



Appeal Decision

Site visit made on 17 October 2023

by **S J Lee BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 October 2023

Appeal Ref: APP/A4710/Z/23/3319007

Broad Street Plaza, Broad Street, Halifax HX1 1UX

- 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 ARM Capital against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 22/10028/ADV, dated 5 December 2022, was refused by notice dated 25 January 2023.
 - The advertisement proposed is the erection of a single digital advertising hoarding, measuring 6 meters by 3 metres raised off the ground by 2.5 meters.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the advertisement on (a) the amenity of the area, including Halifax Town Centre Conservation Area (CA) and (b) public safety.

Reasons

Amenity

3. The appeal site is within the commercial centre of Halifax. It forms part of an area of grass in front of the large 'Broad Street Plaza' hotel and leisure complex, located on one corner of a four-way traffic signal-controlled junction. The listed Town Hall sits opposite the site, with a large bus station further along the road.
4. The proposal would replace an existing non-illuminated and fixed image hoarding on the site. This is a prominent structure currently advertising a vacant development plot; seemingly the area of grass on which the hoarding is located. I have no information as to the status of this hoarding. However, given what it is displaying, it would be reasonable to assume that to passers-by it would not be expected to be permanent.
5. The site is within the CA, which covers a substantial area. From my observations, the significance of the CA is derived from the age and quality of the many listed buildings scattered across it and from the historic street pattern which illustrates the growth and evolution of the town centre over an extended period.
6. While similar in size to what it would replace, the fact that the hoarding would be illuminated and include changing advertisements would ensure it would

appear as a more robust, permanent, visually prominent and dominant feature. This would be the case even if the illumination and frequency of changing images were controlled.

7. When viewed from the west or south, the backdrop of the sign would be the Broad Street Plaza complex. This is obviously a large and modern set of buildings which differ significantly from many of the more traditional Victorian and Edwardian period buildings which make up large parts of the CA, including the Town Hall opposite. Nevertheless, the hoarding would be well separated from these buildings, sitting alone on its plot. It would therefore relate poorly to them, sitting far closer to the road appearing as a separate and overly strident and intrusive feature in its own right.
8. The cinema and hotel signs on the Plaza buildings are quite large in themselves. However, they are attached to the buildings and thus they form part of that coherent complex and appear subservient. They are also set well back from the road. As a result, they are not unduly obtrusive. In this regard, they differ significantly from the proposal.
9. When approaching from the west, the Town Hall and hoarding would be visible in the same context. The juxtaposition of the two features would be highly visible and would serve to distract from the architectural and significance of the building. Broad Street Plaza sits in the same views. However, this building does not justify any further erosion of the setting of the Town Hall that would occur through the introduction of this discordant addition to the street scene.
10. I saw no other illuminated advertising hoardings of this nature in the vicinity of the site. Therefore, although this is a commercial area, the hoarding would still appear as an incongruous and harmful feature. While the effect of this would be localised, it would nevertheless not serve to preserve or enhance the character, appearance or significance of the immediate area, the CA as a whole or the setting of the Town Hall. I therefore find that the proposal would cause unacceptable harm to the visual amenity of the area.

Public safety

11. Although my site visit can only represent a snapshot of normal conditions, I saw that this is a busy junction. The hoarding would appear prominently in the views of drivers approaching from the west along Broad Street and south from Waterhouse Street. As already noted, there is already an advertising hoarding on the junction and a large commercial building with its own signage. Nevertheless, the hoarding is not illuminated and is static. As concluded above, the introduction of an illuminated signage with potential for changing images would inevitably result in a more prominent and intrusive feature.
12. The hoarding would be close to the junction, sitting far forward of the buildings. The road slopes down along Broad Street toward the site and as a result the hoarding would sit at a lower level to approaching traffic. There is potential therefore for the structure to sit directly behind the traffic signals and thus distract from them.
13. It is obviously the case that advertising hoardings will be positioned where they will be highly visible. However, this is a location where the nature of the junction, including the number of lanes of traffic and associated turning movements, requires drivers to take particular care. The presence of an

illuminated hoarding set close to the road in the midst of the junction would, in my view, be unduly distracting.

14. I acknowledge that the brightness of the signage can be controlled to be within recommended limits and the timing of the change in images could be controlled by condition. I am also aware that such hoardings exist elsewhere and are often in prominent locations. Nevertheless, I have had regard to the context of a hoarding in *this* location. I am therefore not persuaded these factors are sufficient to remove or justify the risk associated with this hoarding's siting and position in relation to the junction, the traffic signals and having regard to the nature of the junction itself.
15. On this basis, I consider that the advertising hoarding would constitute an unacceptable risk to public safety.

Conclusion

16. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity and public safety and thus the appeal is dismissed.

S J Lee

INSPECTOR