
Appeal Decision

Site visit made on 20 October 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th December 2020

Appeal Ref: APP/W2465/Z/20/3257065

Land at Mash Autos, St Georges Roundabout, Leicester LE5 3BA

- 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 Leicester City Council.
 - The application Ref 20200666, dated 18 March 2020, was refused by notice dated 29 July 2020.
 - The advertisement proposed is for the replacement of an existing illuminated 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Alight Media against Leicester City Council. This application will be the subject of a separate Decision.

Main Issue

3. The main issues are the effect of the proposed advertisement on:
 - Visual amenity with respect to the impact to the character and appearance of the area.

Reasons

4. The appeal site is a slim section of land close to a large roundabout which is part of the road system providing a main route into, and out of, the town centre. It is separated from the highway by low level landscaping and a pedestrian walkway. The host building to which the sign would be displayed against already has existing signage on the side gable. There is a retail premises immediately adjacent also featuring signage but set back further away from the road. The character of the area is otherwise dominated by the roundabout, which is landscaped, generating an open character where various other commercial buildings are seen around the periphery.
5. The physical appearance of the digital display lies at the heart of the dispute between parties. The advertisement proposed is large scale but would be seen against the backdrop of the appeal building. Its size and location match the large illuminated sign allowed under appeal reference APP/2465/H/18/3204245. The number of advertisements would not increase as a result.

6. However, unlike the approved scheme the digital display surface is fundamentally reliant on using LED lighting to show a series of advertisements that would change periodically. The use of a digital display panel with sequential static images of some 6 metres by 3 metres in dimensions would be significantly more noticeable than a standard illuminated static poster board hoarding which entails a more subtle form of back lighting far less integral to its function and physical appearance.
7. The digital nature of the display would be visually distinguishable from a poster display. This is because the entirety of the display surface would comprise of lit components rather than softer back lighting, for the images to be perceptible both during the day and at night. A digital display would as a result exacerbate the hoarding's prominence.
8. I accept that the appeal case is finely balanced on the degree of harm a digital sign would cause. However, the character and appearance of the area does not include large scale digital signage or smaller similar signage. It has a very open character and appearance where the inclusion of a large digital sign would be out of keeping with the local surroundings.
9. The presence of the digital display would also unduly dominate the façade of the building. Given the area has a high degree of openness it would dominate views from wider public vantage points around the full extent of the roundabout and the roads linking to it. The effect would be intrusive.
10. Although there are various existing signs close to the roundabout the absence of other similar digital displays in the vicinity is pivotal to my decision. The digital display would appear as an incongruous feature in a highly prominent location and would not lead to any visual improvement. The digital display would result in a harmful visual impact which would not be overcome using conditions to control its illumination because it would still have the appearance of a lit digital surface.
11. I therefore conclude that the proposed digital display would have an adverse impact on the character and appearance of the host building and immediate area. I have considered Policy CS03 of Leicester City Local Development Framework Core Strategy 2014 which seeks, amongst other criteria, to secure high-quality design which positively contributes to the character and appearance of the area and so is material in this case. Given I have concluded that the proposal would harm amenity, the proposal would conflict with this policy. It would also conflict with the terms of paragraphs 127, 130 and 132 of the National Planning Policy Framework which promote good design principles and highlight that the quality and character of places can suffer when advertisements are poorly sited and designed.

Conclusion

12. For the reasons given above the appeal fails.

M Shrigley

INSPECTOR