
Appeal Decision

Site visit made on 30 September 2020

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 13 October 2020

Appeal Ref: APP/M3455/Z/20/3258330

Land adjacent to Queensway A500, Stoke-on-Trent ST4 7DE

- 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 Stoke-on-Trent Council.
 - The application Ref 64843, dated 29 November 2019, was refused by notice dated 1 July 2020.
 - The advertisement proposed is removal and replacement of 2 existing 48 sheet poster billboards with 48 sheet freestanding digital adverts.
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The intensity of the illumination of the advertising screens permitted by this consent shall be no greater than 300 candela.
 - 2) The advertising screens shall not display moving images
 - 3) The sequence of advertisements shall not change more than once every ten seconds
 - 4) Any sequential change between advertisements shall take place over a period no greater than one second.

Main Issue

2. The Council has not objected to the proposal on amenity grounds. The main issue is therefore the effect of the proposal on public safety with particular regard to users of the A500.

Reasons

3. Each of the proposed panels would be angled to face the respective sides of the A500. Planning Practice Guidance (PPG) sets out a number of circumstances where advertisements may cause danger to road users. This includes 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 signal, or would be likely to distract road-users because of their unusual nature.
4. When traveling north, the length of the lane drop from the A500 onto the A52 means that drivers will be very likely to have made their manoeuvre well in advance of the proposed adverts coming into view. Moreover, there is a

substantial distance between the appeal site and the lane drop where it bends to the left as it departs the A500. The A500 continues past the site without further need for drivers to prepare to manoeuvre to take account of any upcoming junctions. Accordingly, drivers on this side of the carriageway would not be unacceptably distracted by the proposed advertisements.

5. In the opposite direction, the advertisements would appear well before the 200yard signage informing drivers of the upcoming slip lane leading from the B5045 onto the A500. Furthermore, the slip lane does not become apparent until drivers have passed the group of trees a short distance beyond where the proposed advertisements would be sited as this vegetation obscures the line of sight in combination with the main carriageway's slight left-hand bend. Therefore, they will have passed the proposed advertisements sufficiently in advance of making or being aware of a need to make any necessary manoeuvres to account for merging traffic and/or preparing to leave the A500.
6. In any case, whilst the proposed panels would be illuminated and the images would change sequentially, these are matters capable of being addressed by conditions to provide adequate controls. Whilst there would be clear differences in the style and presentation of the existing and proposed schemes, the change would not be so dramatic as to create an unacceptable distraction to drivers.
7. In terms of the height of the proposed panels from ground level, it is noteworthy that the existing hoardings have been in-situ for a considerable time. There is no up-to-date evidence to indicate that their presence has resulted in an unacceptable effect on the safety of the A500's users. The similar height from ground level of the proposed panels is therefore acceptable. In addition, the proposed panels would replace existing and much larger billboards so the presence of adverts in this location along the A500 would not be novel. There would also be a reduction in the number of advertisements given that one of the panels would replace a hoarding comprising two advertisements.
8. Taking all of this into account, the proposal would not create an unacceptable public safety risk. The proposal would not conflict with PPG or the National Planning Policy Framework (the Framework).

Conditions

9. Whilst not suggested by the Council, other non-standard conditions have been put forward by the appellant which I consider to be necessary in the interests of highway safety. These relate to controls over the level of illumination; moving images; and the advertisement changeover frequency and speed. I have also been invited to impose a 'Grampian' condition to require the removal of a third existing hoarding located to the north of the appeal site. However, no clear evidence has been put forward to demonstrate the necessity of such a course of action and I have not imposed such a condition.

Conclusion

10. For the above reasons, the appeal succeeds.

H Baugh-Jones

Inspector