



Appeal Decision

Site Visit made on 16 November 2021

by Diane Cragg Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2021

Appeal Ref: APP/J0540/Z/21/3272663

Land adjacent to 30 London Road, Opposite Glebe Road, Peterborough, PE2 8AR

- 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 The Wildstone Group against the decision of Peterborough City Council.
 - The application Ref 20/01290/ADV, dated 21 September 2020, was refused by notice dated 11 February 2021.
 - The advertisement proposed is removal of three advertisements and replacement with 48 sheet freestanding digital advert.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application omits the name of the appellant, but the appellant's name was later confirmed by email and in the statement of case. I have used these details in the banner heading above.
3. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (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 consider 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

5. The appeal site is a small area of land next to the Peacock Public House with a frontage to London Road. There are three existing non-illuminated hoarding signs displayed adjacent to London Road although only one is located within the application site area.
6. The proposal is to remove the three existing hoardings and replace these with a freestanding single-sided digitally illuminated LED screen, 6 metres long by 3 metres wide.

Amenity

7. The appeal site is in an area of mixed character. Commercial and infrastructure uses dominate the London Road frontage whilst Fletton Avenue and Glebe Road are mostly residential in nature.
8. The existing hoardings are in a prominent position and are highly visible to road users and pedestrians approaching the site and from the nearest residential properties. The visual effect of the signage is mitigated to some extent by the backdrop of vegetation adjacent to the railway line and their lack of illumination.
9. I acknowledge that a digital screen could be more prominent than the existing advertisements, as images would change at regular intervals and would be more visible when it is dark. However, the level of illumination could be regulated by condition and the appellant has indicated that the screen could be turned off during the night. On this basis, I am satisfied that the luminance of the advertisement would be appropriate in the context of the surrounding environment, having regard to the busy and well-lit nature of the road and the presence of commercial premises. Similarly, the speed with which the advertisements change and the prevention of video or moving images could also be controlled by condition.
10. In addition, with the removal of the existing signage, the vegetation adjacent to the railway would be more visible and the clutter to the road frontage reduced. Consequently, whilst the digital advertisement may appear more conspicuous than the existing signage, it would not appear intrusive or out of place having regard to the established character of the area as a replacement for three existing hoardings.
11. I provided the appellant and the Council with the opportunity to comment on proposed conditions. A Grampian style condition proposed that a scheme for the removal of the existing signage be sort before the new digital advertisement would be displayed. The Council considers that such a condition would not be enforceable as the appeal plans do not include all three signs within the red line boundary. The appellant has not commented on the proposed condition or explained why all the hoardings are not in the application site area. In light of these uncertainties, I cannot be sure that the removal of all three signs can be secured by condition.
12. If the existing hoardings were not removed, the display of the digital advertisement would result in consecutive substantial signs along an extended section of road frontage and would collectively appear intrusive in the street. Further, even if the removal of the hoarding within the appeal site is sought by condition, the proposed digital advertisement would be in a different location nearer to one of the existing hoardings. The proximity between displays would be particularly conspicuous. In either of these arrangements the proposal would detract from the character and appearance of the area.
13. Therefore, without the means to ensure the removal of the three existing hoardings the proposed digital advertisement would harm the visual amenity of the area. Although not determinative, the proposal would conflict with Policy LP16 of the Peterborough Local Plan 2016 to 2036 (PLP) where proposals are expected to positively contribute to the character and local distinctiveness of the area.

Public Safety

14. 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.
15. The proposed digital advertisement is located on the western side of London Road (A15), adjacent to the London Road / Glebe Road / Fletton Avenue (A605) four arm signalised junction and to the south of the stop line on the London Road southern arm. The roads on the adjoining highway network are subject to a 30mph speed limit and are lit.
16. Glebe Road comprises a single carriageway arrangement with a straight alignment. The digital advertisement would be visible on the approach and close to the stop line of the Glebe Road arm of the signalised junction. The nearside primary traffic signal head is located next to the stop line and the offside signal is in the pedestrian island on London Road.
17. Whilst the nearside signal may be seen by drivers on the approach and at the stop line in front of the digital advertising display, the distance between the traffic signal heads and the signage is significant. Given this intervening distance visibility of the traffic signal head would not be reduced. The offside signal is set against the public house facing the junction and would not be affected by the proposal.
18. When manoeuvring left, right, or straight ahead through the junction from Glebe Road the signage would be within the driver's field of vision. However, with the distances involved and nature of the single lane approach, I am satisfied that drivers would not be distracted by the digital sign whilst undertaking manoeuvres within the junction.
19. Approaching the junction from Fletton Avenue or London Road from the north or the south there would be no conflict between the traffic signal heads. Further, because of the position of the advertisement drivers manoeuvring within the junction travelling north along London Road and Fletton Avenue would have limited visibility of the proposed signage. Turning right and south towards London road the advertisement would be in the field of vision of drivers but due to its position to the off side of the carriageway the signage would not divert driver's attention.
20. Therefore, subject to conditions restricting illumination as suggested by the appellant, it has not been demonstrated that there would be any increased risk to highway safety.
21. Overall, the proposed digital advertisement would not be detrimental to highway safety. Although not determinative, there would be no conflict with Policy LP13 of the PLP where it seeks to ensure highway safety.

Conclusion

22. Although I conclude that the digital advertisement would not be detrimental to public safety, for the reasons given above it would detract from the amenity of the area. Therefore, I conclude that the appeal should be dismissed.

Diane Cragg

INSPECTOR