

Appeal Decision

Site visit made on 4 October 2016

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th October 2016

Appeal Ref: APP/J4423/Z/16/3154881

Unit 5a, Leopold Square, Leopold Street, Sheffield S1 2JG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by New World Trading Company (UK) Ltd against the decision of Sheffield City Council.
 - The application Ref 16/01664/ADV, dated 28 April 2016, was refused by notice dated 5 July 2016.
 - The advertisement proposed is a free-standing forecourt sign.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed sign on designated heritage assets and in particular the setting of 'Unit 5 Leopold Square' which is a Grade II Listed Building and whether the proposed development would preserve or enhance the character or appearance of the City Centre Conservation Area.

Reasons

3. The appeal site is located within a small enclosed square comprising a group of buildings set around a courtyard and lying within the City Centre Conservation Area. The majority of the buildings around the Square, including the host property, are Grade II Listed Buildings most of which have basement, ground and first floors predominantly in use as restaurants and bars. Outdoor seating areas are provided within the courtyard on varying levels surrounded by simplistic metal railings with planting blocks. Overall the character of the Square itself is relatively simplistic and contemporary.
 4. The proposal would introduce a freestanding totem sign, approximately 3.5m high, in the forecourt to Unit 5 and positioned within the outdoor raised seating area such that it would be visible from the entrance to Leopold Square from Leopold Street. The totem pole would be constructed in cast iron and include an illuminated panel, approximately 0.5m wide and 1m high, which would be surrounded by ornate detailing in keeping with the theme of internal metalwork within the unit.
 5. The Council has referred to the Signage Strategy for Leopold Square that was introduced in 2004. I accept that there is no evidence that this strategy has been adopted in any planning policy document. However, it was apparent at
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my site visit that premises around the Square have generally followed its principles by focusing signage on the fabric of buildings and the use of projecting, window and internal signs. The existing signs are part of the established character of the area and as such set some of the visual context for the consideration of the appeal proposal.

6. The proposed sign would not reflect the modest signage of adjacent premises. It would form the only freestanding totem pole commercial sign of such significant height within the Square. It would be like no other in the vicinity. The decorative and ornate design would markedly contrast with the more contemporary signage that exists within the Square. These features, together with its proposed height and position, would result in the introduction of a prominent and incongruous addition to the street scene around the Square.
7. I recognise that the design of the proposed sign is reflective of the commercial brand of 'The Botanist' and is similar to signs which have been erected on sites elsewhere. However, in the context of this location, it would be a stark contrast, isolated and prominent and drawing the eye. It would be at odds with the character of the locality where commercial free standing signs are more contemporary in design and more understated. In appearing as an incongruous addition to the street scene around the Square it would result in unacceptable harm to the character and appearance of this part of the conservation area.
8. I have taken into account the listing description for buildings around the Square and I accept that the proposed sign would avoid any harm to the fabric of Unit 5. However, the setting of the Listed Buildings is now characterised by the simplistic and contemporary nature of the urban design, street furniture and signage in and around the Square. In my view these existing features do not compete with the ornate facades of the surrounding buildings. The proposed sign would be at odds with both the original architecture of the buildings and the contemporary additions. As such it would visibly and unacceptably compete with the character of the Square thereby causing harm to the setting of the surrounding Listed Buildings.
9. In the parlance of the National Planning Policy Framework (the Framework) I consider the impact on the significance of the designated heritage assets would be less than substantial. Nevertheless, any harm should require clear and convincing justification. In this case there are no public benefits that would outweigh the great weight that should be given to the designated heritage assets conservation.
10. For the reasons given above the proposal would be contrary to the clear expectations of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. It would also be contrary to Saved Policies BE13 and BE19 of the Sheffield Unitary Development Plan (UDP). These policies, among other things, seek to ensure that new illuminated signage does not harm the character or appearance of the area and that signs within the setting of a Listed Building should preserve the character and appearance of the building and its setting.

Other matters

11. I have taken into account the fact that the policies contained within the UDP predate the publication of the Framework. However, I consider that the

relevant policies relating to advertisements and heritage assets contained within the UDP remain broadly consistent with the guidance contained within the Framework. As such this matter does not alter my findings on the main issue.

Conclusion

12. For the above reasons, and taking into account all other matters raised, I conclude that the proposed sign would be detrimental to the character and appearance of the area and that the appeal should be dismissed.

Stephen Normington

INSPECTOR