



Appeal Decision

Site visit made on 12 December 2025

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 January 2026

Appeal Ref: APP/N4720/H/25/3373937

Aberford Road Service Station, 56 Aberford Road, Oulton, Leeds LS26 8HP

- 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 Wildstone Estates Ltd against the decision of Leeds City Council.
 - The application Ref is 25/02807/ADV.
 - The advertisement proposed is D6 display.
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Decision

1. The appeal is allowed and express consent is granted for the display of D6 display, at Aberford Road Service Station, 56 Aberford Road, Oulton, Leeds LS26 8HP, in accordance with the terms of the application, Ref 25/02807/ADV. 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 following additional conditions:
 - 1) The advertisement shall display only static images. No moving images, animation, flashing, scrolling, intermittent lighting, video elements, or special visual effects shall be displayed at any time.
 - 2) The transition time between successive static images shall be 0.1 seconds or less, with the complete screen changing in a single frame. No animated, fading, swiping, or other visual transition effects shall be used.
 - 3) No image shall be displayed for less than 10 seconds. Message sequencing for the same subject shall not be used, and the display shall not include any interactive content.
 - 4) The display shall include a mechanism that, in the event of a malfunction, defaults to a static black screen with no displayed error messages or pixelation.
 - 5) The display shall be fitted with an automatic brightness sensor to adjust luminance in response to ambient light levels, and this shall be functional at all times when the display is operational.
 - 6) The luminance of the advertisement shall not exceed the maximum levels set out in 'Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements' by the Institute of Lighting Professionals (or any replacement guidance).

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the 2007 Regulations) and paragraph 141 of the National Planning Policy Framework (the Framework), make clear that advertisements should be subject to control only in the interests of amenity and public safety. I have approached the appeal on this basis.

Main Issue

3. The main issue is whether the proposed advertisement would pose an unacceptable risk to public safety, with specific regard to the safety of vehicles and pedestrians using the public highway.

Reasons

4. The proposed advertisement would sit within the boundary of an established petrol filling station (PFS), tucked into a corner of the forecourt and positioned against the backdrop of a solid close-boarded boundary fence, which it would not project above.
5. As was apparent from my site visit, existing sightlines for vehicles emerging from the PFS are already defined, and in places constrained, by the boundary fencing. Due to its position in front of that fencing, the proposed display would not materially alter the situation.
6. The appellant's Highway Safety Report (HSR) outlines that the advertisement would lie outside the required visibility splay necessary to ensure sufficient unimpeded sightlines for drivers to safely exit to the road. The HSR also notes that vehicles leaving the PFS would retain clear and unobstructed sightlines towards both the footway and the nearby bus stop, with no interference or conflict from the proposed screen. The Council has provided no substantive evidence to contradict the appellant's technical assessment.
7. The advertisement would be reasonably well separated from the nearby signalised crossing, and there is no substantiated indication that the static display would create confusion with, or obscure the visibility of, the traffic signals or pedestrian indicators. My site observations broadly align with the detailed analysis in the HSR, which considers visibility from the critical stopping sight distances on the southbound approach and concludes that no conflict or interaction would occur that would necessitate increased cognitive demand of drivers.
8. During my visit, traffic speeds were modest and generally consistent with the 30mph limit. The long, straight alignment of Aberford Road provides good forward visibility, enabling drivers to assimilate the presence of the display well in advance, without it competing with the demands of negotiating the nearby pedestrian crossing or the junctions with Quarry Hill and Fleet Lane. Similar broad conclusions apply to vehicles joining Aberford Road from those side roads. Furthermore, the advertisement would sit within an already commercialised and partly illuminated roadside setting that includes the existing PFS totem with LED elements. Within this context, the introduction of a modestly scaled static digital display would not introduce an unexpected or visually dominant feature that would harm public safety.

9. I acknowledge, as the Council notes, that all advertisements are intended to attract attention. However, the mere ability of an advertisement to draw attention cannot, by itself, be equated with an unacceptable public safety risk. Both parties reference a single recorded collision in the five-year review period, which occurred at the junction between Aberford Road and Quarry Hill and was recorded as 'slight' in severity. However, this isolated incident does not demonstrate a pattern of safety problems in the area, nor does it provide any substantive indication that the presence of the proposed display would increase the likelihood of collisions.
10. By contrast, the appellant's HSR is persuasive, and its findings are not contradicted by my observations or any substantive evidence. Moreover, the display would operate with industry-standard controls on brightness, changeover time and static imagery, which could be secured through appropriate conditions in addition to those set by the 2007 Regulations.
11. For these reasons, I conclude that the proposal would not pose an unacceptable risk to public safety, either for vehicles or pedestrians using the public highway. Accordingly, the proposed advertisement would accord with the provisions of the 2007 Regulations. Insofar as they are material to the matter of public safety, the proposal would also accord with Saved Policy GP5 of the Leeds UDP Review – Volume 1: Written Statement – Adopted July 2006 (the UDP) and Policy T2 of the Core Strategy (as amended by the Core Strategy Selective Review 2019) (the CS), which collectively seek to ensure development avoids harm to highway safety. It would also accord with the relevant aims of the Leeds City Council Transport SPD, Adopted 3 February 2023 (the SPD) and the relevant provisions of the Framework, which have similar aims.

Other Matters

12. I have taken account of the interested party concerns regarding visual impact and potential noise associated with cooling of the display. These matters fall under amenity, which is a relevant consideration under the 2007 Regulations.
13. However, the Council did not raise amenity-based objections and nothing before me suggests the development would result in unacceptable visual or noise impacts. The advertisement would sit within a commercial forecourt environment, read against existing forecourt structures, illumination and boundary fencing, and would be reasonably separated from residential properties. There is no substantive evidence that the operation of a small-format digital display would generate noise at a level harmful to nearby occupiers. Other concerns relating to energy consumption and sustainability fall outside the scope of amenity and public safety, and cannot be taken into account in determining an application for express consent under the 2007 Regulations.

Conditions

14. All advertisements granted express consent are subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations.
15. The Planning Practice Guidance (PPG) confirms that additional conditions can be imposed where they are supported by specific and relevant planning reasons. The Council has suggested additional conditions, which I have considered against these provisions and the tests for conditions in the Framework and PPG. Where

necessary, these conditions have been omitted or amended to ensure full compliance with those requirements.

16. Conditions requiring that the display show only static images, that transitions between images occur within a short changeover period, that each image is displayed for a minimum duration, and that message sequencing is prohibited, are all necessary to ensure the display does not cause undue distraction in the interests of public safety. For the same reason, and also in the interests of visual amenity, it is necessary to impose conditions limiting the maximum luminance of the display and requiring that brightness adjusts automatically according to ambient light levels. In addition, a condition requiring the screen to default to a black static display in the event of a malfunction is necessary to prevent the risk of distracting flashing or error messages that could impact public safety.

Conclusion

17. For the reasons given above, I conclude that the appeal should be allowed and express consent granted subject to the conditions listed in my formal decision.

P Storey

INSPECTOR