



Appeal Decision

Site visit made on 23 June 2025

by **A Phillips MPlan BA CertHE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 July 2025

Appeal Ref: APP/F3545/Z/25/3364057

Glasswells Ltd, Dettingen Way, Bury St. Edmunds, Suffolk IP33 3TU

- 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 Coastline Graphics against the decision of West Suffolk Council.
 - The application Ref is DC/24/1644/ADV.
 - The advertisement proposed is described as: 3 No. Outdoor wall mounted lit display screens on a 4 sided brick advert column replacing pre-existing print posters
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Decision

1. The appeal is allowed and express consent for 3 No. Outdoor wall mounted lit display screens on a 4 sided brick advert column replacing pre-existing print posters is granted for the display as applied for at Glasswells Ltd, Dettingen Way, Bury St. Edmunds, Suffolk IP33 3TU 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 Schedule 2 of the 2007 Regulations and the following additional conditions:
 1. The advert play length will be set to be no less than one minute per advert. The adverts shall comply with the agreed details for the length of time the display screens are in situ.
 2. The interval between successive advertisements shall be no greater than 1 second and the complete display shall change without effect. The display to include a mechanism to default to a blank or black screen in the event of malfunction, or if the advertisement is not in use.
 3. There shall be no moving images, animation, video or full motion images displayed.
 4. The internally illuminated sign shall only be illuminated between 09:00 - 18:00. The lighting approved must not exceed 250candela/sqm.

Preliminary Matters

2. During the appeal the West Suffolk Local Plan July 2025 (Local Plan) was adopted by the Council. The new policies do not raise new issues, as they are materially the same for this appeal as those that the application was originally determined on. I will duly refer to the new policies in the determination of this appeal.

Main Issue

3. The main issue is the effect of the proposal on public safety, specifically on highway safety.

Reasons

4. The existing totem is on an area of public open space located adjacent to the crossroads, between Newmarket Road and Dettingen Way, and in close proximity the Glasswells Ltd building and carpark. The existing totem adverts, apart from the one facing Glasswells Ltd carpark, would be replaced with screens. The totem is obscured from those travelling westwards out of Bury St Edmunds by trees and highway signs, until in close proximity to the junction. In all other directions there is good visibility when travelling towards the totem.
5. It is noted that the Local Highways Authority (LHA) have not raised any objection to the proposal though recommends a condition to control the maximum brightness of the screens. However, the Council has raised concern that the position of the signs near the crossroads and the potential for moving illuminated images would provide a distraction that could place highway users in substantial danger. The appellant has put forward that the adverts would only change every one minute, which would significantly reduce the chance of a moving image distracting a road user.
6. The totem is set back from the carriageway and on this basis does not obstruct or impair sightlines at the junction. In addition, the location of the totem and the digital screens would be unlikely to distract a driver when they are choosing which lane to position their vehicle in or unduly distract drivers from the traffic lights or other highway users' movements. The junction benefits from several streetlights and this roadside lighting would limit the prominence of the illuminated screens. Finally, it is noted that there is an existing shared footpath/cycle lane next to the totem, though the infrequent movement on the screens is likely to present only a limited risk of collision between pedestrian/cyclist if someone stops moving right in front of the totem.
7. The Council have drawn my attention to policies LP9 and LP32 of the Local Plan. The proposed signs would not conflict with these policies in so far as they are relevant to the appeal. However, powers under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not, therefore, in themselves been decisive, but are a material consideration. The proposal also complies with paragraph 141 of the National Planning Policy Framework 2024.

Conditions

8. The appellant as stated above has submitted its case on the basis that each advert would be static for at least one minute and has provided a recommended condition on this basis.
9. The Council in responding to the recommended condition by the appellant has recommended that each advert would be ten seconds, which is substantially less than what the appellant has put forward originally. The Council has recommended two other conditions relating to the interval between adverts and there should be no moving images on the adverts. The appellant has agreed to all three of these suggested conditions by the Council. However, while the interval and moving image conditions can be duly added; the appellant's argument is based on the

advert being at least one minute per advert, I have therefore reworded the condition to cover this.

10. The Council has also recommended a condition relating to the level and timing of the luminance stating 'The internally illuminated sign shall only be illuminated between 09:00 - 18:00. The lighting approved must not exceed 250cd/sqm', which the appellant has not raised any concerns to this suggested condition. However, the Local Highways Authority based on the applicant's application form recommended 'The maximum luminance from sign shall not exceed 3 candela/m²'. A luminance of 3 candela would be a very low of illuminance. On the basis that the area is well lit by street lights and the appellant has not raised any objections to the Council's suggest condition, the 250 candela per sqm shall be used.
11. The appellant requested fifteen years, which is substantially longer than the standard period. I have not seen any evidence to demonstrate why such a long time period is required and, on this basis, a standard five year time period is more appropriate.

Conclusion

12. For the reasons given above the appeal should be allowed.

A Phillips

INSPECTOR