



Appeal Decision

Site visit made on 27 October 2019

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2019

Appeal Ref: APP/W4705/Z/19/3238665

Albion Mills, Hutson Street, Bradford BD5 7LZ

- 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 Paul Hardy (Vivid Outdoor Media Ltd) against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 19/02933, dated 9 July 2019, was refused by notice dated 4 September 2019.
 - The advertisement proposed is a 1 x 48 sheet free standing digital advertising unit measuring 3 m high x 6.92 m wide.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them 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 policies have not therefore, by themselves, been decisive.

Background and Main Issue

3. The Council raise no objection to the proposal from a public safety point of view. Subject to the imposition of planning conditions, I have no reason to disagree with this view. Therefore, the main issue is the effect of the proposal on the amenity of the area.

Reasons

4. It is proposed to erect a free-standing digital advertising unit which would measure just over 6 metres in height above ground level. The advertisement itself would be about 3 metres high by 6 metres wide, would include LED illumination and would be positioned in very close proximity to one of the main elevations of Albion Mills. It would be positioned just below the eaves of the adjacent metal clad appeal building and would be next to the A641 Manchester Road dual carriageway, a busy thoroughfare leading into the city.
5. The proposal would be highly visible from Manchester Road. Owing to its substantial scale, position, overall height and use of illuminated colours, the advertisement would have a dominating and intrusive impact when viewed

from Manchester Road. I accept that the nearby road bridge and bus shelters are finished in a bright red colour, but these act as deliberately planned focal/gateway features with the surrounding buildings, including Albion Mills, having more muted tones. The advertisement would be seen in stark contrast to the colour of the Albion Mills complex of buildings which includes a mixture of natural stone buildings and a mainly green metal clad unit. Given its overall size, the advertisement would dominate and visually compete with the adjacent metal clad building.

6. I do acknowledge that there is a similar free-standing illuminated advertisement on the other side of the appeal building. Indeed, this is visible to those travelling up Manchester Road. However, this advertisement is angled away from surrounding buildings and is much lower in height than the wall of the building to the rear. In any event, I have determined the subject appeal on its individual planning merits and primarily in terms of its effect when viewed by those travelling down Manchester Road.
7. The appellant considers that the appeal should be allowed as it would enable the removal of existing "*poorly maintained occupier signage on gable elevations*" and the refurbishment of the "*metal cladding on the gable elevations with 'steelseal' coatings*". The appellant states that unless the appeal is allowed these changes would not happen, as additional revenue would be needed to fund such works in what is a "*challenging and changing business environment*".
8. The appellant has not provided me with any detailed evidence to substantiate the claim that there would be no funds available to undertake all of the above works unless this appeal is allowed. In any event, whilst the above works would lead to some improvement in the appearance of the building, on balance this would not justify allowing an advertisement which would cause significant harm to the amenity of the area. In addition, I do accept that the Council has approved other 48 sheet digital advertisements elsewhere in the area (e.g. 495 Otley Road), but I am not bound by such decisions and, in any event, I have determined this appeal on its individual planning merits and in the context of immediate environmental conditions.
9. For the collective reasons outlined above, I conclude that the proposed advertisement would cause significant harm to the amenity of the area. Therefore, it would not accord with Policies DS1 and DS3 of the Bradford Core Strategy Development Plan Document 2017 and chapter 12 of the National Planning Policy Framework 2019 which collectively seek to achieve high quality places. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR