



Appeal Decision

Site visit made on 13 July 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2020

Appeal Ref: APP/N4720/Z/20/2351410

Team Talk Training, 96 Marsh Lane, Leeds LS9 8SR

- 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 Matt Swindles of Global against the decision of Leeds City Council.
 - The application Ref 19/07269/ADV, dated 21 November 2019, was refused by notice dated 4 March 2020.
 - The advertisement proposed is upgrade of 1 x 48 sheet advertisement hoarding to 1 x 48 sheet digital LED display unit.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. There is some variation in the description and location of the proposal as given on the application form, decision notice and appeal documents. I have used the location of the proposal given on the appeal form and the description of the proposal given on the application form as I consider that these accurately reflect the appeal proposal.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the amenity of the area.

Reasons

4. The appeal site consists of an existing rear illuminated hoarding. It is proposed to replace this with an LED advertisement which would be in the same location and have broadly the same dimensions as the extant hoarding.
5. The existing hoarding is prominent within the streetscape. Although it is located next to a busy road on the edge of a forecourt for a commercial premises in a predominantly commercial area, it is a free standing feature set perpendicular to the footway and which does not relate well to the features around it. There is an open site to the rear of the sign with boundary planting, and the sign appears as an awkward and discordant feature which projects above the boundary treatment.
6. The replacement of the hoarding with a digital display would add to this obtrusive appearance. Although the existing sign is illuminated, the proposed

- LED display and the changing nature of the images would draw the eye and would add to the unfortunate prominence of the sign. I consider that the change in the nature of the display would be more striking than the extant hoarding and would be significantly more harmful to the visual amenity of the area.
7. Whilst the existing sign may have been in place for a number of years and has not been subject to enforcement action, this does not lead me to a different conclusion as to the characteristics of the extant sign or the harm arising from the appeal proposal.
 8. I acknowledge that the proposed screen may be more efficient to operate than the existing hoarding, however this benefit would not outweigh the harm identified above. Whilst it would be possible to use conditions to control matters such as luminance, moving images and image cycle time, I do not consider that these would suitably mitigate the identified harm.
 9. The appellant has referred to consent granted for a digital advertisement sign elsewhere on Marsh Lane of a similar scale to that before me. However, the evidence suggests that this was the replacement of a wall mounted sign and involved the removal of other hoardings. These circumstances are materially different to the appeal proposal. Reference has also been made to consents granted elsewhere in Leeds for upgrades to signs, although I have not been given details of these and so cannot be certain that they represent a direct parallel to the appeal before me, including in respect of siting, prominence and benefits. I have in any event determined this appeal on its own merits.
 10. I conclude that the proposal, due to its design, siting and prominence, would lead to significant harm to the visual amenity of the area. Consequently, it would conflict with Policy P10 of the Core Strategy as well as Policies BD8 and BD12 of the Unitary Development Plan (Review) which seek, amongst other things, to protect amenity. The proposal would also be contrary to the National Planning Policy Framework which advises that the quality and character of places can suffer when advertisements are poorly sited and designed. The proposal would not reflect the local context and amenity considerations of the Advertising Design Guide Supplementary Planning Document. However, the Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken these policies and advice into account, they have not been a decisive consideration in my determination of the appeal.
 11. For the reasons given above I conclude that the appeal should be dismissed.

David Cross

INSPECTOR