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## Appeal Decision

Site visit made on 28 December 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: 31<sup>st</sup> March 2017**

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**Appeal Ref: APP/Z0116/Z/16/3158209**

**1 Cathedral Square, Bristol BS1 5DD**

- 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 Revbrown Holdings Ltd against the decision of Bristol City Council.
  - The application Ref 16/02751/A, dated 19 May 2016, was refused by notice dated 15 July 2016.
  - The advertisement proposed is one halo illuminated sign.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. 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 amenity of the area.

### Reasons

3. The building upon which the advertisement would be displayed is a relatively modern office building undergoing refurbishment. The host building is located on the east side of Trinity Street. This narrow lane is pedestrianised and links College Green with Anchor Road, the latter being at a lower level. The north facing elevation of the building on which the advertisement would be displayed is three storeys high and a further storey takes the form of a mansard style roof. The south elevation of the building is six storeys as a consequence of ground level changes. On the west side of Trinity Street is Bristol Cathedral, a Grade I listed building, the eastern end of which abuts Trinity Street.
  4. Part 1 Regulation 3 of the Advertisement Regulations sets out that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.
  5. The western end of the College Green Conservation Area within which the site is located includes the Cathedral, the Council House with the open space of College Green in front, the Central Library and the Bristol Marriott Royal Hotel all of which are buildings of architectural and historic interest.
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6. Park Street, College Green and the area around The Centre includes a variety of retail, commercial and leisure uses. Various styles of signage are evident and include a number of illuminated signs. However, the area in the immediate vicinity of the appeal site is markedly different in character. Deanery Road terminates to the west of the Cathedral so that the area to the north of the Cathedral provides routes for pedestrians and cyclists. The immediate area around the host building and the surroundings of the Cathedral include very little signage.
7. The proposed signage would comprise bronze coloured anodised aluminium individual letters with halo lighting designed to create a glow effect. The maximum illuminance level would not exceed 120 candelas/m<sup>2</sup>. The bottom of the sign would be 2.5 m above ground floor level and the overall height of the sign would be 7.0 metres such that it would span the height of the first and second floors of the building. The position of the sign on the western edge of the north elevation has been selected to ensure visibility from College Green.
8. The sign would be in scale with the host building and with the intended glazed sections and openings of the front elevation as shown on the proposal drawings. However, whilst the proposed signage would be appropriate if the building stood in isolation, it is the effect of the signage on its surroundings which is important in this case.
9. External lighting around College Green on the northern side of the Cathedral and on Trinity Street is, in terms of height, at a level generally lower than standard street lighting. Consequently, there is minimal external lighting at higher levels. The overall size, height and illumination of the proposed sign is such that the sign would detract from the imposing presence on Trinity Street of the medieval east elevation of the Cathedral. This would harm both the intimate surroundings of Trinity Street and views of the Cathedral from the direction of College Green.
10. The proposed level of illumination falls below that set out in the ILP Professional Lighting Guide 05<sup>1</sup> for areas of low district brightness. I have noted the Existing Lighting Survey provided although this measures illuminance levels for the purposes of pedestrian spaces. However, the proposed level of halo illumination combined with the size and height of the proposed signage would result in it being unacceptable in this location.
11. Consequently, the signage would be poorly placed in relation to its surroundings and have an unacceptable and negative impact on the wider built environment which includes buildings which have architectural, historic and cultural interest of the highest importance. The proposal would not accord with Paragraph 67 of the National Planning Policy Framework or associated Planning Practice Guidance. The proposal would fail to preserve and so would not enhance either the character or the appearance of the conservation area.
12. A copy of an appeal decision<sup>2</sup> is provided relating to signs allowed at Redcliffe Way, Bristol. This site is located within a conservation area in a different part of the city. With regard to the site's relationship to the Grade I listed building of the church of St Mary Redcliffe, the Inspector refers to the degree of

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<sup>1</sup> Professional Lighting Guide PLG05: The Brightness of Illuminated Advertisements 2014. Institution of Lighting Professionals.

<sup>2</sup> APP/Z0116/Z/16/3149100

separation between the two buildings, including intervening vegetation, street furniture and a car park area. I also note the proposal is described as non-illuminated signs. I therefore find that the relevance of this decision to be limited.

13. I am referred to two consents granted for advertisements on the host building in 1995 and 2002. It is suggested that the 1995 consent related to signage on the same pilaster of the north facing elevation as the appeal proposal. The evidence, including photographs, show this signage was in a lower position than the signage in the appeal proposal. The earlier consent relates to advertisements which are no longer displayed. The relevance of this consent is therefore also limited.
14. I have taken into account the signage on the entrance canopy of the Bristol Marriott Royal Hotel which is a listed building. However, this signage is at a lower height than the appeal proposals and, whilst near to the Cathedral, is considerably further from it and has a different relationship with it compared with that of the appeal site. The sign at Swoon referred to by the appellant is modest in size and at fascia level; the site, at the lower end of Park Street, is not directly comparable with the location of the appeal site.
15. Whilst the appellant refers to commercial reasons for seeking the signage, this is not a matter which I am able to take into account as it does not relate to amenity or public safety. I am also provided with illustrations relating to other designs for signage on the host building which have been the subject of correspondence with the Council. However, I have considered only the proposal which is before me for determination.
16. The Council refers in its decision notice to policies within the Core Strategy<sup>3</sup> and to Development Management Policies<sup>4</sup> (DM). Whilst these policies have not been decisive, I have taken into account those relating to visual amenity. Policy DM29 includes the expectation that external signage will adopt a scale, siting and type of illumination appropriate to the wider street scene and longer distance views. Whilst Policy DM29 relates to new buildings, Policy DM30 relating to alterations to buildings draws on Policy DM29 in relation to signage. The proposals would not be consistent with these elements of the DM policies.

## **Conclusion**

17. For the reasons given above I conclude that the appeal should be dismissed.

*J E Tempest*

INSPECTOR

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<sup>3</sup> Bristol Development Framework Core Strategy Adopted June 2011

<sup>4</sup> Bristol Local Plan, Site Allocations and Development Management Policies Adopted July 2014