
Appeal Decision

Site visit made on 19 April 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2022

Appeal Ref: APP/R3515/Z/22/3292221

Island Site, Greyfriars Road, Ipswich IP1 1PU

- 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/21/01279/ADV, dated 17 December 2021, was refused by notice dated 4 February 2022.
 - The advertisement proposed is one single-sided 48 sheet digital poster display panel.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council accept that the proposal would not have a significantly harmful effect on the amenity of the area. The main issue therefore is the effect of the advertisement on public safety.

Reasons

3. The proposal is for a freestanding digital display unit, 6.4 m wide and 3.4 m high (within which the active display would be 6 m by 3 m) supported on a 2.5 m monopole leg within an area of disused ground adjacent to the northern of the two linked roundabouts where Greyfriars Road, Star Lane, College Lane, Bridge Street and Grafton Way meet to the south of the town centre. The display would face south-east towards traffic approaching the northern roundabout along Bridge Street but traffic approaching the roundabout from the east along College Street would also have an oblique view of the display. The digital but static images would be displayed for at least ten seconds before changing in a sequential manner.
4. The application follows an earlier proposal for a pair of similar sized digital display units mounted in a V shape formation on the same site, one facing east directly towards College Street (Panel 01) and the other (Panel 02) facing north-west towards the traffic approaching along Greyfriars Road. On appeal¹ this proposal was found to be acceptable in relation to the amenity of the area but was dismissed as harmful to highway safety.
5. Planning Practice Guidance advises that all advertisements are intended to attract attention but those at points such as junctions and pedestrian crossings,

¹ APP/R3515/Z/21/3274648

where drivers need to take more care, are more likely to affect public safety. In this case the highway authority object to the proposal as likely to 'endanger persons using the highway through drivers being distracted on their approach to a highly trafficked roundabout junction' and secondly 'the potential to obscure or hinder the ready interpretation of the toucan crossing on College Street'. The first point does not just refer to College Street contrary to the summary in paragraph 5.2 of the appeal statement.

6. The display would be immediately adjacent to the stop line of the northern roundabout, by which time it would be out of view of drivers looking right to see gaps in oncoming traffic. However, from further back when circling around the southern roundabout and on the approach lanes the changing display could distract drivers when selecting lanes, manoeuvring between vehicles, judging speeds and assessing distances from other road users including cyclists. This could lead to collisions or rear shunts.
7. In addition, the display would be seen at an angle across the roundabout by drivers approaching from the east along College Street. Just prior to the roundabout a traffic signal controlled toucan crossing allows pedestrians to cross. Whilst Panel 01 in the previous proposal would have faced College Street directly so it could be easily read and understood, angling the unit as now proposed would both reduce the size of the display as seen and obscure its content, thus reducing its impact. However, unlike a static advertisement the periodically changing display would still be apparent to approaching road users and would retain the potential to distract.
8. The previous Inspector noted that visibility of the traffic signals is particularly important given the tight nature of the street and the jetty of the adjacent building, also that Panel 01 would be directly in the sight line of drivers approaching the signals. The photomontages submitted with the current application show that this would still be the case. The display, albeit smaller due to the angle, would be seen in the distance between the signal heads and in one position the left-hand traffic light may actually be seen within the frame of the display. Whilst the detail would not be readable at the distances and angle involved, the potential for confusion or distraction of drivers approaching the crossing due to the regularly changing display would remain.
9. Re-orienting Panel 01 as now proposed would therefore reduce the dangers to highway safety on the College Street approach, both in respect of the toucan crossing and closer to the roundabout, but would not eliminate them entirely, and new dangers would be introduced on the Bridge Street approach. The concerns of the previous Inspector regarding highway safety have not therefore been overcome.
10. The Google Crashmap for the 2016 to 2020 period shows only one accident occurred in College Street, but this assessment does not relate to the linked roundabouts as a whole and cannot be conclusive as to the position were the advertisement display in place.

Conclusion

11. The luminance of the digital display would be carefully controlled, the changes would be instantaneous, and there would be no moving images or special effects. Nevertheless, despite these safeguards, the proposal would be likely to distract drivers on two of the approaches to the roundabout and the College

Street toucan crossing, 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.

12. The proposal would therefore conflict with Policies DM5 and DM17 of the Ipswich Core Strategy and Policies DPD Review 2017 which seek to secure a safe public realm for all users and avoid adverse impacts on highway safety. These material provisions should be taken into account.
13. Advertisements are subject to control only in the interests of amenity and public safety. Notwithstanding the lack of objection in relation to amenity, the economic benefits of the scheme, its temporary nature pending redevelopment of the site and the general advantages of digital display technology, these relevant factors do not outweigh the conclusions in relation to highway safety.
14. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR