



Appeal Decision

Site visit made on 23 February 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st March 2022

Appeal Ref: APP/Z4310/H/21/3282599

88 Wood Street, Liverpool, L1 4DQ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against conditions imposed when granting express consent.
 - The appeal is made by James Hammond (FACT) against the decision of Liverpool City Council.
 - The application Ref 21A/1224, dated 29 April 2021, was approved on 16 July 2021 and express consent was granted for the display of an advertisement subject to conditions.
 - The advertisement permitted is to display a transparent film internally above main entrance to replace existing display.
 - The condition in dispute is No 7 which states that: "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."
 - The reason given for the condition is: "To avoid distraction to passing motorists in the interests of road safety."
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Decision

1. The appeal is allowed and the express consent Ref 21A/1224 for the display of a transparent film internally above main entrance to replace existing display at 88 Wood Street, Liverpool, L1 4DQ granted on 16 July 2021 by Liverpool City Council, is varied by deleting condition No 7.

Main Issue

2. The main issue in the appeal is whether or not the condition is reasonable or necessary in the interests of highway safety.

Reasons

3. The appeal building is a 4 storey modern building located on the corner of Wood Street and Back Colquitt Street. The display screen would be located above the entrance, facing Ropewalks Square which provides a pedestrian link between Wood Street and Bold Street.
4. Wood Street is a one way road with traffic calming measures. It is closed to vehicular traffic from 20:00 to 04:00 hours Thursday to Sunday. Whilst open to traffic at the time of my visit, I observed that it was lightly trafficked and vehicular speeds were low. Although there are some loading bays, there is no on-street parking and as a straight road, forward visibility is good.
5. Due to the narrowness of the street and the height of the surrounding buildings views of the screen are limited. Partial views are possible when travelling along Wood Street and it can be seen in views across Ropewalk Square.

6. The proposal would replace an existing screen that has been in operation on the building for over 8 years. This has shown both static and moving images. The appellants evidence indicates that there have been no accidents in the immediate vicinity of the site, with the only accidents occurring on parts of the road where the screen is not visible. The Council have not disputed this data or provided any evidence to the contrary. As such, it is clear that the current display screen has not been a distraction to either drivers or pedestrians in the area despite showing moving images.
7. In the light of this I see no reason why the display of moving images on the proposed screen, which would be in a similar position and a similar size, would be detrimental to highway safety, especially as the recent highway improvement works on the street have been designed to reduce both traffic movements and speeds along the road.
8. Consequently, I consider that the condition restricting the display to two dimensional static images is neither reasonable nor necessary in the interest of highway safety. I therefore conclude that the planning permission should be varied by removing the disputed condition.

Alison Partington

INSPECTOR