



Appeal Decision

Site visit made on 17 August 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2021

Appeal Ref: APP/P4415/Z/21/3274354

K C M Metals and Skip Hire, Gin House Lane, Munsbrough, Rotherham S61 4QN.

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Ben Porte (Clear Channel) against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2021/0456, dated 23 February 2021, was refused by notice dated 13 April 2021.
 - The advertisement proposed is installation of 2no illuminated 48-sheet D-Poster displays.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On 20 July 2021, the Government published a revised National Planning Policy Framework (the Framework). Both main parties have had the opportunity to submit comments on the relevance of the Framework to this case. I have taken any comments received into consideration and I have assessed this appeal in light of the Framework.
3. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance (PPG) reiterate this approach. Therefore, while I have taken account of the policies and guidelines that the Council considers to be relevant, these have not been decisive in my determination of this appeal.
4. I note that the Council considers that approved landscaping along the site boundary with the road has not been implemented and that existing signage at the site is not authorised. However, I have limited information about these matters before me and I have considered the details of the proposed signage based on the evidence before me and my site visit.

Main Issues

5. The main issues are (i) the effect of the proposed advertisements on amenity and (ii) the effect of advertisement A on public safety.

Reasons

Amenity

6. Greasbrough Road is a dual carriage way to the north of Rotherham. The road bisects a largely commercial area. The proposed digital advertisements would be displayed on land which is operated as a waste management site. It overlooks Greasbrough Road at a considerably higher level with the boundary of the waste management site to the road frontage defined by a retaining brick wall with fencing above. Elements of the waste management operation are visible from Greasbrough road.
7. Advertisement A would be located so that it would be mostly visible to traffic travelling towards the roundabout and advertisement B would be sited to be mostly visible to traffic travelling away from the roundabout on the opposite site of the dual carriage way. The signage structures would be prominent in both directions when travelling along Greasbrough Road.
8. At my site visit I saw that there is some existing non-illuminated signage attached to the railings at the appeal site. In the area more generally there is limited other signage visible along the road. The small number that are visible are generally restrained in appearance and at road level.
9. Greasbrough Road on the approach to the waste management site from either direction is particularly well landscaped with a rural quality because of the amount and maturity of tree cover and the general location of commercial buildings, which are mostly set back from the road frontage.
10. Both advertisement A and advertisement B would be large digital advertising structures that would be sited significantly above road level. Notwithstanding the commercial nature of the land around the location of each advertisement, the size and siting of the proposed advertisements would appear appreciably larger than other signage within the area and would dominate the street scene. Their digital displays would be visually obtrusive and materially out of keeping with their surroundings. Consequently, the signage would detract from the area's rural quality and its verdant character and appearance despite the location's underlying commercial nature.
11. The maximum luminance of the proposed advertisements would be controlled by light sensor. Several conditions have been suggested by the appellant that would control the illumination and frequency/method of change of the display and the signage would not be displayed between midnight and 0500 hours. I appreciate that there is street lighting and other sources of lighting adjacent to the appeal sites, however, the introduction of changing images would draw attention and would add further to my concern about the intrusive nature of the signage and their unacceptable effects on the visual amenity of the area, so that these conditions would not overcome my concerns.
12. For these reasons, I conclude that the advertisements would be harmful to amenity. I have taken into account Policies SP32 and SP60 of the Rotherham Local Plan Sites and Policies document where these policies support the protection and enhancement of landscapes and where advertisements are required to be sensitive to their surroundings. As I have concluded that the proposed signage would harm amenity, there would be conflict with these policies. The advertisements would also conflict with the Framework where it

states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public safety

13. The PPG establishes that advertisements in locations where drivers need to take more care, including junctions and pedestrian crossings, are more likely to affect public safety. The PPG also lists the main types of advertisements which may cause danger to road users as including those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal; and those externally or internally illuminated signs which could distract road users.
14. Greasbrough Road is a dual carriage way with a speed limit of 40mph. The road is relatively straight and wide with all traffic approaching the roundabout from the south travelling in the same direction. Signage is generally limited to directional signs and there are few other hazards to consider. Even if advertisement A were to attract attention, I agree with the appellant that there would be enough time and visibility for drivers to adequately assess and discern the status of the highway conditions.
15. Consequently, I conclude that the advertisement would not be detrimental to public safety. While not determinative, the proposal would accord with the public safety aims of Policy SP60. It would also accord with the Framework and the guidance in the PPG in this respect.

Conclusion

16. Whilst I conclude that advertisement A would not be detrimental to public safety, for the reasons set out above, I conclude that advertisements A and B would be detrimental to amenity. Therefore, the appeal is dismissed.

Diane Cragg

INSPECTOR