
Appeal Decision

Site visit made on 11 August 2021

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 16 September 2021

Appeal Ref: APP/R3515/Z/21/3267830

Slade Street Car Park, Star Lane, Ipswich IP4 1JY

- 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 Graeme Hughes, Alight Media Ltd against the decision of Ipswich Borough Council.
 - The application Ref IP/20/00991/ADV, dated 20 November 2020, was refused by notice dated 11 January 2021.
 - The advertisement proposed is the installation of a 1 x 48 sheet freestanding digital advertising display unit on a monopole support leg, with the unit measuring 6.2m wide x 3.2m high, and comprising a pressed metal frame with sealed LED screen.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the advertisement on amenity; and
 - the effect of the advertisement on public safety.

Reasons

Amenity

3. The proposal is for a freestanding digital display unit, 6.2 m wide and 3.2 m high supported by a monopole leg within an open car park adjacent to Star Lane. The display would face traffic heading north east along the lane, a one-way street. The digital but static images would change every 10 seconds in a sequential manner.
4. The area of open land south east of Star Lane is allocated for redevelopment but currently comprises a range of temporary uses including car parking, hand car wash and used car sales. The open area is bounded to the north east by the rear aspect of properties facing Fore Street, an industrial building to the south, and towards the Marina to the south more distant buildings. These all lie within the Ipswich Central Conservation Area (CA). On the other side of Star Lane lie three retail/leisure warehouses with parking in front.
5. The site thus lies in a peripheral part of the town centre in an area of relatively small-scale mixed uses rather than an 'industrial or commercial area of a major city (where there are large buildings and main highways)', the example given

in Planning Practice Guidance (PPG) where large poster hoardings may be acceptable. The historic town centre context is recognised in the designation of the CA and several listed buildings. The nearest, Nos 42-62/49-53 Fore Street, Nos 13-33 Waterworks Street and the Jews Burial Ground within the car park would not be directly impacted but the large-scale display unit would be highly noticeable, adversely affecting their setting which is already eroded by the car park and its temporary uses. Sited on the edge of the CA its setting would also be affected, notwithstanding that the active, illuminated face of the unit would face away. The desirability of preserving the setting of these heritage assets would therefore not be satisfied as required by legislation.

6. Whilst there are a number of existing advertisements in the vicinity of the car park, none are of the same nature as the large scale, freestanding, illuminated unit now proposed. Neither the presence of these other advertisements, nor the slightly run-down character of the area, justify the current application.
7. An earlier application for a non-illuminated advertisement to promote the services available in the car park was dismissed on appeal for similar reasons in 2018 (Reference APP/R3515/Z/18/3206846).
8. For these reasons the proposal would be significantly detrimental to the amenity of the area.

Public safety

9. The freestanding advertisement display would be sited within the car park but immediately adjacent to Star Lane, a two lane one-way street which forms part of a large gyratory system to the east of the town centre. The periodically changing illuminated display would face south west towards oncoming traffic.
10. PPG advises that all advertisements are intended to attract attention but those at points such as junctions and pedestrian crossings, where drivers need to take more care, are more likely to affect public safety. In this case the display would be sited immediately adjacent to the traffic lights controlling the Star Lane/Fore Street junction and the associated pedestrian crossing across Star Lane. When nearing the junction stop line the clear horizontal separation between the display and the traffic lights would be sufficient to avoid the distraction of drivers when the advert changes.
11. However, from further back along Star Lane the apparent horizontal separation would be less and the size of the illuminated display would greatly exceed the size of the red/amber/green lights. With the display regularly changing every 10 seconds and the content being designed to attract attention, the scope for distracting drivers approaching the traffic lights is evident.
12. In addition, the illuminated display would be seen in longer distance views when approaching the Star Lane/Slade Street traffic light junction further back along Star Lane. On the curving approach to this junction, drivers would see the advertisement in between the traffic lights and from some positions the lights on the far side of the junction may be seen actually within the frame of the display. The regularly changing display would therefore be likely to distract drivers on the approach to these traffic lights.
13. In both cases the proposal would be likely to distract drivers on the approach to the traffic lights, points where drivers need to take more care. This has the

potential to cause danger to road users and would therefore adversely affect public safety.

Conclusion

14. The proposal would conflict with Policies CS4, DM5, DM8 and DM17 of the Ipswich Core Strategy and Policies DPD Review 2017 which seek to conserve built and heritage assets, protect the street scene, and avoid adverse impacts on highway safety. This conflict is a material consideration which has been taken into account.
15. Advertisements are subject to control only in the interests of amenity and public safety. Notwithstanding the economic benefits of the proposal and the pecuniary interests of the appellant, in the light of the conclusions in relation to these issues, the appeal should be dismissed.

David Reed

INSPECTOR