



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/24/3345510

Bus shelter adjacent to 63 Meadow Head, Sheffield S8 7UB

- 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 24/01027/HOARD.
 - The advertisement proposed is a double sided digital 6 sheet advertising panel.
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Decision

1. The appeal is dismissed.

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 Council does not refute that this existing advertisement has been in place for many years. I have therefore included its contribution in assessing the area's character.
4. 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.
5. The shelter lies on the eastern side of Meadow Head, a busy strategic dual carriageway. The stretch alongside the appeal site includes a cycle lane, an additional right turn lane, and a bus layby on the western side. It is next to a junction into a Morrisons supermarket site, incorporating pedestrian crossings with a small central reservation.
6. The Morrisons petrol filling station opposite the appeal site is clearly visible. Alongside its associated street furniture including signage and an illuminated petrol price totem, the overall impression for that side of the road is of a busy retail character. In contrast, behind the appeal site lies a thick and tall mature woodland area, forming an edge of Graves Park. Dwellings front Meadow Head to the south, which are also framed by the tall trees running behind. The two

- sides are separated by the visual impact of this mass of vegetation and the width of Meadow Head, resulting in a verdant natural and domestic character.
7. These trees form a very impactful backdrop to views, with only very limited street clutter on this side including the bus shelter itself. The proposed advertisement would be somewhat more prominent than at present, and so would represent an overtly commercial and intrusive addition into this streetscene. Additional bulky massing would be created, and draw undue attention, not sufficiently mitigated by its incorporation within the bus shelter.
 8. The advertisement's overall prominence would be further heightened due to its illumination and changing images, particularly during hours of low natural light or darkness. This would be particularly noticeable compared to the green backdrop, even with overall brightness at similar levels to that at present, and during periods of leaf fall.
 9. This could not be sufficiently mitigated by the suggested conditions, which include restrictions on the display and transition of images, and on illumination levels in line with the Institute of Lighting Professionals' guidance. This is despite end of bus shelter advertising being generally commonplace over the past few decades, with the most up to date technology of LCD digital panels being increasingly common compared to technology such as currently in use at the appeal site.
 10. In this instance this is a relatively finely balanced judgement, considering the existing advertising in place. However, on balance, I find that the proposed advertisement's design, increased size, and digital illumination would be of such a magnitude and juxtaposition so as to cause an unduly harmful impact to the area's visual amenity.
 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. Policy BE13 of the Sheffield Unitary Development Plan (UDP) 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) 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 considers that the improved bus shelter would improve the attractiveness of public transport, with the advertisement bringing economic benefits by funding such shelters at no public cost. Wider benefits would also include the ability for display of public messaging, and this form of advertising being more sustainable 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. The digital form is suggested to be more in keeping with the image of a major city.

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 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