

Our Ref: JW/GM/93456

14 June 2021



Planning and Building Control
Economic Regeneration – Place Directorate
Barnsley Metropolitan Borough Council
PO Box 634
Barnsley
S70 9GG

BY EMAIL ONLY

Dear Sirs

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007. CONVERSION OF POSTER ADVERTISEMENT DISPLAY AT LAND AND BUILDINGS TO THE WEST OF PEEL PLACE AND OLD MILL LANE, BARNSELY, S71 1LU

PLANNING PORTAL REF: PP-09940813

Please find enclosed an application for advertisement consent to upgrade an established paper and paste advertising display to a modern digital format 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 existing advertising display on a like for like basis, using new display technology that is lightweight, durable, efficient, and can be easily erected, as it is of similar size and scale to the existing unit.

The Proposal

The proposal seeks to update the existing freestanding advertisement display billboard on land to the west of Peel Place, Barnsley with a digital equivalent which will display static advertisements on rotation. The proposed digital advertisement board is to be in the same position and of the same size to the existing paper and paste advertisement board it will replaces as can be seen on the submitted drawings.

The scheme will meet modern requirements of advertisers. This will bring a wide range of benefits as follows:

- Upgrade of sites lacking in investment;
- Reduction in vehicle trips for reposting adverts (i.e. from an average of 34 trips to 2);
- Consolidation and overall reduction in the number of advertising displays in the network;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- Ability to broadcast emergency messaging (e.g. public health messaging);
- Ability to use void periods for non-commercial campaigns;
- Opportunity for more creative real time and locally relevant advertising;

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- Opportunity to integrate additional hardware to meet Smart City objectives.

Figures 1 and 2 below show an example site with a traditional paper and paste display board and after it had been upgraded with a digital display.

Figure 1: Paper and Paste Advert (before digitisation)



Figure 2: Digital Screen



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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 and resolve the majority of issues remotely.

The display would be limited to 300cd/m² at night time (on a full white display) 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. The level of illuminance will be set on site manually to be at an appropriate level for the area and to mimic the poster being replaced.

The following conditions have become established as best practice for roadside digital displays and will be applied to control the operation of the digital poster 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 site is located on land to the west of Peel Place and Old Mille Lane, Barnsley, S71 1LU and supports 1 no freestanding advertisement billboard. This land constitutes an area of hardstanding which is used as car parking by the associated MOT centre.

The immediate context of the site constitutes predominantly commercial/industrial uses along Peel Place. Moreover, a number of other advertisement boards exist in close proximity to the site as can be seen in Figure 3, with one sitting opposite the site at the other side of the car park area. All of the other poster-boards benefit from external illumination by means of top-mounted lighting bars.

The proposal site is an established location for advertising, having supported 1 no freestanding paper and paste advertisement board for at least 12 years. As can be seen on Google Streetview, the current advertisement board was in situ in March 2009 and as the size and nature of the advertisement has not altered in over ten years the signage benefits from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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Figure 3: View from Old Mill Lane looking west (site outlined in red with other close by advertisement boards of the same size outlined in blue)



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 2019 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 132 of the National Planning Policy Framework (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.

Barnsley Metropolitan Borough Council adopted its Local Plan in January 2019. Subsequent to this, in May 2019, the Council adopted its ‘Advertisements’ SPD. The SPD advice note offers guidance to anyone seeking to display an outdoor advertisement within the Local Planning Authority Area. The guidance serves to supplement Local Plan Policy D1: High Quality Design and Place Making and states that “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.”*

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Planning Considerations

It is acknowledged by the applicant that the introduction of illumination through digitisation and the potential to increase the rate of change of the adverts would require express advertisement consent. The impact of these alterations has been considered in amenity and public safety terms as follows:

Amenity

On a strategic level the digitisation of the advertising network will see an overall reduction in the number of advertising sites in the area.

As the proposal seeks to replicate the existing advert and therefore mimic the existing situation, there will be minimal impact on the visual amenity of the surroundings. The size and positioning of the advertisement will remain the same and the level of illumination will reflect local and ambient conditions, with little material change to the site as it currently exists.

The controls proposed over the level of luminance at night are in line with the ILP Guidelines and industry best practice and will ensure that the proposed display does not cause any material harm to amenity. The context of the surroundings, including existing externally illuminated advertisement signage and the street lighting which lines Old Mill Lane establishes the site as appropriate for a digital internally illuminated advert of this type. As identified and outlined in blue in Figure 3, other existing advertisement boards sit in close proximity to the site and these are themselves illuminated by means of a projecting fixed-level lighting bar above. The proposed digitisation of the advertisement board at the site with internal illumination (by means of a digital screen) would therefore be commensurate with the character of the area. While the surrounding advertisement boards have a fixed level of illumination with the attached lighting bar either on or off, the brightness of the proposed display would be dynamic, reacting to ambient lighting conditions to maintain only a necessary level of illumination for the advert to be visible.

The proposal would not be detrimental in either an immediate or wider sense. It is not within a conservation area, attached or adjacent to a listed building, or within proximity of any local heritage assets.

When considering the merits of the proposed digital advertisement board, it is important to note that should consent not be forthcoming, the fall-back position amounts to what already exists on site which is a static paper and paste board of the same size, and in the same position, to that of the proposed. The principle of the proposed use is therefore already established and the current poster board would remain in situ should the proposed digitisation of this not be approved. Consideration therefore should only be had for the digitisation of the existing board and only the impacts associated with this.

The immediate context of the site, along Peel Place and opposite Old Mill Lane, constitutes commercial use/industrial uses. It is in such areas that National guidance and advice advocates locating advertisements; here, any impacts are appreciably less and commensurate to the commercial and industrial surroundings. In this regards, the proposal should be considered acceptable.

The advertisement board has been in place for over 12 years and is a well-established feature of this part of the street scene. The replacement of the display and the control over operation will ensure that the change in the visual impact of the site on the surroundings is not material. Further to this, as the proposals do not seek any increase in scale of advertisement space, merely the digitisation of an

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existing board, there shall be little, if any, material change in the appearance of the street scene as a whole.

Owing to the position and orientation of the advertisement sign at the site, this is not directly visible from any residential properties. The existing and proposed position of the advertisement board remains the same and so there shall be no impact in this regard.

With regard to the provisions of the Council's adopted 'Advertisements' Supplementary Planning Document, it is clear that the proposed digitisation of the advertisement board at the site will not negatively impact on the appearance of the site nor on the visual character of the area.

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 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 need to be evidence based and be specific to the location.

The proposed display would occupy the same setback and offset position as the existing unit, ensuring sight lines and visibility splays are maintained. It would be seen by traffic travelling north along Old Mill Lane and Peel Place which are limited to 30mph, are well lit, straight, level and have excellent forward visibility. Highway users would therefore be fully capable of glancing content far in advance of the site without being distracted from the road or traffic conditions ahead. 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 viewing advertisements whilst maintaining stopping distances and an awareness of surrounding traffic movements.

Due to the fact that the advertisement board is set back from the highway and there are existing illuminated advertisements in close proximity, the proposed sign would assimilate into the environment where other light sources are already present. The introduction of a sequential change will not have a material impact on the level of distraction as the changeover will be instantaneous and not more frequent than once every 10 seconds. This will reduce the eye dwell time on the poster and therefore the potential for a distraction.

Under these circumstances, such a familiar feature of Peel Place, Old Mill Lane and the surrounding highway network, would not constitute a hazardous distraction to anyone exercising a reasonable standard of care. Consequently, the proposal would not give rise to public safety issues, which would prevent the granting of an express advertisement consent. In line with the Council's 'Advertisements' SPD, the proposals would not give rise to any negative impact on pedestrian or vehicular safety.

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14 June 2021

-7-



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Conclusion

The proposal will not change the size, position or orientation of the advertising display. As such, the established acceptability of the advertisement should not change materially. The proposed conditions to control the luminance of the screens and the operation of the digital screens will ensure that there is no additional harm to 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

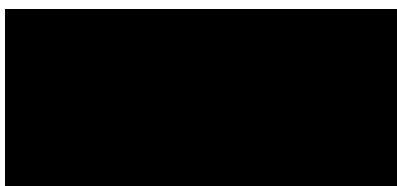
In order to complete the application, please find attached the following documentation:

- Completed application forms prepared by Alder King Planning Consultants;
- Letter Statement prepared by Alder King Planning Consultants (this letter);
- Site Location Plan WEL-ENG-00051/PA/01;
- Existing Site Plan WEL-ENG-00051/PA/02;
- Proposed Site Plan WEL-ENG-00051/PA/03; and
- Existing and Proposed Elevations WEL-ENG-00051/PA/04.

Additionally, we will arrange payment to Barnsley Metropolitan Borough Council for the sum of £462 to cover the cost of the Advertisement Consent application.

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



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