
Ref 2023/0283 – Advertisement Consent Application

Applicant: Mr Alan Heathcote

Proposal: Privacy vinyl to the ground and first floor as part of works to extend the Community Diagnostic Centre

Address: 8 The Glass Works, Barnsley, S70 1GW

Planning History

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

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

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

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

2021/1652 – permission granted for change of use of ground and first floor units to use for provision of medical or health services

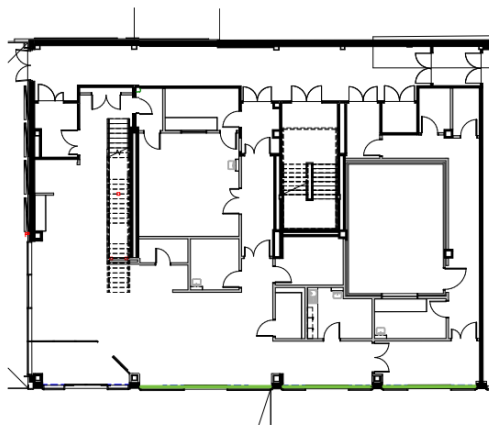
2022 0687 – illuminated hanging and projecting signs set within frontage and privacy vinyls applied to first floor windows.

2022 1277 - permission granted for change of use of further ground and first floor units to use for provision of medical or health services

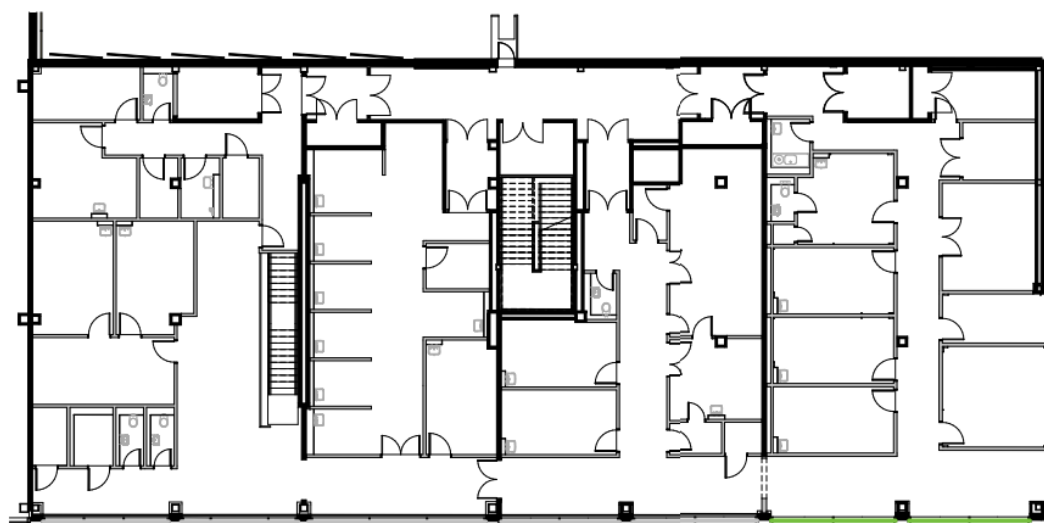
Site Description

The application relates to units SU15 (ground floor) and SU14 and 19 (first floor) of the Glassworks Development in the Markets District of Barnsley Town Centre. The units are within the Glassworks Development with frontages onto one of the arcades and (at first floor only) onto Cheapside.

Site location showing position of proposed privacy vinyl (highlighted in green)



Ground Floor Proposed Plan
1:100 @ A1



First Floor Proposed Plan
1:100 @ A1

Proposed Development

The applicant seeks permission to display privacy vinyls. The proposed privacy vinyl reflects that previously negotiated on the original units, which was amended to maximise the amount of clear glass and therefore transparency. This application has been amended to reflect the comments of the Design Officers. In particular:

- Some of the privacy vinyl has been removed from the ground floor unit

The proposed vinyls (highlighted in green):



Policy Context

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

Local Plan

The new Local Plan was adopted by the Council in January 2019.

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

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

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

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

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

Supplementary Planning Documents

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

Other planning guidance

The Glassworks shopfront design guide

NPPF

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

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

Consultations

Design – No objections to the vinyl on the first floor windows and the 3 new units on the ground floor on the basis that the design of the vinyl matches that already installed. I have an objection to the vinyl proposed on the walkway/side windows of the ground floor reception. I also note that there are temporary blue and white signage vinyls on the reception entrance which do not have consent and are not acceptable.

Ward Councillors – no comments received

Representations

The application was advertised by way of a site notice (6 April to 2 May) and consultation letters which were sent to units/properties adjacent and near to the proposal site. No comments have been received.

Assessment

Principle

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

The site is located within units that were approved for medical/health use under the 2022 planning permission specific to these units.

The advertisements therefore relate to an authorised use and the principle of consent is acceptable subject to matters of detail.

Visual Amenity

Following adverse comments from the Design Officer, the application has been amended to remove the proposed privacy vinyl from the side elevation of the reception and to clarify the size of

the proposed vinyl and to confirm that the temporary blue and white signage vinyls on the reception entrance will be removed.

It has been concluded that as amended, the proposed vinyls are an acceptable compromise between the transparency requirements of the shop front design guide and the specialist use of this unit.

The amendments reflect the advice given and the proposed privacy vinyls are considered to be high quality and of a good standard of design. The privacy vinyls are considered to be acceptable in terms of their impact on visual amenity and reflect an appropriate compromise to the requirements of the Glassworks Shopfront Design Guide, the SPD Advertisements and Local Plan Policies GD1 and D1. Conditions are recommended to ensure that the vinyls are displayed in accordance with the amended plans submitted and to remove deemed consent for any further advertisements – this will ensure that any further advertisements remain under the control of the Local Planning Authority, in the interests of the continued satisfactory appearance of the property.

Conclusion

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

Recommendation

Grant subject to conditions