
Appeal Decision

Site visit made on 22 November 2016

by W Fabian BA Hons Dip Arch RIBA IHBC

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

Decision date: 06 December 2016

Appeal Ref: APP/Z4310/Z/16/3155659

Land north of Erskine Street, Liverpool, L6 1NA

- 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 London and Cambridge Properties Limited against the decision of London and Cambridge Properties Limited.
 - The application Ref 16A/0820, dated 17 March 2016, was refused by notice dated 9 June 2016.
 - The advertisement proposed is a 48 sheet hoarding.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application that resulted in this appeal was submitted at the same time by the same appellant as two other similar but different applications nearby at different locations at the same roundabout, described below. Separate appeals have been made in respect of those applications and I have considered these also, taking into account the different circumstances in each case. This appeal decision relates only to the application described above and has been determined on its own merits.

Main Issues

3. The main issues are the effect of the proposal on visual amenity and on the safety of users of the adjacent road system.

Reasons

4. The proposed non-illuminated timber-framed plywood advertisement hoarding would be erected at the south side of a large triangular traffic roundabout (gyratory) on the A580, a main dual carriageway approach to Liverpool city centre. The roundabout incorporates the Erskine Industrial Estate, a small complex of business units. These are low plain buildings clad with dark profiled steel sheets that also curve over the eaves to form the roofs. They are slightly set down from the surrounding road level, with their ground level below the surrounding wide roadside grass verges. These include small areas of shrub planting as well as groups of semi-mature trees that provide some screening to the buildings. The proposed hoarding would be situated at right angles to the north side of the carriageway, facing uphill towards the one-way west-bound traffic on Erskine Street.

5. Policy OE15 of the Liverpool Unitary Development Plan, November 2002, (UDP) sets out the Council's aim to enhance the appearance of designated Environment Improvement Corridors by requiring the retention of existing landscape features. It states that advertisement consent will be refused for signs and other advertisements which by reason of their size and situation detract from the visual amenity of the corridor. The appeal site lies within the North East Corridor, which includes the A580.
6. The key visual feature at this appeal site is a line of around five semi-mature trees planted centrally along the verge, which substantially softens the appearance of the industrial estate from this side, where the gable ends and parking forecourts contribute little to the visual environment. The proposed hoarding would be some 6.4m long, at right angles across almost the full width of the grass verge and finishing close to the end of one of the industrial buildings. Given the difference in ground levels at the building and the verge, it would be similar in overall height to the building eaves.
7. It would be seen in the context here of a few authorised advertisement hoardings, all larger than that proposed. The 96 sheet hoarding¹ nearby at the southeast end of the roundabout has been uniquely designed and carefully sited as a screening feature that masks the industrial estate carpark forecourt at this point, facing onto Erskine Street. The double sided poster display further downhill to the west of the appeal site is of a high quality of design and fabrication; it is orientated vertically and is centrally located on a pedestal in the dual carriageway. The LED hoarding at the corner of Moss Street is backed by taller buildings and is not within a landscaped area. These are all different visual contexts to the appeal site. As such, although it would not be an unduly alien feature in the wider surroundings; nevertheless it would intrude into a tree lined part of the landscaped surround to the industrial estate and would create a degree of visual clutter that would detract from the Environment Improvement Corridor.
8. The positions and proximity of these trees to the proposed hoarding is not identified on the small scale plan submitted. From my visit it is apparent that the proposed hoarding would be erected almost equidistant between two of the trees. I saw that the branches, while bare of leaves, are intermingled at this point and extend well below the proposed overall height of the hoarding. Although the appellant states that no trees would be affected by the proposal, it seems to me that the trees when in full leaf would largely obscure the hoarding in views from the road, such that significant pressure for substantial pruning or even felling would be likely. In the absence of any persuasive evidence to the contrary on this matter I am not satisfied that the aim of UDP policy OE15 to retain existing landscape features would be met.
9. Taking all these matters into account, I conclude that the proposal would harm the visual amenity of the surrounding area and for this reason alone the appeal should be dismissed.
10. I note the Highway Authority's concerns regarding the likelihood of driver distraction and the consequent harmful effect on the highway safety in the context of merging and splitting lane changing manoeuvres for the gyratory in the close vicinity. However, in the light of the appellant's expert evidence on

¹ Referred to by the appellant as the 'Liverbirds' hoarding due to its attractive support design

this matter and the lack of documentary evidence to the contrary, I am not convinced that this is an overriding consideration in this appeal.

Wenda Fabian

Inspector