
Appeal Decision

Site visit made on 13 January 2023

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 February 2023

Appeal Ref: APP/Z4310/Z/22/3310862

Former Botanic Hotel Site, 231 Wavertree Road, Liverpool, L7 5LZ

- 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 Global against the decision of Liverpool City Council.
 - The application Ref 22A/1188, dated 27 April 2022, was refused by notice dated 12 October 2022.
 - The advertisement proposed is the installation of advertising station and associated wildflower meadow garden (Revision of 20A/2381).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for a 6 metre by 3.2 metre illuminated digital poster panel with a single support pole, mounted such that the top of the panel would reach a height of 6.4m; together with the landscaping of the appeal site to provide a wildflower meadow garden and trees. The advertisement would face towards the west and the landscaping would be designed to screen the rear of the structure in views from the east.
3. A previous proposal¹ for a double-sided advertisement and associated landscaping was refused and dismissed at appeal². The appellant states that the proposal the subject of this appeal sought to address concerns raised by the Inspector through two main changes: removal of the east-facing advertisement; and changes to the landscaping plan.
4. The Council has not raised any concerns in respect of the proposed development the subject of this appeal's effect on the setting of Wavertree Botanic Gardens, a Grade II* Listed Park.

Main Issue

5. The main issue in this case is the effect of the advertisement on visual amenity.

Reasons

6. The appeal site is a vacant plot of land at the corner of Wavertree Road and Botanic Road surrounded by a wooden fence.

¹ Reference: 20A/2381.

² Reference: APP/Z4310/Z/21/3267736.

7. The appeal site is located in a mixed use area. Immediately adjacent to the site is a row of Victorian three storey terraced dwellings. To the west of the site is an attractive landscaped area with two storey dwellings behind.
8. This landscaped area contains grassland and trees, with hedgerows and further trees to the edges. It is separated from the appeal site by a brick wall, which extends from the rear of the terraced housing along Botanic Road.
9. Across Wavertree Road from the appeal site is Wavertree Botanic Gardens, a Grade II* Listed Park. On the opposite side of Wavertree Road to the appeal site is a retail park.
10. During my site visit, along the same side of the road as the appeal site as one travels along Wavertree Road from the west, I observed there to be a very significant sense of well-kept houses within an attractive, green and spacious environment.
11. The presence of well-kept modern and period dwellings within a green and spacious setting affords this side of Wavertree Road positive and distinctly domestic qualities. The landscaped car park for the retail park on the opposite side of Wavertree Road, as one approaches the appeal site from the west, adds to the area's sense of spaciousness.
12. The proposed advertisement would be located at the western edge of the site and would face out along Wavertree Road towards the west.
13. The scale, form and siting of the proposed advertisement would result in it appearing as a large, tall and highly prominent sign that would draw the eye to its illuminated screen during the daytime, as well as during hours of darkness.
14. In this regard, I find that the proposed advertisement would appear intrusive and that its presence would jar severely with the area's domestic qualities. It would appear incongruous, out of character with this residential area.
15. Whilst tree planting directly between the proposed advertisement and the houses along Botanic Road would be in keeping with the green and spacious domestic setting of this side of Wavertree Road, it would not lessen the incongruous appearance of the proposed advertisement when seen from the west.
16. Whilst I recognise that there is a retail park on the opposite side of Wavertree Road from the appeal site, the signage relating to commercial uses in that location tends to comprise advertisements for the shop where they are located and/or are predominantly set well-away from Wavertree Road. Such signage relates directly to the retail park and it does not jar severely with the identified qualities of the opposite side of Wavertree Road in the same way that I find that the proposed advertisement would do.
17. Taking all of the above into account, I find that the proposed advertisement would be detrimental to visual amenity. It would be contrary to the Framework and to Local Plan³ policy UD9, which together amongst other things, seek to protect local character.

³ Reference: Liverpool Local Plan (2022).

Other Matters

18. In support of the proposal, the appellant draws attention to the proposed wildflower meadow garden. A wildflower meadow garden would enhance the appeal site and it is a factor in favour of the proposal. However, it would not lessen the visual impact of the proposed advertisement when seen from the west and hence my decision below.

Conclusion

19. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR