



## **ADVERT REFUSAL**

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

### **APPLICATION NO. 2023/0946**

**To** Mr Chris Welbourne  
16 Layton Park Avenue  
Rawdon  
Leeds  
LS19 6PL

In pursuance of its powers under the above-mentioned Act and Regulations the Barnsley Metropolitan Borough Council as the Local Planning Authority hereby **refuses** consent for the Installation of 1 x 48 sheet free standing LED illuminated advertising display panel (Measuring 2m wide X 3.2m high and comprising pressed metal frame and sealed LED screen). Different proposal compared with application 2023/0871

Unit A, Priory Arms, Rotherham Road, Cundy Cross, Barnsley, S71 5RF

in accordance with the application form and accompanying plan(s) registered by the Council on 20/10/2023.

The reason(s) for the Council's decision to refuse planning permission is/are:

- 1 In the opinion of the Local Planning Authority, the proposed advertisement would materially harm the appearance of the street scene, by reason of its size, siting, illumination and undue prominence. Whilst the level of illumination could be controlled, due to its position, size and changing displays, even low luminance settings would give the proposal an over-stated commercial connotation and would be out of keeping with its immediate backdrop and particularly evident during the hours of darkness. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating its visual prominence and harmful effect on the amenity of the area, contrary to the SPD and Local Plan Policy D1. There is also conflict with paragraph 136 of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

- 2 In the opinion of the Local Planning Authority, the proposed advertisement would adversely undermine highway safety due to its location facing towards the highly trafficked Cundy Cross signalised junction and its design characteristics including its large size and its ability to accommodate changing illuminated digital displays, which would create an undue distraction to highway users. As such the proposal conflicts with Local Plan Policy T4 - New Development and Transport Safety and the Council's Advertisements SPD.

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

Signed:

Dated: 8 December 2023

A handwritten signature in black ink, consisting of a stylized 'G' and 'H' followed by a horizontal line extending to the right.

**Garry Hildersley**

Head of Planning, Policy & Building Control  
Growth & Sustainability Directorate

## **NOTES:-**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision, then you must do so within eight weeks of the date of receipt of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.