



## **ADVERT REFUSAL**

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

### **APPLICATION NO. 2023/0871**

**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 illumination advertising display panel (measuring 6.2M wide x 3.2M high, and comprising metal frame and sealed LED screen)  
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 26/09/2023.

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 result in an unacceptable increase of light pollution that would adversely impact the first-floor habitable room window(s) of flat 3 located on the east elevation of the former Priory Arms public house, and is therefore, in conflict with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection.
- 2 In the opinion of the Local Planning Authority, the proposed advertisement would adversely impact highway safety due to its size, siting, and interaction with highway users travelling north-east along Pontefract Road (A628) and those that may be slowing or may have stopped in order to turn right onto Lang Avenue. The proposal is therefore, considered to harm the safe, secure, and convenient access and movement of highway users and is therefore, in conflict with Local Plan Policy T4: New Development and Transport Safety.
- 3 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 and undue prominence that would result in the over-commercialisation and dominance of the locality, and is therefore, in conflict with Local Plan Policy D1: High Quality Design and Place Making and the Supplementary Planning Document: Advertisements.

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: 14 December 2023

A handwritten signature in black ink, consisting of a circular scribble 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.