

'Hold Date'	
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Bristol City Council Development Management

Delegated Report and Decision

Application No: 21/05025/A **Registered:** 22 September 2021

Type of Application: Advertisement **Expiry Date:** 17 November 2021
Case Officer: [REDACTED]

Site Address: Murco Filling Station
Hampton Road
Bristol
BS6 6JA

Description of Development: Installation of 5 metre internally illuminated EV pole sign and relocation of existing totem sign.

Ward: Clifton Down

Site Visit Date: **Date Photos Taken:**

Consultation Expiry Dates:

Advert 3 Nov 2021 **Neighbour:** 22 Oct 2021
and/or Site 3 Nov 2021
Notice:

SITE DESCRIPTION

The site is located on Hampton Road in the Clifton Down Ward of Bristol. The site comprises of a four-pump vehicle filling station which benefits from a single storey sales/retail unit and hot food takeaway, car parking area and associated infrastructure such as canopy and vent stack pipe. The site is accessed from Hampton Road. The site was granted permission in January 2021 for Electric Vehicle (EV) charging stations and associated infrastructure (ref. 20/04182/F)

The application site is located within The Whiteladies Road Conservation Area and is adjacent to the Cotham and Redland Road Conservation Area. Kingdom Hall is to the south east of the site and is a locally listed building. There are no other Listed Buildings in the surrounding area. There are no TPO protected trees on or around the site. The surrounding area is predominantly residential.

PLANNING HISTORY

The site has the following planning history:

- o 88/00584/F | Provision for new canopy | GRANTED (9 May 1988)
- o 88/02724/F | Extend shop to provide new pump house and new car wash | REFUSED (19 September 1988)
- o 95/00085/F | Refurbishment of existing petrol filling station with new car jet wash facility |

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REFUSED (11 April 1997)

- o 96/00877/F | Proposed car sales (5 No) from forecourt | REFUSED (11 April 1997)
- o 01/00690/F | Demolition of existing sales building, remove 4 No pump islands (retaining half canopy and 2 no. pump islands). Erection of new sales building, retain underground storage tanks, forecourt resurfacing and refurbishment works | GRANTED (13 July 2001)
- o 02/01991/F | Removal of section of front boundary wall to widen the access way to the site | GRANTED (26 July 2002)
- o 05/03620/F | Installation of jet wash facility within a steel framed glass canopy, relocation of trash area and landscaping | REFUSED (22 May 2006)
- o 06/00703/F | Installation of a replacement ATM cashpoint machine | GRANTED (5 April 2006)
- o 09/04786/A | 2 No internally illuminated free standing single sided display units | GRANTED (25 January 2010)
- o 16/00989/F | External refurbishment of forecourt shop | WITHDRAWN (12 May 2016)
- o 17/06608/F | New shop front and ATM relocated | GRANTED (2 February 2018)
- o 20/04182/F | Installation of vehicle charging points and associated enclosures and electrical infrastructure | GRANTED (14 January 2021)
- o 21/05029/NMA | Application for a non-material amendment following grant of planning permission of 20/04182/F for the installation of vehicle charging points and associated enclosures and electrical infrastructure - now proposed relocation of existing sub-station | NOT AGREED (7 October 2021)

APPLICATION

The application seeks advertisement consent for the following:

- o Relocation of existing pole sign to the north eastern boundary
- o Installation of 5 metre internally illuminated EV pole sign

Please see the application form and proposed plans for further information.

RESPONSE TO PUBLICITY AND CONSULTATION

A) NEIGHBOUR CONSULTATION

Neighbouring properties have been notified in relation to the proposed development of the site.

Two objections were received. These are summarised below:

- o Accept the owners want to advertise EV charging point
- o Very large, bulky and unsightly sign
- o Close proximity to neighbouring properties
- o Clash with characteristics of conservation areas
- o Less intrusive alternatives available
- o Adapt the existing totem
- o Impact of illumination on neighbouring properties
- o Short neighbour notification list
- o Use of plastic not appropriate
- o Not appropriate in a residential area
- o Erection of steel poles on Melville Court boundary for lighting

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Planning matters in relation to amenity and safety will be discussed below.

B) BRISTOL CITY COUNCIL'S TRANSPORT DEVELOPMENT MANAGEMENT TEAM

Bristol City Council's Transport Development Management Team were consulted on the proposed plans. They had the following comment:

- o No concerns about safety here as long as the proposed sign is not over illuminated
- o The proposed level of illumination is very low (1cd/m²) which can be secured via a condition (D6)
- o The visibility splay on the southern side will not be any more impeded by the solid sign, as it is adjacent to a boundary fence / wall.
- o The northernmost sign is the relocated sign on a post, which will impede visibility less than the solid based sign, and it is proposed to be set back to afford adequate visibility from the garage access.
- o No objections to the proposals for the sign locations in terms of visibility or distraction.

C) BRISTOL CITY COUNCIL'S CITY DESIGN TEAM

Bristol City Council's City Design Team were consulted on the proposed plans. They had the following objection:

- o The proposal would double the amount of advertising on site and increase the amount of urban clutter
- o The additional pole is not necessarily required and additional panel could be added to the existing pole
- o The proposed EV sign is very large and out of character with the conservation area
- o The proposed materials, design and colour would detract from the street scene
- o The proposal would include a large solid base which differs to the existing sign
- o The sign should be dramatically reduced in scale and more respectful of area

D) THE REDLAND AND COTHAM AMENITY SOCIETY

The Redland and Cotham Amenity Society objected to the application and made the following comment:

- o Illuminated pole sign inappropriate in the Conservation Area
- o Proposal is too high and too intrusive
- o Impact on neighbouring properties
- o Recommend new sign is added to existing sign

RELEVANT POLICIES

PAN 2 Conservation Area Enhancement Statements (November 1993)
Cotham and Redland Conservation Area Character Appraisal

Planning (Listed Buildings & Conservation Areas) Act 1990
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

National Planning Policy Framework – July 2021
Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation and Development

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Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2015 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

ASSESSMENT

The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special regard to the desirability of preserving or enhancing the character or appearance of the area.

The Authority is required under Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent for any works, is to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is therefore considered that the proposed work will preserve the character and historic fabric of the listed building and duly recommended for consent subject to conditions.

Paragraph 136 of the National Planning Policy Framework (2021) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of visual amenity and public safety, taking account of cumulative impacts.

Section 16 (Conserving and Enhancing the Historic Environment) of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Policy BCS21 (Quality Urban Design) in the Bristol Core Strategy (2011) advocates that new development should deliver high quality urban design, respect the local area and safeguard the amenity of existing development.

Policy BCS22 (Conservation and the Historic Environment) states that development proposals should safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including: Scheduled ancient monuments; Historic buildings both nationally and locally listed; Historic parks and gardens both nationally and locally listed; Conservation areas; and Archaeological remains.

Policy DM23 (Transport Development Management) of the Site Allocations and Development Management Policies (2014) outlines that development should not give rise to unacceptable traffic conditions and would be expected to provide safe and adequate access onto the highway.

Policy DM29 (Design of New Buildings) of the Site Allocations and Development Management Policies (2014) states that external signage should adopt a scale, detail and siting appropriate to the character of the host building and wider street scene.

Policy DM31 (Heritage Assets) sets out that development will be expected to conserve and where

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appropriate enhance heritage assets and/or its setting. These include schedule monuments, archaeological sites, listed buildings, conservation areas, historic parks and gardens and locally important assets.

A) WOULD THE PROPOSAL HARMFULLY IMPACT AMENITY AND THE CHARACTER AND APPEARANCE OF THE SITE, WHITELADIES ROAD CONSERVATION AREA AND ADJACENT COTHAM AND REDLAND CONSERVATION AREA?

Part 1, Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 outlines that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- The provisions of the development plan, so far as they are material; and
- Any other relevant factors.

Factors relevant to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest.

The application site is home to a fuel station, retail/food shop and associated car parking and hard standing. The site is home to one advertisement pole which is to the south of the site. The existing sign whilst rather large and bulky does not significantly harm the character and appearance of the site or conservation area. The colours and advertisement featured on the pole is not overly intrusive and the existing pole is appropriate within a fuel station setting.

The application proposes to move the existing pole to the north of the site and install a new 5m EV charging pole. The application would result in a second advertisement pole and would double the amount of advertising poles along the Hampton Road Boundary and along the public realm. As noted above the existing pole is broadly acceptable and the movement of the pole to the north of the site would be acceptable in principle. However, the LPA finds that an additional pole on this site would not be entirely necessary, would result in additional urban clutter and would be out of character with the local area which is predominantly residential. The LPA accepts that the applicant wishes to install advertisement for the EV charging spaces but feels that updating or upgrading the existing pole would be more appropriate in this setting. The EV charging spaces themselves would be visible from the public realm and highway as approved under application 20/04182/F.

The proposed EV charging pole would not be respectful of the surrounding conservation area. The proposal would be large and bulky and the overall design would be out of character with the conservation area. The proposed materials and illumination would not be appropriate for a conservation area and the proposed colours would result in a highly visible advertisement sign which would fail to blend into the surrounding area. The proposed EV sign would detract from the street scene and would fail to be in-keeping with existing advertisement. The LPA acknowledges that the pole would be located within a fuel station but the proposed advertisement itself would be positioned in a highly visible location and would overall fail to respect the character and appearance of the conservation area. The proposed advertisement would cause harm to the character and appearance of the Whiteladies Road Conservation Area and adjacent Cotham and Redland Conservation Area and the public benefits of the proposal would not outweigh the harm caused. The application was reviewed by the City Council's City Design Group and concerns were raised regarding the design and volume of advertising within this site. Therefore, it is considered that the proposed advertisement pole would not be acceptable in this instance.

The LPA raised concerns with the design and level of advertisement proposed to the agent and applicant and requested that revised plans were submitted. The agent disagreed with the LPA's

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view and requested that a decision was issued. The LPA has therefore determined the application in line with the original plans and layout.

Furthermore, the LPA has also raised concerns that the proposed site layout would fail to match the previously approved site layout under 20/04182/F. The proposed site layout submitted for this application does not have planning permission. The LPA asked for updated plans which reflect the approved scheme however at the time of determination revised plans were not submitted. The LPA has determined the application in line with the advertisement proposed and as noted above the proposed site layout does not have permission.

Overall, it is therefore considered that proposed signage would fail be respectful of the wider conservation area.

B) WOULD THE PROPOSED SIGNAGE BE A DANGER TO PUBLIC/HIGHWAY SAFETY?

Regulations 2007 outlines that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety. With reference to public safety the Act states that factors relevant to public safety include:

- o the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- o whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; and
- o whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

The Act further states that under regulation 13(1) (e), the highway authority must be consulted by the local planning authority if an application express consent relates to a proposed advertisement that is visible from the highway and has moving features, moving parts or flashing lights.

The proposed signage is not considered to represent a distraction to traffic that would warrant refusal on highway grounds. The proposed illumination levels would be low and the visibility splays onto Hampton Road would not be harmfully impacted by the proposed advertisement. The northernmost sign is also proposed to be set back to afford adequate visibility from the garage access. Furthermore, The City Council's Transport Development Management Team raised no objection to the location and illumination of the signage.

Therefore, the proposal is considered acceptable in public safety terms.

CONCLUSION

The proposed signage would overall fail to respect the appearance and visual amenity of the surrounding conservation area and would result in additional advertising that would be poor quality and visually intrusive. The proposed signage while not causing any issue with public safety is overall not considered to be appropriate in a conservation area.

The application is therefore recommended for refusal for the following reason:

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EQUALITIES ASSESSMENT

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

RECOMMENDED REFUSED

The following reason(s) for refusal are associated with this decision:

Reason(s)

1. The proposed development by virtue of its design, scale, materials, method of illumination and the overall level of advertising within the site is considered to cause harm to the character and appearance of the Whiteladies Road Conservation Area and adjacent Cotham and Redland Conservation Area. The proposal would result in additional urban clutter, would detract from the street and be visually intrusive. The proposal would be located within a highly visible location and the proposed EV sign would be out of character within the surrounding conservation area. The proposal would therefore fail to comply with Sections 12 and 16 of the National Planning Policy Framework, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policies BCS21, BCS22, DM29 and DM31 as well as the Whiteladies Road Conservation Area Enhancement Statement (1993) and Cotham and Redland Conservation Area Character Appraisal (2011).

Advice(s)

1. Refused Applications Deposited Plans/Documents

The plans that were formally considered as part of the above application are as follows:-

13664-LP-144 Location Plan, received 22 September 2021

13664-BP-144 Block Plan, received 22 September 2021

13664-CTA-144 Proposed Site Layout Plan, received 22 September 2021

MFG TOT 5M TL 03 Totem Sign Detail, received 22 September 2021

MFG TOT 5M TL ELEC 00 Totem Electrical Detail, received 22 September 2021

13664-CTA-EX Existing layout plan, received 22 September 2021

Photograph of existing Totem sign, received 22 September 2021

Case Officer: [REDACTED]

Authorisation: [REDACTED]

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