



Appeal Decision

Site visit made on 7 January 2020

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2020

Appeal Ref: APP/P4605/Z/19/3236513

M&M Steel Stockholders, Heartlands Parkway, Near Corner of Aston Church Road, Birmingham B7 5AH

- 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 Mr John O'Hara (Replyshort Ltd) against the decision of Birmingham City Council.
 - The application Ref 2019/03248/PA, dated 15 March 2019, was refused by notice dated 11 July 2019.
 - The advertisement proposed is display of 2 internally illuminated digital screens.
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Decision

1. The appeal is dismissed

Main Issues

2. The main issue is the effect of the proposal on amenity.

Reasons

3. The appeal proposals would be approximately 3m high, 6m wide and 200mm in depth, and the base would be approximately 3m above ground level. Illumination would be internal to a level of 300 candelas per square metre, and intermittent in nature. The screens would be orientated to the north and south bound sections of the Heartlands Parkway but located on the northbound side. The area is generally industrial in nature.
4. In its immediate setting, the appeal proposals would stand alone as a large feature, isolated from the highway, and would be unduly prominent as the only tall structure in the immediate locality. There are no other adverts in the immediate locality, and any illumination is be limited to the overhead lighting, which is far more subtle than the proposed illumination. This would further increase the alien nature of the adverts in their surroundings.
5. To summarise, the appeal proposals would appear isolated, prominent in their surroundings, and alien in their context and as such, would significantly harm the amenity of the area. I have taken into consideration Policy PG3 of the Birmingham Development Plan (2017), and saved policy 3.14D of the Birmingham Unitary Development Plan (2005) which collectively seek to protect context and character and find that the appeal proposals would conflict with these policies.
6. In addition, I have taken into account the guidance set out in the Council's Location of Advertisement Hoardings Supplementary Planning Document, and

Paragraph 132 of the National Planning Policy Framework (the Framework) which both reference the need for adverts not to adversely affect local amenity.

Other Matters

7. Paragraph 132 of the Framework is clear that advertisements should be subject to control only in the interests of amenity and public safety. I have noted that the Council have raised no objections on the basis of public safety. I see no reason to disagree, and as a result, I have not considered this element of the proposal any further.

Conclusion

8. For the reasons set out above, the appeal is dismissed.

Paul Cooper

INSPECTOR