



Appeal Decisions

Site visit made on 22 March 2025

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 30 April 2025

Appeal A Ref: APP/Z0116/W/24/3356656

Land outside 82 - 84 Queens Road Bristol BS8 1QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against Bristol City Council.
 - The application Ref is 24/03086/F.
 - The development proposed is Installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal B Ref: APP/Z0116/H/24/3356657

Land outside 82 - 84 Queens Road Bristol BS8 1QU

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against Bristol City Council.
 - The application Ref is 24/03087/A.
 - The development proposed is Installation of "Pulse Smart Hub" with integrated digital screens.
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Decisions

Appeal A Ref: APP/Z0116/W/24/3356656

1. The appeal is dismissed.

Appeal B Ref: APP/Z0116/H/24/3356657

2. The appeal is dismissed.

Preliminary Matter

3. As set out above there are two appeals on this site. They differ only in that the development required separate applications for planning permission and under the Control of Advertisements Regulations. I have considered each appeal on its merits. However, to avoid duplication I have dealt with the two appeals together, except where otherwise indicated.

Main Issues

4. The main issues are (a) the effect of the proposed Hub on visual amenity and the character and appearance of the area bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby listed buildings, and the extent to which it would preserve or enhance the character or appearance of the Clifton and Hotwells Conservation Area, and (b) the effect of the proposed hub on pedestrian and highway safety.

Reasons

5. The proposed Hub would be positioned on a busy footway in the City's University Quarter, within the Clifton and Hotwells Conservation Area and at the edge of the City's primary shopping area in a formal space created in the Victorian period. Beacon House, a Grade II listed building, is on the opposite side of Queens Road. The nearby Grade II* listed Victoria Rooms and Fountain are positioned on the axis of Queens Road where it joins the A4108 Whiteladies Road. From this point Queens Road loops westward into Victoria Square through an area with a less urban character of predominantly villa and terrace development. Taking into account three other intersecting roads, the appeal site sits within a busy approach to the central area of Bristol which is well-trafficked by all forms of transport as well as numerous pedestrians.
6. Footways in this part of Queens Road are generally broad, and in places sufficiently spacious to accommodate public benches and a variety of street furniture including bicycle and scooter parking. The proposed location for the Hub is to the front of a café with pavement seating, and adjacent to the junction with Queens Avenue and its pedestrian crossing. Towards the outer edge of the footway where the Hub would be located are a litter bin, a street lighting post and a small wiring pillar with other signage including, significantly, a large single-sided post-mounted, car-park information sign which addresses southbound traffic with illuminated lettering and changing numbers. Nevertheless, at the relevant point, several metres of clear footway width remain¹ and this was the adopted walking route by almost all pedestrians which at the time of my visit I counted to be some 30-40 persons per minute. I am therefore satisfied the proposal would not obstruct the footway.

Character and Appearance

7. The proposed Hub would be set against a mixed shopping frontage on the east side of Queens Road within an area where it widens to accommodate the road junction with Whiteladies Road and a formal setting for the Grade II* Victoria Rooms and other significant buildings. It would be positioned within a part of a footway already occupied by a cluster of street furniture that is typical of busy urban spaces and main roads. The immediate setting for the proposed Hub exudes a High Street character which arises largely from the levels of activity generated as people pass through the space and from a persistent flow of traffic, including buses, which is both moderated by the 20mph speed limit and calmed by the regular use of the pedestrian crossings. Signage associated with the shops, cafés and other premises, although predominantly corporate in origin, is restrained in amount and appearance. Posters and similar advertising displays are notably absent.

¹ And would remain if the Hub were installed

8. The appellant explains that the Hub would be 'significantly more streamlined' and 'less cluttered in the street scene' occupying a footprint which is one third of the previously approved call box that was granted on appeal but not implemented². Although the physical environment has not materially changed since that decision, what is proposed is very different. It would have the visual characteristics of a kiosk-sized smart phone, presenting large glassy surfaces with integrated digital displays and a much smaller subsidiary panel on the side for public access. Whilst the Hub would be seen in conjunction with the Council's prominent parking information sign by city-bound travellers, the Victoria Rooms and Fountain are not experienced contextually as they lie behind the viewer at this point. The Hub, however, due to the single-sided form of the parking sign being entirely black on its southern face, would by its design and glassy appearance, intrude significantly upon the important northward axial view of the Victoria Rooms and detract from the formal character of this space. There would, in consequence, be a harmful impact upon visual amenity of the surrounding area and this would occur whether or not proposed display is active.
9. In addition to the form and appearance of the Hub itself, the two-sided display comprised within it would contribute significantly to its visual impact. Although there would be no moving images, advertisements and information displays would change at specified intervals introducing colour, images and text in a form which is otherwise absent in the surrounding area. Overall, the proposal would introduce a large glassy element of street furniture that is uncharacteristic of the wider location and the display of advertisements would accentuate that harmful effect.

Heritage Assets

10. Turning to the effect of the proposal on heritage assets, the Victoria Rooms and Fountain are an important focal point of the wider space within which the proposed Hub would sit. Together with the substantial tree grouping on its western side these significant heritage assets are positioned with classical symmetry along the axis of a space which is otherwise defined by buildings, including other listed buildings, which differ in height and age and characterised by the variety of architectural form, but also the textures and tone of solid construction materials rather than coloured or glossy surfaces.
11. The Hub would significantly distract from the experience of the listed Victoria Rooms and Fountain, unbalancing the axial setting in the approach view by its prominence and uncharacteristic appearance. This would amount to less-than-substantial harm to a designated heritage asset. Although the Hub would be located at the edge of the primary shopping area it would also be wholly within the Clifton and Hotwells Conservation Area and, for the reasons given, harm its character and appearance. I find that the proposal would fail to preserve the special interest of listed buildings and the significance of the Conservation Area and I give this harm considerable importance and weight.

Pedestrian and Highway Safety

12. The proposed display would be located on a busy, edge of town centre, pavement and be directed at both pedestrians in the area and road users approaching from the north. It would also be visible, in so far as the density of oncoming traffic flow

² APP/Z0116/W/18/3194415

allows, to traffic leaving the city centre. Whilst traffic speeds and density will differ according to time and day, the calmed traffic flows and wide pavements within a mixed but commercially active location do not indicate that the presence of the advertisements would be a significant distraction to users and therefore do not consider the proposed Hub would impair the safe use of the highway³.

Planning Balance and Conclusion

APPEAL REF APP/Z0116/W/24/3356656

13. I have concluded the Hub, by its design and appearance, would harm the character and appearance of this part of the Conservation Area and cause less-than-substantial harm to the setting of important listed buildings. Paragraph 212 of the National Planning Policy Framework 2024 (The Framework) advises that when considering the impact of development on the significance of a designated heritage assets, great weight should be given to the assets' conservation which in this case includes grade II* listed buildings.
14. Paragraph 215 of The Framework advises that such harm should be weighed against the public benefits of the proposal. The appellant points to a public benefit in terms of providing public access to the internet, also for calls and emergency service access, however some of these benefits are contested by the designing-out-crime officer. Whilst the Hub may no doubt be convenient for users and may from time to time lend important assistance to individuals, I have nothing before me to demonstrate that such provision cannot be provided by other means or in alternative less-intrusive locations. I therefore consider it has not been demonstrated that there would be a public benefit sufficient to outweigh harm to the significance of irreplaceable heritage assets. I further conclude that the proposal would conflict with Policy BCS22 of the Bristol Development Framework Core Strategy 2011 which seeks that development proposals should safeguard or enhance, and protect the setting of, heritage assets. The proposal is therefore in conflict with the development plan taken as a whole and, in consequence, this appeal cannot succeed.

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15. Whilst the proposed display would not affect the safe use of the highway the proposed display screens, located prominently within a large glassy element of street furniture, would have a harmful impact upon the established, formal, character of this important public space, which despite its edge of town centre location and associated activity, is characterised by understated signage and a calm visual environment. Such harm attracts significant weight. Due to the location chosen, the proposed display would significantly detract from visual amenity of the area and on that basis, this appeal should also fail.

Andrew Boughton

INSPECTOR

³ Which includes the areas of footway and use by pedestrians or non-motorised users.