
Appeal Decisions

Site visit made on 26 November 2019

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

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

Decision date: 02 January 2020

Appeal Ref: APP/V4305/G/18/3216443

Land at corner of Columbia Road and Warrington Road, Prescott L34 5QY

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a Discontinuance Notice relating to the use of a site for the display of advertisements with deemed consent.
 - The appeal is made by Insite Poster Properties against discontinuance action by Knowsley Metropolitan Borough Council.
 - The Council reference is 18/00160/ADV. The Discontinuance Notice is dated 10 September 2018.
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Appeal Ref: APP/V4305/Z/18/3213365

Land at corner of Columbia Road and Warrington Road, Prescott L34 5QY

- 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 Insite Poster Properties against the decision of Knowsley Metropolitan Borough Council.
 - The application Ref 18/00382/ADV, dated 12 June 2018, was refused by notice dated 13 August 2018.
 - The advertisement proposed is replacement of existing 1 no. 96 sheet and 1 no. 48 sheet illuminate advertising displays with 1 no. 48 sheet digitally illuminated advertising display – display of illuminated static images on a 10 sec. sequential rotation – no special effects including animation, flashing or fading – illumination: day max 600 candelas/sqm night max 300 candelas/sqm.
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Decisions

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1. The appeal is dismissed. The Discontinuance Notice shall come back into effect immediately and the use of the site for the display of advertisements with deemed consent shall cease by the end of 21 days from the date of this decision.

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2. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:

1. The digital display hereby granted consent shall not display any special effects (including noise, smell, smoke, animation, scrolling, flashing, three dimensional, intermittent or video elements) of any kind before, during or after the display of any advertisement.

2. The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.
3. The interval between the display of each advertisement shall be 0.1 seconds or less and the complete display screen shall change without special effects (including fading, swiping or other animated transition methods) between each advertisement. The digital panel shall have a default mechanism to freeze an advertisement in the event of any malfunction.
4. The intensity of the luminance of the advertisements shall be no greater than 600 candelas per square metre during daylight hours and 300 candelas per square metre during the hours of darkness. A dimmer control and photo cell shall be fitted to constantly monitor the ambient light conditions and the display shall not operate between 2300 and 0600 hours.

Reasons

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3. Warrington Road is the main road leading into Prescott from the south-east. Its junction with Columbia Road, a residential street, is at a bend in the road and to the east of the junction is a grassed area. On the north side of the area, and visible to drivers and passengers in vehicles approaching from the south-east, is a 96 sheet advertisement panel and a 48 sheet advertisement panel. On the east side of the area, and visible to drivers and passengers in vehicles approaching from the north-west, are two 48 sheet advertisement panels.
4. The main issue is whether the use of the appeal site for the display of the four illuminated advertisement panels with deemed consent is substantially detrimental to the interests of amenity.
5. The Council has referred to the completed redevelopment of the Former Lancashire Watch Factory, which is close by the east, to the development of the Shakespeare North Playhouse close to the town centre, to the Prescott Townscape Heritage Initiative, and to the Prescott Town Centre Masterplan Supplementary Planning Document. The Watch Factory is a listed building that has been converted to apartments and other uses, and dwellings have been built to the east and north of the historic buildings. It is a well contained development and the advertisement panels do not cause any significant harm to the setting of the Grade II listed buildings. The site is outside the town centre and the other matters referred to by the Council do not have any bearing on the main issue.
6. The advertisement panels, collectively and given their size, are prominent features of the area around the junction of Warrington Road and Columbia Road. They dominate the attractive grassed area that is an important townscape feature on the main road. The panels, particularly those on the north side of the grassed area, especially the 96 sheet panel, detract from the vista along Warrington Road for drivers and passengers in vehicles approaching the town centre.
7. All matters mentioned in support of the appeal have been taken into account but they do not alter the conclusion that the advertisement panels are substantially detrimental to the visual amenity of the area.

Conclusion

8. For the reasons given the continued display of the advertisements with deemed consent would be substantially detrimental to the interests of amenity.

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9. The main issue is the effect of the proposed digitally illuminated advertising display on the visual amenity of the area, with particular regard to the setting of the Lancashire Watch Factory, and on public safety.

10. The proposed display would be about 6 metres wide and 3 metres high. It would be supported on posts about one metre above ground level and close to the south gable end of a terrace of dwellings on the east side of Columbia Road. The display would be similar in width to the gable end and it would be below eaves level of the terrace. In this regard the display, unlike the 96 sheet panel currently in a similar position, would be relatively unobtrusive. Its changing images would draw the eyes of pedestrians and those in vehicles on Warrington Road but not to such a degree that the display would be regarded to be visually intrusive. The display would not detract from its immediate surroundings or from the visual amenity of the area.

11. The Former Watch Factory to the east was historically linked to the terraced housing that surrounds it; the workers who worked in the factory would have lived in the terraced houses. However, that link has long passed and the listed buildings are now in use principally also for housing. The redevelopment scheme is well contained and the proposed display would not have any adverse effect on the setting of the listed buildings.

12. The Highway Authority has expressed concern that the proposed display would be detrimental to highway safety. There is no evidence to indicate that the existing illuminated, albeit non changing, advertisement panels have contributed to accidents that have occurred in recent years in the vicinity of the site. The display would change on a 10 second rotation so no driver of a vehicle would see more than two displays. The daytime and night-time illuminance levels would not exceed recommended levels and conditions have been suggested that would prevent the display causing any concern for public safety.

13. The suggested conditions would prevent the use of special effects, would ensure a minimum display time and the interval between displays, and would set maximum illuminance levels, amongst other things. The conditions satisfy the tests for conditions set out in the National Planning Practice Guidance.

Conclusion

14. The proposed 48 sheet digitally illuminated advertising display, with the imposition of conditions, would not cause any significant harm to the visual amenity of the area and would not be detrimental to public safety.

John Braithwaite

Inspector