BARNSLEY
Metropolitan Borough Council

Growth and Sustainability
Regeneration and Culture
Planning, Policy and Building Control

ADVERT REFUSAL

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

APPLICATION NO. 2023/0769

To Mr Chris Welbourne
16 Layton Park Avenue
Rawdon
Leeds
LS19 6PL

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 Installation of 1 x 48 sheet free-standing LED illuminated display panel (measuring 6.2m wide x 3.2m high)
The Outpost, 2 Union Street, Barnsley, S70 1JJ

in accordance with the application form and accompanying plan(s) registered by the Council on 18/08/2023.

The reason(s) for the Council's decision to refuse planning permission is/are:

1 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, undue prominence and through introducing an unnecessary form of street clutter. The digital illumination would result in an unduly prominent and intrusive feature that would stand out from the other, more modest, advertisements in the area and would be over dominant within the street scene. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuated by the fact that there is an open car park immediately to the South of the proposed signage, exacerbating its visual prominence and harmful effect on the amenity of the area, particularly in the hours of darkness, leading to poorly sited and designed advertisement signage, which is out of scale with the local characteristics of the area, contrary to the SPD for Advertisements, Local Plan Policy D1: High Quality Design and Place Making and NPPF paragraphs 134 and 136.

2 In the opinion of the Local Planning Authority, the proposed advertisement would adversely undermine highway safety due to its location facing towards the highly trafficked Sheffield Road, within close proximity to a signal-controlled junction and pedestrian crossing, and its design characteristics including its large size and its ability to accommodate changing illuminated digital displays, which would create an undue distraction to highway users, as well as the high likelihood of leading to driver confusion between the light emitted from the digital signage and that of the signals of the junction. As such the proposal conflicts with Local Plan Policy T4 - New Development and Transport Safety and the Council's Advertisements SPD.

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Signed: Dated: 12 October 2023



Garry Hildersley
Head of Planning, Policy & Building Control
Growth & Sustainability Directorate

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 eight 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) at least 10 days before submitting the appeal. Further details are on GOV.UK.