
2023/0737

Applicant: Wildstone Estates Ltd.

Erection of internally illuminated advert measuring 3m x 6m.

119 High Street, Wombwell, Barnsley, S73 8HS

Site Description

The application site refers to a piece of land directly adjacent to a commercial unit – 119 High Street in Wombwell. The application site is addressed as no. 119 High Street; however the application refers to a piece of undeveloped green space which contains vegetation/trees, and acts as a thoroughfare for pedestrians.

The site is located in the District Centre of Wombwell close to the Northern boundary of the centre, on the principal shopping street in the area. The surrounding area is mixed use with commercial units and residential properties in close proximity to the site which characterise the area. The unit itself (no. 119) is currently occupied by a barber shop.

Planning History

B/82/1151WW – Change of use from bicycle shop to take-away hot food shop (Permission granted)

B/83/0715WW/AD – Two Internally Illuminated Fascia Sign and Externally Illuminated Lettering (Permission granted)

B/83/0822/WW – Change of use from shop to estate agents (Permission granted)

B/84/1146/WW/AD - Illuminated projecting sign (Refused)

B/90/0060/WW/AD - 48 sheet advertisement hoarding (Refused)

Proposed Development

The applicant is seeking advertisement consent for the erection of freestanding digital advertisement board located to the immediate North of the Northern elevation of no. 119 High Street. The application has been described in the applicant's cover statement as being a 'gable-end' digital advertisement, however this is not entirely accurate as the advertisement is detached from the building by 0.85m. The advertisement is freestanding, with a 'base' measuring 2m in height, with the advertisement screen (measuring 6m x 3m) above the base. The total size of the advertisement including the base is 6.3m x 5.15m, with a depth of 0.25m. The advertisement will display multiple static advertisements on rotation.





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 development plan consists of the adopted Local Plan and Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Documents, which are other material considerations.

Local Plan

The Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). In reference to this application, the following policies are relevant:

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.

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.

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.

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 or to people.

SPD's

Advertisements

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Paragraph 148 – The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to support renewable and low carbon energy and associated infrastructure.

The National Grid published its latest Future Energy Scenarios report in July 2020. The document identifies the changes to the UK energy infrastructure and consumer behaviour that would be required in order to achieve the UK's 2050 decarbonisation target under four scenarios. All scenarios identify that there will be a high flexibility requirement to be supported by an increase in installed electricity storage capacity. The fastest route to carbon neutrality, the Leading the Way scenario, requiring 40,000MW of installed electricity storage by 2050; around 8 times more than the current installed levels.

Consultations

Highways – It is proposed to mount a digital advertisement board to the north-western elevation of no.119 High Street in Wombwell, the site previously had a traditional 48 sheet paper and paste billboard although this was removed several years ago. In terms of vehicular traffic, the illuminated advertisement display would primarily be visible to motorists heading south-east along Barnsley Road towards High Street and to a lesser extent those exiting Snowden Terrace. For vehicles traveling along Barnsley Road, the site of the display gradually comes into view from a distance of approx. 250m away, thereby preventing the display from being a sudden distraction to road users. The proposed display is situated at the start of the main High Street shopping area and falls within a 20mph zone, as such, vehicle speeds within the vicinity of the site are low. The road layout within the vicinity of the site is not complex and does not require drivers to display a level of awareness greater than that which should ordinarily be exercised. Therefore, taking into consideration the position and orientation of the display along with the road layout and the general speed and movement of vehicular traffic, I am of the view that the proposals would not be of significant detriment to highway safety, subject to the recommended planning conditions.

Pollution Control – Queried as to whether there are residential properties nearby which would be affected by the proposal. Upon receipt of this information, no formal comment was received.

Ward Councillors – No comments

Representations

Neighbour notification letters were sent to neighbouring properties and a site notice was placed nearby; no comments were received.

Assessment

Principle of development

The aim of the planning system in regard to express consent for advertisements is for Local Planning Authorities to regulate advertisements solely in the interests of 'amenity' and 'public safety'. The Councils SPD for advertisements clarifies the Council's position for such applications in stating that the main issues in determining an application will therefore be the following:

- 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.

The system is not intended to control the content of an advertisement.

The SPD goes on to state that '*signs should be limited to that which is necessary. Advertisements should have regard for the design, scale and proportions of the building or site on which they are displayed. The over provision or poor design of signs can give rise to a cluttered and aggressively commercial appearance which will usually have a damaging impact upon the visual character of an area*'.

Public safety is primarily in reference to the proposed development's impact upon the safety of pedestrians and vehicles.

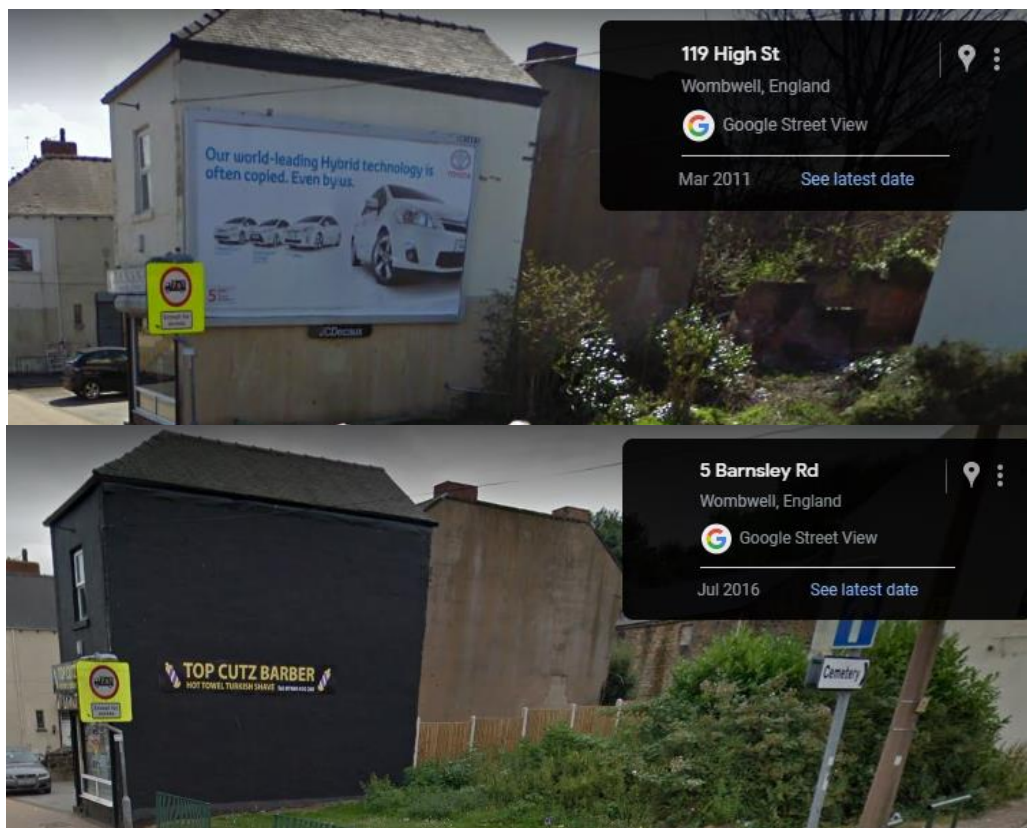
Both of these elements will be assessed in the below sections of the report.

Visual Amenity

The proposed advertisement would be situated in a prominent position, off High Street in Wombwell, which is the main road running through the district centre/primary shopping frontage of the district centre. The development is for a freestanding advertisement with a total height of 5.15m and width of 6.3m, including the base of the advertisement. The illuminated section measures 6m x 3m. The positioning of the advertisement is considered to be very prominent within the street scene, with an undeveloped, open piece of green space to the immediate frontage, which accentuates its visibility to the North-West and West.

The applicant in the submitted covering letter states that there is previous history of advertising. However, this is a simplistic and rather one-sided statement and is not considered to be a well-rounded argument, as will be discussed below.

Firstly, it is acknowledged that the building itself previously had an advertisement board on the Northern-facing side elevation but this has long since been removed from the site. A simple assessment of Google street view images shows that the previous signage was last visible in 2011, with the next available street view image (dated July 2016) showing that it had been removed. This is shown on the screenshots below:



Secondly, the previous advertisement was non-illuminated and hence had a reduced impact on the street scene due to it being less visible and prominent during periods of darkness. The previous advertisement was also attached to the building itself, with less scale and massing due to not requiring the base as proposed on the freestanding advertisement.

Whilst a direct comparison between the previous advertisement (which has been removed) is not considered by the Council to be a main consideration of the application, it is clear that the applicant intends on using the previous signage as justification for the proposed development. It is included as part of the 'existing' elevations/plans, which again is not accurate and is shown as having less of an impact on the street scene given it has less massing and was non-illuminated. However, the above points clearly show that the previous advertisement board would have had less of an impact on the street scene and would have been less prominent.

Further, there is planning history on the site for illuminated advertisement boards, 2 x advertisement applications (B/84/1146/WW/AD and B/90/0060/WW/AD) both of which were refused for the following reason:

B/84/1146/WW/AD – One reason to refuse:

'In the opinion of the Local Planning Authority, the proposed sign by reason of its siting above the fascia level of the shop would constitute a discordant visual element, detrimental to the appearance of the property and street scene in general'

B/90/0060/WW/AD – Two reasons to refuse:

'In the opinion of the Local Planning Authority, the proposed hoarding will be an unduly dominant and intrusive feature in the street scene and detrimental to the visual amenities of the locality'.

'It is considered that the proposed hoarding prominently situated at a complicated road junction will constitute a distraction to motorists to the detriment of highway safety'.

Whilst the above are old applications, both predating current local and national planning policy, there is clearly some planning history in regard to illuminated advertisements in this area being considered to be a dominant and visually intrusive feature in the street scene, having a detrimental impact on the character of the area and street scene in general.

The concerns with the site raised through the previous applications are still considered to be relevant, and if anything, the policies regarding high levels of design and public safety have become more stringent. The NPPF places great weight on good levels of design stating in paragraph 126 that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning development process should achieve with good design being a key aspect of sustainable development. Paragraph 134 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Paragraph 136 adds further weight to this by reading: *'The quality and character of places can suffer when advertisements are poorly sited and designed'*. The Planning Practice Guidance (PPG) states that, in assessing amenity, consideration should be given to the local characteristics of the neighbourhood. It further advises that, whilst a large poster-hoarding would be refused where it would dominate a group of listed buildings, it would be permitted in a commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.

Due to the size of the development, its elevated position built on the top of a base and very prominent district centre location, just off a main road, the proposal would be a highly prominent feature when viewed from the neighbouring area. This visibility and prominence would be significantly accentuated by the fact that there is an open and undeveloped green space immediately to the North of the proposed advertisement.

It is acknowledged that the site is within a district centre, however, it is nonetheless in an area which is mixed use with a wide variety of use classes nearby and the site is not considered to be solely commercial or industrial, with residential uses nearby also. There is some minor levels of illuminated signage given the nearby shopping frontage, but an assessment at dusk showed that no part of the illumination was particularly prominent. Additionally, the site is not located in a major city. However, it is appreciated that digital advertisements are not necessarily always found in major cities, but the government directive is clearly that such advertisements should be located in built up areas, which can accommodate such illuminated signage without it appearing prominent or intrusive. In the opinion of the Local Planning Authority, the positioning of the advertisement is in a prominent location, would be out of scale with the local area and would adversely affect the visual amenity of the street scene.

It is also appreciated that the display may fall within best practice guidance for brightness and transitions are instant. However, the digital illumination would result in a visually incongruous feature that would stand out from the other, more modest, advertisements in the area and dominate the street scene. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating its visual prominence and harmful effect on the amenity of the area. Furthermore, given the undeveloped green space located immediately to the North of the elevation/development, the illuminance would be particularly excessive and prominent in the hours of darkness, contrary to the SPD and Local Plan Policy D1.

To conclude, the combination of the advertisement's size, elevated position and being immediately adjacent to a small area of green space means that the advertisement would appear highly prominent when viewed

from the immediate surrounding area, with views to the site in excess of 225m to the North-West. The proposed advertisement would therefore be harmful to the visual amenity of the area, contrary to the Regulations. The proposal would also be contrary to Policy D1 of the LP and the SPD, which, amongst other things, seek high quality design, and paragraph 136 of the Framework, which states that the quality and character of places can suffer when advertisements are poorly sited and designed. As such, the Council considers that the proposed development is not appropriately designed or positioned and is recommended for refusal based on design/visual amenity.

Highway/Public safety

Colleagues in Highways DC have been consulted on the proposed development and did not object to the scheme subject to conditions. Providing assessment that the proposed advertisement would be visible from a distance of approximately 250m to the North (on Barnsley Road), thereby preventing the display from being a sudden distraction to road users. The proposed display is situated at the start of the main High Street shopping area and falls within a 20mph zone, as such vehicle speed is low. Additionally, the road layout is not complex in the nearby vicinity, with not signalised junctions at this section of High Street/Barnsley Road.

The Local Planning Authority has no reason to disagree with the above assessment conducted by Highways DC and the proposal is considered to be acceptable in terms of highway safety, in line with Local Plan Policy T4 and the SPD for advertisements, subject to conditions.

Conclusion

The Council has adopted a Supplementary Planning Document (SPD) for advertisements which states that the aim of advertisement control is to regulate advertisements in the interest of 'amenity' and 'public safety'. 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.

The proposed development is located in the district centre, off a main road – High Street – which is also the principal shopping frontage running through the centre of Wombwell. The development is a freestanding advertisement with a total height and width (including the base) of 5.15m and 6.3m, with the illuminated section being 6m x 3m. The surrounding area is not characterised by advertisements, illumination or excessive signage and it is considered that the proposed development would be out of character with the existing surroundings, would form an intrusive and prominent feature within the street scene and would detrimentally impact the character of the area. The development is not in compliance with the Planning Practice Guidance (PPG) in that the siting is not solely within a commercial or industrial area, nor is it sited within a major city. The development is considered to be contrary to the PPG in it is out of scale with the local characteristics of the area.

Additionally, the development is considered to be contrary to the Council's SPD for Advertisement and Local Plan Policy D1 in that the advertisement is considered to have a detrimental impact on visual amenity of the area, by virtue of its size, siting and undue prominence within the street scene, with views to the site from in excess of 225m to the North-West, exacerbated by the open, undeveloped green space to the immediate North. The digital illumination of the site is purposely designed to intentionally draw the eye to the advertisement, which would be compounded by the intermittent changing of the illuminated display having a harmful effect on visual amenity. To this end, the proposed development is also contrary to Paragraphs 136 in the NPPF which state that poorly sited and design advertisements can cause harm to the quality and character of places, and as per Paragraph 134 of the NPPF, development which is not well designed should be refused.

For the above reason, the proposed development is not in compliance with Local Plan Policy D1, the SPD for Advertisements and NPPF paragraphs 134 and 136 and is recommended for refusal.

Recommendation

Refuse

