
Appeal Decision

Site visit made on 16 November 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2020

Appeal Ref: APP/D1780/Z/20/3256483

West Quay Road, A33, Southampton SO15 1RE

- 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 Ocean Outdoor UK Ltd against the decision of Southampton City Council.
 - The application Ref 20/00480/ADV, dated 7 April 2020, was refused by notice dated 2 June 2020.
 - The advertisement proposed is described as the 'replacement of existing 48 Sheet Panel with Portrait Digital Display 6m high x 4m wide'.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Planning Practice Guidance sets out that advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. For example, at junctions, pedestrian crossings and where local conditions present traffic hazards.
4. The appellant has highlighted that the Council's planning officer raised no issue with the proposal prior to the highway officer's objection. Therefore, it is clear that the planner's final assessment took into account the representation. Furthermore, with little technical evidence to the contrary, I place significant weight on the expert views of the highway officer.
5. The proposal would be located at the junction of West Quay Road (A33) and the entrance to the Leisure World Entertainment Complex. The proposed sign would be clearly visible to north-west bound traffic on West Quay Road. This road has two lanes for traffic turning left and continuing ahead. The junction includes pedestrian crossings on the south-east and south-west arms, but this is only signal controlled on the former. As such, traffic turning left has to be aware of pedestrians crossing without the benefit of signals to aid them. Additionally, there is a bus stop a short distance before the lights. Therefore, on approaches to the advertisement there are a number of matters for drivers to be aware of and decisions to make.

6. Whilst speeds are likely to be modest, within the bus shelter there is a small format advertisement. This utilises light emitting diode (LED) technology, operating on a loop, similar to that proposed. This advertising forms part of the driver's context and the National Planning Policy Framework sets out at paragraph 132 that cumulative impacts should be taken into account. Moreover, although a commercial location, the highway is likely to have significant volumes of traffic, including a proportion of drivers visiting Southampton and using the city centre car parks or the cruise terminals and ferries. Some of these will not be familiar with the road network in the vicinity and consequently will need to have greater care.
7. The proposed sign, like the existing, would be of a significant size and orientated to directly face the on-coming traffic. However, the proposal would have a portrait format on the back edge of the pavement. It would therefore appear highly prominent and form part of the backdrop to some of the traffic signals on approaches from the south-east. Furthermore, the illuminated LED display facilitates advertisements to be looped sequentially. As such, whilst each advert would be static the illuminated display would change relatively frequently and appear very large as a backdrop for some of the signals. Consequently, despite the sign being set back from the junction and it not impacting on every signal head, the proposal would likely hinder the ready interpretation of the lights due to the confusion between the traffic signals and advertisement. Having regard to all the matters raised and my own site observations this would result in harm to public safety.
8. The appellant sets out that a number of similar signs have been approved within Southampton. I have not been provided with sufficient evidence of each example so as to determine how relevant each case is to this appeal. However, I have observed some similar existing signs on the A33, in particular at the junction of West Quay Road and Southern Road to the north-west. I afford this some weight, noting that it was a replacement 48 sheet advertisement with an LED display at a road junction. However, the sign is sited further from the highway, at a different angle and orientated to landscape. The junction layout is also different to the appeal site. Therefore, I do not find that this is determinative of the proposal before me and I have proceeded to determine the appeal on its own merits.
9. I have taken into account 'saved' policies SDP 1 and SDP 24 of the City of Southampton Local Plan Review, Adopted Version, March 2006 which seek to protect public safety and so are material in this case. Given that I have concluded that the proposal would harm public safety, the proposal conflicts with these policies.
10. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of public safety.

James Taylor

INSPECTOR