



Appeal Decision

Site visit made on 17 May 2023

by D Hartley BA(Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2023

Appeal Ref: APP/W4705/Z/23/3318518

Land at 341 Sticker Lane, Bradford BD4 8RZ

- 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 Clear Channel against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 22/04976/ADV, dated 16 November 2022, was refused by notice dated 16 January 2023.
 - The advertisement proposed is single illuminated 48 sheet digital poster display.
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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 to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

3. The main issue is the effect of the proposal on the amenity of the area.

Reasons

4. The proposed advertisement would measure about 6.2 metres by 3.1 metres by 0.8 of a metre. It would be approximately 2.5 metres off the ground. It would be an illuminated digital 48-sheet poster display with static images that change every ten seconds. It would be turned off between 00.00 and 05.00 hours.
5. The advertisement would be positioned to the front corner of a site which is currently used for the sale and repair of vehicles. It would be positioned close to Sticker Lane. This part of Sticker Lane is commercial/industrial in character and includes garages, a restaurant and a nursery. There are some existing advertisements in the locality, although these are generally confined to proportionate and relatively narrow totem signs, including one on the frontage of the appeal site, as well as a limited number of signs on buildings.
6. In the context of this area, the proposed advertisement would be appreciated as a very high and wide structure materially at odds with other advertisements

- in the locality. It would be experienced in the context of the existing and nearby totem sign fronting the appeal site and, in that regard, would seek to introduce a form of advertisement clutter within a confined area.
7. The appellant comments that it would be no higher than surrounding buildings, or indeed nearby flag posts or streetlights. However, the flag posts and streetlights are more slender structures in comparison to the proposal and while the advertisement would not be quite as high as the surrounding buildings, owing to its combined height and surface area it would nonetheless dominate surrounding properties. Indeed, it would appear as an imposing and incongruous structure in the street-scene to the extent that it would visually compete with juxtaposed buildings.
 8. I agree with the appellant that the provision of advertisements in this commercial/industrial area would not be unacceptable in principle. Indeed, the Planning Practise Guidance states that advertisements may '*be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site*'.
 9. However, the proposed advertisement would dominate the building on the appeal site as well as the property adjacent to it. Unlike the existing totem signs in the immediate area, the proposal would not be subservient in scale to nearby properties and, furthermore, owing to its position, size and use of LED colours, it would detract unacceptably from the more muted tones of the buildings that immediately surround it. In these respects, the proposal would adversely affect the visual amenity of the neighbourhood of the site.
 10. The above harm would be particularly apparent for those travelling in a northerly direction on foot or in a vehicle. To the passer-by, the harm caused by the out of keeping advertisement would be exacerbated given the changing static and coloured images. Indeed, the latter is not a characteristic of the locality.
 11. For the collective reasons outlined above, I conclude that the proposal would cause significant harm to the amenity of the area. Consequently, there would also be conflict with the amenity requirements of policies DS1 and DS3 of the Council's Core Strategy Development Plan Document 2017 and paragraph 136 of the National Planning Policy Framework 2021. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR