



Appeal Decision

Site visit made on 16 June 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 July 2020

Appeal Ref: APP/W4705/Z/20/3245254
780 Manchester Road, Bradford BD5 7QP

- 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 Poster Property Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 19/04220/ADV, dated 4 October 2019, was refused by notice dated 3 December 2019.
 - The advertisement proposed is upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is allowed, and express consent is granted for the display of an upgrade of existing 48 sheet advert to support digital poster as applied for. 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 advertisement display hereby approved shall operate at an illumination level no greater than 300 cd/m². The luminance level of the display shall be controlled to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at no more than 300cd/m² above ambient level.
 - 2) The LED display hereby approved shall include static images only. The interval between successive images shall be 0.1 seconds or less and the complete screen shall change. There shall be no visual effects between successive images and the display shall include a mechanism to freeze or turn off the screen in the event of a malfunction. Each image shall be displayed for at least 10 seconds. Message sequencing or interactive messages shall not be used.

Procedural Matters

2. The appellant submitted an amended application form to reflect a change in the appellant's name. Whilst I have been provided with part of the amended application form the description and declaration are part of the superseded application form. I have taken the description and declaration date from the superseded application form and determined the appeal accordingly.
3. The application form and covering letter identify the address of the appeal site as per the banner heading. The drawings indicate that the address is no 778. The appellant has confirmed that the address is as per the application form and

banner heading. I am satisfied that the site location plan illustrates the location of the development correctly.

4. The Regulations¹ require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance reiterate this approach. Therefore, while I have taken account of the policies and guidelines that the Council consider to be relevant, these have not been decisive in my determination of this appeal.

Main Issue

5. The main issue is the effect of the advertisement on the amenity of the area.

Reasons

6. Manchester Road is a dual carriage way with a central reservation, as such it is a wide busy road that dominates the frontage of the appeal site. The area around the appeal site is characterised by a mix of uses. There are also a variety of building types within the street. The existing signage reflects the variety of uses and the design of buildings.
7. When travelling north the appeal site is preceded by a mainly stone-built parade of shops, with signage above ground floor shop frontages, and a short terrace of modern residential properties facing Manchester Road. Immediately adjacent to the appeal site, and to the opposite side of Manchester Road, development is mainly commercial in nature. Here the commercial backdrop, the wide road and associated infrastructure, such as lighting and safety barriers, influence the appearance of the area.
8. The existing hoarding is displayed on the side elevation of a small scale pitched, hip roofed, stone property set forward and at right angles to a brick-built office building. A vehicular access is located between the two structures. The existing hoarding projects above the building's eaves line. It extends along the elevation facing the office car park, slightly overlapping with the side elevation of the office building adjacent to the gated vehicular entrance. As a consequence of the juxtaposition between buildings the existing signage is prominent in its immediate context but not significant in the wider environment.
9. The proposed digital advertisement would be a similar size to the sign it replaces, projecting above eaves level and being slightly obscured in certain views behind the adjacent office building. The introduction of illumination, sequential digital images and the more bulky and robust design of the digital display structure would be somewhat more prominent in its immediate setting than the sign it replaces. However, despite its purpose, I consider that the digital advertisement, as a replacement of an existing similarly placed sign, would not be a significant feature within the street. Its prominence is reduced by its immediate surroundings as well as the range of street furniture adjacent to the site. Consequently, I do not find that the proposed digital advertisement would be obtrusive.
10. Further, the contrast between the existing non illuminated signage and the proposed illumination would be limited in the evening and hours of darkness

¹ Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

given the illumination from the highway, subject to the level of illumination being controlled by condition.

11. I acknowledge that the Council have been working to improve main gateways/corridors into the city centre such as Manchester Road and indicate that they have secured the removal of a number of display panels. However, for the reasons set out, I do not consider that the digital advertisement would detract from its immediate setting; nor would it add to the level of signage within the area given the existing signage at the site.
12. I have had regard to Policies DS1 and DS3 of the Local Plan for the Bradford District, Core Strategy Development Plan Document adopted July 2017 which require that decisions contribute to achieving high quality places. However, I find that the proposed digital advertisement would not have an unacceptable effect on amenity. Nor do I find conflict with the National Planning Policy Framework in so far as it relates to the design of advertisements.

Other Matters

13. The Council do not object to the siting of the advertisement on public safety grounds subject to conditions and I see no reason to disagree.

Conditions

14. The conditions suggested by the appellant and the Council are generally consistent with each other and I have considered these. Firstly, the advertisement should operate at an illumination level no greater than 300cd/square metre in the interests of amenity. The appellant has not raised any concerns about the Council's proposed wording for this condition and I find it necessary to be prescriptive about the day light illumination because of the proximity to adjacent buildings. I also consider it necessary in the interests of visual amenity to impose a condition that controls the display. The display shall not change at a frequency of more than once every 10 seconds, use message sequencing or display interactive messages, that there should be no special effects of any kind and that the interval between successive displays should be instantaneous

Conclusion

15. For the reasons given above, the appeal is allowed.

Diane Cragg

INSPECTOR