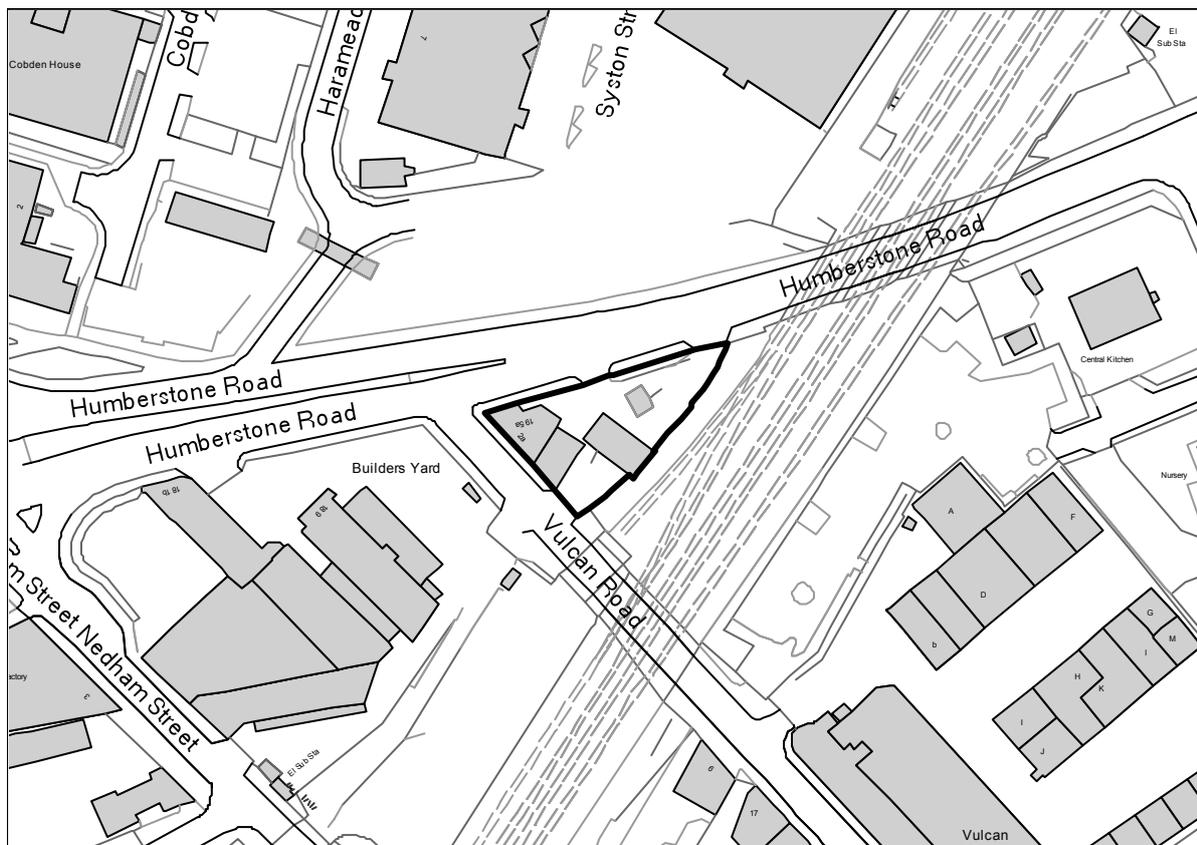


PLANNING INSPECTORATE APPEAL DECISIONS		
<b>20198022A</b>	<b>195A HUMBERSTONE ROAD</b>	
Proposal:	<b>INSTALLATION OF TWO INTERNALLY ILLUMINATED DIGITAL HOARDING SIGNS</b>	
Appellant:	8 OUTDOOR MEDIA LTD	
Appeal type:	Advertisement Appeal	
Appeal received:	16 May 2019	
Appeal decision:	Dismissed	
Appeal dec date:	17 July 2019	
TB	AREA: E	WARD: Wycliffe



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### Summary

- The appeal related to land surrounding a car wash facility, adjacent to Humberstone Road (A47), a major arterial route to and from the city centre.
- The application was refused by delegated powers in March 2019 by reason of negative impact on the visual amenity of the local area and distraction to vehicle users within the area.
- The appeal was dismissed.

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## **The Proposal and Decision**

The proposal was for the installation of two internally illuminated digital hoarding signs, which were proposed to be 6.8m in width, 0.6m in depth and 3.8m in height. The signs would have been 3m above ground level. The illumination was proposed to be static with an illuminance level of 300cd/m<sup>2</sup> and a proposed rate of change of not more than once every 10 seconds.

One sign would have been located to the entrance of the car washing facility facing the traffic heading west into the city centre, and the other would have been located adjacent to the railway embankment facing traffic heading east out of the city centre.

The proposal was refused for the following reasons: -

- The proposed hoarding by reason of its height from ground level, location and prominent position is an incongruous feature that is considered to have a negative impact on the visual amenity of the local area, contrary to policy CS03 of the Leicester Core Strategy and paragraph 132 of the National Planning Policy Framework.
- The proposed hoarding by reason of location and the rate of change of the digital images is considered to be unacceptable in regards to Highway Safety, causing distractions to vehicle users within the area. The proposal is contrary to the aims of the National Planning Policy Framework and Core Strategy Policy CS15.

## **The Appeal Decision**

The appeal was dismissed.

## **Commentary**

With regards to public safety, the inspector noted paragraph 067 of the Planning Practice Guidance, which advises that that public safety could be affected where advertisements are located, for example, at junctions, on the approach to a low bridge, level crossing or other places where local conditions present traffic hazards. The inspector goes on to state that any change in image would draw the eye and encourage a motorist to look towards the display to see the new advert. At the proposed location the merging and formation of new lanes means that any small distraction could lead to a collision as vehicles manoeuvre. Given the prominence of the digital advertisements proposed, even a short distraction would increase the risk of collisions between vehicles manoeuvring between lanes which would cause significant harm to public safety. The Council's evidence showed that several accidents have occurred in the area, which added to the Inspector's concerns over the safety of introducing a potential distraction at a point on the carriageway where traffic will be merging lanes.

The inspector did not however agree with the visual amenity reason for refusal on the basis that the signs would have been located in a busy urban/commercial location. The inspector concluded that the digital signs would not harm the amenity of the area, but would cause unacceptable prejudicial condition to public safety and accordingly dismissed the appeal.