



Appeal Decision

Site visit made on 8 September 2020

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2020

Appeal Ref: APP/W4705/Z/20/3254633
800 Harrogate Road, Bradford BD10 0QS

- 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 Bartle (Straight Life Ltd) against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/00813/ADV, dated 24 February 2020, was refused by notice dated 27 April 2020.
 - The advertisement proposed is illuminated hoarding to the south elevation of 800 Harrogate Road.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has proposed an amendment to the illumination levels of the advertisement as part of their appeal case. The amendment notably alters the form of the development and those who may wish to comment have not had the opportunity to do so. If I were to determine the appeal based on the proposed amendments, it is possible that the interests of parties who might wish to comment would be prejudiced. I have therefore determined the appeal based on the original submission.

Main Issues

3. The main issues are the effect of the advertisement on the amenity of the area and public safety.

Reasons

Amenity

4. The appeal building occupies a corner location at the junction of Harrogate Road and the A657. It is part of a cluster of mainly commercial buildings located close to the road junction. The signage in the area reflects the variety of commercial uses and includes a number of freestanding totem signs and a digital sign attached to the bus shelter outside the appeal site. In the wider area, on the approach to the appeal site broadly from the south, development is a mix of commercial and residential development, set back from the road frontage and bordered by mature landscaping.
5. The appeal building is a substantial mainly stone constructed property. Its side elevation is a significant depth and is painted. There is an existing sign on the

- side elevation at ground floor level and a prominent external staircase leading to a first-floor doorway.
6. The side elevation of the appeal building is located adjacent to a car park area so that on the approach to the site from the south along Harrogate Road it is prominent even at some considerable distance. The proposed digital advertisement would be displayed above the existing sign. It would measure approximately 2.56 m by 7.68 m displayed in a landscape orientation. Its location, size and design would give it a strong presence in the street scene and together with the ground floor signage, obscure a good proportion of the flank wall of the building.
 7. The scale and prominent location of the proposed digital advertisement would be accentuated by its illumination and the display of sequential images. The digital advertisement displayed on the bus shelter is at ground floor level and because of its size and siting has limited visibility in the street scene. Whereas, the digital illumination of the appeal proposal would result in a visually incongruous feature that would stand out from the other, more modest, advertisements in the area, dominate the street scene and be visible for some considerable distance along the road. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating its visual prominence and harmful effect on the amenity of the area. Even if the brightness and the frequency of the advertisement were to be controlled by planning conditions, I consider that the form of the illumination and the intermittent display would be obtrusive.
 8. I note the details of the previous hoarding sign, but this appears to have been non-illuminated, which would be markedly less prominent in the street scene. In any case the previous hoarding has been removed from the site.
 9. I have considered the details of the recently allowed digital advertisement at the Peel Centre. However, I find the context of the Peel Centre, in terms of approach roads and building designs, to be considerably different and therefore the decision at the Peel Centre has limited relevance to the appeal scheme.
 10. The Greengate War Memorial is located to the north of the site beyond the signalised road junction. The statutory duty under section 66(1) of the Act only applies to the consideration of whether to grant planning permission. Nevertheless, factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Therefore, as the Planning Practice Guidance (PPG) explains, if the locality where an advertisement is to be displayed has important scenic, historic, architectural or cultural features, consideration should be given to whether it is in scale and in keeping with those features.
 11. The war memorial is beyond the junction on the opposite side of the road to the appeal site. I observed during my site visit that the busy road junction is a significant visual barrier to the connection between the war memorial and the flank wall of the building and I do not consider that the advertisement would detract from its setting.
 12. Notwithstanding this, overall, I conclude that the proposed advertisement would be harmful to visual amenity. Consequently, and although not determinative in my decision, it would conflict with the aims of Policies DS1 and

DS3 of the Bradford District Core Strategy Development Plan Document (Core Strategy) which seeks good quality design.

13. However, for the reasons set out above, I find limited conflict with Policy EN3 of the Core Strategy in so far as it seeks to protect the setting of listed buildings.

Public Safety

14. The proposal is located before the road junction. It would be visible to north bound drivers only. I concur with the appellant that it is possible that drivers' attention would be drawn to the advert, but the location is visible for a considerable distance so as not to create a last-minute distraction. Notwithstanding this, the proposed illumination levels indicated in the application form would appear dazzling later in the evening and at night. This would be a distraction to drivers at these times.
15. I acknowledge that a reduction of the illumination levels could mitigate these concerns and it appears based on the evidence before me that the appellant would be willing to accept a condition to reduce the illumination. Nevertheless, based on the details within the application I consider that the level of illumination would be dazzling and a distraction to drivers that would be a public safety hazard.

Conclusion

16. For the reasons given above, the appeal is dismissed.

Diane Cragg

INSPECTOR