



Appeal Decision

Site visit made on 29 June 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30TH June 2022

Appeal Ref: APP/W4325/Z/22/3299200

Porkys Pantry, 79 Wallasey Village, Wirral CH45 3LE

- 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 Vivid Outdoor Media Solutions (B) Limited against the decision of Wirral Metropolitan Borough Council.
 - The application Ref ADV/22/00433, dated 7 March 2022, was refused by notice dated 4 May 2022.
 - The advertisement proposed is described as the replacement of a traditional advertising display with a wall-mounted 48-sheet sized digital LED advertising unit.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council raise no objection to the proposal from a public safety point of view. I have no reason to disagree with that view also taking into account comments made by the Highway Authority. The Council's reasons for refusal relates to effect of the proposed advertisement on the amenity of the area. This is therefore the main issue in respect of the consideration of this appeal.

Reasons

3. The appeal property is an end of terrace three storey building positioned within a Traditional Suburban Centre location. It is used as a take-away restaurant on the ground floor and for residential purposes on the upper floors. It is proposed to erect a 6.4 m by 3.4 m digital billboard with static images displayed no less than every 10 seconds.
4. The appellant has provided evidence, based on Google Street-View imagery, of a similarly sized 48 sheet paper based and illuminated billboard on the gable elevation of the building. While this did not have consent from the local planning authority, the evidence suggests that it was in existence between October 2008 and May 2018. The imagery shows that the aforementioned advertisement was not in existence in July 2019.
5. It is not clear when the advertisement was removed and indeed whether this was on or before October 2018. There is therefore no conclusive evidence of the advertisement accruing deemed consent due to the passage of ten years. In any event, such an advertisement was positioned at ground floor level alongside the shop window that exists in the gable elevation of the appeal property. It is not therefore directly comparable to the appeal proposal.

6. The proposed advertisement would be located within the upper part of the gable elevation of the building and would be of a considerable size. This would be in stark contrast to the position and size of other advertisements in this part of Wallasey Village which are generally confined to fascia and lower level signage and with the gable elevations of most buildings being devoid of advertisements. I acknowledge that in recent times some advertisements do appear to have been erected at upper level within the gable elevation of the appeal building, but there is no evidence of any consent being given by the local planning authority. I also accept that there is a large advertisement at upper gable elevation level on the building on the corner of Stonehouse Road. However, this is the exception to the norm and looks out of place. Furthermore, I do not know if it is authorised.
7. In this case and owing to the position and size of the advertisement, I find that it would appear as a prominent and discordant addition when appreciated by those travelling on a southern approach along Wallasey Village. In this context, gable elevations are mainly devoid advertisements and other structures which adds a pleasing design context to the locality. This includes those gable elevations belonging to residential development further afield. While there does appear to be evidence of historic use of the gable elevation of the appeal property for the display of advertisements, for the reasons given I afford this limited weight as a material planning consideration and, in any event, the previous 48-sheet illuminated board was not seen as being as harmful or prominent in the street-scene when compared to the appeal proposal.
8. For the above reasons, I conclude that the proposal would cause significant harm to the amenity of the area. In this regard, there would be conflict with the amenity requirement of paragraph 136 of the National Planning Policy Framework 2021. Consequently, the appeal should be dismissed.

D Hartley

INSPECTOR