



Appeal Decision

Site visit made on 16 February 2023

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 March 2023

Appeal Ref: APP/N4720/Z/22/3313259

7 City Walk, Holbeck, Leeds LS11 9AT

- 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 Clayton Hotels Ltd against the decision of Leeds City Council.
 - The application Ref 22/06088/ADV, dated 6 September 2022, was refused by notice dated 4 November 2022.
 - The advertisement proposed is non-illuminated UPVC banner advertisement.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development in the banner above from the Council's Decision Notice, as it describes the development in a more user-friendly manner than the application form. I am satisfied neither party is prejudiced by this course of action.
3. Powers under Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterates this approach. In the determination of this appeal, the Council's policies have not therefore, in themselves, been decisive.

Main Issue

4. Based on the above, the Council have raised no concerns with regard to public safety. The main issue in this appeal is therefore the effect on amenity.

Reasons

5. The proposed banner advertisement would be on the southern elevation of the Clayton Hotel and would face toward a busy intersection on the way into the City Centre. The banner advertisement would measure 9m x 4m and be located on the right-hand side of the elevation, between existing signage.
6. The Hotel is a modern building located within a largely commercial area, just outside Leeds City Centre and is similar in design to office buildings in the vicinity. The elevation subject to the appeal proposal has the external appearance of two rectangular sections, separated by a long vertical strip of glazing.

7. Whilst the immediate area is commercial, the office buildings in the near vicinity are bereft of such advertisements, and an adjacent building has a banner advertising office space that I understand does not have permission and is unlawful. The proposal would be in a highly prominent position, close to a busy junction, with large amounts of traffic coming into the City Centre.
8. I understand the size of the banner has been reduced following negotiation, but the size of the proposal and its prominence within the area means that it would introduce an incongruous feature that would be visually strident at that size and dominate that approach into the City Centre despite the commercial nature of the surroundings.
9. The addition of another form of visible advertising, in conjunction with the exiting sign and the signage to the car park, would add to the elevation to the building and would increase visual clutter, harming the amenities of the area.
10. Whilst not decisive, the proposal would also conflict with policy P10 of the Leeds City Council Local Plan Core Strategy (as amended by the Core Strategy Selective Review 2019) and saved policies BD8 and GP5 of the Leeds Unitary Development Plan, where they are relevant in protecting visual amenity.
11. It would also conflict with the National Planning Policy Framework where it states that the quality and character of places can suffer when advertisements are poorly sited and designed as well as the Leeds Advertising Design Guide Supplementary Planning Document (adopted November 2006)

Conclusion

12. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR