

2024/0726

Ms Ellie Cook

Darton Fisheries, Church Street, Darton, Barnsley, S75 5HQ

Proposed illuminated advertisement signs

Site Description

The site is an existing single storey, detached fish and chip shop, a small commercial unit located in Darton on Church Street. The unit is concurrently receiving approval for the change of use to a bar. The surrounding area has a mix of uses with the closest adjacent uses being retail (co-op) and residential (80 Church Street).

Planning History

B/80/1047/DT - Change of use from mortuary to fish and chip shop (Historic)

2024/0720 - Change of use from food takeaway to bar (under consideration alongside this application)

Proposed Development



The applicant is seeking approval for various illuminated signage works including fascia signs and a lightbox. The proposed luminance does not exceed 300 cd/m2.

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 Local Plan was adopted in January 2019 and is also 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 and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 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 – Urban Barnsley

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy 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. 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 – 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.

Policy LG2: The Location of Growth – Urban Barnsley will be expected to accommodate significantly more growth than any individual Principal Town, and the Principal Towns will be expected to accommodate significantly more growth than the villages, to accord with their place in the settlement hierarchy.

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 or to people.

Policy 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.

Supplementary Planning Document: Advertisements

The aim of the system is to regulate advertisements in the interests 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; and
- The impact of the proposal upon the safety of pedestrians and vehicles.

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

Consultations

Darton West Ward Councillors were consulted and raised no objections.

Highways Development Control (DC) were consulted and raised no objections.

Pollution Control were consulted and raised no objections.

Representations

The application was advertised by neighbour letters and a site notice, no comments were received.

Assessment

The main issues for consideration are as follows:

- The acceptability of advertisements
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development

The site is located within Urban Barnsley as such, the erection of signage is deemed acceptable in principle and consent will be granted where the development is appropriate in scale, respectful of the areas character and visual amenities and does not adversely impact the amenity of local residents, or highway safety.

Visual Amenity

The proposed signage which is similar to the existing signage in terms of location on the unit are sufficient to identify the premises and do not give rise to a cluttered or overly commercial appearance. It is considered that the proposal will not harm the visual amenity of the surrounding area. The signage is therefore not considered to be contrary to Local Plan Policy D1. This weighs significantly in favour of the proposal.

Residential Amenity

It is anticipated that there will be no detrimental effect from the new signage for local residents. Pollution Control were consulted on the application and raised no objections. As the proposed luminance does not exceed 300 cd/m² and it will not be prejudicial to the amenity of surrounding units in line with the requirements of the SPD Advertisements and Local Plan policies GD1 and D1. This weighs significantly in favour of the proposal.

Highway Safety

There will be no impact upon highway safety. The proposed signage does not adversely impact upon any vehicular or pedestrian sight lines/visibility, nor constitute an undue distraction to road users. The proposed maximum luminance of 300cd/m² is within the recommended maximum levels. As such, the signage is acceptable from a highway's perspective. This weighs considerably in favour of the proposal.

Conclusion

Having balanced all material planning considerations, the proposed signage will not be significantly harmful to residential and visual amenity nor highway safety. Therefore, the positive aspects of the proposal are not outweighed by any other material planning considerations. The proposal is therefore, on balance, recommended for approval.

Recommendation

Approve with conditions