



Appeal Decision

Site visit made on 16 June 2020 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 1 July 2020

Appeal Ref: APP/Z0116/Z/20/3246535

16 Newbridge Road, St Annes, Bristol BS4 4DJ

- 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 Clear Channel UK against the decision of Runnymede Borough Council.
 - The application Ref 19/05142/A, dated 18 October 2019, was partly refused by notice dated 16 December 2019.
 - The advertisement is described as Upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this case are the effect of the proposed advertisement on the visual amenity of the area and public safety.

Reasons for Recommendation

4. The Regulations, National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) make it clear that advertisements should be subject to control only in the interests of public safety and amenity. I have had regard to the policies referred to in the Council's decision notice. However, having regard to the above, these policies have not been decisive in my determination of this appeal.

Visual Amenity

5. The existing signage to be replaced is located on the side elevation of an end of terraced dwelling, sited on the corner of Newbridge Road and Arlington Road, so that the property's side elevation faces the latter. Both streets are made up of traditional two storey terraced dwellings and the site is located just outside the city centre. Whilst residential, the proximity to the commercial and industrial area gives the streets and wider area a mixed, transitional character and there are further large 48 sheet advertisements nearby on Newbridge

Road. The appeal building is sited outside, but in close proximity to the Avon Valley Conservation Area (CA).

6. Whilst amenity is not defined exhaustively within the Regulations, it does indicate that relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The PPG states that in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.
7. The boundary of the CA runs along the opposite side of Newbridge Road, where there are large industrial and commercial buildings and car parks. Beyond this is the river.
8. Whilst the proposed illuminated advertisement would be visible from the CA within the vicinity of the appeal site, particularly at night, its visual impact in views from the CA would be limited by its orientation. Moreover, its level of illumination could be controlled by condition, particularly during hours of darkness to reduce its visual impact.
9. The Council also state that the appeal site forms part of the setting of the Grade II listed Netham Locks (including remains of bridge), and Grade I listed Avon Bridge (Whitby Road). No information on these structures including their location is provided, and so it is not possible to assess the impact of the proposal on the setting of these heritage assets. It is noted however that the Council conclude that the advertisement, given the screening provided 'by industrial buildings and or trees' would not harm the setting of these assets. I have no reason to disagree.
10. In light of the foregoing I conclude that there would be no identifiable harm to the existing mixed commercial and industrial character and appearance of the area within the vicinity of the appeal site or the setting of the CA. The proposed advertisement would not result in harm to the visual amenity of the area, as defined by the PPG. There is no conflict with the conservation of heritage assets aims of policies BCS21 and BCS22 of the Core Strategy (June 2011) (CS), and policy DM31 of the Site Allocations and Development Management Policies (July 2014) (DM).

Public Safety

11. The appeal site is located in close proximity to a number of road junctions, traffic lights and pedestrian crossings. As such, drivers of vehicles and other road users using the highway within the vicinity of the appeal site would be likely to have a number of features competing for their attention.
12. The location of the advertisement means that it would be highly visible from Newbridge Road when approaching from the west and it would also be seen prominently behind the traffic lights at the junction with St Anne's Road. Whilst static in nature, the proposed illumination of the advertisement, given its scale and prominence when travelling from this direction, would in my view act as a further distraction to motorists using this stretch of road.

13. Taken with other features in the locality as set out above, I find the proposal would be likely to cause drivers of vehicles to look at the advertisement at a point where they should be concentrating on what is occurring on the highway. This would be particularly so at night or in wet conditions when the illumination of the advertisement would be likely to be particularly prominent. Such a distraction would be likely to cause harm to highway and public safety. In reaching this view I am mindful of the recorded number of accidents that have occurred in the locality, which may well have been attributed to the number of competing features within the vicinity of the appeal site.
14. I acknowledge the studies and literature set out by the appellant in the comprehensive report provided by Vectos regarding the impact of static digital screens (subject to the appropriate controls) compared to standard poster advertisements. However, these documents, which are not provided in full, are guidance only. Whilst there is not a presumption against roadside digital advertising, the PPG makes it clear that public safety is more likely to be affected by advertisements including *'... at points where drivers need to take more care, for example, at junctions, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards.'* In my view there is a material difference in the level of visual impact and distraction to highway users from the proposed illuminated digital advertisement compared to the existing 48 sheet advert, even if the advertisement was controlled via conditions. This distraction could lead to accidents.
15. A number of digital advertising sites elsewhere throughout the country and their consideration process have been provided by the appellant. However, the consideration of highway safety measures is specific to the appeal site and surrounding road network, and I note that many of the examples attracted no objection from the Council Highway Officers. As such none of the examples are directly comparable.
16. I therefore conclude that the proposed advertisement would result in harm to public safety. The proposal is therefore contrary to the highway safety objectives of CS Policy BCS10 and DM Policy DM23.

Other Matters

17. I note that the appellants comments on the Council's lack of dialogue, however this should be taken up with the Council, and is not a matter for consideration under this appeal.

Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR