

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/19/3209171

287 Anlaby Road, Kingston-upon-Hull HU3 2SQ

- 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 Insite Poster Properties Limited against discontinuance action by Kingston-upon-Hull City Council.
 - The Council reference is 19/01324/ENFAPP. The Discontinuance Notice is dated 19 June 2018.
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Decision

1. The appeal is dismissed. The Discontinuance Notice shall come back into effect immediately and the use of the site for the display of advertisements with deemed consent shall cease by the end of 21 days from the date of this decision.

Reasons

2. The 48-sheet advertisement panel that is the subject of the discontinuance notice is on the west side of Coltman Street, a mainly residential street, close to its junction with Anlaby Road, a wide arterial road on which there are a mix of uses. The site of the panel is within the Coltman Street Conservation Area (CSCA).

3. The main issue is whether the use of the appeal site for the display of an advertisement panel with deemed consent is substantially detrimental to the interests of amenity.

4. The CSCA encompasses the whole of Coltman Street from its junction with Anlaby Road at its north end to its junction with Hessle Road at its south end. The CSCA Character Appraisal states that "The northern end of Coltman Street has a strong gateway building on its east side. The gateway is weakened, however, by the loss of the building on its west side". The advertisement panel is on the site of the lost building. The building on the west side, from photographic evidence and from evidence gained at the site visit, has been the subject of major investment and improvements in recent times. This has strengthened the gateway into the CSCA, which is generally attractive and of historic significance.

5. The advertisement panel is a prominent feature in direct views along Arnold Street from the north and in oblique views along Anlaby Street. In these views the panel, given its size and proximity to Anlaby Street, is dominant and visually intrusive, particularly in the view along Arnold Street. Furthermore, the panel detracts from the gateway into the CSCA and undermines the improvements that have been made nearby to the historic significance of the area.

6. All matters mentioned by the Appellant have been taken into account but they do not, either individually or collectively, alter the conclusion that the advertisement panel detracts from the character and appearance of the CSCA and is substantially detrimental to the visual amenity of the area.

Conclusion

7. For the reasons given above the continued display of the advertisement with deemed consent would be substantially detrimental to the interests of amenity.

John Braithwaite

Inspector