
Appeal Decision

Site visit made on 5 June 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 16th June 2020

Appeal Ref: APP/D3505/Z/19/3243664

GW Garages, Girling Street, Sudbury, Suffolk CO10 1LZ

- 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 GW Garages Ltd against the decision of Babergh District Council.
 - The application Ref DC/19/04336, dated 20 September 2019, was refused by notice dated 4 November 2019.
 - The advertisement proposed is described as, 'erection of replacement signboard'.
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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 proposed sign would replace an existing sign and would be similar in terms of size, dimensions and siting. However, the proposed sign would be digital and internally illuminated. The evidence indicates that the sign would not display videos.
4. Girling Street, near to which the sign would be placed, is a busy one-way road close to the centre of the town. The site is in a prominent position, a short distance from a fairly large roundabout and adjacent to a bend in the road as well as near to a large traffic sign relating to the roundabout. In addition, this stretch of road has two lanes with road markings, one of which indicates a left turn. As such, motorists at this point are required to decide which lane they need to be in having analysed the traffic sign.
5. Therefore, given that motorists travelling along this section of road would need to be focussed on the road ahead while noting the traffic board in order to decide their next manoeuvre at the roundabout, this stretch of road is a point where drivers need to take more care. Consequently, a digital sign with changing illuminated images in this location would be likely to distract road-users and would result in an unacceptable risk to highway and public safety.
6. I acknowledge that the illumination level and frequency of the changing images could be controlled by condition, the speed of traffic along this road may be fairly low at times and there may not have been any collisions in the last ten years. However, there is little evidence before me to demonstrate that such conditions would mitigate the risk to public safety.

7. In addition, I note the junction prior to the approach to the site and while there are other signs along this road, they are generally not illuminated or are set a significant distance away from the highway such that their presence has not altered my overall decision.
8. Consequently, the proposed advertisement would harm public safety. It would conflict with paragraph 132 of the National Planning Policy Framework.

Other Matters

9. While certain advertisements may be permitted on forecourts of business premises, since the proposed sign would be illuminated with changing images, and given the harm to public safety, this point has not altered my overall decision.
10. I note the indication by the appellant that the sign could be used to display public notices. However, given the unacceptable harm to highway safety, this has not altered my overall decision.

Conclusion

11. For the reasons given above the appeal is dismissed.

R Sabu

INSPECTOR