
Appeal Decision

Site visit made on 7 January 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2020.

Appeal Ref: APP/Z0116/Z/19/3238535

Land at St Andrews Road, Bristol BS11 9ES

- 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 Insite Poster Properties Ltd against the decision of Bristol City Council.
 - The application Ref 19/02806/A, dated 10 June 2019, was refused by notice dated 28 August 2019.
 - The advertisement proposed is for the replacement of an existing illuminated 96-sheet advertisement display with an illuminated 48-sheet digital advertisement display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on public safety.

Reasons

3. The appeal site is located on a triangular grassed verge that is adjacent and close to the busy St Andrews Road (A403) and its junction with Ironchurch Road, and comprises a large externally illuminated advertisement hoarding. The surrounding area is characterised by warehousing primarily involved in storage, distribution and dock related activities. The A403 is one of the main roads through the area and has a number of spur roads feeding off it and leading to the many warehouses in the locality.
4. The existing sign is visible from distance when approaching from the north east along the A403, where there is a 40mph speed limit. In the area close to where it faces the highway, the road widens to incorporate a right turn filter lane onto Ironchurch Road. Motorists are alerted to this by road markings informing them to 'SLOW', and bollards and painted arrows indicating the direction of the through road and the right turn lane. However, this is not immediately apparent from distance due to the left-hand bend in the road. Vehicles emerging from Ironchurch Lane onto the A403 use a separate lane which has no entry signs facing the A road. Therefore, the area immediately around the site gives motorists a number of manoeuvring options. There is also the likelihood of vehicles slowing down, stopping or preparing to turn, with the added activity of vehicles emerging onto the A403 from Ironchurch Road and crossing the path of oncoming traffic. This in my view creates an environment where motorists would require a greater degree of observation and

concentration. Whilst only a snap-shot in time, during my mid-morning site visit I noted a significant amount of vehicular activity and manoeuvres around the junction and therefore close to the appeal site.

5. The existing sign would be replaced with a smaller internally illuminated sign, measuring 6m in length and 3m in height. The advertisement would be fixed to a monopole sited approximately 2.5m above the ground. The proposal would differ to the existing sign. It would be internally lit by LED lighting and have a display showing static two-dimensional images that would rotate every 10 seconds. The proposal's proximity and orientation to the adjacent road junction, coupled with its scale and height would make it clearly visible from A403 and Ironchurch Road.
6. The National Planning Policy Framework (the Framework) and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Advertisement Regulations) state that advertisements should be subject to control in the interests of public safety, including the safety of persons using any highway. Planning Practice Guidance (PPG) provides more detailed guidance and recognises that while advertisements are intended to attract attention, they are more likely to affect public safety at points where drivers need to take more care e.g. at junctions¹. Moreover, the PPG states that internally illuminated signs which are subject to frequent changes of the display may cause danger to road users².
7. At a local level, Policy BCS10 of the Bristol Development Framework Core Strategy (2011) (the Core Strategy) requires developments to be designed and located to ensure safe streets for all users. Similarly, Policy DM23 of the Bristol Local Plan – Site Allocations and Development Management Policies (2014) (the Local Plan) states that development should not give rise to unacceptable traffic conditions.
8. Against the backdrop of the vehicular activity in the area and the physical characteristics of the junction, I consider that the height of the advertisement, the regular rotating imagery and the size of the area that would be illuminated would be a distraction to drivers travelling along the A403 and Ironchurch Road, particularly when making turning manoeuvres. The area close to the proposal is a location where enhanced concentration and observation would be required and the proposed sign could lead to there being a failure to observe surrounding vehicles, their speed and manoeuvres in the highway, resulting potentially in serious incidents that would impose a risk to public safety.
9. I acknowledge that the proposal would have a much-reduced area compared to the existing sign, while the level of illumination could be controlled. Yet, the proposal's height would make it more prominent. Furthermore, it would be entirely illuminated internally, whilst the display of images that frequently rotate, would contrast markedly to the existing externally lit static image sign which I consider has a much-reduced impact.
10. The Appellant correctly refers to there being no traffic lighting or pedestrian crossing close to the appeal site, however, this does not make the adjacent junction any less complex given the presence of other signage, the bend in the road and the degree of road markings. I have also considered the conditions

¹ Paragraph: 067 Reference ID:18b-067-20140306

² Paragraph: 068 Reference ID:18b-068-20140306

proposed by the appellant, nevertheless these would not address the issues I have identified with the proposal.

11. For the reasons set out above, I conclude that the proposed advertisement would cause unacceptable harm to public safety. It would therefore be contrary to Policy BCS10 of the Core Strategy and Policy DM23 of the Local Plan. The proposal would also be contrary to the PPG and the Framework.

Conclusion

12. For the reasons given above, the appeal is dismissed.

R.E. Jones

INSPECTOR