



Appeal Decision

Site visit made on 10 March 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/Z4310/Z/19/3243240

263 Rice Lane, Liverpool L9 3BY

- 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 Mr Steele against the decision of Liverpool City Council.
 - The application Ref 19A/1881 dated 8 July 2019 was refused by notice dated 1 November 2019
 - The advertisement proposed is described as 'Scanlite Digital Electronic Surface Mount Diode Full Colour LED Display to advertise special offers, sales etc. Full colour, variable text, images'
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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.

Procedural Matters

3. The Regulations, National Planning Policy Framework and Planning Practice Guidance make it clear that advertisements should be subject to control only in the interests of public safety and amenity. I have therefore taken into account Policies HD18 and HD25 of The City of Liverpool Unitary Development Plan, adopted November 2002. These policies seek to protect amenity and so are material in this case but are not determinative in reaching a decision on the appeal.

Main Issue

4. The main issue in this case is the effect of the proposed advertisement on the visual amenity of the area.

Reasons for the Recommendation

5. The appeal site comprises a public house on the corner junction of Rice Lane and Stoker Way. A non-illuminated sign displaying the name of the pub is present on the gable end. This is located above three windows in a position that respects the sense of symmetry present on the gable end. The surrounding area is characterised by a range of uses, with numerous residential buildings of varying styles visible in the immediate vicinity and a small retail park adjacent to the site, accessed via Stoker Way.

6. The proposed advertisement would comprise a digital full colour LED display with changing, intermittent images positioned on the gable wall of the appeal property replacing the current signage present. It would be much larger in scale than this current sign and would be positioned towards the edge of the gable end such that it is closer to the passing traffic on Rice Lane, covering two of the three windows present.
7. Due to its size and elevated position, the proposed advertisement would appear disproportionate in the immediate context. It would dominate the side elevation of the appeal property and its off-centre position would reduce the symmetry present such that the gable end would appear busy and disjointed. While visibility of the proposal would be limited when travelling north along Rice Lane, views of the sign would be particularly prominent when travelling south due to the wide, open nature of the corner junction with Stoker Way and the proximity of the sign to the highway.
8. From this direction it would be experienced in the context of the signage for the retail park immediately opposite the site. It would be notably larger than these signs, and, although it would display static content with an industry standard rate of change, the internal illumination would nonetheless add to its prominence. In this sense it would appear as an unduly dominant and visually jarring feature in the immediate vicinity. Furthermore, the addition of the proposal alongside these signs and the rear side of the adjacent road sign would create an increased sense of clutter, detracting from the appearance of the streetscape. This feeling of clutter would be further heightened by the variety of tenant logos displayed on the retail park signage.
9. The appellant has drawn my attention to a recent appeal at 357 Edge Lane, Liverpool¹ relating to the replacement of a 48-sheet poster sign with a digital alternative. While the full details of this appeal are not before me, it is acknowledged that the level of illumination of the proposed advertisement could be regulated by condition in the same manner as at 357 Edge Lane. Nonetheless, in the current case the proposed advertisement would still appear intrusive and out of place due to its scale and positioning. I have therefore reached my own conclusions on the appeal proposal on the basis of the evidence before me and on its own site-specific circumstances.
10. For the reasons given above I therefore find that the proposal would have a harmful effect on the visual amenity of the area.

Other Matters

11. Reference has been made to other examples of advertisements in the surrounding area. However, limited information has been provided in this respect and the location, characteristics and positioning of each advertisement is different. In any event, this appeal is decided on its own site-specific circumstances and reference to other development nearby does not outweigh the harm identified above.

Conclusion and recommendation

12. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

¹ Appeal Ref. APP/Z4310/Z/19/3222363

C Rafferty

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 I too agree that the appeal should be dismissed.

K Taylor

INSPECTOR