

Appeal Decision

Site visit made on 19 October 2016

by V Lucas-Gosnold LLB MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 07 November 2016

Appeal Ref: APP/Z4310/Z/16/3153895

45 Ranelagh Street, Liverpool, L1 1JR

- 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 Wildstone Estates Ltd against the decision of Liverpool City Council.
 - The application Ref 16A/0657, dated 26 February 2015, was refused by notice dated 12 May 2016.
 - The advertisement proposed is "14.8m x 3.5m digital media display and digital logo box set within an architecturally illuminated exoskeleton support frame".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed advert on the visual amenity of the area; and
 - The effect of the proposed advert on public safety.

Reasons

Visual amenity

3. The appeal building is situated at the junction of Ranelagh Street with Lime Street. It has a curved frontage facing towards the highway. The appeal site is within Liverpool city centre and is surrounded by a mix of commercial uses, with retail predominating.
 4. The proposed advert would be a digital display screen approximately 14.8m x 3.5m. The display would be set within an exoskeleton structure attached to the exterior of the appeal building that would take the form of a framework of lights, programmed to change so as to create a slow colour change across the front elevation of the building.
 5. The appeal site is not within a Conservation Area but it is within the World Heritage Site (WHS) buffer zone. The Council's 'Liverpool's World Heritage Site - Supplementary Planning Document' (SPD) identifies the junction of Brownlow Hill and Renshaw Street as a key node with key views to the Beacon within character area 5 of the WHS. The SPD also identifies views of St. George's Hall along Lime Street as a defined vista and specifically identifies the curved façade of the building at the corner of Ranelagh Street/Lime Street as a
-

significant framing component of that vista (p 142). There are also three Listed Buildings close to the appeal site, The Adelphi, Lewis' and the Vines public house, the special interest of which lies primarily in their history and architectural form.

6. Due to its corner location next to a busy junction in the highway, the appeal building is visually prominent in the streetscene. The proposal would emphasise the curved frontage and geometric form of the front elevation of the building which would further add to its visual prominence, particularly given the proposed illumination that would form part of the scheme. This would significantly alter and detract from the role of the appeal building as a significant framing component of views into the area and towards St. George's Hall in particular.
7. Whilst the views of the Listed Buildings would not change outside their immediate curtilage, the buildings would be viewed in combination with the proposed advert when seen from public viewpoints in the wider area due to the proximity of the appeal building to them. As a result of the proposed location, design and scale of the appeal scheme, I consider that it would be likely to detract from the ability to appreciate the architecture of the Listed Buildings when viewed as part of the high quality townscape present in the area.
8. For these reasons, I consider that the proposed advert would be viewed as an incongruous and overly dominant feature that would be harmful to the visual amenity of the area. Whilst it may be intended to make the proposed advert available to display public art, promote events or emergency use, this consideration does not outweigh the harm that would occur as a consequence of the proposal.
9. I acknowledge that adverts may have been used successfully elsewhere in Liverpool and other cities to enhance the visual amenity of the area. However I have assessed this particular proposal with regard to the specific context of the appeal site.
10. Accordingly, I conclude on this issue that the proposed advert would be harmful to the visual amenity of the area.

Public safety

11. The appeal building where the proposed advert would be situated is next to the junction of Ranelagh Street with Lime Street (the A5038) which forms part of a five arm signal controlled junction. The highway at this point is a heavily trafficked route through the city centre and there is also a high volume of pedestrian movement.
12. In addition to the traffic signals at the junction, there are several restrictions in place that limit the movement of vehicles in this location. Specifically, general traffic approaching the appeal building is prohibited from turning right on to Brownlow Hill, it is prohibited from turning left along Ranelagh Street and it is prohibited from travelling straight through to Lime Street. Motorists therefore require a high level of concentration in order to navigate through the road network at this point particularly if the driver is unfamiliar with the route.
13. Both parties have submitted evidence which shows that there have been several accidents in the area, including on the stretch of road approaching the appeal site which have resulted in both serious and slight injuries. I note the

appellant's 'Highway Safety Report' (July 2016) observation that 14 accidents occurring in a five year period close to a busy signal controlled junction in an urban area does not demonstrate a poor safety record. Nonetheless, the evidence does illustrate that there have been a number of accidents close to the appeal building. I also note that two of the accidents referred to were a result of drivers not adhering to the traffic signals.

14. The proposed advert would be situated at first floor level and would principally be in the direct line of view of motorists travelling along Renshaw Street. The proposal would be visible from some distance away and would be clearly seen by drivers approaching the appeal site. However, it would be viewed in combination with the road signs and traffic signals at a point where drivers are already required to concentrate in order to navigate the various route restrictions in place along with adhering to the traffic signals. Whilst the traffic signal head may be slightly off-set from the proposed location of the advert, it would in my view be close enough such that it would be seen in conjunction with the proposal and this would be likely to result in the reduction of clarity and effectiveness of the signals thereby resulting in an additional harmful hazard that would be likely to distract road users. This is particularly so given the high volume of both vehicle and pedestrian traffic through the area.
15. I therefore conclude on this issue that the proposed advert would be harmful to public safety.
16. I note the other adverts that the appellant has referred to. However, when considering highway safety matters it follows that proposals must be considered in the context within which they are situated. I have therefore assessed this appeal proposal accordingly.

Other Matters

17. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken into account policies GEN3, GEN9, HD18 and HD25 of the Liverpool Unitary Development Plan (Adopted November 2002), they have not been a decisive consideration in reaching my decision.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

V Lucas-Gosnold

INSPECTOR