



Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 27 August 2020

AA

Subject:

This is an application seeking advertisement consent (20/01522/ADV) for a 48 page advertising hoarding to be installed on the side elevation of 4 New Hey Road, Bradford.

Summary statement:

This application for a proposed 48-page advertising hoarding is identical in terms of scale and design to a previously refused proposal (18/00887/ADV). Since this refusal, the retrospective hoarding was deemed consent under a follow up application (18/04390/ADV) as it had been in place for over ten years – however since the advertisement has been taken down consent is required for it to be displayed again. The planning issues relating to this proposal are impact on visual amenity of the local environment and concerns relating to public and highway safety. The application is recommended for refusal due to the visual harm caused by the proposal and the lack of information on the proposed means of illumination.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration & Economy

1. SUMMARY

This is an advertisement consent application for a 48 Page advertising hoarding to be installed on the side elevation of 4 New Hey Road, Bradford.

2. BACKGROUND

Attached as Appendix 1 – The planning officer's report which identifies the background and material considerations for the proposal.

3. OTHER CONSIDERATIONS

None.

4. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications for the Council arising from this application. The proposal is not liable for Community Infrastructure Levy.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

The determination of the application is within the Council's powers as the Local Planning Authority.

7. OTHER IMPLICATIONS:

7.1 EQUALITY & DIVERSITY

Equality Act 2010, Section 149 - In the assessment of this proposal, due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

7.2 SUSTAINABILITY IMPLICATIONS

None.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are not considered to be any significant greenhouse gas emissions impacts caused by the proposed development.

7.4 COMMUNITY SAFETY IMPLICATIONS

The Community Safety Implications of the proposed development are considered in Appendix 1.

7.5 HUMAN RIGHTS ACT

Article 6 – right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal. This is incorporated within the report attached as Appendix 1.

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

There are no Ward implications posed by this development.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

None

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

No privacy impact assessment was undertaken, due to the nature of the proposal.

8. NOT FOR PUBLICATION DOCUMENTS

There are no 'not for publication' documents.

9. OPTIONS

This Committee has the authority to approve or refuse this application. As the application has been recommended for refusal, the reasons for refusal have already been stated in the officer's report (Appendix 1). If members are minded to approve the application, conditions (if required) and reasons for granting planning permission will be need to be provided.

10. RECOMMENDATIONS

It is recommended that the Committee accept the recommendation of refusal within the report attached as Appendix 1.

11. APPENDICES

Appendix 1 – Planning Officer's Report.

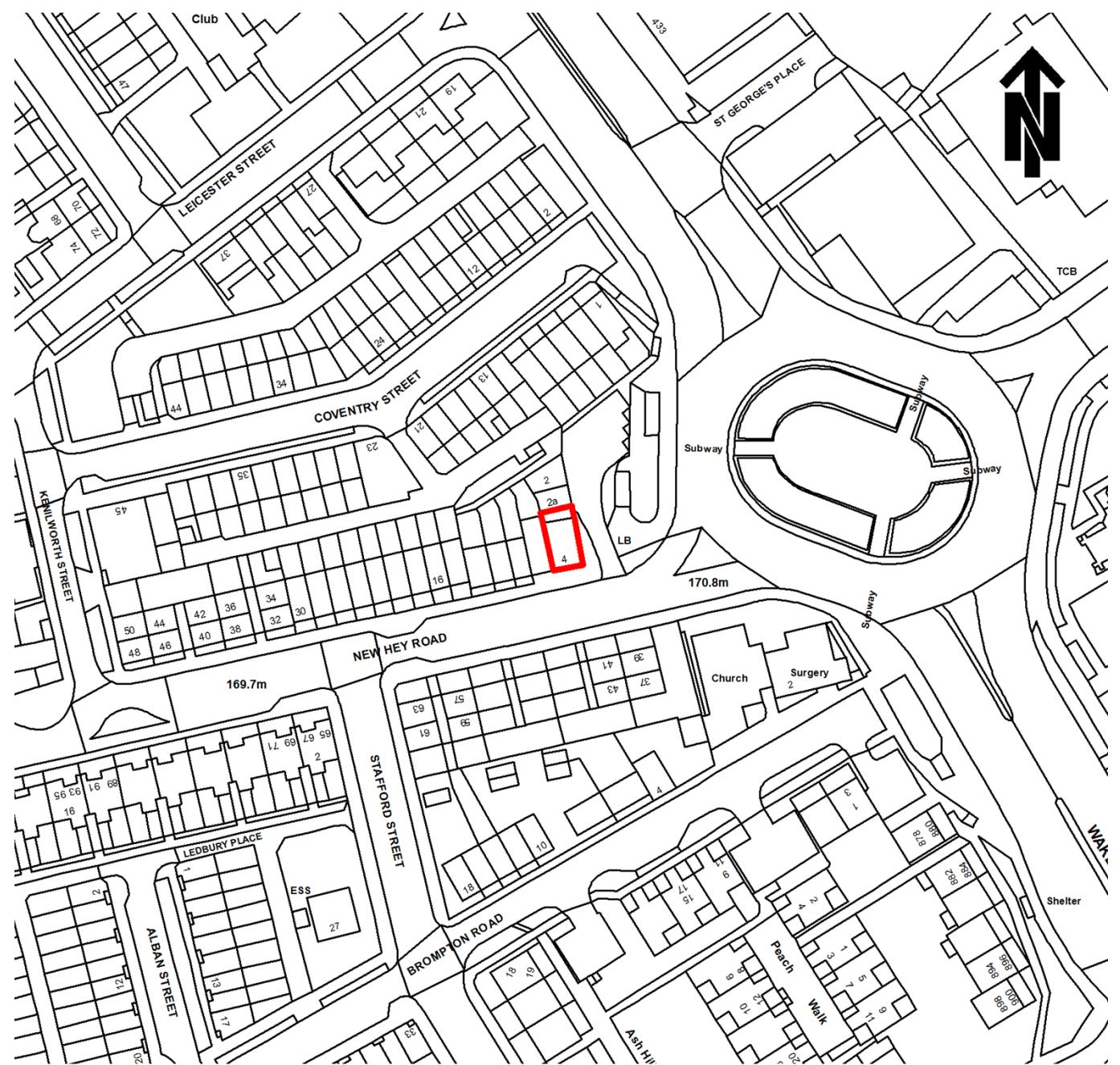
12. BACKGROUND DOCUMENTS

National Planning Policy Framework

The Core Strategy Development Plan Document

The Replacement Unitary Development Plan for Bradford District

20/01522/ADV



1:1,250

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**4 New Hey Road
Bradford BD4 7HY**

Appendix 1

Ward: **Bowling and Barkerend (Ward 05)**

Recommendation:

TO REFUSE PLANNING PERMISSION

Application Number:

20/01522/ADV

Type of Application/Proposal and Address:

This application is seeking advertisement consent for a 48-page advertising hoarding. The proposal address is 4 New Hey Road, Bradford, BD4 7HY.

Applicant:

Mr Mohammed Sharaz

Agent:

N/A

Site Description:

The application site relates to 4 New Hey Road, a natural stone built end terraced building, with slate roof tiles and white UPVC window fittings. The property is situated in a mixed use commercial and residential area. The building is in a visually prominent position, with the gable end highly visible from New Hey Road and Wakefield Road (A650).

Relevant Site History:

15/03691/FUL - Conversion of butcher's shop into hot food takeaway with new shop frontage – Refused 28.10.2015

18/00887/ADV - Retrospective application for: JC Decaux advertising hoarding 48 sheet, Eurotaxis banner type advertisement 1.5 metres x 0.5 metres and food business banner type advertisement 3 metres x 2 metres – Refused 06.07.2018

18/04390/ADV - Retrospective application for retention of the existing 48-sheet billboard sign – Deemed Consent 29.12.2018

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development, which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the

natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the NPPF suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document (DPD) was adopted in 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP) remain applicable until adoption of Allocations and Area Action Plan DPDs. The site is not allocated for any specific land-use in the RUDP. Accordingly, the above adopted Core Strategy DPD and saved RUDP policies are applicable to this proposal.

Core Strategy Policies:

DS1 – Achieving Good Design
DS3 – Urban Character
DS4 – Streets and Movement
DS5 – Safe and Inclusive Places
SC9 – Making Great Places

Parish Council:

The site is not located within a Parish.

Publicity and Number of Representations:

There is no requirement to publicise applications for advertisement consent. A total of sixty-four representations were received, all support comments.

Summary of Representations Received:

Despite the large volume of representations received, only four contained a material planning consideration.

The majority of the support comments received were short text, containing statements such as “good job”, “full support”, “no objections” etc.

Numerous comments were received from Tesco Valley Road, with no address given. Four of the comments received had no name, three came from outside of the district and one comment was from the applicant himself.

Letter of support from three councillors – however this relates to a previous application (18/04390/ADV), is dated July 2019 and is also addressed to the Planning Inspectorate.

Consultations:

None

Summary of Main Issues:

1. Principle of Development
2. Visual Amenity
3. Public Safety

Appraisal:

1. Background:

This application is seeking advertisement consent for a 48-page advertising hoarding. The proposed hoarding is very similar to a previously refused retrospective proposal (18/00887/ADV). There has also been a previous application where the advertisement hoarding was acknowledged to have deemed consent (18/04390/ADV) as it had been in place for over ten years. However, this advertisement has since been removed, and so the installation of a similar hoarding requires advertisement consent again.

Paragraph 132 of the NPPF advises that 'the quality and character of places can suffer when advertisements are poorly sited and designed'. The Local Planning Authority's power to control advertisements is limited to the consideration of amenity and public safety taking into account cumulative impacts. Amenity is defined by the regulations as aural and visual amenity and public safety is not limited to just road safety.

2. Amenity:

The proposed 48-sheet hoarding will measure: Width - 6.40 metres, Height - 3.20 metres. The signage will have strip led lighting protruding from brackets above the hoarding, providing illumination. The advertisement will be situated on the side elevation of the host building, facing east towards Wakefield Road (A650). It is noted that the existing plans indicates the presence of three different advertisements, consisting of a 48-sheet hoarding and 2 banners, however the site visit and photos taken has shown none of these are in fact in place or existing. The east facing elevation of 4 New Hey Road is currently bare, with just one side window at first floor level.

The 48-sheet hoarding appears excessively large and very prominent on the gable elevation of the building, and is particularly visible and prominent in views from Wakefield Road, which is a major route serving the city. The signage will occupy a disproportionately large section of the gable wall, the size and position of the signs will represent a significant level of harm to the visual amenity of the wider street scene and local environment. For this reason, the proposal is unacceptable and contrary to policies DS1 and DS3 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

3. Public Safety:

It is considered that the proposed 48-sheet hoarding advertisement will not represent any threat to the residential amenity of the neighbouring occupants. The proposed signage will be illuminated by LED lighting, however this will face towards Wakefield Road and the busy junction, rather than towards any neighbouring or residential properties.

It is shown on the plans that there will be an LED strip lighting, however this is contradicted on the application form, as it states the sign will be illuminated internally. Furthermore, under "Illuminance levels", the figure given is 0 cd/m². The application does not provide sufficient information on the illuminance levels of the signage, and fails to confirm the source of illumination. Due to this shortfall, it is not possible to make a full assessment on the potential impact on highway users and vehicles.

Due to insufficient information provided, the proposal fails to demonstrate that the proposal would not be harmful to highway safety by being too bright in this location. This would be

contrary to the requirements of the NPPF.

Community Safety Implications:

None

Equality Act 2010, Section 149:

Equality Act 2010, Section 149 - In the assessment of this proposal, due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reasons for Refusal:

1. The advertisement hoarding, by reason of its size and position in a prominent and highly visible location, will detract from the character and appearance of the host building and local environment. As such, the advertisements are detrimental to the visual amenity of the area and present an incongruous and obtrusive feature in the street scene, thereby contrary to policies DS1 and DS3 of the Core Strategy Development Plan Document and the National Planning Policy Framework.
2. The proposal fails to confirm the source of lighting and illumination levels of the proposed signage. Therefore, it is not possible to assess the full impact of the advertisement with regards to vehicles users and highway safety. For this reason, the proposal will fail to satisfy the requirements of policy DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.