



Appeal Decision

Site visit made on 19 April 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 May 2023.

Appeal Ref: APP/J4423/Z/23/3316164

Burger King, Sevenairs Road, Sheffield, S20 1NZ

- 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 BKUK Group Ltd against the decision of Sheffield City Council.
 - The application Ref 22/03861/ADV, dated 21 October 2022, was refused by notice dated 16 December 2022.
 - The advertisement proposed is 1 no. internally illuminated free-standing pylon sign 6.5m high and 1 no. free-standing monument sign 2.38m high.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the amenity of the area.

Reasons

3. The appeal site is a burger restaurant/take-away, which is situated on the outskirts of the city. The site fronts onto Sevenairs Road, but is close to its junction with Eckington Way. Eckington Way is a relatively busy road which also serves the nearby Crystal Peaks retail park. The site adjoins The Scarsdale Hundred Public House, which is also accessed from Sevenairs Road. A NHS centre for children and young people and a residential estate (both also served by Sevenairs Road) are close to the appeal site.
4. Consequently, it is fair to state that the area is mixed in terms of land uses and that commercial signage in the locality is evident. However, most of the existing signage in the vicinity of the appeal site is relatively subdued and low key. It is also noticeable that Sevenairs Road contains little in the way of advertising.
5. The appeal premises are currently under construction, although at the time of my site visit, the works were well advanced. The proposal is to erect two free-standing illuminated signs, as described in the heading above. The pylon sign would be erected towards the front of the building on Sevenairs Road and the monument sign would be erected off-site on Eckington Way.
6. The Council's decision notice refers to the proposal conflicting with the provisions of the Development Plan. It quotes Policy BE13 and H14 of the Sheffield Unitary Development Plan. Policy BE13 seeks to ensure (amongst other things) that advertisements do not harm the character or appearance of

- an area, whilst Policy H14 states (amongst other things) that proposals should be on a scale that is consistent with residential areas.
7. Proposals for advertisement consent are determined with regard to amenity and public safety and planning policies are not, in themselves, determinative when reaching a decision. Nevertheless, the impact of the proposal on the visual amenity and character and appearance of the area is the main consideration in this appeal. I note that the Council does not object to the proposal in terms of public safety. I have no reason to disagree with that conclusion.
 8. Regarding the proposed pylon sign, it would be highly prominent in the streetscene because of its height and position. Although the ground level of the site is lower than the road, this would not, in my opinion, reduce its impact to any significant degree. Furthermore, whilst there is signage associated with the neighbouring public house, this tends to be either on the building itself or close to Eckington Way and is relatively low key (as stated above).
 9. I consider that the pylon sign of the height and form proposed would appear distinctly at odds and out of scale with the existing character and appearance of the streetscene on Sevenairs Road. As such, it would be harmful to the amenity of the area.
 10. Turning to the monument sign, this would be positioned off-site to the south of the public house and fronting Eckington Way. Consequently, it would not relate to any commercial premises on Eckington Way. Whilst I can appreciate the commercial advantages in advertising and directing customers to the restaurant in advance, the proposed sign would appear as a relatively isolated feature in the streetscene, unrelated to any uses on Eckington Way. Existing trees, hedging and grass verges are a distinctive characteristic of the streetscene on this part of Eckington Way and the proposed sign would a discordant and visually intrusive feature that would be harmful to the visual amenity of the area.
 11. In reaching my decision, I acknowledge that the appeal proposal is a revised submission following an earlier refusal and that the proposed pylon sign is some 1.6m lower and in a different position. I have also considered the examples of other signs nearby, which the appellant has drawn to my attention. These include signage within and at the entrance to the Crystal Peaks retail park. However, I consider that character of the streetscene in these examples to be different to the appeal proposal. Furthermore, the signs are largely within or on the edge of the retail park, where they do not appear out of place with their surroundings.

Conclusion

12. For the reasons given above, the appeal is dismissed.

Ian McHugh

INSPECTOR