



Appeal Decision

Site visit made on 22 November 2023

by Ian McHugh DipTP MRTPI

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

Decision date: 2nd February 2024

Appeal Ref: APP/J4423/Z/23/3329599

TTS Car Sales, Archer Road, Sheffield, S8 0LA

- 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 Stuart Hadley, TTS Car Sales Ltd against the decision of Sheffield City Council.
 - The application Ref 23/02199/HOARD, dated 7 July 2023, was refused by notice dated 31 August 2023.
 - The advertisement proposed is one internally illuminated LED display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal contained in the banner heading above is taken from the Council's decision notice, as it is more precise than the rather lengthy and detailed versions given on both the application and appeal forms.
3. Since the appeal was lodged, a revised version of the National Planning Policy Framework (The Framework) was published in December 2023. I am satisfied that the revised version has no bearing on the main issues for this appeal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is an existing hand car wash site, which is situated on main road within the urban area. The Council identifies the site as being in a Mixed-Use Area and I have observed that commercial and retail uses predominate in the locality. These include a retail park on the opposite side of Archer Road and a petrol station to the south of the site. Residential properties are located to the rear of the site, but they are substantially screened by trees and other vegetation. Signage associated with the retail park and the other commercial premises are prominent features in the streetscene.
6. The appeal premises also has consent for three LED display signs, which were granted on appeal in 2023 (APP/J4423/Z/22/3312249). To date, two of these have been erected.

7. The proposal is to erect an internally illuminated LED sign on the north east part of the site. The appellant states that this would effectively be an amendment to the consent for the three displays at the opposite end of the site. The appellant points to the comments of the previous Inspector regarding the commercial nature of the area and how that proposal should be viewed in that context.
8. Both the Council and the appellant have also referred to various Development Plan policies, The Framework and the Planning Practice Guidance in their submissions. I have taken these into account. However, proposals for advertisement display are determined with regard to amenity and public safety. The provisions of the Development Plan and associate guidance are not determinative. Nevertheless, they provide useful background in understanding both the Council's and the appellant's reasoning.
9. Although the current appeal proposal is considered by the appellant to be an amendment to the existing consent, no formal mechanism for this has been put forward. Consequently, if this appeal were to be allowed, there could be four LED display boards at the site. I note that the Council has also made this point.
10. Notwithstanding, whilst I accept that consideration be given to the commercial character and appearance of the locality and the existence of various types of signage, the proposed display would be erected on part of the site which is currently devoid of this type of advertising and where the backdrop of trees and other vegetation provide some visual relief to the somewhat urban character of the streetscene. As a result, I consider that the proposed display, by virtue of its position, size and means of display would be visually a visually intrusive feature that would be harmful to the appearance of the area.

Other Matter

11. Proposals for advertisements must also be considered against public safety. No highway objections to the proposal were raised by the Council and I have no reason to disagree with that conclusion. No other safety issues have been brought to my attention.
12. For the reasons given above in relation to visual amenity, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR