

Pervious Application

The previous application 14/00218 - Illuminated Screen Board at 26-30 London road, Cowplain was refused on Highway Safety grounds and visual amenity grounds. The applicant took the decision to appeal but the Inspector dismissed the appeal and agreed with the Planning Authority on their refusal based on local amenity and highway safety grounds.

Current application

The new application has a smaller sign in a modified position and I understand that the Planning Authority is not recommending refusal on visual amenity. However the Highway Authority is once again recommends that this application should be refused for the reasons contained within the current Planning Practice guideline for NPPF

[\(http://planningguidance.planningportal.gov.uk/blog/guidance/advertisements/considerations-affecting-public-safety/](http://planningguidance.planningportal.gov.uk/blog/guidance/advertisements/considerations-affecting-public-safety/)

Guidance

In this document Paragraph: 068 Reference ID: 18b-068-20140306 it poses the question- What are the main types of advertisement which may cause danger to road users?

It identifies main types of advertisement which may cause danger to road users are:

d) Those externally or internally illuminated signs (incorporating either flashing or static lights) including those utilising light emitting diode technology:

i. Where the means of illumination is directly visible from any part of the road;

ii. Which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals;

iii. Which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather; or

iv. Which are subject to frequent changes of the display;

Determination

In the appeal decision the Inspector stated the following

9. Turning to the matter of highway safety, I acknowledge that the Cowplain Pharmacy building is set back approximately 8 metres from London Road. Nevertheless, paragraph 67 of the Guidance details that proposed advertisements at points where drivers need to take more care, such as junctions and pedestrian crossings, are more likely to affect public safety. Given the advertisement would be located in close vicinity of both a junction and a pedestrian crossing the proposed advert poses a particular risk to public safety.
10. Also, paragraph 68 of the Guidance specifies the types of adverts that could cause a danger to road users. This includes those that would be likely to distract road users as a result of their unusual nature. In addition, those externally or internally illuminated signs including those using light emitting diode technology. Although, I note that the colours used on the LED display board would be carefully selected so that they are different to the traffic signals, and the brightness of the LED screen would be kept to a minimum so that it would not distract road users, the means of illumination would still be directly visible from the London Road. Additionally, it would be difficult for the Council to control the colour, brightness and type of display and the frequency of changes to the display.

The Inspector emphasised that the means of illumination would be "directly visible from London Road" and although this proposed sign is smaller it will still be a distraction to drivers at this junction. I would suggest that the size is not important as there are not different degrees of distraction for example a dripping tap or ticking clock is just as distracting as the sound of a piling rig. Also I would point out that the moving led display is green in colour which is a colour associated with the adjacent traffic signals.

The Highway Authority recommends that the application is refused for the following reason

"The proposed LED screen display board, by reason of its siting facing a highway adjacent a traffic lighted junction, and method of rotational display, would constitute a distraction to drivers and a hazard to road users. It is therefore considered to affect public safety, contrary to advice in the National Planning Policy Framework, 2012 and Planning Practice Guidance on Advertisements, dated 6/3/14 and contrary to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and policy DM21 of the Havant Borough Publication Local Plan (Allocations), October 2013"

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