

Appeal Decision

Site visit made on 4 April 2017

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 April 2017

Appeal Ref: APP/P4605/Z/16/3163862

1st Self Access Storage Limited, Lawden Road, Bordesley, Birmingham B10 0AD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by 1st Self Access Storage Limited against the decision of Birmingham City Council.
 - The application Ref 2016/06822/PA, dated 8 August 2016, was refused by notice dated 29 September 2016.
 - The advertisement proposed is an externally illuminated building wrap advertisement.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Since the application was determined by the Council, the Birmingham Development Plan (BDP) has been adopted. The BDP replaces the 'saved' policies of the Birmingham Unitary Development Plan 2005 cited in the decision notice, with the exception of the policy contained within paragraph 3.14D. I have dealt with the appeal on this basis.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the visual amenity of the area.

Reasons

4. Paragraph 67 of the National Planning Policy Framework ('the Framework') recognises that poorly placed adverts can have a negative impact on the appearance of the natural and built environment.
 5. The building on which the proposed advertisement would be attached is located in a mainly industrial area characterised by large warehouses and associated land. The appeal property is a large five storey flat roofed warehouse in a reasonable state of repair. It is significantly taller in height than most other buildings in the industrial estate and is positioned next to railway lines heading into the city centre. As a result, it is a particularly prominent building. It is a functional and relatively plain structure. However, its curved eaves and the splaying of columns as they meet roof level, together with the regular pattern of fenestration and external materials has resulted in a cohesive design with some visual interest.
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6. The large scale of the building is broken up by a set back in the elevation facing the railway. The wrap advert would be positioned on the widest and most prominent part of the elevation closest to the railway. In area it would be 25% smaller than a previous proposal refused consent by the Council. However, measuring 22.3m in width by 13m in height, it would occupy the vast majority of this most forward part of the elevation from first floor level upwards and cover 290 square metres. As a proportion of the elevation as a whole the Council states that it would occupy 42.85%, in excess of the guidance contained within the supplementary planning document 'Large format banner advertisements' (SPD). This has not been challenged by the appellant.
7. As a consequence of its size, the wrap advert would appear as a dominant and incongruous feature on the property in public views from passing trains and in significantly more distant views from Small Heath Highway and housing to the north east of this road. It would also partially obscure the curved eaves and regular pattern of features to the detriment of its cohesive design and visual interest. When construction or renovation works are taking place the thrust of the SPD is that temporary consent for building wrap adverts may provide visual amenity benefits by hiding unattractive scaffolding and ongoing work. However, in this case no building works are taking place and consent is not sought for a temporary period.
8. I recognise that the appellant sees the proposed advert as part of wider regeneration works improving the visual amenity of the immediate area. These works include artwork on the other side of the building facing the canal and proposals to improve the appearance of the nearby railway arches. However, for the reasons that I have given, the proposed advert would harm this goal rather than help to achieve it.
9. Taking all these matters into account, I therefore conclude that the proposed advert would harm the visual amenity of the building and the immediate area, which the proposed illumination of the sign, by increasing the prominence of the advert, would accentuate.
10. I have taken into account policy PG3 of the Birmingham Development Plan, together with policy 3.14D of Birmingham Unitary Development Plan. These policies seek to protect amenity and so are material in this case. Similarly, the supplementary planning guidance 'Location of Advertisement Hoardings' (SPG) and SPD does not support adverts that harm amenity. Given that I have found that the proposal would harm amenity, it conflicts with these policies, the SPG, as well as the SPD and the Framework.
11. Reference has been made to the wrap advert providing additional income to this local business. However, regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that advertisements should be subject to control only in the interests of amenity and public safety. As a result, this is not a material consideration in relation to the appeal.
12. For the reasons given above, the appeal should therefore be dismissed.

Ian Radcliffe

Inspector