



Appeal Decision

Site visit made on 24 September 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/U4610/Z/25/3370759

232 Foleshill Road (Advertising right on), Coventry, CV1 4HW

- 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 Ms Annie (Wildstone Estates Limited) against the decision of Coventry City Council.
 - The application reference is PL/2025/0000927/ADV.
 - The development proposed is replacement of 1no. existing paper and paste display with 1no. digital display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the proposal as I find it describes the proposal more concisely.

Main Issue

3. The main issue is the impact of the proposal upon highway safety.

Reasons

4. The appeal site is located on the east side of Foleshill road opposite Cash's Lane and what is currently a Kwik-Fit Plus. The host building benefits from an existing 48 sheet poster erected on the northern elevation of the building. I note, from the submissions before me, that the proposal has been subject to previous refusal and dismissal at appeal and that the proposal is effectively the same as that which has already been dismissed. Despite this, each case should be considered on its own merits and based upon the evidence that is before me and in this case, in response to the previous refusal/dismissal, I note that the appellant's submission is supported on this occasion by Highways Technical Note 02-5059-HTN02 (HTN) which seeks to provide specific highways and transportation advice in support of the proposal.
5. The proposal would include the removal of existing static advertising hoardings and would essentially consolidate advertisement in this location but most notably the digital display would result in advertisements displayed which would change every ten seconds resulting in up to six advertisements shown in any one- minute period. I also acknowledge, from the appellant's submissions as well as the HTN, that the changes between advertisements would be instant and that the advertisements would not contain any flashing, moving or 3D type imagery. Any grant of expressed advertising consent would evidently require the consented advertisement to adhere to the standard conditions, but such conditions do not

remove the requirement for an initial assessment as to the potential impact of proposals in the context of public safety in making a decision as to whether to grant express advertisement consent.

6. I have fully taken into account the context of the HTN as a document itself and I also note the summary in table 1 of the appellant's statement of case which has been prepared for ease of reference. The low accident rate on approach to the junction is acknowledged as is the fact that drivers are continually having to assimilate changes in different scenarios when driving on a more general basis. These specific points were noted, and acknowledged, by the previous Inspector but I do not find that these two facts alone are sufficient to satisfy concern that the risk to public safety would not increase if consent were granted.
7. The advertisement consent shown on the proposed display would be able to be disseminated by passing motorists compared to road signals or signage (i.e. I do not find they would be mistaken for such) and I acknowledge, as outlined above, that the scheme effectively seeks to replace an existing advertisement regime, I have strong concern that in comparison to the existing paper and paste advertisements the ability to change advertisements every ten seconds would present as an increased distraction to drivers compared to the existing conditions when utilising the sections of road from which the proposal would be visible, in a situation where three lanes of traffic are approaching the junction in one direction in particular, as well as at traffic lights or similar.
8. The proposed rate of change may adhere to Transport for London's Guidance for Digital Roadside Advertising and Proposed Best Practice Document, however, the document is of limited weight outside of London. I acknowledge that the principle of advertisement consent in terms of character and appearance of the general area and visual amenity is acceptable, but this does not overcome the issues I have identified with regard to the effect of the proposal of highway safety within a visually prominent location and I do not find that consent should be granted.
9. The HTN confirms that there would be little to no overlap between the proposed sign location and the signal heads on the Foleshill Road southbound and Cash's Lane approaches and whilst the site location is in an active urban environment, which already features digital LED advertising displays in the locality, this, the site context, does not overcome my concern as to a constant rotation of illuminated advertisements in the heart of a busy road junction. I am still unconvinced that the proposal would not present a material distraction factor to drivers travelling along the B4112 Foleshill Road or Cash's Lane, respectively.
10. The case study for six advertisement signs within the UK provided by the appellant is acknowledged, however, each case should be considered on its own merits. Some of the examples provided, within the case studies outlined, I do not find to be comparable to the busy junction or road set up as that which is before me within this appeal. The display at 619 Stoney Stanton Road (Coventry), for example, whilst I note the junction with Broad Street, the advertisement is further forward of that road junction, level with the traffic lights, compared to the appeal site where the proposal would be on the actual junction point itself visible from two roads which would not be the case with Stoney Stanton Road. Each case should be considered on its own merits and for the reasons set out I have concern as to rotation.

11. I have, therefore, reviewed the accident data and plans provided with regard to the cases the HTN refers to but find that they are of limited comparison and do not share any notably common features with each case needing to be considered on its own merits and, in this case, I have a strong concern that the rotation of advertisements at the actual junction at the appeal site would have potential to distract drivers and other highway users when using what is a busy junction that leads to and from the city centre. This would result in unacceptable impact to highway safety.
12. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 allows a Local Planning Authority in exercising its powers under the regulations in the interest of amenity and public safety to take into account the provisions of the development plan, so far as they are material and any other relevant factors. The proposal would be inconsistent with Coventry Local Plan 2017 Policies AC1 and AC2 respectively which, in terms of overarching objectives, seek to prevent negative impact on the highway network.

Conclusion

13. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR