



Appeal Decision

Site visit made on 24 September 2019

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2019

Appeal Ref: APP/P4605/Z/19/3232771

Bulls Head, 77 The Green, Kings Norton, Birmingham B38 8RU

- 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 Allen Reynolds Partnership against the decision of Birmingham City Council.
 - The application Ref 2019/03232/PA, dated 12 April 2019, was refused by notice dated 24 June 2019.
 - The advertisements are described as 1 x non illuminated Marstons logo 'A', 1 x externally illuminated double sided panel to existing projecting frame 'B', 2 x externally illuminated fascia 'C' & 'D', 1 x non illuminated folded panel with applied vinyl 'G', 1 x internally illuminated logo 3D barrels and text 'E', 1 x non illuminated sided corex frame to with fixed panel rear 'F'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In determining the application that is the subject of this appeal, the Council issued a split decision granting advertisement consent for signs A, B, C, D and F and refusing consent for signs E and G. As such, in determining this appeal I have not considered signs A, B, C, D and F.
3. There was a discrepancy between the submitted plans with regard to the size and position of sign G and the position of sign E. Clarification was sought from the parties and amended plans were received from the appellant which correct the discrepancy. I have determined the appeal having regard to the amended plans (Ref Job no 133415/Planning Rev C proposed elevations). Although these plans have not been publicised, they do not materially alter the development but merely correct errors on the original plans. I am satisfied therefore that my acceptance of them would not be prejudicial to any interested parties.
4. At the time of my visit, signs similar to those proposed and in similar positions had been erected on site. However, as I cannot be certain that the existing signs are fully in accordance with the submitted plans, I have assessed the signs as shown on the submitted plans.

Main Issue

5. The main issue is the effect of the signs on the character and appearance of the area.

Reasons

6. The appeal site comprises a large, traditional building in use as a public house. It is located in a prominent position within the Kings Norton Conservation Area (CA) and is near to a number of listed buildings including No 81-83 The Green which is separated from the site by a car park. The immediate surrounding area is commercial in character and the host building has a number of existing signs, some of which are illuminated, on its front and side elevations.
7. Sign E would be positioned on the side gable of the host building facing towards No 81-83 and the entrance to the car park. It would be clearly visible from within the CA. An externally illuminated sign comprising 'Bulls Head' lettering was previously on the gable, though this has been removed and a circular sign of the same design as that shown on the submitted plans is now in place. Sign E has a more solid appearance than the previous lettering, incorporates three, 3D projecting barrels and would be internally rather than externally illuminated. Its particular scale, bulky design and less traditional method of illumination together with its prominent position close to the listed building at No 81-83 means that it would adversely affect the character and appearance of the area.
8. I do not consider that sign E is more in keeping with the character of the host building and its surroundings than the previous sign and although it would be predominantly made from timber and painted in heritage colours, neither this nor the fact that low energy LED lights would be used overcome the harm that I have identified.
9. Sign G would be affixed to existing railings above a low brick wall positioned to the side of the host building and adjacent to the car park. It would replace an existing pole mounted sign positioned just behind the railings. The size of the sign is such that it would project above the top of the railings and would appear over-sized and rather awkward in relation to the railings on which it would be mounted. This would be detrimental to the character and appearance of the area. The fact that the sign would be painted in heritage colours and would replace an existing pole mounted sign does not overcome the harm that I have identified.
10. Taking the above matters into consideration, I conclude that the signs would have an adverse effect on the character and appearance of the area. In reaching my decision I have had regard to Policy PG3 of the Birmingham Development Plan, relevant paragraphs of the National Planning Policy Framework and paragraph 3.14D of The Birmingham Unitary Development Plan 2005. Given that I have concluded that the signs would be harmful to the amenity of the area, they would be contrary to these policies which seek to ensure, amongst other things, that development, including signs, is of a high design quality that responds to local area context.

Conclusion

11. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR