
Appeal Decision

Site visit made on 20 January 2026

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th January 2026

Appeal Ref: APP/V2004/Z/25/3375549

142 Witham, Hull HU9 1AT

- 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 Limited against the decision of Kingston-Upon-Hull City Council.
 - The application Ref is 25/00684/ADV.
 - The advertisement proposed is the conversion of 1no. poster and paste advertisement display to D-Poster.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has submitted a Highway Safety Report with the appeal. However, as the appeal is following the streamlined CAS appeal route there is no mechanism for the Council or other interested parties to have made comment upon its findings. Whilst it would be procedurally unfair in such circumstances for me to rely upon it in my determination of the appeal, in any event it does not address the specific areas of concern that I observed during my site visit.

Main Issue

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

Reasons

4. At the time of my site visit, a hard surfaced area to the corner of Witham and Great Union Street was in use as a parking area. A number of vehicles, including vans, were parked there. I have no reason to consider that this is not a normal day to day occurrence. The result of this was that vehicles turning left onto Great Union Street from Witham did not have advanced vision of any hazards in the road as they turned. There is no pedestrian crossing available in this location and, of the several pedestrians I saw crossing the road whilst I was in the area, each chose to cross between the traffic signal heads, where a pedestrian crossing might usually be expected to be found. This meant they walked across the carriageway close to the junction between the two roads and in effect behind the parked vehicles.
5. On the basis of what I saw, there is already a clear potential for conflict between vehicles turning left from Witham and pedestrians. There may also be vehicles that have stopped for reasons such as traffic congestion or turning vehicles. As such, it is imperative that drivers are able to pay full attention when turning the corner in

order to be able to react to hazards in the road. However, the appeal proposal would come into view at the point that they were performing this manoeuvre. The advert would be illuminated and display changing images, albeit at set intervals. There is clear potential for the display to distract drivers at the point they most need to pay attention to the possibility of there being pedestrians in the carriageway or stationary vehicles. The positioning of the proposal would cause significant harm to public safety in that respect. Whilst I accept that there are two large poster boards already present, they are not illuminated and their displays do not change frequently. They have a much more passive impact compared to the proposed advertisement and would be considerably less likely to draw the attention of a driver.

6. I also observed that some uncertainty exists in terms of the right turn from New Cleveland Street onto Witham heading in a westbound direction. The required movement is not entirely clear because of the complex road layout, but it involves turning across traffic that is flowing northwards from Great Union Street. There was a continuous and heavy counterflow at the time of my visit, as a result of queuing traffic on Great Union Street. Again, the proposed advertisement would be in the vision of the driver at this location, at the point that they need to make a decision as to whether it is safe to cross the oncoming stream of traffic. There is therefore a notable potential for distraction at the point that they are making this decision and thus to cause conflict with the oncoming traffic. This too would cause significant harm to public safety.
7. What I observed in both respects is consistent with the concerns relating to driver distraction at this complex junction that are set out in the consultation responses from the Highway Authority and from Humberside Police, both of whom objected to the proposal.
8. The fact that these types of adverts are common and now expected and that industry standard planning conditions restricting things like illumination levels and display intervals could be imposed does not overcome my concerns. My attention has been drawn to what the appellant considers to be comparable sites both within the Council's own area and in other local authority areas, but it would seem to me that each individual location has its own safety considerations relating to the specific design and layout of the public highway and the relative placing of the advertisement. I do not consider that reference to any of the examples provided explains why the concerns I have identified in this particular case should not be deemed to be a risk to public safety.
9. I therefore conclude that the proposal would cause significant harm to public safety due to its positioning. I have taken into account Policy 20 of the Local Plan 2017 which seeks to protect public safety and so is material in this case, together with paragraph 141 of the National Planning Policy Framework. Given I have concluded that the proposal would be detrimental to public safety, the proposal conflicts with these policies.

Other Matters

10. The appellant further refers to a number of benefits of digital advertising in economic, social and environmental terms. I also acknowledge that digital displays are part of a wider strategic scheme that will replace the number of displays and reduce clutter by removing traditional paper poster boards. However, I can only

base my assessment of an advertisement consent appeal on the effect that the proposal would have on the interests of amenity and public safety. The wider reduction in the number of displays nationwide does not justify harm to public safety.

11. There is a specific amenity benefit in this instance in that the existing 96-sheet size hoarding would be reduced to a 48-sheet size hoarding. But such an amenity benefit does not outweigh the harm that would result in public safety terms.

Conclusion

12. For the reasons given above, the appeal should be dismissed.

Graham Wraight

INSPECTOR