
Appeal Decision

Site visit made on 11 March 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2020

Appeal Ref: APP/M4320/Z/19/3243924

David Pluck (Betting Office) 19 Liverpool Road, Birkdale PR8 4AR

- 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 David Pluck (North West) Limited against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2019/01617, dated 27 August 2019, was refused by notice dated 6 November 2019.
 - The advertisement proposed is described as “window graphics”.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal preserves or enhances the character or appearance of the Birkdale Village Conservation Area.

Reasons

3. The appeal building is a commercial property of traditional architectural detailing which is located within the Birkdale Village Conservation Area (BVCA).
4. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 193 of the National Planning Policy Framework states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.
5. The BVCA, immediately surrounding the appeal site, is characterised predominantly by commercial properties with a large amount of signage including traditional sign written fascia boards of proportions which fit in with the architectural character of the buildings. In my view the traditional styles of signage visible on the historic built development positively contributes to the significance of the BVCA in this commercial area.
6. The proposed graphics would not reflect the traditional style of signage in the area and would not be in keeping with the traditional appearance of the appeal building. Internal wall, wires and cabling are visible through the windows, nevertheless, the proposed graphics would appear as incongruous features that detract from the appearance of the building and character of the BVCA.

7. A previous Inspector had noted that the appeal property is not a prominent building. However, the proposed graphics would be highly visible particularly from immediate views and due to the style and size of the graphics, they would have a detrimental effect on the visual amenity of the area. Window graphics are visible on other buildings in the area including TV/LED screens on nearby bus stops. I do not find these other advertisements and graphics directly comparable to the appeal proposal, particularly with regards to size, design and relationship with traditional buildings.
8. I have had regard to the appellants statement of case including reference to previous appeal decisions¹. The advertisements subject of these decisions¹ are mostly different to the proposal subject of this appeal. Appeal decision APP/M4320/Z/18/3217680 did include window graphics and the Inspector found that they would be harmful to the visual amenity of the area. Notwithstanding these previous appeal decisions¹, I have determined this appeal on its own merits.
9. I therefore find that the proposed window graphics would be harmful to the visual amenity of the area and would not preserve or enhance the character and appearance of the BVCA. The proposal would not be in accordance with Policy EQ11 of the Local Plan for Sefton 2017 which seeks advertisements displayed within heritage assets to be of particularly high quality, respecting the size, materials, proportions and detailing of the building.
10. The appellant has indicated that there has been significant investment in the appeal building with it been brought back to life after being vacant and an eyesore, and that the proposal has also been amended to mitigate its impacts. The appellant also notes that other betting shops all over the country have similar advertisements. These matters however, would not outweigh the harm I have identified in relation to the visual amenity of the surrounding area and the BVCA.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

Chris Baxter

INSPECTOR

¹ Appeal reference numbers: APP/M4320/Z/17/3185227 and APP/M4320/Z/18/3217680