



Appeal Decision

Site visit made on 14 October 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/W4705/Z/20/3244916

Thorite House, Chapman Street, Bradford BD4 8BZ

- 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 Rob Smith, Alight Media Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 19/04268/ADV, dated 12 October 2019, was refused by notice dated 4 December 2019.
 - The advertisement proposed is 1 x 48 sheet gable mounted digital advertising display unit.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Regulations, the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Main Issue

3. The main issue in this case is the effect of the proposed advertisement on the amenity of the area.

Reasons

4. Set in a mixed but predominantly commercial area, the appeal property is a prominent stone building of a substantial scale in relation to the surrounding built environment.
5. The advertisement subject of this appeal is a single digital (therefore internally illuminated) 48 sheet hoarding measuring approximately 6.5m by 3.5m, to be erected at a high level on the gable elevation of the building facing north alongside Sticker Lane.
6. The appellant's appeal statement acknowledges that "the proposed display is large" but also states that the proposed signage would "cover less than approximately 30% of the upper part of the gable area". Nonetheless, the combination of the size and positioning of the sign, high up the building gable, greatly increases its visibility as does the use of illumination and materials that

contrast with the appeal property. Furthermore, the internal illumination of the sign at night would greatly increase this prominence.

7. The street scene in the vicinity of the site does contain some signage. At the site visit I saw signage at nearby commercial and industrial premises. I observed that the scale of these advertisements generally related well to the scale and use of the respective buildings at that there was often a clear relation in the colours of the signs and the buildings. The signage in the area is otherwise generally of a more modest form. As such these signs do not set a precedent for that proposed here.
8. I note that the site previously accommodated a large and externally illuminated sign, but that this was removed a number of years ago.
9. The appellant has provided some limited details of other digital displays, the existence of these decisions does not persuade me as to the acceptability of the advertisement subject of this appeal which in any event I have determined on its own merits.
10. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.
11. The Council has referred to policies from the Core Strategy Development Plan Document (the CS). In particular, I have taken into account Policies DS1 and DS3 of the CS. These seek to protect amenity and so are material in this case. I have also had regard to the Framework, which seeks to prevent the negative impact of poorly placed advertisements. Although these are not determinative, they are factors that carry some weight.
12. For the reasons outlined above, I conclude that the advertisement has a significant detrimental impact on the visual amenity of the appeal site and surrounding area. Therefore, there is conflict with Policies DS1 and DS3 of the CS. The proposal also fails to accord with the relevant aspects of the Framework.

Conclusion

13. For the reasons detailed above, I conclude that the advertisement has a significant detrimental impact on the visual amenity of the appeal site and surrounding area.

Mark Brooker

INSPECTOR