
Appeal Decision

Site visit made on 14 December 2021

by G Bayliss BA(Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 7 January 2022

Appeal Ref: APP/J4423/Z/21/3281092

4 Fife Street, Sheffield S9 1NJ

- 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 Phillip Allard, Wildstone Group Limited against the decision of Sheffield City Council.
 - The application Ref 21/02028/ADV, dated 22 April 2021, was refused by notice dated 25 June 2021.
 - The advertisement proposed is the Upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed advertisement on the amenity of the area and on public safety.

Reasons

Amenity

3. The proposed advertisement would replace an existing non-illuminated display hoarding sited on the gable end of a terrace of dwellings, adjacent to a crossroads at the junction of Fife Street and the B6082 Ecclesfield Road/Barrow Road. A railway bridge crosses Fife Street a short distance away. The site is located within a Unitary Development Plan (UDP) designated Housing Area, although in this immediate area other uses include a car dealership opposite the appeal site, and a manufacturing unit on the corner of Fife Street and Barrow Road. Despite the presence of these non-residential uses, the road junction signals the start of the residential area when approaching from the east, with views beyond of terraced housing and local shops. There are no other display hoardings of similar size in the immediate area.
4. The appeal proposal is an internally illuminated digital poster of similar size and position to the existing display hoarding, which has been in place since 2008. The unit would display static images with instant changes no more frequently than once every ten seconds. The level of illumination would be in accordance with Institute of Lighting Professionals Guidelines, and the illumination level adjusted to reflect the existing poster display.
5. The digital poster would be viewed on the approach to the junction from the east along Fife Street, being fully revealed on exiting the railway

bridge. It would also be clearly visible near to the junction on Ecclesfield Road and Barrow Road. The internal illumination and changing images would mean that the visual impact of the digital poster would be substantially greater than the existing hoarding and be prominent in a residential area without other large advertisements.

6. Whilst the level of illumination could be controlled, due to its position, size and changing displays, even low luminance settings would give the proposal an over-stated commercial connotation, in stark contrast to the residential backdrop, and out of keeping with its immediate setting. Consequently, the harm to visual amenity would be contrary to Policy BE13 of the UDP which seeks to ensure that large poster advertisements do not harm character or appearance and are not sited within a Housing Area. There is also conflict with paragraph 136 of the Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed. The UDP policies have been considered to the extent permitted by the Framework which limits assessment of advertisements to visual amenity and public safety.

Public Safety

7. The Planning Practice Guidance (PPG) recognises that advertisements are intended to attract attention, but proposed advertisements are more likely to affect public safety where drivers need to take care, including at road junctions. The PPG gives examples of advertisements which may cause a danger to road users including where they would confuse a road-user's view, reduce the clarity of a traffic signal or distract because of their unusual nature. Internally illuminated signs may also cause danger as a result of their colour, causing confusion with traffic lights, or danger to road users from glare or dazzle, or frequent changes of display.
8. The proposed digital poster would be sited adjacent to a signal-controlled junction, and immediately alongside a traffic signal, controlling vehicles approaching from the east. The digital poster would also be viewed by drivers stopping at the traffic signals on Barrow Road and Ecclesfield Road. The Council's Highways team has advised that the road junction has a high collision rate.
9. The appellant states that the proposal will be no more of a distraction to drivers than the existing situation. They contend that there are no unusual highway complexities for drivers, and the digital poster would not be a distraction to stopping distances or general awareness to surrounding traffic. They maintain that on all approaches the poster is either not visible or is not viewed until drivers are close to the stop line and concentrating on the junction.
10. The appellant considers that when drivers approach from the east the traffic signal would be seen before the digital poster, and it would only be when drivers are much closer to the junction that the poster would briefly overlap with a traffic signal. At this point, the appellant points out that other traffic signals would be visible.
11. The Council's Highway team has advised that one of the offside traffic signals will be viewed in front of the digital poster from the moment it is first seen by a driver approaching from the east, and this continues until

the driver is close to the junction, leaving little time to react. They also comment that a high vehicle could block the view of the nearside traffic signal right up to the stop line and, in this scenario, the driver would be solely reliant on the traffic signal immediately adjoining the sign which could be missed until the driver is close to the junction.

12. Based on my experience of traveling this road and observing the position of the existing hording in relation to the traffic lights, I agree that a key traffic signal would be viewed against the background of the proposed digital poster whilst approaching the junction. Whilst the image would be static, the changing images would compete with the brightness of the traffic signal, as well as causing a distraction, despite the functionality of the proposal to adjust the luminance of the display and the reasonably well-lit nature of the surrounding area. With the potential for the view of one signal to be blocked and the other to be viewed too close to the junction, I agree with the assessments made by the Council.
13. I have reviewed the submitted Highways Technical Note. Whilst the review of accident data is helpful in identifying the causes of recent accidents, this does not assist with the fact that the junction has a high collision rate, nor the potential for the new proposal to cause increased distraction to drivers. I note also the brightness report, but whilst this demonstrates that the traffic signal will be significantly brighter than the proposed digital poster it does not consider two light sources overlapping, and where the digital images will frequently change.
14. I have also had regard to the other examples of digital displays, but these are in busy urban areas or large traffic intersections, they are not representative of this appeal site, which is in a primarily residential area.
15. I therefore conclude that the proposal has the potential to cause increased distraction to highway users in the immediate proximity due to the illumination and changing display. As such, the proposal would negatively impact on public safety and conflict with Policy BE13 of the UDP, which seeks, amongst other things, to ensure that illuminated adverts should not be a traffic hazard. It also conflicts with Paragraph 136 of the Framework and Paragraphs 067 and 068 of the PPG.

Conclusion

16. I have had regard to the benefits of the proposal in terms of fewer visits to replace the posters, less waste and the potential to display public messages. However, these matters do not outweigh the harm identified.
17. The appellant raises concerns over the conduct of the Council during the application process. Such concerns should normally be addressed through the Council's own complaints service in the first instance.
18. For the reasons given above, and having regard to all other matters raised, I conclude that the display of the advertisement would be detrimental to the interests of amenity and public safety.

G Bayliss

INSPECTOR

