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## Appeal Decision

Site visit made on 13 February 2023

**by Martin H Seddon BSc MPhil DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 02<sup>nd</sup> March 2023**

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**Appeal Ref: APP/W2465/Z/22/3311640**

**Highcross House, 125 Vaughan Way, Leicester LE1 4AU**

- 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 Mr Keith Miller of blowUP media UK Limited against the decision of Leicester City Council.
  - The application Ref: 20220945, dated 4 May 2022, was refused by notice dated 14 November 2022.
  - The advertisement proposed is Vinyl banner placed direct to façade by way of a bespoke tubular frame.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this appeal is the effect of the proposed advertisement on amenity having regard to the character and appearance of the area and streetscene. The Council has raised no objections regarding the effect on public safety. Although Vaughan Way (A594) is a busy highway I see no reason to disagree, subject to the imposition of conditions to control the source and brightness of the external illumination, as suggested by the Highway Authority.

### Reasons

3. Highcross House is a large building located within a commercial zone at the approach to the Highcross Shopping Centre, which includes a John Lewis store and other large mostly modern buildings. The proposed externally illuminated vinyl banner would measure 14 metres wide x 8 metres in height. It would be mounted on the east end wall of Highcross House. The wall is large, blank and unattractive in appearance because of its cement render finish.
4. The wall faces a potential development site which has been cleared of buildings. The advertisement application is for a temporary 3 year period as it is possible that the east end wall of Highcross House could be obscured from view when the adjacent land is redeveloped.
5. The appeal site would be seen against the backdrop of the grade II listed Richard Roberts building at School Street. The advertisement would harm the setting of that building because of its prominence and size. However that harm would be limited in time in view of the proposed 3 year temporary period for

display. The other listed building in the vicinity of the appeal site is the grade I listed St Margaret's Church, Church Gate. That building and its grounds are situated sufficiently far away from the appeal site so that there would be no significant harm to its setting from the proposal.

6. Signage for properties along the part of Vaughan Way where the advertisement would be sited is generally modest, with the exception of the corporate red signage at the Matalan building. The streetscene includes traffic lights and lamp standards, but is not unduly cluttered. The sign would be large, reflecting the scale of the east end wall upon which it would be mounted. However, because of its undue size and illumination it would be visually intrusive when seen against the backdrop of other buildings and would dominate the approach to the Highcross shopping centre along Vaughan Way. Although it would be insitu for a temporary period it would significantly harm the character and appearance of the area and amenity.

### **Other Matters**

7. The Council has cited policies CS03 and CS18 of the Leicester Core Strategy in its reasons for refusal. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these development plan policies into account as a material consideration, they have not been a decisive factor in my determination of this appeal.

### **Conclusion**

8. Although the proposed advertisement would have no significant adverse effect upon public safety I have found above that it would significantly harm the character and appearance of the area, streetscene and amenity. I have taken all other matters raised into account including the National Planning Policy Framework. For the reasons given above the appeal is dismissed.

*Martin H Seddon*

INSPECTOR