



Appeal Decision

Site visit made on 5 January 2026

by T Bennett BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th January 2026

Appeal Ref: APP/P0240/Z/25/3375518

Land off the roundabout to the south of Skimpot Road, Luton LU4 0JD

- 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 Wildstone Estates Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/01820/ADV.
 - The advertisement proposed is replacement of paper and paste advertisement display board with digital advertisement display board.
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Decision

1. The appeal is allowed and express consent is granted for the display of the replacement of paper and paste advertisement display board with digital advertisement display board at land off the roundabout to the south of Skimpot Road, Luton LU4 0JD in accordance with the terms of the application, Ref CB/25/01820/ADV. 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 intensity of the illumination of the advertisement permitted by this consent shall be no greater than 300 cd/m² during the hours of darkness. During daylight hours the luminance shall be controlled by sensors and/or timers to reflect ambient light levels. At all times the display shall operate within that recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).
 - 2) The minimum display time for any advertisement shall be no less than 10 seconds and the change between advertisement images shall be instant with no sequencing, fading, swiping or merging of images.
 - 3) The advertisement shall not display at any time any moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
 - 4) In the event of a malfunction or error, the advertisement display shall at all times have a default mechanism to display a black/blank screen to avoid any flashing error messages or pixilation.

Preliminary Matters

2. Powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) to control advertisements may only be exercised in the interests of amenity and public safety, taking into account (a)

the provisions of the development plan, so far as they are material; and (b) any other relevant factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterates this approach. I have therefore taken Policy T2 and Policy HQ1 of the Central Bedfordshire Local Plan 2021 (LP) into account insofar as they are material, but they have not, in themselves, been decisive.

Main Issues

3. The main issues are the effect of the proposed advertisement on the visual amenity of the area and public safety.

Reasons

Visual amenity

4. The proposed digital advertisement would be located adjacent to and face a roundabout on land south of Skimpot Road, replacing an existing freestanding billboard.
5. The Council has described the area as semi-rural. Whilst I find this to be true south of the appeal site, the advertisement itself would be viewed in the context of the urban road infrastructure, including the Luton Busway bridge, road signage and streetlights, at a transitional point between the semi-rural environment to the south and the more urban setting to the north.
6. Although the advertisement would be illuminated and feature changing imagery, it would be significantly smaller in width than the existing advertisement. I am satisfied that suitable conditions restricting the luminance and transitions, would ensure that the advertisement would assimilate into its surroundings and not appear unduly prominent.
7. Residential properties on Skimpot Road are located far enough away that the advertisement would not be visible from them; consequently, the advertisement would not have an adverse effect on these residents.
8. For the reasons above, the proposal would not have an adverse effect on the visual amenity of the area. Whilst not determinative, there would be no conflict with policy HQ1 of the LP which amongst other matters, seeks proposals that respond positively to their context.

Public safety

9. The proposed advertisement would be visible to road users approaching the roundabout from Hatters Way and Skimpot Lane.
10. The advertisement would be in the same location as the existing billboard, where it would not impede views of the road or traffic signage. While it would be illuminated and introduce changing imagery at 10-second intervals, it would be significantly narrower than the existing advertisement.
11. Although there is a cycle crossing on Skimpot Lane just before the roundabout, the advertisement would be in the field of vision of drivers who would likely be decelerating in anticipation of the junction. The approaches to the roundabout from both Skimpot Lane and Hatters Way are straightforward with good forward visibility; this would allow drivers to assimilate the digital advertisement as part of

the surrounding environment including seeing any road users at the crossing. Consequently, even if the advertisement were to change, I am not persuaded that the advertisement would come as a surprise to drivers to the point that road users at the crossing would be put at risk.

12. Whilst the digital advertisement would be more apparent at night than the existing billboard, the area is already well-lit. Subject to a condition regarding luminance levels, the display would not appear unduly stark. Moreover, a minimum display time and the transition between images could be controlled by condition to ensure the advertisement safeguards public safety and does not stand out as a highly conspicuous roadside feature.
13. In their assessment, the Council refer to a nearby pedestrian crossing. However, this is located north of the appeal site further along Skimpot Road, where the advertisement would not be visible. Drivers would have already passed the advertisement before the crossing comes into view. Therefore, I find that the advertisement would not raise any public safety concerns in relation to this pedestrian crossing.
14. The Council notes three accidents at the roundabout between 2019 and 2023. However, the evidence does not indicate a link between the existing advertisements and these incidents. Furthermore, the evidence submitted by the appellant suggests there is an average of 0.4 accidents per year, which does not point towards a particular highway safety issue at this location. I also note that National Highways is satisfied that the proposal would not materially affect the safety of the strategic road network and has not objected to the proposal.
15. Based on the evidence provided, site observations, and with suitable controls on the advertisements display, I conclude that the replacement advertisement would not have a harmful impact on public safety.
16. Although not determinative, where relevant to the appeal, there would be no conflict with policy T2 of the LP which amongst other matters, seeks to ensure proposals do not have a detrimental effect on highway safety.

Conditions

17. The consent is subject to the five standard conditions in the Regulations. As the display would be prominently located at a roundabout, I agree with the appellant that conditions requiring additional controls on the advertisement are necessary and reasonable to safeguard public safety.

Conclusion

18. For the reasons given above, the appeal is allowed and express consent granted, subject to the conditions specified.

T Bennett

INSPECTOR