

Appeal Decision

Site visit made on 29 June 2017

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

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

Decision date: 5th July 2017

Appeal Ref: APP/Z0116/Z/17/3173609

Adjacent 2 Filton Road, Horfield, Bristol BS7 0PA

- 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 Mr Paul O'Sullivan of Insite Poster Properties Ltd. against the decision of Bristol City Council.
 - The application Ref 16/05852/A, dated 18 October 2016, was refused by notice dated 14 February 2017.
 - The advertisement proposed is for replacement of an existing illuminated 48-sheet advertising display with 48-sheet digital display.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on amenity.

Reasons

3. The proposed sign would replace an existing sign of similar dimensions that is presently in situ and would comprise a freestanding internally illuminated 48-sheet LED advertising hoarding measuring 6m x 3m x 450mm that stands some 2m off the ground. The sign stands within the car park to the Inn on the Green Public House alongside the end gable to the single storey element of the pub.
 4. The Inn on the Green PH is a prominent attractive two storey building that enjoys frontages onto Filton Road and Caine Road on a busy thoroughfare leading out of the city centre. The building is not listed; nor is it in a conservation area. The longer elevation facing Filton Road drops down to single storey beyond which is the pub's car park.
 5. The appellant states that the existing sign has been in place for some 10 years, is not markedly different from the appeal scheme and enjoys deemed consent under the Regulations. I am satisfied that the proposed sign would not benefit from deemed consent in the above-mentioned Regulations. I note the point made by the appellant in that the Council has not sought to object previously by serving a Discontinuous Notice; however, this is not relevant to my consideration of this appeal.
-

6. Although the appellant claims that the area is of mixed character, from what I saw, the immediate area is mainly an attractive residential area with the highway tree lined at this point. There does not appear to be an over-proliferation of advertisement material and what there are, these mainly relate to the premises that they are situated on. Whilst a sign of similar proportions is already in place and has been for several years, the proposed sign and its method of illuminance would have an abrupt obtrusive appearance including at long distances along this attractive tree lined road. Moreover, the sign would appear as an isolated feature that would intrude into the setting of the attractive pub building and thus appear as an unrelated and discordant element when viewed against the single storey gable end of the pub. The presence of the existing 48-sheet illuminated hoarding is not sufficient reason to perpetuate incongruous signage at this location.
7. Therefore, taking into account the prominence of the site, I am of the opinion that the excessive size and location of the proposed display despite its similar dimensions to the existing sign would detract appreciably and unacceptably from the amenity of the locality. I noted the presence of the signs that are currently being displayed on the premises and car park together with others in the locality. However these are less obtrusive and are either directly associated with the building premises that they serve or are fixed to buildings. As such they do not appear isolated and discordant but rather better relate to their surroundings. Furthermore, they do not have a significant effect on defining the character and appearance of the wider area and consequently, are materially different to the scheme before me.
8. However the defining issue to my mind is the difference between the existing sign with what is being proposed. I have no doubt whatsoever that its appearance and method of display would increase its prominence in the streetscene over and above the existing display and would consequently significantly and unacceptably detract from the amenity of the area.
9. I have no reason to consider the advertisement would harm public safety.
10. In assessing the proposal, I have considered the various policies identified by the Council. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking into account all material factors. Therefore in determining this appeal, the Council's policies have been given weight as material planning considerations but have not in themselves, been decisive.
11. Accordingly, I conclude that the proposal would have an unacceptable and appreciable impact on the amenity of the area, and would be contrary to the National Planning Policy Framework. As such I consider that the appeal should be dismissed.

Gareth W Thomas

INSPECTOR