



Appeal Decision

Site visit made on 21 March 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 April 2023

Appeal Ref: APP/J4423/Z/22/3311731

Car Park At Rear Of 129 To 159, Bradfield Road, Sheffield S6 2BY

- 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 Ben Porte (Clear Channel UK) against the decision of Sheffield City Council.
 - The application Ref 22/03342/HOARD, dated 12 September 2022 was refused by notice dated 20 October 2022.
 - The development proposed is described as 'Installation of an internally illuminated 48-sheet D-poster (digital) display. Illumination to comply with Institute of Lighting Professionals' PLG05 (see Planning Statement). Frequency of images to be no greater than once every ten seconds. No moving images, video or flashing lights to be displayed'.
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Decision

1. The appeal is dismissed.

Main Issue

2. Regulations to control advertisements may be exercised only in the interests of amenity and public safety. The assessment regarding public safety is not disputed. Therefore, the main issue is the effect of the proposed advertisement on visual amenity.

Reasons

3. The appeal site is located in a prominent position adjacent Bradfield Road which is a key vehicular route into Hillsborough and is readily visible from public viewpoints particularly on approaches from the east.
4. The surrounding area is largely characterised by commercial uses. Whilst there are other advertisements/street furniture in the immediate vicinity of the appeal site including the petrol filling station located on the opposite side of the road, such features are generally related to the use of the premises on which they are sited. I noted on my site visit those advertisements in the vicinity are largely non illuminated and are of a smaller scale which do not appear out of keeping when viewed against the context of their associated site.
5. The proposed advertisement would be positioned against the gable elevation of a two-storey property which forms part of a commercial terrace of local shops and takeaways. The gable elevation has a simple traditional appearance with some vegetation to the front, and is free from any advertisement acting as a pleasing visual relief from its busy commercial setting.

6. I appreciate that such advertisements can be acceptable in commercial and industrial areas where there are large buildings and main highways and that the site is not within the Conservation Area nor are there listed buildings in the vicinity. However, the proposals would introduce a freestanding structure of a significant height and width which would be internally illuminated. The proposed internally illuminated display with its associated static but sequential images would be more prominent and overtly more modern in its form and technology than the surrounding advertisements.
7. The digital display would appear discordant when viewed against the simple gable elevation of the building. Given its prominent location, the digital display would be visually obtrusive and materially out of keeping with its surroundings. Whilst the flank wall of the building could accommodate the advertisement as the proposal is for a free-standing structure it would not appear integral with or subservient to the gable wall. The addition of a structure to support the advertisement would further add to the scale and prominence of the advertisement.
8. The proposed advertisement would have a maximum luminance, controlled by a light sensor, that would not exceed 300cd/sqm at night-time. The advertisement would be capable of changing to display new adverts every ten seconds. A number of conditions have been suggested by the appellant that would control the illumination and frequency/method of change of the display. However, the introduction of changing images would draw attention and would have an unacceptable effect on the visual amenity of the area despite any lack of objection from Environmental Health. These conditions would not therefore overcome my concerns.
9. My attention has been drawn to a number of previous planning permissions including applications for other similar advertisements. However, there are material differences in comparison to the current appeal proposals including amongst other things, location and siting, and are therefore not directly comparable.
10. I am aware that a previous advertisement in this location may have been removed several years ago. However, I must determine the appeal based on the current context of the site rather than in relation to an advertisement that appeared some time ago. To this end, the gable elevation of the host property is currently free from advertisements making it more visible within the street scene and this, along with the vegetation even if it is of low ecological value acts as a pleasing visual relief as set out earlier. I am not convinced that the location further down the elevation as well as not covering any architectural features of merit would reduce its overall prominence.
11. I conclude that the proposed advertisement would harm the visual amenity of the area. I have taken into account Policy BE13 and S10(d) of the Sheffield Unitary Development Plan and Policy CS74 of the Core Strategy as well as the guidance in the National Planning Policy Framework (the Framework) which together, amongst other things, requires development to not harm the character or appearance of the area and be well designed and of a scale and nature appropriate to the site. Given that I have concluded that the proposal would harm visual amenity, the proposal would conflict with the Policies and the Framework.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

N Teasdale

INSPECTOR