
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/25/3364650

Land Between Eastgate Roundabout, Dyer Street And St Peters

Street A61, to the East Of Victoria Gate MSCP, 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 25/00368/ADV.
 - The advertisement proposed is for one digital LED advertisement display: a variation of existing planning consent reference 19/06528/ADV.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The local planning authority (LPA) has drawn my attention to the policies it considers to be relevant to this appeal and 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.
3. The application is made to vary what the appellant describes as an existing consent granted under application 19/06528/ADV. However, an advertisement consent cannot be varied in this way and, in any event, the previous approval relates to a different location on a proposed hotel building which has not been constructed, and also for a period only to 18 October 2024. Therefore, I have determined the application based upon its individual merits as a new proposal for a freestanding advertisement display.

Main Issues

4. The main issues are the effects upon the (i) character and appearance of the area; (ii) the setting of adjoining listed buildings in the immediate area; (iii) the amenities of the occupiers of Skyline apartments, St. Peters Street and (iv) highway safety.

Reasons

Character and appearance/visual amenities

5. The proposed digital display, consisting of one advertisement panel, would be about 7.5 metres high, 5 metres wide and with a depth of 0.5 metres. It would be sited 3.29 metres from the ground and individual letters would have a maximum

height of 0.75 metres. It would consist of a metal frame and an internally lit LED where the 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 11pm and 6am. The advertisement display would show one or more sequential static images and the illumination would not at any time be intermittent.

6. The appeal site is a surface level car park with a low wall and railings and landscaping to its perimeter and abutting the Victoria Gate multi storey car park to the west. It is next to St Peters Street, Dyer Street, Eastgate and the Eastgate roundabout. In the vicinity are substantial buildings in terms of their size and heights and which include the Leeds Playhouse Theatre to the East, the Leeds City College Quarry Hill Campus, and the fifteen-storey high Skyline residential development. The site is also close to the Grade II Listed Eastgate former petrol filling station and railings on the Eastgate roundabout. To the north, south and east side of the site there are recently upgraded footways.
7. The proposal, as described above, would also include replacement landscaping to the area adjacent to the public footway including the planting of rounded snowdrift shrubs and the laying of white limestone gravel.
8. On my site visit, I was able to note that signage in the area, while sometimes prominent, is mainly used for highlighting the location of existing premises rather than being for general advertising purposes. As such, they are generally appreciated visually as part of the associated premises, pointing the way to them. I agree with the comments of the LPA that typical street level advertisements are generally at fascia/pedestrian level and have a human scale.
9. The proposed digital advertisement would be of a size, height and luminosity which would not be of human scale and, especially for pedestrians passing the site, would have an adverse and dominant impact. Moreover, for the same reasons, it would be experienced as an incongruous, generally alien feature, adversely affecting the visual amenity of the general area.
10. The site as existing has mature landscaping around its perimeter. The proposed surface treatment around the advertisement, using proposed rounded snowdrift shrubs and the laying of white limestone gravel would have a more stark and therefore adverse impact in terms of the screening of the site. Moreover, the rear of the advertisement, while it would be decorated in a design to reflect that of the multi storey car park's exterior, would nevertheless form, by its height and bulk, an adverse visual intrusion.
11. The advertisement as a whole would be particularly eye-catching in the area, as would be its purpose, but which would be also unacceptably dominating and prominent.
12. For the above reasons, I conclude that the proposal would have an adverse visual effect upon the amenities of the host site and that of the wider area. As such it would not accord with policies P10 and P11 of the Leeds Core Strategy (2019) (CS) which aim to avoid the loss of an area's amenities, policies GP5 and BD8 of the Leeds Saved Unitary Development Plan (2006) (UDPR), which also aim to avoid the loss of amenities by the careful location of development within street scenes, and the Council's Advertisement Design Guide (2006). The National

Planning Policy Framework 2025 (the Framework) notes that the quality and character of places can suffer when advertisements are poorly sited,

Settings of heritage assets

13. The Grade II listed former petrol filling station, (LB) dating from 1932, is located on the Eastgate roundabout adjoining the appeal site. It has a hexagonal appearance with arched openings. Its surrounding metal railings, mounted upon a stone plinth, are also Grade II listed. The setting is provided by the roundabout within which they are located, allowing uninterrupted views of them, other than by traffic.
14. The LPA has previously granted advertisement consent for a somewhat larger digital advertisement facing more directly the LB's than the advertisement now proposed. However, the previous consent was for an advertisement to be integrated into the side elevation of a multi-storey hotel and at a considerably greater height from the ground than the free standing advertisement now proposed.
15. The current proposal would be for an advertisement more at eye level with the LBs with the result that it would create a greater competing, unwelcome and adverse distraction to the LBs and their setting, compounded by the adverse impact of its overall height, illumination and changing images.
16. In addition, even though the advertisement would be set at 3.29 metres from the ground, the overall structure supporting it would obstruct, to a limited extent, views of the setting of the LB's from across the open space on which it would be sited.
17. While the LPA considers that the proposal would have an adverse effect upon the Grade I Listed Leeds Minster in long views along St Peters Street, I consider that the distance involved is such that any such impact would not be significant.
18. For these reasons, and overall, I conclude that the proposed development would have an unacceptably adverse impact upon the setting of the adjoining LBs, and as such it would not accord with policies P10 and P11 of the CS which require proposals to protect and enhance historic assets and their settings, with policies GP5 and BD8 of the UDPR which aim to prevent the loss of, and the enhancement of, environmental amenities including vistas and landmarks, with the Council's Advertisement Design Guide (2006), and with chapter 16 of the Framework.

Living conditions of the occupants of Skyline apartments, St Peters Street

19. Skyline apartment block is a multi-storey building where many apartments have windows which would look directly at the proposed advertisement. By the latter's size, illumination and its frequent changes of images, it would introduce a highly visible, intrusive feature which would dominate views from their windows and balconies.
20. I appreciate that the level of luminosity would be severely reduced from dusk to dawn, and that during certain such periods the sign would be turned off completely, Nevertheless, it would still be difficult to ignore, adversely affecting the visual amenity of the occupants who currently can enjoy a more muted vista, unencumbered by a persistent, all-encompassing focal point.
21. Therefore, I conclude that the proposed advertisement would adversely affect the living conditions and hence amenity of those occupants of Skyline apartments

which would face it. Therefore, the proposal would not accord with UDPR policy GP5 or CS policy P10 which aim to protect visual amenities.

Highway safety

22. I have taken into account the contents of the Highway Safety Report prepared by Astute Planning, dated April 2025 and submitted on behalf of the appellant containing detailed observations of the various junctions in the vicinity of the appeal proposal. I have noted, amongst other things, its reference to proposed illumination levels, the proposed lack of movement or the appearance of moving images, that sequential advertisements would not change more than once every ten seconds, and that any small changes between advertisements would take place over a period of no greater than one second. I have also taken into account that roads are lit and subject to speed restrictions, that there are controlled crossings, and that not all driver movements would be within direct sight of the proposed display.
23. The LPA has previously granted advertisement consent for a larger digital display than is now proposed, in the same vicinity. However, it was to be sited at a very high level, integrating with a proposed hotel building, whereas the proposed digital display would more align in terms of eye contact with traffic signs and lights at busy road junctions and where drivers are more likely to be distracted, to the detriment of highway safety.
24. In particular, on my site visit I was able to confirm the Council's Highways officer's observation that Eastgate/St Peters Street is not only a busy route for drivers but is also a key route for buses, pedestrians and cyclists, with multiple signalised crossings for the latter users. In addition, the area has several road junctions while drivers also have to change lanes.
25. The LPA has referred to a number of road traffic accidents in the area, and while the submitted report by Astute Planning questions their direct relevance to the appeal proposal, some do indicate a need for road users to be especially vigilant and alert at this point on the road network. I consider that the proposed advertisement would add an unwelcome additional complicating and distracting element.
26. Therefore, I conclude that the proposal would conflict with UDPR policy GP5 which seeks to maximise highway safety and with CS policy T2 which requires new development to be located where it will not materially add to problems of safety on the highway network. It would also conflict with paragraph 116 of the Framework which also stresses the great importance of highway safety when assessing development proposals.

Other Matters

27. The appellant has referred to the presence of other digital advertisements in the area including a digital display on the wall of the Leeds Playhouse, together with other existing illuminated advertisements associated with retail units in the city centre.
28. I acknowledge the presence of the display for the Playhouse. However, it is not free standing and its size is appropriate to the wall to which it is attached. Moreover, its purpose is to publicise forthcoming events at the Playhouse and not for general

advertising purposes. For these reasons, I do not consider that it sets a precedent for the appeal proposal.

29. The other quoted examples will not have identical locational features as the appeal proposal in terms of their impact upon the amenities of the area, including their effect upon residential amenities, upon heritage assets and upon public safety. In any event, I have determined the appeal based upon its individual merits.
30. In so doing, I have taken into account Planning Policy Guidance, as quoted by the appellant that an advertisement can be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways). However, the advice is that such advertisements would not be appropriate, as in this case, where they might dominate a group of listed buildings or would otherwise adversely affect the amenities of the area in which they might be sited.
31. 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. However, these matters are not directly pertinent to the only two matters of amenity and highway safety upon which the proposal must be assessed.

Conclusion

32. I have concluded that the proposal would give rise to unacceptable highway/public safety concerns and that the amenities of the area would be adversely affected, including those of the occupiers of adjoining apartments. Additionally, it would have an adverse impact upon the setting of the LBs in the immediate vicinity. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR