



Appeal Decision

Site visit made on 01 July 2019 by Darren Ellis MPlan

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2019

Appeal Ref: APP/Z4310/Z/19/3227474

Church Road Dental Practice, 27 Church Road, Wavertree, Liverpool L15 9ED

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by the Church Road Dental Practice against the decision of Liverpool City Council.
 - The application Ref 19A/0157, dated 11 January 2019 was refused by notice dated 5 March 2019.
 - The development proposed is described as a freestanding hanging sign.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the advertisement on visual amenity.

Reasons for the Recommendation

4. The appeal site comprises a two-storey semi-detached property near to the junction of Church Road and Prince Alfred Road, and opposite Newcastle Road. Although the property is used as a dental surgery the building retains the appearance of a dwelling house. The ground floor bay window contains obscured glass with the words 'Dental Practice' etched into the glazing, and there is a wall mounted sign adjacent to the front entrance door. The proposed sign and post would be positioned in the front garden of the property.
 5. Church Road is mostly a residential road although there is a public house and a parade of shops and cafés, forming part of the Allerton Road District Centre, to the south of the junction with Prince Alfred Road. This junction divides the residential and commercial uses. The existing signs for the public house and the commercial properties are part of an established commercial street scene to the southern end of Church Road, while the proposed sign would be located within a more residential setting.
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6. As a result of its proposed design and siting, the sign and post would create a prominent feature that would be discordant with the residential street scene given its freestanding form, commercial appearance and the absence of other such signs in the vicinity. The advertisement would therefore cause significant harm to the visual amenity of the area.
7. I acknowledge that the proposed sign would increase the visibility of the dental surgery for various users including the emergency services, and this would be a benefit of the proposal. However, given the surgery appears to have been established for some time and is likely to be well known in the locality, and as that there is already some signage on the building, such benefit would not outweigh the harm that I have identified.
8. The appellant has provided a list of businesses and medical practices in residential areas which, I understand, have advertising signage. No details of the signage have been provided, and I have no evidence regarding what planning or advertising consent, if any, has been granted for these signs. I am therefore unable to attach any weight to these other signs. Moreover, I have determined the proposal before me on its own merits.
9. The Council has drawn my attention to saved Policy HD25 of the City of Liverpool Unitary Development Plan which seeks to protect amenity. However, whilst I have taken this into account as a material consideration, the powers to control advertisements under the Regulations may be exercised only in the interests of amenity and public safety. Consequently, in my determination of this appeal the Council's policy is not, in itself, decisive.

Other matters

10. I note that there was a limited response to the Council's consultation process. However, whether or not any representations had been received, the determination of the appeal rests on the merits of the case.
11. I acknowledge that some signage may benefit from deemed consent, if it meets the criteria set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. However, the original application sought express consent for the sign from the Council and that is how I have determined this appeal.

Conclusion

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR