



Appeal Decision

Site visit made on 5 February 2026

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 2 March 2026

Appeal Ref: APP/E2001/Z/25/3376582

92 King Street, Cottingham HU16 5QE

- 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 Specsavers Optical Stores against the decision of East Riding of Yorkshire Council.
 - The application Ref is 25/02283/PAD.
 - The advertisement proposed is described as the installation of internal digi-screen, set back from shopfront glazing.
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Decision

1. The appeal is allowed and express consent is granted for the installation of internal digi-screen, set back from shopfront glazing at 92 King Street, Cottingham HU16 5QE, in accordance with the terms of application Ref 25/02283/PAD, dated 6 August 2025. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The digi-screen hereby granted consent shall display static images only and the images shall be changed no more frequently than once every six seconds through a smooth fade. No moving or flashing images, or special effects shall be shown and no noise or sound shall be emitted.
 - 2) The intensity of illumination of the digi-screen hereby granted consent shall be no greater than 200 candelas per square metre.
 - 3) The digi-screen hereby granted consent shall only operate during the opening hours of the premises to which it relates.

Preliminary Matters

2. The proposal has already been installed and is in use, and its form accords with the submitted drawings. I have therefore determined the appeal on a retrospective basis, and for certainty, I have assessed it against the drawings provided.
3. The Regulations¹, National Planning Policy Framework dated December 2024 (the Framework) and the Planning Practice Guidance (PPG) make it clear that advertisements should be subject to control only in the interests of public safety and amenity. I have had regard to the policies of the development plan and supplementary guidance only in so far as they are a material consideration relevant to matters before me.

¹ Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

4. For clarity, the Council refers to the development having a 'less than substantial harm' and this being considered against 'public benefits' in its Delegated Report. However, as far as the Framework is concerned when determining advertisement consent appeals within a conservation area the question of less than substantial or substantial harm as set out in Paragraphs 212 to 215 is not relevant, as the policy only applies to the heritage-related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. The Council has raised no concern about public safety in this case, and I have no reason to find differently.

Main Issue

6. The main issue in the determination of the appeal is the effect the proposal would have on the visual amenity of the area.

Reasons

7. The appeal site is within the Cottingham Conservation Area (CA) and I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area. This statutory duty applies in advertisement appeals in so far as it relates to the consideration of 'amenity'.
8. While amenity is not defined exhaustively within the Regulations, it does indicate that relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The PPG states that in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.
9. The CA Appraisal 2010 (CA Appraisal) identifies several distinct character sub-areas within Cottingham, including the greener and more spacious southern part of the village, the more urban village centre focused on commercial activity, and the northern area where the built form becomes increasingly compact and hard-edged. The appeal site lies within the urban village centre and, although the CA Appraisal offers limited detail for this sub-area, from my visit the immediate surroundings typically comprise a mix of two and three-storey buildings with active ground-floor shopfronts facing the main road. This part of the centre also includes a small public car park, bus stops and various pieces of street furniture which contribute to its functional and everyday character. At ground level, the commercial frontages combine modern and more traditional building and fenestration forms, with many units incorporating large display windows and varying degrees of advertising and illumination. Together, these elements create an attractive, lively and commercially active street scene. Despite the variation in age and detailing, a broadly consistent scale and materials palette provide visual cohesion. Overall, the concentration of commercial uses, together with the prominence and variation in signage, both illuminated and non-illuminated, including fascia, hanging and projecting signs, reinforces the centre's established commercial function and forms an important component of this part of the CA's character and appearance.

10. The appeal building is modest in scale compared with others in the CA, and its contemporary yet simple frontage and display window sit comfortably within the wider street scene. Although the digi-screen is a modern element, its clean form and neutral colouring integrate well with the commercial unit's contemporary façade. While the commercial unit occupies a prominent position at the back of the pavement, the screen's setback within the window ensures it does not dominate the frontage or appear visually intrusive. Although the display is illuminated and presents changing images, these features are neither overly bright nor excessively bold, and they do not unduly draw the eye or detract from the established commercial character and built form that define this part of the centre and the CA. As the digi-screen automatically shuts off outside the operating hours of the commercial unit, its illumination is further curtailed, preventing visual distraction at times when the unit's internal and external lighting is otherwise unlit.
11. The digi-screen is not an untidy, large or uncoordinated feature within the commercial unit's window. It does not cause street clutter, and it is not an internally illuminated box sign. As noted above, while it is illuminated its brightness is comparable with, and sympathetic to, the internal lighting of the commercial unit including the lighting on its display shelves. It therefore accords with the signage guidance in the Cottingham Neighbourhood Plan and Design Guide 2015–2029 and is not in conflict with Policy GP2 of the Cottingham Neighbourhood Plan, which requires new development to have regard to that guidance.
12. The Council advises that the advertisement guidance in the East Riding Code 2025 does not apply to the proposal, and on the evidence before me I see no reason to disagree. I have therefore not taken this guidance into account.
13. Considering all the above, the development does not have a harmful effect on the visual amenity of the host building or the surrounding area. It has a neutral effect on, and thus preserves, the CA's character and appearance. Accordingly, so far as they are relevant to amenity, it does not conflict with Policies ENV1 and ENV3 of the East Riding Local Plan Update 2020 - 2039 Strategy Document Update 2025 and Paragraph 141 and Section 16 of the Framework.

Conditions

14. The Council did not suggest any conditions and considered that the standard conditions in Schedule 2 of the Regulations were unnecessary. However, my finding that the development would not harm visual amenity relies on the screen operating at low illumination, being switched off outside the commercial unit's opening hours, emitting no sound, and displaying only static images with transitions no more frequent than every six seconds. Conditions are therefore necessary to secure these controls. While not all of the Schedule 2 conditions are applicable, those that are should also be imposed.
15. The main parties were consulted on the proposed conditions. The appellant confirmed their agreement, and the Council raised no objections or comments. I have therefore included the conditions.

Conclusion

16. For the reasons given above the appeal should be allowed.

J Symmons

INSPECTOR