



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: 22 December 2025

Appeal A Ref: APP/Z0116/W/25/3366474

Pavement o/s 30 Triangle West, Bristol BS8 1ET

- 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 25/10436/F.
- The development proposed is described as the 'proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals.'

Appeal B Ref: APP/Z0116/Z/25/3366475

Pavement o/s 30 Triangle West, Bristol BS8 1ET

- 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 25/10437/A.
- The advertisement proposed described as the 'proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals.'

Decision Appeal A

1. The appeal is allowed and planning permission is granted for proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals at the pavement o/s 30 Triangle West, Bristol, BS8 1ET in accordance with the terms of the application, Ref 25/10436/F, and the plans submitted with it, 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 30 Triangle West, Bristol BS8 1ET in accordance with the terms of the application, Ref 25/10437/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), the Site Allocations and Development Management Policies- Local Plan (2014) (LP), the Bristol Central Area Plan (2015) (BCAP) and the Bristol Local Plan- Publication Version (BLPPV) into account as a material consideration where relevant, they have not been determinative.
6. The appeal site is within the Clifton Conservation Area (CA) wherein I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. It is noted that the Council's case officer report and decision notice refers to the Clifton CA, whilst the submitted CA map and Character Appraisal & Management Proposals document refers to the Clifton & Hotwells CA. For the avoidance of doubt, I have referred to the CA as the Clifton CA in my decision.

Main Issues

7. The main issues for Appeals A and B are the effect of the proposal on:
 - the character and appearance/visual amenity of the Clifton CA; and
 - pedestrian/public safety, including the deliverability of planned development A37-A4018.

Reasons

Character and appearance/visual amenity

8. The appeal site is located along a stretch of pavement on Triangle West, near the junction with Queens Road. The area is commercial in character, mainly comprising ground floor shops, restaurants, and bars. There are various advertisements, particularly shop frontage advertisements, within the area. There are also various items of street furniture in the surrounding area, including bins, a bus stop, street signs and street lighting. At the time of my mid-morning site visit, the footway and highway were moderately trafficked.
9. The CA is situated in the west of the city of Bristol. It centres upon the development of terraces, crescent and streets that rise from Hotwells before meeting open landscape to the west and north. The Clifton & Hotwells Character Appraisal & Management Proposals outlines how the unique character of the CA is influenced by local topography and geology, which has produced a residential townscape of grand contrasts and memorable settings. It outlines how there is an extremely high quality of built fabric and townscape in the area and an overall harmony is derived from a broad consistency in scale and materials. Adding to the interest of the area are the distinctive architectural details and traditional townscape features.

10. The proposed freestanding hub would be positioned forward of an existing lamppost and manholes. It would be positioned on the outer edge of the footpath, perpendicular to the direction of travel. Its positioning on the outer portion of the footpath would be generally in keeping with the siting of surrounding street furniture and would not 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.
11. Although relatively tall, the slim profile of the hub would reduce its overall bulk such that it would not be unacceptably prominent in the street scene. Additionally, it would be set against the backdrop of the large buildings along Triangle West. It would also be sufficiently separate from existing street furniture so as not to result in unacceptable clutter. The scheme also seeks the removal of two BT payphones in the wider area, along Queens Avenue and Frogmore Street, which would effectively remove street clutter, and is an important consideration in favour of the scheme.
12. Given the 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 context and given their size, they would not appear prominent set against the scale of the buildings in the immediate vicinity. There are some other examples of illuminated signage in the area, including shop signage and a similar advertisement on a bus stop near the site. The area is also well-lit by streetlamps. Given this, the illumination of the advertisements would not appear out of place or obtrusive. Overall, the scheme would preserve the character and appearance/visual amenity of the CA.
13. The Council raise concerns that the advertisement would not be ancillary to any existing land use or premises in the area and would instead act as a revenue earner for the applicant. However, I have not been directed to any specific policy where this is a requirement or where such development is specifically resisted.
14. Consequently, in respect of Appeal A, I conclude that the proposed development would preserve the character and appearance of the CA. It would accord with Policies BCS21 and BCS22 of the CS and DM26, DM31 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 preserves or enhances heritage assets. It also accords with the aims and provisions of the Framework in this regard.
15. With regard to Appeal B, the proposed development would have an acceptable effect on visual amenity, including the Clifton CA. I have taken Policies BCS21 and BCS22 of the CS and DM26, DM31 and DM36 of the LP into account.

Pedestrian/public safety

16. There is disagreement between the main parties regarding the distance between the proposed development and traffic light signals which facilitate movement from Triangle West to Queens Road, and pedestrian crossings. The Council consider the distance to be 10.5 metres, whilst the appellant contends that it is 22 metres.

17. Nonetheless, the hub would face oncoming drivers and would be located close to the edge of the footpath, in drivers sight lines, which would reduce the risk of them turning away from the road to look at the advertisements. It would also be positioned south of the traffic lights, and at a lower level to them given the road slopes upwards towards the junction, allowing for clear views of the traffic lights as drivers and cyclists approach the crossing. There is some distance between the proposed hub and the junction, allowing drivers to assess conditions as they approach the junction. Additionally, the speed limit on this particular part of the road is 20mph so it can be reasonably expected that drivers and cyclists would be travelling fairly slowly through the area. There are also two controlled pedestrian crossings in close proximity to the site, and the nearby bus stop, to facilitate safe crossing for pedestrians.
18. Whilst I have taken the Transportation Officers comments into account, there is little substantive evidence, and nothing that I could see on-site, to suggest that the road layout is so complicated, or that driving or cycling conditions are so demanding, that the proposal would present an unacceptable highway safety. Furthermore, should the appeal be allowed planning conditions could be used to restrict the advertisements to static images and the frequency and nature of their changeover, further minimising any distraction.
19. The Council has drawn my attention to several recorded vehicle accidents on the nearby highway network. Whilst these are noted, such incidents can happen anywhere. Based on the evidence before me, I also cannot be sure of the exact circumstances or reasons behind these incidents.
20. I acknowledge that the proposed hub would create an additional obstruction in the footpath, which is subject to high levels of congestion, particularly at peak times. However, the proposed hub would be situated on the outer section of the footpath where other street furniture is mainly positioned. As such, in my view and based on my experiences at my site visit, pedestrians would already be more likely to travel on the inner section of the footpath to avoid existing obstructions. As the pavement is relatively wide, there would be ample space around the hub for pedestrians, including those using wheelchairs, prams, the elderly or those with impaired vision, to pass freely along the footway, without entering the highway.
21. Any pedestrians, including those using wheelchairs or prams, 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. The Council refer 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.
22. The Council outline how the proposal would preclude the development potential of significant upgrade works in the area (known as A37-A4018). They go on to explain how under this scheme, the footway would be widened to 7.55 metres along Triangle West, and various items of street furniture such as benches would be provided. The appellant has provided a document which relates to the A37/A4018, known as 'Improving the number 2 bus route (A37/A4018) From Queens Road to College Green.' This document includes a map showing the proposed works to this part of Triangle West, which indicates a change/upgrade to the pavement and the planting of three new trees close to the appeal site. However, the plan is not to scale so I cannot be sure of exactly how the proposed

development would preclude the upgrade works. The plan also appears to cover quite a large area, so it is unclear how the proposed development would entirely preclude the works, given the appeal site is relatively small in comparison. Overall, the evidence before me is not sufficiently precise or persuasive so as to warrant a refusal of the scheme.

23. Concerns are raised regarding the lack of servicing statement which would identify where servicing vehicles would stop to maintain the equipment safely. However, it is reasonable to expect that any employees servicing the units would park 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.
24. Overall, with regard to Appeal A, for the reasons outlined above and based on the evidence before me, the scheme would have an acceptable effect on pedestrian safety including its effect on the planned development A37-A4018. The scheme is therefore in accordance with Policy BCS10 and BCS13 of the CS, Policy DM23 of the LP, Policy BCAP30 of the BCAP, and Policy AD1 of the BLPPV. Collectively, amongst other matters, these policies seek to promote high quality pedestrian routes and ensure highway safety. I also do not find any conflict with the broad aims of the West of England Local Cycling and Walking Infrastructure Plan (2020-2036), which seeks to promote walking as a form of transport.
25. In respect of Appeal B, for the reasons outlined above and based on the evidence before me, the scheme would have an acceptable effect on public safety, including its effect on the planned development A37-A4018. I have taken into account Policy BCS10 of the CS, Policy DM23 of the LP, Policy BCAP30 of the BCAP, and Policy AD1 of the BLPPV.

Other Matters

26. Four linked dismissed appeals in Bristol have been drawn to my attention¹. The location of these appeals is however some distance away from the appeal site before me. Based on the evidence before me, I cannot be sure that the circumstances relating to pedestrian/public safety and the effect on the conservation area are directly comparable to the appeals before me. Reference to these appeals does not change my position on the above main issues.
27. Concerns are also raised that the proposed hub could facilitate anti-social behaviour and crime. Whilst the risk of opportunistic crime exists in any public place, little substantive evidence has been submitted to demonstrate that the proposed hub would directly increase this risk. Additionally, any use of the free Wi-Fi would likely be for relatively short periods of time, preventing any prolonged loitering. 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, a planning condition would reduce the risk of the BT street hub being used for crime to an acceptable degree.
28. Concerns are raised regarding the hub creating problems for existing CCTV cameras, such as colour contrasting and reduced visibility. Whilst there are CCTV

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

cameras within 50 metres of the site, I have not been provided with details of their specific location, nor has it been demonstrated that that this would be an issue in the circumstances of this appeal and the surrounding context. From the evidence before me, it appears that the appropriate consultations have been carried out by the Council.

29. An interested party has queried the demand for the hubs. 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. Moreover, the proposal arguably would perform a public function in facilitating access to Wi-Fi and improving 5G coverage, amongst other things.
30. Concerns are raised regarding the lack of information in relation to the level of online and data security the hubs would have. The evidence before me however outlines that such devices must comply with PSTI legislation. These matters would therefore be covered by this legislation.
31. 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. An interested party suggests the plans are misleading and the proposed hub would occupy additional pavement space to that shown on the plans. There is however limited authoritative evidence before me to demonstrate that the proposed plans are inaccurate. I do not agree that the proposal would unacceptably block views of surrounding buildings. Additionally, the Council has not raised any concerns relating to this.
32. There is a video camera above each screen on the proposed hub. 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 prior to their use.
33. Concerns are raised regarding the effect of any illumination on highway safety, and 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. 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.
34. Concerns are raised by interested parties regarding the effect of small cell connectivity and 4G and 5G antennae. 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.
35. 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.

36. 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.
37. There is no substantive evidence before me to suggest the hub would damage the local economy or result in shop closures. The number of objections is not a reasonable ground to refuse permission or express consent in this instance.

Conditions

38. 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 precision and enforceability.
39. 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.
40. I have also imposed the condition suggested by the Council for the removal of the existing BT telephone kiosks to ensure that the appeal proposal would not unacceptably increase clutter in the wider 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.
41. 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 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.
42. 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.
43. 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, that the screen freezes the image. I have used a condition to restrict the luminance of the advertisement. 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).
44. 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 is necessary.

45. 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

46. 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 three (3) months of the development hereby permitted being implemented the existing BT Telephone Boxes at the pavement at Queens Avenue, near the junction with Queens Road, Bristol, BS8 1SE (E 357811, N 173372) and Pavement o/s 27 Frogmore Street, Bristol BS1 5NA (E 358395, N 172966) 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 and screen in the Professional Lighting Guide 05 (PLG 05) The Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).

****END OF SCHEDULE****