



Appeal Decision

Site visit made on 22 January 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31st January 2025

Appeal Ref: APP/C2741/Z/24/3357001

Site adjacent roundabout at junction of Malton Road and Jockey Lane, Huntington, York

- 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 on behalf of Vivid Outdoor Media Solutions (A) Ltd against the decision of the City of York Council.
 - The application reference is 24/01147/ADV.
 - The advertisement proposed is the replacement of the derelict steel structure for signage previously displayed at the application site with 2 x 48 sheet freestanding LED illuminated advertising displays, measuring 6.4m wide x 3.4m high and comprising pressed metal frames and sealed LED screens.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on amenity.

Reasons

3. Malton Road, in the vicinity of the site, serves sporadic areas of development along its length and has a significant amount of road infrastructure, particularly at this junction. The retail warehouse and houses opposite, add to the scale of development locally. The retail park, stadium and Park and Ride facility are clearly separated from this roundabout by open land but they do provide a distant backdrop to the site. There is advertising associated with the retail warehouse opposite and a modest totem advert close by, which advertises the retail properties further to the north within the retail park. However, despite these features and the scale and proximity of the retail centre, the immediate area retains relatively rural characteristics. The proposed adverts would be at odds with this character. They would represent large new, uncharacteristic features that would detract from the visual amenities of the site and the wider area.
4. The existing steel frame of a former advertisement totem is not a positive feature but it currently has a relatively limited wider impact. It is not clear whether the reintroduction of the originally approved signage would still be lawful but in any event, the current proposal would have a substantially greater impact. The adjacent totem sign, road signage and the scale of the road infrastructure do indicate that a large development is being approached. However, the advertisement site is clearly distinct from the developed area beyond and would effectively extend the experience of the commercial area significantly further to the south. Whilst the

removal of the derelict totem frame would be a positive, neither this nor the changing characteristics of the area, suggest that such a large and prominent area of advertising would be acceptable in this particular location.

5. The appellant has made reference to other advertisements throughout the country. I am not satisfied that any of these are entirely comparable. In any event, I must consider this proposal on its own particular merits.
6. As the proposed advertisement would have an adverse impact on the visual amenity of this semi-rural area, it would conflict with policy H4 of the Huntingdon Neighbourhood Plan 2021. The Regulations, the National Planning Policy Framework 2024 and the Planning Practice Guidance, require that decisions are made only in the interests of amenity and public safety and therefore, local policies cannot be decisive. However, I have taken the neighbourhood plan into account as a material consideration.
7. Overall, the advertisements would extend the commercial character beyond its current envelop and it would intrude into and detract from, this relatively semi-rural area. Whilst the advertisements would not result in concerns with regard to public safety, they would detract from the character and appearance of the area. Although I have had regard to the existing structure and the original permission, together with the changing character of the locality; and the investment that the proposal would require, the matters in favour of the proposal do not outweigh my concerns. I conclude that the appeal must be dismissed in the interests of amenity.

Peter Eggleton

INSPECTOR