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2023/0728

**Bury & Walkers Solicitors LLP**

**Britannic House, 20A Regent Street, Barnsley, S70 2EQ**

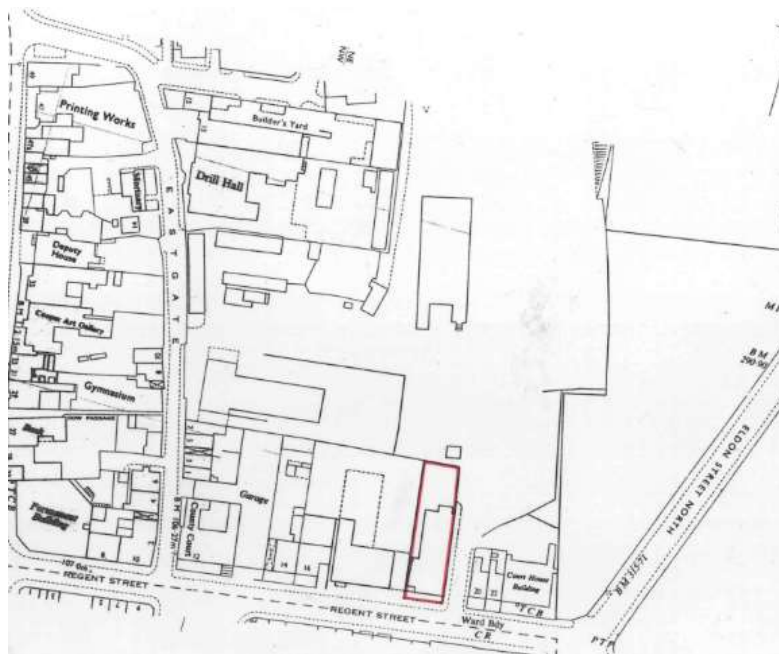
**Display of advertisements consisting of 3x Illuminated wall mounted signboards, 1x double sided illuminated projecting sign with down light illumination and self-adhesive vinyl window graphics.**

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### Site Description

The application relates to a three-storey, brick-built, semi-detached office building, accommodating Bury and Walkers LLP Solicitors. Its frontage is relatively plain, comprising an illuminated fascia sign and several individual window vinyl graphics in a white and blue colour scheme. A further wall mounted sign is located on the east elevation of the building.

The building is prominently located within Barnsley Town Centre at the junction of Regent Street with County Way. It is located to the south of the Digital Media Centre and to the west of Barnsley Interchange. The building is located within a Conservation Area and within the setting of several grade II-listed buildings, including the former Queens Hotel.



## **Planning History**

There is an extensive planning history associated with the application site dating back to 1980; however, the most recent and relevant application is as follows:

- 2018/0612 – Display of various non illuminated adverts including wall mounted sign and window graphics. – Approved.

## **Proposed Development**

The applicant is seeking approval for the display of 3 no. illuminated wall mounted signs, 1 no. double sided projecting sign with down light illumination, and self-adhesive vinyl window graphics.

The 3-no. illuminated wall mounted signs would replace 2 no. existing wall mounted signs with down light illumination (Adverts 1 and 2) located on the southern and eastern elevations of the building, and a new sign (Advert 3) would be displayed on the northern elevation. These signs would all display an updated logo and adopt a dark blue and white colour scheme.

The 1 no. double sided projecting sign with down light illumination (Advert 4) would be located on the southern elevation of the building and would display an updated logo and adopt a dark blue and white colour scheme.

The self-adhesive vinyl window graphics (Advert 5) would be located on the south and east elevations of the building and would be etched finished and frosted. They would feature an updated logo and brief descriptions outlining some of the business' operations.

Advertisement 1



Advertisement 2



Advertisement 3



Advertisement 4  
915x705mm Face size  
Down light illumination  
154 average cd/m2



advertisement 5



## Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

### Local Plan Allocation – Town Centre/ Conservation Area

The site is located within Barnsley Town Centre and the Regent Street/ Church Street/ Market Hill Conservation Area, and the proposals would affect the setting of listed buildings; therefore, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy GD1: General Development.***
- ***Policy D1: High quality design and place making.***
- ***Policy POLL1: Pollution Control and Protection.***
- ***Policy TC1: Town Centres.***
- ***Policy HE1: The Historic Environment.***
- ***Policy HE3: Developments affecting Historic Buildings.***
- ***Policy HE4: Developments affecting Historic Areas or Landscapes.***
- ***Policy T4: New Development and Transport Safety.***

### National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- ***Section 12: Achieving well designed places.***
- ***Section 16: Conserving and enhancing the historic environment.***

### Planning (Listed Buildings and Conservation Areas) Act 1990

- ***Section 16: Decision on application.***
- ***Section 66: General duty as respects listed buildings in exercise of planning functions.***

## Consultations

Local Ward Councillors, Highways DC and a Conservation Officer were consulted on the application. No responses were received from Local Ward Councillors, and Highways DC and the Conservation Officer raised no objection.

## **Representations**

Neighbour notification letters were sent to surrounding properties. The application was also advertised by way of a site and press notice, expiring 23/10/2023 and 20/10/2023 respectively. No representations were received.

## **Assessment**

### Principle of Development

Local Planning Authorities should look for opportunities for new development within conservation areas, world heritage sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Barnsley Town Centre is the dominant urban centre in the borough. To ensure that it continues to fulfil its sub-regional role, support will be given to proposals provided that they would maintain and enhance the vitality and viability of town centre.

The erection of signage is considered acceptable in principle provided that it would be appropriate in scale and respectful of local character. Any proposal will also be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in light or other pollution which would unacceptably affect or cause nuisance to the natural and built environment or to people.

### Design, Heritage, and Visual Amenity

Sections 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

The application property – 20A Regent Street – is located to the north-west of Queens Court: a grade II-listed building and is located within the Regent Street/ Church Street/ Market Hill Conservation Area. Other listed buildings are located to the east and west of the application site. The existing property has a relatively plain appearance with no great architectural significance that features a minimal amount of signage located on its southern front and eastern side elevations in a white and blue colour scheme. It is acknowledged that the existing building is not entirely complimentary to the strong group value and setting of Regent Street and its conservation area; however, the building is not considered to erode or harm the setting of heritage assets to any great degree.

The initial scheme submitted raised concerns from the Conservation Officer regarding the number of advertisements proposed and the illumination of signs to the front of the building. Collectively, it was considered that the signs could unnecessarily draw attention and prove intrusive to the setting of the former Queens Hotel and the conservation area, and the number of advertisements would appear excessive giving rise to an overly commercial and cluttered appearance. Amendments were sought to remove window vinyls from the frontage of the building as this was considered to a big step in lessening the potential cumulative and harmful impact of the scheme.

A revised scheme was submitted and is subject to consideration. Window vinyls to the front of the building have been retained albeit at a reduced number. It is acknowledged that the revised scheme does not address all concerns raised by the Conservation Officer, mainly in that the retention of window vinyls alongside illuminated signs to the front of the building could draw attention from surrounding heritage assets and give rise to an overly commercial and cluttered appearance. However, in this instance, and in the context of similar surrounding illuminated signage and window vinyl advertisements, the proposal is not considered to be unduly harmful. Further discussions held with the Conservation Officer recognised that the applicant had taken steps to alleviate some of the concerns raised and has submitted a scheme that could improve the external appearance of a

prominent Town Centre building whilst likely to have a relatively minor impact to the significance of surrounding heritage assets, their setting, and the conservation area.

The proposed signs would be similarly located on the building as existing signage or as previously approved under planning application 2018/0612, except for one new wall mounted sign to the rear and one projecting sign to the front. The proposed signage would introduce a modernised aesthetic and updated branding, adopting a darker colour scheme and a restrained maximum level of luminance that would not significantly detract from the design of the building nor from the significance of surrounding heritage assets, their setting, and the conservation area.

Therefore, on balance, whilst it is acknowledged that there could be some impact to the setting of surrounding heritage assets, and that the signs would result in a clearly commercial appearance, the proposal is considered to be good quality and of a good standard of design with an appropriate level of illumination for its setting. The applicant has taken appropriate steps to alleviate some initial concerns raised by the Conservation Officer, who has raised no objection to the revised scheme.

The proposal is therefore, considered to conserve or enhance the character or appearance of the building in accordance with Section 66 (1) and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are considered acceptable and in compliance with *Local Plan Policy HE1: The Historic Environment*, *Local Plan Policy HE3: Developments affecting Historic Buildings* and *Local plan Policy D1: High Quality Design and Placemaking* and would be acceptable regarding visual amenity.

#### Residential Amenity

The installation of signage is considered acceptable in principle provided that any development would not result in an unacceptable increase in pollution which could affect or cause nuisance to the natural and built environment or to people.

It is acknowledged that the illumination of the proposed signage could impact some existing and future residential uses (currently being developed) in proximity of the application site; however, a restrained maximum luminance level would be adopted, and any potential impact would unlikely be unduly harmful, especially in the context of several existing commercial and professional services uses for which Regent Street is principally utilised.

The proposal is therefore, considered acceptable regarding residential amenity and in compliance with *Local Plan Policy GD1: General Development* and *Local Plan Policy POLL1: Pollution Control and Protection*.

#### Highway Safety

The proposed illuminated wall mounted, and projecting signs would adopt a luminance level well within the recommended maximum levels, and would replace existing down light illuminated signs of a similar scale located on the southern and eastern elevations of the building; as such, it is considered that the signs would not interfere with any vehicular or pedestrian sight lines or visibility, and highway safety would be maintained to a reasonable degree.

The proposal is therefore, considered acceptable and in compliance with *Local Plan Policy T4: New Development and Transport Safety*.

**Recommendation:**  
**Approve with Conditions**