
Appeal Decisions

Site visit made on 13 August 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 November 2025

Appeal A Ref: APP/Z0116/W/25/3366897

Pavement opposite 111 Whiteladies Road, Redland, Bristol BS8 2PB

(Grid Ref.: E357742, N174100)

- 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 Mr Simon Warner of BT Telecommunications Plc against the decision of Bristol City Council.
 - The application Ref is 25/10660/F.
 - The proposed development is described as 'Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals'.
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Appeal B Ref: APP/Z0116/H/25/3366898

Pavement opposite 111 Whiteladies Road, Redland, Bristol BS8 2PB

(Grid Ref.: E357742, N174100)

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Simon Warner of BT Telecommunications Plc against the decision of Bristol City Council.
 - The application Ref is 25/10661/A.
 - The proposed advertisement is described as 'Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals'.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. There are two appeals on this site. Appeal A concerns the refusal of planning permission for the proposed BT street hub, while Appeal B concerns the refusal of express consent for digital advertisement on the same BT street hub. I have considered each on its individual merits. However, as they raise similar issues, I have dealt with the two schemes together, except where otherwise indicated, to avoid duplication.
4. In respect of Appeal B, the Regulations and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control in the interests of amenity and public safety, taking into account cumulative impacts. Therefore, while I have taken relevant policies of the Bristol Core Strategy (June 2011), the Site Allocations and Development Management

Policies (June 2014), and the Bristol Central Area Plan (March 2015) into account as a material consideration, they have not been determinative.

5. The appeal site is situated within the Whiteladies Road Conservation Area (WRCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In this respect, national policy on heritage assets is set out in the Framework. Paragraph 203 of the Framework sets out matters which should be taken into account including the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
6. In respect of Appeal A, the appeal site lies in proximity to Nos. 105-111 Whiteladies Road, Grade II Listed Buildings. Section 66(1) of the Act requires me, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Main Issues

7. The main issues in both appeals are:
 - the effect of the proposal on amenity, particularly whether they would preserve or enhance the character and appearance of the Whiteladies Road Conservation Area (WRCA); and public safety.

Reasons

Amenity

8. The WRCA is characterised by its irregular street pattern centred on Whiteladies Road, a curving route linking the city to The Downs. Its special character derives from the relationship of villas, terraces, and commercial parades, together with the cohesive use of Bathstone and Brandon Hill rubble. The combination of the formal villa frontages, the shopping parades, and the view into tree-lined residential streets creates a rich and varied townscape. The significance of this heritage asset lies in its expression of 19th century development and there is a distinctive sense of unity and historic identity, reflecting both its architectural quality and its contribution to the wider historic character of the city.
9. The appeal site is located outside the Clifton Down Shopping Centre. This section of pavement contains several items of street furniture, including a bus shelter. Due to their modest scale, the pavement remains relatively uncluttered providing clear and open views along the street in both directions. This open and uncluttered character makes a positive contribution to the overall character and appearance of the area.
10. The proposal comprises the installation of a freestanding, upright structure with illuminated panels on both sides, incorporating Wi-Fi connectivity. The structure would be positioned perpendicularly to the edge of the carriageway. Whilst the appellant contends that the proposed hub is a streamline structure, it would, however, be excessively large in scale and intrusive within its surroundings. Due to the open nature of the area, the introduction of this prominent feature would erode the sense of openness that contributes positively to the character and appearance

of the WRCA. In addition, when seen in the context of existing modest street furniture, the proposal would create visual clutter, further detracting from the quality and appearance of the street scene.

11. The proposed advertisement in Appeal B would be displayed on both sides of the street hub. Whilst the site is situated within a shopping area, the existing illuminated advertisements are generally limited to shopfronts or incorporated into existing bus shelters. As a result, the pavement area remains relatively open and uncluttered. The location of the proposed advertisement on the freestanding street hub, in combination with its illumination, would result in an advert that would be unduly prominent. Although the level of illumination could be controlled through a planning condition, this would not be sufficient to mitigate its adverse impact upon the street scene.
12. Nos 105-111 Whiteladies Road is a Grade II listed early-to-mid 19th century terrace of four houses, now converted to shops and offices. Constructed in limestone ashlar with party wall stacks, the three-storey plus attic buildings have a double-depth plan, projecting ground floor shop front, corniced attic storeys, and sash window with architraves, decreasing in size on the upper floors. Their significance, insofar as relevant to this appeal, is derived from being well-preserved examples of vernacular buildings of their period, valued for their age and architectural quality.
13. Whiteladies Road separates the appeal site and the Grade II listed building, 105-111 Whiteladies Road. Notwithstanding the appeal site proximate to this listed building and there is some intervisibility between the two, in my judgement, the proposed development in appeal A would preserve the setting of 105-111 Whiteladies Road, and its significance would not be harmed.
14. For the reasons set out above, the proposed advert screens would harm amenity. Similarly, although the proposed BT Street Hub in appeal A would preserve the setting of the Grade II listed buildings, 105-111 Whiteladies Road, it would harm the significance of the WRCA and fail to preserve or enhance its character or appearance. Due to the scale and nature of the proposal, the harm that would be caused by the proposal in appeal A to heritage would be less than substantial.
15. The approach in the Framework is that where a proposed development would lead to less than substantial harm to a designated heritage asset, as in the case in relation to appeal A, the harm caused should be balanced against the public benefits of the proposal.
16. The proposal would provide free Wi-Fi connectivity and other services to the members of the public. It would therefore make a contribution, albeit modest, to the goals and ambitions of the West of England Digital Plan. It would also replace two existing, unattractive, vandalised public kiosks in the area as part of the scheme. The appellant has an Electronic Communications Code license and Universal Service Obligation to provide and maintain publicly accessible call boxes on the street. I give these public benefits limited weight due to the modest scale of the proposal.
17. Paragraph 212 of the Framework states that great weight should be given to the conservation of a heritage asset. Taking all these matters into account, I am not satisfied that in this case the public benefits of the proposed development in Appeal A outweigh the degree of harm identified.

18. The appellant has referred to a number of appeal decisions at Union Street / High Street in Birmingham and outside Lidl 99 London Road in Croydon. However, the consented scheme in Birmingham is not situated within a conservation area, while the consented scheme in Croydon involved the replacement of a kiosk at the same location. In addition, the level of advertising in the area of the latter consented scheme is considerably higher than in the area subject to this appeal. Therefore, they are not comparable with the appeal proposal in a meaningful way.
19. I note that an approved scheme relates to an advertisement on a bus shelter outside 109 Whiteladies Road Bristol. However, the consented scheme involved the replacement of an existing digital advertisement, which differs from the appeal proposal before me. Therefore, it is not directly comparable with the appeal proposal.
20. The appellant also referred to appeal decisions in Queensway Birmingham. The consented scheme is situated within a conservation area characterised by a busy highway, wide roadside pavement, and tall mid and late 20th century offices and commercial buildings. As such, the character and appearance of that conservation area are different from the WRCA. In addition, the area subject to this appeal would not be described as highly urbanised, therefore, it does not lead me to a different conclusion on this main issue.
21. Overall, although the setting of the listed building would be preserved, the proposals would harm amenity by harming the significance of the WRCA, and by failing to preserve or enhance the character or appearance of the WRCA. Consequently, in this regard, the proposal would conflict with Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy 2011 (Core Strategy) and Policies DM26, DM27, DM28, DM31 and DM36 of the Bristol Local Plan – Site Allocations and Development Management Policies 2014 (SADMP). Amongst other things, these policies seek to ensure all development is well designed and of a high quality to protect the character and appearance of the area.
22. I note reference has been made to Policy DM29 of the SADMP. However, this policy specifically relates to design of new building, therefore, is not relevant to this decision.

Public Safety

23. The proposed street hub would be positioned in the centre of the pavement, to the north of the bus shelter, and in proximity to the steps outside the Clifton Down Shopping Centre. The site is situated close to a signalised crossing and the Clifton railway station, which contribute to a constant flow of commuters, shoppers and visitors throughout the day. Whiteladies Road also accommodates high level of vehicular traffic, including regular bus services, as well as frequent cycle movements. In addition, the site is situated near the junction of Cotham Hill, which is characterised by shops and restaurants.
24. The appellant referred to the Inclusive Mobility by the Department of Transport December 2021 (IMDoT). The site plan provided shows that the proposed hub would be 1.2 metres away from the edge of highway. Whilst such distance may enable a wheelchair user and a walker to pass each other, paragraph 4.2 of the IMDoT states that footways and footpaths should be made as wide as is practicable. Under normal circumstances, a width of 2 metres is the minimum that

should be provided as this allow enough space for two wheelchairs to pass, even if they are using larger electric mobility scooters.

25. As such, the introduction of a large, free standing, upright structure would create an additional physical barrier within an already heavily trafficked setting. In addition, it would obstruct pedestrians' sightlines. Its proximity to the bus stop would oblige passengers awaiting a bus to wait closer to the edge of the carriageway, thereby increasing the potential safety risk. Pedestrians would also need to navigate around the structure, which would impede free movement.
26. The proposed advertisement would further distract road users, including pedestrians, drivers, and cyclists, due to its prominent location the current open and uncluttered character of the area. Therefore, the appeal proposal would result in harm on the safety operation of the Bristol's highway network.
27. The appellant has made reference to appeal decisions at High Street in Croydon. However, the consented scheme involved the replacement of a phone box at the same location. With regard to the appeal decisions in Wembley London, the consented scheme was situated in a town centre. However, the street furniture near the site was limited to bollards and streetlighting positioned towards the edge of the pavement, unlike the appeal site before me. Therefore, they are not directly comparable to the appeal proposal.
28. With regard to safety within the public realm, I note that the appellant has provided an Anti-Social Behaviour Management Plan intended to mitigate potential issue relating to crime and the fear of crime. However, this carries limited weight and does not lead me to a different conclusion on the matter of public safety.
29. Consequently, I conclude that the proposal would have a harmful effect on public safety, particularly pedestrian and highway safety. It would conflict with paragraph 117 of the Framework, which states that development should minimise potential conflicts between pedestrians, cyclists, and vehicles. Additionally, the proposal is inconsistent with Policy DM23 of the SADMP 2014, Policy BCS10 of the Core Strategy and Policy BCAP30 of Bristol Local Plan – Bristol Central Area 2015, which amongst other things aim to protect the safety of people using roads and footways.

Conclusion

Appeal A

30. I have found that the proposal would harm amenity and public safety, contrary to the development plan and the Framework, and there are no other considerations which outweigh this finding. Therefore, for the reasons given above, the appeal should be dismissed.

Appeal B

31. For the reasons given above, I conclude that the appeal should be dismissed.

O Tresise

INSPECTOR