



Appeal Decision

Site visit made on 25 October 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th November 2022

Appeal Ref: APP/W4705/Z/22/3307306

2 Cemetery Road, Lidget Green, Bradford BD8 9RY

- 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 Wildstone Estates Limited against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 22/03038/ADV, dated 6 July 2022, was refused by notice dated 30 August 2022.
 - The advertisement proposed is upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations may be exercised only in the interest of amenity and public safety, taking account of material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

Main Issue

3. There is no dispute between the parties that the proposal would not cause harm to public safety. I have no reason to disagree. The main issue in this case is therefore the effect of the proposal on the amenity of the area.

Reasons

4. The appeal site is the gable end to a commercial property near to the traffic light junction of Cemetery Road and Thornton Road. The locality is a mix of commercial and residential property. The host property is located on the end of a row of predominately residential dwellings. Cemetery Road and Thornton Road are well trafficked highways.
5. The appeal proposal is for a digital poster that would be visible from the southern approach on Cemetery Road. An existing traditional 'paper and paste' advertisement has been located on that gable wall alongside a secondary advertisement for the commercial premises at the host dwelling.

6. The appeal proposal would be located at first floor level and be similar to the existing advert. However, this size and positioning, when combined with the illuminated display and the format of displaying advertisements with changing images, would exacerbate the impact on the host building and street scene. As set out above, the nature of the proposed advertisement, with the digital LED illumination and changing displays would be markedly different from the existing advertisement board.
7. The proposed advertisement display would therefore appear more visually obtrusive than the existing board. While I appreciate there are other advertisements in the vicinity, these are generally much smaller in scale, such as shop or business signs above doors and windows, or present static non-illuminated displays.
8. Given the above, I conclude that the proposed sign would form an overly dominant and incongruous feature in the street scene, causing harm to the amenity of the area. The proposal would not accord with the requirements of Policies DS1 and DS3 of the Core Strategy Development Plan Document (2017). It would also comply with the provisions of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Other Matters

9. The appellant has identified a number of social, economic and environmental benefits of the proposed advertisement including the use of sustainable energy, a reduction in vehicle trips, an increase in business rates and an uplift in rent. Whilst these benefits may arise from the proposed advertisement, relevant considerations under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 are limited to the impact on issues of amenity and public safety.

Conclusion

10. For the above reasons, having had regard to all matters raised, I conclude that the appeal should not succeed.

Paul Cooper

INSPECTOR