



Appeal Decision

Site visit made on 30 November 2021

by Diane Cragg Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 December 2021

Appeal Ref: APP/A3010/Z/21/3275329

Land at Celtic Point Retail Park, Celtic Point, Celtic Fields, Gateford, Workop S81 7AZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Elonex Signs against the decision of Bassetlaw District Council.
 - The application Ref 21/00469/ADV, dated 22 March 2021, was refused by notice dated 6 May 2021.
 - The advertisement proposed is freestanding illuminated digital poster panel sign measuring 6 m x 3 m.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021 and I have had regard to it in reaching my decision.
3. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance (PPG) reiterate this approach. Therefore, while I have taken account of the policies and guidelines that the Council considers to be relevant, these have not been decisive in my determination of this appeal.

Main Issues

4. The main issues are the effect of the advertisement on amenity and public safety.

Reasons

Amenity

5. The proposed double sided digital advertisement would be located 2.5 metres above street level adjacent to the Gateford Road/ Raymoth Lane road junction and at the edge of Celtic Point Retail Park, a pocket of commercial development in an otherwise largely residential area.
6. The retail development comprises a range of retail units set back from the road frontage, a public house and a nursery. Existing signage is largely at fascia level on the shops with a limited number of unobtrusive freestanding signs advertising the park facilities and the public house. The road junction is

surrounded by wide grass verges with extensive tree planting. Nearby residential development is in various orientations with some properties looking towards the junction and the retail park.

7. The proposed digital advertisement would be seen against the open space provided by the adjacent wide grass verges and the generally modest commercial and residential buildings. In this context, because of its size, siting, illumination and double aspect the advertisement would be a prominent feature that would be out of scale with, and would not relate well to, its immediate setting or to nearby buildings. Consequently, the sign would appear particularly conspicuous and incongruous in its surroundings.
8. I appreciate that the proposal would not be close to any feature of historic, architectural, cultural or similar interest, however, the general characteristics of the locality are of open landscaped surroundings to a mostly residential area. Even with conditions limiting illumination, the interval between the displays, and having regard to the appellant's suggestion of a trial run, the digital sign above street level would be particularly prominent and would detract from the appearance of the area.
9. The proposed planting at the base of the signage could be an attractive feature, nevertheless, it would draw attention to the sign and the greenery would not off-set the strong visual presence of the advertisement.
10. For these reasons, I conclude that the proposal would be harmful to amenity. Although not determinative, the advertisement would conflict with the Framework where it states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public safety

11. The PPG establishes that advertisements in locations where drivers need to take more care, including junctions and pedestrian crossings, are more likely to affect public safety. The PPG also lists the main types of advertisements which may cause danger to road users as including 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; and those externally or internally illuminated signs which could distract road users.
12. The proposed signage would be displayed adjacent to the three-armed junction at Gateford Road/Raymoth Lane. The junction incorporates pedestrian crossing points and two traffic lanes on each approach to the junction. The roads on the adjoining highway network are well lit, roads are at a relatively straight alignment and visibility at each arm of the junction is good.
13. The proposed digital advertisement would be to one side of the junction and considerably above road level. Although the signage may be within the field of vision of drivers on the approach to the stop line along Raymoth Lane and when approaching from the north along Gateford Road, it would not be seen against the backdrop of the traffic signal heads and visibility of these would not be reduced. Even if the digital advertisement were to attract attention, there would be enough time and visibility for drivers to adequately assess and discern the status of the highway conditions.
14. Further, due to the position of the advertisement above road level, drivers manoeuvring within the junction travelling in any direction would have limited

views of the proposed sign and would not be distracted by it. Therefore, on the basis of the evidence put forward, my observations at my site visit, and subject to the conditions suggested by the appellant, it has not been demonstrated that the proposal would increase risk to highway safety.

15. Consequently, I conclude that the advertisement would not be detrimental to public safety. The Council has not directed me to any development plan policies in this respect, but I have taken into account the Framework where it states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

16. There is no overriding case made with regard to the economic benefits of the scheme that would overcome concerns about the amenity impact of the development.

Conclusion

17. The display of the digital advertisement would not be detrimental to public safety, however, for the reasons given above, I conclude the proposal would be detrimental to the interests of amenity, therefore, the appeal is dismissed.

Diane Cragg

INSPECTOR