



Appeal Decision

Site visit made on 23 August 2022 by Andreea Spataru BA (Hons) MA

Decision by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/N4720/Z/22/3302736

Land corner of Ring Road and Millshaw, Beeston, Leeds LS11 8EH

- 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 DPA Planning Ltd against the decision of Leeds City Council.
 - The application Ref 22/01894/ADV, dated 14 March 2022, was refused by notice dated 11 May 2022.
 - The advertisement proposed is described as "replacement of existing advertisement billboards".
-

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.

Preliminary matter

3. The Council has stated that the existing advertisement billboards do not benefit from advertisement consent, which was not disputed by the appellant. Accordingly, the Council has considered the proposed development as new signage. There is no substantive evidence that would cause me to dispute the Council's approach in this regard, thus I have considered the proposal on the same basis.

Main Issue

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

Reasons for the Recommendation

5. The appeal site relates to a piece of land that occupies a corner position, at the junction of Ring Road and Millshaw. The site is currently occupied by two non-illuminated advertisement signs, positioned back-to-back, so that they face both traffic directions on Ring Road, which is a dual-carriageway road.
6. The site falls within an area comprising a mix of commercial and industrial uses. As the appellant acknowledges, there are many other advertisement displays within proximity of the site, which vary in size, and are generally related to the use of the premises on which they are sited.
7. In addition to these commercial advertisements, the junction area contains lamp posts, a telegraph pole and highways signs, together with traffic lights

and controlled pedestrian crossings with associated fencing. This creates a sense of visual clutter here.

8. The proposed advertisements would be large in size, with the LED screens themselves measuring 6m in width and 3m in height. They would have an elevated position, approximately 3m from the ground and above the fence forming the boundary of the business's premises. The advertisements would be back-to-back, one of which would face towards north-bound traffic and the other would face towards south-bound traffic. Both would display static image advertisements. Given their illumination, elevated position and corner location, the advertisements would appear highly prominent within the street scene. Furthermore, the different size, design, and elevation of the proposed illuminated advertisements means they would have a substantially greater visual impact than the existing non-illuminated billboard signs.
9. Notwithstanding the predominantly commercial character of the area, the size, design, elevated position and location of the proposed illuminated advertisements would be visually prominent features. Consequently, they would harmfully increase visual clutter in this area rather than decluttering the site as asserted by the appellant.
10. For the reasons given above I find that the proposal would be detrimental to the visual amenity of the area.
11. In accordance with the Regulations¹, I have taken into account the provisions of the development plan in so far as they are relevant. Policy P10 of the Core Strategy (as amended by the Core Strategy Selective Review 2019) and saved policies GP5 and BD5 of the Leeds Unitary Development Plan (Review 2006) seek to protect amenity. As such, these are considered material considerations insofar as they are relevant to visual amenity.

Other matters

12. The Council has referred to previous refused applications and enforcement enquiries, including matters related to the operation of the existing hand-car-wash business². However, this is not in the evidence before me, thus my consideration has been limited to the proposal as described above.

Recommendation

13. For the reasons given above and with regard to all other matters raised, I recommend that the appeal is dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

A Parkin

INSPECTOR

¹ 1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

² Appeal ref: APP/N4720/W/21/3285567