



Appeal Decision

Site Visit made on 22 February 2021

by Alison Partington BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2021

Appeal Ref: APP/W4705/Z/20/3264736

Wakefield Road, Bradford, BD4 8QR

- 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 Air Outdoor Media Limited against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/04440/ADV, dated 17 September 2020, was refused by notice dated 20 November 2020.
 - The advertisement proposed is the removal of 96 sheet advertisement and erection of replacement 48 sheet advertisement with upgrade to support digital poster.
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the standard conditions set out in the regulations and the following additional condition:
 - 1) The LED digital display panel hereby approved shall be displayed only in accordance with the following:
 - a) The intensity of luminance of the advertisement shall be no greater than 300cd/m² during the hours of darkness;
 - b) No individual advertisement displayed on the LED panels shall contain moving images, animation, video or full motion images or any images that resemble road signs or traffic signals;
 - c) No individual advertisements shall be displayed for a duration of less than 10 seconds; and
 - d) 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.

Procedural Matter

2. It is disputed between the parties whether the current advertisement on the site has deemed consent or not. This is a matter between the appellant and the Council and ultimately one for the Courts to determine. I have determined the appeal on its individual merits in the light of the prevailing circumstances. The decision on the appeal does not affect any 'deemed consent' rights which may apply to the current display.

Main Issue

3. The main issue in the appeal is the visual impact of the proposed advertisement on the surrounding area.

Reasons

4. Wakefield Road is a busy dual carriageway that is a main arterial road into and out of Bradford city centre. Although located adjacent to the carriageway leading out of the city, the display would be visible to traffic going into the centre. In such views it would be seen in the context of the large commercial premises to the rear of the site. Given the size of this building, the scale and mass of the advertisement, which would be considerably less than the hoarding that is currently on the site, would not appear excessive. The height of the display would also be comparable to the building at the rear.
5. Although to the south of the site Wakefield Road starts to become more residential, at this point it is largely commercial in nature. As such, whilst the premises to the rear only has quite discrete non-illuminated signage, large fascia signs are common and many of these are externally illuminated. Given this, I am not persuaded that the area has a dull muted appearance.
6. The internal illumination of the proposed display would make it more noticeable than the current hoarding. However, in the context of a well-lit road, and commercial properties with illuminated signage, the appeal proposal would not appear unduly prominent or out of keeping.
7. Thus, even though free-standing advertisements are not common in the area, I do not consider that the position, height, scale or illumination of the proposal would result in it being detrimental to the visual amenity of the area.
8. I have taken account of Policy DS1 and DS3 of the Bradford Core Strategy Development Plan Document (adopted July 2017) which seek to protect visual amenity and so are material to the case. Given I have concluded that the proposal would not harm amenity it does not conflict with these policies.

Conclusion and Conditions

9. For the reasons set out above, the advertisement would not harm the visual amenity of the surrounding area and so the appeal should be allowed.
10. As well as the standard conditions for advertisements, in the interests of highway safety and visual amenity conditions are required: to prevent the display of any advertisements that depict any images that resemble road signs or traffic signals and moving images; to ensure a smooth transition between images and the length of time images are displayed; and to restrict the levels of luminance during hours of darkness.

Alison Partington

INSPECTOR