



Appeal Decision

Site visit made on 9 December 2020

by Alison Partington BA(Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th December 2020

Appeal Ref: APP/P4605/Z/20/3260638

**Astra Engineering Products Ltd, Queens Road, Necells, Birmingham
B6 7NH**

- 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 Richard Page (Wildstone) against the decision of Birmingham City Council.
 - The application Ref 2020/04510/PA, dated 2 June 2020, was refused by notice dated 4 September 2020.
 - The advertisement proposed is the erection of a digital advertising display
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the visual impact of the proposed advertisement at the site and within the surrounding area.

Reasons

3. The appeal site is located between a commercial building and the elevated Aston Expressway – a multi-lane dual carriageway that links the M6 to the centre of Birmingham. The surrounding area is largely commercial in nature. The proposed advertisement would be a single sided 48-sheet illuminated digital display that would be on a supporting structure making it 12.5m high. Whilst it would be positioned adjacent to the southbound carriageway of the Expressway, the advertisement display would face the northbound traffic.
4. In the vicinity of the appeal site, due to the elevated nature of the Expressway, the buildings to either side are not particularly prominent, although the spire of Aston Parish Church which is close to the northbound carriageway is clearly visible when travelling southbound and there are extensive mature trees on both sides of the road.
5. The site has been subject to two previous schemes for advertisements both of which have been dismissed on appeal¹. The first was for a 96-sheet digital display and the second for a 48-sheet digital display. The appeal scheme would be a metre higher than the previous proposal for a 48-sheet screen and although in the same position the display would face the northbound rather than the southbound traffic.

¹ Appeal references APP/P4605/Z/19/3226750 and APP/P4605/Z/19/3245817

6. At ground level, the supporting structure for the sign would be seen against the backdrop of the support columns for the road, and so would not appear overly obtrusive, or out of keeping.
7. However, irrespective of which way the screen would face the structure would still be visible from both sides of the Expressway. The lack of a display and illumination would mean the screen would not draw the eye of southbound users to the same extent as the previous scheme. Nevertheless, during daylight hours in particular, the proposal would still be seen as a large alien structure that would sit uncomfortably against the backdrop of the mature trees when travelling in this direction.
8. Whilst modest company signage can be seen on some of the nearby commercial buildings, the only other signs on the Expressway are signs directing the usage of the road, which is generally on gantries above the road. Given this context, the display would be an isolated and incongruous feature that would be detrimental to visual amenity when seen from either direction.
9. As a major vehicular route, the Expressway is well lit. However, notwithstanding this and the fact that the lighting levels of the display would be controlled, brightly coloured and illuminated advertisements would draw the attention of those travelling northbound. In such views, although not as high as the streetlights or gantries, it would still be seen as a prominent feature, particularly in the short range.
10. Overall, by reason of its position, nature and size, the proposed advertisement would be an obtrusive, dominant and uncharacteristic feature in the area. I have taken into account Policy PG3 of the *Birmingham Development Plan 2031 (adopted January 2017)* and Policy 3.14 C-D of the *Birmingham Unitary Development Plan 2005 (alterations adopted October 2005)* which require a high quality design that respects the character of the local area. I have also had regard to the *Location of Advertising Hoardings Supplementary Planning Guidance*. Given that I have concluded that the proposal would harm visual amenity, the appeal scheme conflicts with these policies.
11. For the reasons set out above I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR