



Appeal Decision

Site visit made on 11 July 2023

by P J G Ware BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2023

Appeal Ref: APP/V2004/Z/23/3317168

Dairycoates Industrial Estate, Wiltshire Road HU4 6PA

- 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 Amon Yiu against the decision of Kingston-upon-Hull City Council.
 - The application Ref 22/01609, dated 24 November 2023, was refused by notice dated 16 January 2022.
 - The advertisement proposed is a "digital display hoarding following the removal of 1 x 96 sheet panel hoarding".
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Decision

1. The appeal is dismissed.

Main issue

2. There is one main issue in this case. That is the effect of the proposal on the amenity of the area.

Reasons

3. The appeal premises are part of a unit within an industrial area. The main building, which is set back from the road, includes a 96 sheet static advertisement on the side of the building, visible to eastbound traffic. There are other advertisements in the industrial estate, and some further along on the opposite side of the road.
4. The proposal is to replace the existing advertisement with an internally illuminated double sided free standing 48 sheet display, which would show multiple static adverts on rotation. It would be located close to the back edge of the carriageway. The proposed structure would be similar to the ridge height of the existing building and would be visible to those travelling in either direction.
5. The industrial area, of which the site forms part, includes a number of displays of varying types, and no objection is raised to the proposal in relation to the effect on this area, or in relation to any residential properties in the wider area. However, as one travels in either direction along the main road, one is struck by the general set back of the buildings and advertising material from the road. This gives a sense of separation and openness between the industrial area and the playing fields opposite.

6. It is accepted that the site is an established location for advertising – the appellant states that the existing hoarding has been in place for over ten years, and this has not been contested. However I must have regard to the effect that the proposed change in the location and detail of the scheme would have on the area.
7. Overall, the size and prominence of the proposed display, closer to the road, at a high level and visible from both directions, would reduce the sense of openness. It would be poorly sited and harm the openness of the area.
8. I should make it clear that I have taken account of the appellant's statement that the existing hoarding would be removed. However I note that no condition has been suggested which would secure this, and the appellant has stated that no conditions beyond those which are standard are necessary.
9. I have taken into account policy SPD 8 of the Hull Local Plan 2016 to 2032 (adopted 2017) which seeks to protect amenity and so is material in this case. Given I have concluded that the proposal would harm amenity, the appeal conflicts with this policy. The Council's report, but not the reason for refusal, also refers to design guidance, but this adds little to amenity considerations.
10. I have noted the decision (Hedon Road) referenced by the appellant. But, to judge from the submitted material, this is a different proposal in a different location. It is of very little assistance in considering this appeal.
11. I have considered the generic benefits set out by the appellant. But even to the extent that these are directly relevant, they do not outweigh the harm to amenity.
12. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity.

P. J. G. Ware
Inspector