
Appeal Decision

Site visit made on 15 February 2017

by Matthew Birkinshaw BA(Hons) Msc MRTPI

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

Decision date: 28th February 2017

Appeal Ref: APP/J4423/Z/17/3166377

Cambridge Service Station, 300 Penistone Road, Owlerton, Sheffield, S6 2FU

- 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 Cambridge Services (Mr Mike Cowley) against the decision of Sheffield City Council.
 - The application Ref 16/03600/HOARD, dated 20 September 2016, was refused by notice dated 8 November 2016.
 - The advertisement proposed is a freestanding 48-sheet LED advertising unit.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on highway safety.

Reasons

Character and Appearance

3. The proposed advertisement would be situated adjacent to the south-bound carriageway on Penistone Road. It would measure approximately 6m by 3m and would be raised off the ground on two poles each roughly 2.8m high.
 4. From the north the main bulk and massing of the hoarding would be screened by a brick wall separating the appeal site from the adjacent 'Cygnets Works'. However, when viewed from the south the proposal would be a prominent feature in the streetscene. It would also be viewed in the same context as another, similar illuminated hoarding approximately 100m to the north-west. Because of this relationship I consider that the size, siting and design of the proposal would result in an excessive clutter of illuminated signage on this part of Penistone Road. The prominence and cumulative visual impact of two, similarly sized LED hoardings would be harmful to the character and appearance of the area.
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5. In reaching this view I have taken into account that Penistone Road is a main arterial route dominated by a mix of industrial and commercial buildings and car showrooms. The streetscene is therefore varied and already contains several different advertisements. The majority of buildings are also functional in their appearance and the site is not in a Conservation Area or special area of advertisement control. Nevertheless, whilst the principle of a freestanding illuminated hoarding *may* be acceptable in such a location, in this particular case the scheme would be viewed alongside a similar display to the north-west. The combined visual impact would therefore detract from, rather than enliven this part of Penistone Road. Based on the evidence provided the harm would not be mitigated by the use of sensors to vary the brightness of the display according to the time of day/weather conditions.
6. Reference has been made to other illuminated hoardings supported elsewhere and the appellant claims that the Council has been inconsistent in determining applications for signage across the City. It has also been suggested that Planning Officers failed to engage in any positive dialogue with a view to amending the scheme after a previous refusal. However, the Council's approach to pre-application discussions is not a matter for me. Instead, I am required to consider the proposal on its specific merits and I have determined the appeal on that basis. Whilst noting that digital displays have been approved elsewhere, this does not justify allowing the appeal scheme.
7. It is also appreciated that the Council has not raised any concerns regarding the living conditions of neighbouring residents. Based on observations at my site inspection I agree. Furthermore, when viewed in isolation the revised landscape design and use of materials would relate well to the neighbouring unit, and no access would be required for internal maintenance or to change displays. Nevertheless, these factors do not overcome the harm that would be caused by allowing such a large illuminated hoarding so close to a similar sign on the same stretch of Penistone Road.
8. I therefore conclude that by reason of its siting and design the proposal would result in an excessive display of illuminated advertising material that would be harmful to the character and appearance of the area. As a result, it conflicts with the Regulations which require decisions for advertisement consent to be made in the interests of visual amenity (and/or public safety). Although not a decisive consideration, I have also taken into account *Sheffield Unitary Development Plan* (UDP) Policy BE13 which states that illuminated advertisements will be permitted provided that, amongst other things, they do not harm the character or appearance of the area. The proposal also conflicts with these objectives.

Highway Safety

9. Within the vicinity of the appeal site Penistone Road carries four lanes of traffic. At the time of my visit, which was carried out on a weekday afternoon, there was a constant stream of vehicles passing the appeal site in both directions.
10. However, this part of Penistone Road is relatively straight with good forward visibility. Despite occupying a prominent, raised position motorists would be able to see the hoarding from beyond the junction with Bamforth Street to the south. This would give drivers sufficient time to assimilate any advertisements without significantly increasing the risk of accidents occurring.

11. I therefore conclude that the proposal would not be a distraction for north-bound drivers and would not give rise to any public safety issues. In this regard there is no conflict with the Regulations which require decisions for advertisement consent to be made in the interests of public safety (and/or visual amenity). There is also no conflict with the requirements of UDP Policy BE13 which seek to ensure that illuminated advertisements would not be a traffic hazard.

Conclusion

11. The proposal would not prejudice public safety. However, it would be harmful to the character and appearance of the area. For this reason, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR