



Appeal Decision

Site visit made on 19 November 2024 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 January 2025

Appeal Ref: APP/W4705/Z/24/3348633

Howard House, Bank Street, Bradford BD1 1EE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by In Focus Network Limited against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/01253/ADV.
 - The advertisement proposed is described as 'the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description above is taken from the application form. The decision notice describes the proposal as 'Installation of 86 inch LCD screen showing illuminated static and animated displays' which provides additional detail about the scheme but does not fundamentally alter what has been applied for which is shown, in any case, on the submitted plans. The ability of any party to make their case in respect of the appeal scheme would not be prejudiced by me referring to it in either terms.
4. The Council have drawn my attention to the policies it considered to be relevant to this appeal and I have taken them into account as material considerations. However, power to control advertisements may be exercised only in the interests of amenity and public safety and therefore the policies alone have not been decisive.

Main Issues

5. The main issues are the effect of the proposal on amenity and public safety.

Reasons for the Recommendation

Amenity

6. The appeal site is located in a main shopping area outside of, but next to the boundary of the Bradford Conservation area (BCA) and alongside a listed building, The Midland Bank. There are other listed buildings visible from the site. The area has a tidy sense of spaciousness around the tall buildings and provides an open corridor for appreciation of the attractive historic buildings that are within the BCA. The area is uncluttered other than some raised planters along with street furniture, lighting and a bin. Signage close to the site is minimal and mainly restricted to the ground floor frontages of the nearby premises.
7. The proposal would introduce an internally illuminated advertising sign to the street level. The display would significantly draw the eye and would therefore be visually prominent within the street scene. The structure would be an alien feature in the otherwise open space and would stand alone in a contrived and unrelated manner. The open flat space between the buildings is a positive feature of the setting of the nearby listed buildings and whilst there are some modern buildings in and around, this provides an opportunity for their vast and attractive frontages to be appreciated which would be partly eroded as a result of the proposal.
8. The advertisement would thus cause harm to the visual amenity of the area. The proposal is therefore contrary to the aims of Policies DS1, DS3 and EN3 of the Local Plan for the Bradford District Core Strategy Development Plan Document 2017 (BCS) as far as they are material to the main issue and concerned with development being appropriate for its context amongst other things.

Public Safety

9. The appeal site is located on a wide pedestrianised street that is set between commercial buildings in the city centre. At the time of my site visit, it was around lunchtime and the area was relatively quiet for such a central location and not as busy as further within the shopping centre.
10. The advertisement would be clearly visible given that the land around is flat with only a little amount of street furniture. The area around the appeal site has recently been pedestrianised providing a much wider space for pedestrian movements including those people who have disabilities. The area is wide and given that the unit would be relatively narrow, it would be unlikely that the advertisement would cause an obstruction for users of the area.
11. The proposal would not therefore cause harm to public safety and would thus comply with the requirements of Policy DS5 of the BCS as far as it is material to the main issue in it being concerned with development being safe and providing easy access for all.

Other Matters

12. I am aware that the installation would provide some additional benefits but the scope of the above mentioned regulations does not extend to weighing other matters outside of amenity and public safety. The installation of a defibrillator could be considered under the latter, but I have found no harm in that regard.

13. The appellant has suggested conditions relating to levels of illuminance to ensure that the advertisement would not appear overly bright. However, such conditions would not overcome the harm that has been identified relating to the position of the advertisement.

Conclusion and Recommendation

14. Whilst I have found a lack of harm relating to public safety, this would be neutral and thus incapable of weighing in favour of the appeal scheme. I have found that there would be harm regarding amenity and for that reason, I recommend the appeal is dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR