



Appeal Decision

Site visit made on 12 September 2024

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2024

Appeal Ref: APP/J4423/Z/24/3345495

Bus shelter adjacent to Meadowcourt, Meadowhall Road, Sheffield S9 1BS

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Kevin Oldland of Alight Media Ltd against the decision of Sheffield City Council.
 - The application Ref is 24/01024/HOARD.
 - The advertisement proposed is a double sided digital 6 sheet advertising panel.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address on the application form cited 'Meadowhall Road/Junction of Hayland Street, Sheffield, S9 1BW'. I have instead used the address from the decision notice and the appeal form, as this provides more clarity.

Main Issue

3. The main issue is the effect of the proposed advertising panel on the visual amenity of the area.

Reasons

4. The site comprises a simple, glazed panelled bus shelter structure. It lies on the northern side of a relatively straight and flat stretch of Meadowhall Road. A furniture shop with forecourt lies directly behind, with further relatively large commercial and office buildings to the north and south. The River Don runs alongside the southern side of Meadowhall Road at a lower level, separated by a red brick flood defence wall.
5. The proposal is for the display of a 6 sheet sized advertising panel within one end of a replacement bus shelter. The shelter itself could be erected through permitted development rights. For the avoidance of doubt, my determination is based only on the effect of the advertising panel.
6. Travelling north-east along Meadowhall Road, the buildings form the immediate backdrop to the bus shelter. However, the road is wide and open, and with tall trees directly opposite and in the distance behind. This forms an almost continuous expanse of greenery framing the view, which greatly softens the commercial character. There is a somewhat similar effect travelling south-west due to the curve of the road creating a green backdrop of tall trees.

7. Therefore, the immediate character is overall open and relatively verdant, notwithstanding the commercial buildings. There is no existing illuminated advertising, or any advertisements which are not related to those businesses. The existing bus shelter does not incorporate an advertisement, and is a relatively subservient feature within the street scene.
8. The appeal proposal would therefore create a stark contrast, and intensify the commercial context to the detriment of the green surroundings. This is despite end of bus shelter advertising being generally commonplace over the past few decades, and with LCD digital panels being increasingly so as the most up to date technology.
9. Even were the advertisement considered to be an integral or incidental design feature of the shelter, it would create additional bulky massing within the streetscene, and attract additional and undue prominence. This would be increased as a result of the advertisement's illumination and changing images, particularly during hours of low natural light or darkness. Conditions could restrict maximum brightness, moving content, and frequency of image change, and illumination appears in line with the Institute of Lighting Professionals' guidance, but this would not sufficiently mitigate its prominence.
10. There are freestanding advertising units on the pavement further to the north of the site, however, I find these to be too distant to be of direct consequence in this instance. Overall, the proposed advertisement would have a harmful effect on the visual amenity of the area.
11. In accordance with the Advertisement Regulations, I have taken into account the provisions of the development plan so far as they are relevant to visual amenity. The Sheffield Unitary Development Plan (UDP) Policy BE13 requires advertisements to not harm the character or appearance of the area, and to relate in scale and design to their surroundings.
12. Paragraph 135 of the National Planning Policy Framework ('the Framework') (2023) also requires developments to add to the overall quality of the area, and be sympathetic to local character including the surrounding built environment and landscape setting. Paragraph 141 identifies that the quality and character of places can suffer when advertisements are poorly sited and designed. Given that I have concluded that the proposal would harm visual amenity, the proposal conflicts with the UDP Policy BE13 and with the Framework.

Other Matters

13. The Council has not highlighted any potential harmful impact to public safety, and I make the same conclusion.
14. The appellant suggests benefits that the improved bus shelter would improve the attractiveness of public transport, and the advertisement would fund shelters at no public cost. Wider public benefits would also include the ability to display urgent messaging, and this form of advertising being more sustainable than paper due to reduced vehicle trips and paper use. Outdoor advertising is also stated to be vital to employment and commerce as a commercial activity and as a service to the public and local businesses.
15. However, the Regulations state that advertisements should be subject to control only in the interests of amenity and public safety, taking into account the provisions of the development plan in so far as they are material, and any

other relevant factors. Alongside the Framework paragraph 141 and the Planning Practice Guidance, there is therefore no indication that any of these suggested benefits can be taken into account.

Conclusion

16. For the reasons given above I conclude that the double sided digital 6 sheet advertising panel would be detrimental to the interests of visual amenity, and therefore the appeal is dismissed.

L N Hughes

Inspector