
Appeal Decision

Site visit made on 21 July 2020

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th July 2020

Appeal Ref: APP/P4415/Z/20/3252133

Land at St Ann's Road c/o Erskine Road, Rotherham S65 1RQ

- 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 Graeme Hughes, Alight Media Ltd against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref: RB2020/0149, dated 29 January 2020, was refused by notice dated 19 March 2020.
 - The advertisement proposed is the installation of 1 x 48 sheet freestanding digital advertising display unit.
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Decision

1. The appeal is allowed and express consent is granted for the display of a 1 x 48 sheet freestanding digital advertising display unit 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.

Main Issue

2. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

3. The proposed sign would be located where there is currently vegetation, close to St Ann's Road. There are mature trees on either side and to the rear is land which is in disuse. A roundabout also lies close by and on the Effingham Street side there are a number of different types of signs associated with commercial uses and illuminated large poster board display signs. There is also street lighting around this busy junction. On the same side of the road as the site, the area is predominantly residential. A river bridge lies to the north, beyond which is more commercial development and associated signage.
4. The proposed sign would face traffic that would be travelling away from the town centre. It would be seen against the backdrop of the mature trees and when vehicles are using the roundabout, it would be assimilated in the context of the existing signage, including the poster board displays. Hence, it would not appear unduly large. That it would be close to the highway boundary simply reflects its function to display the advertising to passing traffic, rather than being overly prominent.

5. The nearest residential properties on Erskine Road are on the opposite side to the site and would be largely screened from the proposed sign by trees along the boundary of St Ann's Road. Furthermore, these properties face the disused site rather than having a direct orientation towards the display of the sign. The nearest residential properties on St Ann's Road are further away and face the adjacent section of this road, not towards where the proposed sign would be found. They would also be separated from it by a landscaped area adjacent to the roundabout which includes trees that would provide further screening.
6. The proposed sign would be illuminated by way of an LED display and allow for images to be displayed on rotation. Although this would result in a different form of advertisement in the area, it would not be out of place with the variety of signage in its vicinity and when the existing lighting apparatus along St Ann's Road is considered. The application submission has also outlined a number of inherent features of such a sign in relation to lighting and operational controls that would further limit its visual impact.
7. When the relationship to the nearest residential properties is considered together with the proposed sign's modern form as a digital display, the effect from its size and scale on the visual amenities of the occupiers of these properties would not be unacceptable.
8. Most of the existing signage in the vicinity of the site is on the opposite side of the roundabout. The signage associated with the commercial area on the far side of the bridge is well separated from the site. Whilst the proposed sign would be a further addition near to the roundabout, it would not amount to a proliferation that would unduly harm the visual amenities of the area.
9. Other approved examples of a similar type of signage in the Council area and beyond that I have been referred to have a limited bearing on my decision as they do not influence the site's visual amenity.
10. I conclude that the proposed advertisement would not have an unacceptable effect on the amenity of the area. As such, it would comply with paragraph 132 of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.
11. I have taken into account that the site is allocated for residential purposes, and Policies SP55 and SP60 of the Rotherham Local Plan, Sites and Policies (2018) as far as they seek to protect amenity and so are material in this case. Given that I have concluded that the proposed sign would not harm amenity, it would not conflict with these policies.

Conclusion

12. For the reasons set out above and having regard to all matters raised, the appeal is allowed.

Darren Hendley

INSPECTOR