
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: 15 May 2017

Appeal Ref: APP/J4423/Z/17/3166937
673 Abbeydale Road, Sheffield S7 2BE

- 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 Eddie Grant against the decision of Sheffield City Council.
 - The application Ref 16/03265/HOARD, dated 25 August 2016, was refused by notice dated 17 November 2016.
 - The advertisement proposed is a digital LED 48 Sheet equivalent – 5.76m x 2.88m (Display size) 5.8m(w) x 3.08m(h) x 0.3m(d) (Structure size).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that there is an issue between the appellant and the local planning authority regarding the conduct of the Council's case officer whilst dealing with the case at the application stage. Notwithstanding this, such matters are most appropriately resolved between the parties and are therefore not for determination in this appeal.
3. The Council have drawn my attention 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. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

Main Issue

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

Reasons

5. The appeal site is situated at the junction of Abbeydale Road and Arnside Road. The proposed advertisement display would be located on the side elevation of 673 Abbeydale Road (No 673) facing Arnside Road. Abbeydale Road is a busy route into and out of Sheffield with a variety of uses present along its length and in the wider area surrounding the appeal site. No 673 is a two/three storey end of terrace property which is in retail use and is located within a parade which is predominantly residential at the end where the scheme would
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- be placed. The predominant use turns to retail towards the other end of the parade.
6. At the time of the site visit an existing externally illuminated large poster hoarding of similar dimensions to that proposed was in situ on the gable wall of No 673. The appellant states that the proposal is intended to replace this. The existing hoarding is clearly visible in longer views when approaching the site along Abbeydale Road from the north. As a result, it is likely that the proposed display would be equally as visible in the wider area and streetscene.
 7. From what I have seen and read, there is no substantive evidence to indicate that the existing illuminated advertisement hoarding has planning permission. The Council refers to images of the appeal site taken from 'Streetview' between 2008 and 2012 which appear to show no lighting in place. The Council states that external lighting only become apparent in images taken in 2014. Whilst these images are afforded only limited weight, in the absence of any evidence confirming the grant of planning permission for an externally illuminated hoarding at the appeal site, I must assess the existing illuminated hoarding as unauthorised. As such, it cannot be considered as an acceptable fall-back position for the appellant. In that respect, I therefore must assess the appeal proposal as being an illuminated digital display replacing a non- illuminated poster hoarding.
 8. I appreciate that the wider area around the appeal site has a mix of uses, including a garage, small retail and commercial units and a car wash. However, the streetscene immediately around the appeal site is predominantly residential. This is supported by what I saw during my site visit and the photographic images of the site which have been submitted. Furthermore, there are several residential properties adjacent to the appeal property to the south of the site. As a result, the proposed advertisement display is to be read within that predominantly residential context as well as the wider area.
 9. In that context, I find that due to its excessive size and its method of illumination the proposal would be at odds with other advertisement hoardings in the immediate area. It would appear as an incongruous and illuminated addition to the residential character and appearance of its immediate surroundings. I acknowledge that the illumination of the proposed display would be controlled. However, I find that the proposal would be a prominent and overly dominant feature in the wider streetscene, particularly when illuminated at night and in long range views along Abbeydale Road. As a result, the proposal would have a material harmful effect on visual amenity and the character and appearance of the locality.
 10. The appellant has referred me to other similar advertisement proposals which have been granted by the Council. I have viewed these as part of my site visit. As a result, I find that although these other schemes have some similarities to the appeal proposal such as their size, design and illumination, there are differences in terms of their context, the character and appearance of their surroundings and their locations at prominent and busy intersections. In relation to the scheme identified at 482 London Road, the appellant argues that the display granted permission directly faces residential properties and that the occupiers would clearly see the display from their front windows. Furthermore, the appellant points out that the appeal scheme would not face any residential properties and as such the impact on amenity would be limited. Whilst I accept

that the London Road scheme would be visible to nearby, it is the open and commercial character of the surrounding area at London Road, rather than the more densely residential character and appearance of the area around the appeal site, which I consider to be a determining factor between these cases. Notwithstanding this, having had due regard to these matters as material considerations, I must assess the appeal scheme before me on its own merits and in relation to its context and circumstances.

11. The appellant argues that the proposed display would provide affordable rates for small businesses to advertise and generate income to be spent locally. Furthermore, it is stated that the proposal would reduce carbon emissions, reduce waste and enhance the area with an updated display. I acknowledge that these benefits may be provided. However, I find that the harm to amenity and the effect of the proposal on the character and appearance of its surroundings would demonstrably outweigh such benefits.
12. Consequently, in accordance with the Regulations relating to the control of advertisements, I conclude that the proposed display would have a significant detrimental impact on amenity. The Council has referred to saved Policy BE13 of the Sheffield Unitary Development Plan 1998 and Policy CS74 of the Sheffield Core Strategy 2009. Whilst not decisive, I have had regard to these policies as material considerations, noting that the proposal would have an adverse impact on the character and appearance of the surrounding area and therefore would not comply with the identified policies.

Conclusion

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

Andrew McCormack

INSPECTOR