



Appeal Decision

Site visit made on 24 February 2025

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 March 2026

Appeal Ref: APP/F0114/Z/25/3374141

Former Bath Press Premises, Lower Bristol Road, Westmoreland, Bath, BA2 3BL.

- 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 City and Country Bath Limited against the decision of Bath and North East Somerset Council.
 - The application Ref is 25/02359/AR.
 - The advertisement proposal is the display of:
 - 2 No freestanding board signs on metal posts,
 - 1 No totem sign outside marketing suite,
 - 1 No flag and
 - 1 No intermittent internally illuminated television atop marketing suite.
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Decision

1. The appeal is allowed and express consent is granted for the display of 1 No intermittent internally illuminated television atop marketing suite at the Former Bath Press Premises, Lower Bristol Road, Westmoreland, Bath, BA2 3BL, in accordance with the terms of the application, Ref 25/02359/AR. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions:-

1) The development/works hereby permitted shall only be implemented in accordance with the following approved plans:

S0369-CITY-DRG-000-ZZ-S10
S0369-CITY-DRG-000-ZZ-S11

Reason: To define the terms and extent of the permission.

2) Between the hours of 16:00 and 08:00 hours daily, the advertisement shall only display a static image.

Reason: To address the increased distraction the advertisement poses to highway users during hours of darkness, and ensure an acceptable impact on highway safety as required by Section 9 of the NPPF and Policy ST7 of the Bath and North East Somerset Local Plan (Core Strategy and Placemaking Plan incorporating the Local Plan Partial Update).

3) Between the hours of 16:00 and 08:00 hours daily, the advertisement shall not exceed luminance measuring 400cd/m2.

Reason: To restrict the advertising display to an appropriate level of brightness taking account of Bath's rural and dark context in accordance with the Institute of

Lighting Professionals guidance 'The Brightness of Illuminated Advertisements' Professional Lighting Guide 05, para. 198 of the NPPF and Policy D8 of the Bath and North East Somerset Local Plan (Core Strategy and Placemaking Plan incorporating the Local Plan Partial Update).

Preliminary Matters

2. The Council made a split decision on the original application and has granted consent for the proposed 2 No freestanding post-mounted board signs, the single totem sign outside the marketing suite and the 1 No flag. Accordingly, this appeal relates solely to the proposed intermittent internally illuminated television atop the marketing suite and leads to a separate consent with no effect on that previously granted by the Council.
3. The TV screen is in place albeit, when I visited the site, it was not operating. To that extent, this appeal is retrospective, but this has no bearing on the consideration of the issues arising.

Main Issues

4. The main issues are the effect the proposed television display would have on amenity and public safety in the area, taking account of any cumulative impacts.

Reasons

Amenity

5. The appeal site is within the designated Bath City and Great Spa Towns of Europe World Heritage Sites (WHSs) but is not visually related to any conservation area or the settings of any designated heritage assets. The Royal Oak public house nearby on the corner of Brook Road, the retained façade of the Bath Press building itself, as well as St Peters Lodge, further west at Dorset Close, are to be regarded as non-designated heritage assets.
6. Otherwise, the area is strongly characterised by modern redevelopments on the north side of Lower Bristol Road. Many of the nearby buildings, including residential accommodation, overlook the temporary marketing suite for the ongoing Bath Press housing redevelopment, above which the disputed television display is mounted, some 3m above ground level.
7. Although visible from many surrounding windows, as well as from the street, the television screen is of small scale in its overall context. Roadside advertisements are a common urban feature, and I agree with the Appellants that the special qualities of the Bath townscape are not readily experienced in the vicinity of the appeal site. It follows that, in this historic commercial area, the television screen, in itself, has no adverse effect on the outstanding universal value, authenticity or integrity of the WHSs. That is assessed over and above any such effect due to the marketing suite itself or the non-illuminated signage and additional flag already granted consent under the original multiple proposal.
8. The operational illumination of the screen, with changing and moving images, would make it more prominent, in line with its intended purpose to promote the Bath Press site redevelopment. However, overnight, the luminance would be moderated to 400cd/sqm and the display limited to static images, both by planning conditions. The proposed daytime luminance is 800cd/sqm but, whilst that exceeds the

advertisement industry guideline level of 600cd/sqm, the display is not of overwhelming size and would be viewed in a highly urban context on a busy main road.

9. Overall, I consider that the television display, illuminated and controlled as proposed, alone or cumulatively with other associated advertising, would have no adverse effect on the Bath WHSs and would avoid undue harm to the environmental amenity of the area surrounding the appeal site.
10. In these respects, the television display would comply with the relevant policies of the adopted Bath and North East Somerset Local Plan. These are: Policies HE1 and B4 to protect the designated WHSs of Bath; Policies D1-2 regarding design principles in relation to local character and distinctiveness; Policies D6 and D8 respectively regarding amenity and artificial lighting levels; and Policy D9 which, consistent with national policy, requires advertisement signage to be proportionate to and respect the character and quality of places.

Public Safety

11. Concern regarding public safety relates essentially to the potential for distraction to vehicle drivers, cyclists and pedestrians travelling along Lower Bristol Road and negotiating its signalised junction with both Windsor Road, opposite the appeal display, and Brook Road, adjacent.
12. Drivers heading west, along Lower Bristol Road, and north, on Brook Road, would not have a direct view of the television screen, which is orientated mainly towards Windsor Road but is also visible to those travelling eastward on Lower Bristol Road, towards the junction.
13. Accordingly, those travelling westward or northward near the junction might be aware of the glow of the screen in low ambient light or at night time. But the chief potential for visual distraction would be to road users approaching the junction from the south and west.
14. I accept that this signalised junction generates a relatively complex range of vehicle stopping and turning movements, with several pedestrian and cycle crossing points. However, given the intensely urban surrounding environment and generally modest traffic speeds, I consider overall that the concentration of road users negotiating the junction is most likely to be focussed on negotiating the junction in safety. I therefore judge that any degree of distraction due changing images on the disputed television display is unlikely to be significant.
15. In terms of cumulative effect, the Council has previously consented to a series of signage and an additional flag announcing the ongoing Bath Press site redevelopment and already deliberately attracting the attention of passers-by. In the circumstances, I do not consider that the television display would increase the level of potential distraction to an unacceptable level.
16. I regard the appeal proposal as compliant with the provisions of Policies D9 and ST7 of the adopted Local Plan, as well as national planning policy and guidance, that advertisements should not prejudice road safety.
17. On balance, I do not consider that the disputed television display would give rise to an unacceptable degree of driver distraction or danger to public safety.

Other Factors Considered

18. I note the promotional benefit of strong advertising to the success of the Bath Press site redevelopment, contributing to the housing land supply of Bath. At the same time, I note that the Council questions the necessity of the television display in addition to the non-illuminated advertisements already granted consent, albeit need is not primary consideration where a proposal is otherwise acceptable.
19. I note that both urban traffic speeds and the local accident record are relatively modest.
20. I note the precedents claimed by the Appellants, including at Piccadilly Circus in London, Tyburn Road in Birmingham and elsewhere. But Piccadilly Circus is a world-renowned destination in itself, whilst the other examples do not seem to involve junctions of the complexity of the one involved in this case. I do not therefore consider the cases cited to provide a valid comparison.
21. Importantly, I do not accord significant weight to any of these matters but base my judgements on the practical merits of the specific proposal in this appeal, in terms of amenity and public safety.

Conclusion

22. For the foregoing reasons, I conclude that this appeal should be allowed, subject to the standard conditions and the additional conditions discussed and set out above.

B J Sims

INSPECTOR