
Appeal Decision

Site visit made on 9 May 2017

by Andrew McGlone BSc MCD MRTPI

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

Decision date: 12 May 2017

Appeal Ref: APP/Z4310/Z/17/3170397

Byrom Point Northern Elevation, 72 Great Crosshall Street, Liverpool L3 2AT

- 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 8 Outdoor Media Ltd against the decision of Liverpool City Council.
 - The application Ref 16A/2995, dated 26 November 2016, was refused by notice dated 26 January 2017.
 - The advertisement proposed is one LED digital advertisement display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons

3. Byrom Point is a tall, modern building on the corner of Great Crosshall Street and Byrom Street (A59) that provides student living accommodation. These highways are part of a busy traffic light controlled junction with Hunter Street. Byrom Street is the main arterial route in and out of the city centre from the north. It forms part of an Environmental Improvement Corridor (EIC). The site is on the periphery of Liverpool City Centre which is to the south. Beyond the elevated pedestrian footways and the Churchhill Way flyover is a group of Grade II and Grade II* listed neo-classical buildings, which include Central Library, Picton Hall, the Walker Art Gallery, St Georges Hall and Gardens and the World Museum. Some of these buildings are visible from Byrom Street. Facing the site are two John Moores University (JMU) buildings. Residential dwellings and a tall block of flats are next to Fontenoy Street and Lace Street.
 4. Locally, in the EIC advertisements consist of road traffic signs, two adverts at the stepped entrance to LJM and lettering attached to the LJM buildings and Central Library. This reflects the mixed composition of the surrounding area and the transition from the city centre into nearby areas which contain, among other things, residential properties.
 5. Although advertisements are important to the commercial life of an area and they can contribute to the areas character and appearance, paragraph 67 of the National Planning Policy Framework (the Framework) explains that *poorly placed advertisements can have a negative impact on the appearance of the*
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built and natural environment. Policy OE15 of the Liverpool Unitary Development Plan (UDP) also sets out that the City Council will enhance the appearance of Environmental Improvement Corridors in the City by: refusing advertisement consent...which by reasons of their size and situation detract from the visual amenity off the corridor.

6. The proposal would be positioned on the northern elevation. This elevation directly faces vehicular traffic arriving into the city centre along the multi-lane lit Byrom Street and the LJM buildings. The elevation is also nearest to the semi-detached dwellings on Fontenoy Street and it is very clear to pedestrians accessing JMU and using the elevated footways. So, while the display is modern, thin, energy efficient and it would not prevent road signs from being understood¹, views of the advert in this prominent location would be long ranging, especially on approach from the north. The proposal's scale, despite the building's size, would also not reflect the local areas characteristics as it would introduce a large and dominant advertisement in an area which is not heavily dominated by them and which is not the commercial area of the city².
7. While the advert may add visual interest and colour to the EIC, Byrom Point is finished in different coloured panels facing Great Crosshall Street and Byrom Street. Together with the LJM buildings, these ensure that they do not detract from the quality of the nearby listed buildings which are visible in among the elevated highways. Despite the proposed digital display, I did not see any nearby hi-tech examples. Notwithstanding the use of light sensors and the proposed luminance, frequency and type of each image, the proposal would not reinforce this vibrant non-digital area. For that reason, the proposal would not in my opinion improve the image of Liverpool or amount to an environmental improvement, even if the site is not in an area of Special Advertisement Control and adverts have been displayed at the site previously³. Thus, the proposal would detract from the visual amenity of the EIC and the area.
8. The appellant suggests that the proposal will support and encourage the retail function of the city centre and the cities modern image, especially among students of LJM. However, I am unsure how the advert would specifically contribute, so I give these matters very little weight. Even if the advert is the type sought by the emerging Liverpool Local Plan, this does not change the harm that would arise from the advert's size and dominance.
9. For these reasons, I conclude that the proposal would significantly affect the visual amenity of the area and would be contrary to UDP Policies HD18, HD25 and OE15 and paragraph 67 of the Framework. Jointly these policies seek, among other things, to enhance the appearance of EICs through a high standard of design that reflects the characteristics of local distinctiveness and ensure adverts do not dominate the amenity of an area.

Conclusion

10. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR

¹ Planning Practice Guidance, Paragraph: 067 Reference ID: 18b-067-20140306

² Planning Practice Guidance, Paragraph: 079 Reference ID: 18b-079-20140306

³ Council Application Ref: 07A/3053