
Appeal Decision

Site visit made on 15 April 2025

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd June 2025

Appeal Ref: APP/N4720/Z/25/3358434

Advertising Right on Gable of 12-14 Station Road, Horsforth, Leeds LS18 5NR

- 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 The Moran Partnership LLP against the decision of Leeds City Council.
 - The application Ref is 24/05816/ADV.
 - The advertisement proposed is the removal of 2 x 16 sheet existing advertisement hoardings and installation of a single static LED illuminated advertisement in portrait format, measuring 2.8m high x 1.92m wide, and comprising pressed metal frame and sealed LED screen.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address used in the banner heading above has been slightly amended from that used in the application form to reorder wording and be clearer on the location, which also reflects the address used in the Council's decision notice.
3. I have noted a discrepancy in the submitted plans. The proposed site plan indicates that the advertisement would be located towards the front elevation of the appeal property, although the elevation drawing shows it to be sited centrally on the side gable end. However, I have enough detail before me to form the basis of my overall assessment. Had I been allowing the appeal I would have pursued this matter further with the parties.

Main Issues

4. The main issues are the effect of the proposed advertisement on:
 - the amenity of the area, including whether it would preserve or enhance the character or appearance of the Horsforth Conservation Area; and
 - public safety.

Reasons

Amenity

5. The appeal site is a detached, two storey stone building situated in a very prominent location on Station Road and close to a five-arm roundabout. Station Road is a busy two-way street that is characterised by commercial properties at ground floor level. There are a variety of both traditional and more modern buildings, shop fronts and advertisements, although the buildings in the immediate

vicinity of the site to the western end of Station Road are predominantly more traditional stone properties.

6. The site is within the Horsforth Conservation Area and in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
7. The appeal property currently features two non-illuminated 16-sheet advertisement panels to its gable end and a smaller advertisement above. In terms of the planning status of these, I note the evidence that advertisements appear to have been situated on the gable end for some time and the larger poster advertisements appear to be established in this location. The proposal would replace the two 16-sheet advertisements with a single and smaller LED illuminated advertisement.
8. The Horsforth Conservation Area Appraisal and Management Plan (2008) (the CAAMP) highlights the linear development of the settlement and a mix of commercial and residential development throughout its four character areas. The Conservation Area boundary reflects the significant historical development, architectural character and interrelationship of spaces that give Horsforth its special character. The CAAMP identifies the appeal site as being within Character Area 4 – Troy and Industrial Horsforth, where there are variations in the appearance and use of properties and diverse architecture. The appeal property is identified in the CAAMP as a positive structure within this Character Area, along with a group of others adjacent to and opposite the site on Station Road and therefore contributes to the significance of the Conservation Area. The view looking in an easterly direction along Station Road is also highlighted as a “key vista” within the CAAMP.
9. Due to the prominent position of the appeal site the existing advertisements are clearly visible from four of the approach roads leading towards the roundabout and Station Road, and the proposal would also be seen in this context. The advertisement would be a particularly notable feature in the views between the roundabout and Station Road. Whilst there are variations in types, I did not observe any similar digital advertisements within the immediate area of the site or the wider Conservation Area. There would be a reduction in the overall size of the advertisement in comparison to the existing signage to the gable end, and the elevation plan indicates it would be sited centrally to the gable. Despite this, the proposed advertisement would introduce a relatively large, illuminated sign into a highly prominent location that would be out of context with other signage within the locality and the established character of the area, resulting in an incongruous and visually intrusive feature.
10. Despite the appellant’s assertion that the impact would be more limited by facing away from the Conservation Area and it would not be viewed in the context of any heritage assets, the advertisement would be highly prominent within the group of positive structures and in a key view looking into the Conservation Area along Station Road as highlighted in the CAAMP. It is important to note that the Conservation Area itself is a designated heritage asset. I do not consider that the reduction in scale would outweigh the harm in this instance. The proposal would have a detrimental impact on the character and appearance of the area and therefore the significance of the Conservation Area would be eroded by the proposal. The proposal would therefore have a harmful effect on amenity and

would fail to preserve or enhance the character or appearance of the Conservation Area, thereby harming its significance.

11. I acknowledge that conditions could control levels of illumination and hours of operation. However, the introduction of the advertisement in this location would result in a discordant feature and harm to the amenity of the area, which would be exacerbated by its illumination. I consider that the proposal could not be made acceptable through the use of such conditions relating to illumination or other operational aspects, and they would not overcome the overall harm to amenity that I have found.
12. The appellant makes reference to an appeal decision¹, which it suggests is comparable to the appeal proposal. I note the assessment made by the Inspector in relation to the replacement of an existing advertisement and the relationship with designated heritage assets in that case. I have not been provided with full details of that case and the wider site context, although I note the submitted photograph of the consented scheme that appears to show a sign in a less prominent location compared to the appeal scheme, higher on the host building and to the side of what appears to be a relatively straight road. Therefore, I am unable to draw any direct comparisons with the scheme before me that would weigh in its favour. Furthermore, each proposal must be dealt with on its own individual merits, and my assessment is based on the impact on amenity in this specific location.
13. For the above reasons, I conclude that the appeal proposal would have a harmful effect on the amenity of the area, and it would fail to preserve or enhance the character or appearance of the Conservation Area. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are relevant to amenity. Policies P10 and P11 of the Core Strategy (as amended by the Core Strategy Selective Review 2019), Leeds Local Plan (the CS) and Policies BD8, BD12 and GP5 of the Leeds Unitary Development Plan (Review 2006) Volume 1: Written Statement (the UDP) seek to protect amenity and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies. The proposal would also conflict with the Advertising Design Guide, Leeds Local Development Framework, Supplementary Planning Document (2006) (the SPD) in this respect.
14. For the same reasons the proposal would also be contrary to paragraph 141 of the National Planning Policy Framework (the Framework) which states, amongst other things, that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public Safety

15. The Council highlights the concern that due to its LED illuminance, changing images and proximity to the roundabout, the digital advertisement in this location would add to distraction for drivers and pedestrians. I visited the appeal site on a weekday morning and there was a steady and continuous flow of traffic using the roundabout. I also observed pedestrians crossing at various points on all five arms of the roundabout, three of which feature refuge islands, including at the junction with Station Road. The pedestrian movements in combination with the road junctions create a relatively busy road environment.

¹ Appeal Ref APP/M0655/Z/20/3251305, dated 2 September 2020

16. The Planning Practice Guidance (PPG) states that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety, including at junctions, roundabouts, pedestrian crossings or other places where local conditions present traffic hazards. 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 externally or internally illuminated signs, which because of their size or brightness, could result in glare and dazzle, or distract road-users, and advertisements that are subject to frequent changes of the display. As such, I am mindful that the Highway Authority has concerns about the digital advertisement display creating a distraction for motorists with adverse impacts on highway safety.
17. Having regard to the above, this requires a high level of concentration from road users, including drivers, pedestrians and cyclists. Road users would have to register changing displays within the immediate busy road environment. Under such circumstances, even momentary distraction to road users, such as would arise from the changing images of the appeal proposal, would increase the risk of accidents to the detriment of the safe operation of the highway. Whilst there would be a reduction from two separate poster advertisements to a single display, the existing signage is static, and the proposal would increase the likelihood of distraction to road users in this location.
18. Similar to the assessment above on amenity, conditions could be used to control the illuminance, hours of operation and the frequency of changes to the displayed image. However, taking account of the proposal and its site context, these measures would not be sufficient to avoid harm to public safety and I do not consider that these could be used to make the scheme acceptable.
19. Despite information provided on current road safety statistics, for the above reasons I conclude that the position and nature of the display in this location would likely result in a distraction for users of the highway and would lead to the potential for increased conflict between road users and pedestrian safety. Consequently, it would have a harmful effect on public safety.
20. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are relevant to public safety. Policy GP5 of the UDP seeks to ensure highway safety and so is material. Given I have concluded that the proposal would harm public safety, the proposal conflicts with this policy. However, I do not consider that Policy P10 of the CS or Policy T2 of the UDP are material to the appeal proposal in this respect as they relate to design and accessibility requirements. The proposal would not accord with the guidance within the SPD where it refers to public safety.

Other Matters

21. I note the comments of both parties in respect of the Framework and judging any harm associated with the appeal proposal against the public benefits. However, the question of less than substantial or substantial harm in paragraphs 212-215 of the Framework is not relevant to advertisement consent applications, as this only applies to the heritage-related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990.

22. I have also had regard to the appellant's other suggested benefits of digital advertising, including modernisation of advertisements in the context of the appeal scheme. However, I do not consider that these would justify the harm that I have identified when assessing the proposal in the interests of amenity and public safety.

Conclusion

23. For the reasons given above, and having had regard to all matters raised, I conclude that the proposed advertisement would harm amenity and public safety, and the appeal should be dismissed.

N Armstrong

INSPECTOR