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## Appeal Decision

Site visit made on 4 October 2023

**by R Jones BA(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26<sup>th</sup> October 2023**

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**Appeal Ref: APP/W4325/Z/23/3324787**

**457 Old Chester Road, Rock Ferry, Wirral CH42 2DU**

- 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 Group Limited against the decision of Wirral Council.
  - The application Ref ADV/23/00021, dated 22 December 2022, was refused by notice dated 12 May 2023.
  - The advertisement proposed is to repost 2 x 48-sheet paper paste illuminated advertising displays.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The Council does not raise concern with the proposal in terms of public safety. The main issue in this case is therefore the effect of the proposed advertisement on the amenity of the area.

### Reasons

3. The appeal site is a small parcel of vacant land adjacent to Old Chester Road, close to its junction with Farlow Road and Rock Lane West. The site is between the flank gable of a two-storey terraced house on Old Chester Road and the flank of the three-storey building that returns the corner to Rock Lane West (No.457).
4. It is proposed to display two 48-sheet illuminated billboards, which would each measure 6m in width and 3m in height mounted 1.45m above the ground, against a panelled fence. The advertisements would be angled such that they would be visible when travelling in either direction on Old Chester Road.
5. The appellant has provided evidence based on Google Street View imagery of two similar sized externally illuminated paper and paste billboards displayed on the appeal site until 2018. Whilst the appellant suggests they were 'temporarily removed after August 2018,' they have clearly not been present for more than five years and do not form part of the existing character and appearance of the area. I therefore afford these historic advertisements limited weight in the consideration of the proposals now before me.
6. I observed on my site visit that the appeal site is on the edge of a commercial area which is centred around the Old Chester Road, Rock Lane West and Farlow

- Road junction, extending south on Old Chester Road. There are fascia signs and advertisements associated with these commercial premises and a single paper and paste billboard adjacent the Post Office. However, this commercial area transitions at the junction moving north along Old Chester Road where the character is predominantly residential, comprising two-storey terrace housing.
7. The proposed advertisements, when travelling in either direction on Old Chester Road, would be viewed in this residential context and because of their size and elevated position would appear an overly prominent and discordant addition. When viewed from the junction, the advertisement on the north side of the appeal site would detract from the appearance of No.457, which although it may be in average state of repair, is of architectural interest and prominence as it curves to return the corner with Rock Lane West.
  8. On the opposite side of Old Chester Road is a residential terrace which directly faces the appeal site. The proposed advertisements would be slightly angled toward each other, but the outlook from the terrace would nonetheless be directly toward them. The appellant has proposed various controls in respect of the illumination of the proposed advertisements, including levels being restricted to 100cd/sqm below the Institute of Lighting Professionals guideline levels, and a night-time curfew. I accept that such controls would ensure that the illumination would be below levels of the nearby commercial premises (and associated signage) and local streetlighting. However, I find that the size and elevated position of the proposed advertisements directly opposite the residential terrace would cause harm to the visual amenity of residents.
  9. The appellant has drawn my attention to an appeal decision on land adjacent to 7-10 Church Street in Ilfracombe (APP/X1118/Z/20/3265565). Whilst I do not have full details of these advertisements before me, I note that the proposal was to replace two paper and paste externally illuminated billboards, with internally illuminated digital displays. This clearly differs from the appeal proposal before me where there are no existing advertisements, the historic paper and paste billboards removed over five years ago, and consequently it offers little support in this case.
  10. I therefore conclude on the main issue that proposed advertisements would cause harm to visual amenity. In its reasons for refusal, the Council referred to saved Policy HS15 of the Wirral Unitary Development Plan (2000). As this seeks to prevent non-residential uses in a primarily residential area where it would result in a detrimental change in the character of the area, it is material, but not determinative, in this case. However, the proposals would conflict with this policy.

## **Conclusion**

11. For the reasons given above, I conclude that the appeal should be dismissed.

*R. Jones*

INSPECTOR