
Appeal Decision

Site visit made on 3 December 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2019

Appeal Ref: APP/J0540/Z/19/3237863

The Serpentine Green Shopping Centre, Peterborough, PE7 8DR

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Richard Page, Insite Poster Properties Ltd, against the decision of Peterborough City Council.
 - The application Ref 19/00702/ADV, dated 01 May 2019, was refused by notice dated 14 August 2019.
 - The advertisement proposed is described as erection of a digital advertising display: Display of illuminated static images on a 10 second sequential rotation. No special effects including animation, flashing or fading. Illumination: display will monitor and adjust to ambient light levels, day max 600 candela/sqm, night max 300 candela/sqm.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed advertisement on the visual amenity of the area, and
 - the effect of the proposed advertisement on public safety.

Reasons

Visual amenity

3. The proposed advertisement would be sited within a grass verge at the edge of a busy main road, The Serpentine, at a roundabout. The roundabout provides access to the Serpentine Shopping Centre referred to in the site address, as well as other retail and business parks. Hence, the location of the proposed advertisement would not be within the site of the shopping centre itself but within the soft landscaping area of the highway network that serves the shopping centre. In contrast with the shopping centre site, where advertisements are a common feature, the character of the site and its associated area is that of a road network that has been designed with soft-landscaping edges and softly landscaped roundabouts, ie mown grass, shrubs, hedges and trees. The verge within which the sign would be sited is at a slightly elevated position to the shopping centre and associated car parks.
4. The proposed advertisement would be fixed to a monopole support and would measure 6 m wide x 3 m high x 0.45 m deep, with the underside of the sign

positioned 3m above ground level. The sign would be illuminated and would digitally display static images.

5. The appellant suggests that, when viewed within the context of the massing of the built form of commercial and business properties located on surrounding land served by the highway network, the proposed advertisement would not be out of keeping. However, I consider that, although there is a petrol station immediately off the roundabout this is set back behind trees and hedging. Furthermore, the shopping centre is some distance from the roundabout, and as such the proposal would not be read as part of the commercial site. It would appear as an isolated structure within the soft landscaping edge. There are currently no other advertisements within the central island of the roundabout or along the road edges immediately around it. The soft landscaping adjacent to the surrounding highway provides some verdant relief from the built-up retail and business parks in the area. Within this context I consider the introduction of any advertisements within the soft landscaping areas would erode the character and appearance of the landscaped road network. Given the relatively large and prominent siting of the proposed advert I consider it would significantly harm the visual amenity of the area.

Public safety

6. I noted above that The Serpentine is a busy main road. The proposal would introduce a relatively large structure into the otherwise soft landscaped verge, sited close to the road edge. I consider that the siting and scale of the advertisement would distract drivers as they enter and leave the roundabout, particularly when travelling in a north-westerly direction. I consider that drivers being distracted in such a way would pose a threat to highway users and therefore public safety.

Other Matters

7. I note that the appellant has offered to position the sign 2 m above ground level to the underside rather than the 3 m detailed in the application submission. Even if I were to accept this amendment to the proposal, I consider it would not overcome the harm identified.

Conclusion

8. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are relevant. Policy LP16 of the Peterborough Local Plan 2016 to 2036 (2019) (LP) requires developments to positively contribute to the character of the area. Policy LP13 of the LP requires the highway network to be well managed and maintained to allow for the safe movement of all modes of transport. I have concluded that the advertisement would harm the visual amenity of the area and it would threaten public safety, therefore the proposal conflicts with policies LP16 and LP13 of the LP.
9. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson
INSPECTOR