

Appeal Decision

Site visit made on 29 October 2024

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Appeal Ref: APP/N4720/Z/24/3351163

247 Elland Road, Beeston, LEEDS, LS11 8TU

- 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 S Sarussi against the decision of Leeds City Council.
 - The application Ref is 24/02896/ADV.
 - The advertisement proposed is 1 no. static sign to first floor and 1 no. digital media sign to first floor.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Advertisement Regulations require that proposals for advertisement consent should be assessed in terms of their effect on amenity and public safety. Policies in the development plan should be taken into account, but only as far as they are relevant to these considerations.
3. In considering this appeal, I have taken account of Saved Policies BD8 and BD9 of the Unitary Development Plan Review 2006 (UDP) which are concerned the design and location of signs. Also of relevance are Saved UDP Policy GP5, which requires consideration of amenity and safety issues, and Policy P10 of the Leeds Core Strategy 2019, which is concerned with design.
4. In its decision notice, the Council has also referred to Core Strategy Policy T2. That Policy is concerned with accessibility requirements in relation to new developments, and is not directly applicable to this proposal for new advertisements.

Main Issues

5. The main issues are the effect of the proposed signs on i) visual amenity and ii) public safety.

Reasons

Visual amenity

6. The appeal site is located on Elland Road, directly opposite the football ground. The large-scale stadium building, with its associated development and infrastructure, dominate the character of the area, particularly along the northern side of the road.

7. The appeal site is located on the southern side of Elland Road, which is characterised by smaller scale development. Many of the buildings are in commercial use, but the area to the south-west of the appeal site is more residential in character, with semi-detached houses fronting Elland Road and the side streets leading off it.
8. There is a wide variety of signage in the vicinity of the appeal site, including numerous signs on the buildings and land associated with the football stadium, some of which are very large in scale. The businesses along the southern side of Elland Road also display a large variety of signs, although these are more modest in scale and mostly take the form of shopfront signage. There are also a number of free-standing signs associated with the adjacent pub and nearby car park, as well as road signs and advertisements on bus stops.
9. The appeal site is occupied by a two-storey brick building with a hipped roof, of a style typical of the inter-war period. The building is occupied by a food outlet on the ground floor and offices above, and signage for both businesses has been installed across the frontage. Owing to its size, standalone position and bright green paintwork, the appeal building forms a prominent feature in the streetscene.
10. The proposed two 3m x 2m signs would be installed at the top corner of each side elevation, at first floor level. These would take the form of a non-illuminated, static billboard on the north-east facing elevation, and a digital display with regularly changing images on the south-west facing side.

Digital sign

11. When viewed from Elland Road, the proposed digital sign would be seen in the context of nearby signage, some of which is illuminated, on surrounding commercial buildings and at the football stadium. The proposed digital display would not be unexpected in this general area, but the new sign would face directly onto Heath Grove, which is a traditional residential street of semi-detached houses.
12. Other than a small shop sign on the convenience store opposite, Heath Grove appears free of commercial signage. Signage on Elland Road is clearly visible from Heath Grove, but even so, the introduction of a bright, digital sign with changing images as proposed would appear out of place on this traditional residential street.
13. Despite the green paintwork, the south-western elevation of the appeal property has retained a simple, domestic appearance, which reflects the character of Heath Grove. The proposed digital display would be a prominent addition which would sit awkwardly just under the eaves. The position of the sign would not relate well to other features on the building, and the loss of a window would detract from its original character.
14. As it would detract from the character of both the host building and Heath Grove, the proposed digital sign would cause significant harm to the visual amenity of the area.

Non-illuminated sign

15. A gap in built form along Elland Road allows the north-east facing elevation of the appeal building to be seen from some distance away. The proposed non-

illuminated sign would be seen in the context of free-standing signage on the adjacent pub and car park site, as well as the large signage on the football stadium. Given the commercial character of the area across which the sign would be viewed, such an advertisement would not be unexpected here.

16. The external appearance of the appeal building has been altered, and unsightly building services plant already gives the north-east elevation a cluttered appearance. Nonetheless, the original character of this detached building can still be clearly appreciated when viewed from this side.
17. Like the proposed digital display, the non-illuminated sign would be positioned in a conspicuous position at first floor level, and would cover a window. Again, the siting and size of the non-illuminated sign would detract from the character of this prominent building, with associated harm to the amenity of the wider area.
18. That said, the existing appearance of this side of the building, together with its commercial facing aspect, means that it is less sensitive than the south-west facing elevation. Because of this, the harm to the building and wider area caused by the non-illuminated sign would be less than that of the proposed digital display.
19. Overall, I conclude that the proposed non-illuminated sign would cause a modest amount of harm to the visual amenity of the host building and wider area.

Public safety

20. The Council has expressed concern that the proposed digital sign could cause distraction to drivers, with associated risk to the safety of pedestrians using the nearby zebra crossing over Elland Road.
21. At the time of my visit, the crossing was located slightly to the north-east of the appeal building. The Council has indicated that the crossing point is to be moved closer to the site, but no further detail has been provided as to exactly where it would be, or when the change is likely to happen. I have therefore assessed the scheme based on the current location of the crossing.
22. The highway officer's comments refer to a digital sign targeting drivers heading south-west, but the proposed sign facing those vehicles would be of a traditional, non-illuminated style, with no changing images. Drivers travelling in a south westerly direction would be able to see the proposed non-illuminated sign before they reached the crossing. The sign would be of a reasonable size and would be clearly visible, but would be set well back from both the road and the crossing.
23. I note that the Council's Advertising Design Guide says that the site location for signs should not generally be in close proximity to any formal crossing point. However, in its current location, I am satisfied that the proposed non-illuminated sign would be sufficiently far from the highway, so as to be unlikely to cause unacceptable risk to pedestrian safety.
24. The proposed digital display would be seen by drivers heading in a north-easterly direction. In its existing location, vehicles would have already passed the advertisement display by the time they reached the zebra crossing. As

such, the proposed digital sign would be unlikely to result in a safety risk to pedestrians using that facility.

25. For the reasons given, the proposed signs would be unlikely to cause unacceptable risk to the safety of pedestrians using the zebra crossing, in its current location.

Conclusion

26. Based on the current situation, I have found that neither of the proposed signs would result in unacceptable risk to public safety. However, this does not outweigh the harm to visual amenity that I have identified. The appeal is therefore dismissed.

R Morgan

INSPECTOR