

Appeal Decision

Site visit made on 25 August 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2020

Appeal Ref: APP/P0119/Z/20/3251301
169 Soundwell Road, Bristol BS16 4RP

- 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 Poster Property Limited against the decision of South Gloucestershire Council.
 - The application Ref P20/01832/ADV, dated 17 January 2020, was refused by notice dated 4 March 2020.
 - The advertisement proposed is for the upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons

3. The appeal site comprises the flank wall of a two-storey property that faces Soundwell Road. Despite the presence of a small number of commercial uses, including a public house, a takeaway and a leisure centre, along with the vacant commercial use on the ground floor of the appeal building, this stretch of Soundwell Road retains a predominantly residential character.
4. The existing 48 sheet advert would be replaced with a digital poster of the same size that would display static advertisements on rotation. Unlike the existing advertisement, the proposal would be internally illuminated, not exceeding 300cd/m² at any time during the night-time hours, while the sequence of advertisements would not change more than once every 10 seconds.
5. The proposed signage would be of a larger scale to the existing signage on the neighbouring commercial properties. The size and elevated position at first floor level would give it a strong presence on the side elevation of the host building as can already be seen with the existing poster advertisement that it would replace. The existing poster advertisement and its lack of illumination means it is relatively understated and this would be particularly the case during hours of darkness.
6. Whilst I appreciate that the road is relatively busy, the illumination and regular changing images associated with the proposed advertisement display would appear overtly commercial, at odds with the more discreet appearance and

smaller scale of existing advertisements in the area and the residential character of the street. Even though the illumination of the display would be reduced at night, and the number of street lights I saw on my site visit suggests that the street is relatively well lit during hours of darkness, there were no other comparable illuminated advertisements visible in the area. Having regard to the context and the nature of the proposal, I find that the display would be conspicuous and intrusive in the street, to the extent that it would be detrimental to the visual amenity of this part of Soundwell Road.

7. The proposed advertisement would face, albeit at an angle, the residential flats at The View, on the opposite side of Soundwell Road. Despite this oblique relationship the proposal's scale, level of illumination and proximity to these flats, would mean it would be prominent and obtrusive from the windows that face the street. Moreover, the proposal would be much more invasive, than the existing signage due to the continually changing illuminated screen. Therefore, the visual amenities of occupiers of these dwellings would be significantly harmed.
8. I have been referred to visual material which attempts to demonstrate that the proposal would be no brighter than the existing un-illuminated advertisement. However, it is likely that the proposal would be far more intrusive into the evening and hours of darkness. Therefore, I do not consider that the comparison presented would always be the case.
9. The appellant has referred to the Institute of Lighting Professionals Lighting Guide (PLG) and notes that the level of lighting proposed accords with the guidance. However, the Guide states that it is 'advisory and not mandatory' and that each application will need to be separately assessed, depending on the circumstances relating to each case. It considers, for example, that one illuminated sign on its own might appear offensive in darker light conditions whereas a sign in the midst of others might be attractive: in the case of the appeal, the illuminated, rotating sign would be a single feature.
10. The appellant has suggested that conditions could be imposed that would lower the level of illumination and control the time the advertisement would be operated. Nevertheless, the suggested reductions in luminance and times of operation would not overcome the harm I have identified above.
11. For the foregoing reasons I conclude that the proposal would have a harmful effect on the visual amenity of the area. It would therefore be contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy, adopted December 2013 and Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan, adopted November 2017. These require, amongst other things, for proposals to demonstrate an understanding of characteristics that make a positive contribution to the locality, and to respect the character and amenity of the site and its context. Furthermore, paragraph 132 of the Framework states that 'the quality and character of places can suffer when advertisements are poorly sited and designed'.

Other Matters

12. The appellant has referred to the proposal's ability to display non-commercial announcements, for example charitable campaigns and emergency messaging. However, I have determined the appeal on the basis of the impact of the

proposed development on amenity, and these types of advertisements would not weigh in favour of the proposal.

13. The appellant considers that the Council did not adequately assess the proposal against its development plan policies. Nevertheless, I have made my own assessment of the proposal against the Council's policies and guidance and have reached my own conclusions.
14. I acknowledged that the proposal would be unlikely to give rise to unacceptable noise impacts, yet this lack of harm is a neutral factor that weighs neither for or against the proposed development.
15. None of the above matters change my conclusion on the main issue regarding the impact of the proposed advertisement on the visual amenity of the area.

Conclusion

16. For the reasons given above, I conclude that the appeal is dismissed.

R. E. Jones

INSPECTOR