
Appeal Decision

Site visit made on 5 July 2021

by **S Dean MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 August 2021

Appeal Ref: APP/W4705/Z/21/3272234

Land at 257 South Street, Keighley, West Yorkshire, BD21 1AG

- 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 Advertising Limited against the decision of the City of Bradford Metropolitan District Council.
 - The application Ref 20/05653/ADV, dated 13 November 2020, was refused by notice dated 4 February 2021.
 - The advertisement proposed is the “upgrade of existing 48 sheet advert to support digital poster”.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the amenity of the area and on public safety.

Reasons

3. The appeal site is at the well-used, signal-controlled junction of Woodhouse Road and South Street, and the appeal proposes to replace an existing externally-illuminated 48-sheet advertisement with a digital poster. In addition to the junction itself, there are also a number of businesses and their accesses close to the site which could increase the level of activity around it, as well as advanced stop-lines for cyclists, pedestrian crossings, bus stops on both sides of the road and on-street parking. Given the predominance of stone used in the buildings and boundaries around the site, and the overhanging trees and vegetation, the site and its surroundings, including the Grade II listed Knowle Mill have a relatively subdued appearance.

Amenity

4. I accept that there have been two externally illuminated advertisements on this site for a number of years and that one would be removed as a result of this proposal. However, as the proposed advertisement would be substantially brighter and clearer than the existing, I consider that it would appear jarringly bright and intrusive, given the established character and appearance of the area. I do not consider that the various illuminated or illuminating street furniture, or indeed the signage for surrounding businesses have similar effects to the appeal proposal, given their relative scale and nature.

5. I therefore find that the proposal would harm the amenity of the area. In reaching this conclusion, I have paid special regard to the desirability of preserving the setting of the nearby listed building, in accordance with the statutory duty set out in Section 66(1) of the Act.
6. I have taken into account policies DS1 and DS3 of the Local Plan for the Bradford District Core Strategy Development Plan Document which seek to protect amenity through good design and regard for the urban character of the site and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Public safety

7. Although the existing advertisement is externally illuminated, the proposed replacement would be brighter and clearer than the existing, making it much more prominent, particularly when levels of illumination and the displayed advertisement change.
8. I note the content of the Vectos report on the Public Safety Considerations of illuminated advertisements, and in particular, the evidence around the time-period for changing the advertisement displayed. Whilst the report is clear on the reasoning for the time-period chosen, and I have no reason to doubt its conclusions or that ten seconds is a typical changeover rate, the data which supports these conclusions appears to be based on the moving speed of a vehicle. As noted above, the appeal site is adjacent to a signal-controlled junction, where drivers are reasonably likely to spend more than ten seconds, depending on the phase of the lights, time of day, level of traffic and use of the surrounding road features.
9. Given this and the context, level and variety of activity around the site do I consider that there is sufficient evidence before me to support the suggestion that this particular junction, even being signal controlled, places such a low cognitive demand on drivers, that the proposed advertisement would not affect public safety. As a result, I therefore find that the proposal could distract drivers, and would therefore be harmful to public safety.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

S Dean

INSPECTOR