
Appeal Decision

Site visit made on 13 January 2020

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 January 2020

Appeal Ref: APP/V2004/G/19/3219602

South of Hessle Road, Kingston-upon-Hull HU3 5JA

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a Discontinuance Notice relating to the use of a site for the display of advertisements with deemed consent.
 - The appeal is made by Clear Channel UK Limited against discontinuance action by Kingston-upon-Hull City Council.
 - The Council reference is 19/01325/ENFAPP. The Discontinuance Notice is dated 26 November 2018.
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Decision

1. The appeal is allowed and the Discontinuance Notice is quashed.

Reasons

2. The main issue is whether the use of the appeal site for the display of advertisement panels is substantially detrimental to the interests of amenity.
3. The three 48-sheet advertisement panels that are the subjects of the discontinuance notice are located on a commercial site in an area which is almost wholly commercial in character. To the east of the panels is a supermarket and its large car park, to the south is an open storage area and to the west is a further open storage area and an electricity sub-station. On the opposite side of the road are commercial buildings and a public house to the west of another supermarket. The public house is the only building in the immediate area that has any positive character and is separated from the panels by three roadways separated by islands and a multitude of railings, road signs and highway paraphernalia. In this context the three advertisement panels, though they are prominent, are not intrusive and do not detract from the character or visual amenity of the area.
4. All matters mentioned by the Council have been taken into account but they do not, either individually or collectively, alter the conclusion that the use of the site for the display of advertisement panels with deemed consent is substantially detrimental to the visual amenity of the area.

Conclusion

5. For the reasons given above the continued use of the site for the display of advertisements would not be substantially detrimental to the interests of amenity.

John Braithwaite

Inspector