



Appeal Decision

Site visit made on 18 November 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2019

Appeal Ref: APP/Q4625/W/19/3239764

Land at Holiday Inn, Coventry Road, Solihull B26 3QW

- 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 Booh Media PLC against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/01193/ADV, dated 26 April 2019, was refused by notice dated 2 September 2019.
 - The advertisement proposed is erection of roadside digital sign.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) The effect of the proposal on the visual amenity of the street-scene.
 - (ii) The effect of the proposal on public highway safety.

Preliminary Matters

3. The dimensions of the proposed digital sign have been reduced from 16.5m to 9.9m (height) and by 6.5m to 5m (width). The size of the digital screen has been reduced from 7.5m x 5m to 6m x 4m. For clarity, I have considered this appeal on the basis of the reduced dimensions.
4. Mr Kyle Tidey, of the company Elonex, is identified on the appeal form as the appellant. Following clarification, Elonex is the trading name of Booh Media PLC and I have dealt with the appeal on this basis.

Reasons

Visual Amenity

5. The proposed digital sign would replace the existing totem pole sign for the Holiday Inn. The new sign would be positioned close to the existing sign within the hotel car park near to the boundary with the A45 Coventry Road. The sign would also be elevated so views of the display would be clear of the existing high metal fencing on the site boundary. The sign would be located approximately 100m from the busy signal-controlled junction of the A45 with Damson Parkway and Terminal Road. The latter provides access into the air cargo centre of Birmingham Airport. There is a 40mph speed limit on this part of the A45. The site lies at the edge of a very important economic area serving

the wider West Midlands. Nevertheless, there is very little pedestrian movement along this section of this major highway.

6. Although the structure holding the display would be of a minimal, slim design, it would be located adjacent to the highway, separated from the commercial buildings on this frontage by the car park. There are no similar digital or large advertising boards in the locality. As such I consider the proposal would be visually dominant on the street-scene and thereby detrimental to the amenity of the area. The illumination of the display would accentuate my concerns. I also consider that the location of the illuminated sign on the edge of the built-up area is important. This is because the examples of other large digital signs set out in the evidence are located wholly, and more appropriately, within the urban area.
7. I conclude that the proposed digital sign would be harmful to the visual amenity of the street-scene. As such it would be contrary to Policy P15 of the Solihull Local Plan 2013 (LP) which seeks to ensure that development proposals enhance the quality of streetscape and that development of the highest quality will be expected at key strategic economic assets.

Public Safety

8. I understand the proposed sign would be used for the display of 6 digital static images which would change every 10 seconds. Given the low pedestrian flows and size and elevation of the sign, it would appear to be targeting the occupants of vehicles passing, or queuing at the nearby junction at Coventry Road/ Damson Lane/ Terminal Road. This is a very busy junction and a point on the network where drivers need to take more care.
9. Paragraph 068 of the Government's Planning Practice Guidance (Reference ID: 18b-068-20140306) identifies the main types of advertisement that may cause danger to road users. These include not only those that might confuse a road user's view, or would be likely to distract road-users, but also those which are subject to frequent changes in the display. I consider the proposed sign risks these effects by distraction of the drivers of both passing as well as queuing vehicles.
10. Appendix 7 (Holiday Inn, Roadside Advertising Display Signage, Birmingham Airport, Coventry Road, Birmingham, Road Safety Assessment Report, October 2019 by CA Traffic Solutions) sets out further information including a risk assessment and evidence of a low collision rate recorded at the junction over a five-year period. The key conclusions of the report are: (i) the proposed sign would conform to appropriate standards; (ii) surveys of other sites show there is not necessarily a detrimental effect on public safety and the risks may be perceived rather than actual; (iii) the use elsewhere of Elonex signs for real-time public safety messages and: (iv) that in the professional opinion of the author, the proposed sign would not give rise to an increase in risks. However, I note that there is no specific empirical analysis of accident levels close to other digital signs, such as those shown elsewhere in Birmingham/Solihull set out in Appendix 6, to back up conclusion (iv). Therefore, I do not agree the evidence before me provides sufficient corroboration to justify the proposal.
11. Accordingly, I conclude that the proposed development would be harmful to public highway safety contrary to the provision of Policy P8 of the LP which seeks to ensure that all development proposals have regard to highway safety.

The proposed development is also contrary to paragraph 109 of the National Planning Policy Framework and paragraph 068 of the Planning Practice Guidance (Reference ID: 18b-068-20140306).

Conclusion

12. For the reasons set out above I dismiss the appeal.

David Carter

INSPECTOR