
Appeal Decision

Site visit made on 30 November 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th December 2020

Appeal Ref: APP/W4705/Z/20/3260063

Advertising Right 900 On Gable Of 4 New Hey Road, Bradford BD4 7HY

- 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 Urban and Provincial Outdoor Advertising Limited against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/02267/ADV, dated 15 May 2020, was refused by notice dated 7 August 2020.
 - The advertisement proposed is a 48 sheet digital poster board on gable wall with associated logo box.
-

Decision

1. The appeal is allowed and express consent is granted for a 48 sheet digital poster board on gable wall with associated logo box. 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:
 - The intensity of luminance of the advertisement shall be no greater than 300 candela per square metre during the hours of darkness;
 - No individual advertisements displayed on the panels shall contain moving images, animation, video, full motion images, or images that resemble road signs or traffic signs;
 - The interval between successive displays shall be instantaneous (1 second or less) with no flashing and a smooth instant change onto the next static poster image and the complete screen shall change, there shall be no visual effects including swiping or other animated transition methods between successive displays; and
 - The sequential advertisement on any display panel shall not change more than once every ten seconds.

Procedural Matter

2. The Council has drawn my attention to Local Plan Policy it considers to be relevant to this appeal and I have taken it 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 Issue

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

Reasons

4. The digital poster board would be positioned on the gable end of the host property. It would therefore relate primarily to the broadly commercial character of the main A650 Wakefield Road which runs to the east of the site rather than the more residential New Hey Road. Rather than being viewed against a muted backdrop, it would be viewed within the context of existing prominent fascia signage on the front elevations of the commercial units immediately to the north and in some views within the context of illuminated fascia signage of adjacent commercial property fronting New Hey Road.
5. While the advertisement would be widely visible, it would not appear excessive in size when positioned on the gable end, being set well in from the front and rear elevation. It would be positioned at a low level on the elevation beneath an existing first floor window. It would therefore have a proportionate and balanced appearance when viewed against the building.
6. I do not therefore consider that the proposal would result in any unacceptable impact on the visual amenity of the area as a result of its scale, siting or illumination.
7. Subject to the imposition of a number of conditions, I am satisfied that the advertisement would cause no harm to the visual amenity of the area and would be acceptable in terms of public safety. It would therefore accord with the amenity and public safety aims of Policies DS1 and DS3 of the Core Strategy Development Plan Document (2017). It would also comply with the provisions of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed. This would not be the case in relation to this proposal.

Other Matters

8. No harm has been identified to the setting of the Grade II listed Church of St John which is located on the other side of the A650. I have no reason to disagree.

Conditions

9. In addition to the five standard conditions set out in the Advertisement Regulations some further conditions are necessary. These are closely based on those suggested by the parties. They prohibit moving images, and regulate the frequency of image changes and the level of illumination in the interests of highway safety and visual amenity.

Conclusion

10. For the reasons above, the appeal should be allowed.

T J Burnham

INSPECTOR