

Application reference number	2021/1316
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Application Type	Advertisement Consent
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Proposal Description:	Display of illuminated shop fascia and projecting signs and non-illuminated glazed frontage signage
Location:	Unit 25 The Glass Works, Barnsley, S70 1GW

Applicant	Mr Martyn Hufton
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Number of Third Party Reps	none	Parish:	n/a
		Ward:	Central

SUMMARY

The application seeks advertisement consent for the display of illuminated signage and of vinyls on the glazing of the frontage.

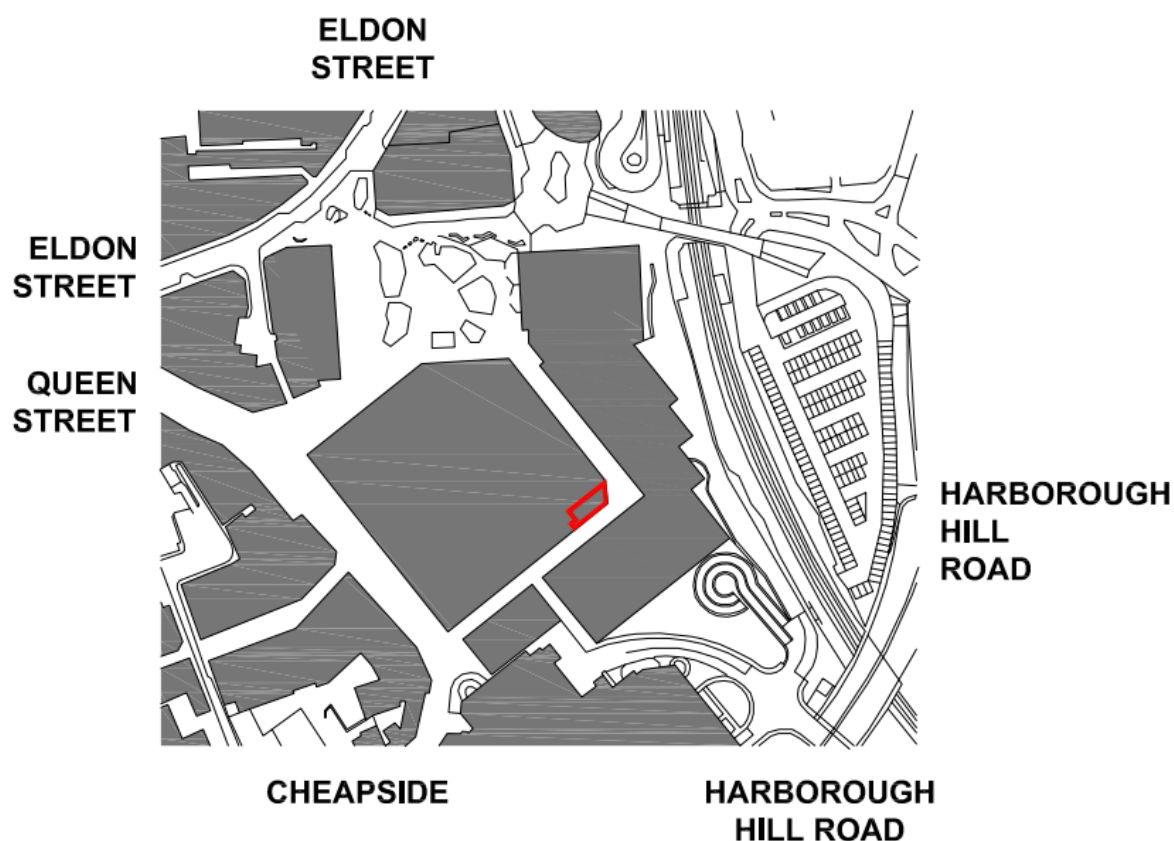
The proposal is not considered to have an adverse impact on highway safety or visual amenity and is considered acceptable in policy terms.

The proposal is therefore considered to be acceptable and advertisement consent should be granted subject to conditions.

Recommendation: **APPROVE Subject to conditions.**

Site Description

The application relates to Unit 25 which is located at the corner of the internal arcade in The Glass Works. The corner location of the unit means that the premises has two frontages. The Glass Works is characterised by other existing commercial uses with similar signage and shop fronts. The property is occupied by The Fragrance Shop, and the proposed signage is currently displayed.



Proposal

The application seeks permission to display two fascia signs, two projecting signs (all internally illuminated) and three vinyls on part of the shopfront to screen a storage area. The fascia and projecting signs have a blue background and white lettering. The design of the vinyls will change from time to time. The fascia signs measure 6.3m x 0.7m and 3.7m x 0.4m; and the projecting signs measure 0.6m x 0.6m and have a clearance of over 2.5 metres from ground level.

The proposal has been amended to reflect the advice of the Design Officer, including by the removal of a third fascia sign; the removal of vinyls from the main doors and the removal of electronic totems behind the glazing.



Plan Layout.-Side Elevation

Relevant Site History

There is a complex planning history associated with the development of The Glass Works, the most relevant recent planning permissions being:

Application Reference	Application description	Status
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)	Granted
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 Bamsley 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	Granted

Policy Context

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019). It is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

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 site is identified as a Primary Shopping Area in the Markets District within the Local Plan and as such the following policies are considered to be relevant to this application:

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.

Adopted Supplementary Planning Documents relevant to this application:

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. NPPF policy of relevance to this application includes:

Paragraph 141 – The quality and character of places can suffer when advertisements are poorly sited and designed; and advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Other

The Glass Works shopfront design guide

Relevant Consultations:

Design – Initial comments objected

- In response to consultation on amended plans, confirmed no objections subject to measures to control the vinyls to be displayed.
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Principal Surveyor – confirmed measures in place between landlord and tenant to control the vinyls to be displayed.

Ward Councillors – no comments received.

Representations

Whilst there is no statutory requirement for local planning authorities (LPA) to publicise applications for advertisement consent, an LPA should consider whether any application would affect the amenity of neighbours. Where it would affect them, it is good practice for the views of neighbours to be sought before determining an application.

Neighbour notification letters were sent to six surrounding properties, and a site notice was placed nearby. No representations were received.

Assessment

The main issues for consideration are as follows:

- The acceptability of the proposed display in principle
- The impact on visual amenity
- The impact on highway safety

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest

- Limited
- Little or no

Principle of the proposal

Paragraph 141 of the National Planning Policy Framework (NPPF) establishes that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Advertisements are acceptable in principle if they would not be harmful to amenity, would be appropriate in scale and respectful of local character and would demonstrate that it would not be likely to result, directly or indirectly, in an increase in light or other pollution which would otherwise unacceptably affect or cause nuisance to the natural and built environment or to people; and where the proposal would not be prejudicial to public safety.

The site is in a location that was approved for the sale of retail goods 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

The application has been amended to ensure that the proposed advertisements are suitable and appropriate in their setting. In particular, a third fascia sign, vinyls on the main doors and illuminated totem signs inside the building were deleted from the proposal. The proposed signs are appropriate in size, design and colour to the shop fronts on which they are displayed. Since the property is a corner unit and has two frontages, it is appropriate to allow two fascia signs and two projecting signs, that is, one fascia sign and one projecting sign on each frontage.

Concerns have been expressed at the proposal for the display of three vinyls (which would change over time reflecting different marketing campaigns) on adjoining shop windows, which are not accepted in principle in The Glass Works shopfront design guide. The Design Officer expressed the view that while in this instance the proposed vinyls would screen a storage area, which is considered to be appropriate, the lack of control over the changing appearance of the vinyls could result in a repetitive or otherwise unacceptable appearance and set a precedent for other similar proposals. The Principal Surveyor has secured agreement from the tenant to a scheme for the vinyls to be agreed with the Council as landlord before their display, and it is considered that this measure will ensure that the design of future vinyls will be acceptable.

Conditions are recommended to ensure that the signs are displayed in accordance with the amended plans submitted and 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.

It is concluded that the proposed signs are high quality, of a good standard of design and acceptable in terms of their impact on visual amenity and reflecting the requirements of The Glass Works Shopfront Design Guide, the Advertisements SPD and Local Plan Policies GD1 and D1. Moderate weight in favour of the proposal attaches to this material consideration.

Highway Safety

The application proposes illumination only of the letters of the proposed fascia and projecting signs; and the projecting signs and have a clearance of over 2.5 metres above ground level. The application site is located within the arcade to The Glass Works where there is no access for vehicles. It is concluded that the proposed signs are acceptable in relation to highway safety and are considered to comply with Local Plan Policy T4: New Development and Transport Safety. Moderate weight in favour of the proposal attaches to this material consideration.

PLANNING BALANCE & CONCLUSION

Reflecting the above assessment, the proposal is considered to be acceptable in terms of the visual amenity and highway safety considerations that advertisements are judged against. The proposed advertisements are appropriate to their setting and largely reflect the permitted signs displayed elsewhere in The Glass Works development. Where an exception has been made to the principle established in The Glass Works shopfront design guide that vinyls will not normally be allowed, measures have been put in place to ensure that the changing display of vinyls will remain acceptable in appearance.

Accordingly, the proposal is considered to be in compliance with Local Plan Policies GD1, D1 and T4, the Advertisements SPD and The Glass Works Shopfront Design Guide and the application is recommended for approval.

RECOMMENDATION

Approve with conditions