
Appeal Decision

Site visit made on 6 December 2022

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 1 February 2023

Appeal Ref: APP/M4320/Z/22/3306467

162 Liverpool Road North, Maghull, Sefton, Liverpool, L31 2HH

- 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 Mr Warren Milroy (Vivid Outdoor Media Solutions (B) Ltd) against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2022/00954, dated 6 May 2022, was refused by notice dated 8 August 2022.
 - The advertisement proposed is the erection and display of a wall-mounted 48 sheet sized digital LED advertising unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form refers to 160 Liverpool Road North. However, the decision notice refers to No 162-162A and both the appeal form and the site location plan identify the appeal site as the gable end of No 162. Therefore, I have adopted No 162 as the address in the banner heading above.
3. The Regulations require that decisions are made only in the interests of amenity and public safety. This is confirmed by the National Planning Policy Framework and the Planning Practice Guidance. Therefore, while I have taken account of the policies and guidance that the Council considers to be relevant to the appeal, these have not been decisive in my determination of it.

Main Issue

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

Reasons

5. No 162 is a 2 storey end terrace property in commercial use in a local shopping parade in a Primarily Residential Area. It is immediately adjacent to the footway and its gable end elevation (the appeal site) overlooks the car park of the neighbouring public house, this being a large detached building set back from the road in generous grounds. There is a tall sandstone wall immediately in front of the appeal site elevation and a tall brick wall extends away from it to the rear to form part of the car park boundary. Buildings in the area are generally small scale and traditional in appearance. The hard built environment is softened by the mature trees and tree groups that punctuate the urban area.
6. The advertisement would not be seen travelling along the road from the south. However, by virtue of its prominent and elevated roadside location, it would be

conspicuous approaching from the north including from around the junction of Liverpool Road and Southport Road. The large, roughly 6m x 3m, and contemporary advertisement would be out of keeping in the traditional surrounding context which includes the adjacent mature tree canopy and the modest buildings on Liverpool Road and Gordon Avenue. It would be an incongruous and dominant feature that would not be integrated into its surroundings by street lighting, the widely separated public house or the nearby unremarkable commercial premises with their fascia signage.

7. Irrespective that the level of illumination could be controlled in accordance with Institute of Lighting Engineers guidance, the contemporary LED display with its sequentially changing imagery would also be conspicuous in the overnight period. At such times it would appear even more dominant, visually obtrusive and discordant in the context of the surrounding primarily residential townscape. The advertisement would not complement or harmonise with the area and it would not be sympathetic to its surroundings. It would diminish local distinctiveness and it would not make a positive contribution to the street scene or the area.
8. Therefore, I conclude that the proposed advertisement would harm amenity. Although not determinative, as I have found harm, it would conflict with Policy EQ11 of A Local Plan for Sefton Adopted April 2017. This requires, among other things, that advertisements should respect the scale and be sympathetic to their surroundings, and they should not dominate buildings or street scenes.

Other Matters

9. The appeal site was used to display a 48 sheet advertisement between 2008 and 2016. However, there is little evidence that the earlier advertisement benefitted from consent or that it was displayed after 2016. It does not provide a justification for the appeal proposal.
10. The advertisement could be used to promote local businesses and the arts, thereby supporting the local economy, and to display public and emergency messaging. As the display would be changed remotely, there would be a reduction in vehicle travel and waste. However, advertisements should be subject to control only in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. Relevant factors are those that relate to amenity and public safety and there is no indication in the Regulations, policy or guidance that any other matters should be taken into account either for or against a proposal.

Conclusion

11. For the reasons set out above, the appeal advertisement would harm the character and appearance of the area and it would be detrimental to amenity.
12. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR