



Appeal Decision

Site visit made on 25 February 2020

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/N4720/Z/20/3245996

144-146, Hunslet Road, Hunslet, Leeds LS10 1JY

- 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 Clear Channel UK against the decision of Leeds City Council.
 - The application Ref 19/06626/ADV, dated 17 October 2019, was refused by notice dated 8 January 2020.
 - The advertisement proposed is described as 'upgrade of existing 48 sheet advert to support digital poster'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Whilst the appellant has referred to the rationalisation of two existing 48 sheet advertisements, the description of the proposal refers only to an upgrade of one such advertisement. Furthermore, the red line boundary on the submitted location plan does not extend to include a second advertisement. Therefore, the scope of this appeal can only extend to the replacement of this one advertisement.

Main Issue

3. The control of advertisements is exercisable only with respect to public safety and amenity and in this case the Council has no objection over safety. The main issue in this appeal is therefore the effect of the proposal on amenity including the effect on the character and appearance of the host building and of the surrounding area, and upon the setting of a nearby Grade II listed building.

Reasons

4. This part of Hunslet Road is a busy main vehicular and pedestrian route and comprises an area of mixed use characterised by large scale educational and commercial buildings which vary in age and architectural style. Advertisements of a variety of formats, sizes and positions are evident within the area. The appeal site has an obvious presence in the street scene, enjoying a road frontage position close to a busy crossroad junction. The appeal site forms part of a small but distinct cluster of older properties which includes the distinctive Grade II listed Braimes Pressings Ltd building.

5. The host building is of particular value to the amenity of the street-scene. The elevation that would host the proposal presents an uninterrupted focal point in the street scene for oncoming pedestrians and road users. This elevation has a number of original architectural features which are distinctive, positive characteristics of the building, including first floor vertically proportioned window openings, with segmental arched heads. Whilst one of these is partially blocked up, the outline and arched head detail remains. Although not listed, the architectural style and character of the appeal site relates well with its listed neighbour.
6. The proposal would cover a significant amount of this elevation. In terms of the first floor window openings it would cover all but the feature arched heads. The proposal would also provide a horizontal emphasis to what is otherwise a vertically proportioned building. It would have an elevated position which would maximise its visibility in the street scene.
7. For these reasons the proposal would sit uncomfortably and haphazardly on and overly dominate this prominent elevation. The existing tree cover within the vicinity of the site would not adequately mitigate the harm to visual amenity of the area that would result. This harm would be amplified by the illumination and transitional imagery proposed, particularly at night-time.
8. The historical significance of the Braimes Pressings Ltd building is both architectural and cultural given its original use. The proposal would be read directly against a main façade of this listed building and would appear discordant in this particular visual and historic context. Despite the busy road, the relationship of the appeal site with the listed building does form part of and contribute to the setting of that important heritage asset, particularly from short and medium public views. The harm which I have identified would therefore extend to the setting of this listed building.
9. The intention to replace the existing advertisement is noted. Whilst the appellant has also suggested approval would result in removal of a further display, this is not stated on the application form and the other display does not fall within the defined application site. This is not a 'like-for-like' replacement and regardless of any rationalisation, the repositioning would result in a poorer relationship with existing window openings than currently exists. Attention to this would be exacerbated by the transitional imagery and illumination and would be detrimental to visual amenity.
10. The economic, sustainability and social benefits advanced by the appellant are not relevant to amenity considerations. The presence of other advertisements within the vicinity of the appeal site has also been noted, though these are not comparable to the appeal proposal in terms of context and site specific design matters.
11. These arguments do not outweigh the harm to visual amenity which I have identified.
12. In accordance with the Regulations, I have taken into account the provisions of the development plan in so far as they are relevant. Policies GP5, BD8 and BD12 of the Leeds Unitary Development Plan (Review 2006) seek, amongst other things, to manage visual impacts through well designed, sensitively located proposals that are relevant to their context. The Advertising Design Guide Supplementary Planning Document (2006) provides more detailed

guidance relating to this matter. The Core Strategy (as amended by the Core Strategy Review 2019) Leeds Local Plan echoes the principles of these policies through Policy P10. Both Policy P10 and Policy P11 of the Core Strategy Review also seek to protect the setting of heritage assets.

13. I have found that the proposed advertisement would harm visual amenity of the area and therefore the appeal proposal conflicts with these policies and associated supplementary guidance.
14. The effect of the proposal on amenity including the effect on the character and appearance of the host building and of the surrounding area, and upon the setting of a nearby Grade II listed building would result in unacceptable harm.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

C Dillon

INSPECTOR