



Mr K Dunn
Barnsley Metropolitan Borough Council
Development Management
Barnsley Council
PO Box 604
Barnsley
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22 February 2016

Via Planning Portal
let.015.AA.AB.20920048

Dear Mr K Dunn

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)
REGULATIONS 2007
APPLICATION ON BEHALF OF NETTO LTD
FORMER MARKET PLACE, STATION ROAD, THURNSCOE, ROTHERHAM
PLANNING PORTAL REF: PP-04846122**

Please find enclosed an application submitted on behalf of Netto Limited for advertisement consent at the former Market Place, Station Road, Thurnscoe following planning permission recently granted for a Netto store at the site.

The application is supported by the following documents:

- Planning Application Form;
- Site Location Plan (drawing ref: A-71-000);
- Signage Location Plan (drawing ref: A-71-001);
- Proposed Building Signage (drawing ref: A-71-002 Rev A); and
- Proposed Car Park Signage (drawing ref: A-71-003 Rev A).

A planning application fee of £110 has been paid to Barnsley Metropolitan Council under separate cover.

Site context

The application site relates to the former and now vacant Market Place which is located within the Thurnscoe Shepherd Lane Local Centre. The site lies within a mixed commercial and residential area, where signage is commonplace.

There are no listed buildings, conservation areas or heritage designations adjoining the site. The principle of signage should therefore be considered acceptable at the site.

The nearest residential properties, lie to the south of the site circa 15m from the store. There are also residential properties to the north opposite the store entrance.

There is no planning history related to advertisement consent at the site.

The proposal

This application seeks advertisement consent for the newly permitted foodstore at Station Road, Thurnscoe.

Express consent is sought for the following signs;

- 2no. Fascia signs (Sign A and C);
- 1no. Goods in sign (Sign B);
- 1no. Totem Sign (Sign 2);
- 1no. Trolley bay sign (Sign 1);
- 1no. Dog parking sign (Sign 3); and
- 9no. Externally applied vinyls.

The proposed plans ref: A-71-002 and A-71-003 show all the proposed signage at the store, including those benefitting from deemed consent.

In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Schedule 3, Class 5, the following signs are considered to benefit from deemed consent. 4no. externally applied vinyls and internally applied opening times sign. These have been included for information purposes. We consider that the sign is acceptable and benefits from deemed consent, unless the council states otherwise.

Planning Policy

National Planning Policy

The National Planning Policy Framework (herein 'the NPPF') includes a presumption in favour of sustainable development as a golden thread, in both plan-making and decision-taking. For decision taking this means.

"Approving development proposals that accord with the development plan without delay; and

Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless;

Any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole; or

Specific policies in this Framework indicate development should be restricted.”

Paragraph 67 of the NPPF sets out how local planning authorities should consider application for advertisement consent. It states that:

“Only those advertisements which clearly have an appreciable impact on a building or on their surroundings should be subject to the local authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

Local Development Plan

The local development plan for Barnsley consists of the Saved Unitary Development Plan (UDP) (2000) and the Core Strategy (2011). These were adopted prior to the NPPF; therefore weight shall be afforded to policies in so far as they accord with the NPPF. The council have an emerging Local Plan which was consulted on between October and December 2015. However, the plan is still in the early stages of adoption and therefore little weight has been afforded to its policies.

Saved UDP Policies (2000)

Policy BE6D states that:

“Consent to display an advertisement will only be granted where the proposal would not be injurious to amenity, by virtue of size, position, location or proliferation and, where appropriate, level of illumination; and where the proposal would not be prejudicial to public safety.”

Core Strategy (2011)

The Core Strategy does not contain any policies related to advertisement consent.

Supplementary Planning Guidance 8 - Advertisements

The council produced a Supplementary Planning Guidance (SPG) Document for Advertisements, related to Policy BE6D of the UDP. The guidance is now considered to be out of date in accordance with the NPPF, and therefore little weight should be afforded to it.

Nevertheless, the SPG states that, the council is unlikely to grant consent for:

“Advance warning or directional signs,

Advertising hoardings, including poster panels,

Signs on shops above fascia level,

Signs on business premises above 1st floor level,

Signs which appear out of scale or character with the building or locality.”

The SPG also states where illumination is considered acceptable it should be designed so it is not directly visible to drivers on adjacent roads or likely to cause nuisance to nearby residential properties. The level of illumination should be kept to a minimum.

This SPD will be updated alongside the adoption of the emerging Local Plan.

Planning analysis

The proposed signage is necessary to allow Netto to occupy the permitted foodstore at the site. The signage seeks to promote the new store to the benefit of the local centre, if the store is a success, the local centre will benefit through increased linked trips.

In accordance with paragraph 67 of the NPPF advertisements should only be subject to control in the interests of amenity and public safety.

Amenity

The site lies within an existing commercial local centre where advertisement is commonplace and considered to be acceptable in principle. There is no locally set requirement for a standardised format of design.

The proposed design has taken account of the surrounding area and is considered to be consistent with and respectful of the character of the area and sympathetic to the design of the building. The signage will be located within standard locations on the elevation. No signs are proposed above fascia level, or 1st floor level in accordance with local policy BE6D.

The design is in keeping with Netto's standard signage format and national branding requirements. Similar signage has already been found acceptable at other stores.

The proposed fascia signs and totem sign will be internally illuminated and limited to 50cd/m, they have been designed to be in keeping with the scale and character of the proposed foodstore. Furthermore the illumination has been limited to 50cd/m so as not to shine, or cause a nuisance to neighbouring residential properties.

The scale and location of the proposed signage has taken account of local residential amenity. The proposed fascia signs have been located such that they are not directly overlooked by neighbouring properties. The 'goods-in' sign will also not be visible except within the site. The totem sign is also located such that it is not directly overlooked by adjacent properties. No signage is proposed on the southern elevation, in closest proximity to residential development; therefore mitigating any potential impact on amenity. This seeks to reduce any perceived impact on local amenity.

Furthermore the total amount of signage proposed has been kept to a minimum to ensure that the proposal does not cumulatively negatively impact on neighbouring residential amenity.

The proposed totem sign is located at the entrance to the store and is considered necessary to enable highway users to locate the store. The proposed totem and fascia signs are located within an existing commercial area and therefore are not expected to have an appreciable impact on neighbouring amenity.

The proposed vinyls are necessary to shield the back of shop fittings, and provide a more attractive option to black out windows. The vinyls fit within the proposed window frames and will allow Netto to advertise their in store offers.

It follows that the amenity of the neighbouring residents will not be affected by the proposal, in accordance with local and national planning policy.

Public safety

The proposed signage will have no adverse impact on public and highway safety. This signage has been designed to allow for easy identification of the store, whilst minimising the impact on road users. The signage will use a static illumination with no moving parts, therefore posing no hazard to motorists.

The proposed fascia and totem signage is designed to ensure no glare or dazzle, and will not cause confusion with traffic signals. The proposal will not have an impact in terms of highway safety and complies with the NPPF.

Summary

In summary the proposed signage is required to advertise the recently approved Netto store within Thurnscoe, Shepherd Lane Local Centre. The proposed signage will be seen within the context of a commercial area and has taken account of neighbouring residential properties. The signage is necessary to direct locals to the new store. The success of the store will benefit the surrounding local centre.

The proposed scheme will not impact on local residential amenity. The location of, and the scale of, the signage has been designed to ensure that any

perceived impact has been mitigated against. The proposed illumination will be static and limited to 50cd/m it will therefore not impact on highway safety.

The proposed scheme is in accordance with both national planning policy, paragraph 67, and local planning policy, saved policy BE6D, and should therefore be approved without delay.

I trust the enclosed is to your satisfaction and look forward to receiving confirmation of the validation of this application. In the meantime should you require any further additional information please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Astin'.

Andrew Astin

Enc: As noted above