



Appeal Decision

Site visit made on 10 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/22/3292501

Gable Wall at Don Valley House, Saville Street East, Sheffield S4 7UR

- 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 21/05190/ADV, dated 9 December 2021, was refused by notice dated 3 February 2022.
 - The advertisement proposed is new single illuminated 48-sheet digital advertisement display.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. This appeal is linked to another appeal by the same appellant for an advertisement located in the car parking area for the same building (APP/J4423/H/22/3292335) 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 proposal would be located on the gable wall to Don Valley House, which is, in turn, located in an industrial / commercial area. It would see a new digital advertisement board being installed, approximately 6m x 3m in size, installed approximately 14.5m high on the gable, so as to be clear of the adjacent building (Warranty House). The proposal would obscure approximately 3m of existing fenestration to that elevation.

6. 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.
7. The linked appeal, decided under separate cover, would allow an advertisement to be placed at the edge of the car park for Don Valley House and would introduce an illuminated display in the vicinity. However, it is to be mounted on a modest structure and would not appear incongruous within the locality. This appeal proposal is located over 14m high upon the side of the building and would be extremely prominent in the area due to its height, with its illumination adding to its dominance in the wider area.
8. The material harm caused to amenity would also be magnified by the separate harm caused to the aesthetics of the gable elevation to Don Valley House, with the loss of the pattern of fenestration and the effect on the architectural merits of the elevation by the installation of the advertisement in this location. The harm to visual amenity caused by the proposed advertisement would be considerable from a visual perspective.
9. In summary, the advertisement would be overly prominent within the commercial / industrial context causing harm to the visual amenities of the area. In this respect I find the proposal to be contrary to policy BE13 of the Sheffield Unitary Development Plan (1998) and policy CS74 of the Sheffield Development Core Strategy (2009) which, collectively, when taken as a whole, expects development to not harm the character and appearance of the area and not cut across architectural features.
10. In addition, I also find conflict with the advice regarding advertisements set out in Paragraph 136 of the National Planning Policy Framework in respect of protecting the quality and character of the area.

Conclusion

11. For the reasons set out, and having considered all matters raised, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR