



Appeal Decision

Site visit made on 18 December 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 April 2025

Appeal Ref: APP/Z0116/Z/24/3354058

Land adjacent to filling station, Park Road, Bristol BS16 1DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Wildstone Estates Limited against the decision of Bristol City Council.
 - The application Ref is 24/02575/A.
 - The development proposed is the erection of one free standing D6 advertisement display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the site address from the Council's decision notice as it is more complete than that included on the application form.
3. The Council has referred to Policy DM30 of the Site Allocations and Development Management Policies Local Plan (2014) (SADP) in the reason for refusal. This policy relates to alterations to existing buildings and therefore does not apply to the proposed freestanding advertisement display. I have therefore considered the appeal accordingly.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, including the setting of the nearby listed building Stapleton and Frome Valley Conservation Area (SFVCA).

Reasons

5. The proposed free standing advertisement display would be located within the grounds of a petrol filling station, within the SFVCA and opposite the Grade II listed Stoke Cliffe. I have paid special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act). Also, Section 66(1) of the Act requires the decision maker, in considering whether to grant consent for development which affects the setting of a listed building to have special regard to the desirability of preserving its setting.
6. The part of the SFVCA in which the appeal site is located is mainly residential and characterised by traditional properties, stone boundary walls, and a green setting.

The petrol station site includes a range of services, including an electric vehicle charging facility, a shop and a jet wash facility. There is a significant level of existing signage, associated with these uses, across the site. These create a cluttered appearance which is at odds with the more traditional character of the streetscene.

7. I recognise that the proposed advertisement would be viewed in the context of the existing petrol filling station site, which is a commercial premises where signage is to be expected. I also note that it would sit close to the jet wash facility. Nonetheless, the proposed LCD advertisement with changing images would be clearly visible within the streetscene. It would draw the eye of both passers-by and visitors to the petrol station site and would unacceptably add to the existing visual clutter of the site. Consequently, it would unduly harm the character and appearance of the site and area.
8. I note that the appellant describes the materials which the sign would be made of to be 'lightweight and durable' and muted in colour. I also recognise that the proposed advertisement would display only static images and that the scheme would follow best practice for digital displays. However, this would do little to mitigate the overall harm that I have identified to the character and appearance of the area.
9. The appellant confirms he would be willing to accept a number of conditions which could control the level of luminance and the proposed speed and rate of change between adverts. I have considered a number of model conditions submitted by them in this respect. Nonetheless, even with these possible restrictions, given the overall size and position of the advertisement, as well as the fact that it would rotate a number of illuminated images, the proposal would unacceptably harm the character and appearance of the application site and area, including the SFVCA.
10. In terms of the setting of the listed building, given that the proposal is for a single sign which would be located on the opposite side of a busy road from Stoke Cliffe, it is not of a scale or position that would affect the significance of the listed building. As such, the proposal would not unduly harm the setting of the listed building.
11. Whilst I have found that the proposed advertisement would not harm the setting of Stoke Cliffe, as I have described, it would fail to preserve the character and appearance of the SFVCA. Due to the small-scale nature of the proposed advertisement, the harm to the significance of the SFVCA would be less than substantial. I have attached considerable importance and weight to avoiding any such harmful effect on the SFVCA in accordance with the Act. The Framework advises that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. Whilst the proposed hub and advertisement display would provide limited economic, social and environmental benefits any public benefits would not be significant enough to outweigh the harm to the SFVCA that I have found.
12. Taking all of the above into account, I conclude that the proposed advertisement display, by reason of its position, size and design would adversely affect the visual amenity of the site and area. As such, the appeal proposal would fail to preserve or enhance the character and appearance of the Conservation Area. The proposal would conflict with Part 1, Section 3 of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007, Bristol Core Strategy (2011) Policies

BCS21 and BCS22, Policies DM29 and DM31 of the SADP and the provisions of the Bristol Local Plan Policy Advice Note 8, Shopfront Guidelines. Together, these seek to promote advertisements with high quality design which respect the character and appearance of an area and safeguard heritage assets, including Conservation Areas. For the same reason, the proposal would be contrary to the provisions of Sections 12 and 16 of the Framework.

Conclusion

13. For the reasons given, the appeal is dismissed.

Rebecca McAndrew

INSPECTOR