



Appeal Decision

Site visit made on 23 May 2023

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th June 2023

Appeal Ref: APP/Z4310/Z/23/3320343

Land on the east side of Speke Hall Road, Hunt's Cross L24 9HE

- 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 Wildstone Estates Limited against the decision of Liverpool City Council.
 - The application Ref 22A/2529, dated 30 August 2022, was refused by notice dated 21 February 2023.
 - The advertisement proposed is the installation of a digital advertising display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advert on the visual amenity of the area.

Reasons

3. The appeal site lies in front of an industrial building on Speke Hall Road. Commercial and industrial buildings line this section of the road and are set back from the road behind car parks. Adverts relating to the use of these buildings occupy them and their site frontages. A large externally illuminated advert is to the south of the site. A large digital advert is to the north. Both adverts are on the eastern side of the road.
4. The proposed advert would be in a prominent location next to the road, though it would not be higher than the neighbouring building. Whilst this is a commercial location where adverts are currently found, including adverts of a similar size and/or design, the proposed advert would add to the considerable number of existing adverts along this stretch of the road, even if many of the other nearby adverts are smaller. Although there are adverts in the locality, it does not necessarily mean that it is acceptable to add more. I consider that, in tandem with the proposal's size and orientation, the proposal would exacerbate visual clutter in the area. This would be to the detriment of visual amenity.
5. The proposed digital advert and the digital advert display granted consent to the north of the appeal site would not be viewed by passing motorists at the same time due to their respective positions and orientation to the road. However, this would not necessarily be the case for other road users or for persons egressing the car park opposite the appeal site. In any event, this does not change my view about visual clutter, regardless of the site's location away from any heritage assets, as there are other adverts found in the locality.

6. Although suitable controls around the type, nature and frequency of any displays together with the illumination of the advert could be imposed through planning conditions, they would not overcome my finding about visual clutter given that the proposed advert would be a new addition to the area.
7. I have considered the examples referred to by the appellant. Whilst the appeal site may also be in an industrial/commercial location, and there may have been other adverts near to the adverts subject of the decisions made, I have considered the proposal on its own merits based on the evidence before me.
8. A handful of trees occupy the appeal site, but these do not give the site an undermanaged appearance as the appellant suggests. Thus, the proposal would not have a positive effect on amenity.
9. As the proposal would be a new advert, it would not reduce vehicle trips. This would only be the case if it replaced an existing non-digital advert. Any other environmental, social and economic benefits as suggested by the appellant would be modest given the scale of the proposal. They do not alter or outweigh my conclusion that the proposed advert would be detriment to the visual amenity of the area. On this basis, conflict would arise with Policy UD9 of the Liverpool Local Plan 2013 – 2033, which is material in this case, as it seeks advertisements that do not become part of a critical mass of similar advertisements that lead to clutter; and do not detract from an area.

Other Matters

10. Whilst any advert is intended to attract attention, the proposal would not lead to a level of distraction that gives rise to a public safety concern, subject to the use of certain conditions.
11. I note the appellant's view that the Council did not work proactively to find a solution, but this does not change my finding on the proposed advert.

Conclusion

12. For the reasons given above, I conclude that the display of the advertisement would be detrimental to the interests of amenity. Accordingly, the appeal is dismissed.

Andrew McGlone

INSPECTOR