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24th March 2022

Dear Sir/Madam,

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

INSTALLATION OF POSTER ADVERTISEMENT DISPLAYS AT THE TIME AND PLACE, OLD MILL LANE, BARNLEY, S71 1LL

Please find enclosed an application for advertisement consent to upgrade two previously established paper and paste advertising displays to a modern digital format, both capable of being operated from a central location without the need to visit each site individually.

This is part of an industry wide drive to modernise and upgrade advertising infrastructure to meet modern requirements. It is proposed to replace the previously installed billboard advertising displays on a like for like basis with lightweight digital posters of the same dimensions. As shown on the submitted drawings, the application proposals will only seek to amend the orientation of the previously installed advertisements. The quality of the images produced will mimic that of a traditional poster, with the overall aim of the project being to replace like for like with no adverse impact on visual amenity or public safety

The Proposal

The site previously hosted two 48 sheet advertisement displays, which were removed on health and safety grounds prior to digitisation in July 2021, after being installed for over 13 years on site. This proposal seeks to “repost” the previously installed displays at Old Mill Lane, Barnsley, S71 1LL with two “D-posters” which will display multiple static advertisements on rotation. The position of the advertisements will be changed from their original position on site to a V-display.

The proposal will be a replacement of the two previously installed panels, each measuring 6m(w) x 3m(h) x 0.061m (d) and positioned at 2.20m from ground level. The new display technology is lightweight, durable, efficient and can be easily erected with minimal engineering. In most instances the re-posting of a D-Poster can be achieved at a similar speed to traditional posting, with minimal structural work and the existing 150mm frames repaired or replaced and painted black. The quality of the image produced will mimic that of a traditional poster, as illustrated at Appendix 1.

The proposed displays will meet modern requirements and will be carry 6 advertising campaigns at a time, sequencing every ten seconds.

The stats show that there are 877 digital 48-sheet advertisements in the UK at present, up from 105 just five years ago. Over the same period, the number of poster and paste 48 sheets almost halved, from 16,125 to 8,519. As such there is a clear pattern that shows the benefit of digital advertising on a strategic level. As well as removing clutter, this consolidation has additional benefits such as the reduction in vehicle trips to repost adverts every two weeks, as this can now be done remotely.

The proposals allow the existing advertising network to be better managed, monitored and maintained, to meet modern requirements of advertisers. This will bring a wide range of benefits as follows:

- Upgrade of sites lacking in investment and uplift in business rates;
- Reduction in vehicle trips for reposting adverts;
- Consolidation and overall reduction in the number of billboards in the network;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- Ability to broadcast emergency messaging;
- Ability to use void periods for non-commercial campaigns;
- Opportunity for more creative real time and locally relevant advertising;
- Preferential advertising rates for local businesses;
- Opportunity to integrate additional hardware to meet Smart City objectives.

Content will be controlled remotely in real time from a Networks Operation Centre (NOC) and the site will be monitored remotely 24/7 to facilitate responsive maintenance. Diagnostics software will report any faults back to the NOC and a kill switch will turn the content to black until it can be resolved.

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

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

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

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

- Static images to be displayed only (no moving or flashing images);
- Changes between adverts to take place instantly with no sequencing, fading, swiping or merging of images;
- Advertisements to change no more frequently than once every ten seconds;

- At no time shall the Luminance level of the signs exceed the thresholds contained within the Institute of Lighting Professionals (ILP) guidance document PLG05 – The Brightness of Illuminated Advertisements 2015 (or any subsequent amendment/replacement to this guidance).

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

The Site

The proposal site is located on the western side of Old Mill Lane. The application site is currently vacant however until 31st July 2021 it comprised two freestanding paper and paste 48 sheet externally illuminated billboards. These advertisements were removed on health and safety grounds prior to digitisation.

The site's surroundings are solely commercial and industrial comprising of retail warehousing, retail parks and out of town centre uses. The site is designated as being within the settlement confines of 'Urban Barnsley' which is the focus for growth within the borough. It is exactly these types of locations that are suitable for digital advertising. There are a number of nearby advertisements including adverts related to retail units as well as two 48 sheet billboards located to the north of the site within the car park of the neighbouring MOT garage.

The site is not located within a Conservation Area, nor is it close to any heritage assets.

Part of the proposal site is an established location for advertising, having supported the two 48 sheet billboards for at least 13 years since March 2009. Although the advertisements have recently been removed, the size and nature of the two advertisements had not altered in over ten years therefore the signage would have benefited from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Planning Policy

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

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

The development plan for the area consists of the Barnsley Local Plan (adopted January 2019). The provision of advertisements is covered by Policy GD1 (General Development) and Policy D1 (High Quality Design and Place Making). Policy GD1 states that all proposals for development will be approved so long as, there is no significant adverse effect on the living conditions and residential amenity of existing and future residents; the proposed use is compatible with neighbouring land uses and will not significantly prejudice the current or future use of neighbouring land; and any impact on the environment is minimised and mitigated. Whilst Policy D1 sets the specific design principles required by proposals, which should be of a high design quality and respect the local character.

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

Planning Considerations

Overall the project will see a reduction in the number of advertising sites. The control over the operation of the displays seeks to ensure that the change in the visual impact of the site on the surroundings is de-minimus and not material. Nevertheless, it is acknowledged by the applicant that the change in the type of illumination and the potential to increase the rate of change of the adverts would require express advertisement consent. The impact of these alterations have been considered in amenity and public safety terms as follows:

Amenity

The proposal seeks to "repost" the previously installed adverts and although the orientation of the two displays will be amended, there will be minimal impact on visual amenity during the daytime. At night, the night-time illumination settings will ensure that the level of illumination is appropriate to the local area and is equivalent to a traditional externally illuminated advert.

The context of the surroundings, including illuminated shop signage, other illuminated advert, street lighting and location along a main road establishes the site as appropriate for an illuminated advert of this type. Additional controls over the display will be considered if necessary to remedy a specific amenity concern.

The side by side comparison photograph on the D-Poster information sheet provided with the planning drawings helps to illustrate the minimal difference between the previous type of display and the proposed replacement once controls are put in place.

The proposals would not be detrimental in either an immediate or wider sense. The site is an established location for advertisements, it is not within a conservation area, attached or adjacent to a listed building, or within proximity of any local heritage assets. It is on a commercial/industrial site which can be considered as wholly appropriate in principle for advertising of this type. Indeed, it is commonplace to see adverts of this nature in this type of location.

Public Safety

When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is appropriately controlled to prevent distraction from the driving task. As the principle of an advertisement has already been established at this location, the Council must only consider whether the proposed controls are sufficient to ensure that there is no additional distraction which would cause an unacceptable impact on highway safety. Should the Council's Highways department identify any reasons why the location might be challenging to drivers, the applicant would be open to discussing alternative controls. However, it should be noted that the proposed conditions are now well established as best practice and as such any change (e.g. to the rate of change) would be unusual and would need to be evidence based and specific to the location.

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

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

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

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

Conclusion

The proposal will not change the size of the two previously installed adverts that were in place for at least 13 years up until July 2021. Whilst the orientation of the displays will be changed, this will not impact on amenity or highways safety, therefore the acceptability of the advertisement should not change materially.

Furthermore, the proposals are located in a wholly commercial location where advertising of this type is evidently commonplace therefore the addition of a new advertisement in this location is deemed to be acceptable. The proposed conditions to control the luminance of the screens will ensure that there is no adverse impact on amenity or road safety.

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

Application Submission

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

- Completed application forms prepared by Carter Jonas;
- Letter Statement prepared by Carter Jonas (this letter);
- D Poster- Appendix 1
- Architectural drawings and CGIs:
 - 011-0401-6421-PA-01 Site Location Plan
 - 011-0401-6421-PA-02 Existing Site Plan
 - 011-0401-6421-PA-03 Proposed Site Plan
 - 011-0401-6421-PA-04 Existing and Proposed Elevations
 - 011-0401-6421-PA-05 Existing and Proposed Elevations

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

Yours faithfully,

Jenna Murray

Associate
For and on behalf of Carter Jonas LLP

