



Appeal Decision

Site visit made on 25 July 2025

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/P4605/Z/25/3366384

64 New Street, Ladywood, Birmingham B2 4DU

- 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 Boojum GB Trading Limited against the decision of Birmingham City Council.
 - The application reference is 2024/06496/PA.
 - The advertisement proposed as indicated on the Application form is the 'The siting of a new fascia sign and projecting sign.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Upon my site visit the advertisements as described in the application were already installed and in situ as per the submitted plans. As such the advertisement scheme is retrospective and I have made my judgement upon this basis.

Main Issue

3. Taking the above into account, the main issue is the effect of the proposed advertisement upon the amenity of the area.

Reasons

4. I am required by the Regulations¹ to exercise my power in the interests of amenity and public safety. The Council raise no concern in respect of public safety and in this case, the issue of amenity relates to visual effects. Factors relating to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, and cultural interest. This is reflected by paragraph 141 of the National Planning Policy Framework (the Framework) and National Planning Practice Guidance (NPPG).²
5. In addition to the above, the Birmingham City Council Development Plan (DP) Policy PG3 is a design-led policy that seeks compliance with a number of design principles such as high quality design, a sense of place, responding to site conditions and local area context. The Birmingham City Council Development Management Policies (DMP) Policy DM7 is specific to advertisements and seeks that development is sympathetic to the character and appearance of their location, having regard to their size, materials, construction and illumination, whilst not

¹ The Town and Country Planning (Control of Advertisements)(England) Regulations 2007

² Paragraph: 079 Reference ID: 18b-079-20140306 Revision date: 06 03 2014

obscuring architectural detailing and respect the building's proportions and symmetry, among others.

6. The appeal site is located within the Colmore Row and Environs Conservation Area (CA) which also contains a number of listed buildings, with the Council's opinion that the site lies within the setting of Nos 56-57 New Street (Grade II); No.s 80-93 (consecutive) (Grade II). The consideration of historic assets are matters that are interrelated in the context of visual amenity and character and appearance, I have therefore dealt with them together. Moreover, I am mindful of section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA). S66 sets out the need to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; whilst s72 places a duty that in respect of development affecting conservation areas, that special attention shall be paid to the desirability of preserving or enhancing the character and/or appearance of the area.
7. The appeal site lies within a busy pedestrianised thoroughfare which is known as the main street of the Birmingham City Centre which leads to Victoria Square and the Council House, a short distance away. The significance of the CA is detailed within the CA Character Appraisal where New Street is relatively wide with four storey buildings to either side, representing the higher density and status of the street which represents the growth of this industrial city. Many of the buildings at this end of New Street date from the late nineteenth century and contain a number of high status and elaborate designs with facades containing much ornament and detailing, with materials of brick, stucco and stone, following classical styles and fashionable styles at the time. The street contains large trees to the centre with street lighting, but is not an overbearing feature or dominant. Illumination of the street is relatively limited, however on my site visit I noticed a couple of the shopfronts displaying digital advertisement displays which whilst not characteristic, do damage the authenticity and visual amenity of the area.
8. The listed buildings surrounding will have their own heritage values which make up their architectural and historic significance, with their main contribution to this appeal being representative of the development of the main street of Birmingham with high quality and elaborate designs which are largely intact. As the signage has the ability to cause harm to how the buildings in the street are experienced, I agree that this appeal would lie within the setting of the above mentioned listed buildings.
9. As New Street is a main commercial street, at ground floor level the buildings have shopfronts that reflect many of the elements of a Victorian shopfront, with the shopfront situated between two large pilasters, stallriser, inset entrance, with transom, top light and fascia board. Signage tends to be letters attached to the fascia board with some of the signage illuminated by 'halo' or trough lighting. Hanging signs are mounted to a metal bracket which is then attached to the pilaster. These are some of the positive qualities that reinforce the local character and distinctiveness of the area.
10. The appeal site contains many of the positive qualities of the CA. The appeal site is one of five shopfront that was constructed as part of 61-65 New Street which appears to date from the early twentieth century. I disagree with the Appellant's Statement of Case (SoC) that there is 'no visual coherence of style or architectural language between the properties' as this is very obvious when experiencing this

group of buildings at No.61-65. The entire building is 4 storeys tall with roof space accommodation, having a stone front façade and built in a classical inspired design where there is symmetry across the building. At ground floor level each shopfront is positioned between large rusticated pilasters that project from the shopfront. Shopfronts are metal, but take on Victorian inspired designs with short black plinth, display windows with inset entrance, transom, and top light. Fascia boards are all aligned across the building in terms of their height and depth with signage forming letters mounted to the façade. Along this line of buildings each of the shopfronts have a hanging sign that is mounted to a metal bracket which is mounted to the pilaster.

11. Beginning with the fascia sign, this would consist of a metal box sign with internal illumination that is attached to the existing fascia board. Compared to surrounding signage, the internally illuminated sign is much thicker and thus is in line with the pilaster on either side which does detract from the appearance of the shopfront surrounds. The fascia board as per others in the vicinity should be relatively thin with the installed sign having a bulky and thicker appearance which competes with the architectural detailing and authenticity of the existing shopfront. The thickness of the sign derives from the sign being internally illuminated, hence why other shopfronts have a thinner sign and illuminated lettering mounted to them.
12. Turning to the proposed hanging sign, this is mounted from the side of the sign so that it is static and is attached to the pilaster, but doesn't 'hang' like one would expect if trying to emulate a Victorian style hanging sign, which is mounted to a bracket. As the sign is also internally illuminated it is very thick in width and does not reflect a traditional style hanging sign that actually hangs. As there is an inherent symmetry of hanging signs from brackets in this location, the proposal is not reflective of this symmetrical architectural approach. Whilst I appreciate explanation as to the design approach in the Appellant's Statement of Case (SoC) which seeks a modern sign, to me, the modern approach to signage as installed is architecturally inauthentic and causes detriment to the visual amenity of the area.
13. I note benefits as described in the Appellant's SoC such as a new business operating from the premises which assists the viability and vitality of the city centre. Additionally, there are short-term employment benefits in the erection of the signage. Despite this, these benefits would also be present on a scheme that was more in keeping with the policies of the Development Plan.
14. Taking the above into account, the fascia and hanging signs are both not an appropriate architectural approach which interferes with the architectural authenticity and symmetry of the existing building and would result in material harm to the amenity of the area. Consequently, the proposal would cause harm to the special architectural and historic interest of the Grade II Listed Buildings from development located within their setting and the significance of the CA. As a consequence the signage would result in material harm to the amenity of the area and be made contrary to DMP Policy DM7 and DP Policy PG3 together with the Advertisement Regulations and the duties under S72 and s66 of the PLBCA, as described previously.

Conclusion

15. For the reasons given above, the appeal is dismissed

J Somers

INSPECTOR