gender | Driver Age Band | Vehicle Maneuvre                                                 | First Point of Impact | Journey Purpose | Hit Object - On Carriageway | Hit Object - Off Carriageway |
|-------------|------------------------------|-------------|---------------|-----------------|------------------------------------------------------------------|-----------------------|-----------------|-----------------------------|------------------------------|
| 1           | Car (excluding private hire) | 16          | Female        | 46 - 55         | Vehicle is waiting to turn right                                 | Back                  | Other           | None                        | None                         |
| 2           | Car (excluding private hire) | 5           | Male          | Over 75         | Vehicle proceeding normally along the carriageway, not on a bend | Front                 | Other           | None                        | None                         |

## Casualties

| Vehicle Ref | Casualty Ref | Injury Severity | Casualty Class               | Gender | Age Band | Pedestrian Location | Pedestrian Movement |
|-------------|--------------|-----------------|------------------------------|--------|----------|---------------------|---------------------|
| 1           | 1            | Slight          | Driver or rider              | Female | 46 - 55  | Unknown or other    | Unknown or other    |
| 2           | 2            | Slight          | Driver or rider              | Male   | Over 75  | Unknown or other    | Unknown or other    |
| 2           | 3            | Slight          | Vehicle or pillion passenger | Female | Over 75  | Unknown or other    | Unknown or other    |

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No

**Crash Date:** Tuesday, October 31, 2017 **Time of Crash:** 7:40:00 AM **Crash Reference:** 2017140240531

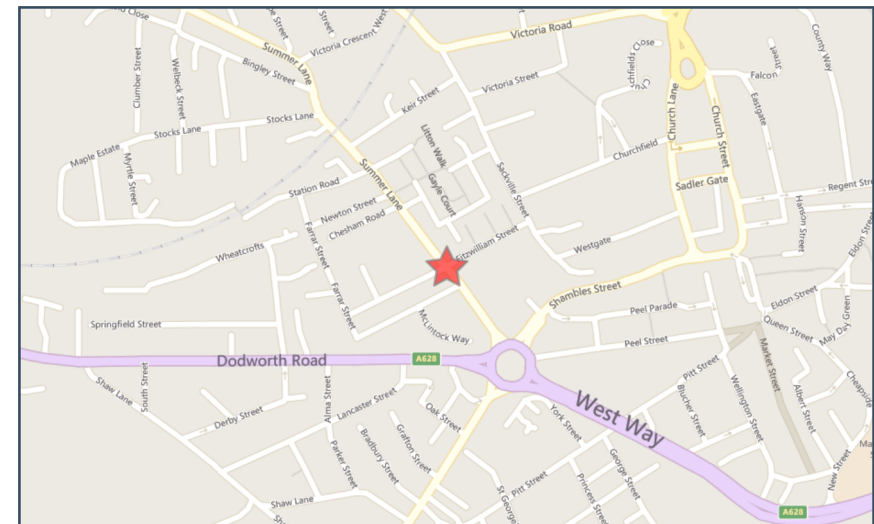
**Highest Injury Severity:** Slight  
**Highway Authority:** Barnsley  
**Local Authority:** Barnsley Metropolitan Borough  
**Weather Description:** Fine without high winds  
**Road Surface Description:** Dry  
**Speed Limit:** 30  
**Light Conditions:** Daylight: regardless of presence of streetlights  
**Carriageway Hazards:** None  
**Junction Detail:** T or staggered junction  
**Junction Pedestrian Crossing:** No physical crossing facility within 50 metres  
**Road Type:** Single carriageway  
**Junction Control:** Give way or uncontrolled

**Road Number:** U0

**Number of Casualties:** 2

**Number of Vehicles:** 2

**OS Grid Reference:** 433973 406429



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No

## Vehicles involved

| Vehicle Ref | Vehicle Type                 | Vehicle Age | Driver Gender | Driver Age Band | Vehicle Manoeuvre                                        | First Point of Impact | Journey Purpose        | Hit Object - On Carriageway | Hit Object - Off Carriageway |
|-------------|------------------------------|-------------|---------------|-----------------|----------------------------------------------------------|-----------------------|------------------------|-----------------------------|------------------------------|
| 1           | Car (excluding private hire) |             | 6 Female      | 56 - 65         | Vehicle is in the act of turning right                   | Offside               | Commuting to/from work | None                        | None                         |
| 2           | Car (excluding private hire) |             | 8 Male        | 36 - 45         | Vehicle is passing another moving vehicle on its offside | Front                 | Other                  | None                        | None                         |

## Casualties

| Vehicle Ref | Casualty Ref | Injury Severity | Casualty Class               | Gender | Age Band | Pedestrian Location | Pedestrian Movement |
|-------------|--------------|-----------------|------------------------------|--------|----------|---------------------|---------------------|
| 1           | 1            | Slight          | Driver or rider              | Female | 56 - 65  | Unknown or other    | Unknown or other    |
| 2           | 2            | Slight          | Vehicle or pillion passenger | Female | 26 - 35  | Unknown or other    | Unknown or other    |

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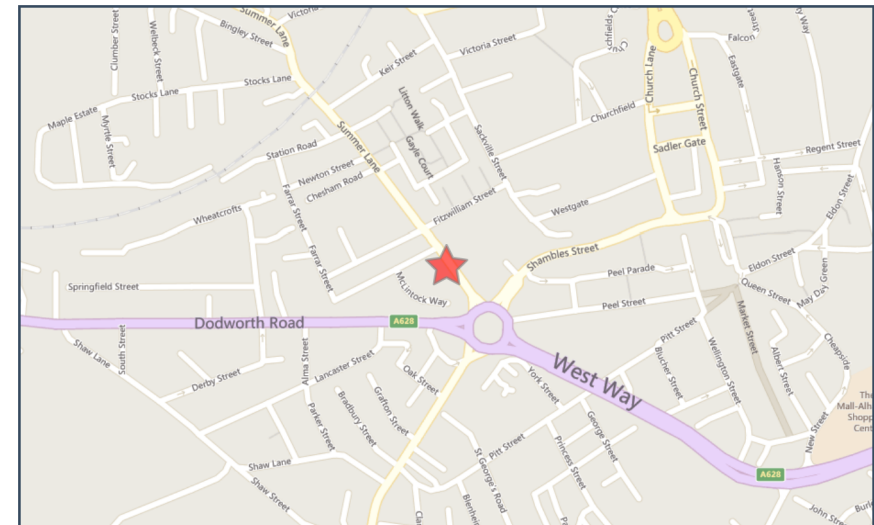


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No

**Crash Date:** Friday, September 23, 2016 **Time of Crash:** 10:27:00 AM **Crash Reference:** 2016140113959

|                                      |                                                  |                            |    |                              |               |
|--------------------------------------|--------------------------------------------------|----------------------------|----|------------------------------|---------------|
| <b>Highest Injury Severity:</b>      | Slight                                           | <b>Road Number:</b>        | U0 | <b>Number of Casualties:</b> | 1             |
| <b>Highway Authority:</b>            | Barnsley                                         | <b>Number of Vehicles:</b> | 1  | <b>OS Grid Reference:</b>    | 434008 406372 |
| <b>Local Authority:</b>              | Barnsley Metropolitan Borough                    |                            |    |                              |               |
| <b>Weather Description:</b>          | Fine without high winds                          |                            |    |                              |               |
| <b>Road Surface Description:</b>     | Dry                                              |                            |    |                              |               |
| <b>Speed Limit:</b>                  | 30                                               |                            |    |                              |               |
| <b>Light Conditions:</b>             | Daylight: regardless of presence of streetlights |                            |    |                              |               |
| <b>Carriageway Hazards:</b>          | None                                             |                            |    |                              |               |
| <b>Junction Detail:</b>              | Using private drive or entrance                  |                            |    |                              |               |
| <b>Junction Pedestrian Crossing:</b> | No physical crossing facility within 50 metres   |                            |    |                              |               |
| <b>Road Type:</b>                    | Single carriageway                               |                            |    |                              |               |
| <b>Junction Control:</b>             | Give way or uncontrolled                         |                            |    |                              |               |



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No

### Vehicles involved

| Vehicle Ref | Vehicle Type                 | Vehicle Age | Driver Gender | Driver Age Band | Vehicle Manoeuvre     | First Point of Impact | Journey Purpose | Hit Object - On Carriageway | Hit Object - Off Carriageway |
|-------------|------------------------------|-------------|---------------|-----------------|-----------------------|-----------------------|-----------------|-----------------------------|------------------------------|
| 1           | Car (excluding private hire) | 10          | Male          | Over 75         | Vehicle is moving off | Offside               | Other           | None                        | None                         |

### Casualties

| Vehicle Ref | Casualty Ref | Injury Severity | Casualty Class | Gender | Age Band | Pedestrian Location | Pedestrian Movement |
|-------------|--------------|-----------------|----------------|--------|----------|---------------------|---------------------|
| 1           | 1            | Slight          | Pedestrian     | Female | 26 - 35  | Unknown or other    | Unknown or other    |

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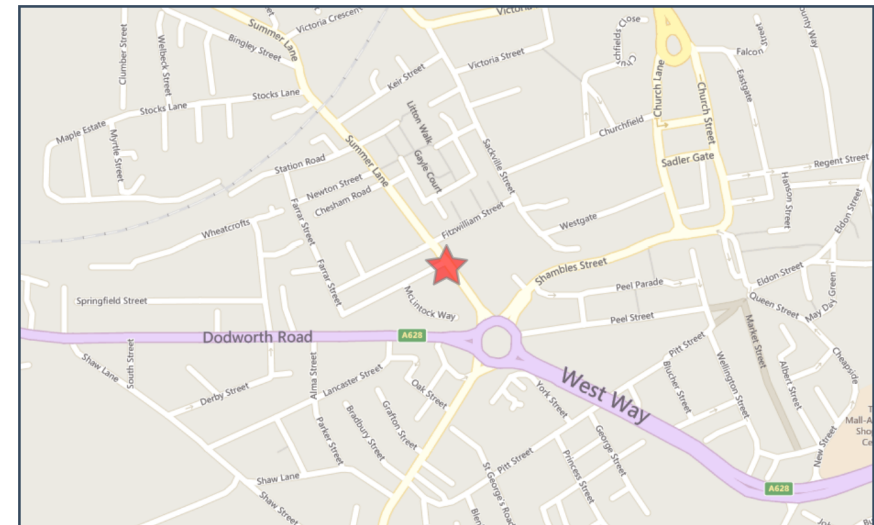


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No

**Crash Date:** Tuesday, March 20, 2018 **Time of Crash:** 4:00:00 PM **Crash Reference:** 2018140283669

**Highest Injury Severity:** Slight **Road Number:** U0 **Number of Casualties:** 1  
**Highway Authority:** Barnsley **Number of Vehicles:** 3  
**Local Authority:** Barnsley Metropolitan Borough **OS Grid Reference:** 433994 406398  
**Weather Description:** Fine without high winds  
**Road Surface Description:** Dry  
**Speed Limit:** 30  
**Light Conditions:** Daylight: regardless of presence of streetlights  
**Carriageway Hazards:** None  
**Junction Detail:** T or staggered junction  
**Junction Pedestrian Crossing:** No physical crossing facility within 50 metres  
**Road Type:** Single carriageway  
**Junction Control:** Give way or uncontrolled



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No

## Vehicles involved

| Vehicle Ref | Vehicle Type                                  | Vehicle Age | Driver Gender | Driver Age Band | Vehicle Maneuvre                                       | First Point of Impact | Journey Purpose         | Hit Object - On Carriageway | Hit Object - Off Carriageway |
|-------------|-----------------------------------------------|-------------|---------------|-----------------|--------------------------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 1           | Car (excluding private hire)                  | 8           | Male          | 56 - 65         | Vehicle is in the act of turning right                 | Front                 | Commuting to/from work  | None                        | None                         |
| 2           | Motorcycle of unknown engine capacity         | -1          | Male          | 36 - 45         | Vehicle is passing a stationary vehicle on its offside | Front                 | Journey as part of work | None                        | None                         |
| 3           | Van or goods vehicle 3.5 tonnes mgw and under | 7           | Male          | 46 - 55         | Vehicle is waiting to proceed normally but is held up  | Back                  | Commuting to/from work  | None                        | None                         |

## Casualties

| Vehicle Ref | Casualty Ref | Injury Severity | Casualty Class  | Gender | Age Band | Pedestrian Location | Pedestrian Movement |
|-------------|--------------|-----------------|-----------------|--------|----------|---------------------|---------------------|
| 2           | 1            | Slight          | Driver or rider | Male   | 36 - 45  | Unknown or other    | Unknown or other    |

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No

**Crash Date:** Sunday, June 07, 2015 **Time of Crash:** 5:30:00 PM **Crash Reference:** 201514B050815

**Highest Injury Severity:** Slight **Road Number:** U0

**Number of Casualties:** 1

**Highway Authority:** Barnsley

**Number of Vehicles:** 1

**Local Authority:** Barnsley Metropolitan Borough

**OS Grid Reference:** 433976 406426

**Weather Description:** Fine without high winds

**Road Surface Description:** Dry

**Speed Limit:** 30

**Light Conditions:** Daylight: regardless of presence of streetlights

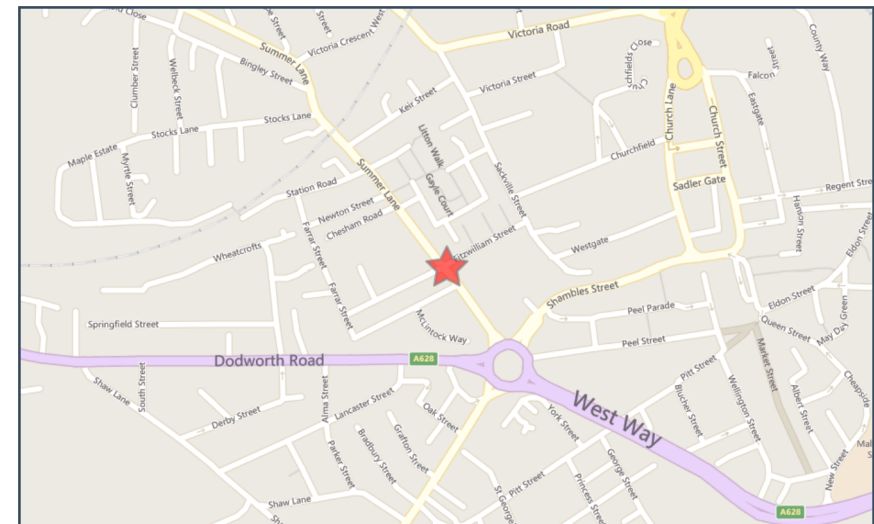
**Carriageway Hazards:** Any animal in carriageway (except ridden horse)

**Junction Detail:** Crossroads

**Junction Pedestrian Crossing:** Pelican, puffin, toucan or similar non-junction pedestrian light crossing

**Road Type:** Single carriageway

**Junction Control:** Give way or uncontrolled



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No

## Vehicles involved

| Vehicle Ref | Vehicle Type                 | Vehicle Age | Driver Gender | Driver Age Band | Vehicle Maneuvre                                                 | First Point of Impact | Journey Purpose         | Hit Object - On Carriageway | Hit Object - Off Carriageway |
|-------------|------------------------------|-------------|---------------|-----------------|------------------------------------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 1           | Car (excluding private hire) | 7           | Male          | 26 - 35         | Vehicle proceeding normally along the carriageway, not on a bend | Front                 | Journey as part of work | None                        | None                         |

## Casualties

| Vehicle Ref | Casualty Ref | Injury Severity | Casualty Class  | Gender | Age Band | Pedestrian Location | Pedestrian Movement |
|-------------|--------------|-----------------|-----------------|--------|----------|---------------------|---------------------|
| 1           | 1            | Slight          | Driver or rider | Male   | 26 - 35  | Unknown or other    | Unknown or other    |

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