



Appeal Decision

Site Visit made on 28 September 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2021

Appeal Ref: APP/Z4310/Z/21/3278975

Former Woodhouse Public House, 143-145 Derby Road, Liverpool L20 8LP

- 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 Clear Channel UK Ltd against the decision of Liverpool City Council.
 - The application Ref 21A/1051, dated 14 April 2021, was refused by notice dated 12 July 2021.
 - The advertisement proposed is an internally illuminated 48 sheet D-poster display.
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Decision

1. The appeal is allowed and express advertisement consent is granted for the display of an internally illuminated 48 sheet digital poster display panel at the former Woodhouse Public House, 143-145 Derby Road, Liverpool L20 8LP in accordance with the terms of application Ref 21A/1051, dated 14 April 2021. The consent is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The levels of the illuminance shall not exceed 600cd/m² during daylight hours or exceed 300cd/m² during twilight and night hours, as defined by official lighting up times.
 - 2) The screen display shall only show two dimensional static images, shall contain no moving images, animation, video or full motion images and no messaging should spread across more than one screen image.
 - 3) The advertisement display shall not change more frequently than once every 10 seconds and the rate of change should be instantaneous.
 - 4) The illumination of the advertisement shall not at any time be intermittent.

Preliminary Matters

2. The description in the banner heading above is taken from the application form for express advertisement consent. However, for the avoidance of doubt, I have used a non-abbreviated description in my decision above.
3. In addition to saved Policy HD25 of the Liverpool City Council Unitary Development Plan [2002] (UDP), the Council have referred to emerging Policy UD9 of the Liverpool Local Plan (LLP) which remains to be adopted. The plan has been considered at examination and found to be consistent with the National Planning Policy Framework (the Framework) but remains subject to some modifications.

4. However, Policy UD9 of the LLP is not subject to a main modification, and, given the advanced stage of the plan and the policy's consistency with Paragraph 136 of the Framework, I consider it attracts significant weight in the determination of this appeal.

Main Issue

5. The main issue is the effect of the proposed advertisement on amenity.

Reasons

6. Derby Road forms part of the A565, a significant route extending northwards from Liverpool city centre. In the vicinity of the site, the busy road has a dual carriageway width and passes through a mixed commercial and industrial area set behind docklands along the River Mersey to the west.
7. The site contains a 3-story former pub building at a junction with Lodwick Street, a minor side road. The building retains some of its Victorian architectural detailing and character but there is evidence of changes and modifications to its external elevations. The northern elevation has no openings but has an external projecting chimney breast extending from chamber level to the roof verge. The otherwise blank elevation and chimney are finished in grey painted render.
8. The proposed digital display area would measure about 3x6m and be sited to overlap the second-storey floor level. It would be offset forward of the centreline of the gable. The position of the display would clear an adjacent open haulage compound and the HGV vehicles parked within it to the north of the building. The display would be visible to southbound users of the opposite carriageway and the footways north of the site. Views would extend across several hundred metres.
9. The scale of the display would be comfortably accommodated by the 3-storey building without overwhelming the side gable. Although the panel would overlie the chimney breast such that much of it would be proud of the gable wall, evidence of this would be partly masked by the projecting end pier of the building's Derby Road façade. The upper and lower parts of the chimney breast would remain visible with only the central element being hidden. As a building feature of limited interest, the concealment of its central section would cause little harm to any architectural appeal which is restricted to the principal elevations facing the adjacent roads.
10. Although the display would be visible over distance, as it is intended to be, this would be within the setting of the broad width of the road corridor and the large-scale commercial and industrial sites and buildings. The area has examples of existing poster displays, tall totem signs and large building-mounted logos, some illuminated, others unlit.
11. Furthermore, examples of digital display panels are present elsewhere on the A565 both north and south of the site but beyond any simultaneous view. Accordingly, in the context of the commercial setting and use of a standard size of display, the panel would not appear overly dominant or unduly conspicuous in the locality.
12. For the above reasons, I find the advertisement display would not cause harm to the local amenity of the area. The appeal proposal is therefore consistent

with the requirements of saved Policy HD25 of the UDP and emerging Policy UD9 of the LLP as they seek advertisements to avoid adverse effects on the amenity of an area including through appropriate siting and design.

Conditions

13. I have considered the suggested conditions from the Council and had regard to Paragraph 56 of the Framework and the Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard advertisement conditions, conditions controlling the brightness, mode of illumination and image changes, and avoidance of images considered prejudicial to highway safety are imposed to protect highway safety.

Conclusion

14. For the reasons outlined above, the appeal is allowed.

R Hitchcock

INSPECTOR