



Appeal Decision

Site visit made on 25 August 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 9th September 2020

Appeal Ref: APP/Z4310/Z/19/3242067

2A Westgate Road, Wavertree, Liverpool, Merseyside L15 2BA

- 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 John Warner (Vault NW Ltd) against the decision of Liverpool City Council.
 - The application Ref 19A/1256, dated 28 February 2019, was refused by notice dated 16 September 2019.
 - The advertisement proposed is retain internally illuminated signage to first floor of front and side elevations of premises.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The advertisement is described in the application form as 'Erect new signage to advertise our new showroom premises and offices. We have refurbished inside and outside the premises transforming them from derelict building to a functioning one. We occupy the 1st + 2nd floor of the building with also a small room on the ground floor. The colours of the sign are mainly black, white and red to go with the building and the surrounding area'. However, the advertisement has been erected already. Therefore, I have adopted the description from the decision notice in the banner heading above.

Main Issue

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

Reasons

4. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance (PPG) reiterate this approach. Therefore, while I have taken account of the policies and guidelines that the Council considers to be relevant to this appeal, these have not been decisive in my determination of this appeal.
5. The appeal advertisement is located on the upper floor elevations of an end of terrace property on the corner of Smithdown Road and Westgate Road. The terrace comprises varied ground floor commercial frontages with matching red brick upper elevations. The appeal building is in the Allerton Road District Centre, which in this location is characterised by traditional 3 storey brick and render buildings with commercial ground floor frontages.

6. The appeal premises is above ground floor commercial premises with a glazed frontage and fascia signs that wrap around the front and side building elevations. The appeal advertisement comprises a fascia sign between the first and second floor windows on the principal Smithdown Place elevation and a sign at first floor level on the Westgate Road elevation. The advertisement is internally illuminated with white and red letters on a black background.
7. Although relatively modest in appearance, the advertisement is not in keeping with the unadorned and harmonious appearance of the upper elevations of the terrace. Moreover, by virtue of its combined height and design, it does not relate well to signage elsewhere in the district centre. From positions around the Penny Lane junction and on the approach along Smithdown Road, it can be seen in combination with the extensive existing signage in the area. Therefore, the advertisement is an incongruous feature that contributes to visual clutter. The adverse effect will also be apparent during the hours of darkness as a result of the height, design and method of illumination of the advertisement.
8. For these reasons, the advertisement harms visual amenity. The Council's decision notice refers to Policy HD25 of the Liverpool Unitary Development Plan Adopted November 2002, which states that consent will not be granted for advertisements that adversely affect amenity and advertisements above ground floor level will normally be considered inappropriate. My attention has also been drawn to the advice in Note 9 Shopfronts of the Supplementary Planning Guidance (the SPG) in relation to the location and style of signage. Given that I have concluded that the advertisement would harm amenity, it would conflict with the relevant policy and guidance.
9. There are other advertisements in the area including internally illuminated fascia signs, and at first floor level and above. On the basis of the evidence, some of these are likely to accord with the relevant policy and guidance while others are unauthorised. Therefore, I cannot be certain that they are directly comparable to the appeal advertisement or that provide a justification for it.

Other Matters

10. I appreciate that the appellant has undertaken internal and external refurbishments to the premises. In this regard, he has sought to address the concerns of the building's landlord in relation to the building and the area. However, while the business will contribute towards the vitality of the area, the refurbishment is not a justification for the advertisement.
11. The SPG advises that signage relating to properties in multiple occupation should be restricted to main entrances and window areas. Furthermore, although it is discouraged, internal illumination should consist of individually illuminated or halo effect letters. Therefore, I am not persuaded that there are no alternative solutions that would deliver similar benefits to the appellant's business without the harm that I have found.

Conclusion

12. I conclude that the advertisement harms the character and appearance of the area and it is detrimental to amenity. The appeal is therefore dismissed.

Sarah Manchester INSPECTOR