



Appeal Decision

Site visit made on 19 October 2023

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2023

Appeal Ref: APP/E0345/Z/23/3326490

Highway Verge, Junction of the A33 and Rose Kiln Lane, Reading RG2 0JZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by JCDecaux UK Ltd against the decision of Reading Borough Council.
 - The application Ref. 230533, dated 20 April 2023, was refused by notice dated 5 July 2023.
 - The advertisement proposed is a single leg freestanding advertising structure featuring two internally illuminated sequential display screens.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the internally illuminated advertising structure on (i) public (highway) safety; (ii) the visual amenity of the area; (iii) matters arising from possible new transport infrastructure, and (iv) the living conditions for nearby residents as regards the potential for light pollution.

Reasons

3. Turning firstly to public safety, the appeal site is on a landscaped area of highway verge at the junction with Rose Kiln Lane, a service road for the trading estate of the same name. Whilst one of the screens would be visible by northbound drivers on the opposite side of the dual carriageway, from observation of the site and traffic conditions at my visit I am satisfied it is the display screen seen by southbound drivers that may have the potential to have an adverse effect on safety.
4. The term 'potential' is apposite because on the one hand the Road Safety Audits and comparisons with other sites referred to in the appeal evidence have not demonstrated with any degree of certainty that this type of advertising adjacent to a busy road would inevitably be prejudicial to highway safety. Similarly, I acknowledge that an anecdotal account following my visit to the site is also unable to provide that certainty.
5. On the other hand, the appeal proposal comprises a combination of a location and a size and type of advertisement display that ostensibly does not sit comfortably with the relevant advice in the National Planning Policy Guidance ('the NPPG') or with Policies TR3 and OU4 of the Reading Borough Local Plan

2019. And although acknowledging the above-mentioned limitations of a site visit, I was able to make a number of observations that I regard as persuasive of the overriding importance of the individual circumstances of each site.

6. Rose Kiln Lane serves a trading estate with businesses that generate slow-moving vehicles emerging onto the A33, in particular car transporters given the presence of car showrooms. There is also widespread car parking along the Lane, suggesting that a substantial number of employees will use the access at morning and evening rush hours. At my visit (1600 hours on a weekday) the A33 was being heavily used and it is reasonable to assume that at the morning and afternoon peak periods the traffic volumes will be higher still. Although the speed limit is 40mph, my return trip to the nearest roundabout to the north at the limit and being overtaken indicated that the dual carriageway encourages higher speeds.
7. Finally, again as observed on my visit, in the nearside lane the queue of traffic from the traffic light controlled junction to the south can stretch as far as the junction with Rose Kiln Lane, with a consequential risk of rear end shunts that could be increased by the distraction of the proposed advertising display. Similarly, the potential for distraction is also applicable to all vehicle movements in and out of the junction that at times would be significant in volume.
8. The extent to which my findings are accurate and/or commonplace can be ascertained by future surveys, but the salient point is that I consider it reasonable to assume that the effect of the advertisement proposed at this site would be such as to adversely affect public safety through potentially increased accident risk. As such, there would be a conflict with the aforementioned Local Plan Policies and paragraphs of the NPPG.
9. On the second issue, although on highway land within a commercial area the appeal site with its grass sward and associated planting offers significant visual amenity. The advertising structure, its maintenance hardstanding and access would entirely change the appearance of an area of land that is a pleasing visual break between the busy A33 and the large buildings on the trading estate.
10. I acknowledge that positions adjacent to busy roads are quite normal for large advertisement displays, but these often help to screen an unsightly building or structure or make use of an area of land that because of its awkward shape or inconvenient location would otherwise remain unused and despoiled by litter. That is not the case here and overall, I agree with the Council's view that there would be a conflict with Local Plan Policies OU4 & CC7; guidance in the NPPG, and paragraph 136 of the National Planning Policy Framework 2023.
11. In respect of issue (iii), the grounds of appeal explain that an earlier application in September 2022 was withdrawn in November of that year for an amended proposal (the appeal application) to avoid any conflict with road works connected with a proposed Bus Rapid Transport Plan. However, the Council considers that one of the application plans is inconsistent with the improvements associated with the Transport Plan. This appears to be a technical point that could be resolved with a minor amendment to the scheme.
12. The final issue relates to the potential for the advertisement display to affect the amenity of a residential building (formerly offices) on the opposite side of

the dual carriageway. However, there is no technical evidence of light pollution in the form of light spill and glare to affect residents. And although there may be some effect on visual amenity, this would be insufficient to materially affect their living conditions. It has to be remembered this is a commercial area and a residential conversion from offices might reasonably be expected to have commercial land uses nearby.

13. For the reasons explained above, although my findings on the third and fourth issues do not justify a refusal of consent, these are outweighed by the potential effects on public safety and the impact on visual amenity.
14. The appeal is dismissed accordingly.

Martin Andrews

INSPECTOR