
Appeal Decisions

Site visit made on 15 January 2021

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2021

Appeal Ref: APP/Z0116/Y/20/3249552

Slug & Lettuce, 26-28 St Nicholas Street, Bristol BS1 1TG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) against a refusal to grant listed building consent.
 - The appeal is made by Stonegate Pub Company against the decision of Bristol City Council.
 - The application Ref 19/06090/LA, dated 17 December 2019, was refused by notice dated 18 February 2020.
 - The works proposed are the replacement of the internally illuminated oval box sign above the passageway entrance from Corn Street, an internally illuminated wall mounted menu sign within the passageway, and a new externally illuminated projecting sign to the Corn Street frontage.
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Appeal B: APP/Z0116/H/20/3249551

Slug & Lettuce, 26-28 St Nicholas Street, Bristol BS1 1TG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Stonegate Pub Company against the decision of Bristol City Council.
 - The application Ref 19/06089/A, dated 17 December 2019, was refused by notice dated 19 February 2020.
 - The advertisement proposed is an externally illuminated hanging sign adjacent to the passageway from Corn Street.
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Decisions

Appeal A

1. The appeal is allowed and listed building consent is granted for the replacement of the internally illuminated oval box sign above the passageway entrance from Corn Street, an internally illuminated wall mounted menu sign within the passageway, and a new externally illuminated projecting sign to the Corn Street frontage at Slug & Lettuce, 26-28 St Nicholas Street, Bristol BS1 1TG in accordance with the terms of the application Ref 19/06090/LA, dated 17 December 2019 subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) The works shall be in accordance with the plans hereby approved referenced 596262-4 & 596262-8 Rev B.

Appeal B

2. The appeal is allowed and express consent is granted for the display of the externally illuminated hanging sign adjacent to the passageway from Corn Street as applied for. The consent is for 5 years from the date of this decision and is subject to the 5 standard conditions set out in the Regulations and the following additional condition:
 - 1) The advertisements hereby granted express consent shall be displayed in accordance with the details on the approved plans referenced 596262-4 & 596262-8 Rev B.

Procedural matters

3. As originally proposed, the hanging sign was to be internally lit. However, during consideration of the applications it was amended to be externally illuminated and I have assessed it on that basis. Although there is a certain amount of ambiguity in the submissions, it seems clear from the Officer Reports and the appellant's statements that the applications subject of these appeals were considered against drawing number 596262-8 Rev B, which showed an oval advertisement.
4. Although the reason for refusal with Appeal A focussed just on the hanging sign, as listed building consent was refused for all the advertisements before me I am to consider each under that appeal. However, under Appeal B I only need consider the externally illuminated hanging sign adjacent to the passageway from Corn Street as advertisement consent was granted for the 2 others subject of application 19/06089/A.
5. Three advertisements were being displayed at the time of my visit, but I understand they were not in accordance with the plans that were eventually determined by the Local Planning Authority. As such, I have considered the scheme based on the drawings before me.

Main Issues

6. Having regard to the various requirements of sections 16 and 72 of the 1990 Act as well as the Regulations, the main issues with these appeals are
 - whether these advertisements would preserve the special architectural and historic interest of the listed building on which they are to be displayed,
 - whether they would preserve the settings of adjacent listed buildings,
 - whether they would fail to preserve the character or appearance of the City and Queen Square Conservation Area,
 - whether they would harm the significance of any of these designated heritage assets,
 - and so, in turn, whether they would affect amenity.

Reasons

7. Although the Slug & Lettuce Public House has an elevation onto St Nicholas Street, it can also be approached from Corn Street by means of a ground floor

- passageway that runs through 38 Corn Street. It is around the entrance to this passageway that the advertisements before me are proposed.
8. No 38 is a Grade II listed former bank that dates from the mid-19th Century. Its special architectural and historic interest and its significance lie partly in its scale, its design and its detailing that still show its origins as a commercial building of some status and authority.
 9. Many similar buildings are on Corn Street, a number of which are listed. They are each of an individual design and, like No 38, also appear to be of a high status. As a result, they are all clearly distinct and separate from each other, yet they contribute positively to their respective settings, as together they create a streetscape that shows this road was historically an important and influential part of the business core of the city.
 10. Moreover, the character and appearance of the conservation area is in part associated with the way the area it covers still reflects the growth, role and function of this prosperous city over time. These older high-status commercial buildings (including No 38) very much add to that and so enhance the conservation area's significance.
 11. The proposed menu board is to be tucked down the passageway and is of a discrete size and lighting. The oval box sign would be more prominent, being attached to the wrought iron-work above the gates to the passageway. However, it would reflect the scale and shape of entrance's arch and gates, and would not be unduly dominant when looking along the road. It too would be of a sensitive size and illumination. Mindful that this is a commercial building in a commercial area, these aspects of the proposal would not fail to preserve the special architectural or historic interest of the Grade II listed No 38. They would also preserve the character and appearance of the conservation area and the settings of adjacent listed buildings, causing no harm to the significance of these designated heritage assets.
 12. Turning to the projecting advertisement, there are many such advertisements along Corn Street, with one or maybe 2 on a number of the properties. However they are of a range of designs and there is no uniform positioning on the buildings, as they respond to the specific detailing of the elevation to which they are attached. Despite this, they are nonetheless an established element of the character of this commercial street, and comprise part of the settings of the listed buildings around. As such, a further projecting advertisement need not necessarily be harmful.
 13. What is now proposed would be sympathetically positioned on No 38, having due regard to the detailing and arrangement of the elevation. It would also be of an appropriate design and size, while it would be lit suitably.
 14. The relationship of the projecting advertisement to the other advertisements before me would not be harmful. This is because, when looking along the street the hanging advertisement could be seen but the intended oval advertisement would not be prominent as it is to be recessed slightly into the passageway. In contrast, the oval advertisement could be noticeable from the opposite side of the road, but the prominence of the projecting sign would be diminished as its main faces could be seen only obliquely and it would be its thin side elevation that would be most readily apparent. It would be close to one of the 2 large canvas banner advertisements that are displayed on No 38 now. I was told

though that neither of those banners have consent and so the weight I afford their presence is limited. In the wider streetscape, the hanging advertisement would be visually distinct and separate from other comparable projecting advertisements. Therefore, I consider it would not give rise to an undue sense of clutter either on the building or in the street. As a result, I find it would not harm the listed building on which it would be sited, the settings of listed buildings around, or the conservation area.

15. In coming to this view I understand the appeal decision concerning the application submitted in 2014 found some advertisements on this elevation to be unacceptable. However, I have few details of what exactly was before that Inspector and so that decision does not give me a basis to reach different conclusions in this instance.
16. The Council suggested a condition be imposed on both appeals concerning the display being in accordance with the approved plans, which I accept in the interests of clarity. It also suggested the standard commencement condition be imposed. As I am unaware as to whether what is on site is precisely the same as what is being approved I consider that condition should also be imposed on Appeal A, though is unnecessary on Appeal B. I have not been persuaded that any other conditions are justified.
17. Accordingly, having regard to sections 16 and 72 of the 1990 Act and to the Regulations, I conclude the proposal would not fail to preserve the special architectural or historic interest of No 38, the settings of the adjacent buildings, or the character or appearance of the Conservation Area, and would not cause harm to the significance of any of these designated heritage assets. As a result, it would not harm amenity, it would not conflict with the *National Planning Policy Framework* and, insofar as they are a material consideration to these appeals for listed building and advertisement consent, it would not conflict with Policies DM29, DM30, and DM31 in the *Site Allocations and Development Management Policies Local Plan*, or Policies BCS21 and BCS22 in the *Bristol Development Framework Core Strategy* that seek to safeguard the city's urban and historic environment. Both appeals should therefore be allowed.

JP Sargent

INSPECTOR