
Appeal Decision

Site visit made on 7 July 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27TH July 2020

Appeal Ref: APP/Z4718/Z/20/3251895

Land at 268 Leeds Road, Huddersfield HD1 6PD

- 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 Alight Media against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2020/64/90410/W, dated 4 February 2020, was refused by notice dated 1 April 2020.
 - The advertisement proposed is a single illuminated 48-sheet digital advertisement display.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the advertisement on public safety and the visual amenity of the area.

Reasons

3. The advertisement display would be located in an elevated position on land adjacent to the well-used Leeds Road (A62). Whilst residential property sits close to the appeal site, the many nearby commercial properties, large retail park and the associated broad range of signage dominate the character of the area.

Public safety

4. I am required to consider the safety of persons using the adjacent highway and consider whether display of the advertisement is likely to hinder the ready interpretation of any traffic sign. Planning Practice Guidance¹ identifies types of advertisement that may cause danger to road users. Amongst others, it identifies those which, because of their size or siting would reduce the clarity or effectiveness of a traffic sign or signal.
5. Traffic lights to the north east of the site regulate the flow of vehicles travelling south west along Leeds Road towards its junction with Bradley Mills Road and Barr Street. I acknowledge that other local advertisements would be visible to drivers. However, as a result of the positioning of the advertisement display, it would be situated directly behind and viewed in conjunction with the traffic light signal head on the south-east side of the carriageway from driver

¹ Paragraph: 068 Reference ID: 18b-068-20140306

viewpoints at certain distances back from this traffic light as they approach the junction from the north east.

6. Whilst it would be possible to display static images only, provide instant changes between adverts and control levels of illumination, the advertisement display would be likely to incorporate various colours which have the potential to be similar to those on the traffic signal which would confuse drivers interpretation. Further, the evidence indicates that a high percentage of recorded collisions at this location involve vehicles approaching the junction from the north east.
7. I therefore conclude on this issue that the proposed advertisement display, by reason of its siting and illumination, would significantly reduce the clarity and therefore the effectiveness of the traffic lights on the south-east side of Leeds Road on the approach to the site. This would compromise the safety of persons using the adjacent highway.

Visual amenity

8. There are a wide range of commercial properties close to the site which incorporate various forms and sizes of signage and advertisements which dominate the character of the area. Within this context, the advertisement display would not be out of context. Subsequently, it would not form an unacceptable feature within the street scene and would not detract from the character and appearance of the area. The proposal would therefore be acceptable in terms of visual amenity.

Other Matters

9. The Council has cited Policies LP24 and LP25 of the Kirklees Local Plan (2019) in the reason for refusal. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these policies into account, they have not been a decisive consideration in my determination of this appeal.
10. The appellant has drawn my attention to previously approved advertisement displays in Huddersfield, at both Manchester Road and at the Kingsgate Shopping Centre along with a site in Leeds. I have considered the evidence submitted in relation to these sites and took the opportunity to visit the sites in Huddersfield at the time of my site visit. I observed that the advertisement display at Kingsgate Shopping Centre was installed and operational. However, both sites, along with that identified in Leeds, share different contexts to the appeal site and as a result of the positioning of the displays they will not and do not result in the same conflict between the advertisement display and the nearby traffic signals. They do not therefore provide justification for the appeal.

Conclusion

11. Although the advertisement display would not compromise visual amenity, this is a neutral factor and the advertisement display would unacceptably compromise the safety of persons using the adjacent highway. Accordingly, I conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR