



Appeal Decision

Site visit made on 27 July 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2020

Appeal Ref: APP/W4705/Z/20/3252753

59 Duckworth Lane, Bradford BD9 5EU

- 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 Clear Channel against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/00338/ADV, dated 17 January 2020, was refused by notice dated 31 March 2020.
 - The advertisement proposed is upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on visual amenity.

Reasons

3. The appeal site is located on the gable wall of a property at a junction between a commercial area on Duckworth Lane and the residential street of Washington Street.
4. The proposal would be readily visible in views from the mixed use streetscape of Duckworth Lane. Although there are numerous signs associated with commercial uses in this area, these are of a form appropriate to the individual businesses and there are no digital signs of the scale of the proposal. Even within this context, the existing sign appears as an incongruous and dominant feature on the elevation of the building and does not sit comfortably in relation to features such as the windows and drainpipe.
5. I also saw that the site is prominent in views along the residential street of Washington Street and would be visible in views from nearby dwellings. The appellant questions the use of the upper floor windows of properties opposite the sign. However, even if the properties directly opposite are not in residential use this does not lead me to a different conclusion in respect of the prominence of the site in views from Washington Street.
6. The proposed digital poster would be in the same position and of broadly the same dimensions as the advertisement that it would replace. However, the illumination resulting from the digital display and the frequent change in

- images would lead to a materially different appearance compared to the extant non-illuminated hoarding. As a result, the prominence of the advertisement would be exacerbated by the digital display and luminance, as well as the changing nature of the images.
7. The nature of the display would draw the eye and would be far more noticeable than the current paper and paste display. This would particularly be the case during the hours of darkness when it would become a dominant feature in an area that currently lacks this type of advertisement. I consider that this would be an obtrusive and discordant feature within the streetscape and in views from residential properties, even allowing for the mixed use nature of the area and the extent of lighting.
 8. A number of conditions have been suggested in respect of the display, including levels of luminance. I am also mindful that the sign would display only static images. However, even with regard to those matters I consider that the digital display would be more obtrusive than the extant sign.
 9. The appellant emphasises that the existing sign has been in place for some time and that no action has been taken to ensure removal. However, whilst I have had regard to the visual characteristics of the extant sign, this does not negate my concerns in respect to the harm arising from the change in the nature of the display.
 10. I am mindful that the proposal would have benefits in terms of maintenance, reducing vehicle trips and waste as well as the energy efficiency of the form of display. I acknowledge that the sign could be used to display public art and messages beneficial to the community, but there is no certainty that this would occur. The proposal may also lead to an increase in business rates submitted to the Council. However, I consider that these benefits as a whole would be limited and would not outweigh the significant harm to amenity arising from the nature of the proposed display.
 11. I conclude that the proposal, due to its design and prominence in the street scene, would lead to significant harm to the visual amenity of the area.
 12. Consequently, the proposal would conflict with the design requirements of Policies DS1 and DS3 of the Council's Core Strategy 2017. The proposal would also be contrary to the National Planning Policy Framework which advises that the quality and character of places can suffer when advertisements are poorly sited and designed. However, the Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken these policies into account, they have not been a decisive consideration in my determination of the appeal.
 13. For the reasons given above I conclude that the appeal should be dismissed.

David Cross

INSPECTOR