

Appeal Decision

Site visit made on 27 June 2023

by Peter D Biggers BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th July 2023

Appeal Ref: APP/R3515/Z/23/3321249

Integrity Automotive Ltd., West End Road, Ipswich, Suffolk IP1 2DZ.

- 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) against the decision of Ipswich Borough Council.
 - The application Ref IP/23/00085/ADV, dated 28 January 2023 was refused by notice dated 30 March 2023.
 - The advertisement proposed is freestanding digital poster unit (double sided) for the display of static illuminated poster advertisements each display of standard 48 sheet size at 6m x 3m.
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Decision

1. The appeal is dismissed

Main Issue

2. The main issues in this case are the effect of the advertisement display panels on the visual amenity of the surrounding area of London Road and the effect on public safety (in this instance highway safety).

Reasons

3. The proposed double-sided, digital advertisement display panel, the subject of the appeal, would be sited against the boundary fence on the west side of the Integrity Automotive site bounding the River Orwell and on the south side of London Road. It would face east and west along London Road.
4. London Road (the A1214) adjacent to the appeal site takes the form of a busy dualled section of carriageway with Hadleigh and Ranelagh Roads (both busy distributors) joining at the west end of the interchange and Yarmouth and West End Roads (also busy distributors) joining at the east end. Commercial businesses front onto this interchange section of London Road and existing signage in this area of London Road is related to these individual businesses. There are no existing, large scale advertising displays in the vicinity.

Visual Amenity

5. I acknowledge that in some respects the area is one where the type of advertising display proposed can be acceptable in that it is a largely commercial/industrial area where there are large buildings and main highways. However, the area is identified in the *Ipswich Urban Characterisation Study* (IUCS) – Valley Character Area as an urban gateway to the town centre
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requiring improvement and an area where design should facilitate a more attractive pedestrian and cycling experience.

6. As stated above the area is very commercialised with signage relating to both businesses and transport creating a lot of visual 'noise'. In that context a further large, double sided, advertising display panel would not enhance the visual environment and would add to the clutter and 'noise'. The display panel set against the boundary fencing to the river corridor would impact on the view of greenery along the corridor on the west bank (the only open space in an otherwise built up corridor) especially approaching from the east. Moreover, in the approach from the west (See Dwg PY4439/011) the height of the panel would appear excessive, significantly above totem signage relating to nearby businesses and the roofscape of adjacent buildings and appearing as a stark intrusion against the skyline.
7. It has been put to me that the IUCS has secured little change at the junction since its adoption and that the Council has made little progress in enhancing the junction. However, I agree with the previous Inspector determining appeal ref APP/R3515/Z/20/3261777 who considered that opportunities for improvement should be taken where possible. Just because a plan document is aspirational with limited actual progress so far in reaching those aspirations should not be a reason to allow further elements which would simply undermine the objective of enhancing the gateway.
8. I have been invited to conclude that the context is a busy junction on the outskirts of the town centre rather than a gateway to it and that in similar situations elsewhere in the country display panels have been allowed. However, I must consider the proposed advertising on its own merits and the existence of panels in similar locations elsewhere does not alter my assessment that the visual impact of the proposal would detract from amenity and the general characteristics of the locality. Albeit that character is of an urban road junction in need of some improvement.
9. I therefore conclude on visual amenity that the proposal would be detrimental. I have taken into account *Ipswich Local Plan* (ILP) Policy DM26, which is material insofar as it seeks advertisements that preserve or enhance the character of their setting. As I have concluded that the proposal would harm amenity, it would conflict with this Policy, the objective of the IUCS and paragraph 136 of the *National Planning Policy Framework* (the Framework).

Public Safety

10. I acknowledge that the type of 48 sheet advertising display panels proposed are now commonplace along many major roads particularly in urban areas. However, in this particular case the junction is a noticeably complex one with high volumes of joining traffic from the main side distributors where drivers will directly face the advertising panel as they are executing their manoeuvre onto London Road. At the same time at both ends of the dualled interchange section there are light-controlled pedestrian crossings. Particularly in respect of the crossing corridor at the east end of the interchange the display panel will be directly in a driver's line of sight on the final approach to the pedestrian crossing on certain legs.
11. As the *Planning Practice Guidance* (PPG) points out "*all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety*" and cites

junctions, roundabouts and pedestrian crossings as examples where this can be the case. The PPG goes on to set out a number of circumstances where signs may cause danger. One of these is relevant in this case where the size or siting, would be likely to distract road-users because of their unusual nature. The height and prominence of the proposed panel in respect of both its faces is positioned at a place where care and attention is required and I am not persuaded that the display panels would not increase the risk to public safety.

12. I have been invited to conclude that, as the accident record on this section of London Road is not a poor one, the addition of the sign would be acceptable. However, I am not persuaded that this is relevant, as the absence of any other digital display signage in the area means the effect of adding such signage is untested on this particular junction.
13. I have been referred to other signage elsewhere in the UK (in Derby and Sheffield) which the applicant considers demonstrate similar circumstances to the appeal proposal showing the sign is not unusual but just because these have been allowed elsewhere does not mean they should be granted express consent here. This proposal would be positioned directly adjacent to an exceptionally busy junction, dominated by extensive traffic signalling and signage and only commercial business signage and, in the local context, introduction of the display panels would be an unusual addition to a complicated junction. The proposal therefore would be likely to have a detrimental effect on highway and therefore public safety.

Other Matters

14. It has been put to me that advertising is essential to business and the economy and that the proposed signage would support the Council's commitment to a thriving sustainable economy and could support the town centre with advertising relating to businesses there. While this may be the case, the Framework and PPG advice is very clear that the only matters that can be taken into account are visual amenity and public safety.
15. I have been invited to consider whether, given the dual-faced nature of the display panel, a split decision would be acceptable i.e. allowing one face whilst dismissing the other. However, for the reasons set out above I am not satisfied that either face would be more acceptable than the other in respect of the two tests of amenity and public safety.

Conclusion

16. For the reasons given above and having regard to the matters raised, I conclude that the proposed free standing, double sided, advertisement display panels would have appreciable adverse impacts on the surroundings. It is therefore contrary to the Framework at paragraph 136 and advice in the PPG regarding amenity and safety considerations. The proposed sign would be detrimental to the interests of visual amenity and public safety and the appeal should be dismissed.

P. D. Biggers

INSPECTOR