



Appeal Decision

Site visit made on 8 December 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal Ref: APP/N4720/Z/20/3260435

**City West One, Car Parking Spaces, The Boulevard, Holbeck, Leeds
LS12 6NJ**

- 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 Paul Fitzsimmons against the decision of Leeds City Council.
 - The application Ref 20/03536/ADV, dated 18 June 2020, was refused by notice dated 13 August 2020.
 - The advertisement proposed is described as 2 x LED Digital Display with surface mounted RGB pixels. Brightness/luminance adjustable to ambient light by light sensor, or by timer and can be set to levels approved by council.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on amenity and public safety.

Reasons

3. In accordance with the Regulations¹, I have taken into account the provisions of the development plan so far as they are material.

Amenity

4. The area is a busy commercial part of the south west of the city, and dissected by the large roundabout of the Beeston Ring Road. The appeal site is an office building located close to the oncoming approach to the roundabout, with landscaped grounds and grass verges around its perimeter. Free-standing internally illuminated advertisement displays are not a prevalent feature in this location, with signs limited to directional road signage.
5. Due to their substantial width and height, internally illuminated digital display and conspicuous siting, the proposed adverts would be highly prominent.
6. They would be set forward from the existing building as standalone features and, despite the landscaping and the background building, their large scale and illumination would not respect the context of their environment and this would be further compounded by the fact that the two adverts would be sited close together.

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. In this proposed location, they would introduce new and discordant features into the surroundings. The adverts would appear as incongruous development that would cause harm to the amenity of the area.
8. They would not be directly comparable to the signage at Royd's Lane as these are smaller and are not located within the same road network system. The other adverts brought to my attention do not share precisely the same characteristics as the appeal site as they are not located in the same road network environment, are positioned within central reservations or more closely related to buildings and structures than the proposed adverts, or are not the same size or design. Therefore, the circumstances are not the same and so I afford limited weight to them. Other signs that have been brought to my attention are road directional signs.
9. I therefore conclude that, given their siting, scale and level of illumination, the advertisements would have a harmful effect on amenity. As far as such matters are material, the proposal would therefore be contrary to the Leeds Core Strategy 2014 (CS) Policies P10, GP5, and BD8 in so far as they seek to secure good design and general amenity standards, and the guidance contained within the Advertisement Design Guide Supplementary Planning Document (SPD). Finally, the proposal would not accord with the amenity protection aims of the National Planning Policy Framework (the Framework).

Public safety

10. A significant volume of traffic flows through the area given its commercial status. The road network outside the site consists of three lanes connecting to the Beeston ring road roundabout, then leading off in different directions as a series of interconnected roads and to other major road corridors. As it is highly trafficked, the roundabout is controlled by traffic light signals. It is further complicated by the non-signalised pedestrian crossing point located in close proximity to the appeal site, onto the three lanes of roadway leading to the central reservation.
11. In order to navigate the complex road junction, the driver requires good concentration levels to read the directional signposts and negotiate the lanes of traffic, despite the fact that it has traffic lights and approaching speeds may be slow. Given their proposed close proximity to the roundabout, visible to oncoming traffic, their scale and the fact that the adverts would have high definition illumination, the proposal would inevitably pose a distraction to the driver.
12. It is therefore highly likely that the proposed adverts would catch the eye of the driver and in turn lead to driver behavioural changes by them making quick decisions to move into different lanes, with the potential for vehicle shunting to occur. The fact that there is a pedestrian crossing point would only lead me to the view that there would also be a danger to pedestrian safety.
13. The accident data at Claypit Lane when compared to that of the appeal site does not persuade me to conclude favourably on the proposal. Nor does the fact that other road networks with advertisements with higher levels of recorded accident data, or similar road network complexity, draw me to a different conclusion. Furthermore, despite the findings of studies on the benefits of advertisements, or other studies regarding adverts and collisions,

this does not alter my decision based on the particular circumstances of this case.

14. I therefore conclude that the proposal, due to its scale, siting and illumination, would prejudice conditions of public safety. In so far as such matters are material, this would be contrary to the design and highway safety aims of CS policies P10 and GP5, and guidance in the Advertisement Design Guide SPD, as well as the Framework in its objective to promote public safety.

Other Matters

15. Complaints regarding the Council's service should be in the first instance referred to the Council and is not within my remit to comment upon.

Conclusion

16. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Alison Scott

INSPECTOR