



Appeal Decision

Site Visit made on 5 January 2021 by G Sibley MPLAN MRTPI

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2021

Appeal Ref: APP/U4610/Z/20/3260347

Land to the side of Stonebridge highway

- 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 Alex Simpson of Bee Outdoor against the decision of Coventry City Council.
 - The application Ref ADV/2020/1322, dated 11 June 2020, was refused by notice dated 6 August 2020.
 - The advertisement proposed is advertising screen on single post.
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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 Issue

3. The effect of the proposed advertisement on public safety.

Reasons for the Recommendation

4. The site is located to the north of the A45 which is a 3-lane trunk road with a 70 miles per hour speed limit. To the rear of the site is the King Henry VIII Playing Fields as well as an area of woodland. There are three buildings grouped near to the site and the advertisement would be located to the side of these buildings, closer to the roadside. The slip road for vehicular users to access the playing fields is located a relatively short distance from the proposed advertisement and between the slip road and the advertisement is a gantry sign, located above the road itself. Further along from this signage is another slip road leading to a roundabout to exit the A45. An additional junction onto the A45 is currently under construction upstream of the site, prior to the playing fields access. The proposed advertisement would be located between the gantry sign and the slip road to exit the A45.
5. The proposed advertisement would be approximately 6 metres(m) tall and 3m wide and would be on a 2.5m tall base, which would make the advertisement around 8.5m tall in total. Although the application form states that the maximum luminance level would be 0 cd.m², the appellants appeal statement is clear that the proposed advertisement would be illuminated by a black lit LED

screen. It would be located behind and to the side of the gantry sign and because of this, the proposal would not obstruct views of the gantry sign.

6. Whilst the proposed advertisement would not obstruct views of the gantry sign, the advertisement would be located along a section of the road where drivers are entering and exiting the A45 and undertaking manoeuvres at high speeds. The appellant notes in their Statement of Case that the screen would be fitted with a light detector which would automatically reduce brightness dependent on the levels of daylight. However, even with this in place, and if the illumination were to be in accordance with relevant guidance, the proposed advertisement would, even though sited behind the gantry sign, still be viewed in the same eyeline and would compete with it for the driver's attention, as adverts are designed to do. This would create visual confusion in a situation where due highway observation and care is necessary leading to an increased risk of accidents occurring which would cause unacceptable harm to public safety.
7. I also note that in accordance with Department for Transport Circular 02/2013 Annex A2, Highway England has objected to the proposed sign as it considers that the location is not appropriate for an advertisement on public safety grounds. While not determinative, this reinforces my conclusions above.
8. In so far as it is relevant the proposal would therefore be contrary to Policy AC2 of the Coventry City Council Local Plan (adopted 2017) which relates to development that would directly affect the road network and as such is relevant to the proposal. The Policy seeks to ensure the safety of the highway network. Furthermore, the proposal would also be contrary to the Supplementary Planning Guidance: Outdoor poster advertising in the city (adopted 2001), which states that the siting of advertisement posters exceeding 4 sheet size near...merging/diverging sections of main traffic routes...require special care; in particular good long range forward visibility needs to be provided to enable a driver to assimilate the content of the display before reaching a point in the highway network where further distraction would increase the risk of accidents.

Conclusion and Recommendation

9. The proposed advertisement would cause harm to public safety, therefore, for the reasons given above and having had regard of all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

Zoe Raygen

INSPECTOR