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## Appeal Decision

Site visit made on 21 July 2022

**by Martin H Seddon BSc MPhil DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 August 2022.**

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**Appeal Ref: APP/R4408/Z/22/3300758**

**92 Sheffield Road, near junction with Taylor Row, Barnsley S70 1HY**

- 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 of Alight Media against the decision of Barnsley Metropolitan Borough Council.
  - The application Ref: 2022/0141, dated 8 February 2022, was refused by notice dated 30 May 2022.
  - The advertisement proposed is the erection and display of a single wall-mounted 48-sheet sized digital LED advertising unit.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are the effect of the proposal on the amenity of the area and on public safety.
3. The Council has cited Barnsley Local Plan policies D1 and T4 and its Supplementary Planning Document: Advertisements in its reasons for refusal. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these policies and guidance into account, they have not been decisive considerations in my determination of this appeal.

### Reasons

#### *Amenity*

4. The appeal site is a two-storey end-terrace building which has a retail ground floor use with a flat above. It is located in a mainly commercial area next to the busy dual carriageway of Sheffield Road.
5. The proposed 48-sheet digital LED billboard, measuring approximately 6 m wide by 3 m high, would be located on the gable end wall of the building at around first floor height. It would display a series of static poster images which would change no more frequently than once every 10 seconds.
6. The advertisement would cover part of a blank stone gable end wall. The wall faces an open area of mown grass and consequently it is a prominent feature when approached from the junction of Sheffield Road and Taylor Row.

7. A commercial location near a town centre is the type of area within which the Planning Practice Guidance (PPG) indicates that a large poster hoarding would be permitted where it would not adversely affect the visual amenity of the neighbourhood of the site. The location has lamp standards, a traffic route sign and an array of traffic lights at the junction of Sheffield Road with Taylor Row. A sign of the size proposed, and illumination with changing images, would be very prominent and would add to the clutter at this part of Sheffield Road. I therefore find that despite the support for large advertisements in the PPG it would not be acceptable because it would have an adverse impact on the visual amenity of the area.

#### *Public safety*

8. The appeal building would be around 50 m from the signalised junction of Sheffield Road with Taylor Row and Union Street. The two lanes of dual carriageway approaching the junction from the direction of the town centre have an additional lane to allow traffic to turn left along Taylor Row. It is a junction with several sets of traffic lights where vehicle drivers would sometimes have to change lane to go straight ahead in the direction of Sheffield, to take a right turn into Union Street, or left into Taylor Row. The traffic lights and columns would be seen by drivers approaching the junction from the town centre against the backdrop of the proposed sign. In such circumstances the illumination of the sign and its changing images would cause a significant distraction for approaching drivers. This would also be at a point where pedestrians would be using the signalised crossing of Taylor Row to get to and from the town centre. I note that this crossing point is also frequently used when people are visiting the nearby Oakwell football stadium.
9. Statistics indicate that from 2017 to 2021 there were 3 slight accident incidents at the junction. There were also one slight and two serious accident incidents approaching the junction from the town centre. This emphasises the need for drivers to concentrate and not to be distracted when approaching and using the junction or switching lanes. I find that the proposed advertisement would result in significant harm to public safety. This is because the location, size, illumination and changing images of the digital LED advertisement unit, in relation to the traffic signalling lights, would be likely to cause confusion for drivers approaching and using the junction leading to a potential increase in road traffic accidents and pedestrian accidents.

#### **Other Matters**

10. The appellant has referred to other examples of digital 48-sheet advertising units which have been approved by the Council. However, I have determined this appeal based upon the individual merits of the proposal and its particular site circumstances having regard to the interests of amenity and public safety.

#### **Conclusion**

11. I conclude that the proposal would cause harm to the amenity and public safety of the area. I have taken all other matters raised into account. For the reasons given above the appeal is dismissed.

*Martin H Seddon*

INSPECTOR