



Appeal Decision

Site visit made on 23 August 2023 by R Dickson BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th November 2023

Appeal Ref: APP/V3310/Z/23/3317678

6 Church Street, Highbridge, Somerset TA9 3AE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against the refusal to grant express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Sedgemoor District Council.
 - The application Ref 11/22/00126, dated 19 October 2022, was refused by notice dated 10 January 2023.
 - The development proposed is for the display of one existing 48 sheet digital poster.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. I have had regard to the National Planning Policy Framework 2023 (the Framework) and its relevance to the consideration of proposals for advertisement consent as well as the policies of the development plan insofar as they are material considerations relevant to the main issue. The description of development is for an 'existing' digital poster however, there has not been an advertisement in this location since 2016. During my site visit, there was not an advertisement in situ either. Notwithstanding the description set out above, I have considered the appeal scheme accordingly.

Main Issue

4. The effect of the proposed advertisement on public safety.

Reasons for the Recommendation

5. The appeal site is adjacent to a busy road which hosts a mix of commercial and residential uses and is heavily trafficked by vehicles and pedestrians. There is a traffic light controlled pedestrian crossing nearby as well as an on-road bus stop and a 4-exit roundabout. Church Street is home to existing advertisements, most of which are either static non-digital displays or externally illuminated signs on shop frontages. The proposed advertisement would differ from most others as it would be on a gable wall perpendicular to the flow of traffic. Most advertisements on Church Street are parallel to and face into the road. These factors would exacerbate the effects I have identified.

6. Despite the distance between the aforementioned crossing and the proposal and the proposed change over time for displays, the advertisement would be seen in the same context as the traffic lights for the pedestrian crossing for vehicles travelling north and would therefore present a distraction for drivers as they approach, drawing their eye away from the associated signals. The same problem would occur for bus drivers accessing the northbound on-road bus stop, having the potential to affect its safe operation for the benefit of passengers. The advertisement would also be seen from the roundabout and, in a similar way to drivers approaching the aforementioned traffic lights, take the attention of drivers away from their safe navigation of the roundabout. Particularly for those cars entering it from Market Street.
7. Accordingly, the proposed advertisement would have a harmful effect on public safety. In this case as it would relate to the safe use of the public highway. As far as it is material to the main issue, the advertisement would be contrary to the aims of Policy D14 of the Sedgemoor Local Plan 2011-2032 which seeks, amongst other things, to ensure appropriate consideration is given to the transport impacts of development.

Other Matters

8. While there was a previous static non-illuminated advertisement in this location, it was removed some time ago and therefore does not set a precedent. I have also been provided with a number of benefits of the scheme. However, the appeal relates to a submission under the advertisement regulations which, unlike one under the relevant sections of the planning acts, is not determined in accordance with the development plan unless material considerations indicate otherwise. In any event, the matter of public safety and in particular such concerning the safe use of the public highway is worthy of significant weight.
9. Several examples of other advertisements have been provided in the highway safety report. While they share some similarities with the proposal, I do not have enough evidence to demonstrate that the areas are comparable, such as the locations of the signals/junctions in relation thereto. I am not therefore minded to change my recommendation.

Conclusion and Recommendation

10. For the reasons given above, I recommend the appeal be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR