
Appeal Decision

Site visit made on 28 March 2017

by Andrew McCormack BSc (Hons) MRTPI

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

Decision date: 12 May 2017

Appeal Ref: APP/J4423/Z/16/3164651
819 Chesterfield Road, Sheffield S8 0SQ

- 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 Steve Kontou against the decision of Sheffield City Council.
 - The application Ref 15/03985/ADV, dated 2 November 2015, was refused by notice dated 17 November 2016.
 - The advertisement proposed is banner signage on northern gable elevation above existing advertisement hoarding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original planning application sought retrospective planning permission for the banner advertisement which is now the subject of this appeal. As such, I was able to assess the impact of the banner in situ during the site visit. Accordingly, I have determined the appeal on that basis.
3. The Council have referred to the policies they consider to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. Therefore, in my determination of this appeal, the Council's policies have not, by themselves, been decisive.

Main Issue

4. The main issue is the effect of the advertisement on the character and appearance of the surrounding area.

Reasons

5. The banner is positioned on the northern facing gable wall of a two storey end of terrace property within a parade of shops. The property is in commercial use with a launderette operating on the ground floor with residential use on the upper floor. The banner is large and triangular and is positioned above an existing large advertisement hoarding. The surrounding area is predominantly commercial in character. Chesterfield Road is a busy main route and there is a local supermarket nearby as well as smaller retail and commercial units mainly located along the main route.
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6. I note that in addition to the banner which is the subject of this appeal, there is space on the existing advertisement hoarding below which relates to the appellant's business. Furthermore, the business premises, situated on the opposite site of Chesterfield Road approximately 100 metres from the location of the banner, has fascia signage relating to the appellant's business as well as large shop windows to present information relating to the business. Therefore, I note that there is a significant amount of existing advertising in the area dedicated to the appellant's business and that the banner attached to the side of 819 Chesterfield Road (No 819) does not relate to the property to which it is attached.
7. The appellant argues that the banner is not excessively prominent, conspicuous or dominant when viewed in the commercial context and character of the streetscene. This part of Chesterfield Road is part of a district shopping centre. As such, the appellant argues that advertisements such as the banner are an established and integral part of the functional character of such areas. Furthermore, the appellant argues that the Council has not defined what would constitute being excessively prominent. I appreciate that the nature of advertisements is to draw attention and be fit for purpose. However, in viewing the banner on site, I find that its extent across the full width of the gable wall of the host property above the existing hoarding conceals much of the gable wall of No 819. This results in the cumulative impact of advertising having a disproportionate, prominent and visually dominant appearance in relation to the host building.
8. I acknowledge that various forms of larger scale advertising in locations such as in this case are apparent elsewhere. Notwithstanding this, a balance must be struck between the extent of such advertisements and their effect on the visual amenity and character of those areas. Moreover, I must assess the proposal before me on its own merits. In this case, I find that due to the scale and position of the banner and its cumulative visual impact when considered in its context, it appears as an excessive, prominent and unacceptably dominant feature in the streetscene and surrounding area.
9. I note that the banner meets many of the requirements of Policy BE13 of the UDP. Furthermore, I have had due regard to the appellants' points relating to the temporary five year consent sought and the fact that the banner is not to be illuminated. As such, the appellant argues, this limits its impact both over time and at night. However, notwithstanding the predominantly commercial character of the surrounding area, I find that if I were to allow the appeal, the significant adverse impact of the banner which I have identified would be endorsed regardless of the temporary, non-illuminated nature of the consent.
10. Therefore, I find that the large banner results in a substantial increase in the level of advertising evident in the area and obscures a significant proportion of the side elevation of the host property. This is detrimental to the visual amenity of the building. Furthermore, due to its excessive size and position, when considered on its own merits and in its context, the banner has a significant adverse impact on the visual amenity of the locality.
11. Consequently, in accordance with the Regulations relating to the control of advertisements, I conclude that the banner has a significant detrimental effect on the surrounding area with regard to visual amenity. As I have indicated above, the Council has referred to saved Policy BE13 of the Sheffield Unitary

Development Plan 1998. Whilst not decisive, I have had regard to this policy as a material consideration, noting that the banner has an adverse impact on the character and appearance of the surrounding area. As a result, it does not comply with the identified policy.

Conclusion

12. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR