



Appeal Decision

Site visit made on 1 August 2023

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 August 2023

Appeal Ref: APP/W4705/Z/23/3314113

Land at Manchester Road, Bradford BD5 8LT

- 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 against the decision of City of Bradford Metropolitan District Council.
- The application Ref 22/04004/ADV, dated 14 September 2022, was refused by notice dated 9 November 2022.
The advertisement proposed is described on the application form as "installation of an illuminated 48-sheet D-Poster (digital) advertisement display."

Decision

1. The appeal is dismissed.

Preliminary Matters

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

Main Issue

3. The Council does not object to the effects of the proposal on public safety and I have no reason to disagree with that assessment based on the evidence before me and my observations on site. Therefore, the main issue is the effect of the proposal on amenity.

Reasons

4. The appeal site comprises land to the northern side of 837 and 839 Manchester Road, a part two storey, part single storey stone building with a pitched roof which includes a brick built two storey flat roof rear extension. It is partly used as a sandwich bar at ground floor with residential use above. Manchester Road is a busy main road leading into and out of the city centre. The surrounding area is of mixed character with some residential properties, mainly terraces, together with a variety of commercial uses including an MOT testing station, car hire facility, vehicle sales and a day nursery on the other side of Manchester Road.
5. The appeal proposal is for a freestanding internally illuminated digital sign which would display static images that would change every ten seconds. It would be sited adjacent to the northern elevation of No 837 facing southbound traffic on Manchester Road. The maximum brightness of the proposed sign would not exceed 300cd/sqm at night and would be within the guidelines set by the

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

Institute of Lighting Professionals Technical Note 5 and controlled by light sensors to vary the screen's brightness according to the conditions.

6. The PPG sets out how it may be that 'a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would 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.'
7. The sign would be located in an area characterised by commercial uses as well as residential properties. It would not obscure any significant features of the adjacent building. Due to the flat roof rear extension and mixture of stone and brick, the gable end is not particularly attractive. However, the sign would add a further discordant element to this side of the building. The top of the sign would be positioned above both the eaves level of the roof and the roof of the rear extension. As such, the sign would sit awkwardly against No 837 and would lead to an over-dominant relationship with that building.
8. Due to its size and elevated siting, the sign would be unduly prominent when viewed along Manchester Road from the north, resulting in an incongruous feature in the street scene. It would not be a conspicuous feature to those travelling north on Manchester Road. I also acknowledge that the site is not within a conservation area and there are no listed buildings within a 60m radius. However, these factors do not override the harm I have identified. I have also considered the appellant's suggested conditions, including controls on the hours of operation of the sign, maximum luminance and frequency of changes between adverts, but these would not sufficiently mitigate the harm to amenity.
9. There is a large illuminated hoarding to the side elevation of 873-875 Manchester Road. However, the sign fits neatly within the gable end of the building and does not project above the eaves. Consequently, it does not result in a visually awkward relationship with that property. The appellant also refers to an advertisement at Odsal Stadium. However, on the basis of the evidence before me, I cannot be certain of the exact context or circumstances in which this consent was granted, or that it is directly comparable to the appeal proposal. In any case, I have considered the appeal proposal on its own merits.
10. I therefore find that the proposal would be harmful to the amenity of the area. I have taken into account Policies DS1 and DS3 of the Local Plan for the Bradford District Core Strategy Development Plan Document 2017 which seek to protect amenity and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies. It would also conflict with paragraph 136 of the National Planning Policy Framework, which sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

Conclusion

11. For the above reasons and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR