



Appeal Decision

Site visit made on 20 March 2025

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 23 April 2025

Appeal Ref: APP/Z4310/Z/25/3358990

Land adjacent to 286 Scotland Road, Liverpool L5 8XW

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) 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 is 24A/2968.
 - The advertisement proposed is the display of 1 no. internally illuminated hoarding sign.
-

Decision

1. The appeal is allowed and express consent is granted for the erection of 1 no. internally illuminated hoarding sign. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - (1) In the hours of darkness (between local sunset and sunrise) the advertisement display luminance shall be no greater than 300cd/m² in accordance with the maximum night time luminance value set out in Table 10.4 within the Institute of Lighting Professionals -Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².
 - (2) In daylight hours (between local sunrise and sunset) the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull) and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institute of Lighting Professionals -Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m².
 - (3) The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level.
 - (4) No individual advertisement on the display screen will contain moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals

(5) There shall be a smooth uninterrupted transition from one image to another. Transitions shall be instantaneous, and no individual advertisement shall be displayed for a duration of less than 10 seconds.

(6) The advertisement display panel shall have a default mechanism to freeze to a blank screen in the event of any malfunction.

Procedural Issue

2. In December 2024, the Government published its revised National Planning Policy Framework (the Framework). In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework and that no party would be disadvantaged by such a cause of action

Main Issue

3. The main issue in this appeal is the effect of the proposed hoarding sign on the visual amenity of the area.

Reasons

4. The appeal site is an area of land located on Scotland Road at its junction with Dryden Street backed by the side wall of a four storey high residential building located at Nos 286-316 Scotland Road and its associated car park. Scotland Road is a main arterial route (A59) in Liverpool City Centre and the character of the area is influenced by the heavily trafficked nature of the A59 which at this point is seven lanes wide leading to the Wallasey tunnel. The site itself has rough low cut vegetation and the car park wall is defaced with graffiti. The area is of a mixed use with predominantly commercial properties directly fronting this side of Scotland Road.
5. Until recently the appeal site had an advertisement display upon it which has now been removed. There is an extant express consent for the display of a smaller illuminated digital display, similar in size to the one removed. The proposed digital advertisement display, the subject of the appeal, would broadly sit in the same position as the previous advertisement display sign, facing traffic heading northwards along Scotland Road. It would however be wider and incorporate a “chunky” stand rather than the slimmer style stand approved under the extant consent.
6. Whilst the proposed hoarding sign would be distinctive given its size, it would not be out of scale given the open nature of the road network in this location, the proximity of the sizeable and far taller adjacent building and the surrounding area. The display sign would screen part of the relatively featureless side elevation of the building and car park wall and would sit comfortably within the backdrop of these structures. Nor given the distance it would be away from the northbound carriageway of Scotland Road would it dominate views to those travelling north. Further on my site visit I noted a number of other digital advertisement displays located along Scotland Road, some of which are of a substantial height and size. As such the proposed hoarding sign would not stand out as incongruous or unduly out of keeping with its wider surroundings.
7. The regulations require that decisions are made in the interests of amenity and public safety. I conclude that the proposed advertisement display would not cause

unacceptable harm to visual amenity. In refusing the application, the Council has referred to a development plan policy and in accordance with the relevant regulations, I have taken it into account as a material consideration, so far as it is relevant to amenity. Policy UD9 of the Liverpool Local Plan 2013-2031 (adopted January 2022) (Local Plan) is concerned with advertisements and that they contribute to, and not detract from, the area. As I have concluded that the proposal would not harm amenity, the proposal does not conflict with this policy.

Other Matter

8. The Council's highway officer has not objected to the proposal, subject to the inclusion of a condition to control lighting levels. I am satisfied that this issue can be addressed through the use of additional conditions which I have imposed. As such I find no reason to conclude that the proposal would result in harm to highway safety.

Conditions

9. The appellant has suggested additional conditions to control the display of images and illumination which I have considered. With these conditions in place, lighting levels would be appropriate to the urban location and would not be overly bright during hours of daylight or darkness. In the interests of visual amenity and highway safety, I consider the additional conditions to be necessary and have imposed them accordingly.

Conclusion

10. For the reasons outlined above, I allow the appeal.

K Winnard

INSPECTOR