
Appeal Decision

Site visit made on 23 June 2020

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2020

Appeal Ref: APP/Z0116/Z/20/3253265

55 Newfoundland Circus, St Pauls, Bristol BS2 9AP

- 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 Vastint Hospitality B.V. against the decision of Bristol City Council.
 - The application Ref 19/05395/A, dated 6 November 2019, was refused by notice dated 2 April 2020.
 - The advertisement proposed is two internally illuminated fascia signs.
-

Decision

1. The appeal is allowed and express consent is granted for the display of two internally illuminated fascia signs as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matters

2. The application form contains no description of the proposed advertisements, other than that they are fascia signs, but instead states "Please refer to the submitted signage plans". The Appellants Statement of Case refers to two internally illuminated letter signs. The Council's decision notice describes the proposal as "2 x No internally illuminated fascia signs". I consider that this description more closely describes the proposal. Both main parties have been given the opportunity to comment on a revised description and had no comment to make. I have therefore used this revised wording in both the banner heading and formal decision above.
3. The application proposed two advertisements. It is clear from the Council's Delegated Report that only one is objected to, this being the elevated advertisement. Based on the evidence before me, I have no reason to consider differently. I have therefore confined my consideration to this specific advertisement.

Main Issue

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

Reasons

5. The proposed advertisement would be sited around 21 metres (m) above ground level, with a height of 2.76m, width of 8m and projection from the face

of the building of 0.275m. The hotel building on which the advertisement would be located is not yet built but benefits from planning permission¹. It appeared at the time of my site visit that construction work had commenced.

6. The appeal site is located to the north side of Newfoundland Circus, a busy thoroughfare providing one of the main routes into Bristol City Centre. There is a high degree of activity at this location, and there are a number of large buildings nearby befitting the central urban location. The approved hotel building will lie outside of, but directly adjacent to the Portland and Brunswick Square Conservation Area (the CA). Within the CA lies St Paul's Church, a Grade I listed building, of which there are views from within the vicinity of the appeal site. The proposed advertisement would therefore be located within the setting of these heritage assets.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that, when exercising planning functions, special attention shall be paid to the desirability of "preserving or enhancing the character or appearance" of a Conservation Area. However, the statutory duty under Section 66(1) of the Act, requires decision makers to have special regard to preserving the setting of a listed building, in consideration of whether to grant planning permission. Nonetheless, the location within the listed buildings setting is a matter germane to the consideration of amenity.
8. The advertisement would be located to the front elevation of the approved hotel building and would face Newfoundland Circus. It would be sited at the highest part of the building, above the sixth-floor windows. Given the scale of the building on which it would be located, the advertisement would not appear as a disproportionately large visual element. Given the character of the area which it would face, i.e. the busy road intersection and nearby commercial development, the illuminated advertisement, even at this elevated position would not be a discordant feature. This is particularly so given the significant amount of illumination that is a feature of the Cabot Circus car park on the opposite side of the road as well as highway lighting that is present. Thus, within this context, the proposal would not be visually intrusive. As such, the advertisement would not be a visually injurious element and it would not harm, but would preserve, the setting of the CA.
9. Given the location of the advertisement to the front elevation, it would not be visible in views of the spire of St Paul's Church, other than predominantly in combined views with the front of the hotel. I acknowledge that from some viewpoints, particularly from the south east, the hotel building, and therefore the advertisement, will be viewed with the spire of the listed church in the background. However, given the height of the building, views from close to the hotel would provide little opportunity to visualise the spire. As such, it would likely largely be in longer distance views, afforded over the height of the hotel, that the spire would be visible. Moreover, given the distance at which the church would be seen behind the building, and thus the advertisement, there would be little visual association between the two. This is particularly so given the proportions of the hotel building and the siting of the advertisement. In other views, which would also include the side of the hotel, the advertisement would only be visible at an oblique angle. Consequently, the advertisement, as

¹ Council reference 17/07099/F

a minor element attached to the elevation of the hotel, would not harmfully detract from views of the church spire, even when illuminated.

10. Accordingly, I find that the proposal would not result in a visual intrusion nor would there be harm to the amenity of the area. I have had regard to the provisions of the development plan so far as they are relevant, as advised by the Regulations. As I have found that there would be no harm to amenity, and therefore the setting of the CA and the listed building, the proposal would accord with policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy (2011), as well as policies DM26, DM30 and DM31 of the Bristol Local Plan Site Allocations and Development Management Policies (2014). Together, and amongst other things, these policies seek to ensure that development safeguards amenity, safeguards the setting of heritage assets, contributes to local character, respects the character of host buildings and their surroundings, as well as that development preserves the setting of conservation areas and listed buildings.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Martin Allen

INSPECTOR