



Department for Levelling Up,  
Housing & Communities

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**Our ref:** PCU/ADV/W2465/3325760

**Date:** 7 December 2023

Dear Ms Skinner,

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)  
(ENGLAND) REGULATIONS 2007: (“the Regulations”)  
REGULATION 7: DIRECTION RESTRICTING DEEMED CONSENT**

1. I am directed by the Secretary of State to refer to the request made by Leicester City Council (“the Council”) on 22 June 2023 for a Direction that deemed consent to restrict the display of To Let boards, which are advertisements under Class 3A of Schedule 3 to the Regulations, should be withdrawn from certain areas of Leicester city centre.

2. The Council’s request for the making of the Direction was publicly advertised in the local press on 25 July 2023. There were no objections to the proposed Direction.

**The Proposed Areas**

3. The Direction would cover the following areas of Leicester city centre:

- Area 2a - Windermere
- Area 2b - Hazel
- Area 3b – Clarendon Park
- Area 3c – Greenhill
- Area 4b – West End
- Area 4c – Ashleigh Road
- Area 4d- West End Conservation Area

The areas are identified on maps provided by the Council and are identified in the plans, annexed hereto (Appendix B pages 6 to 8 of the renewal application).

### **The Council's reasons for making the Direction**

4. The aim of the application is to restrict the display of To Let boards relating to the letting of premises which are advertisements under Class 3A of Schedule 3 to the Regulations within the above areas of Leicester City Centre in order to prevent harm to the character and appearance of those areas.

5. The Deemed Consent was issued on 24 June 2016. A Direction was made under Regulation 7 on 9 February 2018 for a period of 5 years. During the period the council has seen a significant reduction of the display of To Let boards in the areas, and therefore this application seeks to renew the previous Direction under Regulation 7.

### **Description of Proposed Areas**

6. The areas comprise mainly of linear streets of traditional Victorian terraced dwellings and semi-detached properties mostly residential however, with some alternative uses including offices, food outlets, places of worship and commercial properties. The form, detailing and overall close-knit, cohesive character of the properties contributes to the visual significance of the area, which includes Conservation Areas. A high number of the properties have been converted into flats and are being used as HMOs for student accommodation due their close proximity to the University.

7. The use of advertising boards on these types of properties is visually prominent. Therefore, a continued reduction in the number of To-Let boards within these highly populated, urban areas, which either include or are close to a number of Conservation Areas, would continue to significantly improve and maintain the appearance of the areas.

### **Appraisal**

8. Taking into account the evidence, site visit, and representations made in response to the Council's consultation exercise in seeking to renew the Direction, the Inspector agrees with the Council that historically there has been a significant problem with the proliferation of To-Let boards in the areas and this has had a harmful effect on the visual amenity of the areas concerned. A renewed Regulation 7 Direction to remove deemed consent, therefore, is required to continue to maintain and improve visual amenity in line with government policy, as set out in paragraph 68 of the National Planning Policy Framework.

9. The Inspector notes from the evidence before him that since the Direction was first implemented, there has been a significant reduction of illegally displayed 'To-Let' signs, resulting in an improvement to the overall character and appearance of the areas.

10. The Inspector also acknowledges that although the Council had previously introduced a voluntary code for one specific area, which had been successful the Council considered that without a formal Direction in place the continued success would reduce over time.

11. The Council's consultation led to 72% of the responses in agreement to the renewal of the Direction and, 28% who disagreed with the continuation of the Direction. The Inspector therefore acknowledged that of those that responded to the consultation exercise, the majority agreed that the Direction should continue to have effect in reducing the number of To-Let boards in the areas affected.

12. During the site visit the Inspector noted there was a distinct absence of estate agents' boards, and although there were examples of 'For Sale' and 'Sold' boards along some of the streets, these were relatively few in comparison to the number of properties present. The Inspector considers that, without the Direction, it is likely that there would be a significant increase in lettings boards leading to their proliferation, and a cluttered and unsightly street scene, adversely affecting the character and historic significance of the areas. This would be particularly harmful due to the number of dwellings in the area and the likelihood of the frequency with which they would become available due to their use as student properties. In the main, the properties either sit along the back edge of the pavement or have small amenity areas to the front, which would mean a proliferation of projecting signs which would detract from the existing character of the areas.

13. The Inspector notes the comments from Propertymark that companies erecting the signs would ensure that they are to be kept clean and tidy, and in a condition that does not endanger the public, however, notwithstanding these comments the Inspector considers that it is the proliferation of 'To-Let' signs that would blight the areas involved.

14. At paragraph 18 of his report, the Inspector notes that the previous Direction has been successful in restricting the introduction of the majority of lettings boards, which would be likely to be displayed on a regular basis. He therefore considers that the renewal of the Direction is fully justified in order to preserve the character or appearance of the areas and ensure that the historic significance of the Conservation Areas is not harmed.

15. At paragraph 19 of his report, the Inspector agrees with the Council that the Direction should remain in place for a period of 5 years, as the number of rental properties is unlikely to reduce in the future, because of the characteristics of the area.

## **Formal Decision**

16. For the reasons set out above, the Secretary of State is satisfied that a Direction should be made to restrict the display of To-Let boards within the areas of Leicester city centre identified below and on the maps submitted by the Council for a period of 5 years.

- Area 2a - Windermere
- Area 2b - Hazel
- Area 3b – Clarendon Park
- Area 3c – Greenhill
- Area 4b – West End
- Area 4c – Ashleigh Road
- Area 4d- West End Conservation Area

17. A formal Direction is attached. The Council's attention is drawn to the provisions of Regulation 7(7), which specify the procedure for publishing the effect and date of operation of the Direction.

18. When this Direction is brought into effect, the display of boards in respect of the letting of premises may only be undertaken lawfully in the areas specified in paragraph 16 above, when the Council has granted express consent for their display. In order not to prejudice the interests of persons wishing to display advertisements for property lettings, the Council are invited to ensure that any such applications for express consent are decided within the period specified in Regulation 14(1) of the Regulations.

### **Right of Appeal against the Decision**

19. The decision of the Secretary of State may be challenged by way of an application to the High Court and a separate note is attached to this letter setting out the circumstances in which such an application may be made.

Yours sincerely,

*R Beard*

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