

Appeal Decision

Site visit made on 14 November 2016

by J E Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC

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

Decision date: 28 February 2017

Appeal Ref: APP/Z0116/Z/16/3154722

Redpoint Climbing Centre, 40 Winterstoke Road, Bristol BS3 2NW

- 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 Insite Poster Properties against the decision of Bristol City Council.
 - The application Ref 16/01990/A, dated 13 April 2016, was refused by notice dated 27 May 2016.
 - The advertisement proposed is replacement of existing non-illuminated display with internally illuminated backlight display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form states at section 7 that four advertisements are proposed. However, it is clear from the submitted drawings and other documentation that consent is sought for a single advertisement.
3. I undertook site visits during daylight and darkness.

Main Issues

4. The powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The Council has expressed no concern over public safety issues and I am satisfied there would be no adverse implications in this regard. Therefore, the main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

5. The building on which the advertisement would be displayed is a former cinema now used as an indoor climbing centre. The building occupies a corner site at the junction of Winterstoke Road with Luckwell Road. Winterstoke Road is a main route between the City Centre and the Bedminster Down area.
 6. Luckwell Road is predominantly residential with terraced housing on the opposite side of the road to the appeal site. The Council's evidence confirms that the corner property on the east side of Luckwell Road is occupied as flats. Neighbouring the appeal site is a commercial car repair garage.
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7. Winterstoke Road is a busy traffic route. The immediate area incorporates a mix of uses including a petrol filling station and shop opposite the appeal site, as well as car sales, other car related uses, take-aways, small scale offices and residential uses.
8. The scale and design of the appeal building reflects its original purpose and the building is at its tallest point on the site corner where its presence is emphasised by a round tower. The appeal building is colourfully painted and includes large murals. There is lighting above the entrance canopy but this is confined to a relatively small area and does not illuminate the existing poster panel.
9. The proposed advertisement would replace the non-illuminated poster display of the same dimensions. The 6m wide and 3m high internally illuminated advertisement would therefore be some 6m above ground level at its lowest point and 9m at its highest point.
10. The nature of Winterstoke Road results in a significant amount of night time illumination from street lights, vehicle lights, and advertisements on commercial premises including the petrol filling station opposite the site. There is also an externally illuminated billboard advertisement a short distance from the site. However, most of these result in lighting which is close to ground level or directed at ground level.
11. The proposed advertisement would be elevated well above ground level and therefore conspicuous. The illumination would result in the advertisement being considerably more visually prominent than the existing poster display. It would be readily apparent to people using Winterstoke Road and to those living on Luckwell Road, some of whom would have clear views of at least part of the proposed advertisement.
12. The appellant proposes that the advertisement would have a luminance level of 600 cd/m² during the day and 300 cd/m² at night, levels put forward in the context of guidance issued by the Institute of Lighting Professionals. The appellant suggests as an alternative that there would be no illumination between 11 pm and 7 am.
13. An illuminated advertisement of this size and in this elevated position would be an incongruous and intrusive feature within this area where it is overlooked by several nearby residential properties. The height above ground level is such that it would also appear out of place within the wider area, notwithstanding the commercial activities on Winterstoke Road. As such the advertisement would be unacceptably harmful to the visual amenity of the area and would be a poorly placed resulting in a negative impact on the appearance of the built environment. The suggested restrictions on the luminance and upon the hours of illumination would not be sufficient to overcome this harm.
14. For the reasons given above and having taken into account all matters raised, I conclude the appeal should be dismissed.

J E Tempest

INSPECTOR