



Appeal Decision

Site visit made on 1 October 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2025

Appeal Ref: APP/D1835/Z/25/3371410

Silver Street, CNR of Lowesmoor, Worcester, Worcestershire

- 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 Mr John O'Hara (Replyshort Limited) against the decision of Worcester City Council.
 - The application reference is 25/00393/ADV.
 - The development proposed is advertisement consent for a digital matrix hoarding.
-

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.
3. The appeal site currently contains an existing hoarding next to the pavement and whilst I note the appellant's comments with regard to repair and/or improvement of the current site fencing the proposal that is before me is, ultimately, one which seeks express consent for the advertisement as described within the development description. I have, therefore, based my determination on the advertisement only.

Main Issues

4. The main issues are the impact of the proposal upon i) visual amenity with regard to the Lowesmoor Conservation Area and ii) highway safety.

Reasons

Visual Amenity

5. The appeal site relates to a parcel of land which is located on the eastern side of Silver Street on the corner of Lowesmoor within the Lowesmoor Conservation Area (CA) which is itself a designated heritage asset. Given that the site is within the CA there is a requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in accordance with Section 72(1) of the Planning (Listed Buildings in Conservation Areas) Act 1990.
6. The appeal seeks consent for a digital matrix hoarding which would be in the region of 6 metres in width, 3 metres in height and 0.2 metres in depth positioned on a base with a height in the region of 2.5 metres. The screen would be illuminated to 300cd/m² in brightness with digital advertisements changing every 10 seconds. I note comments regarding the proposal in relation to the overall frontage as well as a comparison to three storey buildings to the rear, but I do not find that the proposal

falls to be assessed solely in the context of the available frontage but more so that it should fall to consider the impact of the proposal in its intended location for the reasons outlined above. I find the proposal would be visually dominant to the detriment to the visual amenity of the CA as well as blocking more general views through the site within the CA in an area which, although generally commercial, is not typically characterised by digital advertisements of this nature. The proposal would introduce an illuminated feature of not insubstantial size where there currently are no advertisements, and I find this would be of potential note or concern outside of daylight hours in the site context. The proposal would, therefore, be uncharacteristic for the CA and would result in an overly dominant and incongruous addition to the street scene which would fail to preserve the visual amenity of the surroundings and result in visual harm to the CA.

7. I understand that there is flexibility to move the proposal to any frontage position which is demonstrated within figure 1 attached to the appellant's statement of case, however, it is not within the scope of this appeal to consider alternative locations as I must make my determination upon the proposal which the Council have based their reason for refusal upon. Any consideration of alternative locations would need to be subject to resubmission and appropriate consideration by the Council to allow alternative locations to be considered on their own merits.
8. Overall I am of the opinion that the proposal would result in less than substantial harm to the CA as a designated heritage asset and, in this case, in accordance with paragraph 215 of the National Planning Policy Framework 2024 where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Based upon the evidence before me I have nothing to suggest, or support, that the public benefits of the proposal would outweigh the great weight that should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
9. The proposal would also be contrary to South Worcestershire Development Plan 2016 Policy SWDP21 which requires development to be of a high design quality as well as needing to integrate effectively with its surroundings, in terms of form and function, reinforce local distinctiveness and conserve, and where appropriate, enhance cultural and heritage assets and their settings and that illuminated signage will only be permitted where it is not considered harmful to the character and appearance of the site or surroundings.

Highway Safety

10. The appeal site is located in a busy area adjacent to a relatively complex junction in the city centre which is close to secondary shopping frontage, car parking and a notable level of pedestrian activity and vehicle movements at the corner of Lowesmoor and Silver Street. The proposal would be located adjacent to, and visible from, a complex of signalised junction layouts where there is vehicle movements in multiple directions combined with pedestrians crossing as part of the signalised junctions. The advertisement would be visible from Sansome Street where vehicles can turn left and right as well as proceeding straight on from four differing lanes which are then controlled by three sets of traffic lights, one for each direction, as well as the aforementioned pedestrian crossings.

11. The junction is also combined with access points to car parks, in close proximity to the appeal site, generally contributing to activity and access to commercial premises adjacent to the road. Ultimately there are vehicle movements in multiple directions plus pedestrian activity, typical of a city centre junction, and I have no evidence before me within this appeal to support that the proposal would not negatively impact upon highway safety as stated by the Highway Consultee. I consider, therefore, that the proposal has very high potential to distract pedestrians and drivers in a location which would require attention to ensure highway safety.
12. An assessment of the personal injury accident record for the location has not been provided in terms of assessing potential impact against the existing use of the area and whilst I acknowledge the appellant's comment regarding the bus lane, I find that the proposal would still be fully visible from other lanes off Sansome Street (the A38). I do not necessarily find that the proposal would interrupt or conflict with views of the traffic lights around the junction, and I note the speed limit, but more that it would offer the potential for more general distraction for vehicle users and pedestrians in this area. The appellant makes reference to personal injury reports within their statement of case; however, this would be for the appellant to provide as part of evidence of their assessment in submitting the proposal for consideration and no such evidence is before me at the point of determination.
13. The proposed location, adjacent to and visible from the signalised junction layout with vehicle movements in multiple directions and pedestrian activity, based upon the evidence before me, I find would be highly likely to result in unacceptable distraction to motorists and pedestrians which would in turn pose an unacceptable hazard to public and highway safety. The proposal would be contrary to SWDP21 which seeks to ensure that advertisements do not impact upon highway safety and Policy SWDP4 which requires proposals to address road safety. Paragraph 116 of the Framework is also clear that development should be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety which, for the reasons outlined above, I find would likely be the case in the absence of evidence to the contrary.

Conclusion

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

Eleni Marshall

INSPECTOR