



Appeal Decision

Site visit made on 3 August 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th August 2022

Appeal Ref: APP/J4423/H/22/3292335

Land at Don Valley House Car Park, Corby Street, Sheffield S4 7UQ

- 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 Alight Media against the decision of Sheffield City Council.
 - The application Ref 21/05191/HOARD, dated 9 December 2021, was refused by notice dated 4 February 2022.
 - The advertisement proposed is new single illuminated 48-sheet digital advertisement display.
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Decision

1. The appeal is allowed, and express consent is granted for a new single illuminated 48-sheet digital advertisement on land at Don Valley House Car Park, Corby Street, Sheffield S4 7UQ, as applied for, in accordance with the terms of the application Ref 21/05191/HOARD dated 9 December 2021. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and to the following additional conditions:-
 - 1) The sign shall display static images only and at no time should the display contain moving images, animation, intermittent or full motion video images, audio, directional symbols or any image that resembles a road sign or traffic signals.
 - 2) The minimum display time for any advertisement shall be 10 seconds.
 - 3) The interval between successive displays shall be 0.1 seconds or less and the display screen shall change without visual effects, including fading, swiping or other animated transition methods, between each advertisement.
 - 4) In the event of a malfunction of some or part of the display screen, the display panel shall contain at all times a feature that will turn off the screen (ie. show a black screen).
 - 5) The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level.

- 6) The luminance of the sign shall not exceed 300 candelas per square metre between dusk and dawn and comply with the latest recommendations of the Institute of Lighting Engineers technical report on the Brightness of Roadside Signs.

Procedural Matter

2. This appeal is linked to another appeal by the same appellant for an advertisement located on the gable wall of Don Valley House (APP/J4423/H/22/3292501) and is subject to a separate appeal decision.
3. The Council has drawn my attention to Development Plan policies it considers relevant to this appeal, and I have taken them into account where relevant. However, powers under the Regulations to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Practice Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach.

Main Issue

4. The Council has no objection to the proposal on the grounds of public safety. From the evidence before me, and from my observations, I have no reason to disagree with the Council on this matter. Accordingly, the main issue is the effect of the proposed advertisement on the visual amenity of the surrounding area.

Reasons

5. The appeal site is located at the edge of the car park to Don Valley House, close to the junction of Windsor Street and Corby Street. The area is industrial / commercial in nature.
6. The appeal proposal would see the installation of a new digital advertisement display board, approximately 6m x 3m, mounted at a height of 2.5m. It would slightly overhang the car park boundary toward a vegetation buffer and would face traffic travelling south-west along Corby Street.
7. The PPG outlines that large poster-hoardings may be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site. It is situated within an industrial / commercial context with large buildings forming the backdrop of the advertisement and adjacent the highway.
8. The display would be in view when travelling in a south-westerly direction for a reasonable length of time and distance but not so long or to such a great extent as to dominate views or distract attention to a harmful level. In a well-lit and predominantly commercial / industrial urban setting, I am satisfied it would not be harmful to the amenity of the surrounding area.

9. Even though illuminated displays are not demonstrated within the immediate vicinity, the proposed advertisement closely relates to commercial activities and signage, as well as to the existing buildings in terms of its scale. The addition of one advertisement when viewed with in the locality would not appear as visual clutter or be overly prominent within this commercial / industrial context.
10. Thus, for the reasons I have set out, the proposed digital advertisement display would not cause harm to the amenity of the area. I have taken into account the provisions of the development plan insofar as they are material to the matter before me. There would be no conflict with policies saved policies BE10 and BE13 of the Sheffield Unitary Development Plan (1998) and policy CS74 of the Sheffield Development Framework Core Strategy (2009) which collectively, when taken as a whole, expect development to not harm the character and appearance of the area. I also find no conflict with the guidance set with regard to advertisements in the Framework.

Conditions

11. I have imposed the five standard conditions as set out in the Regulations.
12. Additional conditions are necessary to control levels of luminance, the nature and frequency of advertisements and cessation of advertisements in the event of a malfunction.
13. I have also altered some of the suggested wording in the interests of precision.

Conclusion

14. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Paul Cooper

INSPECTOR