



Appeal Decision

Site visit made on 7 July 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/P4605/Z/25/3364552

Yardley Wood Road, Birmingham B14 4QA

- 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 Wildstone Estates Limited against the decision of Birmingham City Council.
 - The application Ref is 2024/06765/PA.
 - The advertisement proposed is a D6 small format advertisement display.
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Decision

1. The appeal is allowed and express consent is granted for the display of a D6 small format advertisement display at Yardley Wood Road, Birmingham B14 4QA in accordance with the terms of the application, Ref 2024/06765/PA. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions:
 - 1) The intensity of the illumination of the advertisement display permitted by this consent shall be no greater than 600cd/m² during daylight hours, and no greater than 300cd/m² during nighttime hours.
 - 2) The advertisement display permitted shall only display static images with a minimum display time for each advertisement of 10 seconds, and all changes between advertisements shall be instant without animation.

Background and Main Issue

2. Paragraph 141 of the Framework states advertisements are subject to control only in the interests of amenity and public safety. This is prescribed within Regulation 3(2) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the COA).
3. No objection has been raised on the grounds of public safety and there is nothing before me to conclude otherwise. Therefore, the main issue is the effect of the appeal proposal on amenity.

Reasons

4. The appeal site is located on the grassed area between a petrol filling station (PFS) forecourt and the pavement located on the Yardley Wood Road, School Road, and Daisy Farm Road roundabout (the roundabout). There is already a series of advertisements within the immediate location of the appeal site including the PFS's totem, and various, more temporary looking, banner and bollard signs. In the wider area there are some elements of street furniture.

5. This roundabout is relatively large and landscaped creating a large space between the built-up elements around each side. This location is a transitional space between established commercial and residential areas within the Yardley Wood neighbourhood centre. There is a slight slope up towards the roundabout from the north and in combination with the mound at its centre the visibility of the proposed advertisement display would be limited to the junctions on either side of the PFS and the section of roundabout in between.
6. Accordingly, the visual impact of the proposal would be limited. The proposed advertisement display would be read in conjunction with the existing signage and commercial elements of the PFS, much of which is already illuminated. Along with the area being street lit the proposed illumination of the advertisement display, which can be conditioned, would not be so excessive to be distractingly different to the other illuminated elements in the area. Due to its relatively compact size, it would not dominate the main commercial focus of this part of the roundabout, the PFS, so would not be visually incongruous. Therefore, although it would represent a level of change to the immediate area, this would be not to such an extent as to be considered visually harmful to amenity.
7. It is recognised that the appellant asserts the digital nature of the proposed advertisement display would lead to a rationalisation of the existing signage to the front of the PFS. However, as it has not been shown that the other advertisements are within the control of the appellant this cannot be guaranteed and so is not determinative in this decision.
8. The proposal would therefore not have an adverse impact on the character of the area to such an extent as to harm amenity. So, it would comply with the Framework, the COA, and Birmingham Development Plan 2017 Policy PG3, and Birmingham Plan 2031¹ DM7, as far as advertisements should be sympathetic to character and appearance of their location and ensure public spaces are attractive and functional.

Conditions

9. Notwithstanding the 5 conditions set out in Schedule 2 of the COA, I have found it necessary to limit the illumination, type of image displayed and transition methods to ensure the visual amenity of the area as well as highway and therefore public safety is not affected. These have taken into account both the Council and appellant's suggestions.

Conclusion

10. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be allowed.

RJ Redford

INSPECTOR

¹ Described in the reason for refusal as the 'Development Management in Birmingham DPD 2021'