



Appeal Decision

Site visit made on 21 March 2024

by JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/P4605/Z/23/3331500

The Bulls Head, 38 Bishopsgate Street, Birmingham B15 1EJ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Kam Singh against the decision of Birmingham City Council.
 - The application Ref is 2023/04509/PA.
 - The advertisement proposed is to display of 2 illuminated replacement fascia signs.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on amenity, having regard to the appeal property being Grade II listed.

Reasons

3. This building, which is listed as the City Tavern Public House, dates from the very early 20th Century, and is a 2 and 3 storey public house that is built of brick, and still retains much of its original extensive and ornate external detailing. It stands on the corner of Bishopsgate Street and Tennant Street, with its prominence being emphasised by the open car park opposite, and the large modern buildings enclosing it on 2 sides. Moreover, there are few other buildings of a similar age and character in the immediate vicinity, which again serves to highlight its presence, and means it plays a role in alluding to the former nature of development in this part of the city. Accordingly, insofar as this appeal is concerned, the building's significance is partly architectural, partly artistic and partly historic.
4. It is proposed to display an advertisement on each of the building's 2 street frontages. These would be long, thin powder-coated aluminium fascia displays running virtually the full length of each elevation that would sit within the terracotta detailing. On these fascias there would be illuminated lettering.
5. Given their prominence and their siting against the detailing, and mindful too of their material and size, I consider the fascias would appear discordant and alien on this historic building. As a result, they would also detract unacceptably from the detailing and diminish its attractiveness, thereby harming the property's special architectural and historic interest as an ornate public house from this period.
6. I have noted the discussion about painted signage. Whilst no details of such a scheme are before me, I nonetheless consider that a painted finish on timber

can often have a different texture and grain to that of powder-coated aluminium panelling. As such I consider the impact of a painted timber advertisement could well be distinct and different to that now proposed. I also saw that similar advertisements to those before me are displayed on the building at the moment. I have not been told though that they are authorised, and so their presence is not a matter to which I can attach any appreciable weight. Finally, I saw no other similar advertisements in the area on comparable buildings that led me to different findings.

7. Turning to the lettering, this would take the form of projecting letters, each of which would have internal illumination diffused via its face and rear. However, their bulkiness, their modern materials and the lighting of their faces would mean they would again appear as discordant intrusions in the context of the detailing adjacent and the historic nature of the property. As such, they would not sensitively reflect the building's character.
8. I therefore consider that the advertisements proposed would cause harm, albeit less than substantial, to the significance of this designated heritage asset. Whilst I accept advertisements can have economic benefits that safeguard a listed building, I have no reason to consider the future of the building is in question if this appeal is dismissed or to find that other forms of advertisement are not possible. I recognise that a painted sign may need more maintenance and so, if not maintained, at times it may appear in poorer condition. That though does not outweigh the harm I have identified.
9. Accordingly, and being mindful that this public house is Grade II listed, I conclude that the proposal would have an adverse effect on amenity, and, insofar as they are a material consideration, it would conflict with Policies TP12 and PG3 in the *Birmingham Plan 2031*, which seek proposals that would respond to and safeguard the significance of designated heritage assets.

Other Matters

10. The location and nature of the advertisements mean they would not harm highway safety.

Conclusion

11. For the reasons given I conclude the appeal should be dismissed.

JP Sargent

INSPECTOR