

Our Ref: 23032/CJ/EC
Your Ref: PP-12090264

Date: 30 June 2023

Barnsley Metropolitan Borough Council
Planning and Building Control
Barnsley MBC
PO Box 634
Barnsley
S70 9GG

Dear Sir/Madam,

ADVERTISEMENT CONSENT APPLICATION AT UNIT 9, PEEL CENTRE, DRYDEN ROAD, BARNSELEY S71 1JE

We have been instructed by our client, PLK Chicken UK Ltd (trading as 'Popeyes'), to submit the enclosed application to display advertisements at Unit 9, Peel Centre, Dryden Road S71 1JE. This follows approval of a planning application to add a drive-thru lane to the existing restaurant unit, and the proposed signage scheme reflects this.

According with national and local validation requirements, the application is supported by the following documents:

- Completed Advertisement Consent Application Forms;
- Existing elevations;
- Site Location Plan;
- Plans prepared by NIS Signs:
 - Proposed Elevations
 - Proposed Signage Sections/Detailed Drawings;

Background Information

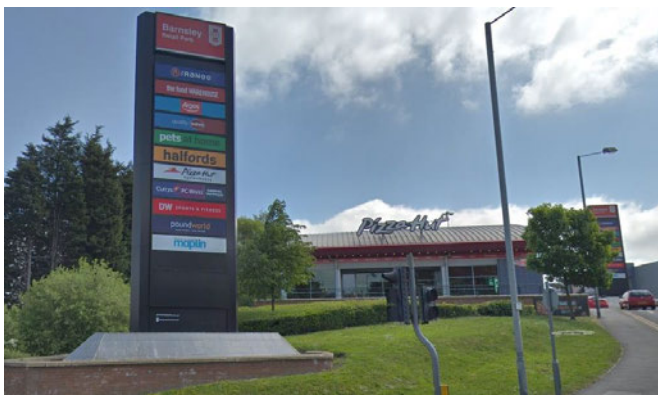
The application site comprises an existing restaurant unit located near the entrance to Peel Retail Park, off Harborough Road. The existing single storey building was previously occupied by Pizza Hut but has been vacant for approximately 3 years.

A site location plan is attached at Figure 1 below.



Figure 1. Red Line Site Location Plan and Aerial View

The previous signage scheme was removed following the unit being vacated by Pizza Hut. However, photographs of this are provided below in Photographs 1-4.



1. View East from A61 Junction



2. View North/East from Retail Park Entrance



3. View West from Car Park



4. View North from Dryden Road

The surrounding area and retail park comprises a mix of commercial uses to the south, south west and south east of the site. To the north, approx. 40m away and beyond the Dearne Valley Park entrance are a number of terraced residential houses.

Planning History

A review of the online planning history records held by Barnsley Metropolitan Borough Council has been undertaken, a summary of which has been provided below.

- **2023/0609** for the 'Discharge of condition 8 (Landscaping Scheme) relating to planning application 2023/0177: Variation of conditions 2 (approved plans), 10 (facing bricks) and 11 (colour finish of the roof, windows, doors and walls other than brickwork) in relation to planning application 2021/0542.' **Pending decision.**
- **2023/0441** for the 'Discharge of condition 10 (full details of any new externally mounted plant or equipment for heating, cooling, ventilation or fume extraction purposes) in relation to 2023/0177.' **Approved 22 June 2023.**
- **2023/0177** for the 'Variation of conditions 2 (approved plans), 10 (facing bricks) and 11 (colour finish of the roof, windows, doors and walls other than brickwork) in relation to planning application 2021/0542 to amend the external materials and layout -Alterations to the building elevations including minor infilling, creation of a new drive-thru lane with associated facilities, alterations to the car parking layout and associated works.' **Approved 12 April 2023.**
- **2021/0542** for the 'Alterations to the building elevations including minor infilling, creation of a new drive-thru lane with associated facilities, alterations to the car parking layout and associated works.' **Approved 30 June 2022.**
- **2020/1222** for 'Application to certify that the existing use of the building is as a restaurant, being a use that falls within Class E is lawful.' **Approved 22 January 2021.**
- **2016/0716** for 'Display of 4 no. internally illuminated fascia signs, 2 no. internally illuminated hanging signs and 2 no. internally illuminated signs, 1 no. non illuminated sign to shop, LED tubing and recessive downlighters.' **Approved 2 August 2016.**
- **B/05/0022/BA/AD** for 'Display of two illuminated fascia signs.' **Approved 16 January 2005.**
- **B/04/1158/BA/AD** for 'Display of illuminated pole sign.' **Approved 11 July 2004.**
- **B/04/0548/BA/AD** for 'Display of illuminated and non-illuminated signage to restaurant.' **Approved 19 March 2004.**
- **B/04/0020/BA** for 'Erection of a single-storey (A3 Use) Pizza Hut Restaurant.' **Approved 6 January 2004.**

Application Proposals

The application seeks planning permission for new branding at the site to facilitate its occupation by Popeyes under Class E(b) as a restaurant with a drive thru lane. Alterations to the building facades to align with the Popeyes scheme were recently approved under permission ref: 2023/0177, which included the proposed signage zones and panels on the approved drawings. Extracts of these are provided below.



Figure 2. Extracts of Approved Facades, including signage panels and zones

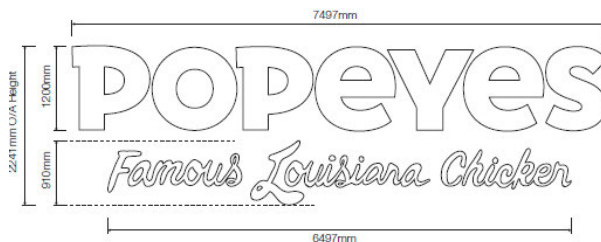
Popeyes changes to the facades were supported with the officer report stating that:

“The design and appearance of the proposed alterations to the building is acceptable in this commercial setting. The building is proposed to have a material palette of dark grey and timber effect cladding and white bricks. The appearance has been changed from that indicated on the previous application reflecting a change in tenant”.

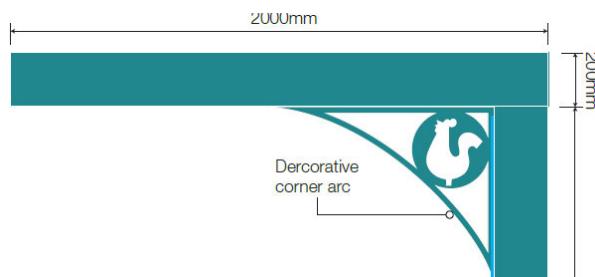
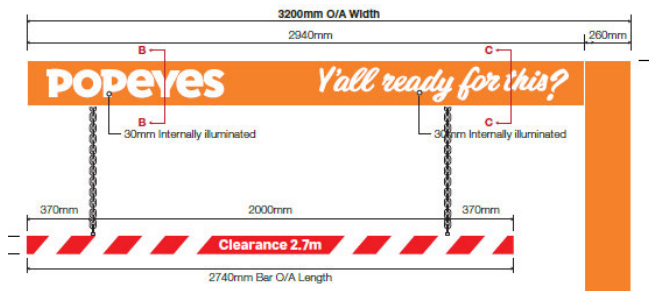
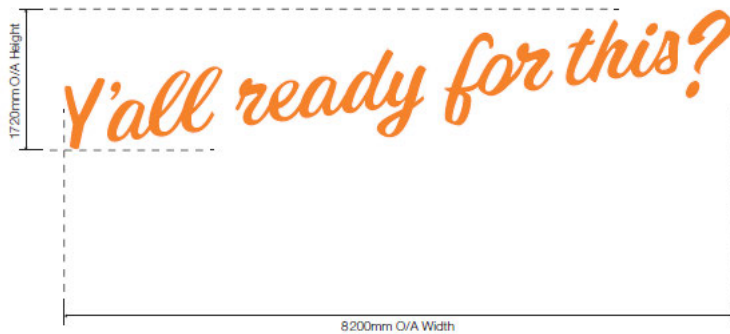
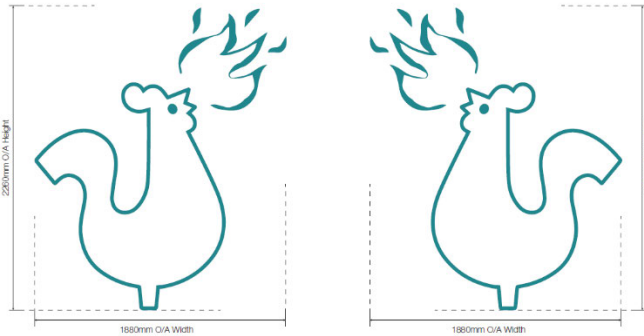
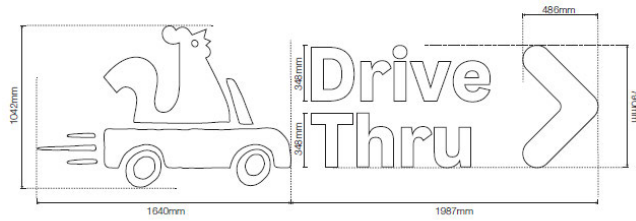
The proposed signage scheme will reflect the company’s corporate identity and will provide an active and attractive visual announcement of the restaurant as well as to assist patrons in wayfinding and navigating the drive thru lane. The proposals will form part of a wider package of works which will enhance the appearance of the building and site, facilitating the reoccupation of this vacant building.

Whilst the enclosed drawing pack indicates a very minor change to the layout of the drive thru lane, this will be regularised via a separate application submission for a non-material amendment.

The main proposed signs are detailed below; however, full details of all proposed signs are included in the “Presentation” document by NIS Signs (Rev 13 drawings), which includes signs A – L, and 2, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17 and 18.



- Main fascia signage “POPEYES”
- 7497mm wide and 1200mm tall
- “Famous Louisiana Chicken” 4936mm wide and 2241mm tall.
- Acrylic faces with 3mm clear acrylic return.
- LED illuminated.
- Roof mounted tablet to be fitted to roof at east elevation.
- Acrylic panel.
- “POPEYES” and “Famous Louisiana Chicken” in internally illuminated opal acrylic face
- 5800mm wide and 1900mm tall
- Panel mounted to roof
- High Level Drive thru sign and drive thru logo to be fixed to roof west elevation
- “Drive Thru” sign and logo in internally illuminated acrylic letters
- 10,118mm wide and 1900mm tall



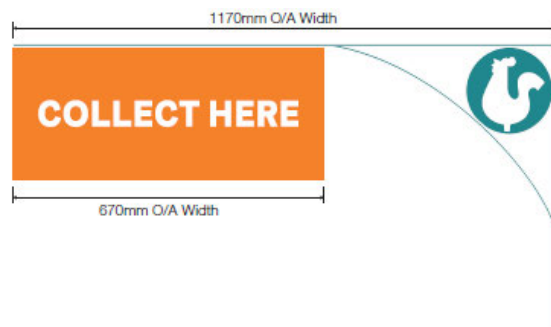
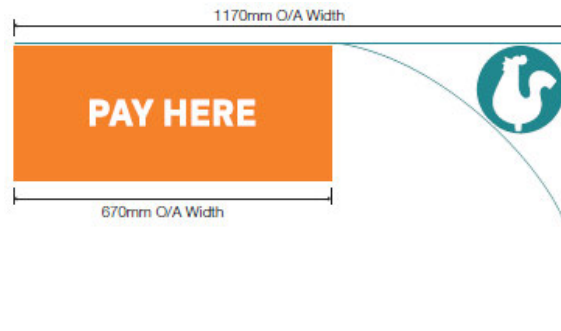
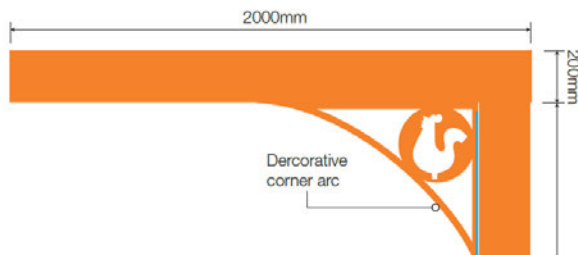
- 1x drive thru and logo sign
- 3627mm wide and 1042mm tall
- Acrylic faces with aluminium returns
- LED illuminated

- 2x flame poppy graphics to be fitted to south elevation
- Printed wall graphic c/w matt laminate.
- Graphic to be non-illuminated
- 1880mm wide and 2260mm tall

- "Y'all ready for this" graphic to be fitted to east elevation
- Printed wall graphic c/w matt laminate.
- Graphic to be non-illuminated
- 8200mm wide and 1720mm tall

- "POPEYES" and "Y'all ready for this" internally illuminated signage on height restrictor
- The adverts are backed up opal acrylic fixed onto aluminium structure.
- 3200mm wide across top of height restrictor and 3655mm tall

- 2 no. Logo signs to be fixed to horizontal arms of guide posts.
- 1 guide post will be finished in Turquoise Blue, RAL 5018, and the other 1 no. guide post will be finished in Pastel Orange, RAL 2003
- Guide posts will feature cool white LED light channel running vertically
- 2000mm wide and 3100mm tall



- 1 no. Collect here hanging sign and 1 no. Pay Here hanging sign to be fixed to canopy above collection and payment windows.
- Reflective white vinyl to be applied to the face, and flat cut aluminium chicken logo to be finished in turquoise blue
- Non-illuminated
- 1170mm wide and 621mm tall

- 1x "Delivery drivers" and poppy vinyl.
- 1045mm wide and 504mm tall
- Reflective white vinyl applied to building facade



- 1x “Welcome to Louisiana” vinyl
- 4105mm wide and 2000mm tall
- Flat cut 3mm aluminium.
- Non-illuminated.



- Vinyl graphics applied to west elevation windows.
- Approx 1860mm wide and 1260mm tall

Planning Policy Summary

Adopted

The adopted Local Development Plan relevant to the site comprises the Barnsley Local Plan (2019) as well as the relevant Supplementary Planning Documents. The National Planning Policy Framework (2021) is also a material consideration.

National Planning Policy Framework (NPPF) (2021)

The NPPF provides the overarching planning policy guidance for development across England. It states:

“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

Paragraph 8 (a) identifies the need to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.

Paragraph 80 states that planning policies and decisions should help to create the conditions in which businesses can invest, expand, and adapt. As such, significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 126 outlines that good design is one of the fundamental factors in ensuring sustainable development and contributes to creating:

“better places to live and work and helps make development acceptable to communities.”

Furthermore, **Paragraph 130** sets out that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Similarly, development should create places that maintain a high standard of amenity for existing and future users.

Paragraph 136 is of most relevance to the application for advertisements. It sets out that:

“Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”.

The Barnsley Local Plan

Policy GD1 ‘General 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 lands.

Policy D1 ‘High quality design and place making’ states that development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

Policy T4 ‘New Development and Transport Safety’ states 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.

Policy POLL1 ‘Pollution Control and Protection’ Development will be expected to demonstrate that it is not likely to result directly or indirectly in an increase in air, surface water, and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment.

Supplementary Planning Document: Advertisements

This document provides further guidance in relation to the display of outdoor advertisements, including signs, notices, hoardings and flags.

Planning Assessment

The NPPF clarifies at Paragraph 136 that the display of outdoor advertisements can only be controlled in the interests of “amenity” and “public safety”, taking account of cumulative impacts, as guided by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended. The National Planning Policy Guidance (2019) provides further interpretation of the Regulations.

a) Design and Visual Amenity

As noted in Paragraph 79 of the NPPG:

“Amenity is not defined exhaustively in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It includes aural and visual amenity (regulation 2(1)) and factors relevant to amenity include the general characteristics of

the locality, including the presence of any feature of historic, architectural, cultural or similar interest (regulation 3(2)(a))”.

Policy GD1 “General 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 D1 “High Quality Design and Place Making” states that development is expected to be of high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley.

The proposed signage is required to notify patrons of the location of this incoming operator, specifically identifying Popeye’s location within Peel Centre Retail Park. The proposed signage will further assist customers in using and navigating the drive-thru system safely, including a number of low-level wayfinding signs and guideposts. All signs proposed have a commercial, aesthetic or functional purpose.

The proposed signage forms part of a wider package of works including the recently approved addition of a drive-thru lane, all which will secure the re-occupation and refurbishment of the prominently located building at the entrance to Peel Centre Retail Park as well as generating clear planning benefits through job creation and by improving the general aesthetic of the site.

The application site lies within an established retail park area for commercial, retail and leisure uses, all of which boast a variety of shopfronts and signage. The proposals are considered entirely appropriate in this context, reflecting the surrounding commercial, retail and leisure environment.

The proposed Popeye’s signage will be constructed of high-quality materials, similar to other Popeyes advertisements across the country. The signage is further in keeping with the wider retail park area and the signage previously approved at the site, as demonstrated below. These demonstrate that the quantum of signage is consistent with that previously granted at the site and that this would sit comfortably on the building in terms of scale and placement.

Previous



Proposed

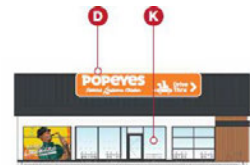
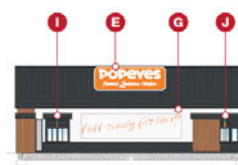


Figure 3. Façade Signage Comparison

The way finding signs and ‘click and collect’ signs are largely low level and will not be visible from outside the retail park as they will be behind the building, resulting in no impact on views from Harborough Hill Road. These are consistent with the commercial nature of the building and retail park setting. The height restrictor is consistent with other nearby restaurants, including the McDonalds at Old Mill Lane, as is the ordering canopy, which have clear operational requirements. The guideposts proposed will enhance the arrival

experience at the drive thru, incorporating subtle downward lighting. These will also be screened from street views by the building and from immediate neighbours by the surrounding planting and acoustic boundary fencing, preserving the visual amenity of the area.

The signs will be adequately spaced out and will make for an uncluttered and attractive development within this established commercial area. It will further provide a higher quality and more cohesive signage scheme than previously existed at the site.

As a result, the proposed signage detailed within this application will; remain entirely in keeping with the character of the surrounding area and will comply with NPPF, NPPG and Local Plan policies.

b) Public Safety

As required by the National Planning Policy Guidance, the proposed signage would not:

- Obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway;
- Because of its size or siting, cause obstruct or confuse a road user's view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road-users because of their unusual nature;
- Leave insufficient clearance above any part of a highway;
- Include external illumination that would be flashing, be a colour which could be confused with traffic signals/authorised signals, or because of their size or brightness, could result in glare and dazzle, or distract road users.

In addition, Policy POLL1 'Pollution Control and Protection' states development will be expected to demonstrate that it is not likely to result directly or indirectly in an increase in air, surface water, and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment.

With regard to the application proposals, the signs proposed will be appropriately illuminated and will therefore not adversely impact drivers entering or exiting the park. Residential properties, located approximately 40m away from the application site, have been considered in the preparation, siting and design of the signage, and will not be adversely affected. However, these are separated by dense tree cover. Indeed, the signage location, method of illumination and size are comparable to others in the wider area and will not have a detrimental impact on public amenity or wider highway safety.

There will be no impact on the highway signs approved under the original permission 2023/0177, as demonstrated below.

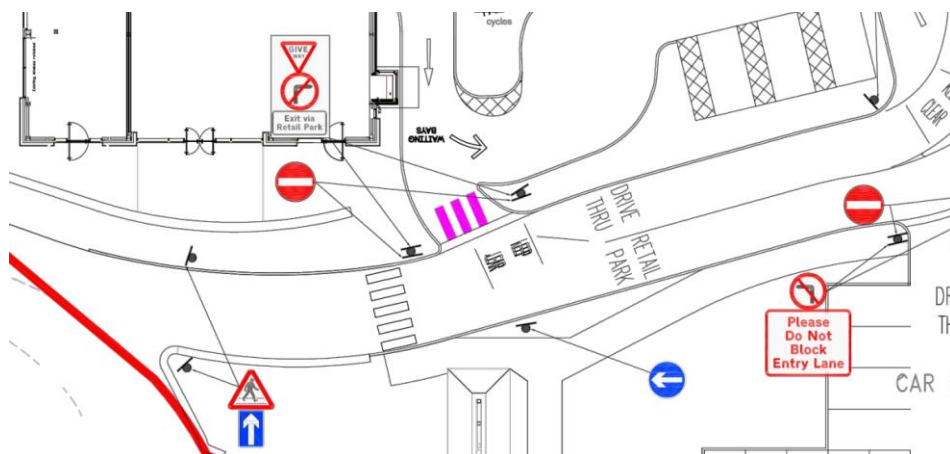


Figure 4. Approved Site Signage

For these reasons, it is therefore considered that the proposed signage would not create a hazard to highway safety and complies with the National Planning Policy Framework, and the design advice set out in the adopted Local Plan.

Conclusions

Overall, this application relates to the installation of new signage by Popeyes to support their occupation of the Class E unit for use as a restaurant. The proposed signage would provide an active and attractive visual announcement of the restaurant and drive thru lane and will further assist customers in using and navigating the drive-thru system safely.

This Covering Letter has demonstrated that the proposed works are acceptable in principle and result in no unacceptable impacts with regard to design, amenity, highways and public safety. Accordingly, it is considered that the application proposals are in accordance with the relevant local and national planning policies identified within this statement.

We therefore trust you have sufficient information available to enable a positive determination of this advertisement application and we look forward to receiving confirmation that the application has been validated. In the meantime, should you require any further information, please do not hesitate to contact me.

Kind regards,



Director

Enc.