



Appeal Decision

Site visit made on 23 March 2022

by M Clowes BA (Hons) MCD PGCERT (Arch con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2022

Appeal Ref: APP/W4705/Z/22/3290817

Westgate House, Ground Floor, 12 New John Street, Bradford BD1 2QY

- 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 Expert Medicals Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/05006/ADV, dated 30 September 2021, was refused by notice dated 25 November 2021.
 - The advertisement proposed is described as 'installation of 4 x non illuminated advertisement banners of various dimensions and made from micromesh weave PVC.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Regulations and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst the Council has drawn my attention to the policies it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policies have not, by themselves, been decisive.
3. At my site visit, I saw that advertisement banners A, B and D were already being displayed on the appeal building. I also recognised that the submitted plan for advertisement banner C does not accurately reflect the appeal building. However, the submission also includes a photograph of the advertisement (as it was previously displayed) and its size appears to reflect that specified on the application form and plans. I have therefore determined the appeal on the basis of the specified size of the sign.

Main Issue

4. The main issue is the effect of the advertisement on amenity, with particular regard to whether it would preserve or enhance the character or appearance of the City Centre Conservation Area.

Reasons

5. The appeal site relates to a large 3 storey stone property on a prominent corner plot with frontages onto New John Street and Grattan Road. The host building is a traditional building of significant character and quality. It has a unified architectural composition, distinctive carved corbel detailing and a traditional shopfront to the ground floor of New John Street, including low stall risers and decorative pilasters. The building is partly vacant and partly occupied by commercial premises.

6. The site lies within the boundary of the City Centre Conservation Area (CA) and therefore forms part of a designated heritage asset. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, so far as it relates to the consideration of amenity. The significance of the CA lies in its buildings of architectural and historical interest, particularly those associated with the growth of the textile industry and the prevalent use of honey coloured natural stone.
7. Consent is sought for the erection of 4 non-illuminated banner signs on the host building. The Council have directed me towards the Shopfront Design Guide 2007 (the Design Guide), which seeks to ensure that the size, design and number of advertisements respect the character, scale and location of the building, shopfront and wider street scene. Furthermore, advertisements should not adversely affect the character or appearance of a CA.
8. Banners A and B are fastened to the external boards that cover what would be the shop front windows facing onto New John Street. Given the prominent corner position of the host building on the edge of the CA, these advertisements are highly visible within the street scene and affect views into the CA, especially from Grattan Road and New John Street. Visually, the building is seen in the context of other stone buildings that have similarly unified architectural compositions. However, the banners are strident due to their size, bright colours and shiny plastic appearance which degrade the aesthetic quality of the host building. In coming to the above view, I acknowledge that the advertisements do not obscure the architectural features of the building.
9. Furthermore, the appeal advertisements are seen in the context of other advertisements relating to the appellants business, not subject of this appeal, which further emphasises the visual clutter of the New John Street ground floor frontage. The absence of other window advertisements within the street scene also emphasises the discordant appearance of the displays.
10. Banner C would be located on the Grattan Road frontage and similar to banners A and B in the sense that it would be located on a boarded window. Notwithstanding the difference in the appearance of the ground floor elevation from the submitted plans, the scale of this advertisement better reflects the proportions of the elevation. Nevertheless, a plastic banner attached to the external boards would not reflect the refined architectural quality of the host building and would be visually harmful. Although I saw there are numerous advertisements within the windows of adjacent commercial premises, I have no evidence that they have consent and cannot therefore be certain that they are comparable to the proposal before me.
11. Banner D is the largest advert at 7 metres wide by 3.5 metres tall and is sited on the rear elevation of the building, facing towards the intersection of Barry Street and Westgate (A6181), across vacant land. Although this is the rear of the building which lacks the architectural detailing and interest of the shop frontage elevations, it is nevertheless highly visible from within the CA. The advertisement appears unconnected to any commercial premises.
12. Whilst the potential for the advertisement to add colour to a parcel of derelict land is acknowledged, its large size and presence on a blank elevation in an open setting, results in an incongruous addition within the street scene.

Despite the area being predominantly commercial with fascia and other signs located at ground floor level on neighbouring premises, there are no other comparable banner signs of this size within the immediate vicinity. To my mind, it has a negative impact on the street scene and the CA.

13. Notwithstanding the above, the appellant has requested temporary consent for 1 year. To some extent, this limits the amount of harm which results from these inappropriate advertisements. However, this does not provide a sufficient reason to grant consent for what is a visually intrusive proposal.
14. I have also had regard to the benefits of the advertisements in terms of promoting a commercial enterprise. However, there is no evidence before me that these displays are the only means of attracting business. Although I agree that advertisements can be expected in commercial areas, this does not justify the continued display of advertisements I have found to be at odds with the character of the host building and the CA, even on a vacant premises. In that sense, I find that there are no public benefits arising from the advertisements that would warrant the perpetuation of harm, even on a temporary basis. The advertisements therefore fail to preserve or enhance the character of the host building or the CA.
15. I conclude that the proposal would result in a harmful effect on the amenity of the area, including the City Centre CA. The proposal would also be in conflict with Policies DS1, DS3 and ENV3 of the City of Bradford Core Strategy, Development Plan Document (2017) which, amongst other matters, seek to protect and enhance the character and appearance of heritage assets, and ensure that new development is of a high quality and appropriate to its context in terms of scale, detail and materials. They would also be contrary to the Design Guide and the Framework which seeks to control advertisements in the interests of amenity.

Other Matters

16. The appellant considers that the Council have applied planning policy inconsistently in granting consent for window advertisements on Britannia House, another traditional building within the CA. However, I saw that these window vinyls are transparent, of a limited colour palette and do not cover the full height of the ground floor windows. I am satisfied that the proposed advertisements are materially different in character and appearance so as not to be comparable. Moreover, each proposal must be considered on their individual merits.
17. Finally, the appellant has suggested that the advertisements would be sustainable development. Irrespective of this, the Framework is clear that advertisements should be controlled only in the interests of amenity and public safety. Even if the advertisements were to be made from a sustainable material, this would not justify allowing development that would cause harm to the interests of amenity.

Conclusion

18. For the reasons identified above, I conclude that the display of the advertisements is harmful to visual amenity and the appeal should be dismissed.

M Clowes

INSPECTOR