



Appeal Decision

Site visit made on 18 May 2022

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2022

Appeal Ref: APP/K0235/Z/22/3296121

66-70 Cauldwell Street, Bedford MK42 9AB

- 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 Alight Media against the decision of Bedford Borough Council.
 - The application Ref 21/03010/ADV, dated 11 November 2021, was refused by notice dated 25 March 2022.
 - The advertisement proposed is a single illuminated 48 sheet digital advertisement display.
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Decision

1. The appeal is allowed and express consent is granted for a single illuminated 48 sheet digital advertisement display as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional condition:
 - 1) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than 300 candela.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the area; and
 - Public safety.

Reasons

Character and appearance

3. This part of Cauldwell Street, close to the town centre, is predominantly commercial in character. The proposed advertisement would be sited on the side boundary of the forecourt at HSS - a tool and equipment hire company. Although, at 6 metres wide and 3 metres high, it would be fairly large, the advertisement would be seen in the context of that commercial building and, whilst it would be elevated on steel supports, as illustrated by drawing no. T4648 A4 060, it would be lower than it.
4. There is some limited highway and directional signage in the vicinity, and there are also some existing advertisements, including on the front elevation of HSS, and associated with the Motorvation vehicle testing station on the other side of

Cauldwell Place. However, those advertisements are reasonably modest and, like this scheme would be, they are set back slightly from the carriageway.

5. The advertisements on a bus shelter on the opposite side of Cauldwell Street are modest in scale and visual impact. Given their orientation, the much larger billboard advertisements either side of the approach to the bridge to the south-west of this site would not be readily viewed simultaneously with this scheme. For all those reasons, having regard to its context, I conclude that the scheme would not result in an unduly cluttered appearance in the streetscene, and that it would not harm the character and appearance of the area.
6. In reaching my decision I have taken into account Policy 34 of the Bedford Borough Local Plan 2030 (adopted 2020) ('BLP') which requires that an advertisement's effect on amenity be assessed, having regard to cumulative impacts. However, as I have concluded that the proposal would not harm the character and appearance of the area, it would not conflict with this policy.

Public safety

7. The Planning Practice Guidance notes that all advertisements are intended to attract attention, but that those sited at points where drivers need to take more care are more likely to affect public safety.
8. This advertisement would face drivers travelling south-west along the A5141 and would be located just beyond, and to the left of, traffic signals broadly opposite the busy intersection with Prebend Street. However, this is a fairly simple junction, with drivers turning right into Prebend Street provided with a filter lane and a right turn signal. Moreover, the approach to the junction in this direction is well lit and straight, it is subject to a 30mph limit, and there is not a confusing array of highway or other signage.
9. Whilst the proposed advertisement would change every 10 seconds, the displays themselves would be static, and they would instantly dissolve from one to the next, rather than flashing. At 300 candela, its internal illumination would comply with the Institute of Lighting Professionals Best Practice Guidance. In the context of this commercial environment, where drivers may well expect roadside advertisements, the proposal would not cause a significant distraction.
10. Although the Highways (Development Control) Officer refers to the incidence of accidents at this junction, I have no information regarding their cause, and I am not persuaded that this scheme would harm public safety.
11. Taking into account BLP Policy 34's requirement for an assessment of the impact on public safety, particularly on the operation of highways, I conclude that the scheme would not conflict with that policy.

Conditions and conclusion

12. For the above reasons the appeal will be allowed.
13. I have not been provided with a cogent reason to deviate from the standard five year period of consent. The Council has not suggested any non-standard conditions; and the details of the proposal are set out in the application form, supporting letter dated 11 November 2021, the drawings, and other supporting documents.

14. However, having regard to the proposed luminance, and as the supporting letter and application form are inconsistent on this matter, in the interests of clarity and highway safety, I have imposed a condition, broadly as suggested by the Highways (Development Control) Officer, requiring that it be limited to a maximum of 300 candela.

Chris Couper

INSPECTOR