



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.

Appeal Ref: APP/J4423/Z/22/3300494

Land at Derwent Estates, Kilner Way Retail Park, Halifax Road, Sheffield S6 1LA

- 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 Clear Channel against the decision of Sheffield City Council.
 - The application Ref: 2022/00621/HOARD, dated 15 February 2022, was refused by notice dated 20 May 2022.
 - The advertisement proposed is single illuminated 48-sheet digital poster display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the amenity of the area. The Council has not indicated that there would be any adverse effect on public safety. I see no reason to disagree as the poster display would be screened by the retaining wall on which it would be mounted and therefore not be seen as a distraction by vehicle drivers using the nearest lanes in Halifax Road (A61) dual carriageway which pass the site.

Reasons

3. The appeal site is a large retaining wall located at the boundary of the Kilner Retail Park and next to a grassed area and the busy Halifax Road. The site would be within a mainly commercial area at this side of Halifax Road, whereas the opposite side of the road has terraced housing and a church building. The Planning Practice Guidance (PPG) indicates that large poster hoardings would be permitted in such commercial areas of a major city, but not where they would adversely affect the visual amenity of the neighbourhood of the site.
4. The proposed internally illuminated 48-sheet display, measuring approximately 6 m wide by 3 m high, would be located on the south-west face of a stone retaining wall and at a right angle to the front of a modern building, which includes a gymnasium and is referred to as the TK Max building. It would display a series of static images which would change once every 10 seconds. It would be prominent in views when approached along Halifax Road from the direction of the city centre, in view of the grassed open area in front of the retaining wall. However, as mentioned above, it would not be easily seen when approached from the opposite direction.

5. The advertisement would be viewed against the backdrop of a totem sign, located at a higher level, which advertises premises at the retail park. There are also traffic lights near the entrance to the retail park and at a pedestrian crossing, along with street lamp standards. The stone retaining wall matches other walling at the entrance to the retail park. It is finished to a high quality in roughly coursed sandstone typical of the local area. Although the display would be in scale with the gymnasium/ TK Max building it would detract from the clean-cut and mainly glazed appearance of the building frontage.
6. I consider that the proposed illuminated sign of the size proposed would be a dominant feature and would significantly detract from the visual amenity of the area because of its size and siting. It would cover a large part of the retaining wall, thereby reducing its attractive appearance. It would also add clutter to the existing totem sign and traffic lights. Although the timing and illumination of the display could be controlled through conditions, its changing images and LED lighting would add to its prominence in the street scene. The proposal would not accord with support for large advertisements in commercial areas in the PPG because it would adversely affect the visual amenity of the neighbourhood. The appellant has referred to support in the National Planning Policy Framework for innovative and sustainable design. However, any benefit in that respect would be outweighed by the harm to the amenity of the area.
7. The Council has cited policy BE13 of the Sheffield Unitary Development Plan (UDP) in its reason for refusal. It has also referred to its interim planning guidance for the Penistone Road corridor in the planning officer's report. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken this UDP policy and guidance into account, they have not been a decisive consideration in my determination of this appeal.

Conclusion

8. I conclude that the proposed illuminated digital poster display would have a significant harmful effect on the amenity 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