



Appeal Decision

Site visit made on 20 September 2022

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2022

Appeal Ref: APP/N4205/Z/22/3305397

3 Bradford Street, Bolton BL2 1HT

- 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 Ben Porte of Clear Channel UK Ltd against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 13713/22, dated 3 May 2022, was refused by notice dated 29 June 2022.
 - The advertisement proposed is installation of wall mounted illuminated 48-sheet D-Poster (digital) display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In accordance with the Regulations¹, and the Planning Practice Guidance, I have considered solely matters of amenity and public safety. While I have taken account of the policies and guidelines that the Council consider to be relevant, these have not been decisive in my determination of this appeal.

Main Issue

3. The Council does not object to the effects of the proposal on public safety and there is nothing to lead me to a different conclusion in that respect based on the evidence before me. The main issue is therefore the effect of the proposed advertisement on the amenity of the area.

Reasons

4. The appeal site relates to the gable end of 3 Bradford Street, which is a two storey end terraced dwelling located close to a signalised junction serving Bradford Street, the A579 and the A666 St Peter's Way. Bradford Street is a busy main road which leads into and out of Bolton Town Centre. The surrounding area is mainly residential although there are also commercial uses nearby, including an off licence further along the terrace and hotel premises on the other side of St Peter's Way to the west. There are a variety of other advertisements within the area, which include those at the hotel, totem signs and a fascia sign at the nearby off licence, together with other items of street furniture, such as streetlighting and traffic lights.
5. Whilst the gable end of the appeal property is not visible from the north-east, it is highly prominent when travelling along Bradford Street out of Bolton Town

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

Centre and also from certain points along St Peter's Way. The proposed sign would not obscure any architectural features of the building, but it would occupy a large part of the gable end and would appear out of scale and proportion on this end terraced property. The proposal would be a reasonable distance away from other large advertisements and would not have any significant effects in terms of street clutter. However, due to its siting at an elevated position, the sign would be unduly prominent, particularly viewed from the south-west on Bradford Street and from the busy junction, resulting in a discordant feature in the street scene and harm to the amenity of the area.

6. The maximum brightness of the proposed advertisement would not exceed 300cd/sqm at night and would be within the guidelines set by the Institute of Lighting Professionals Technical Note 5 and would be controlled by light sensors to vary the brightness of the screen according to the conditions. Nevertheless, the height and size of the sign, and the proposed LED display with images changing at regular intervals, would be detrimental to the character of the area.
7. There are numerous streetlights along both sides of Bradford Street which suggests that the area is well lit at night, but there were no other comparable illuminated advertisements visible in the area. There are other large advertisements on the other side of St Peters Way, including those located at the hotel premises and retail park. However, these relate to commercial premises and are seen in a different context to the appeal site, which is residential in character. In any event, I have considered the proposal on its own merits.
8. I have considered the appellant's suggested conditions, including controls on the maximum luminance of the sign and frequency of changes between adverts. However, these would not sufficiently mitigate the harm that I have identified. Switching off the illumination between 11pm and 5am means that the proposal would still be illuminated during some of the hours of darkness, particularly during the winter months, and would not overcome my concerns.
9. For the above reasons I conclude that the proposed advertisement would have an unacceptable effect on the visual amenity of the area, contrary to the Regulations. Given this conclusion, the proposal would conflict with Policy CG3 of Bolton's Core Strategy 2011 and the Bolton General Design Principles Supplementary Planning Document, which, amongst other things, seek to ensure that proposals conserve and enhance local distinctiveness. The proposal would also be contrary to paragraph 136 of the National Planning Policy Framework, which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Conclusion

10. For the above reasons, and having taken all other relevant matters into consideration, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR