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## Appeal Decision

Site visit made on 28 March 2017

**by Beverley Doward BSc BTP MRTPI**

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

**Decision date: 12 April 2017**

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**Appeal Ref: APP/J4423/Z/17/3168693**

**Sheaf Street, opp Sheffield Midland Station, Sheffield, S1 2LW**

- 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 Mr Paul Richardson (Clear Channel UK Ltd) against the decision of Sheffield City Council.
  - The application Ref 16/04174/HOARD, dated 31 October 2016, was refused by notice dated 8 December 2016.
  - The advertisement proposed is described as a "free standing, internally illuminated digital 6 sheet panel, with internally illuminated 6 sheet panel to rear. The digital advertising will be controlled from a central hub, and will be sequential and will not change more frequently than 5 times per minute. The display area is 1539mm high and 865mm wide."
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### Decision

1. The appeal is allowed and express consent is granted for the display of the free standing, internally illuminated digital 6 sheet panel, with internally illuminated 6 sheet panel to rear as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:-
  - 1) No individual advertisement displayed on the LED screen shall contain full motion video images and no images that resemble road signs or traffic signals shall be displayed;
  - 2) There shall be a smooth, uninterrupted transition from one image to another. Transitions shall be instantaneous and no individual advertisement shall be displayed for a duration of less than 5 seconds.

### Procedural Matter

2. The description of the proposed advertisement is taken from the application form I have removed those aspects of the description which are superfluous from my formal decision.

### Main Issues

3. The main issue in this case is the effect of the proposed advertisement on amenity, with regard to the character and appearance of the area and the setting of the Midland Station.
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## Reasons

4. The proposed advertisement would be sited within a large paved area to the western side of Sheaf Street. Within the vicinity of the appeal site the area is characterised by large areas of paving and various street furniture within it, the four lane carriageway of Sheaf Street, the large scale background buildings which form part of Sheffield Hallam University and the large curved water feature on the opposite side of Sheaf Street which extends for a considerable distance towards the Midland Railway Station, a Grade II listed building. The public area to the front of the station forms part of the main pedestrianised link from the station to the city centre.
5. The structure that would incorporate the proposed advertisement displays would be of aluminium construction and would measure about 2.95m high x 1.34m x 300mm deep. It would consist of two advertising faces, one housing a HD digital screen displaying sequential images and the other a static 6 sheet advertising panel. The proposed advertisement would not be unduly large and would be sited within an area which is characterised by other freestanding advertisements and street furniture. I note that the Council indicates that it is considering taking enforcement action regarding the adjacent telephone kiosk which also provides for the display of a 6 sheet advertisement. However, in my view the proposed advertisement subject to this appeal would not materially harm the prevailing busy, urban and commercial character of the area within which it would be sited. Nor would it result in the area appearing unduly cluttered.
6. The proposed advertisement would be sited about 70m away from the Midland Railway Station building which, due to the topography of the area, is set at a lower level than the appeal site. The level changes and the busy four lane carriageway of Sheaf Street serve to physically separate the appeal site from the station buildings. Furthermore, from the vicinity of the appeal site the station building is largely obscured from view by the large water feature and the semi mature trees which have been planted on both sides of Sheaf Street. Accordingly, the proposed advertisement would not have a discernible impact on the setting of the heritage asset of the station and would not otherwise detract from the visual amenity of the surrounding area. Nor would it undermine the improvements that have taken place in the area as a result of regeneration activity to improve the public areas to the front of the station.
7. Having regard to all of the above therefore, I conclude that the proposed advertisement would not harm the character and appearance of the area and would preserve the setting of the listed Midland Railway Station building.
8. The Council refers to policy BE13 of the Sheffield Unitary Development Plan (1998) which it considers material to this appeal. The Town and Country Planning (Control of Advertisements) Regulations (England) 2007 (the Regulations) and the National Planning Policy Framework require that control over advertisements should only be in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. I have taken into account policy BE13 of the Sheffield Unitary Development Plan (1998) in so far as it is material in this case. However, given that I have concluded that the proposal would not harm amenity, it does not conflict with this policy.

### **Conditions**

9. In addition to the five standard conditions set out in Schedule 2 of the Regulations a condition restricting the display of full motion video images and images that resemble road signs or traffic signals is necessary in the interests of highway safety as is a condition to control the transition of images.

### **Conclusion**

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*Beverley Doward*

INSPECTOR