



Appeal Decision

Site visit made on 17 December 2019

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 10 January 2020

Appeal Ref: APP/Z0116/Z/19/3239616

191 Whitehall Road, Redfield, Bristol, BS5 9BT

- 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 Clear Channel UK against the decision of Bristol City Council.
 - The application Ref 19/03749/A, dated 26 July 2019, was refused by notice dated 25 September 2019.
 - The development proposed is 'upgrade of existing 48 sheet advert to support digital poster'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposals on the amenity of the area and public safety.

Reasons

3. The proposed site is on the west flank wall of a two-storey residential building at the junction of Whitehall Road and Woodbine Street. Whitehall Road is a busy thoroughfare with a mixture of residential and small commercial properties adjacent to the site. Woodbine Street is of a different character, comprising residential terracing along a relatively quiet and narrow road.
4. The site can be viewed on Whitehall Road from the junction with Albert Parade approximately 80m to the west, but is not visible as you approach from the east. It is immediately opposite the exit of Lyppiatt Road as it enters Whitehall Road. It is observable for approximately 100m along Woodbine Road, a view made more prominent by the upwards slope of this street from the site.
5. A paper and paste poster of similar size has been in the same location for more than ten years. There are other paper hoardings along Whitehall Road, including one at the nearby junction with Chalks Road, although none are visible from the application site. No signs or adverts in view of the proposed location were observed to have significant illumination during the site visit.

Amenity

6. When considered in the context of busy Whitehall Road, with nearby commercial properties and as an area established as appropriate for

advertising, a digital poster would not be considered to have a detrimental effect on visual amenity.

7. However, although nominally on Whitehall Road, the site is at the bottom of residential Woodbine Road. The poster is seen over the greatest distance along this street, albeit that it does not directly face residential windows. Residents and passers-by will be highly aware of the advertisement; it can be viewed whenever they leave their houses and pass the bottom of the street.
8. Internal illumination and frequently changing images would alter the character and amenity of the residential street, not least because these features are more typically associated with industrial and commercial areas. Illuminated and changing images are designed to catch attention, convey considerably more information than a paper equivalent and will inevitably be more intrusive, having a negative effect on visual amenity in a residential context. Overall, a digital poster is not consistent with the character of a residential area and the proposals would therefore be harmful to visual amenity.
9. I have also taken into account policy BCS21 of the Bristol Development Framework Core Strategy, adopted June 2011 (BDF Core Strategy) and DM29 of the Site Allocations and Development Management Policies, July 2014 (SADMP), which are material in this case because they seek to safeguard existing amenity and ensure that signage and illumination are appropriate to the site's character, the wider street scene and longer distance views. Given the conclusion that the proposal would harm amenity and character, the proposal also conflicts with these policies.
10. As part of their appeal the Appellant has expressed a willingness to reduce the level of illumination to 100cd/m² at night-time and proposed a condition to switch off the display between 0000 hrs and 0600 hrs. Although this would reduce the impact, it would not overcome the harm identified.

Safety

11. Whitehall Road is a busy urban thoroughfare and there are numerous traffic controls to negotiate in the immediate area, including a 20mph speed limit. As the site is approached from the west drivers must negotiate an on-road bus stop, face vehicles overtaking the opposing bus stop, a sign warning of traffic lights and a cross roads, one branch of which is 'no entry'. Although not observed at the site visit, letters from local residents suggest that traffic can queue in front of the poster at busy times and based on my observations, this seems highly likely and would be an additional burden on a driver's attention. Immediately after the site is the beginning of an on-road cycle lane and it is necessary to begin manoeuvring to avoid this as you approach the poster. Immediately following this, traffic lights and a pedestrian crossing at the junction with Chalks Road must be negotiated. I therefore consider this to be a location where the cognitive load on drivers is higher than usual and particular care is required. I note there have been accidents at the junction.
12. Planning Practice Guidance (PPG) advises that advertisements at points where drivers need to take more care, such as at junctions and pedestrian crossings, are more likely to affect public safety. According to PPG, the main types of advertisement that may cause danger to road users include those that are internally illuminated and subject to frequent changes of display. From this, I conclude that the risk to safety could increase from the proposals. In

determining whether this is to a harmful extent, I note that the TfL guidance quoted by the Appellant recommends detailed analysis in locations where there is tight geometry, junctions and pedestrian crossings, which has not been provided. In addition, a minimum display duration for this location has not been calculated, which would have been appropriate given the reduced speed limit and probable queuing of traffic in the area. It has therefore not been demonstrated that drivers would normally only see one or two images as recommended in the TfL guidance. In the absence of evidence to the contrary, given the high demands on drivers as they approach this location, and taking into account the vulnerable pedestrians and cyclists likely to be in the area, the increase in risk to safety from the proposal would be harmful.

13. I have also taken into account policy BCS10 of the BDF Core Strategy and policy DM23 of the SADMP, which seek to ensure the provision of safe streets for all users and presume against proposals that give rise to unacceptable traffic conditions and are therefore material in this case. Given I have concluded that the proposal would harm safety, the proposal also conflicts with these policies.

Conclusions

14. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

B Davies

Inspector