



---

## 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/24/3345504**

**Bus shelter outside Asda, Handsworth Road, Sheffield S13 9LR**

- 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 24/01021/HOARD.
  - The advertisement proposed is a double sided digital 6 sheet advertising panel.
- 

### Decision

1. The appeal is allowed and express consent is granted for the display of the double sided digital 6 sheet advertising panel, at Bus shelter outside Asda, Handsworth Road, Sheffield S13 9LR, in accordance with the terms of the application, Ref 24/01021/HOARD, dated 21 March 2024. 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 conditions set out in the Schedule at the end of this decision.

### Main Issue

2. The main issue is the effect of the proposed advertisement on the visual amenity of the area.

### Reasons

3. The appeal site hosts a simple, glazed panelled bus shelter structure, which incorporates an internally backlit double sided paper poster display to one end. The proposal is for the display of a 6 sheet sized advertising panel within the same 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. The Council does not refute that the existing advertisement has been in place for many years. I have therefore included its contribution in assessing the area's character.
4. The shelter lies on the southern side of Handsworth Road just beyond the entrance junction into the Asda superstore site behind, in a Fringe Industry and Business Area designated by the Sheffield Unitary Development Plan (UDP). Handsworth Road is a heavily trafficked arterial route, being 4 to 5 lanes wide along this stretch, plus a middle hardstanding verge and bus laybys. The shelter is at the back of the pavement/cycleway, set into a bank of landscaped vegetation running the length of the Asda site.

5. The Asda petrol filling station at the top of the bank is particularly prominent, and alongside the Asda signage, the overall character impression along the appeal side of the road is of a commercial setting. The width and openness of Handsworth Road separates this character area from that along its northern side, being a domestic scale of dwellings with front garden vegetation.
6. The new advertising panel would be slightly wider and with a bulkier design. This would lead to some increased prominence, accentuated by its illumination and changing images, particularly during hours of low natural light or darkness. However, it would not be so isolated within the streetscene so as to draw undue attention, despite the setting against the landscaped bank. The predominant context would be against the extent of highways infrastructure, and the Asda buildings, associated street furniture, and car park lighting at height above.
7. In this instance therefore, the advertisement's increased size and digital illumination would not be of such a magnitude so as to cause an unduly harmful impact compared to that existing. Similarly, nor would cumulative clutter be caused on this basis. Brightness would be perceived similarly to that at present, with prominence limited via conditions to restrict maximum brightness, moving content, and frequency of image change.
8. Overall, the proposed advertising panel would therefore not harm the visual amenity of the area. 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 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.
9. 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 not harm visual amenity, it complies with the UDP Policy BE13 and with the Framework.
10. Advertisements are subject to 5 standard conditions. Additional conditions have been suggested relating to restrictions on luminance, visual effects, and minimum display timings. I have imposed these in the interests of visual amenity, with some modification for better clarity.

## **Conclusion**

11. For the reasons given above, I conclude that the double sided digital 6 sheet advertising panel would not be detrimental to the interests of visual amenity, and therefore the appeal is allowed.

*L N Hughes*

Inspector

**APPEAL: APP/J4423/Z/24/334550**

**SCHEDULE OF CONDITIONS**

- 1) The sign shall display static images only, and no individual advertisement display shall at any time contain moving images, animation, intermittent or full motion video images, audio, or any images that resemble road signs or traffic signals.
- 2) The minimum display time for each advertisement shall be 10 seconds, and the advertisement shall not include any features which would result in sequencing of messages and advertisements relating to the same product.
- 3) The interval between successive advertisements shall be no greater than 1 second and the complete display shall change without visual effects. The display shall include a mechanism to freeze the image in the event of a malfunction.
- 4) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than that recommended by the Institute of Lighting Professionals 'Professional Lighting Guide (PLG 05) Brightness of Illuminated Advertisements' (or its equivalent in a replacement Guide).

**END OF SCHEDULE**