



Appeal Decision

Site visit made on 17 November 2021

by Cullum J A Parker BA(Hons) MA MRTPI MCMI IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 November 2021

Appeal Ref: APP/Z0116/Z/21/3283322

Tower House, Fairfax Street, City Centre, Bristol, BS1 3BN

- 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 Oval Properties 1101 Limited against the decision of Bristol City Council.
 - The application Ref 21/02102/A, dated 14 April 2021, was refused by notice dated 29 July 2021.
 - The advertisement proposed is described as '*high level signage*'.
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement 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.

Application for costs

2. An application for costs was made by Oval Properties 1101 Limited against Bristol City Council. This application is the subject of a separate Decision.

Background and Main Issue

3. The *Regulations*, *National Planning Policy Framework* and the national *Planning Practice Guidance* make it clear that advertisements should be subject to control only in the interests of public safety and amenity.
4. The main issue is the effect of the proposed advertisements on the visual amenity of the area.

Reasons

5. Advertisement consent is sought for high level logo signage on the north and east elevations of the appeal building. The signage would comprise two levels of individual lettering, to read 'The Fairfax', in white aluminium letters. Overall dimensions of the signage would be roughly 1.42m x 3.54m x 0.10m, with the maximum letter height of 65cm. The signage would not be illuminated¹.
6. The appeal building itself, Tower House, is a 1960's office building of around 14 storeys which is located within the designated Bristol Shopping Quarter and

¹ As detailed within the submissions of the main parties, an earlier application for a similar, but illuminated, proposal was refused under 20/04994/A and dismissed at appeal under reference 3268059.

- Primary Shopping Area of Bristol. Work is currently underway to update and upgrade the existing building under separate permissions as detailed within the written submissions.
7. The surrounding area is characterised by typical city centre urban use; with a mixture of multi-storey car parks, office buildings and commercial units. Advertising in the immediate locality comprising mostly low-level fascia and projecting signage. However, I saw during my site inspection that there are a number of high-level signs within both the City and Queen Square Conservation Area and wider afield. These include both the examples cited by the Appellant in their statement, and other buildings where high-level signage is visible as one walks around the city. Whilst the use of high-level signs are not necessarily rampant in this location, there are numerous examples within the city centre.
 8. While Tower House is a noticeably taller building than the surrounding structures and visible from distance views it nevertheless has a limited visual impact. Indeed the Council considers that it is a 'background' building within the Conservation Area, and I concur. In this respect, the use of relatively subdued individual lettering and proposed lack of illumination will reduce the prominence of the sign when viewed from the surrounding area. The proposal would not, therefore, appear as an incongruous addition to the host building nor would it result in any harm to the character or appearance of the conservation area, or the wider locality more generally.
 9. Neither party raises public safety as an issue. Given the location of the sign and lack of illumination I see no reason to disagree. It is not, therefore, an issue in this case. Whilst there are nearby listed buildings detailed in the submissions neither party raises concerns that their settings would fail to be preserved. For the reasons cited earlier, I find that the proposal would not have any adverse impact on their significance and accordingly their settings would be preserved.
 10. Accordingly, high level signs and adverts are a visual feature of the locality's character and appearance - this includes within and without the Conservation Area. As such, I find that the proposal for non-illuminated high-level signs would preserve the character and appearance of the Conservation Area, as sought by s72(1) of the PLBCA Act 1990, as amended. For similar reasons, it would not harm visual amenity.
 11. I have taken into account policy BCS21 and BCS22 of the Core Strategy Policies 2011 and Policies DM26, DM29, DM30 and DM31 of the 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 not harm amenity, the proposal does not conflict with these policies.
 12. For the reasons given above, I conclude that the display of the advertisement would not be detrimental to the interests of amenity and public safety. The appeal is therefore allowed.

Cullum Parker

INSPECTOR