



Appeal Decision

Site visit made on 31 August 2021 by Darren Ellis MPlan

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/V2004/Z/21/3274809

Land at The East Side of Cleveland Street, Hull, HU8 7BE

- 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 Alight Media against the decision of the Hull City Council.
 - The application Ref 21/00337/ADV, dated 5 March 2021, was refused by notice dated 7 May 2021.
 - The advertisement proposed is the removal of 1no existing 96-sheet and 3no 32-sheet advertisement displays and Replacement with 2no illuminated 48-sheet digital advertisement displays.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed advertisements on the visual amenity of the area and on public safety.

Reasons for the Recommendation

Visual amenity

4. The appeal site is situated at the junction of Cleveland Street and Therm Road. The area around the site is commercial in nature and includes a range of projecting and fascia signs, some of which are illuminated, and advertisements attached to railings. To the south-west of the site there is a digital advertising screen on the side of a building to the south of Eagle Terrace, and further down Cleveland Street are large externally-illuminated advertisements at the junction with Jennings Street. The existing non-illuminated advertisements at the appeal site were approved in 2002¹ and 2009² and form an established part of the street scene.

¹ Planning application ref. 02/00896/ADV

² Planning application ref. 09/00513/ADV

5. The proposal would see two 48-sheet advertisements and 3 32-sheet advertisements, mounted on a wooden apron that spans the width of the advertisements, replaced with two 48-sheet digital screens that would be mounted on support legs. The total size of the advertisements and their support structures would therefore be reduced.
6. The existing advertisements are set against the backdrop of commercial buildings. The proposed digital advertising screens would be positioned in a V-shape to face in both directions of Cleveland Street, with the bottom edge of the digital screen 2.5m above ground level. The digital screens would be higher than the existing hoardings such that they would be visible above the backdrop of the surrounding commercial buildings. Consequently, despite the reduction in scale of the hoardings, the digital screens would be considerably more prominent than the existing hoardings.
7. Even with the illumination levels restricted during the hours of darkness, the proposed digital screens would introduce a large, permanent illumination that would draw the eye and would appear conspicuous in the context of the surrounding area where the majority of advertisements are non-illuminated. The illumination would only serve to highlight the unsympathetic scale and height of the adverts, which would be exacerbated by their prominent location and significant separation from the nearby buildings. I recognise that the streetscape is varied and includes large, modern, functional commercial buildings, tall street-lights, and is a busy road. Nonetheless, the presence of such large and prominent digitally illuminated displays would not be sympathetic, in my view, and would appear as substantial stand-alone structures unconnected to other features or buildings in the surrounding streetscape.
8. The digital advertising screen close to the junction with Eagle Terrace is attached to the side of a building and is not a standalone hoarding, which lessens its prominence. Furthermore, no substantive details of any consent for this digital screen have been provided. Therefore, I cannot be certain that the context of the existing digital screen is directly comparable to the proposal before me. In any case, this appeal has been determined on its own merits.
9. The Council has drawn my attention to policy 20 of the Hull Local Plan (2017) (LP) and the Advertisement Design Guidance Supplementary Planning Document 8 (2019) (SPD8), which both seek amongst other things to protect visual amenity. As I have concluded that the proposed advertisements would harm amenity, it therefore would not accord with this policy or the guidance in SPD8 insofar as they relate to visual amenity.

Public safety

10. The proposed screens would be situated adjacent to the junction between Cleveland Street, a main route through the area, and Therm Road, a short no-through-road that serves several commercial units. Although only a snapshot of time, during my site visit Cleveland Street was moderately busy while very few vehicles entered or exited Therm Road.
11. The digital screens would be visible from a considerable distance in both directions of Cleveland Street, which would allow road users to become familiar with their presence when approaching the screens. The junction with Therm Road is not a particularly busy junction, and Crash Map data provided by the

appellant shows there have been only a very small number of minor accidents in the immediate vicinity of the site.

12. The purpose of all advertisements is to attract attention and to be seen. The appellant has suggested a range of conditions to control how often the images change and to ensure that there are no moving images or effects. Although an advertisement with changing images is likely to draw attention more than one with a fixed image, in this case the position of the screen close to the road together with these conditions would prevent any significant distraction to road users despite the increased prominence of the proposed screens.
13. For these reasons, the proposed digital screens would not have a detrimental effect on public safety.
14. The Council has drawn my attention to policy 20 of the Hull Local Plan (2017) (LP) and the Advertisement Design Guidance Supplementary Planning Document 8 (2019) (SPD8), which both seek amongst other things to protect public safety. As I have concluded that the proposed advertisements would not harm public safety, it therefore would accord with this policy and the guidance in SPD8 insofar as they relate to public safety.

Other matters

15. The appellant has suggested that the proposal would result in a number of benefits, including the reduction in waste, fewer visits by maintenance personnel to the site, the display of emergency messages, and economic benefits. However, national Planning Practice Guidance states that the powers to control advertisements under the Regulations may be exercised only in the interests of amenity and public safety.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised I conclude that, although the proposal would not be detrimental to public safety, the proposed digital advertisements would cause harm to the visual amenity of the area. I therefore recommend that the appeal is dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR