

Appeal Decision

Site visit made on 22 November 2016

by Andrew McCormack BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 December 2016

Appeal Ref: APP/W4705/Z/16/3157170

1 The Gatehaus, Leeds Road, Bradford BD1 5BQ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Saleem Akhtar against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 16/04398/ADV, dated 31 May 2016, was refused by notice dated 22 July 2016.
 - The advertisement proposed is a banner sign attached to building.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application made sought a retrospective one year temporary planning permission for an advertisement banner and was a resubmission of a previously refused application, Ref: 16/01309/ADV. As a result, at the time of the site visit, the banner was in situ and I was able to observe its effect on the host building and on the wider streetscene. Accordingly, I have taken this into consideration in the determination of this appeal.
3. Furthermore, I am aware that there is an ongoing enforcement case relating to the advertisement which is the subject of this appeal. Whilst I have had due regard to this, I have determined this appeal on its own merits and on the basis of the evidence before me.

Main Issue

4. The main issue is the effect of the advertisement banner on the character and appearance of the building and the surrounding area.

Reasons

5. The Council has drawn my attention to Policy D15 of the Bradford Replacement Unitary Development Plan (RUDP) which it considers to be relevant to this appeal and I have taken it 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 Policy has not therefore, by itself, been decisive.
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6. The advertisement is located at the junction of Leeds Road and Shipley-Airedale Road which are both busy routes through the centre of Bradford. It is a large banner measuring about 7.5 metres by 4.5 metres and is positioned on a prominent section of a large five storey commercial building known as 'The Gatehaus'. The building is of a contemporary architectural design, consisting of a sandstone wall exterior which contrasts with large, regularly spaced windows and openings.
7. The size, design and material of the advertisement banner fail to complement the character, design and appearance of the distinctive and prominent host building. Due to the size of the banner, a large part of the exterior of the building and its materials is concealed from view. As a result, the banner appears incongruous to the building and does not complement or responds positively to its scale, design, appearance or external materials.
8. Furthermore, the prominent position and extensive size of the banner understandably allow it to be viewed at some distance from the surrounding area and from the busy highways of Leeds Road and Shipley-Airedale Road which meet at the appeal site and results in a heavily-trafficked intersection. Whilst I appreciate the reasons for the prominent positioning of the advertisement, its detrimental effect on the appearance of the building and the wider streetscene is harmful to visual amenity. This harm is only exacerbated by the extensiveness of the banner's visibility in the surrounding area.
9. The appellant states that the banner is required for a temporary one-year period to promote the restaurant and indicates that the only position for a sign at the entrance is hidden from most views. However, the banner has been in place since August 2015. The granting of a one-year temporary planning permission would not mitigate or limit the existing harm which I have identified. Furthermore, as the banner has already been in situ for approximately 15 months at the time of the site visit, I find that a reasonable time has passed to in order to advertise and establish the restaurant. In addition, the restaurant has other signage around its entrance and other forms of advertisement are available through other media to promote the business.
10. I have given due consideration to the appellant's points concerning the financial investment undertaken in the business, the previously vacant nature of the commercial unit and the need to advertise the restaurant in a prominent location. However, I find that none of these, either individually or cumulatively, outweigh the harm which I have identified.
11. Consequently, I conclude that the advertisement banner has a materially detrimental effect on amenity in terms of the character and appearance of the host building and the surrounding area. As such, it is in conflict with paragraph 67 of the National Planning Policy Framework.

Conclusion

12. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR