



Appeal Decision

Site visit made on 31 August 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2023

Appeal Ref: APP/J4423/H/21/3286665

Pavement outside New Zing Vaa, 834 Ecclesall Road, Sheffield S11 8TD

- 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 BT Telecommunications PLC (James Browne) against the decision of Sheffield City Council.
 - The application Ref 21/02495/HOARD, dated 17 May 2021, was refused by notice dated 23 September 2021.
 - The advertisement proposed is two digital LCD screens to Street Hub unit.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.
3. Based on the above, the main issue in this appeal is the effect of the development on amenity, with regards to visual prominence.

Reasons

4. The appeal proposal seeks approval for two digital LCD screens that would form part of a new BT Street hub that was the subject of a separate appeal (3286663) at the above site.
5. The unit would be adjacent the above premises and replace two existing payphones located nearby.
6. The proposal would result in large, illuminated display screens in a prominent location. The appellant stresses the benefit of a proportion of display time being made available for public information, however the majority of display time would be commercial advertising, updated with frequent changes. The dynamic nature of this presentation be ill at ease with an area, not within a city centre and where such advertisements are not prevalent and commercial activity is less intense.
7. I acknowledge that the proposed level of illumination appears to be in line with industry standards and best practice, and that conditions could control matters such as luminosity, frequency of image change, and for the use of only static images. However, this would not mitigate the harm as outlined above.

8. Nevertheless, LCD screens are not common in the immediate vicinity. Considering this, the large-sized LCD screens would appear as overly-dominant and visually intrusive in this location which is not within a city centre location but does have some commercial properties. Although the LCD screen would automatically dim in the hours of darkness, considering the size of the proposed illuminated screens in this prominent location, the overall visual effect would be particularly noticeable and harmful in the hours of darkness.
9. In assessing the proposal from an amenity perspective, it is difficult to disassociate the advertisement from its proposed housing. No other way of supporting the advert has been forwarded and without the associated housing the advert could not exist in isolation. Thus, whilst this decision relates solely to the advert and makes no comment on the planning merits of the proposed street hub, I have taken account of the nature of the proposed housing as part of the context of assessing the visual amenity of the proposed advert.
10. The advertisement and its supporting structure may have a better appearance in the streetscene than the existing phone boxes to be removed. However, this would not sufficiently mitigate the harm that would arise from the increased amount of advertising at this location.
11. Given the above, I conclude that the proposed advertisement would form an overly dominant and incongruous feature in the street scene, paired with the kiosk as it is, which has received a separated dismissal at appeal, causing harm to the amenity of the area.
12. The proposal would not accord with the requirements of Saved Policy S10 (d) of the Sheffield Unitary Development Plan (1998) which states that development should be well designed and be of a scale and nature appropriate to the site. This is not determinative in itself as per the Advertisement Regulations, but the proposal would also not comply with the provisions of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Conclusion

13. For the above reasons, having had regard to all matters raised, I conclude that the appeal should not succeed.

Paul Cooper

INSPECTOR