The Planning Inspectorate

Appeal Decision

Site visit made on 20 May 2019

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 9th July 2019

Appeal Ref: APP/N4720/Z/19/3223157
577, York Road, Leeds LS9 6NH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Mr Richard Page on behalf of Insite Poster Properties Ltd against the decision of Leeds City Council.
- The application Ref 18/07212/ADV, dated 19 November 2018, was refused by notice dated 11 January 2019.
- The advertisement proposed is an ED advertisement measuring 6 metres (wide) by 3 metres (high).

Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the submission of the appeal, an updated version of the National Planning Policy Framework (February 2019) (the Framework) has been published by the Government. This is a material consideration in planning decisions. In relation to the main issue in this appeal, Government policy has not materially changed, and it was not therefore necessary to invite any further comments from the different parties involved.

Main Issue

3. The main issue is the effect of the proposal upon the visual amenity of the area.

Reasons

4. The application site is part of the car park to an existing commercial property which forms part of an enclave of business premises at the junction of York Road and Gipton Approach, but in what is an otherwise overwhelmingly residential area. There is a large high level sign on a gable wall advertising the business, and another sign at ground floor level on the perimeter wall to the car park. Advertisement signs on other commercial buildings in the immediate area are mostly at first floor height and relate directly to the businesses in the associated premises. On my site visit I saw that while some of the existing signs were lit externally, only one small sign was internally illuminated. None rotated.

5. The small commercial enclave is surrounded by two storey residential properties including those directly opposite and which have individual amenity spaces with privet hedging. The residential areas are devoid of signs.

6. The proposed sign would be relatively large, measuring approximately 6 metres wide by 3 metres high, and its base would be about 2.6 metres above the ground. Static images would change on a 10 second rotation.

7. The appellant considers that the Planning Practice Guidance (PPG) advocates locating advertisements of this sort in this type of area. However, the PPG stresses the need to take account of the local characteristics of the neighbourhood when considering the impact on visual amenity.

8. Each advertisement image would contain no movements, automation or special effects. The degree of illumination would be less during evenings and nights and would, according to the appellant, replicate the ambient levels in the area generally. The sign would have minimal external cladding.

9. However, unlike the vast majority of the existing business signage in the commercial enclave, the proposed advertisement would be internally illuminated and would rotate. It would not advertise or relate specifically to those businesses trading from associated premises but would be for general advertising purposes. It would also be generally larger than many of the existing signs and, as it would be close to ground level, it would be significantly more intrusive, being at eye level.

10. I therefore find that by reason of its position, size, illumination and movement, the proposed advertisement would have a significant, visually intrusive impact upon the occupiers of neighbouring dwellinghouses, especially for those living opposite it, and for travellers along York Road. It would therefore be significantly detrimental to the visual amenities of the area.

11. I therefore conclude that the proposed advertisement would be contrary to the Leeds City Council Core Strategy (2014) policy P10 and to saved Unitary Development Plan policies GP5, BD8 and BD9 (2006), all of which aim to protect visual amenities and to promote good design. Furthermore, the advertisement fails to accord with paragraph 132 of the Framework, which aims to protect the quality and character of places from advertisements which are poorly sited and designed.

Conclusion

12. For the reasons given above, and considering all other matters raised, I conclude that the appeal should be dismissed.

Steven Hartley

INSPECTOR