



Appeal Decision

Site visit made on 20 July 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2021

Appeal Ref: APP/J4423/Z/21/3268638

Advertising Right Adjacent 250 Sheffield Road, Tinsley, Sheffield S9 1RD

- 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 Air Outdoor Media Limited against the decision of Sheffield City Council.
 - The application Ref 20/03771/HOARD, dated 28 October 2020, was refused by notice dated 22 December 2020.
 - The advertisement proposed is removal of existing displays and erection of internally illuminated LED digital display screen.
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Decision

1. The appeal is dismissed

Procedural Matters

2. I have taken the site address and description of development in the banner above from the Council's Decision Notice as it describes the nature of development concisely and utilises a more accurate site address.
3. The Council have referenced a number of policies within the Sheffield Unitary Development Plan (UDP). I have taken these into account where relevant, but the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) clearly states that issues to be addressed should only include amenity and public safety, which is reiterated by the National Planning Policy Framework (2021) (the Framework) and the Planning Practice Guidance (the PPG).

Main Issue

4. The main issue in this appeal is the effect of the proposal on the visual amenity of the area.

Reasons

5. The appeal site is the gable end of a property which looks on to the Junction 34 roundabout of the M1 (the Sheffield end rather than the Meadowhall end). The locality is dominated by the large roundabout, which is signal controlled, but there are residential and commercial properties in the vicinity beyond the roundabout. The roundabout and exit links is part of a busy highway that links into various commercial and residential areas.

6. The proposed advert is 6m x 3m and would be mounted on the gable end at approximately 3.5m high and would replace an existing poster style advert. The advert would be offset on the gable end. It would be internally illuminated and displays static imagery that can change every 10 seconds.
7. The appeal proposal would be in a prominent position, close to traffic lights where road users can be stood for periods of time, especially at peak times. I am aware that these types of adverts are somewhat commonplace in busy street scenes in South Yorkshire and the country as a whole but the proposal would dominate the surrounding area both in size and height. There are other advertisements in the locality, but these are generally smaller and relate in some way to the premises that they are advertising.
8. I note from the evidence of the appellant that the advert display is within best practice guidance in terms of brightness and that the advert transition is virtually instant, but I find that the illuminated advert would be incongruous in the locality and stand out and dominate the locality. The impact would be further exacerbated by the nature of the advertisement and its intermittent changes, which would stand out and increase its prominence within the locality and cause harm to the amenity of the area.
9. As a result, I find that the sign would be poorly located, having a negative impact on the area. In conclusion on this issue, the proposed advertisement would be even more dominant and would have a greater impact on the host building and street scene than that which presently exists.
10. As per the Regulations, I have taken the Development Plan into account as far as it is relevant. For the reasons set out, the proposal, by reason of its size, changing images and illumination, along with its elevated position and prominent location, would be dominant and overbearing on the host building and within the street scene.
11. As such the proposal would harm the amenity of the surrounding area. In that respect the proposal is contrary to saved Policies BE13 and S10 of the UDP which look to make sure that advertisements are sensitively located, do not harm the character and appearance of the area and be well designed and be of a scale and nature appropriate to the site. These are relevant to visual amenity and are therefore material considerations. As a result, I find there is harm to the visual amenity of the area and the proposal is contrary to Policies BE13 and S10 of the UDP and the advice given in Paragraph 130 of the National Planning Policy Framework.

Other Matters

12. I have taken into consideration the standard conditions and those that could be created to mitigate the impact, but I find that these could not overcome the harm that I have identified.
13. I have also appraised the benefits forwarded by the appellant in favour of the proposal, but I find that these would not outweigh the harm identified.

Conclusion

14. For the reasons given above and having regard to all other matters raised, I find that the appeal should be dismissed.

Paul Cooper

INSPECTOR