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

24th February 2020

My Ref: CW/BY 101

Dear Sir /Madam

The Town and Country Planning (Control of advertisements) (England) Regulations 2007.

Re: Gable of FG Tyres and Garage, Race Street, Barnsley S70 1BY

Proposal: 1 x 48 sheet gable mounted digital advertising display unit

This planning statement is submitted in support of an application for express advertisement consent by my client, Alight Media Ltd, for a proposed gable mounted 48 sheet digital advertising display unit at FG Tyres and Garage, Race Street, Barnsley. This statement should be read in conjunction with other documents submitted in support of the application.

The application seeks the following:

"Installation of 1 x 48 sheet gable mounted digital advertising display unit"

Site and Surroundings

The application site is located on the northern end of Race Street, where the host building faces on to the Townend Roundabout, which is located to the west of the town centre. This is a key gyratory junction linking several major entry/exit points for traffic travelling in and out of the town centre and to and from the M1 motorway.

The site is located in an area of predominantly commercial and industrial uses, where the character of the locality is largely influenced by the transport infrastructure, the high traffic volumes throughout the day, and the mixed nature of the surrounding buildings. Opposite the site on the northern side of A628 West Way is a Lidl supermarket and other retail units with a large hardstanding car park area, which are accessed from Peel Street.

Traffic passes through this built up area with development, activity, and signage on all sides, and the locality is therefore considered to be a typical setting where large roadside advertisements would be appropriate.

The proposed display would be located on the north facing gable of the host building, which comprises a tyre service and auto repair centre. The north and east facing gables consist predominantly of metal cladding and brickwork, and are therefore featureless elevations with no architectural merit. Both elevations have a long history of being used for the display of various illuminated and non-illuminated signs to promote products and services being sold in the host business premises. The existing signs were granted consent in 2014 (**App. Ref. No. 2014/0223**), and are shown in the site photos submitted with the application as **Doc. No. BY 101 A4 03 – Existing Elevation** and **Doc. No. BY 101 A4 08 – Garage Illuminated Signage**.

The proposed digital display unit would replace the existing banner sign to the eastern end of the north facing gable. Two other signs towards the western end of the gable would remain, but they are well spaced. It is considered that this neat commercial display, set well back from the highway, would not create an impression of advertisement clutter, overwhelm passing pedestrians, or in any way inhibit the Council's policies and efforts to improve the appearance of an important gateway route to the town centre.

The application site does not fall within a Conservation Area or an area of special advertisement control, and there are no listed buildings in the locality that would be harmed by the proposal.

Background Information

Electronic digital displays represent the latest form of outdoor advertising technology. The shift towards digital display screens away from traditional formats is a positive response by the outdoor media industry to the Ministerial forward in the National Planning Policy Framework (NPPF) which states that, *“development means growth and we must respond to the changes that new technologies offer us.”* The NPPF states further that *“advanced, high quality communications infrastructure is essential for sustainable economic growth”*.

The clear thrust of the above-mentioned national policy is that those involved in development and development control need to respond to the changes and innovations offered by new technology. This has resulted in many Councils across the UK supporting the development of well-designed digital sites and the upgrade of existing traditional advertising sites to digital displays.

Part of the national project to bring the outdoor industry's stock of traditional billboards into the 21st century has involved the removal or upgrade of a large number of *‘paper and paste’* hoardings.

Many Councils have encouraged the development of high quality and innovative advertising sites in prominent locations to mark town and city boundaries and enhance iconic locations, and so create a positive image of the town or city. They recognise the potential benefits that advertising can bring to local businesses and communities by allowing them to advertise their products and services on these digital sites. Landmark advertising sites can therefore help to stimulate the local economy, as well as adding interest to the street scene, bringing colour to drab areas, making areas safer at night through better illumination, and screening eyesores.

Barnsley M. B. Council are familiar with the concept of digital advertising, and there are several examples of sites around the area where express consents have been granted recently. Some of these sites are listed below, and are therefore considered relevant to the application proposal.

Relevant Planning History

App. Ref. No. 2019/1314 dated 19/12/2019: Upgrade of existing 48 sheet advert to support internally illuminated digital poster on gable of 32 - 36 Barnsley Road, Goldthorpe, Rotherham, S63 9NF.

App. Ref. No. 2019/1065 dated 23/10/2019: Replacement of existing 48 sheet wall mounted advertisement board with 48 sheet internally illuminated digital advertisement board on gable of 208 Sheffield Road, Barnsley, S70 4PA.

App. Ref. No. 2019/0940 dated 10/10/2019: Replacement of existing 48 sheet wall mounted advertisement board with 48 sheet internally illuminated digital display on gable of 113 Doncaster Road, Barnsley, S70 1UF.

App. Ref. No. 2019/0734 dated 16/08/2019: Upgrade 1x 96 sheet and 1 x 48 sheet advertisements with 2 x 48 sheet single-sided freestanding digital displays on land at 7 Victoria Crescent West, Barnsley, S75 2AE.

App. Ref. No. 2019/0523 dated 02/07/2019: Replacement of 1 x 48 sheet existing illuminated advertisement display and 1 x 48 sheet non-illuminated advertisement display with 2 x 48 sheet digital advertisement displays on land at Wombwell Lane, Stairfoot, Barnsley S70 3NT.

The purpose of referring to the above mentioned examples is not to highlight a matter of precedent in a planning sense as we acknowledge that each case should be considered on its own merits. But it is considered that they help to illustrate how the Council in other cases have made judgments on the impacts of digital advertising displays in relation to visual amenity and public safety.

Planning Considerations

The development of digital advertising sites has been carried out over recent years in compliance with the policy framework of the National Planning Policy Framework (NPPF), and the National Planning Practice Guidance (NPPG).

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the NPPF, and the NPPG require that decisions on advertisements be made only in the interests of amenity and public safety, taking into account the provisions of the local development plan, so far as they are material, and any other relevant factors.

The NPPG states that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Should any of these features be present, the LPA should consider whether the proposed development is in scale and in keeping with these features. This might mean that a large advertising display would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city, where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.

Factors relevant to public safety include: the safety of persons using the highway railway or waterway; whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of any traffic sign, railway signal, or aid to water navigation; and whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security, or surveillance, or for the measuring the speed of vehicles.

The recently adopted Barnsley Local Plan and Policies Map (3 January 2019) replaces the former Core Strategy (September 2011) and remaining saved policies of the Unitary Development Plan. The new Local Plan, together with the Joint Waste Plan adopted in March 2012 prepared with Doncaster and Rotherham constitutes the statutory development plan for Barnsley.

The Local Plan does not contain any advertisement policies but an updated Advertisements Supplementary Planning Document was adopted in May 2019 which supplements Local Plan Policy D1 'High-Quality Design and Place Making'. The SPD states that "*The over provision or poor design of signs can give rise to a cluttered and aggressively commercial appearance which can have a damaging impact upon the visual character of an area*" (paragraph 6.1). The guidance reiterates the aims of national policy and seeks to ensure that advertisements have "regard for the design, scale and proportions of the building or site on which they are displayed".

This approach reflects guidance in Paragraph 67 of the adopted National Planning Policy Framework (NPPF), which states that *“poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”*

The proposal contained in this application will therefore be assessed against the policies of the SPD and the national guidance contained within the NPPF in terms of the effect of the digital display upon visual amenity and public safety.

Application Proposal

It is proposed to erect 1 x 48 sheet gable mounted digital advertising unit in landscape format, measuring 6.4 metres wide by 3.4 metres high, with the base of the display unit being approximately 2.5m from ground level. The unit would comprise a pressed metal frame in which the LED ‘tiles’ are mounted, and the display would be orientated in a northerly direction to face vehicular traffic travelling south along the Townend Roundabout.

Although the proposed display panel is large, it is considered that its simple rectangular form presented with horizontal emphasis would respond well to the form and size of the north facing gable and the host building. When the proposed display is seen on this particular elevation against the general mass of the building, the display panel would be acceptable, and not excessive or out of character. The adjacent section of the main radial route reflects a strong commercial and industrial character, and it is not considered the proposed display would constitute a dominant or obtrusive feature in the street scene.

The proposed display unit would be located in close proximity to other sources of illumination and street lighting, which emit a considerably higher intensity of light. The display would also be viewed against the backdrop a large rectangular industrial building, which has no architectural merit, and so it would not detract from the visual amenity of the locality. The proposed display unit would be set back from the highway and so will not impact on sight lines or road signs/traffic signals. The site itself is not part of the public highway, and so it will not cause an obstruction to pedestrians or cyclists.

The display unit has been designed with high quality materials to create attractive structures. The structures will be slim and elegant and the materials will be both attractive and hard wearing ensuring the longevity of the structures, and reducing the amount of maintenance required.

The proposed digital display unit comprises a pressed metal frame in which the LED “tiles” are mounted. The unit requires no access for internal maintenance or changing of advertising displays. The digital displays are controlled remotely via a dedicated internet connection and computer software that controls every aspect of the displays in real-time, including brightness, timing of each image, transition time between each image and transition method etc. The screen is also linked to sensors which detect external lighting levels and automatically adjust the screen’s level of luminance.

The proposed advertisement displays will be digital and will have a maximum luminance that does not exceed 300 cd/m² at night time. The maximum brightness will always be within the guidelines as set by the Institute of Lighting Professionals (ILP) Technical Note 5 and will be controlled by light sensors to vary the brightness of the screens according to the brightness of day. During the daytime the maximum brightness may increase to 600 cd/m², in order to make the screens visible during bright sunlight. This will ensure that the level of luminance of the advertisements is sensitive to the change in daylight from sunrise to sunset and from summer to winter.

Only static images (i.e. no moving images or flashing lights) will be displayed, but they will be capable of changing to display new adverts every ten seconds depending on how the advertising space is sold. This is in line with standard industry units for sale of advertising space, and in compliance with the outdoor

media code. The changeover between adverts will take place instantly in order to minimise the potential for driver distraction. This derives from advice received from road safety specialists which indicates that a slow change can increase the dwell time of drivers viewing the adverts, which in certain circumstances could lead to distraction from the driving task.

The outdoor advertising industry is committed to upgrading its assets, in order to ensure greater efficiency savings in operational costs, exceptional flexibility in display capability, and a more sustainable method of roadside advertising. The electronic method of changing advertisements (in contrast with the manual method of changing traditional poster and sign displays) eliminates the need to physically produce posters and signs, with the resultant savings in energy and material consumption across the media.

Primarily the display would be used to advertise products and services sold by local businesses, together with some national advertisements. However, the technology would provide the flexibility to display local messages relating to Council, highway or emergency safety information.

Local and national policies state that advertisements should be subject to control only in the interests of amenity and public safety, and therefore this application will be need to be assessed in terms of the effect of the digital display upon amenity and public safety.

Amenity Assessment

As stated previously, the setting is predominantly commercial in character, which is considered appropriate for roadside advertising in line with the policy framework. It is considered that the size and scale of the proposed display would be in keeping with that of the setting, and it would not be an unduly dominant feature when viewed against the backdrop of the large rectangular industrial building.

The meaning of amenity can be wide ranging, but in the context of assessing advertising, it is usually defined as being the impact on visual amenity in the immediate neighbourhood. As such, the local characteristics of the site are material in assessing the proposal's impact. The character and appearance of the area is industrial/commercial in character, and is dominated by the transport infrastructure and the high traffic volumes which pass the application site throughout the day,

The application site does not fall within a Conservation Area or an area of special advertisement control, and there are no listed buildings in the locality that would be harmed by the proposal.

There are no residential properties within close proximity to the application site where their setting would be adversely affected by the proposal. The impact of the proposed display on residential properties is therefore considered unlikely to result in any adverse impact on residential amenity or the character of the area.

It is recognised that the relevant legislation, (the Town and Country Planning (Control of Advertisements) (England) Regulations 2007) pre-dates the availability of digital screens, and allows Local Planning Authorities (LPAs) to control the display of advertisements only in the interests of amenity and public safety.

With digital advertising being a new concept, there was little specific existing guidance or policy available at a national or local level. As a result LPAs and the Outdoor Industry have worked together over recent years to develop policy guidelines to reflect best practice to control the use of digital displays. In January 2011 the Outdoor Media Centre (the industry association representing outdoor media owners) published its Voluntary Code for the control of large roadside digital advertising – (the OMC was later rebranded as Outsmart in September 2015).

Across the country, some LPAs have adopted supplementary planning guidance (SPGs) to provide specific guidance on the siting of large roadside digital screens. In particular they focus on how such screens can address amenity and public safety issues. Some of the most recognised and implemented

policy guidelines are set out in documents such as ***“Guidance for Digital Roadside Advertising and Proposed Best Practice (2013)”*** published by Transport for London and ***“City Centre Digital Media Interim Planning Statement”*** published by Nottingham City Council in January 2017.

The Nottingham document states that ***“Where large digital screens are sited appropriately, and their content appropriately curated and managed, they have the potential to contribute positively to town and city centre spaces and support local policy objectives such as regeneration, economic development, and community engagement and development”***.

Local authorities across the country are positively encouraging the development of new advertising sites with design excellence, innovative ways of advertising and high standards of maintenance. At the same time local authorities need to ensure that these modern, well designed advertising units can be viewed against appropriate backdrops without having any detrimental impact on the visual amenity in the locality.

Local policy guidelines on advertising recognise that outdoor advertising is an important part of commercial activity, in particular for retailing, which relies on external advertisements or signage to communicate information or seeks to sell goods or services.

The long history of the application site being used for displaying signs, and the character of the surrounding neighbourhood, should be the main focus of the Council’s assessment of the proposal. On this basis, the proposed display is considered acceptable with regard to visual amenity and appropriate to the character of the area.

Public Safety Assessment

When considering public safety, LPAs are expected to have regard to the advertisements effect upon the safe use and operation of any form of traffic or transport on land (including the safety of cyclist and pedestrians). LPAs will therefore consider such matters as the likely behaviour of drivers of vehicles who will see the advertisements or possible confusion with any traffic signs or other signals.

LPAs will also bear in mind that some advertisements can positively benefit public safety by directing drivers to their destination. In their assessment of the public safety implications of an advertisement display, LPAs will assume that the primary purpose of an advertisement is to attract people's attention and will therefore not automatically presume that an advertisement will distract the attention of passers-by, whether they are drivers, cyclists or pedestrians.

The vital consideration, in assessing an advertisement's impact, is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety.

Digital advertisements are now a common sight on arterial roads in major towns and cities and as such, are not an “unusual” distraction for drivers. Drivers are used to distractions in urban areas, whether it be buildings, people, shop fronts, traffic signs or other adverts. The proposed display would be no different in terms of attracting a driver’s momentary attention and would not impact on the driving task.

Digital signage is already in widespread use across the country to convey road safety messages to drivers. Many highway authorities, including Highways England for motorway networks, use illuminated LED panels on their roads in order to display road safety messages. There is no reason to suggest that a responsible driver would be distracted by this type of digital signage, or the digital advertisements proposed in this application.

It is acknowledged that the application site faces on to the Townend Roundabout which is a key gyratory junction linking several major entry/exit points for traffic travelling in and out of the town centre and to and from the M1 motorway. Across the UK there are many examples of digital advertising sites adjacent

to similar road networks, and the proposed display contained in this application should not be considered to be an unusual feature in an urban street scene. The site is located in an urban area of predominantly commercial use, where other urban characteristics such as commercial advertisements and signage would be expected to prevail, and these would typically co-exist alongside other urban developments and activities. The locality is therefore considered to be a typical setting where large roadside illuminated advertisements would be appropriate.

An example of a consented 48 sheet digital display in a location similar to the application site is listed below:-

App. Ref. No. 19/01964/HOARD dated 17/07/2019: Upgrade to 1 x 48 sheet advertising display unit to allow 1 x 48 sheet digital, internally illuminated sequential display unit on land at Moore Street Electricity Substation, Hanover Way, Sheffield, S3 7UW.

A site photo of the above site has been submitted with the application as support document **Doc No BY 101 A4 06 – Consented Digital 48s Hanover Way.**

It is considered that the application proposal would mirror the consented display at Hanover Way, as it would exhibit the same operational characteristics of digital illumination and static images in a unit of similar proportions and landscape orientation. The application site is also located on a similar stretch of road, in terms of the setting, traffic flows, views of the sites, speed limits, and a surrounding area of mixed commercial use. Both sites are also viewed in an urban context of adjoining buildings which were designed to be utilitarian and with no features of architectural merit.

On a wide open stretch of road on the approach to the application site, drivers have plenty of capacity to assimilate information without impacting on their decision making ability or their ability to concentrate on the driving task. This would provide ample time for the proposed advertising display to be seen and the contents noted by drivers without causing any confusion or sudden visual disturbances.

Digital signage is already in widespread use across the country to convey road safety messages to drivers. Many highway authorities, including Highways England for motorway networks, use illuminated LED panels on their roads in order to display road safety messages. There is no reason to suggest that a responsible driver would be distracted by this type of digital signage, or the digital advertisements proposed in this application.

Digital advertisements are now a common sight on arterial roads in major towns and cities and as such, are not an “unusual” distraction for drivers. Drivers are used to distractions in urban areas, whether it be buildings, people, shop fronts, traffic signs or other adverts. The proposed display would be no different in terms of attracting a driver’s momentary attention and would not impact on the driving task.

At the point where the application site is viewed on the Townend Roundabout, the carriageway is well-lit, clearly marked, with good forward alignment and visibility. Drivers will generally be processing a variety of signs, movements, lighting types, buildings and other activities in the area. There is no evidence that the accident record is a poor one at this location. In fact road traffic accident statistics from **Crash Map** for the area of the application site over the five year period from 2014 to 2018 show a low level of incidents in the immediate vicinity of the site, with only two “slight incidents” being recorded during this period on the approach to the site.

The statistics obtained from **Crash map.co.uk** have been developed by a very experienced team of collision analysts and road safety professionals with extensive experience of making road casualty data available to the public. The data provided by **Crash Map** has been accessed from the records of the Department for Transport, and has been submitted as a support document with the application (**Doc. No. BY 101 A4 07**).

The proposed digital display does not obscure any sightlines or interfere with the clarity of any road signs and traffic signals. It is considered that it would not constitute a potentially hazardous distraction to anyone exercising a reasonable standard of care for themselves and others.

Whilst the digital display will be illuminated, the brightness and display could be controlled via conditions to ensure that it would not result in any inappropriate distractions or cause glare or dazzling effects during the hours of darkness and in poor weather conditions.

Recent industry research has shown that there is no additional material effect on highway safety when installing digital displays, provided that the images are only “static poster like displays”, and levels of illumination are controlled and monitored.

Any concerns that the Council may have regarding the digital form of illumination would be addressed by granting consent subject to the appropriate conditions outlined in this planning statement. These conditions are now widely accepted by LPAs across the country as standard for the control of digital displays.

It is proposed that the screens should operate at an illumination level in accordance with the guidance prescribed by the Institute of Lighting Professionals (ILP) - Technical Notes on The Brightness of Illuminated Advertisements. Note 5 of these guidelines recommends a maximum luminance of 600 c/m² during the day, and a maximum of 300 c/m² during hours of darkness (dusk until dawn).

The brightness will be controlled by light sensors to vary the brightness of the screen according to the brightness of the day. The light sensors will also ensure that the level of luminance of the advertisements is sensitive to the change in daylight from sunrise to sunset and from summer to winter. It is also proposed that the unit will include a mechanism to freeze the image in the event of a malfunction.

We would propose that express advertisement consent should be granted subject to the following conditions, which reflect best practice guidance in the outdoor industry, and are applied as standard to planning decisions issued by most Councils for digital consents across the country.

Suggested Conditions

- The maximum level of illumination should not exceed 600cd/m² during daylight hours or exceed 300cd/m² during twilight and night hours (dusk until dawn), in accordance with the terms of the Institution of Lighting Professionals, Professional Lighting Guide 2015 recommendations for maximum luminance (cd/m²).
- The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level
- The approved display should contain at all times a feature that will turn off the screen (i.e. show a black screen) in the event that the display experiences a malfunction or error.
- No individual advertisement on the LED screen will contain moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
- There shall be a smooth uninterrupted transition from one image to another. Transitions shall be instantaneous, and no individual advertisement shall be displayed for a duration of less than 10 seconds.

The proposal would not obscure visibility, distract highway users, or hinder pedestrian or cyclist movement, providing the above conditions are adhered to relating to screen brightness and advert change. The proposed display will be acceptable and consistent with national and local policies, and would not create or materially add to problems of highway safety.

Conclusions

For the reasons set out in this statement letter, it is considered that the application proposal is acceptable in the proposed location, and is in accordance with the provisions of the Advertisements SPD and the national guidance contained within the NPPF.

The proposal submitted reflects the applicant's preferences, however, should the Council wish to discuss any aspect of the proposal, we would welcome the opportunity to address any concerns prior to determination.

Accordingly, our application for express consent comprises electronic copies of the following documentation, and we request that express consent be granted as applied for;-

Completed application form
Planning letter statement (this document)
BY 101 A4 01 Location Plan at 1:1250
BY 101 A4 02 Site Plan at 1: 500
BY 101 A4 03 Existing Elevation (Photo)
BY 101 A4 04 Proposed Elevation (Photo)
BY 101 A4 05 48 sheet Gable Digital Unit Specs.
BY 101 A4 06 Consented Digital 48s Hanover Way Sheffield
BY 101 A4 07 Crash Map Statistics
BY 101 A4 08 Garage Illuminated Signage

An electronic bank transfer for the sum of £462 (plus £25 admin fee) will be made payable to Barnsley M.B. Council to cover the cost of the advertisement consent application. I trust you will find the above application in order and look forward to receiving your acknowledgement in due course.

Should you require any additional information or clarification, do not hesitate to contact the undersigned.

Yours faithfully

Chris Welbourne
Outdoor Advertising Services