
Appeal Decision

Site Visit made on 12 October 2021

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2022

Appeal Ref: APP/W4705/Z/21/3278739

Sun Hotel, 124 Sunbridge Road, Bradford BD1 2ND

- 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 Ms Sumi Kukreja of Kings Solicitors against the decision of City of Bradford Metropolitan District Council.
 - The application Ref: 21/01004/ADV, dated 25 February 2021, was refused by notice dated 20 May 2021.
 - The advertisement proposed is described as: 1 x non-illuminated advertisement banner, measuring 6m x 6m and made from micromesh weave PVC.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed advertisement was in place and being displayed at the time of my site visit and I was able to see it in context with the surrounding area.
3. As the appeal site is within a conservation area, I have had special regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

4. The main issue in this appeal is the effect of the proposed advertisement on visual amenity, with particular regard to the Goitside Conservation Area.

Reasons

5. Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out that control over the display of advertisements shall be exercised in the interests of amenity and public safety. In this case, the Council has not raised any concerns in respect of public safety. From what I have read in the evidence provided by the parties and from what I saw when I visited the site, I have no reason to find otherwise.
6. The proposed advertisement would be displayed on the gable wall of a three storey building on Sunbridge Road. It would be a large, banner style, advertisement measuring 6 metres by six metres with the base of the advertisement 5 metres above ground level. The top of the advertisement would be level with the eaves of the building's roof.
7. Sunbridge Road is a wide, principal, road on the periphery of Bradford City Centre. The appeal site is located within the Goitside Conservation Area. The

conservation area contains a large number of former textile mills, warehouses and other buildings associated with the textile trade, some of which are vacant and falling into disrepair whilst others have been repurposed for residential, office or small business use. There are a small number of modern interventions into the older urban fabric including a large, modern, multilevel car park located to the south side of Sunbridge Road, and some modern housing in the northern part of the conservation area. There are also a number of cleared sites where buildings have been demolished. One such site is immediately adjacent to the appeal site. The evidence indicates that this was formerly occupied by a mill building. This site is currently enclosed by steel palisade fencing and is in use as a car park. Opposite this, on the south side of Sunbridge Road, is a further large, cleared site bounded by a stone wall where it adjoins the main road. The size and design of the former industrial buildings creates a distinctive visual character due to these buildings having a regular and repeating pattern of fenestration, largely rectangular in format, articulating the facades. This effect is amplified by the scale of the buildings. This grid-like appearance is also echoed in the exposed frame of the much more recent multi-level car park.

8. To the east of the appeal site, closer to the city centre are smaller, but still substantial, buildings in a mix of uses, often with shop fronts and fascia signage at ground floor level.
9. I accept that the car park use adjacent to the appeal site has a negative effect on the character and appearance of the conservation area as noted by both parties. I observed when I visited the site that there are a number of ad hoc signs attached to the fence around this and also on a stone wall around a yard area to the west that is also used as car parking. Elsewhere, particularly closer to the city centre, there were other ad-hoc advertisements attached to buildings and railings.
10. The gable elevation of the host building is stepped, with the section closest to Sunbridge Road set forward of the rear section. Whilst this is apparent in very close range views, in all other views, due to the presence of light coloured paint on the brickwork of both sections, the gable is perceived as a single plane.
11. The proposed banner advertisement would not obscure or cut across any significant features of the building. However, the positioning of the top of the advertisement, level with the eaves of the roof, leads to a visually awkward intersection of the angled roof plane juxtaposed with the horizontal top of the advertisement. This is exacerbated by the square format of the banner which conflicts with the visual proportions of the gable end. Whilst the banner has obviously been sized to fit the projection section of the gable, this is only apparent close to and in kinetic views, moving around the area, the shape and position of the banner fail to integrate it with the perceived built form of the host building. The shape and position of the banner is also inconsistent with the strongly characteristic regular grid formed by building elements surrounding it.
12. The gable wall of the public house shows evidence of a building that was formerly attached to it through painted brickwork and the outline of roofs, walls, and floors that once adjoined it. Although the banner advert would partially cover some of this, I saw when I visited the site that it by no means covers all of it and, indeed, adds a further discordant element to this elevation of the building. Consequently, I would disagree with the assertion that the proposed banner would improve the appearance of this elevation. There is also no

substantive evidence that without the banner display this elevation would further deteriorate.

13. The Planning Practice Guidance recognises that large scale advertisements may be accepted in an industrial or commercial area in a major city where there are large buildings and main highways. However, this is in the context of having to consider the local characteristics of the neighbourhood. Whilst the area around the appeal site clearly has an industrial past, from what I saw when I visited the site it is no longer a purely commercial area as several of the former industrial buildings have been re-purposed to residential accommodation. The area, consequently, has a more mixed character. The historic environment must also be considered, and I note from the appellant's Heritage Impact Statement that many of the nearby buildings are noted as either listed or as "key unlisted buildings". The host property is identified as within the latter category. As set out above, the size and positioning of the proposed banner advert would have a detrimental effect on the appearance of this key unlisted building.
14. Whilst there was clearly advertising present in the immediately surrounding area, this is primarily concentrated closer to the city centre and outside the boundary of the Goitside Conservation Area. When I visited the site, I observed that the incidence of advertising on buildings reduced considerably within the conservation area boundary. In addition, I did not observe any other advertisements of a similar scale to the appeal proposal either within the Goitside Conservation Area or in the adjoining streets. Conservation areas can, and do, cover commercial areas, and have a commercial character, and within such areas advertising is obviously necessary. Nonetheless, this does not mean all advertisements are acceptable and proposals must have regard to their context, including the historic environment.
15. I did see that there were a number of ad-hoc advertisements attached to the palisade fence around the adjacent car park and attached to the walled yard to the west of the appeal site that is also used for car parking. I do not have any information regarding the status of these advertisements; however, they did add an element of visual clutter to the street scene and did not make a positive contribution to the character and appearance of the area. Whilst I would agree that the car park has a negative effect on the conservation area, I do not consider that this, or its associated advertising provides justification for a further advertisement that would exacerbate this already negative effect. In addition, the large open site next to the advertisement would serve to increase its visual prominence.
16. My attention has been drawn to two other examples of banner advertisements, one of which is in also in Bradford on a site at Well Street in the city centre. From the limited information provided this was large banner of a greater size than the appeal proposal. The provided image and drawing show that when seen in context, whilst the banner obscures two floors across an entire elevation of the building, it nevertheless respects the scale and proportions of the building and has been positioned centrally within the façade with two clear floors of the building visible above it. Although it is also within a conservation area, the context appears very different with the street scene being more enclosed and only oblique views being achieved from further away. As such I do not consider that this is directly comparable to the proposal before me.

17. I have also noted the example cited in Leeds. It is not clear from the image provided, but this appears to show that the advertisement display has been conceived in such a way as to visually integrate the large banner with the built form of the building gable. No such approach is taken with the appeal proposal.
18. I have had regard to the further example located in Haworth, but very little information has been provided in respect of this. The submitted image shows that this banner would be attached to a temporary scaffold rather than to the building itself.
19. I do not find that the above examples provide a compelling precedent for the appeal proposal. In any event, each application must be considered on its own merits.
20. Drawing these strands together, I find that the proposed banner advertisement would be harmful to visual amenity and, consequently, would not preserve or enhance the character or appearance of the conservation area. This harm would largely be localised to the vicinity of the appeal site, although as the appeal site is located on a busy principal route through the area it would be highly noticeable. I find that the harm in this case would be less than substantial but, nevertheless, of considerable importance and weight.
21. As the appeal relates to an application for advertisement consent and control is only exercised in the interests of amenity and public safety, the policy Paragraphs 197 to 202 of the Framework does not need to be considered.
22. I therefore conclude that the proposed banner advertisement would cause harm to the visual amenity of the area and to the character and appearance of the Goitside Conservation Area.
23. I have taken into account policies DS3, EN3, SC1 and SC9 of the Bradford Core Strategy Development Plan Document 2017 which when read together, seek, among other matters, to protect amenity; achieve a high standard of design that is appropriate to its context; and to preserve heritage assets, especially the nationally important industrial heritage relating to the textile industry; and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Other Matters

24. I have noted that the application only sought consent for a period of 12 months. However, the proposal would cause harm to visual amenity and to a designated heritage asset, and that harm would endure for the entire period of the display. As such, I do not consider that it would be appropriate to allow the advertisement even for a limited time period.

Conclusion

25. For the above reasons, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR