



Appeal Decision

Site visit made on 1 September 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 September 2020

Appeal Ref: APP/M3455/Z/20/3254716

AB Hand Car Wash, 560 Hartshill Road, Hartshill, Stoke-on-Trent ST4 6AF

- 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 Ben Porte (Clear Channel UK Ltd) against the decision of Stoke-on-Trent Council.
 - The application Ref 65137, dated 2 March 2020, was refused by notice dated 28 April 2020.
 - The advertisement proposed is installation of internally illuminated 48-sheet D-Poster advertisement.
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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 are the effect of the advertisement on the amenity of the area and on highway safety.

Reasons

Visual amenity

4. The appeal site is a triangular shaped area of land currently occupied by a car wash and car sales business. The area is bounded by a low brick wall and mesh fence along the main A52, Hartshill Road frontage with concrete blocks and mesh fence to the rear facing Stoke Old Road. There are several low level unilluminated signs advertising the business attached to the rear fence. There are a mix of uses in the vicinity of the site, including a school, although the predominant character is commercial. On the opposite side of the road to the site, there are existing digital and non-illuminated advertisement panels.
5. The proposed advertisement would be a freestanding 48 sheet sized digital display, approximately 6 metres wide and 3 metres high and 2.5 metres above the ground displaying static but frequently changing advertisements. It would be located to the rear of the site.

6. The advertisement would be located in a prominent position, highly visible from the surrounding area to both road users and pedestrians. Although the proposal falls within best practice guidance for brightness and is one-sided, the digital illumination would result in a visually incongruous feature that would stand out from said other, more modest, advertisements in the area and dominate the street scene. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating its visual prominence and harmful effect on the amenity of the area, irrespective of its location not within a Conservation Area or close to Listed Buildings.
7. Furthermore, the rear elevation of the proposed advertisement would be on the back edge of the pavement of Stoke Old Road which is visible from Hartshill Road and would add a large, obtrusive element to the streetscene causing harm to visual amenity.
8. I recognise that the National Planning Practice Guidance (PPG) identifies that commercial areas may be suitable locations for advertisements, however each proposal must be considered on its merits in terms of its own site circumstances. Whilst I acknowledge that there are existing advertisements opposite the site of Hartshill Road that have previously been granted consent, these are located on a narrow grassed area with vegetation behind. They are therefore viewed in a less cluttered and open context than the proposed advertisement.
9. The appellant has proposed conditions to ensure any displayed advertisements would not include moving visual effects and to control the level of illumination, reflecting best practice. However, due to the above reasons they would not be sufficient to mitigate the harm identified.
10. In conclusion the proposal would harm the visual amenity of the area and would be contrary to the design aims of the Framework, which advises through paragraph 132 that the quality and character of places can suffer when advertisements are poorly sited and designed.

Highway safety

11. The (PPG) states that all advertisements are intended to attract attention, with those proposed at points where drivers need to take more care more likely to affect public safety. Furthermore, it advises that the main types of advertisement which may cause danger to road users are those which are illuminated which could be mistaken for, or confused with, traffic lights and those subject to frequent changes of the display. Moreover, those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal can also pose a risk to highway safety.
12. In the light of the above, I have taken into account the Council's concern about the effect of the proposal on highway safety. On my site visit, I saw that there was a pedestrian crossing, road junction and a school in the vicinity of the proposal. However, even though there are several potential hazards road users need to be aware of, the road was straight, and visibility appeared to be good. The accident data for the area does not reveal serious concerns for road safety in the area. Accordingly, on the basis of the evidence before me, I am

satisfied that the proposal would not have an adverse impact on highway safety in the area.

Conclusion and Recommendation

13. In conclusion, the development would not have an adverse effect on the highway safety of the area. Nevertheless, for the reasons set out above, the proposal would cause significant harm to the visual amenity of the area.
14. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth

INSPECTOR