
Appeal Decision

Site visit made on 4 November 2020

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th November 2020

Appeal Ref: APP/J2373/Z/20/3258024

9-17 Bloomfield Road, Blackpool FY1 6DH

- 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 Alright Media against the decision of Blackpool Borough Council.
 - The application Ref 20/0353, dated 18 June 2020, was refused by notice dated 18 August 2020.
 - The advertisement proposed is a new single illuminated 48-sheet digital advertisement display.
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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.

Main Issues

3. The main issues are the effect of the proposal on (i) the amenity of the area and (ii) public safety.

Reasons

Amenity

4. The illuminated advertisement would include changing images (minimum display time of 10 seconds), measure about 3 metres x 6 metres and be positioned on the upper section of the gable elevation of No 9-17 Bloomfield Road which is a commercial building. Whilst the gable elevation of this building does face towards a commercial area, it is nonetheless seen by those travelling in a westerly direction along Bloomfield Road against the muted tones of the mainly blank gable elevations of the adjacent residential terraces.
5. I acknowledge that the appellant has made some changes to the original submitted drawings and that the proposed advertisement would now be positioned further away from the top of the gable wall. Notwithstanding this, the illuminated advertisement would be positioned in very close proximity to

the edges of the building thereby appearing cramped and squeezed on this prominent elevation. This harm would be particularly apparent to passers-by in the context of the appeal gable elevation being seen against the mainly unbroken and simple gable elevations afforded to the adjacent terrace of residential properties. Whilst the advertisement may not be on the skyline, for the reasons outlined above it would fail to appear subordinate in scale to the elevation to which it would be attached: it would be too wide and hence would appear cramped and detract from the appearance of the building in the context of the immediate area.

6. In reaching the above view, I note the appellant's comment that in terms of size, the proposed advertisement would be to the "industry standard". Hence, the appellant comments that this is why it cannot be made smaller. That may be the case, but the required "industry standard" does not in itself justify allowing an advertisement which would represent poor design and hence cause significant harm to the amenity of the area. There may be some paint that is flaking off the gable elevation of the building and some graffiti. However, I have not been provided with a good reason as to why the wall could not be maintained now and without the need to grant advertisement consent.
7. I have also taken into account the references to other advertisements which have been allowed in Blackpool. However, and on the basis of the available evidence, I do not find this proposal to be directly analogous. Such advertisement approvals were in the context that there were similarly sized advertisements that already existed on such buildings. In addition, the site conditions and surrounding areas are not directly comparable. In any event, and as referenced in paragraph 3.5 of the appellant's statement, it has been necessary for me to determine this appeal on its own merits.
8. For the above reasons, I conclude that the proposal would have a significantly adverse effect of the amenity of the area. To this extent, it would not accord with the amenity/design requirements of policy CS7 of the Blackpool Core Strategy 2016; saved policies LQ1 and LQ13 of the Blackpool Local Plan 2006 (LP); the Council's Signage SPD 2018 and paragraph 132 of the National Planning Policy Framework (the Framework).

Public Safety

9. The gable elevation of the appeal building is about 30 metres from a pelican pedestrian crossing on Bloomfield Road and is approximately 70 metres from the traffic light junction of Seaside Way and Bloomfield Way. I acknowledge the objection from the Highway Authority, but the illuminated advertisement would be seen from the latter junction from peripheral view only and at some distance. In this context, I find that even the most inattentive driver would be unlikely to be significantly distracted by the advertisement panel when approaching this junction.
10. Bloomfield Road is relatively straight and is restricted to 30mph. The advertisement would be positioned at a high level and well above the pelican pedestrian crossing lights. In this case, and subject to the appellant's suggested conditions, I am satisfied that the proposed advertisement would not represent a significant distraction to motorists in respect of pelican crossing activity.

11. I therefore conclude that the advertisement would not lead to any unacceptable impacts on highway safety and, in particular, the evidence is such that I do not envisage that it would lead to rear-end shunts as indicated by the Highway Authority. Consequently, the proposal would accord with the public/highway safety requirements of Policy AS1 of the LP and paragraph 109 of the Framework.

Other Matters

12. I recognise that the advertisement would have some positive economic impacts. However, this does not alter or outweigh my overall conclusion on the main issues.

Conclusion

13. Whilst the advertisement would not have an unacceptable impact on public safety, significant harm would be caused to the amenity of the area. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR