

2024/0287

Mr Kevin Oldland

Shelter 25m from 12 Tor Close and 8m from A633, Rotherham Road, Smithies, Barnsley, S71 1XS

Erection of a digital bus shelter advertisement panel

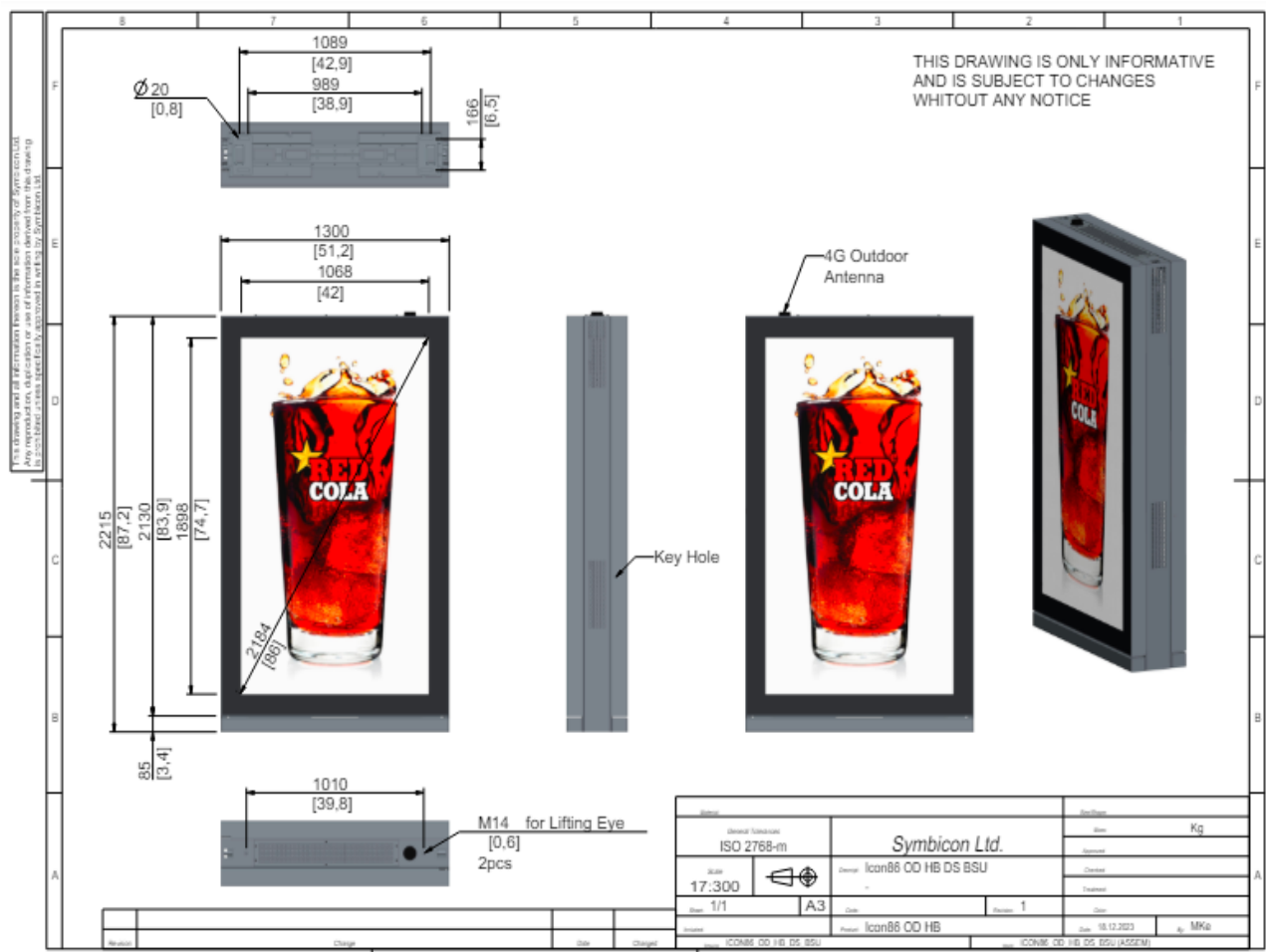
Site Description

The application relates to a bus stop located on Rotherham Road (A633), situated up a slope from Tor Close. The surrounding area is predominantly residential in nature; however, the road is a busy route linking the town centre and the surrounding area.

Planning History

2012/0894 - Display of two internally illuminated signs to existing bus shelter (Refuse)

Proposed Development



The applicant is seeking permission for a digital advertising panel. The digital advertising panel will be static with sequential movement to accommodate the display of up to 6 different advertisements. In addition to advertisements the screens will also be able to display urgent public messages.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances require it.

Local Plan Allocation – Urban Fabric / Greenspace (Brettas Park Green Space)

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

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. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

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 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.

Supplementary Planning Document: Advertisements

This document establishes the design principles that specifically apply to the consideration of planning applications for advertisements. It states the council is unlikely to grant consent for: Advance warning or directional signs, advertising hoardings, including poster panels, signs on shops above fascia level, signs on business premises above first floor level, signs which appear out of scale or character with the building, locality or surrounding signage.

The SPD states that excessive illumination causes light pollution and is therefore a waste of energy. As well as 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.

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Section 12: Achieving well designed places – The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 141 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 interests of amenity and public safety, taking account of cumulative impacts"*.

Consultations

Highways Development Control (DC) were consulted and raised no objections.

Old Town Ward Councillors were consulted and raised no objections.

Pollution Control were consulted and raised no objections.

Representations

Neighbour notification letters were sent to surrounding properties and a site notice placed in the vicinity of the site, no comments were received.

Assessment

Principle of Development

The site falls within urban fabric which has no specific land allocation; however, the site and surrounding area is made up principally of housing. Urban fabric is a designation which acknowledges that development has been established previously in a given area and that the principle of development is acceptable where it complies with the predominant use of the area and where the proposed use would not compromise or lower the amenity of uses within the locality. The erection of the signage is deemed acceptable in principle.

Subsequently, consent will be granted where the development is found to be appropriate in scale and respectful of the character of the area and advertisements should not adversely impact the amenity of local residents or undermine highway safety.

Residential Amenity

This application is for an illuminated screen with a digital display similar to that of a television screen and not a direct light. It is considered that the proposal would not cause any nuisance given that it is located on the strategic highway network and at 90 degrees to it and the surrounding properties, served by street lighting. The screen faces into the bus shelter and not onto properties. As such, it is anticipated that there will be no detrimental effect from the new signage for local residents in line with the requirements of the SPD Advertisements and Local Plan policies GD1 and D1.

Visual Amenity

The sign is of a high-quality appearance and the presence of more modern signage is also likely to improve this stretch of roadside. The introduction of an advertising panel is not deemed significantly detrimental to the visual amenities of the area and although a poster panel its display is limited due to its positioning in regards to the bus shelter. In regard to the previously refused application which was refused on visual amenity grounds that was for a double sized display which would therefore have been far more prominent in the street scene. Although located in greenspace as the signage faces into the shelter it won't have a visual impact upon it. On this basis the development is considered to be in line with Local Plan Policies GD1 and D1.

Highway Safety

There will be no impact upon highway safety. The applicant's cover letter refers to sequential movement for up to 6 advertisements that will display for 10 seconds each with confirmation that the intervals between successive displays are zero (instant change). Digital signage is generally considered acceptable if the minimum message display duration ensures that the majority of approaching drivers do not see more than one advertisement. Highways DC agrees with the assessment provided within the covering letter and have stated that they have no objections to the proposal. As such it is considered that the signage maintains safe, secure and convenient access and movement for highway users in line with Local Plan Policy T4.

Recommendation

Approve with conditions