



Appeal Decisions

Site visit made on 24 October 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th November 2025

Appeal A Ref: APP/Z0116/W/25/3369233

Pavement o/s Three, 84 Broadmead, Bristol, BS1 3DW

- 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 25/10728/F.
 - The development proposed is the installation of 1no. BT Street Hub and removal of associated BT payphones.
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Appeal B Ref: APP/Z0116/H/25/3369234

Pavement o/s Three, 84 Broadmead, Bristol, BS1 3DW

- 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 25/10729/A.
 - The advertisement proposed is the installation of 1no. BT Street Hub and removal of associated BT payphones.
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Decision Appeal A

1. The appeal is allowed and planning permission is granted for the installation of 1No. BT Street Hub Unit and removal of associated BT payphones at the pavement o/s Three, 84 Broadmead, Bristol, BS1 3DW in accordance with the terms of the application, Ref 25/10728/F, subject to the conditions in the attached schedule.

Decision Appeal B

2. The appeal is allowed and express consent is granted for the display of 2no. digital 75" LCD display screens, one on each side of the Street Hub unit at the pavement o/s Three, 84 Broadmead, Bristol, BS1 3DW in accordance with the terms of the application, Ref 25/10729/A. The consent is granted for five years from the date of this decision and is subject to five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions in the attached schedule.

Preliminary Matters

3. I have used the descriptions from the respective application forms in the banner headings above. However, in my formal decision for Appeal B I have amended the description to match the description used by the Council on the decision notice, as this more accurately describes the proposed advertisement.
4. As set out above, there are two appeals on this site. They differ only in that Appeal A relates to planning permission and Appeal B to express advertisement consent. I

have considered each on its individual merit. However, as they raise similar issues, I have dealt with the two schemes together, except where otherwise indicated, to avoid duplication.

5. 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 only in the interests of amenity and public safety, taking into account cumulative impacts. Regard does not need to be had to the development plan. Therefore, while I have taken relevant policies of the Bristol Development Framework Core Strategy (2011) (CS) and the Site Allocations and Development Management Policies- Local Plan (2014) (LP) into account as a material consideration, they have not been determinative.

Main Issues

6. The main issues for Appeal A are the effect of the proposal on:
 - the character and appearance of the area; and
 - highway and pedestrian safety including its effect on the deliverability of The City Centre Development Delivery Plan (2023) (DDP).
7. The main issue for Appeal B is the effect of the proposal on:
 - the visual amenity of the area.

Reasons

Character and appearance/visual amenity

8. The appeal site is situated within a pedestrianised section of Broadmead, within the Broadmead City Centre Neighbourhood. The site is also within a designated Bristol Shopping Quarter, and the adjacent shops form designated Primary Shopping Frontages. The surrounding area contains various types of street furniture, including an existing payphone, trees, bins, antivehicle sphere barriers and bicycle stands.
9. The proposed freestanding hub would be positioned between two existing trees, in the central section of the street to the southwest of an existing cabinet and north of the antivehicle sphere barriers. Although relatively tall, the slim profile of the hub would reduce its bulk such that it would not be unacceptably prominent in the street scene. It would also be sufficiently separate from existing street furniture so as not to result in unacceptable clutter or confuse the legibility of the footpath. The modern design of the hub and use of dark materials would be in keeping with the colour and design of other street furniture in the vicinity, which would allow it to assimilate well with its surroundings and not result in harm to the character and appearance of the area.
10. Alongside the usual signage above shop fronts, I observed other similar scale displays, including digital advertisements and examples of totem and pole mounted signage in the vicinity of the appeal site. Given the substantial width of the footpath, the advertisements within the hub would not appear overtly prominent or result in the proliferation of signage in the street scene. The appearance of the advertisement displays within the hub would not be unusual in this commercial area and given their size, they would not appear prominent set against the scale of

the buildings in the immediate vicinity. As there are other examples of illuminated signage and the street would be well-lit by lamps on buildings, the illumination of the advertisements would not appear out of place either.

11. It is suggested that the proposal is an unnecessary and unjustified addition. However, I have not been directed to any planning policy where this is a specific requirement, or where such developments are specifically resisted.
12. Concerns are raised that the proposed hub could facilitate anti-social behaviour and crime. The risk of opportunistic crime however exists in any public place, and any use of the free Wi-Fi would likely be for short periods. Noting the provisions of the BT Street Hub Anti-Social Behaviour Management Plan, which provides for call restrictions and prioritises any contact from the police amongst other measures, a planning condition would reduce the risk of the BT street hub being used for crime to an acceptable degree. Concerns are also raised regarding the hub creating problems for existing CCTV cameras, such as colour contrasting and reducing visibility. There is however limited substantive evidence before me to demonstrate that this would be an issue in the circumstances of this specific appeal.
13. Consequently, in respect of Appeal A, I conclude that the proposed development would not result in harm to the character and appearance of the area. It would therefore accord with Policy BCS21 of the CS and Policies DM26, DM27, DM28, DM29, and DM36 of the LP. Collectively, amongst other things, these policies seek to ensure high quality design that contributes positively to an areas character and identity and a safe, attractive, high quality and inclusive public realm.
14. Reference is made to Policy DM31 of the LP, which relates to heritage assets. However, the Council have indicated in their case officer report that the site does not fall within a conservation area or affect the setting of designated heritage assets. I therefore do not consider this policy to be relevant to the appeal.
15. In respect of Appeal B, I conclude that the proposed advertisement would not result in harm to the visual amenity of the area. I have taken into account Policy BCS21 of the CS and Policies DM26, DM28 and DM29 of the LP.

Highway and pedestrian safety

16. On my site visit I observed that the area experiences a high level of footfall, and this is likely to be even higher during peak times. The hub would be positioned between two trees and sit parallel to the direction of travel. I acknowledge that the proposed hub would create an additional obstruction in an area where there are various types of street furniture. Pedestrians, including disabled people and people with prams, would therefore have to choose to divert in order to avoid any obstructions.
17. However, given the substantial width of the pavement, there would be ample space around the hub for pedestrians to pass freely along the footway, taking account of the proximity of shopping frontages to the appeal site and the positioning of other items of street furniture. Additionally, if the appeal were to be allowed a planning condition to ensure the removal of the existing payphone could be used to ensure the number of obstructions in the street does not increase.
18. The Council make reference to the Transport for London (TfL) Pedestrian Comfort Guidance, which provides guidance for assessing pedestrian comfort. However, as

the document is primarily intended for streets in London area, its relevance to the appeal site is limited. Nonetheless, the proposed hub would be relatively modest in floor area, and pedestrians, including those using wheelchairs, would likely only use the free Wi-Fi for short periods, so they would not need to remain adjacent to the hub for extended periods. Consequently, the appeal proposal would not unacceptably obstruct pedestrian movement in the vicinity of the area.

19. Concerns are raised regarding the lack of servicing statement which would identify where servicing vehicles would stop to maintain the equipment safely. However, existing bollards could control access for servicing vehicles and in any case, any servicing is likely to be brief and not result in an unacceptable obstruction. It is also reasonable to expect that any employees undertaking servicing would park their vehicles in a safe and legal manner. The submitted plans do not indicate that any other above ground structures, apart from those shown on the plans, are proposed. There is no evidence before me to demonstrate that the proposed hub would be structurally unsound.
20. Concerns are also raised regarding the hub distracting drivers. However, the appeal site is situated in a pedestrianised area. I am satisfied that due to the distance between the appeal site and adopted highways, the scheme would not result in an unacceptable distraction to drivers or increase the risk of collisions involving pedestrians. Accident data in the area is referenced; however no further information has been provided to substantiate this. There is limited substantive evidence before me to indicate that the advertisement would unacceptably distract any cyclists. I also note that the highways team have no objection to the advertisement consent. Should the appeal be allowed a planning condition could be used to restrict the advertisements to static images and the frequency and nature of their changeover, in the interests of highway safety.
21. The DDP sets out the vision and principles for the regeneration of Bristol city centre. It represents early-stage concepts and ideas for potential interventions and initiatives, which will be developed in more detail over the lifespan of the plan. It sets out plans for a linear garden through the centre of Broadmead.
22. The Council outline how the proposal would reduce the width within the pedestrian zone and necessitate changes to the linear garden concept to accommodate additional footway width. However, the evidence before me regarding this plan is relatively limited and there does not appear to be a formal, finalised scheme in place. No detailed plans of this precise area of Broadmead, or precise timescales for delivering the scheme have been drawn to my attention. Given this, I cannot be sure of when the works may come forward, or precisely how they would affect this specific part of Broadmead. Therefore, the evidence in relation to the scheme directly prejudicing key elements of the streetscape proposals set out in the DPP, is not sufficiently precise or persuasive so as to warrant a refusal of the scheme.
23. For the reasons outlined above, I conclude that the scheme would have an acceptable impact on highway and pedestrian safety, including its effect on the deliverability of DPP. It would therefore be in accordance with Policy BCS10 and BCS13 of the CS, Policy BCAP30 of the Central Area Plan (2015) and Policies DM23, DM27 and DM28 of the LP. Collectively, amongst other things, these policies seek to ensure that all modes of movement are safe and convenient.

Other Matters

24. Four linked dismissed appeals in Bristol have been drawn to my attention¹. However, this site appears to relate to a footpath adjacent to a highway. Additionally, it is situated adjacent to a Conservation Area. As such, based on the evidence before me, I am not satisfied that these appeals are directly comparable to the scheme before me.
25. Concerns are raised by interested parties regarding the effect of Wi-Fi, 4G and 5G antennae and small cell technology on health and public safety. However, the appellant has provided a certificate to confirm that the proposal has been designed to comply with the guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP). No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with. There is also no substantive evidence to suggest that the ICNIRP certificate is not valid.
26. Concerns are raised regarding the effect of LED sources on human health, including eye and mental health. However, there is limited substantive evidence before me to demonstrate a direct link between the proposed hub and human health. Furthermore, if the appeal were to be allowed a planning condition could be used to ensure that any illumination from the advertisement is within the range recommended by the Institute of Lighting Professionals for such an advertisement.
27. Concerns are also raised that the proposal would have no direct link with businesses or services in the area and may take away from local independent shops who cannot afford such advertising. However, I have not been directed to any planning policy which requires hubs to have a link to businesses or services in the area. I have also not been directed to any planning policy which seeks to control the content of such advertisements.
28. Interested parties have suggested that the hub's functions are unlikely to be used, and it would not offer any public service. However, the evidence before me outlines how the appellant (BT) has an obligation to provide publicly accessible call boxes on the street, irrespective of whether or not there is a perception that they are used or not. Moreover, the proposal arguably would perform a public function in facilitating access to Wi-Fi and improving 5G coverage, amongst other things.
29. Concerns are raised regarding the lack of information in relation to the level of online and data security the hubs will have. The evidence before me however outlines that such devices must comply with PSTI legislation. These matters would therefore be covered by this legislation.
30. The appeal site is not overly close to an adopted highway; therefore, it is unlikely that traffic would affect the ability to hear and be heard if using the hub for phone calls. In any case, the evidence explains how the street hubs are designed to create a 'sound cloud' for the person making a call with noise levels sufficient to make calls with background noise. There is limited evidence before me to suggest that the hub would result in material harm by way of loss of privacy.

¹ APP/Z0116/W/24/3356651, APP/Z0116/H/24/3356653, APP/Z0116/W/24/3356654, APP/Z0116/H/24/3356655

31. An interested party raises concerns regarding data capture and privacy. Whilst there is a video camera above each screen, the evidence outlines how these are not currently connected or used, and any use would be after consultation and notifying the public and stakeholders through multiple channels. A planning condition could be used, if the appeal were to be allowed, to ensure that any required consultation is carried out. I am satisfied that this would ensure that human rights are not unduly affected in this regard.
32. The appellants submission outlines how the hub would be powered by 100% renewable carbon- free energy and the pollution control team have no objection to the scheme. I have not been directed to any planning policy which requires the submission of an Environment Statement. There is no substantive evidence before me to demonstrate that the raw materials required for the construction of the hub would exploit poorer communities, involve poor or dangerous working conditions or use fossil fuels.
33. There is limited evidence before me to demonstrate harm to wildlife. My attention has also not been drawn to any applicable law which seeks to reduce the presence of advertisements in public areas. Concerns are raised regarding the upkeep of the hub. The appellant's submissions however outlines that the hub would be inspected weekly and cleaned at least every two weeks.
34. For the reasons set out above, the scheme broadly complies with the provisions and aims of the Framework, including paragraphs 131 and 135.

Conditions

35. The Council has suggested a number of conditions which I have considered against the tests set out in the Framework and Planning Practice Guidance. Where appropriate, I have adjusted the wording in the interests of clarity and precision.
36. For Appeal A, in addition to the standard time-limit implementation condition, it is necessary to specify the approved plans and documents in the interests of certainty. A condition is also imposed to ensure the ongoing maintenance and management of the hub in the interests of the character and appearance of the area and to ensure that the development does not increase crime and disorder.
37. I have also imposed the condition suggested by the Council for the removal of the existing BT telephone kiosk to ensure that the appeal proposal would not unacceptably increase clutter in the area. A condition is also used to ensure that any required consultation is carried out prior to the use of the cameras on the hub. I have not imposed the condition requiring a construction management plan for the proposed installation as the proposal would be modest in scale.
38. For Appeal B, in addition to the five standard conditions set out in Schedule 2 of the 2007 Regulations, which are not repeated in the attached schedule I have imposed conditions restricting the luminance of the advertisement, restricting the advertisements to static images and the frequency and nature of their changeover, in the interests of the character and appearance of the area and highway safety. I have not been directed to any specific policies regarding the level of illuminance that should apply in this area. I have therefore amended the wording of the suggested condition relating to level of luminance to ensure compliance with the recommendations of the Institute of Lighting Professionals (ILP).

39. I have also imposed a condition to ensure that the advertisements do not resemble traffic signs, in the interests of highway safety. I have however removed the Council's reference to the emission of sound, smoke or odours as there is no evidence to substantiate that they would create problems in this regard.
40. In the interests of highway and pedestrian safety, I have also imposed a condition requiring a dimmer and a photocell to be installed. This condition also ensures, in the event of a fault, the screen freezes the image.
41. I do not consider that it would be necessary to monitor the illumination for the appeal proposal or submit monitoring reports in relation to highway safety and lighting. I have therefore not attached the suggested conditions relating to this. As outlined above, a condition will be used to ensure that the proposal complies with the recommendations of the ILP. I have not attached the suggested condition relating to the submission of an access, maintenance and inspection plan, as I am not satisfied that there is sufficient justification to demonstrate that such a plan would be necessary.
42. It is not necessary to attach a condition listing the approved plans, as my decision relating to Appeal B grants express consent, not planning permission.

Conclusion

43. For the reasons given above, I conclude that Appeal A and Appeal B should be allowed.

S Burch

INSPECTOR

SCHEDULE OF CONDITIONS

Appeal A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings and documents:
 - Site location Maps, Drg No. 001 A
 - Proposed Site Plan, Drg No, 002 A
 - Existing and Proposed Elevations, Drg No. 003 A
 - BT Street Hubs Beyond Connection Street Hub Product Statement V2.0, dated September 2024
- 3) The development hereby permitted shall be managed in accordance with the management measures detailed in the BT Street Hub Anti-Social Behaviour Management Plan Version 3 for the lifetime of the development.
- 4) Within 3 months of the development hereby permitted being implemented the existing BT Telephone Box approximately 10 metres to the west of the site shall be removed and the pavement shall be reinstated to a condition matching the adjacent footway.
- 5) The cameras on the hub shall not be used until any required consultation has taken place.

Appeal B

- 1) The minimum display time for each advertisement shall be 10 seconds, and the advertisement display panels shall display static images only.
- 2) The interval between successive advertisements shall be no greater than 1 second and the complete display shall change without effect.
- 3) No content on the digital display screens shall resemble traffic signs, as defined in Section 64 of the Road Traffic Regulation Act 1984.
- 4) The advertisement shall be equipped with a dimmer control and photocell which shall constantly monitor ambient lighting conditions and adjust sign brightness accordingly. The display shall include a mechanism to freeze the image in the event of a malfunction.
- 5) The intensity of the illumination of the advertisements permitted by this consent shall be within the range recommended by the Institute of Lighting Professionals for this type and size of screen in the Professional Lighting Guide 05 (PLG 05) The Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).

****END OF SCHEDULE****