



Appeal Decisions

Site visit made on 19 August 2025

by **H Jones BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th September 2025

Appeal A Ref: APP/J4423/W/25/3366220

Pavement outside Site Gallery, 1 Brown Street, Sheffield S1 2BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Urban Innovation Company (UIC) Ltd against the decision of Sheffield City Council.
- The application Ref is 25/00611/FUL.
- The development proposed is installation of a "Pulse Smart Hub" with integrated digital screens.

Appeal B Ref: APP/J4423/H/25/3366223

Pavement outside Site Gallery, 1 Brown Street, Sheffield S1 2BS

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the 2007 Regulations) against a refusal to grant express consent.
- The appeal is made by Urban Innovation Company (UIC) Ltd against the decision of Sheffield City Council.
- The application Ref is 25/00612/HOARD.
- The advertisements proposed are 2 x (back-to-back) digital LED displays.

Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for installation of a "Pulse Smart Hub" with integrated digital screens at Pavement outside Site Gallery, 1 Brown Street, Sheffield S1 2BS in accordance with the terms of the application, Ref 25/00611/FUL, subject to the conditions in the attached schedule.

Appeal B

2. The appeal is allowed and express consent is granted for the display of 2 x (back-to-back) digital LED displays at Pavement outside Site Gallery, 1 Brown Street, Sheffield S1 2BS in accordance with the terms of the application, Ref 25/00612/HOARD, dated 3 March 2025. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the additional conditions in the attached schedule.

Preliminary Matters

3. Appeal A relates to the refusal of planning permission for the proposed hub unit. Appeal B relates to the refusal of advertisement consent for the digital advertisements which would be an integral part of the hub proposed under Appeal A. I have combined the appeals into a single decision as they are intrinsically linked and raise similar issues though I have considered each on its individual merits.

4. The descriptions I have used in the banner headings and decisions above are taken from the application forms submitted. More specifically, the description of the Appeal A proposal is taken from the "Description of the Proposal" section of the form and that of the Appeal B advertisements is taken from the "Type of Proposed Advertisement(s)" section. These descriptions accurately describe what is sought for planning permission and advertisement consent.
5. In respect of Appeal B, the 2007 Regulations and the National Planning Policy Framework (the NPPF) make it clear that advertisements are subject to control only in the interests of amenity and public safety. Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply to advertisement appeals. Even so, relevant development plan policies can be taken into account as a material consideration in advertisement appeals, and this is the basis on which I have determined Appeal B.
6. There is evidence before me which indicates to me that a new local plan for Sheffield is emerging (the Emerging Plan). I have limited information before me in relation to the precise stage at which the Emerging Plan is at, the level of unresolved objection that there may be to it or the degree of consistency of policies within it to the content of the NPPF. Furthermore, the evidence before me does not contain the full content of any of the Emerging Plan's policies which may be of any relevance to the proposal. In the circumstances, the Emerging Plan is a matter of limited weight in my decisions.
7. The appeal site is located within the Cultural Industries Quarter Conservation Area, and listed buildings are located within the site's vicinity. As a result, in reaching my decision on Appeal A, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and, in relation to Appeal B, to section 72(1) only.

Main Issues

8. The Council cite that the proposed hub unit the subject of Appeal A would harm the Cultural Industries Quarter Conservation Area and harm the character and appearance of the area. Therefore, the main issue in respect of Appeal A is:
 - The effects of the proposed development upon the character and appearance of the area, including whether the character or appearance of the Cultural Industries Quarter Conservation Area (the CA) would be preserved or enhanced.
9. The Council's objections to the proposed advertisements the subject of Appeal B concern visual amenity, inclusive of their effects upon the CA. Therefore, the main issue in respect of Appeal B is:
 - The effects of the proposed advertisements upon visual amenity.
10. Given such similar considerations apply, my reasoning below deals with these main issues together.

Reasons

11. The significance of the CA is largely derived from its architectural and historic interest: the evidence that it provides on the history of metal trades, its remaining assortment of mixed-use buildings, often arranged in courtyard form, and its

surviving elements of a grid-like street pattern and a distinctive street hierarchy. Today, the CA is home to a concentration of creative, media and digital industries. There is a continuity between the area's industrial heritage and its more modern industries, which also positively contributes to the CA's significance. Within its immediate surroundings there are traditional buildings converted into modern cultural industry use which is highly reflective of the character and appearance of the CA as a whole.

12. During my visit, I was also struck by the vibrant character and appearance of the CA within the surroundings of the appeal site. This stems from the mix of uses in the area and visually lively features. In terms of land uses, contributions to this character include the Sheffield Hallam Union building, galleries and a cinema. In terms of appearance, vibrancy is expressed through features such as wall murals, the striking character of the Sheffield Hallam Union building, and illuminated advertisements — including the freestanding unit on the opposite side of Brown Street, as well as those on the Site Gallery building and the cinema. The local area is also adorned with street furniture such as road signs, streetlights, bollards and cycle racks.
13. The proposed hub unit would not have the narrow appearance exhibited by the likes of streetlights and it would be a larger feature than the likes of a bollard. Nevertheless, it would be a relatively modest feature comparable or smaller in size than typical street furniture items like phone boxes and bus shelters. It would be situated within a decidedly built-up environment with limited open space and where buildings of various scales line the streets. The hub unit would adopt a sleek and modern appearance and, coupled with its dual-tone colour finish, the overall effect would be a design that conveys high quality.
14. Owing to the digital nature of the displays, the proposed advertisements would not be very recessive, and they would have some prominence. However, in considering the acceptability of the visual effects of digital advertisements the context within which they are situated is key. Within the site's urban, edge of city centre location, and given the vibrancy exhibited by this particular part of the CA, including as a result of the likes of illuminated advertisements and murals, the context in this particular case means that the advertisements would not appear harmfully strident.
15. Redeveloping a small part of a pavement, the proposals would not diminish the evidence the CA provides of the area's metal trades, nor would it affect the CA's street layout or hierarchy. The hub unit and its integrated advertisements would be seen in conjunction with traditional buildings repurposed for cultural use, such as the adjacent Site Gallery and such buildings are highly reflective of the character and appearance of the CA as a whole. Even so, given the quality of the design I have described, and the area's vibrant character and appearance, I find that no harm to the CA's significance would arise. Instead of forming unsympathetic features, the hub unit and the integrated advertisements would form additional elements that contribute to the vitality of this particular part of the CA. They would appropriately assimilate into the built-up surroundings and compliment, rather than detract from, recent public realm improvements.
16. For these reasons, in respect of Appeal A, I find that the effects of the proposed development upon the character and appearance of the area would be acceptable, and the character and appearance of the CA would be preserved. Accordingly, the proposal complies with Policies BE5 and BE16 of the Sheffield Unitary

Development Plan 1998 (the UDP) and Policy CS 74 of the Sheffield Development Framework Core Strategy 2009 (the Core Strategy). Altogether, in summary and amongst other matters, these Policies require developments to be of high quality, which respect and enhance Sheffield's character, heritage and quarters, which preserve or enhance the character or appearance of Sheffield's conservation areas, and which are complementary to surrounding buildings. I also find that the proposal complies with policy within the NPPF which set out that good design is a key aspect of sustainable development, which seek to ensure that developments are visually attractive and sympathetic to local character, and which seeks to conserve the significance of heritage assets.

17. In respect of Appeal B, I find that the effects of the proposed advertisements upon visual amenity would be acceptable, again compliant with Policy CS 74 of the Core Strategy and Policies BE5 and BE16 of the UDP, the latter of which accepts advertisements within conservation areas provided that the character or appearance of those areas would be preserved or enhanced. The proposal also complies with Policy BE13 of the UDP which specifically relates to advertisements and which sets out, amongst other matters, that illuminated advertisements will be permitted provided that they would not harm the character or appearance of an area. Finally, the proposal also complies with the aforementioned content of the NPPF which relates to good design, visual attractiveness, local character and heritage together with its content on advertisements to the effect that poorly sited and designed adverts should not be consented.

Other Matters

18. The grade II listed Howard Hotel and attached shop and workshops is located off Howard Street to the site's north-east. The principal significance of this listed building is derived from its design and architecture, and the evidence it provides of buildings associated with the area's metal trade history and of hostelries within Sheffield. The site benefits from a considerable separation from this listed building and to the open land within the listed building's immediate surrounds which provides it with a pleasant setting. Owing to this separation and the scale and quality of the proposals no harm to the listed building's architectural interest would result whilst its historical associations with trade and hostelries would be unaffected. No harm to the listed building's special features of interest or setting would therefore result.
19. The grade II Sellers Wheel at No 151 Arundel Street was developed as a cutlery works. It exhibits a rectangular courtyard plan, traditional architecture, and it retains evidence of grinding hulls. These facets of its character and appearance provide it with both architectural and historic interest and, in turn, its principal significance. There are intervening buildings and recreational space between the appeal site and this listed building. Consequently, the proposals would form inconspicuous features within the surroundings of the listed building and they would not harm its architectural significance nor its historic value. Again, no harm to the listed building's special features of interest or setting would therefore result.
20. Upon completion of the proposed hub unit an area of pavement would be narrowed, but a width of over 3.5 metres would remain between the hub unit and the nearest buildings. In addition, given the limited footprint of the proposed hub unit, this narrowing would apply to only a very limited stretch of the pavement.

Consequently, the hub unit would cause no unacceptable hindrance to pedestrians, including children visiting nearby galleries and studios.

21. Representations before me refer to the loading and unloading requirements of the adjacent gallery and coach drop-offs which take place. I have limited information before me on these loading requirements and the coach arrangements but, during my visit, I was able to appreciate the proximity of the appeal site to the sets of access doors within the gallery building adjacent. However, given the limited footprint of the proposed hub unit, the evidence before me that the hub would be likely to cause any hindrances to loading or coach drop-offs, is not substantive and is unconvincing, and I have no firm grounds on which to object to the hub unit on this basis.
22. In coming to these views, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 (the Act), which sets out the need to eliminate unlawful discrimination, harassment, victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The Act sets out the relevant protected characteristics which includes age. No harm upon pedestrian movements or building access would arise as a result of the proposals. Therefore, I have no firm basis on which to conclude that children visiting the area's cultural industries and attractions would be affected differently or disproportionately. Consequently, the PSED does not provide a reason to dismiss the appeals.
23. The hub unit would be positioned beside a relatively straight section of road where visibility is good. Appropriately, the hub unit would be setback a little from the road too. Assisted by some of the conditions imposed which control the digital displays, I have no good reason to conclude that the advertisements integrated into the hub unit would cause any impairment to the visibility of any drivers or other highway users nor present a distraction to them. I find that the effects of both proposals upon highway safety would be acceptable.
24. Advertisements are subject to control only in the interests of amenity and public safety. The consideration of amenity is not defined exhaustively within the 2007 Regulations but, in practice, it usually relates to visual and aural amenity. Public safety relates to transportation factors. The energy efficiency of advertisements, their CO₂ emissions and any correlation between the siting of advertisements and inequalities within the local populace are all matters unrelated to these amenity and public safety considerations. Therefore, these are not matters which have a bearing upon my decision on Appeal B.
25. It may be that other defibrillators are located nearby, meaning that the benefit derived from the incorporation of one into the proposed hub unit is less significant than might otherwise be the case. However, in respect of the hub unit, I have identified no harm nor any conflict with development plan policies. Therefore, even if the proposed hub unit's benefits are tempered, this provides me with no reason to withhold planning permission.
26. The Council set out that the proposed hub unit could be sited elsewhere. However, I have been provided with no detailed information on alternative locations which would be both available and demonstrably more suitable than the appeal site. Regardless, I must consider the appeal proposals on their own merits.

27. Unless the nature of any proposed advertisement is, in itself, harmful to amenity or public safety, consent cannot be withheld because the content of any advertisement is considered to be misleading, unnecessary, ironic in its context or offensive to public morals. Consequently, the content of the advertisements proposed is not a matter which has a bearing upon my decision on Appeal B.

Conditions

28. The Council has not provided a list of suggested conditions that it considers would be appropriate in respect of either the proposed hub unit or the advertisements. The appellant has, however, made some suggestions. I have considered these and coupled them with my own thoughts having particular regard to the tests for imposing conditions set out within the NPPF and the content of the Planning Practice Guidance.
29. On Appeal A, condition 1 sets out the standard time limitation. Condition 2 is necessary to ensure that the proposed development is carried out in accordance with the approved plans for the reason of certainty. I have imposed condition 3 in order to ensure that the proposed hub is managed in a manner which is resilient to the likes of malfunctioning and vandalism in the interests of the character and appearance of the area.
30. On Appeal B, in addition to the standard conditions, I have imposed 6 conditions. These will exert control over the digital displays' illumination intensity and the advertisement duration and transition. They will prevent moving images, the emission of sounds and music, any resemblances to traffic signs and will secure a mechanism to ensure the displays are switched off, or default to an appropriate image, in the event of a malfunction. These conditions are necessary to prevent the illuminated advertisements from being too bright or resulting in effects or displays which would be distracting in the interests of public safety and amenity.

Conclusion

31. The proposed development the subject of Appeal A accords with the development plan as a whole, and there are no material considerations which indicate a decision should be made other than one in accordance with it. Therefore, I conclude that Appeal A should be allowed, subject to the conditions in the attached schedule.
32. In respect of Appeal B, the effects of the proposed advertisements on amenity and public safety would be acceptable. Therefore, I conclude that the Appeal B should be allowed and consent be granted for the proposed advertisements subject to the standard conditions and the conditions within the attached schedule.

H Jones

INSPECTOR

Schedules of Conditions

Appeal A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:
Shef-BS/2025/01 0
Shef-BS/2025/03 0
Shef-BS/2025/04 0
- 3) The development hereby permitted shall not be operated/brought into use until a management plan, setting out the means by which vandalism, graffiti and hub malfunctions shall be managed and rectified, has been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be operated and managed in accordance with the approved management plan.

Appeal B

- 1) The intensity of the illumination of the digital displays shall not exceed 2000cdm⁻² during the day and 600cdm⁻² during the hours of darkness.
- 2) The digital displays shall only display static images and shall not display moving images (including animation, flashing, scrolling, three dimensional, intermittent or video elements).
- 3) The minimum display time for each advert shall be 10 seconds and the change in advertisement display shall be instantaneous.
- 4) No advertisement displayed shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.
- 5) No music or sound shall be emitted from the advertisements.
- 6) In the event of malfunction, the affected digital display(s) shall be immediately switched off, or default to a blank or black screen, and remain as such until the malfunction is rectified.