

## Report of the Chief Executive

**APPEAL DECISIONS**

Reference number: **17/00849/FUL**  
Proposal: **Construct single/two storey side extension following demolition of garage**  
Site address: **419 High Road Chilwell Nottinghamshire NG9 5EA**  
Applicant: **Mr Sam Balsini**

**APPEAL DISMISSED**

The application was refused permission by the Planning Committee (contrary to officer's recommendation) because the development was considered to be overbearing and represent overdevelopment of this part of the site, due to the proximity of the extension to the boundary. The close proximity to the boundary was considered to cause a loss of amenity to neighbours and to the occupants of the application property, due to reduced side access.

The Inspector considered the main issues to be the effect of the proposal on the living conditions of the occupants of the host dwelling, with regards to the side access; and the living conditions of the occupants of 421 High Road, with regards to sunlight.

The Inspector considered the 0.3m separation distance between the side of the extension and no. 421 would not allow the external movement of a wheelie bin or occupants between the front and rear of the dwelling. This could be inconvenient and impractical. Therefore, the size of the extension would lead to unacceptable harm to the living conditions of the occupants of the host property.

In regards to loss of sunlight for no. 421, the Inspector considered that the proposal would result in the loss of daylight to the north east side window due to the scale and proximity of the extension proposed. However, the window serves a study/hobbies room, which is not a main room within the dwelling and the Inspector considered that the proposal would not lead to an unacceptable impact on the occupiers of no. 421 as they would still be able to open the window.



**Legend**

- Road Names
- Site

Reference number: **17/00793/ADV**  
Proposal: **Display 2 digital illuminated advertising hoardings**  
Site address: **Advertising Right Adjacent Horse and Jockey  
Horse and Jockey, 20 Nottingham Road, Stapleford**  
Applicant: **Mr Richard Page**

### **APPEAL DISMISSED**

The application proposed advertisement consent for two digital illuminated advertising hoardings. Consent was refused due to the visibility of the signs when travelling along Nottingham Road from both directions due to their size and positioning and distraction they would have caused to drivers. It was considered that the positioning of the screens near a busy main road within the town centre would have a significantly negative impact on the safety of drivers. In addition, the frequent changes of the display would cause an additional distraction to drivers travelling along Nottingham Road.

The Inspector considered the main issue to be the effect the proposed advertisements would have on public safety. The Inspector considered that the close proximity to the nearby junction and their elevated form would be in clear view of the traffic signals meaning there would be points of visual interaction by traffic using this junction. The Inspector considered the proposed signs would have the potential to cause distraction to drivers and impede their decision making from the traffic signal instruction and detract from the generally good road visibility. The Inspector acknowledged that although accidents at this junction have been limited, this would not account for the potential highway safety concerns that would arise from the changing imagery on the proposed advertisements drawing the eye of drivers away from the road in both directions. The Inspector considered that although the existing advertisements are fixed, the reduction in their number would not address the concerns over the changing imagery on the proposed advertisements, or by controls over the level of illumination. The conditions that have been put forward by the appellant would not resolve the risk because they would still allow for changing imagery once every 10 seconds.

In conclusion, the Inspector found that the advertising hoardings, due to their siting and frequent change of display, are in a location and are a type of advertisement which is more likely to affect public safety on the roads and which may cause danger to road users. Therefore, the advertisements have the potential to cause driver distraction and pose an unacceptable risk to highway safety.