



Appeal Decision

Site visit made on 10 December 2024

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2024

Appeal Ref: APP/P4605/Z/24/3348241

40 Stockfield Road, South Yardley, Birmingham B27 6BB

- 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 Mecca Bingo Limited against the decision of Birmingham City Council.
 - The application Ref is 2024/01747/PA.
 - The advertisement proposed is described as Digitally-printed pvc banner within aluminium angle frame; frame in RAL7016 Anthracite Grey.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Regulations set out that advertisements are subject to control in the interests of amenity and public safety. The Council do not allege that the proposed banner advert would harm public safety and the available evidence does not lead me to a different view. Accordingly, the main issue is the effect of the proposed advert on the visual amenity of the surrounding area.

Reasons

3. The appeal site contains a large building set back from the highway by an extensive area of hard standing used for parking. It is separated from the adjacent footway by boundary treatment including a wall, some trees and a hedge. The surrounding area contains a mixture of commercial and residential buildings, with the former including various signs. However, whilst some of the signs are large, notable features in the locality, they are generally either attached or close to buildings.
4. The proposed banner advert would be situated along the front of the site, just behind the low wall and hedge. Although not particularly tall, and taking into account the actual size of the proposed advert, the banner and frame would have a relatively significant width and overall scale. Given the degree of separation from the building, it would also have an open backdrop. Combined with its position in relation to other features of a similar scale, the advert would therefore appear as a prominent, intrusive addition. With the relatively open nature of the part of the site's frontage where it would be located, it would also read as an incongruous, enclosing and dominating addition.
5. In coming to this view, I have taken into account the appellant's consideration of the banner's positioning and scale in order to minimise its impact on the surrounding area. The simple design of the proposed non-illuminated banner,

which is said to be a standard size, and the presence of identical sized banners at other nearby Mecca Bingo sites but on busier roads do also not lead me to a different conclusion.

6. For the above reasons, I conclude that the proposed advert would harm the visual amenity of the surrounding area. I have taken into account Policy PG3 of the Birmingham Development Plan and Policy DM7 of the Development Management in Birmingham Development Plan Document, which seek development to contribute to a strong sense of place and to have no detrimental impact on amenity. Given I have concluded that the proposal would harm visual amenity, the proposal conflicts with these policies.

Other matters

7. The appellant has set out that, due to falling attendances which were exacerbated by the recent pandemic, it seeks to install such banners to advertise and promote its clubs. It has also been put to me that signage on the building would be ineffective given its distance from the dual carriageway and that there is no building, wall or fence on the edge on the site where the advert could be located. However, the National Planning Policy Framework, Planning Practice Guidance and Regulation 3(1) of the Regulations indicate that advertisements should be subject to control only in the interests of amenity and public safety. I have therefore assessed the appeal proposal in relation to these matters only.

Conclusion

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

T Gethin

INSPECTOR