
Appeal Decision

Site visit made on 16 January 2023

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2023

Appeal Ref: APP/N4720/H/22/3308534

Land on the north side of Stanningley Road, Leeds LS28 6NB

- 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 Wildstone Estates Ltd against the decision of Leeds City Council.
 - The application Ref 22/04402/ADV, dated 20 June 2022, was refused by notice dated 22 August 2022.
 - The advertisement proposed is removal of the existing displays and replacement with two 48 sheet freestanding digital adverts.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

3. The site currently supports two hoardings in the form of a 96 and a 48 sheet in paper and paste arrangement. These are placed next to each other and at a shallow angle to the road set above Stanningley Road close to its north. These would be replaced with two digital 48 sheet advertisements set at greater angle towards the road.
4. A signalled pedestrian crossing sits a short distance to the west, while residential properties sit on Norwood Crescent Closely to the south also set slightly above Stanningley Road. The rear elevations of some of these properties which incorporate a range of window openings face north towards the appeal site. Stanningley Road is busy, providing a link between Bradford and Leeds.

Public safety

5. I am required to consider the safety of persons using the adjacent highway and consider whether display of the advertisements is likely to hinder the ready interpretation of any traffic sign. Planning Practice Guidance¹ identifies types of advertisement that may cause danger to road users. Amongst others, it identifies those which, because of their size or siting would reduce the clarity or effectiveness of a traffic sign or signal.

¹ Paragraph: 068 Reference ID: 18b-068-20140306

6. I appreciate such advertisements can, and often are, successfully sited adjacent to roads. However, here, traffic lights control the nearby pedestrian crossing to the west of the site. Having considered the evidence and visited the site, as a result of the positioning of the western advertisement display, it would be situated directly behind and viewed in conjunction with the traffic light signal head on the northern side of the carriageway from driver viewpoints at certain distances back from this traffic light as they approach from the west.
7. Whilst it would be possible to control the display via conditions including those which would require static images only, require instant changes between adverts while appropriately controlling the frequency of change and control levels of illumination, the advertisement display would be digitally lit internally and likely to incorporate various colours.
8. The nature of the illumination and range of colours likely to be included on any number of advertisements over its lifetime have the potential to be similar to those on the traffic signal which could confuse passing drivers' interpretation of the signal. Were that to happen with just one driver using this busy road, whilst a pedestrian was using the crossing, there would likely be particularly harmful consequences.
9. I also accept that there would be no conflict with the signal head on the southern side of the road, however it is that on the left-hand side of the carriageway which would be most directly in the line of sight for eastbound drivers. The signal heads are not substantial structures and would provide limited separation between the traffic lights themselves and the advertisement.
10. I accept that the evidence does not raise concern about existing road safety at the site. However, the introduction of the digital advertisement in terms of its appearance would be a substantial change from the existing trough lit paper and paste westernmost advertisement and this does not provide justification for the proposals.
11. I therefore conclude on this issue that the proposed western advertisement display, by reason of its siting and illumination, would significantly reduce the clarity and therefore the effectiveness of the northern traffic light on the approach to the pedestrian crossing from the west. This would compromise the safety of persons using the adjacent highway.

Visual Amenity

12. I accept that the new angle on the easternmost digital advertisement would mean that the replacement advertisement would have a less direct relationship than that which currently exists at the site.
13. Nonetheless, the easternmost advertisement would still be a rather obvious and intrusive feature which would be prominent in views from the rear of properties on Norwood Crescent by reason of the limited distance and the fact that both the properties and the advertisements are and would be raised slightly above Stanningley Road. This would lead to a very direct relationship.
14. The appearance of the digital screens would be very different to the existing paper and paste advertisement. I conclude that the easternmost advertisement would therefore have a detrimental impact on the visual amenity of residents living to the south of the site on Norwood Crescent, particularly during darker

hours when the advertisement, despite the level of control available, would inevitably have a bright and imposing appearance on the eye.

Other Matters

15. The Council has cited policies P10 and T2 of the Leeds Core Strategy (2019) (CS) and saved policies GP5 and BD8 of the Leeds Unitary Development Plan Review (2006) along with the Leeds Advertising Design Guide Supplementary Planning Document (2006). The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these policies into account, they have not been a decisive consideration in my determination of this appeal.
16. The appellant has drawn my attention to previously permitted digital billboards within the area at 92 Town Street and 87-93 Stanningley Road. I was able to visit both sites. However, those sites despite being within the general area inevitably have a different relationship to their surrounds and I cannot draw direct comparability to the circumstances in evidence at the appeal site. I therefore afford these matters limited weight.
17. I have also been presented with case studies relating to digital advertisements including in Portsmouth, Bristol and Manchester. However, there is nothing within the evidence to confirm that those examples share exactly the same context with the appeal site or raise the same issues. They do not therefore provide justification for the appeal.
18. I note that there would be some social, economic and environmental benefits associated with new, efficient and modern digital displays. However, such benefits would not be extensive in relation to what is a modest proposal and I have afforded greater weight to the harm that I have identified.

Conclusion

19. The westernmost advertisement display would unacceptably compromise the safety of persons using the adjacent highway. The easternmost would unacceptably harm visual amenity for some living close to the site. Accordingly, I conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR