



Appeal Decision

Site visit made on 28 September 2020 by L Wilson BA (Hons) MA MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/J4423/Z/20/3257346

Land at Blast Lane, Sheffield S2 5TN

- 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 Rob Smith (Alight Media Ltd) against the decision of Sheffield City Council.
 - The application Ref 20/01395/ADV, dated 24 April 2020, was refused by notice dated 23 June 2020.
 - The development proposed is a new single illuminated 48-sheet digital advertisement display.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The effect of the proposed advertisement on:
 - i. The visual amenity of the surrounding area; and
 - ii. Highway safety.

Reasons for the Recommendation

Visual amenity

4. The Planning Practice Guidance (PPG) advises that the local characteristics of an area should be considered when assessing amenity. The PPG provides further advice and is generally supportive of advertisements in an industrial or commercial area of a major city, where there are large buildings and main highways, and where the advertisement would not adversely affect visual amenity¹.
5. The appeal site is adjacent to a major strategic highway connecting the city centre with the motorway. A concrete bridge, associated with the tram lines, is sited overhead. The area is also characterised by large commercial and residential buildings which reflect the city centre location. Based on the

¹ Paragraph: 079 Reference ID: 18b-079-20140306

evidence presented, the site is not located within a conservation area or an area of special control of advertisements and there are no nearby listed buildings.

6. The scheme would be seen in the context of other dominant advertisements. When approaching the appeal site from the east, three existing hoardings are visible. The appellant has referred to these displays as site Nos. 1, 2 and 5. The existing advertisements at site No. 1 and 2 are less prominent than site No. 5. Site No. 5 is particularly prominent from the appeal site due to its siting on the roundabout. The proposed hoarding would be seen mostly in the context of this advertisement.
7. Notwithstanding the nature of the area on a busy city thoroughfare in a commercial area, the location is extremely prominent and there is a limit to the number of advertisements that can be accommodated without creating a cluttered appearance. A delicate balance is required. In combination, the proposal and existing schemes would result in a proliferation of advertisements which would detract from the visual amenity of the area. It would result in this section of the highway being dominated by large advertisements that would add a sense of unregulated clutter to the street scene. The proposed advertisement and the existing advertisement situated on Park Square would be clearly visible, in tandem, to drivers approaching the roundabout. Accordingly, the digital display would result in an unsympathetic addition by reason of its siting and scale and the combined effect with nearby advertisements.
8. The appellant contends that the Council has made an unreasonable and inconsistent assessment of the appeal proposal as they have recently approved a digital display in close proximity to other advertisements². Whilst the recently approved advertisement is physically closer to existing displays, visually the approved advertisement has less of a relationship with the nearby hoardings, compared to the scheme before me, due to the orientation of the displays. As set out above, the siting of additional advertisements in an area where numerous displays exist is a delicate balance and each location must be considered on its merits. I have considered the proposal on its specific location and reference to other schemes does not lead me to alter my conclusion.
9. For the reasons given above, I find that the proposed advertisement would harm the visual amenity of the area. The provisions of the development plan, so far as they are relevant, have been considered. Since the proposed advertisement would cause visual harm to the street scene, the scheme would not meet with the aims of Policy BE13 of the Sheffield Unitary Development Plan (1998) (UDP), or paragraph 132 of the National Planning Policy Framework (the Framework).

Highway safety

10. The PPG states that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards. There are less likely to be road safety problems if the advertisement is on a site within a commercial or

² Reference: 19/01041/HOARD

industrial locality, if it is a shop fascia sign, name-board, trade or business sign, or a normal poster panel, and if the advertisement is not on the skyline³.

11. Appendix 3 of the appellants submission shows that the existing 30mph sign would be in front of the advertisement which would result in it being less prominent, but it would still be visible. There is also a further 30mph sign situated within the central reservation. The appellant has highlighted that the sign could be repositioned by way of a planning condition and that the Council has secured similar conditions in the past.
12. The advertisement would to some degree screen the green traffic direction sign and the traffic light when drivers are approaching the roundabout, particularly when driving in the inner lane. The repositioning of the direction sign could also be secured by a planning condition.
13. There are six traffic lights in total which are directed towards traffic approaching the roundabout from the east. The majority of these traffic lights would not be screened by the advertisement. In each lane there would be several traffic lights clearly visible and the inner traffic light would be visible once drivers have gone past the display.
14. I am not convinced that the proposed advertisement individually or cumulatively would unduly distract drivers, subject to appropriate conditions. Although the advertisement would be positioned at a point where drivers need to take more care approaching the roundabout, hoardings are already a common feature within the area. No substantive evidence has been submitted to demonstrate that a further advertisement would unacceptably distract drivers.
15. For the reasons given above, I find that the proposed advertisement would not have an unacceptable impact upon highway safety. The provisions of the development plan, so far as they are relevant, have been considered. Since the proposed advertisement would not have an unacceptable impact upon highway safety, the scheme would meet with the aims of Policy BE13 of the UDP and the Framework in this regard.

Other Considerations

16. The appellant has drawn my attention to other consented digital displays in support of their scheme⁴. These advertisements relate to sites in a different city and cannot be directly compared to the scheme before me as the context of the appeal site differs. In any case, I have determined the appeal on its own individual merits.

Conclusion and Recommendation

17. Although I have found that the advertisement would not have an unacceptable impact on highway safety, the scheme would harm the visual amenity of the area to which I attach significant weight. For these reasons, I recommend that the appeal should be dismissed.

L M Wilson

³ Paragraph: 067 Reference ID: 18b-067-20140306

⁴ References: 103962/AOH/2013, 103533/AOH/2013 and 097532/AOH/2011

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR