

Appeal Decision

Site visit made on 21 April 2016

by B J Sims BSc(Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 May 2016

Appeal Ref: APP/Z0116/Z/16/3144566

Eastgate Centre, Eastgate Road, Eastville, Bristol BS5 6XX

- 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 Pizza Hut against the decision of Bristol City Council.
 - The application Ref 15/05641/A, dated 3 November 2015, was refused by notice dated 8 January 2016.
 - The advertisement proposed is replacement signage comprising 1 No Pizza Hut pole head, 1 No double-sided restaurant takeaway sign (pole sign replacement onto existing pole) – red vinyl to sides of existing Pizza Hut letter x 3 – 1 No entrance fascia sign – 1 No menu box unit – 1 No internal hang on sign – vinyl to rear windows – 3 No replacement vinyls to estate signs and soffit illumination by cabochon lights.
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Decision

1. The appeal is allowed and consent is granted for the display of 1 No Pizza Hut pole head and 1 No double-sided restaurant takeaway sign (pole sign replacement onto existing pole) as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional condition:-

This consent relates to Signs 1 and 2 to be located, constructed and displayed in accordance with plans and photo-images
Refs PIZZA HUT/007/2015 (4 sheets)

Procedural Matters

2. The application was for a total of 11 advertisement signs in all. The Council has issued a split decision granting approval for Signs 3 to 11 inclusive. This decision is accordingly limited to consideration of the two remaining disputed Signs 1 and 2. These are, respectively, a replacement pole head sign displaying the Appellant Company logo and a restaurant takeaway sign, both to be mounted on an existing pole at the entrance to the Eastgate Centre. The outcome of this appeal has no effect on the existing permission for Signs 3 to 11.
 3. The Appellants and the Council were asked to clarify the nature of the construction and illumination of proposed Signs 1 and 2. The Appellants responded that the signs would be of internally illuminated, closed box construction with cabochon bulbs integral with the sign faces. The Council was invited to comment on this further information but no response was received. The Council was also asked to provide details of a requested planning condition
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omitted from the appeal Questionnaire. No reply was received in this respect either. This decision is accordingly made on the information available.

Main Issue

4. The main issue is the effect of the disputed advertisement Signs 1 and 2 on the visual amenity of the surrounding area.

Reasons

5. The proposed assemblage of replacement signs atop the existing pole would be of more striking appearance and more dominant than the single rectangular sign to be removed. With their asymmetrical shape, the back-to-back, curved 'arrow' Signs 1, in combination with the equally asymmetric, double 'restaurant & takeaway' Signs 2 below, would make a more complex visual impression than the present arrangement, especially when illuminated during the hours of darkness.
6. In this strongly urban and commercial context however, the proposed signage would appropriately announce the presence of the Pizza Hut premises to those arriving at, or shopping within the Eastgate Centre. As a matter of judgement, Signs 1 and 2 would achieve this with no unacceptable adverse impact on local amenity.
7. The proposed signs would accordingly avoid conflict with the design provisions of Policy BCS21 of the adopted Bristol Development Framework Core Strategy 2011, as supported by Policies DM26-27 and DM29 of the adopted Bristol Local Plan – Development Management Policies 2014 and paragraph 67 of the National Planning Policy Framework.
8. These conclusions lead to a further split decision to allow only Signs 1 and 2, subject to the standard conditions set down in the Regulations and one further condition. This is imposed for the avoidance of doubt and in the interests of proper planning, expressly to confirm that the consent relates to Signs 1 and 2, as represented on the approved plans.

B J Sims

Inspector