



Appeal Decision

Site visit made on 10 November 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/P4605/Z/25/3373616

51 Holloway Head, Birmingham, B1 1QP

- 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 IRE-UK Resi Holloway Trustee Limited against the decision of Birmingham City Council.
 - The application reference is 2025/02530/PA.
 - The development proposed is display of one illuminated fascia sign.
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Decision

1. The appeal is allowed, and express consent is granted for the display of one illuminated fascia sign at 51 Holloway Head, Birmingham, B1 1QP in accordance with the terms of the application ref: 2025/02530/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:-
 - 6) The signage luminosity will not exceed a maximum of 600cd/m².

Main Issue

2. The main issues are the impact of the proposal upon the character and visual amenity of the surrounding area.

Reasons

3. The appeal site is part of a residential building (block C and D) on the corner of Holloway Head and Ellis Street with the advertisement proposed on the building façade. The surrounding area is mixed use with several new, prominent, residential developments and to the northeast, along Blucher Street, is the Grade II Listed Craven Arms and a Grade II* Listed Synagogue. In relation to these, as designated heritage assets, the Council's delegated report confirms that whilst they would be in the vicinity, the proposal would not be in the setting or views of those designated heritage assets and based upon my site visit, and the evidence before me, I have no reason to conclude differently in relation to such matters.
4. The signage ("The Holloway") would be located on the corner elevation of the building, between the second and fifth floors, and would measure in the region of 10.7 metres x 1 metre as well as being internally illuminated (warm white), not exceeding 600 cd/m². The proposed signage would be large in scale, however, at the time of my visit I noted illuminated signage of not dissimilar scale and type within the vicinity on other buildings as well as street lighting/lighting on buildings within the locality and illuminated advertisements in shared views of the proposal. The appeal site therefore stands in a busy part of the city, off the B4127, in close proximity to a roundabout where, combined with existing sources of illumination

noted above, there would be not insubstantial levels of general illumination and activity within/as part of which the appeal proposal would be viewed.

5. Whilst the sign would be prominent on the façade, I do not find that it would detract from the design of the host building nor that the proposal would result in clutter within the street scene or adversely affect visual amenity as stated in the Council's reason for refusal. I find that the design is appropriate for the host building and would be in keeping with the mixed use, vibrant, character of the local area which includes multiple other sources of illumination as outlined above. The signage would also create a defined sense of place contributing to legibility, especially at night, as well as contributing to overall safer spaces which would be public benefits, even if modest, for people moving around and navigating within the locality.
6. Notably the Birmingham City Council City Design consultee has not responded during the determination of the proposals. Taking into account the nearby illuminated advertisements and general street lighting, illustrated within figure 1 of the appellant's statement of case, I do not find that the proposal that is before me could plausibly be refused on the basis of visual prominence or domination of the host building and the immediate environment. I find that the proposal would be entirely appropriate for the character and visual amenity of Holloway Head and Ellis Street, respectively.
7. The Council's refusal reason cites Birmingham Development Plan 2017 Policy PG3 within the refusal reason, however, there is no evidence of the proposal having been actually assessed against this policy within the planning considerations of the Council's report (albeit the policy is listed in the policy context). Notwithstanding this Policy PG3 requires all new development to demonstrate high quality design, contributing to a sense of place as well as utilising design that responds to the site conditions and local area context. Taking into account this, and the overarching objectives of this policy, I find that the proposal would be consistent with this.
8. Similarly, reference is made to Development Management in Birmingham Development Plan Document 2021 (DPD) Policy DM2, with this policy not noted in the Council's report. Despite this I consider the proposal consistent with this policy too, which requires proposals to be appropriate to their location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours.
9. The proposal would be consistent with DPD Policy DM7 which requires advertisements to be designed to a high standard, be suitably located and sited, sympathetic to the character and appearance of their location and avoid proliferation or clutter of signage on the building and in the public realm. The proposal would also be consistent with Birmingham Design City Note SS-6 which requires advertisements do not cause visual clutter within public streets and spaces, cause a driving hazard or produce unacceptable light pollution.
10. The Council also refers to the National Planning Policy Framework 2024 within the stated refusal reason, however, advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts (paragraph 141) and for the reasons set out I find the proposal is acceptable in the interest of amenity and public safety and is thus consistent with the requirements of the Framework.

Conditions

11. The Council's questionnaire confirms that they do not consider that any other condition (other than the five standard conditions) should be imposed in the event that express consent as applied for is granted. The five standard conditions set out in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 therefore apply to the express consent with the appellant being reminded to note the content of those standard conditions as appropriate. Despite this I note, from a consultation response, that there was no objection to the proposal, (from a transportation perspective) subject to the illumination levels not exceeding the recommended level which is no greater than 300 cd/m². This was also noted within the delegated report.
12. It is clear, from the basis of submission, that the signage specification stated on the plans outline the signage as not exceeding 600 cd/m². There is limited evidence, or discussion, as to the reasoning for the proposed limitation from the consultee and/or Council. Given the appeal site context and levels of illumination already in existence in close proximity to the site in this case I find that the proposal, as submitted, in the context of the proposed illumination specification would be appropriate. I have applied a condition to this effect, as suggested by the appellant, in the interests of amenity and for clarity.

Conclusion

13. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Marshall

INSPECTOR