



Appeal Decision

Site visit made on 4 December 2019

by R Lankshear BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2020

Appeal Ref: APP/Z0116/Z/19/3237285

Land Rear of Temple Trading Estate, Cole Road, Adjacent to St Phillips Causeway (A4320) Northbound, Bristol BS2 0UG

- 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 Ocean Outdoor Ltd against the decision of Bristol City Council.
 - The application Ref 19/03302/A, dated 5 July 2019, was refused by notice dated 6 September 2019.
 - The advertisement proposed is erection of a structure to support 2no. 12m wide x 3m high LED displays.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

3. The appeal site lies to the south of the St Philip's Causeway (A4320), that is elevated above surrounding land and development. The appeal proposal would be sited within an industrial area accessed from Cole Road that runs beneath the flyover. The industrial area is characterised by utilitarian buildings and infrastructure although there is a small band of coniferous trees to the north-west of the location of the appeal proposal. There is an existing advertisement to the opposite north-eastern side of St Philip's Causeway that is of a similar form and style to that subject of this appeal.
4. The appeal development seeks to introduce a single support pole of 27 metres in height that will support two 12 metre wide x 3 metre high LED digital displays. The displays will show static images that will change every 10 seconds on a 40 second loop.
5. The proposed advertisement, by its nature would be prominent from view along St Philip's Causeway and would be particularly apparent along its central section. The surrounding area comprises of largely commercial and industrial development. Given this and the presence of existing signage to the other side of the Causeway, the introduction of such a feature would not strictly be incongruous within this context. However, much of the surrounding industrial development is not visually prominent from the Causeway owing to its lower

level. Whilst the existing pylons and telecommunications apparatus to some degree punctuate views from the Causeway to its southern side, these structures are significantly different in their form to the appeal proposal and allow views through and around them. The advertisement meanwhile would introduce an additional, deliberately visually prominent element with substantial display panels of significant height and width.

6. The appeal proposal would be significantly elevated above surrounding development and would introduce a further feature that would be evident on approach from both the north and south along the Causeway. On approach from the north, the advertisement would be visible across the carriageway against the rising ground to the south and west including Totterdown. Whilst not recognised or protected for their importance, existing views currently provide a pleasant backdrop that draws the eye away from surrounding commercial development. The introduction of the advertisement would significantly interrupt the identified views towards distant and rising land. Although somewhat transient and not experienced along the full length of the Causeway, to my mind, such views currently contribute positively to the visual amenity experienced by road users.
7. On approach from the south, the advertisement would be viewed against a vegetated strip that includes a tall band of conifers, that partially obscure long-range views towards the City Centre and Clifton. However, from the information before me, I am unaware of the health of or any protection afforded to these trees; that they will be retained beyond the short term or whether they fall under the control of the appellant. As such, to my mind, any obscuration of the advertisement itself or northbound views beyond the proposal from these trees could not be relied upon. Furthermore, I am not persuaded that the visual impact of natural, vegetative features are directly comparable to the scale and form of the appeal proposal. For these reasons the presence of this band of trees does not outweigh the harm I have identified above.
8. I acknowledge that commercial advertising is not intrinsically harmful, and any views may in part be obscured by other road traffic utilising the Causeway. However, owing to the general scale and nature of display, I am not persuaded that the panel would not unacceptably impact upon visual amenity of users of the Causeway, particularly on approach from the north.
9. The existing advertisement to the east of the Causeway is clearly evident for road users and has established the presence of such structures in this location. However, its presence does not to my mind, result in a presumption for further structures of a similar form. Indeed, whilst the proposal may create some form of 'gateway' owing to its symmetry with the existing advertisement, I am not persuaded that this would represent a benefit of the proposal or constitute a visually desirable addition. Alternatively, to my mind, when considered cumulatively with the existing feature, the appeal proposal would result in an additionally cluttered assortment of signage when viewed by users of the Causeway. Furthermore, its singular and cumulative impact would be accentuated by the display of changing illuminated images.
10. My attention has been brought to a changing context owing to regeneration proposals, masterplans and development proposals that, it is contended, would alter the nature and characteristics of views experienced from the Causeway.

Although some information has been provided in support of this appeal, I am not fully familiar with the circumstances, status and detail of the named schemes or their likely impact. Whilst identified developments may alter the nature of wider views in the medium to long term, I can only have regard to the impact of the appeal proposal at the current time. As such any potential impact does not alter or outweigh my findings with regard to the previously detailed impact upon visual amenity of the appeal development.

11. Although long-distance views of rising land would be lessened at night and the presence of cyclists on the Causeway may draw some attention away from long-distance views, this to my mind does not alter or outweigh identified concerns with regard to the impact upon visual amenity detailed above.
12. I also acknowledge comments made by the parties with regard to previous applications and related appeals for advertisements in the vicinity of the site (subject of appeal references APP/Z0116/H/09/2108977 and APP/Z0116/H/09/2108978). Comments include those in relation to the change of location, context and design when compared with the current proposal. However, having considered the matters raised, I have determined this appeal on its individual merits and am not persuaded that this alters my view on the matters raised above.
13. For the reasons given above, I conclude that the proposed advertisement would appear as a prominent and intrusive feature, which would cause significant harm to the visual amenity of the area, particularly users of St Phillips Causeway. I have taken into account Policy BCS21 of the Bristol Development Framework Core Strategy 2011 and Policy DM29 of the Bristol Local Plan Site Allocations and Development Management Policies 2014 which seek to protect amenity and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with the provisions of these policies and the National Planning Policy Framework, including paragraph 132.

Conclusion

14. For all the reasons given above, the appeal is dismissed.

Robert Lankshear

INSPECTOR