



Appeal Decision

Site visit made on 2 July 2024

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2024

Appeal Ref: APP/N4720/Z/24/3344703

24 Otley Road, Guiseley, Leeds LS20 8AH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Paul Hardy (V2 LED Ltd) against the decision of Leeds City Council.
 - The application Ref is 24/01062/ADV.
 - The advertisement proposed is a wall mounted portrait LED advertising display panel (measuring 3m high x 2m wide, and comprising pressed metal frame and sealed LED screen).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed digital advertising screen on the visual amenity of the area with due regard to the Guiseley Conservation Area, and the effect on public safety.

Reasons

Visual Amenity

3. The appeal site falls within the Guiseley Conservation Area (the GCA), which draws some of its special interest and significance from its mid-19th century buildings and industrial heritage.
4. Otley Road lies at the edge of the GCA and has a mixed commercial character. The appeal site is the gable wall of a traditional three-storey, terraced building containing shops at ground floor level. The supermarket on the opposite side of the road is not included in the GCA.
5. The Guiseley Conservation Area Appraisal and Management Plan 2012 identifies the appeal building as a positive building within the GCA. However, it also warns that poorly designed advertisements are among the negative features which detract from the architectural integrity of the historic buildings and the special character of the GCA. This reflects my own observations. Indeed, the appeal building contains some modern shopfronts and signage which do not contribute positively to the area. This includes the two freestanding poster display panels positioned against the gable of the building at ground floor level. It is these advertising displays which the proposal seeks to replace with a new portrait digital advertising screen, but at first floor level.

6. Although the proposed digital advertising screen would occupy a relatively small proportion of the gable wall, it would not be comfortably positioned within the elevation, and would be far more conspicuous than the existing poster panels by reason of the digital illumination, sequential changing images, and the height at which it would be displayed. This would be the case even if the levels of illumination and the speed and frequency of image transitions on the display screen were carefully controlled.
7. The orientation of the gable means that the digital advertising screen would only be visible when approaching from an easterly direction. Nevertheless, it would be highly prominent in this view and unlike any other form of advertisement in the immediate area, making it stand out as an incongruous and visually discordant feature, notwithstanding the mixed commercial character of the surroundings.
8. For these reasons, the proposed digital advertising screen would be a harmful addition to the host building and street scene in this location, and so, would not preserve or enhance the character or appearance of the GCA as a whole. The area's significance as a heritage asset would therefore be harmed. This is a matter of considerable importance and weight. Whilst the level of harm would be less than substantial, any public benefits derived either from the use of modern technology, or in economic terms derived from enhanced advertising at the site, would not be sufficient in this instance to outweigh the harm.
9. I therefore conclude that the proposed digital advertising screen would be detrimental to the interests of visual amenity.
10. Whilst not decisive, the proposal would also conflict with Policies BD8 and GP5 of the Leeds Unitary Development Plan (Review 2006) (UDP), as well as the Leeds Advertising Design Guide Supplementary Planning Document 2006 (SPD). When read together, these require illuminated signs, particularly in conservation areas, to be well designed and sensitively located within the street scene. There is also conflict with Policies P10 and P11 of the Leeds Local Plan Core Strategy (2014; Selective Review 2019) (CS) which seek to ensure that proposals are appropriate to their context and respect the character and quality of their surroundings, and conserve and enhance heritage assets.
11. For the same reasons, there would also be conflict with the design and historic environment policies within the National Planning Policy Framework (the Framework) and in particular paragraph 141 which sets out that poorly sited and designed advertisements can have a negative impact on the quality and character of places.

Public safety

12. Planning Practice Guidance (PPG) establishes that advertisements in locations where drivers need to take more care, including junctions and pedestrian crossings, are more likely to affect public safety. The PPG also lists the main types of advertisements which may cause danger to road users as including those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal; and those externally or internally illuminated signs which could distract road users.

13. Otley Road (A65) is a busy Strategic Route subject to a 30mph speed limit at this point. The proposed digital advertising screen would be readily visible when travelling westwards towards a signalised pelican crossing which lies some 13m beyond. Nevertheless, it would not be an overly large feature on the gable wall, and its height and position would be such that it would not be seen in combination with the traffic signal heads. I am therefore satisfied that the display screen would not obstruct or hinder interpretation of the traffic signals.
14. I accept that the nature of a digital screen has the potential to grab the attention of approaching drivers, and there may be occasions when more than one image is experienced in sequence. However, this stretch of road is relatively straight, does not require any complex manoeuvres, and traffic travels quite slowly. Drivers would be able to assimilate the information on the display screen from some distance and before needing to pay closer attention to road conditions at the pelican crossing. As such, and mindful of restrictions that could be placed on the brightness, timing, and transition of images, I do not consider that the digital advertising screen would be so distracting that it would constitute a hazard to road users in this instance.
15. I therefore conclude that the proposed digital advertising screen would not have an unacceptable impact on public safety, and so, complies with the relevant public and highway safety aims of Policy GP5 of the UDP, Policies P10 and T2 of the CS, the SPD, and paragraph 115 of the Framework.

Other Matters

16. The appellant has highlighted various examples where digital advertisements have been approved elsewhere, including at appeal. However, the impacts of each individual case will vary, depending upon the details of the proposal and characteristics of the site and its surroundings. As none of the examples relate to the appeal site, I have reached my own conclusions and my concerns relate, not to the principle of digital advertisements, but to the specific impact that the proposal would have in this particular location.

Conclusion

17. I have found that the proposed digital advertising screen would be detrimental to the interests of visual amenity. For that reason, the appeal should be dismissed.

A Caines

INSPECTOR