
Appeal Decision

Site visit made on 17 October 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2022

Appeal Ref: APP/P2365/Z/22/3303931

25 Aughton Street, Ormskirk, Lancashire L39 3BH

- 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 V2 LED Limited against the decision of West Lancashire Borough Council.
 - The application Ref 2022/0294/ADV, dated 14 March 2022, was refused by notice dated 10 June 2022.
 - The advertisement proposed is the erection and display of a single wall-mounted LED advertisement 3m x 2m.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

3. The main issue is the effect of the advertisement on the amenity of the area including the setting of a grade II clock tower and the character and appearance of Ormskirk Town Centre Conservation Area (CA).

Reasons

4. The advertisement would be located on the gable elevation of a building falling within Ormskirk Town Centre and within the CA. It would be an LED illuminated advertisement with changing static images, would measure about 2 metres by 3 metres and would be positioned approximately 3.1 metres off the ground. While the advertisement would be located on a gable elevation facing Park Road, and hence would face outwards from the CA, it would nevertheless be seen in conjunction with an important view into the CA from the junction of Park Road with Aughton Street.
5. This part of the CA owes its significance to its wide pedestrianised street enclosed by mainly three storey buildings and the vista from the junction of Park Road and Aughton Street towards the Grade II listed clock tower. The

clock tower provides an attractive, historic and visible focal point for visitors to the town centre when seen from the junction of Park Road with Aughton Street.

6. There is a mixture of building styles in this part of the CA, but overall there is a general consistency to the height of the buildings. Furthermore, the colour of the materials used on the buildings are generally of muted tones. There is notable absence of large and illuminated advertisements at first floor level and on gable elevations leading to a pleasing and consistent sense of order to the pattern of development in the area. These attributes add distinctively to the significance of the CA as a whole. The pedestrianised shopping area on Aughton Street, along with the vista from Park Road, provide an open setting to the clock tower. To the passer-by there are no advertisements which visually compete or jar with the importance that is provided by the setting to the significance of the clock tower, including when viewed from Park Road.
7. The advertisement would be positioned on the gable elevation of the building. This side of Park Road includes very few advertisements on buildings. In this regard, I find that some harm would be caused to Park Road as the advertisement would be seen as an uncharacteristic addition.
8. The LED sign would be positioned at a high level and when seen in conjunction with the buildings within the CA/town centre, where there is generally an absence of larger advertisements at such a high level, it would look materially out of place. The LED advertisement with its changing imagery would appear brash and out of keeping in the context of the buildings that exist on Park Road and within the CA which are mainly finished in materials that have muted tones.
9. Owing to the position, size and illumination of the proposed advertisement, coupled with changing images, I find that it would unacceptably compete with the way that the important view toward the clock tower was appreciated by visitors when seen from the junction of Park Road. Furthermore, and for similar reasons, harm would be caused to the setting of the clock tower. I acknowledge that the Morrisons supermarket includes some illuminated advertisements associated with the main building and that there is an associated totem advertisement on Park Road. However, unlike the appeal site these advertisements do not have the same close relationship with the CA and the listed clock tower. In other words, the existence of these advertisements does not justify allowing the appeal proposal.
10. As part of the appeal, the appellant has referred me to examples of other advertisements that have been allowed both in the area and in other towns. The examples of other advertisements are not directly analogous and, in any event, I have determined this appeal on its individual merits.
11. For the above reasons, I conclude that the proposal would cause significant harm to the amenity of the area. In particular, the proposal would not preserve the character and appearance of the CA and, furthermore, would not preserve the setting of the grade II listed clock tower. To this extent the proposal would not accord with the amenity requirements of policies GN3 and EN4 of the West Lancashire Local Plan 2013.

12. There are no other matters raised that alter or outweigh my conclusion in respect of this main issue. Consequently, the appeal should be dismissed.

D Hartley

INSPECTOR