



Appeal Decision

Site visit made on 20 October 2020

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2020

Appeal Ref: APP/P4605/Z/20/3250539

Corporation Street, Near Junction with Holt Street, Birmingham B4 7DS

- 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 Mrs Helen Williams (Clear Channel UK Ltd) against the decision of Birmingham City Council.
 - The application Ref 2019/10320/PA, dated 13 December 2019, was refused by notice dated 11 February 2020.
 - The advertisement proposed is display of internally illuminated double sided digital advertising panel on bus shelter.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I have taken the description in the banner above from the Council's Decision Notice, the appellant has replicated the same on the appeal form. It is for more concise than that on the application form.

Main Issue

3. The main issue in this appeal is the effect of the advertisement panel on the amenity of the area.

Reasons

4. A bus shelter can be erected under permitted development rights by the appropriate bodies. Therefore, this appeal will only deal with the advertisement panel the is incorporated into the shelter.
5. The Town and Country Planning (Control of Advertisements) Regulations state that only amenity and public safety can be taken into consideration when assessing a proposal. The Council have raised no issues with regard to public safety so I shall not consider that matter any further.
6. The proposal compromises of a double-sided digital display panel of approximately 2.6m x 1.3m and would be internally illuminated with a visible screen size of 1.5sq.m to both sides and would be located at the departure end of the shelter.
7. Whilst forming an integral part of a new bus shelter, the proposal would introduce a large backlit advertisement into the local street scene. When viewed from approach, the display would be seen within close proximity (approximately 35m) of a considerably larger approved digital advertisement to the north, and approximately 40m to another large advertisement panel to the

south. This would give the appearance of an over saturation of advertisement displays in the context of the area, which would be harmful to amenity, and as a result, in conflict with Policy PG3 of the Birmingham Development Plan 2017 and the appropriate guidance (Paragraph 132) of the National Planning Policy Framework (2019) which collectively expect proposals to create a positive sense of and local distinctiveness with design that responds to site and area context and take account of cumulative impacts.

Other Matters

8. I note that the advertisement would provide an integral part of a modern shelter, with improved information and comfort for bus travellers, and that revenue generated from the adverts helps to improve the public transport network. Whilst I can appreciate these benefits of the overall scheme to the travelling public, I do not consider that they outweigh the adverse effect that the proposal would have on this location.

Conclusion

9. Therefore, for the reasons given above, and taking into account all other matters, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR