



Appeal Decision

Site visit made on 12 May 2025

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 May 2025

Appeal Ref: APP/B2002/Z/25/3363910

Jet, Scartho Road, Grimsby DN33 2BG

- 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 for the display of an advertisement.
 - The appeal is made by Wildstone Estates Ltd against the decision of North East Lincolnshire Council.
 - The application Ref is DM/1049/24/ADV.
 - The development is described as proposal for a new D6 small-scale digital screen.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the advertisement on (i) public safety; and (ii) the amenity of the area.

Reasons

Public Safety

3. The appeal site is a Jet Petrol Filling Station (PFS) within a residential area. The PFS is located on the junction of Scartho Road and Sutcliffe Avenue, St Martin's Church a grade II listed building is located on the opposite side of the junction. Opposite the site is an area of open space leading onto Barretts Recreational Park. The proposed digital advertisement would comprise a freestanding totem 2,4m in height, with a static advertisement image (approximately 1.65m in height x 0.93m in width in size) which would change approximately every 10 seconds.
4. The National Planning Practice Guidance confirms that 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. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards.
5. The proposed advertisement would be sited close to the onsite car wash and exit from the PFS, adjacent a signalised junction and pedestrian crossing, the changing static digital images would be obvious to road users.
6. Drivers of vehicles exiting the PFS would be looking to the right for a gap in traffic, drivers approaching the junction, northbound, would have a clear line of sight

towards the advertisement given the location of the screen within the freestanding totem which would be at eye level. The location of the proposed advertisement has the potential to distract drivers' attention away from oncoming traffic, vehicles exiting the PFS and pedestrians using the crossing which is within close proximity to the exit from PFS.

7. The appellant has provided accident data from the Council for a three year period (2022-2025) which specifies that a total of six accidents were recorded in the vicinity of the proposed sign location. One of these involved vehicles moving in a direction of travel towards the proposed sign location and resulted in slight injury.
8. Notwithstanding this I observed during my site visit, which whilst only a snapshot in time, that the junction was busy and that the pedestrian crossing near the location of the proposed advertisement was well used. I also noted that there are a few schools within the surrounding area which at certain times of the day would add to the use of the pedestrian crossing. This is confirmed by the Council in the documents before me in relation to Oasis Academy Wintringham to the east.
9. I am not persuaded that a prominent digital advertisement with changing images at this location would not constitute a source of distraction to motorists, to such a degree that there would not be a detriment effect on the safe flow of traffic and pedestrian safety. I conclude that the display of the proposed digital advertisement would harm public safety.
10. I have taken into account Policies 5 and 22 of the Planning for Growth, Local Plan 2013 to 2032 (2018) (the Local Plan) which seek to ensure that developments do not harm public safety and that developments have regard to access.
11. Given I have concluded that the proposal would harm public safety, the proposal conflicts with these policies.

Amenity

12. There are a significant number of advertisements at the PFS site, along with general PFS paraphernalia, whilst the application states that no existing advertisements are to be removed the appeal statement confirms that *the display will replace two existing freestanding advertisements in the same location*. I observed during my site visit that these freestanding advertisements (Costa Coffee and Londis) were low-level signs which are relatively unobtrusive when viewing the site from the wider area.
13. In assessing amenity, I have taking into account the advertisements on the PFS. The advertisement before me would be set against the backdrop of the PFS wall and fence boundary. Notwithstanding this the proposed advertisement would be of a scale which would be obvious in the streetscene. Whilst two advertisements would be removed due to the size, location and changing images the proposed advertisement would add to the visual clutter at the PFS which would detract from the amenity of the area.
14. I conclude that the display of the digital advertisement proposed would be detrimental to the amenity of the area.
15. I have taken into account Policies 5 and 22 of the Local Plan which amongst other things seeks advertisements to respect amenity taking into account the size, scale and impact upon neighbouring land uses and so is material in this case. Given I

have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Other Matters

16. The appellant has drawn my attention to other advertisements from various locations. I have not been provided with substantive details to compare these to the proposal before me. Notwithstanding this each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
17. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires decision makers, when considering whether to grant planning permission, to have special regard to the desirability of preserving the listed building or its setting or any feature of special architectural or historic interest which it possesses. The Council did not raise concern with regard to the proposed advertisement and the setting of the nearby listed building, St Martin's Church from the information before me I do not disagree.

Conclusion

18. The appeal is dismissed and express consent is refused for the new D6 small-scale digital screen as applied for.

Chris Pipe

INSPECTOR