



Appeal Decision

Site visit made on 20 January 2026

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2026

Appeal Ref: APP/V2004/Z/25/3376359

Land adjacent to Foster Street, Kingston Upon Hull HU8 8BT

- 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 Limited against the decision of Kingston-Upon-Hull City Council.
 - The application Ref is 25/00685/ADV.
 - The advertisement proposed is the installation of D-poster.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description is taken from the planning application form as there is no evidence before me that the appellant agreed that used on the Council's decision notice.
3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), paragraph 141 of the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG), all confirm that advertisements should be subject to control only in the interests of amenity and public safety. Whilst the Council has drawn my attention to the local plan policy and guidance it considers relevant to this appeal, and I have taken them into account as material considerations, they have not, by themselves, been decisive.

Main Issue

4. The main issue is the effect of the proposed advertisement on amenity.

Reasons

5. The appeal site comprises a section of land within the open car park of a bus depot, located at the junction of Stoneferry Road and Foster Street. The appeal site is experienced in association with the industrial/commercial buildings and associated infrastructure that characterise the surrounding area.
6. Advertisements are a common feature, as would be expected in a commercial context. However, they are predominantly located on the building or forecourt of the business which they advertise. As the buildings and forecourts tend to be of a large scale and low density, the advertisements that are present, generally assimilate into the surroundings. Most are static and not illuminated, including those shown at figures 2 and 3 of the appellant's grounds of appeal. While there

are occasional illuminated signs, none comprise a freestanding digital LED display of the size and form proposed.

7. 'Amenity' is not defined exhaustively in the Regulations. It is a matter of judgement taking into account the general characteristics of the locality, including the effect on aural and visual amenity (regulation 2(1)) of passers-by in the immediate area.
8. The Advertisement Design Guidance; Supplementary Planning Document 8 (SPD) 2019, indicates that large poster hoardings may be appropriate in employment areas. However, that is in circumstances where the scale of buildings and character of use may accommodate displays without them appearing incongruous and out of place. Hoardings should be designed not to be over dominant features in relation to pedestrians, to screen any related frontage fencing, to include forecourt landscaping, and not create clutter. The SPD goes on to state that the rear of the display should not be visible to users of the public highway from footpaths, rights of way or public open spaces and car parks.
9. Despite being the smallest possible form of digital display board and having a sleek, modern appearance, the proposal would nonetheless be a substantial structure, elevated on land above the road and the existing fence line¹. With the base of the screen approximately 2.9m above the pavement and a total height of circa 5.9m, it would be well above pedestrian head height. Without an immediate backdrop, it would appear as an imposing and visually dominant feature, particularly in views from the adjacent footways. The effect of the digital display would be exacerbated by the lack of any nearby trees, buildings or other structures to assimilate its scale in views from within Foster Street and Stoneferry Road.
10. Moreover, the rear of the display would not be screened by any means and would be highly visible from Stoneferry Road, contrary to the SPD guidance. Despite the presence of street lighting, the illuminated advertisements would nonetheless introduce an eye-catching feature into the street scene, even with the ability to control the brightness of the screen. Whilst the effect would be localised, it would nonetheless result in an incongruous and harmful feature that would stand out conspicuously from existing buildings and advertisements. The scale and siting of the proposed display would not be adequately mitigated by the appellant's suggested 'industry standard' conditions, relating to the condition of the display, illumination and format of the displayed advertisements².
11. Full details of the consents granted by the Council for advertisements under application references 22/00910/ADV and 20/00237/ADV are not before me. However, the descriptions supplied indicate that these advertisements either did not relate to a large digital display or were for a replacement digital poster. For these reasons, I do not find them comparable to the proposal before me.
12. I am also referred to 3 other consents for advertisements permitted by the Council. However, the plans and photographs provided demonstrate that the digital displays permitted at Clough Road, New Cleveland Street and Brighton Street have a more immediate backdrop of structures, buildings and/or taller trees such that their scale appears visually absorbed³. That is also the case with the examples provided within Appendices 3 and 4 of the appellant's grounds of

¹ The inside of the digital display frame would measure 3m by 6m as shown on the proposed elevation drawing.

² As set out in Appendix 5 of the appellant's grounds of appeal.

³ With reference to advertisement consents 21/01002/ADV, 22/00774/ADV and 25/00400/ADV referenced within Appendix 1 of the appellant's grounds of appeal.

appeal. None of these examples therefore have a context comparable to that of the proposal, which comprises open land with the nearest building some distance away.

13. For the reasons given above, I have found that this specific proposal would be harmful to the amenity of the area. In so far as it is relevant, the proposal would fail to accord with Policy 20 of the Hull Local Plan (2017), which requires advertisements to have an acceptable impact on the amenity of the surrounding area.

Other Matters

14. Reference is made to the proposal dramatically reducing the number of vehicle trips in the area to re-post the site and reducing waste from the production process associated with poster advertisements. It is also suggested that upgraded displays result in an uplift in rent which in turn increases the business rates paid to the Council. Even if multiple advertising campaigns could be supported by single displays, this is a proposal for a new display, rather than the replacement of an existing poster billboard. I am not persuaded that an overall reduction of advertisements would result, or that the suggested environmental and economic benefits would be realised.
15. The use of the display for non-commercial purposes such as charitable campaigns and public art would be dependent on there being advertising void periods. Nonetheless, this and the ability to support emergency messaging and smart city objectives would weigh in favour of the proposal. However, there is no evidence to suggest that these social benefits could only be achieved in this location and I have found harm arising from the scale and siting of the proposed development. Accordingly, I attach limited weight to these benefits.
16. The appellant advises that there is no planning history for advertisement consent at the appeal site including the banner signs currently in situ on the perimeter fence. The evidence before me therefore indicates that there is no fallback position to weigh against the harm identified.
17. The Highway Authority has objected to the proposal on the grounds that it would distract drivers, given the proximity to a signal-controlled junction. However, the Council's officer report considered that an unacceptable impact upon highway safety would not be exerted as the road conditions were not particularly complex. It did not therefore form a reason for refusal on the Council's decision notice. As I have found harm with regard to the main issue, I am not required to consider this matter further. Even if the proposal would be acceptable with regard to public safety, it would weigh neutrally in the planning balance and would not be determinative to my decision.

Conclusion

18. The proposed digital display would be harmful to the amenity of the area. This harm would not be outweighed by the limited social benefits arising from the proposal. For the reasons given above, the appeal is dismissed.

M Clowes - INSPECTOR