



Appeal Decision

Site visit made on 25 September 2023 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

Decision by Chris Forrett MRTPI, DipTP, BSc (Hons)

an Inspector appointed by the Secretary of State

Decision date: 22 November 2023

Appeal Ref: APP/V2004/Z/23/3323568

1 Holderness Road, Hull HU8 7NA

- 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 Clear Channel UK against the decision of Hull City Council.
 - The application Ref 23/00397/ADV, dated 23 March 2023, was refused by notice dated 17 May 2023.
 - The advertisement proposed is the installation of an internally illuminated 48-sheet D-Poster digital display.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Regulations and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst the Council has drawn my attention to the development plan policies it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policies have not, by themselves, been decisive.

Main Issue

4. The effect of the advertisement on amenity.

Reasons for the Recommendation

5. Amenity is not defined within the Regulations. Nonetheless relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, it is reasonable to consider characteristics of the neighbourhood. For example, whether the proposed advertisement would be in scale and keeping with important features.

6. The appeal site is located on land adjacent number 1 Holderness Road, within the Holderness Road (west) Conservation Area (the 'CA'). The gable end of 1 Holderness Road which is facing the appeal site is largely devoid of any architectural features and has an existing borderless 48 sheet poster advert stuck on the wall. The CA is characterised by a mix of two and three storey terrace properties with shops, restaurants, public houses, fast food at street level and residential use on upper floors, as well as large commercial buildings. Buildings are of different ages and styles ranging from 19th to mid-20th century architecture. Some of these buildings are either locally or nationally listed and contribute to the distinctiveness and special interest of the area. Locally listed properties include 26-32 Holderness Road opposite the appeal site, the former Holderness public house and 2-6 Holderness Road (which are all non-designated heritage assets) whilst the Windmill Public House located to the west at the nearby junction is a Grade II Listed Building.
7. Despite the existence of commercial uses in the area, large digital illuminated advertisements are not a prevalent feature. Advertisements are generally confined to shopfronts and are mostly non-illuminated and reasonably modest in design. A notable exception to this is the illuminated poster display adjacent to 55 Witham, opposite the Windmill Public House.
8. In that context, the proposed free standing digital display advertisement would be a substantial feature on the appeal site and in the street scene. Given its size, height and position it would be highly prominent in the street scene along Holderness Road. Whilst the prominence of the advertisement would be largely confined to views westwards, it would still nevertheless be a significant feature in the streetscene.
9. In my view, the digital advertisement would detract from the street's quality, standing out in the long uninterrupted views on the approach along Holderness Road from the northeast. Accordingly, taking the above into account, the digital advertisement would be visually harmful to the locality and would also harm to the character and appearance of the CA. It would also give rise to some limited harm to the setting of the Windmill Public House as well as the non-designated heritage assets in the immediate area.
10. This level of harm is exacerbated by the digital nature of the advertisement display, which would change every 10 seconds, and would be sharper and crisper than other advertising in the area. As a result, it would thereby be more eye catching than traditional poster displays.
11. In coming to the above views, I acknowledge that the area may be well lit, and the intensity of the panel's illumination would accord with guidelines for illumination of advertisements¹. I also acknowledge that night-time illumination would be reduced to no greater than 300cd/m² and the signage would contain internal sensors which allow the screen to adapt to real time ambient conditions and that the advertisement would be switched off between the hours of 00:00 and 05:00 hours each day. Whilst these would provide some mitigation of the harm arising from the proposal, it would not totally address the harm I have identified.

¹ PLG 05: The Brightness of Illuminated Advertisements (Institute of Lighting Professionals 2015)

12. Taking all of the above into account, I conclude that the advertisement would have a harmful effect on the visual amenity of the area, including the CA, the setting of the Windmill Public House and the non-designated heritage assets. It would also conflict with Policy 20 of the Hull Local Plan 2016 to 2032 (2017) and the overarching objectives of the Framework.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR