



Appeal Decisions

Site visit made on 21 January 2026

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal A Ref: APP/Z0116/W/25/3367564

Pavement outside of 161 Whiteladies Road, Bristol, BS8 2RF

- 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 25/10658/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.'
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Appeal B Ref: APP/Z0116/H/25/3367565

Pavement Outside Of 161 Whiteladies Road, Bristol, BS8 2RF

- 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 25/10659/A.
 - The advertisement 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.'
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Appeal C Ref: APP/Z0116/W/25/3367574

Pavement outside 256 North Street, Southville, Bristol, BS3 1JA (E 357524, N 171579)

- 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 Group PLC against the decision of Bristol City Council.
 - The application Ref is 25/10656/F.
 - The development proposed is described as 'the installation of 1no. BT Street Hub and removal of 2no. associated BT payphones.'
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Appeal D Ref: APP/Z0116/H/25/3367576

Pavement outside 256 North Street, Southville, Bristol, BS3 1JA (E 357524, N 171579)

- 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 Group PLC against the decision of Bristol City Council.
 - The application Ref is 25/10657/A.
 - The advertisement proposed is described as 'the installation of 1no. BT Street Hub and removal of 2no. associated BT payphones.'
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Decision Appeal A

1. The appeal is allowed and planning permission is granted for the proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals at the pavement outside of 161

Whiteladies Road, Bristol, BS8 2RF in accordance with the terms of the application, Ref 25/10658/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 2 digital 75" LCD display screens, one on each side of the Street Hub unit at the pavement outside of 161 Whiteladies Road, Bristol, BS8 2RF in accordance with the terms of the application, Ref 25/10659/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.

Decision Appeal C

3. The appeal is allowed and planning permission is granted for the installation of 1no. BT Street Hub and removal of 2no. associated BT payphones at the pavement outside 256 North Street, Southville, Bristol, BS3 1JA (E 357524, N 171579) in accordance with the terms of the application, Ref 25/10656/F, subject to the conditions in the attached schedule.

Decision Appeal D

4. The appeal is allowed and express consent is granted for the display of two digital 75-inch LCD display screens, one on each side of the Street Hub unit at the pavement outside 256 North Street, Southville, Bristol, BS3 1JA (E 357524, N 171579) in accordance with the terms of the application, Ref 25/10657/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

Appeals A and B

Preliminary Matters

5. 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.
6. I have taken the addresses used in the banner headings above from the decision notices. These accurately describe the site. The addresses provided in the application and appeal forms reference the pavement outside 159 Whiteladies Road, however it is evident from the submitted plans that the site is situated on the pavement outside 161 Whiteladies Road.
7. 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 relates 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.
8. 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) and the Bristol Central Area Plan (BCAP) into account as a material consideration, they have not been determinative.

9. The appeal site is located within the setting of several nearby Grade II listed buildings. I have a duty under section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the buildings or their settings. In the Council's case officer report, it states that 'Bristol Auction Rooms' (Grade II listed) is situated near the site. A listing description for this property was requested however the listing description provided refers to 'St Johns Place.' I have considered the effect of the proposals on St Johns Place in my decision.
10. The appeal site is situated within the Whiteladies 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.

Main Issues

11. The main issues for Appeal A are the effect of the proposal on:

- the character and appearance of the area, including the Whiteladies CA and the setting of nearby listed buildings; and
- highway safety

12. The main issues for Appeal B are the effect of the proposed advertisement on:

- amenity; and
- public safety

Reasons

Character and appearance/amenity, including the CA and listed buildings

13. The appeal site is located along a stretch of pavement on Whiteladies Road, adjacent to 161 Whiteladies Road. The area is predominately commercial in character, with a range of shops, cafes, restaurants and offices. It is situated within a primary shopping area. The footway in the vicinity of the appeal site is wide and contains various items of street furniture including bicycle stands, two trees, an existing BT phone box, a bus shelter and a litter bin. The site is located next to a controlled pedestrian crossing and there are a number of outdoor restaurant seating areas near the site. At the time of my late morning site visit the footway was relatively lightly trafficked.
14. The Whiteladies CA comprises a series of irregular street grids, based on Whiteladies Road. The CA description outlines how Whiteladies Road conveys the impression of a gently curving road, built to a grand design, ascending between the 'town,' and the 'country.' The CA's significance in the area surrounding the appeal site derives from the generously proportioned but varied in character, highly

- ornamented, large scale, villa type buildings. These features can be appreciated from within the street scene, which the appeal site forms a part of.
15. 163-169 Whiteladies Road (including 1 Burlington Road) (No's 163-169) is a Grade II listed terrace situated to the north of the site. The listing description outlines how the properties form a formal neoclassical style terrace with ground floor shops and a bank; however, the bank use appears to have ceased. The significance of the terrace is derived from their grand scale and special architectural interest. The property's significance can be appreciated from the street scene and the appeal site forms part of the street scene within the wider area surrounding the property.
 16. 153, 155 and 157 Whiteladies Road (No's 153-157) is a Grade II listed building situated adjacent to the site. The listing description describes the Italianate style of the building, with limestone ashlar and a concrete tiled hipped roof. The building is three storeys with a basement and attic and has a large symmetrical front with matching gabled windows, overhanging eaves and square outer towers. The significance of this building is derived from its grand scale and special architectural interest. The property's significance can be appreciated from the street scene and the appeal site forms part of the street scene within the wider area surrounding the property.
 17. St Johns Place on Apsley Road is a Grade II listed property, formerly used as a church and now used as an office. The listing description describes the perpendicular gothic revival style with limestone ashlar towers and pantile roof. The significance of the building is also derived from its grand scale and special architectural interest. The property's significance can be appreciated mainly from the street scene along Apsley Road. Given the separation distance between the appeal site and the property, the appeal site is minimally visible in views of the listed property.
 18. The proposed freestanding hub would be positioned between two existing trees, in the middle section of the footpath. It would replace an existing BT phone box. Its positioning in the middle section of the footpath would be 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, including a nearby display screen on a bus stop. These factors would allow it to assimilate well with its surroundings.
 19. 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 three to four storey rows of properties. The existing mature trees would also somewhat screen the hub in longer views along Whiteladies Road, particularly during the spring and summer months when they are in leaf. The proposed hub would also be sufficiently separate from existing street furniture so as not to result in unacceptable clutter. In addition, the scheme also seeks the removal of two BT payphones in the wider area, which would effectively remove street clutter, and is an important consideration in favour of the scheme. Their removal could be ensured through a Grampian planning condition, if the appeal were to be allowed.
 20. 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. As there are other examples of illuminated signage and the street would be well-lit by streetlights, the illumination of the advertisements would not appear out of place or obtrusive.

21. The appeal site is separated from the Grade II listed terrace at No's 163-169 by a tree, bicycle stands, two street signs and an intervening road. This separation distance, the modest scale of the proposed hub relative to the terrace and the commercial character of the surrounding area would ensure that the proposals do not harm the setting of No's 163-169. The appeal site is separated from the listed building at No's 153-157 by a tree, outdoor restaurant seating area and a bus stop with a display screen. These features, the separation distances, the modest size of the hub in comparison to the building and the commercial character of the area would ensure the proposals do not harm the setting of No's 153-157. St Johns Place is situated some distance away from the appeal site. Given the separation distance, the multiple intervening buildings and the size of the proposed hub relative to the listed building, I am satisfied that the proposals would preserve the setting of this listed building. Given the size of the proposed hub in comparison to each of the listed buildings, I do not consider that it would block views of them.
22. There is no substantive evidence before me to demonstrate that the internal illumination would be poor quality, result in unacceptable levels of light pollution or that wet conditions would unacceptably exacerbate the glow from the illumination. If the appeals were to be allowed, a planning condition could be used to control the level of illumination. Concerns are raised that the hub is unjustified. However, I have not been directed to any planning policy where this is a specific requirement, or such development is resisted.
23. 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.
24. Concerns are also raised regarding the hub creating problems for existing CCTV cameras, such as colour contrasting and reduced visibility. There is however limited substantive evidence before me to demonstrate 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.
25. 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 and would preserve the character and appearance of the CA. It would also preserve the settings of the nearby listed buildings. 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. It would also accord with Policy BCS22 of the CS and Policy DM31 of the LP. Collectively, these policies seek to preserve or enhance heritage assets.

26. In respect of Appeal B, I conclude that the proposed advertisement would not result in harm to the amenity of the area, including the CA and the setting of nearby listed buildings. I have taken into account Policies BCS21 and BCS22 of the CS and Policies DM26, DM28 and DM29 and DM31 of the LP.

Highway/public safety

27. The hub would be positioned south of the traffic lights, facing oncoming drivers in their sight lines, which would reduce the risk of them turning away from the road to look at the advertisements. Its positioning would allow for clear views of the traffic lights as drivers and cyclists approach the crossing and the junctions with Burlington Road and Apsley Road. Additionally, given the commercial character of the area, with bus stops and numerous parking spaces, and from my experience during my site visit, cars appear to travel relatively slowly through the area.
28. The Council raises concerns regarding the frequent and irregular crossing over the road by pedestrians. However, there is a controlled crossing adjacent to the site, and others in close proximity to the site, to facilitate safe crossing for pedestrians. The Council have drawn my attention to a number of recent incidents in the area; however, I do not know the exact circumstances behind such accidents. As such, I am not satisfied that the proposed hub would directly increase the risk of collisions.
29. 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. If the appeal were to be allowed a planning condition could also 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.
30. 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.
31. Interested parties suggest that the proposed hub would be an obstruction to pedestrians, including those using prams, wheelchairs and with impaired sight. However, the case officer report sets out that the proposed hub would not obstruct pedestrian movement, given the overall width of the footway. I see no reason to disagree with this.

32. 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 highway safety. The scheme is therefore in accordance with Policy BCS10 and BCS13 of the CS, Policies DM23 and DM28 of the LP and Policy BCAP30 of the BCAP. Collectively, amongst other matters, these policies seek to promote high quality pedestrian routes and ensure highway safety. I do not find 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.
33. 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. I have taken into account Policy BCS10 of the CS, Policy DM23 of the LP and BCAP30 of the BCAP.

Other Matters

34. 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. 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 dismissed appeals does not alter my position on the above main issues.
35. 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 how such devices must comply with PSTI legislation. These matters would therefore be covered by this legislation.
36. The appellants submissions outline how the hub would be powered by 100% renewable carbon- free energy. There is no evidence before me to suggest that the proposed hub would be detrimental to air quality or exacerbate climate change. Additionally, the Council's pollution control team have no objection to the appeals. There is nothing in the evidence to suggest that the public would have to pay for the running of the hubs.
37. An interested party raises concerns that allowing the appeal could set a precedent for similar future development. However, each application and appeal must be determined on its individual merits, and a generalised concern regarding setting a precedent does not justify withholding permission in this case. Whilst there may be residential properties on the upper floors of properties along Whiteladies Road, the Council has not raised any concerns associated with the effect of the proposals on the living conditions of neighbouring residents. I see no reason to disagree with this.
38. Concerns are raised regarding the effect of LED sources and advertisements 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. 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

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

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. I have not been directed to any planning policy that requires Council's to undertake risk assessments for such developments.

39. 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.
40. Interested parties have suggested that the hub's functions are unlikely to be used and 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. Moreover, the proposal arguably would perform a public function in facilitating access to Wi-Fi and improving 5G coverage, amongst other things.
41. 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. Interested parties have raised concerns regarding the loss of the existing BT phone boxes. The Council however has not raised any issues regarding this, and I see no reason to disagree.
42. 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 appeals 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.
43. 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.
44. 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. The Council has not raised any concerns regarding the effect of the proposed development on nearby trees. I see no reason to come to a different view on this. Whilst an interested party has raised concerns that the proposed hub would obstruct the weekly farmers market, the Council has not raised any such concerns.
45. The appellant's submissions outline how the hub would be inspected weekly and cleaned at least every two weeks. There is limited evidence before me to demonstrate that the scheme would reduce demand for housing in the area. The proposed developments have attracted numerous letters of objections. However,

the number of objections is not a reasonable ground to refuse development in this instance.

46. For the reasons set out above, the scheme broadly complies with the provisions and aims of the Framework.

Conditions

47. 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.
48. 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.
49. I have also imposed a Grampian condition 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.
50. 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.
51. 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.
52. In the interests of highway and pedestrian safety, I have 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).
53. 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.

54. 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

55. For the reasons given above, I conclude that Appeal A and Appeal B are allowed.

Appeals C and D

Preliminary Matters

56. I have used the descriptions from the respective application forms in the banner headings above. However, in my formal decision for Appeal D 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.
57. As set out above, there are two appeals on this site. They differ only in that Appeal C relates to planning permission and Appeal D relates 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.
58. In respect of Appeal D, 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) and the Bristol Central Area Plan (BCAP) into account as a material consideration, they have not been determinative.

Main Issues

59. The main issues for Appeal C are the effect of the proposal on:

- the character and appearance of the area; and
- highway safety

60. The main issues for Appeal D are the effect of the proposed advertisement on:

- amenity; and
- public safety

Reasons

Character and appearance/amenity

61. The appeal site is situated along a stretch of pavement on North Street. The surrounding area is predominantly commercial in character, with a range of shops, cafes and offices occupying the ground floor units. The site is situated within the North Street Primary Shopping area and the Southville District Shopping Area. There is an existing BT phone box situated at the appeal site and the surrounding

- area contains various items of street furniture including street signs, lamp posts, a post box, a tree, and parking ticket machines.
62. The proposed freestanding hub would be positioned on the outer section of the footpath, in a similar position to the existing phone box. Its positioning on the outer section would be relatively in keeping within the siting of other street furniture in the area 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 area, including the nearby parking ticket machines. These factors would allow it to assimilate well with its surroundings.
63. Although the proposed hub would be wider and taller than the existing phone box, its slim profile 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 two to three storey buildings in the area. The proposed hub would also be sufficiently separate from existing street furniture so as not to result in unacceptable clutter. In addition, the scheme also seeks the removal of two existing BT phone boxes, including one on the appeal site, which would effectively remove street clutter, and is an important consideration in favour of the scheme. If the appeal were to be allowed, a Grampian planning condition could be used to ensure their removal.
64. 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. As there are other examples of illuminated signage and the street would be well-lit by streetlights, the illumination of the advertisements would not appear out of place or obtrusive. The absence of other free standing illuminated advertising structures of this size is not sufficient justification to refuse such development in this case.
65. There is no substantive evidence before me to demonstrate that the internal illumination would be poor quality, result in an unacceptable level of light pollution or that wet conditions would unacceptably exacerbate the glow from the illumination. If the appeals were to be allowed, a planning condition could be used to control the level of illumination. Concerns are raised that the advertisements are unjustified. However, I have not been directed to any planning policy where this is a specific requirement.
66. 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, including during periods of wet weather and at night.
67. Concerns are also raised regarding the hub creating problems for existing CCTV cameras, such as colour contrasting and reduced visibility. There is however limited substantive evidence before me to demonstrate that this would be an issue in the circumstances of this appeal and the surrounding context.

68. The refusal reason relating to amenity for Appeal D makes reference to how the scheme is a proposed primary pedestrian route. However, based on this, it appears that the area is not currently a primary pedestrian route and there is little evidence before me to indicate when, or if, it will become one. I have therefore afforded this limited weight. In any case, as outlined above, I consider that the advertisement would not appear out of place in this area.
69. Consequently, in respect of Appeal C, 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 and DM28 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. I also find no conflict with Policy BCAP 30 of the BCAP in this regard.
70. In respect of Appeal D, I conclude that the proposed advertisement would not result in harm to the amenity of the area. I have taken into account Policy BCS21 of the CS and Policies DM26, DM27 and DM28 of the LP.

Highway/public safety

71. The hub would face oncoming drivers and would be located on the outer section 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 be located some distance from Lime Road and Gathorne Road so as motorists and cyclists would have time to assess the road conditions as they approach these junctions. Additionally, given the commercial character of the area, with multiple on street parking spaces, and from my experience during my site visit, cars appear to travel relatively slowly through the area. The Council indicate how a recent collision in the area involved an elderly pedestrian. However, I do not know the exact circumstances behind this incident. As such, I am not satisfied that the proposed hub would directly increase the risk of collisions.
72. 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, including during periods of darkness or poor visibility. 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. A condition could also be used to ensure that any advertisements do not resemble traffic signs and to control the brightness of the screen.
73. The Council raises concerns that the proposed hub would create an obstruction on the footpath. Whilst the hub would be slightly wider than the phone box it would replace, it would be of a reduced depth. The hub would not be situated directly opposite either 'Parsons Bakery' or 'Southville Deli.' Additionally, on my site visit an outdoor seating area was in use at the deli, and the existing phone box was not creating an unacceptable obstruction to pedestrians from my experiences. As such, I am satisfied that a clear passage would remain for pedestrians, including those using wheelchairs or prams, between the closest building and the hub in this

section of the footway, even if there were outdoor dining areas in use at nearby cafes, or during busy periods such as school pick up.

74. Any 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. 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.
75. Concerns are raised regarding the lack of servicing statement which would identify where servicing vehicles would stop to maintain the equipment safely. There are however parking spaces close to the appeal site which any servicing vehicles could utilise. Additionally, it is reasonable to expect that any employees servicing the units would park in a safe and legal manner. It is also likely that any servicing would generally not take an extended period of time and therefore any additional obstruction would be brief. 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.
76. The Council outline how the vicinity of the appeal site features a wide area of adopted footway designated in the West of England Local Cycling and Walking Infrastructure Plan. This plan outlines the needs for the removal of obstructions and public realm improvements. However, such improvements are subject to detailed analysis of consultation responses, further design, technical work and funding requirements, amongst other things. No detailed plans of this precise area, or precise timescales for delivering any scheme have been drawn to my attention. Given this, I cannot be sure if any works will come forward or precisely how they would affect this specific area. I have therefore afforded this point limited weight in favour of the Council's position.
77. Overall, with regard to Appeal C, for the reasons outlined above and based on the evidence before me, the scheme would have an acceptable effect on highway safety. The scheme is therefore in accordance with Policy BCS10 and BCS13 of the CS, Policies DM23 and DM28 of the LP and Policy BCAP30 of the BCAP. 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.
78. In respect of Appeal D, for the reasons outlined above and based on the evidence before me, the scheme would have an acceptable effect on public safety. I have taken into account Policy BCS10 of the CS and Policy DM23 of the LP.

Other Matters

79. 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 how such devices must comply with PSTI legislation. These matters would therefore be covered by this legislation.

80. The appellants submissions outline how the hub would be powered by 100% renewable carbon- free energy. There is no evidence before me to suggest that the proposed hub would exacerbate climate change. Additionally, the Council's pollution control team have no objection to the appeals. There is nothing in the evidence to suggest that the public would have to pay for the running of the hubs.
81. Concerns are raised regarding the effect of LED sources and advertisements 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. 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).
82. 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.
83. Interested parties have suggested that the hub's functions are unlikely to be used and 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. Moreover, the proposal arguably would perform a public function in facilitating access to Wi-Fi and improving 5G coverage, amongst other things.
84. An interested party raises concerns that allowing the appeal could set a precedent for similar future development. However, each application and appeal must be determined on its individual merits, and a generalised concern regarding setting a precedent does not justify withholding permission in this case.
85. 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 appeals were to be allowed, to ensure that any required consultation is carried out.
86. There is limited evidence before me to demonstrate harm to wildlife. The appellant's submissions outline how the hub would be inspected weekly and cleaned at least every two weeks. The proposed developments have attracted numerous letters of objections. However, the number of objections is not a reasonable ground to refuse development in this instance. The Council has not raised any concerns associated with the effect of the proposals on the living conditions of neighbouring residents. I see no reason to disagree with this.

Conditions

87. For Appeal C, 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.
88. I have also imposed a Grampian condition 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.
89. For Appeal D, 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.
90. I have also imposed a condition to ensure that the advertisements do not resemble traffic signs, in the interests of highway safety. 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.
91. I have not used the condition suggested by the pollution control officer relating to noise management as there is insufficient evidence before me to demonstrate that such a condition is necessary.

Conclusion

92. For the reasons given above, I conclude that Appeal C and Appeal D are 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) The approved hub shall not become operational until the existing BT Telephone Boxes at the pavement opposite 159 Whiteladies Road, Redland, Bristol, BS8 2RF and the pavement opposite 171 Redland Road, Redland, Bristol BS6 6YE are removed and the pavement is reinstated to a condition matching the adjacent highway.
- 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).

Appeal C

- 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) The approved hub shall not become operational until the existing BT Telephone Boxes at pavement opposite 256 North Street, Southville, Bristol BS3 1JA and pavement opposite 4 Chessel Street, Bedminster, Bristol BS3 3DS are removed and the pavement is reinstated to a condition matching the adjacent highway.
- 5) The cameras on the hub shall not be used until any required consultation has taken place.

Appeal D

- 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****