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

28th April 2021

My Ref: CW/BY 102

Dear Sir /Madam

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

Re: Land at Buzz Bingo, Pontefract Road, Barnsley S71 1AY
Proposal: 1 x 48 sheet freestanding 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 freestanding 48 sheet digital advertising display unit on land at Buzz Bingo, Pontefract Road, Barnsley S71 1AY. The statement should be read in conjunction with the following documents which are submitted in support of the application:-

- Express Consent Application Form
- Planning letter statement (this document)
- BY 102 01 Location Plan at 1:1250
- BY 102 02 Site Plan at 1: 500
- BY 102 03 Existing Elevation (Photo)
- BY 102 04 Proposed Elevation with 48s Digital Unit (Photomontage)
- BY 102 05 48 sheet Digital Unit Specifications (Drawing)
- BY 102 06 Crash Map Statistics 2016 to 2020
- Planning Fee paid via Planning Portal

The application seeks the following:

"*Installation of 1 x 48 sheet freestanding digital advertising display unit"*

Site and Surroundings

The application site is located on land at the north eastern boundary of the car parking area, which services the Buzz Bingo social club. The immediate environment is mixed use in character, with the streetscene dominated by the wide and open dual carriageway with two lanes going in each direction. The A61 Harborough Hill Road is a major arterial route to and from Barnsley town centre.

At the point of the application site, northbound traffic on Harborough Hill Road is also joined by traffic on the slip road leading from Kendray Street / Pontefract Road, and the proposed advertisement would be viewed by northbound traffic on the dual carriageway, which is subject to a 40 mph speed limit. At this point, the road is well-lit, clearly marked, with good forward alignment and visibility, and so traffic tends to be generally slow moving. Drivers going past the site would not have any detriment to their views or traffic safety on this long straight stretch of road, and therefore drivers have plenty of capacity to assimilate information without impacting on their decision making ability or their ability to concentrate on the driving task. There would be ample time for the proposed advertising display to be seen and the contents noted by drivers without causing any confusion or sudden visual disturbances.

It is not considered that the proposal would be significant in the street scene as the proposed display would be located in close proximity to other sources of illumination and street lighting, which emit a considerably higher intensity of light.

The site does not fall within a conservation area, and there are no listed buildings in the locality that would be harmed by the proposal.

The proposed display would face directly on to the car park and buildings of the Buzz Bingo social club on the western side of Harborough Hill Road, and in the longer background it would face towards the Market Gate Car Park and The Glassworks Shopping Centre.

The immediate environment of the application site is largely influenced by the transport corridor, the high traffic volumes throughout the day and the mixed commercial nature of the land use, and therefore the application proposal broadly reflects the example given in the NPPG, insofar as it is in a commercial area of large open scale. The street scene is typical of a commercial area where roads pass through a built up area with development, activity, and signage on all sides. It is considered that the application site is the type of area where large roadside advertisements might be acceptable.

The application proposal would not appear at odds with the busy commercial character of the surrounding area. The highway is wide and well-lit at the point of the application site, and therefore it has an open and spacious feel. In this context, the height and design of the display unit will be proportionate to the highway environment and the surrounding commercial area, and would not appear visually intrusive and prominent in the street scene.

Application Proposal

It is proposed to erect 1 x 48 sheet freestanding digital advertising unit in landscape format, measuring 6.4 metres wide by 3.4 metres high. Whilst the base of the unit would be approximately 4 metres above the ground level of the car parking area, it would actually be set 1 metre above the 1 metre high boundary railings. It will therefore appear to sit just above the railings rather than floating high in the sky. To passing motorists the base of the unit would be viewed as being 2 metres above the level of the highway (as shown in the photomontage submitted with the application as support document ***BY 102 04***).

The unit would comprise a pressed metal frame in which the LED '*tiles*' are mounted, and the display would be orientated in a southerly direction to face vehicular traffic travelling north along the A61 Harborough Hill Road.

The structures of the display unit are designed to be slim and elegant, and the high quality materials will be hard wearing to ensure the longevity of the structures, and so reduce the amount of maintenance required.

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 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. This will ensure that the level of luminance of the advertisement 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 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

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 visual amenity and public safety, and therefore this application will be need to be assessed in terms of the effect of the digital advertising display upon visual amenity and public safety.

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.

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.

The proposed development would not only introduce an innovative method of displaying advertisements and provide a positive contribution to the street scene, it would also provide other benefits to the Council in its attempts to market and promote the town centre, and to support attractions and events across the town and surrounding area. Access to this innovative and flexible advertising format will encourage more investment in businesses and community organisations, and this will be particularly important in the *'post pandemic'* period.

It would appear from recent decisions made by the Council in respect of similar digital advertisement applications that the Council has a policy of resisting this type of illuminated signage for new developments. However, the Council is familiar with the concept of digital advertising, and it has decided where proposed digital advertisements are to replace existing advertisements of similar dimensions, this form of digital advertising is considered to be acceptable in terms of visual amenity and public safety.

The following are examples of '*replacement upgrades'* of existing 48 sheet advertisements, where the Council has decided that digital advertisements would be appropriate in the localities of these sites:-

Relevant Planning History

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.

These examples are considered to be relevant to the application proposal, as they mirror the application site in terms of size, scale and freestanding landscape orientation, and with the same operational characteristics of digital illumination and static advert images.

The determining issue for granting permission in these cases would appear to be the fact that the proposed digital advertisements would be replacing existing advertisements of similar dimensions, and therefore digital advertising is considered to be acceptable in terms of visual amenity in these localities. What is particularly surprising with the consented site at Victoria Crescent West, is the fact that this site is located in an area where there is a high density of residential use in close proximity to the site.

It is suggested that the application site is located in a less sensitive area compared to the consented site, as the proposed advertisement would be viewed in the context of the predominantly commercial character of the west side of Harborough Hill Road.

It is acknowledged that there is a row of residential properties located to the east side of Harborough Hill Road, but these are located at a considerable distance and are not viewed in the context of the application site. The proposed display would not face directly on to these properties, and any views of the site from these residential properties would be oblique and incidental.

It does not automatically follow that illuminated advertisements would have a detrimental impact on residential amenity in an area such as the application site. The locality is an urban area of mixed use, where commercial uses and other urban characteristics would be expected to prevail, and these would typically co-exist alongside residential uses.

It is therefore considered that the impact of the proposed display on residential properties will not result in any adverse impact on residential amenity or the character of the surrounding area.

An illuminated digital advertisement in a location such as the application site would not be unusual and is exactly the kind of place where one would expect to find one, and is therefore in line with the guidelines set out in the NPPF relating the location of advertisements in commercial areas.

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 row of large mature trees.

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 mixed use in character, and is dominated by the transport infrastructure and the high traffic volumes which pass the application site throughout the day,

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 scale of the adjoining host building. When the proposed display is viewed in this context, 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 character with an open and spacious feel, and it is considered that the proposed display would not constitute a dominant or obtrusive feature in the street scene.

At the point of the application site, this stretch of Harborough Hill Road, particularly on its west side, has little in the way of any positive defining character. Against the mass of the Buzz Bingo building, which is far from aesthetically beautiful, the proposed display unit is acceptable in scale comparison. There must always be larger and smaller items in any street scene. There is no good reason why the proposed display should not form part of this mix. It will be a new, bright and attractive feature, wholly beneficial to this rather undistinguished stretch of an urban arterial road. The proposed display unit would add some life and colour to this otherwise dull street scene, and would not be detrimental to the visual amenity of the area.

In assessing visual amenity, regard needs to be made to the cumulative effect that the advertisement may have on its surroundings. Relevant considerations for this purpose include the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features which contribute to the distinctive character of the locality. The application site is not located in 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.

The overarching intentions of local policies are to prevent the proliferation of signs and advertisements and the resulting cluttered effect. There is presently no advertising display at the application site, however the fact that there is an absence of similar advertising in the vicinity is not, of itself, a valid argument for refusing consent. No doubt if there had been other similar panels in the area, the Council could possibly claim that what is now proposed would create a clutter of such advertising in the vicinity.

It is acknowledged that the proposed digital display unit would draw the eye, but there would be a contrasting effect between the unit and the backdrop of the trees, and so its impact would be softened and diminished by the greenery which surrounds it. The display would be assimilated into the context of the surrounding area. Its proximity to the highway simply reflects its function to display the advertising to passing traffic, rather than being overly prominent.

The display unit is well designed and made from high quality materials to create an attractive structure. The interactive aspect of the digital advertising screen would add vitality and visual interest to the street scene, and the modern design would be a feature in its own right. Relevant national and local planning policy favours advertising in commercial areas where their impact is appreciably less. The application proposal is therefore consistent with current market requirements and planning developments, and represents a significant investment in sustainable development on behalf of the Applicant.

Public Safety Assessment

With regard to public safety, this principally relates to the effect of advertisements upon the safe use and operation of any form of traffic or transport. The main issue for consideration is whether the digital display or its location is likely to be distracting and capable of being a hazard to public safety.

The proposed digital display would be viewed primarily by traffic travelling north on the A61 Harborough Hill Road. The highway is well-lit and reasonably level, providing excellent forward visibility on approach to the site, allowing drivers to glance at any advert far in advance without being distracted from the road ahead. Under these circumstances such a familiar urban feature would not constitute a potentially hazardous distraction to anyone exercising a reasonable standard of care.

Illuminated 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, shop fronts, traffic signs or other adverts. The proposed displays would be no different in terms of attracting a driver's momentary attention and would not impact on the driving task.

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, but they will not automatically presume that an advertisement will distract the attention of passers-by, whether they are drivers, cyclists or pedestrians.

Planning guidance advises that all advertisements are intended to attract attention but those situated where drivers need to take more care are more likely to affect public safety, for example, at traffic light controlled junctions, roundabouts, pedestrian crossings, and other places where local conditions present traffic hazards. None of these factors are present at the application site.

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 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 advertisement proposed in this application.

Across the UK there are many examples of digital advertising sites adjacent to similar road networks to that of the application site, and the application proposal should not be considered as an unusual feature in the 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.

At the point where the application site is viewed on Harborough Hill Road, there is no evidence to suggest 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 2016 to 2020 show a low level of incidents in the immediate vicinity of the site, with only one incident being recorded during this period on the approach to the site.

The statistics obtained from ***Crash Map*** 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 ***(BY 102 06 – Crash Map Statistics 2016 to 2020).***

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.

Digital advertisements are highly controllable and it is therefore possible to provide recommendations to manage the level of distraction by control of type, brightness, form of change and interval between advertisements.

Any concerns that the Council may have regarding the digital form of illumination would be addressed by granting consent 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 LPAs 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.

Conclusions

For the reasons set out in this statement letter, it is considered that the proposal is in accordance with the relevant policy framework, and would not create a distraction for road users. The proposed display would sit comfortably in the visual context without harming amenity, the qualities of the site, or the character and appearance of the surrounding area which is predominantly commercial in character.

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

Yours faithfully

Chris Welbourne
Outdoor Advertising Services