



Appeal Decision

Site visit made on 26 June 2023

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2023

Appeal Ref: APP/Z4310/Z/23/3318368

Land at Great Homer Street/Skirving Street/Jennifer Avenue, Great Homer Street, Liverpool L5 5AA

- 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 Lidl Great Britain Limited against the decision of Liverpool City Council.
 - The application Ref 22A/3315, dated 30 November 2022, was refused by notice dated 20 January 2023.
 - The advertisement proposed is 3 x wall mounted billboard.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Based on plan Ref: AD 503 Revision C that was submitted to, and determined by the Council, two of the three wall mounted billboards subject of this appeal have been erected on the retail store in the location, size and finish as those detailed. These are the adverts on the Jennifer Avenue elevation of the store. An advert, of the same size and finish as that found on plan Ref: AD 503 Revision C has been erected on the Great Homer Street elevation, but in a slightly different location. The reason for this is a matter separate to this appeal, but plan Ref: AD 503 Revision G, submitted by the appellant with their appeal, reflects the advert that I saw during my site visit. Given the limited extent of the change to this advert compared to that determined by the Council, I have considered the appeal based on this revised plan as prejudice would not be caused as a result.

Main Issue

3. There is no dispute between the parties about the effect of the adverts on public safety. Therefore, the main issue is the effect of the adverts on visual amenity.

Reasons

4. The appeal site relates to a retail store in the Great Homer Street District Centre which contains other retail and main town centre uses. A college, sports centre and residential properties are nearby on Great Homer Street. Advertisements linked to premises within the District Centre and the Scotland Road corridor populate the area. They are of different styles, sizes, illumination, and location.
5. Three smaller wall mounted billboards were granted advertisement consent by the Council in November 2022 ("the approved scheme"). Two of the billboards were located on the Jennifer Avenue elevation, the other on the Great Homer

Street elevation. Although each of the approved adverts were to be orientated in landscape, of the same height and illuminated in the same manner as now proposed, the location and width of the adverts before me differ. The width of each advert would increase from around 4.62 metres to roughly 6.3 metres.

Adverts facing Jennifer Avenue

6. Both billboards on this elevation are wider than the vertical projecting piers of the appeal building, which have created a uniform and regular rhythm to the appearance of this elevation. As a result, the width of each advert jars with the vertical emphasis of the building. Although the projecting piers do remain a key feature of this elevation, the size and siting of the adverts detracts from that characteristic. The fact that this low-level building only emphasises the visual harm caused, and that harm differs from shopfront glazing, which in this case, also has a vertical emphasis.
7. Express advertisement consent was granted by the Council for various adverts at the appellant's Childwall Valley Road store, including two billboards of the same size, style and orientation to those before me. Although the Council did not raise concern about their effect in relation to the vertical emphasis of that store, it has in this case. Whilst there is a need for consistent decision making, I am not bound by the Council's decision or reasons for that decision on another site in a different part of the city. The Council also made its decision based on the adverts effect on the Childwall Valley Road street scene, whilst my assessment is based on the appeal site's.
8. The billboard on the Park Road store is positioned on a squatter elevation where the vertical emphasis of the projecting piers does not appear to be as strong. I am also mindful of the various adverts within the locality, however the adverts on or facing Jennifer Avenue are proportionate and the street scene is not dominated by large billboards like the proposal. As such, none of the examples referred to by the appellant justify the harm caused by the billboards subject of this appeal.

Advert facing Great Homer Street

9. The advert on this elevation is wider than the approved scheme and positioned slightly further to the south on the elevation facing the college. The principle of a billboard on this elevation is not at issue and the advert does sit within the four corners of the elevation. However, the advert occupies a large part of the outward facing elevation from the District Centre. Although its position across two sections of panelling is not problematic due to the lack of a strong vertical emphasis, the advert detracts from the visual amenity of the Great Homer Street corridor where there are far fewer adverts, and smaller in size compared to within the District Centre or along the busier Scotland Road corridor.
10. The wall and trees across the site's boundary with the road do not alter my view that the advert harmfully detracts from the visual amenity of the area. Controlling the hours which the advert is illuminated would not overcome that harm. Furthermore, the example of a 48 sheet advert granted at another retail store in the city does not justify the harm that the advert causes, as that sign plays a less active role in the street scene than the advert does.

Other matters

11. I note the appellant's points around the need for the adverts, and whilst the adverts help contribute to the economic success of the store, these objectives

could also be achieved through the approved scheme, for example. Although there may be a standard business wide approach to the size of adverts used, it remains the case that each advert must be considered in relation to its site-specific circumstances, as I have done here. In this case, the need to continue the standard size approach does not outweigh the harm to visual amenity caused even in a District Centre.

Conclusion on main issue

12. Accordingly, I conclude that the proposal has a detrimental effect on visual amenity. Policy UD9 of the Liverpool Local Plan seeks adverts of the highest standard and to contribute, rather than detract from an area, and are of a size, scale and design that is appropriate for the size, scale and architectural detailing of the building. Thus, it is material in this case. The proposal conflicts with this policy and paragraph 136 of the National Planning Policy Framework as the adverts are poorly sited and designed.

Conclusion

13. Although the advertisements do not cause harm to public safety, for the reasons given above, I conclude that the display of the advertisements are detrimental to the interests of amenity.

Andrew McGlone

INSPECTOR