
Ref 2021/1314 – Advertisement Consent Application

Applicant: Nando's Chickenland Limited

Proposal: Display of LED illuminated fascia, internal menu board and projecting signs on shop front

Address: Unit R4, The Glass Works Development, Kendray Street, Barnsley, S70 1SE

Planning History

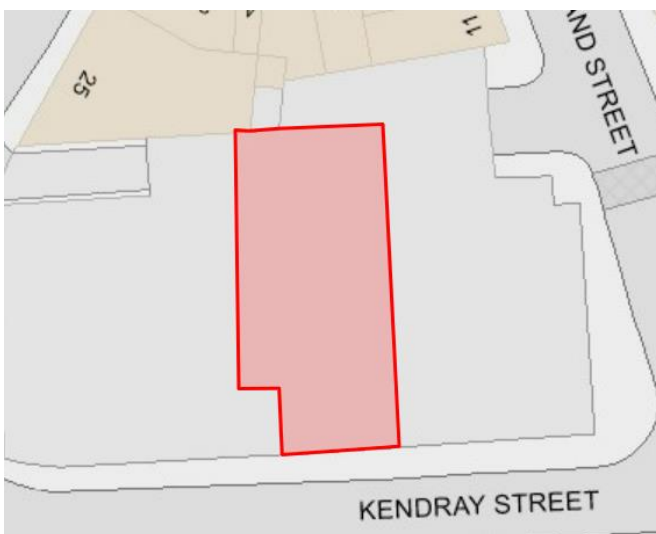
There is a complex planning history on the site relating to the Glass Works redevelopment and its previous incarnations, the most relevant recent planning permissions being:

2017/0135 - Proposed refurbishment and extension of Metropolitan Centre containing a mixture of markets, retail, food and drink (A1,A3, A4), and leisure (D2) uses - Reserved matters of outline planning permission 2015/0549 (access, appearance, layout and scale, excluding landscaping)

2018/1569 - Variation of condition 2 (approved plans) of planning permission 2017/0586 to enable changes to the design of the multi storey car park and its access arrangements - Mixed use development of land adjoining Barnsley Markets following demolition of part of existing market hall and multi storey car park to provide new retail/food and drink (Use Classes A1, A3), cinema and leisure use (Use Class D2), new multi storey car park and service road, with access to/from Lambra Road

Site Description

The application relates to unit R4 of the Glassworks Development in the Markets District of Barnsley Town Centre. The unit is one of a number on the ground floor of this building which is sited to the north of the new public square. The unit has frontages onto what was previously Kendray Street and is now a public square.



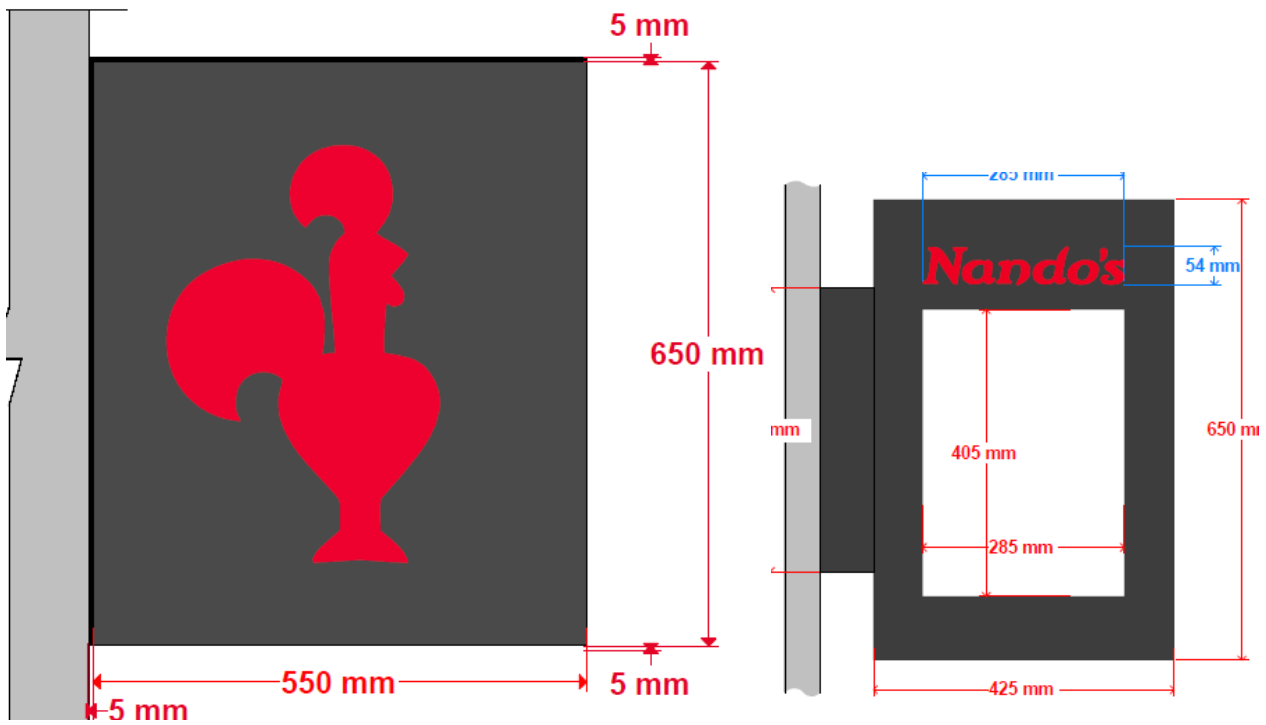
Proposed Development

The applicant seeks permission to display several signs and has amended the proposal to reflect the comments of the Design Officer, including amending an external free standing totem sign to an

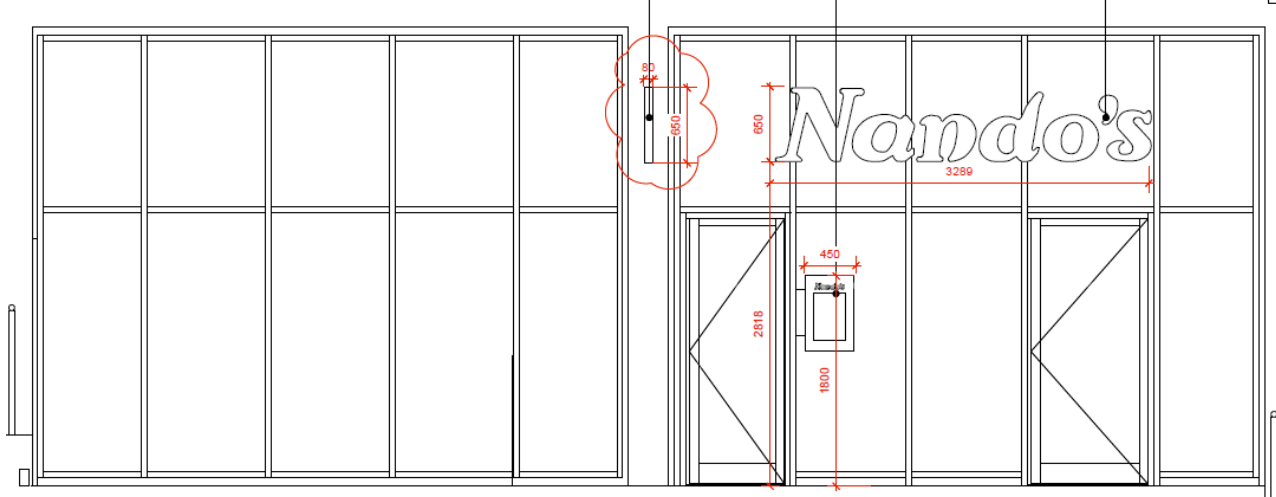
internal menu board fixed to a mullion; and revisions to the projecting sign so that it is sited central to the shopfront and is fixed blade sign rather than a hanging sign

The amended plans propose one projecting 'fixed blade' sign central to the shopfront, one fascia sign comprising individual letters and one internal menu board fixed to a mullion on the inside of the shopfront. The signs will all be internally illuminated with static illumination at 200 cd/m2.

The proposed projecting sign and internal menu board



The proposed fascia lettering on the south elevation and internal menu board fixed to mullion



Policy Context

Decisions on applications for advertisement consent are not determined under the S38/6 presumption in favour of the development plan. However, development plan policies are a material consideration, and will inform consideration of the two principal issues of public safety and amenity

Local Plan

The new Local Plan was adopted at the full Council meeting held on 3rd January 2019.

The application site is in the primary shopping area of Barnsley Town Centre as designated in the Local Plan. 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.

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 TC1 Town Centres – indicates that new retail and town centre development will be directed to centres in order to maintain and enhance their vitality and viability and that a sequential approach will be used to assess proposals for new retail and town centre development outside the designated centres.

Policy BTC12 The Markets Area District – we will allow shops, offices, leisure developments, and food and drink uses within the Markets District. Other uses will only be supported where they contribute towards the vitality and viability of the town centre.

Policy T4 New development and Transport Safety – expects new development to be designed and built to provide safe secure and convenient access and to not cause or add to problems of highway safety or efficiency.

Supplementary Planning Documents

Advertisements SPD – offers guidance to anyone seeking to display an outdoor advertisement and in particular cautions against cluttered advertising and excessive illumination.

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 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 136 which states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Consultations

Design – Initial comments expressed concern that the proposals did not reflect the shopfront design guide for the Glass Works which is the starting point for proposals for shopfronts and their signs for

the Glass Works. The proposed drawings included details of proposed works which require planning permission; the individual 3D lettering 'Nandos' sign which is acceptable; a proposed freestanding totem menu board external to the shopfront which is contrary to the design guide; a hanging sign which is not consistent with the style of fixed blade projecting sign that has been allowed elsewhere at the Glass works should be amended; and the siting of which should be revised so that it is central to the shop frontage.

Comments on revised plans: I note the revisions to the projecting sign (now fixed, not swinging) and the menu board (now internal, behind the glazing), as per my requests. I have only one minor point to make now – for the drawing 'proposed shopfront elevation' the height dimension of the projecting sign should be changed from 760 to 650 (to match the dimensions of the revised projecting sign). I now have no objections to this application.

Subsequently an amended plan has been submitted with this correction to the dimension of the projecting sign, and a separate planning application has been submitted for the proposed shopfront alterations.

Ward Councillors – No response.

Representations

The application was advertised by way of a site notice (20 October – 10 November) and consultation letters (11 October to 1 November) which were sent to units/properties adjacent and near to the proposal site. No comments have been received.

Assessment

Principle

Advertisements are acceptable where they would not be harmful to amenity, by virtue of size, position, location or proliferation and level of illumination; and where the proposal would not be prejudicial to public safety.

The site is located within a block that was approved for food and drink uses at ground floor under the 2019 planning permission for the Glass Works development. The advertisements therefore relate to an authorised use and the principle of consent is acceptable subject to matters of detail.

Visual Amenity

Following adverse comments from the Design Officer, the application has been amended as requested. The projecting sign has been amended so that it is a fixed blade sign, which is consistent with the type of projecting sign allowed elsewhere on the Glassworks. The proposed external totem sign has been amended to an internal menu board fixed to a mullion behind the shopfront glazing. The proposed fascia sign as originally proposed is individual letters. The amendments reflect the advice given and the proposed signs are considered to be high quality, of a good standard of design and appropriate illumination for their setting. The signs are considered to be acceptable in terms of their impact on visual amenity and is in compliance with the Glassworks Shopfront Design Guide, the SPD Advertisements and Local Plan Policies GDA and D1. Conditions are recommended to ensure that the advertisements are displayed in accordance with the amended plans submitted; and also to remove deemed consent for any further advertisements – this will ensure that any further advertisements remain under the control of the Local Planning Authority, in the interests of the continued satisfactory appearance of the property.

Highway Safety

It is considered that the proposed signs do not adversely impact upon the highway and are considered acceptable from a public safety perspective and in accordance with Local Plan policy T4 – New Development and Transport Safety. It is concluded that the proposed signs would not be prejudicial to public highway safety.

Conclusion

As amended, the proposed signs are a high quality addition and proportionate to the unit upon which they will be situated. The signs on this food and drink use will ensure the vibrancy, vitality and viability of the town centre without incurring negative impacts to visual amenity or public highway safety.

Recommendation

Grant subject to conditions