
Appeal Decision

Site visit made on 23 June 2025

by **S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 26 June 2025

Appeal Ref: APP/N4720/Z/25/3365487

44 Victoria Gate, Harewood Street Entrance, Leeds, LS2 7AU

- 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 London Lites Ltd against the decision of Leeds City Council.
 - The application reference is 25/00418/ADV.
 - The advertisement proposed is for one digital LED display advertisement with motion content.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The local planning authority (LPA) has drawn my attention to the policies it considers to be relevant to this appeal. I have taken them into account as a material consideration. However, powers under the regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

Main Issues

3. The main issues are the effect of the advertisement upon (i) the character and appearance of the area and (ii) the setting of the adjoining Leeds City Centre Conservation area and those of the listed buildings in the immediate area.

Reasons

Character and appearance/visual amenities

4. The proposed digital display, consisting of one advertisement with motion context would be about 4 metres high, 8 metres long and with a depth of 0.4 metres. It would be sited some 4 metres from the ground and individual letters would have a maximum height of 0.4 metres. It would be in a metal frame and where the internally lit advertisements would change remotely, with a proposed maximum illumination level of 5,000 cd/m², but which would reduce to 300cd/m² from dusk to dawn and would be switched off entirely between 23.00 hours and 06.00 hours. The back of the advertisement would be white brushed aluminium.
5. Victoria Gate is the main entrance to a modern shopping arcade in the city centre. The area is characterised by commercial buildings up to five storeys high, built in

brick or stone and sited directly at the back of the accessways, normally lacking separate footpaths and which are pedestrianised.

6. The Victoria Gate entrance includes two large, glazed entrance doors and with large, glazed panels above them giving the appearance of double height curtain walling. The upper glazed panels contain curved, decorative strings of criss-crossing black metalwork reminiscent of leaded lights.
7. The glazing panels are enclosed within diamond shaped, full height columns which reflect the verticality of the surrounding older, multi-storied, brick and stone buildings, while the double height portico, rising directly from the pedestrian way in front of it, is also reflective of the character and appearance of the area.
8. The two entrances and the glazing above, and with additional double height glazing to their sides, create a balanced appearance to the portico. Moreover, the glazing permits attractive views of the interior of the arcade and of its ceiling, constructed using criss-crossing beams. The elevation and the views through it create the appearance of the continuance of the street outside it into an internal arcaded, sloping street.
9. The above design details add positively and distinctively to the character and appearance of the area and thus to its visual amenity.
10. The digital advertisement would infill one of the two upper, large, glazed windows, resulting in the loss of its decorative design and adversely affecting the symmetry of the entrance elevation and introducing an incongruous and therefore inappropriate element to its visual appearance.
11. On my site visit, I was able to note that there are, or have been, large advertisements relating to commercial establishments both opposite the appeal site and also in the immediate vicinity. However, these tend to be at ground floor level, whereas the appeal proposal would be sited at a height of approximately 4 metres. They are also generally approached along the pedestrian ways rather than being, as is the case with the appeal proposal, at the deliberately designed, main entrance and focal point to a large shopping arcade.
12. The appellant has also referred to other digital advertisements in the city centre at the Trinity West shopping centre and in Bond Street. However, the appeal proposal raises visual amenity considerations which relate specifically to this building and its elevation. I have therefore determined this appeal upon its individual merits and the existence of other advertisements elsewhere does not lead me to alter or outweigh my findings in terms of amenity.
13. The appellant considers that the electronic nature of the proposed advertisement would be more sustainable than a more traditional form of advertisement, avoiding their regular replacement and, by their remote control, the associated journeys to site and the carbon production in the process. While I appreciate such advantages, a traditional, non-digital advertisement is not the subject of the appeal and, in any event, these matters do not in themselves overcome my amenity impact concerns.
14. While the arcade is a bustling and vibrant area, I do not find that the proposed digital advertisement would be acceptable and complementary to it, nor do I consider that its use by both local and national advertisers outweighs the harm to the visual amenities of the area which I have found.

15. For the above reasons, I conclude that the appeal proposal would not accord with policy P10 of the Council's Core Strategy (2019) (CS) which requires good design which protects the visual amenity of an area, or with policy BD8 of its Unitary Development Plan Review (2006) (UDPR) where all signs must relate well to the scale and architectural features of the building on which they are placed. It would not accord with its Advertisement Design Guide (2006) which requires advertisements to be appropriate to the area in which they are to be located in terms of scale, position, character and illumination, or with the National Planning Policy Framework 2025 (the Framework) which notes that the quality and character of places can suffer when advertisements are poorly sited. Policy BD9 refers to signs in a Conservation Area (CA) and in a residential area and so it is not pertinent in respect of this appeal, nor is CS policy P11 which refers to development in CAs.

Settings of heritage assets

16. There are a number of listed buildings (LBs) close to the appeal site, notably the Grade II Coronation Buildings and Wrays Buildings, and the Grade II* Arcade, while it adjoins the City Centre CA. Their settings are the surrounding accesses and pedestrianised routes from which they spring and are appreciated.
17. The proposed digital advertisement, by its position and height, its illumination and motion, would become an incongruous, focal point close to such settings. As the proposed development is not in the CA, I consider that the proposal would have a neutral effect upon that part of the CA closest to it. In other words, the setting of the CA would be preserved.
18. For the above reasons, I conclude that, while the setting of the CA would be preserved, the proposal would cause harm to the settings of the listed buildings. Therefore, the proposal would conflict with the amenity and conservation requirements of policies P10 and P11 of the CS, policy BD8 of the UDPR and chapter 16 of the Framework.

Conclusion

19. For the above reasons, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR