The Planning Inspectorate

Appeal Decision

Site visit made on 30 June 2020

by Iwan Lloyd BA BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2021

Appeal Ref: APP/V4305/G/20/3247125
59 Kemble Street, Prescot, Merseyside L34 5SE

- 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 Mr Richard Page Insite Poster Properties Ltd against discontinuance action by Knowsley Metropolitan Borough Council.
- The Council reference is 19/00258/UNADV. The Discontinuance Notice is dated 19 December 2019.

Decision

1. The appeal is dismissed. The Discontinuance Notice shall come back into effect immediately and that the use of the site for the display of advertisement with deemed consent shall cease by the end of 28 days from the date of this decision.

Procedural matters

2. A previous discontinuance notice was withdrawn by the Council because it was not served on the appellant. This notice was subject to an appeal ref: APP/V4305/G/19/3223554 which was dismissed for the same development as the current appeal. I have taken into account this previous appeal decision in the consideration of this current appeal against the present discontinuance notice.

Main Issue

3. The main issue is whether the use of the appeal site for the display of an advertisement panel with deemed consent causes substantial injury to the amenity of the locality.

Reasons

4. The advertisement display which is some 6m by 3m is located on the gable wall of 59 Kemble Street, the side elevation that faces onto Aspinall Street. The premises are a corner property comprising a shop and upper floor accommodation. The advertisement display does not advertise the retail use of the shop premises. Prescot Shopping Centre is located to the north along Aspinall Street. The appeal site is situated outside the Conservation Area and Prescot town centre.

5. There are retail units on the crossroads of Kemble Street, Aspinall Street and Station Road but the predominant use is residential. The appeal site forms one end of a terrace block of brick buildings with architectural detailing featured at window and eaves level. The side elevation where the display is situated exhibits similar treatment, although the unit has been extended to its rear and along the side elevation with a flat roof building and modern windows.

6. The advertisement display extends from pavement level on one side to below the first-floor window of the side elevation. It is situated just above the pavement level on the lower side and near to the chamfered corner of the appeal building. Given its size set against the gable, I consider the display to appear visually dominant to the traditional proportions of this end of terrace building.

7. The display is seen from distant and near views by the crossroads. It is a dominant and prominent aspect of the street scene due to its siting. The display appears visually discordant because it sits just above the rising slope of the pavement and dominates the road junction.

8. I note that there are no other similar signs seen in the context of the advertisement display and it is amongst other commercial uses opposite the site, but the predominant character of use is residential and other signs on commercial uses are not comparable in size and prominence as the appeal advertisement. The Council refers to the re-development of the Lancashire Watch Factory, Shakespeare North Theatre, the Prescot Townscape Heritage Initiative and the Prescot Town Centre MasterPlan and that these constitute a material change in circumstance in favour of the Discontinuance Notice. However, the display is not seen in the context of these developments/initiatives and is outside the town centre and conservation area, and I consider, they have no bearing on the main issue.

9. Having considered all matters in favour of the appeal, my conclusion is that the use of the appeal site for the display of an advertisement panel with deemed consent causes substantial injury to the amenity of the locality. The appeal against the Discontinuance Notice should therefore be dismissed.

Iwan Lloyd

INSPECTOR