



Appeal Decision

Site visit made on 20 March 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2025

Appeal Ref: APP/N4720/Z/24/3356241

Leeds Arts University, Blenheim Walk, Woodhouse, Leeds LS2 9AQ

- 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 Leeds Arts University against the decision of Leeds City Council.
 - The application Ref is 24/04623/ADV.
 - The advertisements proposed are a logo fascia sign and an LED digital screen.
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Decision

1. The appeal is allowed and express consent is granted for the display of a logo fascia sign and an LED digital screen at Leeds Arts University, Blenheim Walk, Woodhouse, Leeds LS2 9AQ in accordance with the terms of the application, Ref 24/04623/ADV, dated 9 August 2024. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the conditions within the attached schedule.

Background and Main Issue

2. Informed by the consultation response of the highway authority, the Council has identified that the effects of the proposed advertisements on public safety would be acceptable. I agree with this conclusion. It is also clear from the evidence before me that the Council has no objections to the visual effects of the proposed fascia sign. Again, I agree with the Council.
3. The Council's objections relate to the visual effects of the LED digital screen. Therefore, the main issue is the effect of the proposed LED digital screen advertisement on visual amenity.

Reasons

4. Leeds Arts University is located on the fringes of Leeds City Centre. The surroundings to the appeal site contain a range of university buildings, commercial premises and a number of roads and footpaths. Advertisements, road signs, street lights and traffic lights all feature in the area whilst, during my visit, I also noted a number of murals. As a result of this combination of factors, the local area exhibits a vibrant character and is visually a lively place.
5. The Leeds Arts University building is a large building and owing to the likes of its striking gold-coloured elements, and the artwork displayed upon it, it is also vibrant and varied in its appearance.
6. The appeal site is not within it, but the Woodhouse Lane - University Precinct Conservation Area (the CA) is adjacent. The significance of the CA is largely

derived from its architectural and artistic interest: its collection of imposing and impressive university buildings, other traditionally designed buildings, such as its churches, and another positive contribution is made by the verdant space with mature trees at Cemetery Road. Further significance stems from its historic interest: it provides evidence of the evolution of education within Leeds. Given its location on the edge of a city centre, and with it being a hub of activity, the CA shares the vibrant attributes of the general locale.

7. Owing to its size and the digital nature of its display, the LED advertisement would not be very recessive, and it would have some prominence. However, in considering the acceptability of the visual effects of such advertisements the context within which they would be situated is key. In this case, because of the character of the host building and the local area, the proposed LED advertisement would not be harmfully strident, nor would it appear out of keeping with the area. Instead, the proposed advert would be another feature that would contribute to the vitality exhibited locally, and it would do so in an appropriate rather than an unsympathetic way. Furthermore, given the host building's size, the proposed advertisement would not appear too large or out of proportion with the building it would be sited upon.
8. From many parts of the CA the proposed LED advertisement would not be visible. Due to the CA having a bustling character, and the CA being situated within a visually animated area, where intervisibility would occur, the advertisement would appropriately assimilate into the area and no harm to the CA as a whole would result.
9. For the reasons I have set out, the proposed LED digital screen advertisement would have acceptable effects on, and would result in no harm to, visual amenity. Policy BD8 of the Leeds Unitary Development Plan (Review 2006) sets out that advertisements should be well-designed, sensitively located within the street scene and carefully related to the character of the building on which they would be sited. Policy P10 of the Leeds Core Strategy (as amended) is a general design policy which, in summary, expects all proposals to deliver high quality design, to respect local character and distinctiveness and protect heritage assets. Given their content, these Policies are material in this case, and I have taken them into account. As I have concluded that the proposed advertisement would not harm visual amenity, the proposal complies with these Policies.

Other Matters

10. Advertisements are controlled with reference to their effect on amenity and public safety only. I have found that the proposed LED digital advertisement would be acceptable in regard to both factors. Consequently, there are no grounds on which it would be appropriate of me to object to the advertisement. As a result, whether a feature, such as an artwork installation, could be located in the same place as an alternative has no meaningful bearing upon my decision.

Conditions

11. In addition to the standard conditions, I have imposed six conditions which will exert control over the LED digital advertisement's illumination intensity and the advertisement duration and transition, which shall prevent moving images and special effects, and to secure a mechanism to ensure the display defaults to an appropriate image in the event of a malfunction. These conditions are necessary to

prevent the LED advertisement from being too bright or resulting in effects or displays which would be distracting in the interests of public safety and amenity. The intensity of the illumination between the hours of dusk and dawn is limited to 300cdm^{-2} in accordance with relevant guidance¹ for an advertisement in excess of 10m^2 . The conditions I have imposed are similar to those suggested by the highway authority but, in the interests of precision or clarity, I have made some adjustments to the wording suggested.

12. The Council has also suggested two further conditions on the submitted appeal questionnaire. The purposes of one would be to control further the design of the LED advertisement including its supporting framework. However, I find that the submitted plans provide sufficient detail in these regards. I am particularly mindful that they show that, inclusive of its steel structural framework, the LED advertisement would have a total depth of only 150mm. This demonstrates that the framework, which would sit behind the display, would be unobtrusive. The second would control the hours when advertisements could be displayed upon the LED screen. However, I have set out in my main issues the reasons why the proposed advertisement would be appropriate within its context and other conditions which would apply to it would control its illumination. Given this, I find that the advertisement's display during the day or at night would be acceptable in amenity terms. As a result, I have not imposed the two conditions suggested on the questionnaire.

Conclusion

13. For the reasons set out above, the effects of the proposed advertisements on amenity and public safety would be acceptable. Therefore, I conclude that the appeal should be allowed and consent be granted for the proposed advertisements subject to the standard conditions and the conditions within the attached schedule.

H Jones

INSPECTOR

¹ Institute of Lighting Professionals Professional Lighting Guide 05 The Brightness of Illuminated Advertisements.

Schedule of Conditions

- 1) The LED digital advertisement shall only display static images and shall not display moving images or create special effects (including noise, smell, smoke, animation, flashing, scrolling, three dimensional, intermittent or video elements).
- 2) The interval between successive advertisement displays on the LED digital advertisement shall be instantaneous (0.1 seconds or less), the complete screen shall change and there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays.
- 3) The LED digital advertisement display shall not change more than once every 10 seconds. The use of message sequencing for the same product is prohibited and the advertisements shall not include features or equipment which would allow interactive messages or advertisements to be displayed.
- 4) The LED digital advertisement shall be erected with a mechanism installed which shall ensure that, in the event of a malfunction, the display freezes the image or defaults to a blank black screen.
- 5) The screen display panel shall at all times be fitted with a light sensor to adjust the brightness to changes in ambient light levels.
- 6) The intensity of the illumination of the LED digital advertisement shall be no greater than 300cdm⁻² during hours of darkness (dusk until dawn).