



Appeal Decision

Site Visit made on 18 May 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 June 2021

Appeal Ref: APP/W2465/Z/21/3269579

2A New Star Road, Leicester LE4 9JD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Andrew Foster - Space Outdoor Ltd against the decision of Leicester City Council.
 - The application Ref 20202369, dated 26 November 2020, was refused by notice dated 1 February 2021.
 - The advertisement proposed is 1 x 48 sheet freestanding static internally illuminated advertising display unit, measuring 6396mm wide x 3348mm high.
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Decision

1. The appeal is allowed and express consent is granted for the display of a 1 x 48 sheet freestanding static internally illuminated advertising display unit, measuring 6396mm wide x 3348mm high at 2A New Star Road, Leicester LE4 9JD as applied for through application Ref 20202369. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:-
 - 1) The light intensity of the advertisement shall not exceed 300 candelas per square metre in accordance with the terms of the Institution of Lighting Professionals, Professional Lighting Guide 05 - The Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).
 - 2) The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level.
 - 3) Any illumination of the advertisement shall be static and not intermittent.
 - 4) No part of the advertisement shall contain prismatic, scrolling or other moving components or images.

Main Issue

2. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons

3. No 2A New Star Road is located within an area predominantly characterised by large scale buildings which are mainly occupied by industrial and commercial uses. The proposed advertisement would be situated in close proximity to a roundabout at the junction of Humberstone Lane with the A563, a heavily

trafficked main arterial route. There are two existing signs affixed to the side elevation of the building on the appeal site facing Humberstone Lane.

4. Paragraph 079 of the Planning Practice Guidance (PPG) states amongst other things that in assessing amenity, the local characteristics must be considered and that this might mean a large poster-hoarding would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.
5. The close proximity of the advertisement to the roundabout on the A563 means it would be prominent to passers-by. Even so, the advertisement would not appear visually dominant within the context of the large buildings and main highway which characterise the immediate surroundings. Furthermore, the existing signage at No 2A is smaller in size and is of a relatively understated appearance. The advertisement would be offset and sited forward of the existing signage and would primarily be seen against the backdrop of the large building which occupies the site. Consequently, the existing and proposed advertisements would not combine to appear overly cluttered. Overall, these factors would ensure that the advertisement would not have an adverse effect on the visual amenity of the area.
6. To conclude, having regard to the site-specific factors set out, the advertisement would have an acceptable effect on the visual amenity of the area.
7. The Regulations make it clear that advertisements should be subject to control only in the interests of amenity and public safety. Whilst the Council's policies cannot by themselves be decisive, I have taken into account CS Policy 3 (Designing Quality Places) of the Leicester City Core Strategy (2014) insofar as it seeks to protect the amenity of the area. Given that I have concluded that the proposal would have an acceptable effect on the visual amenity of the area, the proposal does not conflict with this policy.

Conditions

8. I have attached conditions to restrict the levels of illuminance, the type and control of illuminance, and to ensure the advertisement is static in the interests of protecting the visual amenity of the area and public safety.

Conclusion

9. For the reasons given above I conclude that the display of the advertisement would not be detrimental to the interests of amenity and should be allowed.

M Russell

INSPECTOR