



Appeal Decision

Site visit made on 24 January 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 14 February 2023

Appeal Ref: APP/Z4310/Z/22/3313128

8 Manesty's Lane, Liverpool L1 3DL

- 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 Tom Chan (Cosmo Restaurants) against the decision of Liverpool City Council.
 - The application Ref 22A/0688, dated 9 March 2022, was refused by notice dated 20 October 2022.
 - The advertisement proposed is a non-illuminated wall sign made up of 363cm(W) x 58.5cm(H) individual lettering (word 'COSMO') made of white vinyl detail applied to shallow aluminium build up, fixed to black-painted metal railings, and a 134.5cm x 134.5cm logo made of white vinyl detail applied to black shallow aluminium build up.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Regulations and the National Planning Policy Framework make it clear that advertisements should be the subject of control only in the interests of amenity and public safety. No issues of public safety have been raised by the Council.
3. Whilst the Council has referred to the development plan policy which it considers relevant to this appeal it cannot, by itself, be decisive but is a material consideration in the determination of this appeal.
4. The original application to the Council included ground floor fascia and projecting signs but these were approved leaving only the proposed advertisement to be the subject of this appeal. The description of the proposed advertisement has therefore been adopted from the appeal form. For clarity, this appeal has been determined based upon the non-illuminated sign shown on Drawing No. 561 Rev E.

Main Issue

5. It is considered that the main issue is the effect of the proposed advertisement on the interests of amenity.

Reasons

6. The proposed advertisement would include individual letters erected at approximately first floor level within a pedestrianised shopping area with shops, restaurants and other similar types of publicly accessible businesses at ground floor level. The letters would be non-illuminated and erected on an

- angled brick fascia which would be particularly visible from Paradise Street and Paradise Place. As claimed by the Council, the angled brick fascia is a prominent design at the junction of Paradise Street and Manesty's Lane and is a positive element in the design and appearance of the host building in this location.
7. The advertisements associated with the neighbouring businesses are predominantly at ground floor level comprising a mix of illuminated and non-illuminated fascia and projecting signs. There are some near-by exceptions, including projecting signs at first floor level for Waterstones and a roof level sign for John Lewis. However, most signs for the neighbouring commercial businesses are erected at ground floor level on either their elevations or within their curtilages. These advertisements visually relate to their host properties rather than appearing isolated from them.
 8. The proposed first floor sign would be erected at a crossroads of pedestrianised routes and would advertise a restaurant albeit not the businesses below (Byrons and Browns). These restaurants have their own signage related to these businesses within their curtilages as part of their ground floor glazed elevations.
 9. The entrance to the host restaurant is located away from the junction with a projecting sign at the entrance door. Although sited adjacent to a first floor window of the restaurant, the proposed advertisement would not contain any specific directional information about the location of the restaurant's entrance and, unlike other signs in the area, it would not clearly relate to the host business. Accordingly, because of its elevated siting on a prominent angled brick fascia at the junction the proposed advertisement would be an incongruous visual feature which would detract from the appearance of the streetscene and design of the host building. The lack of illumination of the proposed individual letters does not alter this assessment.
 10. The appellant has referred to a LED screen advertisement which has been granted consent by the Council and would be erected at a high level. However, when assessing a proposal, the Regulations allow other advertisements being displayed in the locality to be disregarded. It is proposed to do so in this case because the LED screen is not directly comparable with the proposed advertisement in terms of its design and siting. This disregarding of other advertisements has equally been applied to the Waterstones and John Lewis signs, particularly where the detailed reasoning for their erection is unavailable.
 11. Accordingly, it is concluded that this appeal should be dismissed because the proposed advertisement would unacceptably harm the visual amenity of the streetscene and host building. In reaching this conclusion, Policy UD9 of the Liverpool Local Plan has been taken into account which, amongst other matters, seeks to ensure that advertisements are of the highest standard and contribute, rather than detract, from an area.

D J Barnes

INSPECTOR