



Appeal Decision

Site visit made on 16 May 2025

by **J D Westbrook BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 May 2025

Appeal Ref: APP/Z4310/Z/25/3363500

9 Walton Vale, Liverpool, L9 4RE

- 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 Vision Digital Solutions Limited against the decision of Liverpool City Council.
 - The application Ref is 25A/0326.
 - The advertisement proposed is the erection and display of a single 6 x 3 metre wall-mounted LED display unit.
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Decision

1. The appeal is allowed and express consent is granted for the display of the single 6 x 3 metre wall-mounted LED display unit at 9 Walton Vale, Liverpool, L9 4RE in accordance with the terms of the application, Ref 25A/0326, dated 10 February 2025. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions:-
 1. The levels of illuminance of the advertisement hereby granted shall not exceed 300cd/m² during sunset and sunrise. The advertisement shall be equipped with a dimmer control mechanism and a photo cell which shall monitor ambient light conditions and adjust the brightness of the advertisement accordingly.
 2. The screen display shall only show two-dimensional static images, shall contain no moving images, animation, video or full motion images and no messaging should spread across more than one screen image.
 3. The advertisement display shall not change more frequently than every 10 seconds and the rate of change should be instantaneous.
 4. The illumination of the advertisement shall not at any time be intermittent.
 5. The panel illumination shall be switched off overnight for the time period from 22.00 to 07.00,

Main Issue

2. The main issue in this case is the effect of the proposed display unit on the visual amenity of the area around Walton Vale and Balmoral Road.

Reasons

3. The proposed display unit would be fixed to the rear portion of the side wall of No 9 Walton Vale. It would be 3 metres high and 6 metres wide, and the display

surface will be of a standard 48 sheet. It would be set at first-floor level. The unit would sequentially display static poster images with no animation or special effects, and the image would never change more frequently than on a ten second interval.. The screen would be turned off overnight, and the display would conform with the standards set out by the Institute of Lighting Professionals, in the 2023 publication of “PLG05 – The brightness of illuminated advertisements.”

4. Policy UD9 of the Council’s Local Plan (LP) indicates that advertisements will only be permitted where they meet high visual standards. They should not detract from the character of an area; not lead to advertising clutter; not lead to loss of amenity through light pollution, and be appropriately designed in terms of their materials and relationships to their surroundings and host buildings.
5. The appeal site is located to the north of the junction of Walton Vale with Orrell Lane and Chapel Avenue. The display would face south towards the junction and would be readily visible from the junction and beyond down Rice Lane. Between the appeal site and the junction is a Public House, set back from the road and having limited signage. The front portion of the appeal site is single-storey and the side wall has signage for Medilab, while visible above is further signage on the first-floor side wall of the property to the north. Across Walton Vale is signage and displays associated with a Funeral Director’s and Rooney’s Lounge.
6. Whilst the proposed display would be larger than other displays in the immediate vicinity, it would not appear out of place or character for an area containing a busy junction with commercial properties all around. In addition, by reason of its siting set back from the road frontage on Walton Vale and its clean lines and modern appearance, it would not result in any significant apparent increase in advertising clutter.
7. The Council contends that the illumination of the display would be harmful to the residential amenities of the occupiers of nearby residential properties. However, the only properties that could be affected by the display are effectively Nos 5 and 7 Balmoral Road and these are sited at some distance from the appeal property, while any views of the display would be at an oblique angle. I do not consider that the display would be significantly harmful to the occupiers of those properties. In any case the illuminance would be in accordance with professional standards and the display would be switched off overnight.
8. The appellants note that there was an illuminated display of the same size in place on the appeal site for 20 years until 2017, and that this had been approved by the Council without concern. I have seen images of the display, which was of a deeper and bulkier appearance than that currently proposed, and I consider that the current proposal would be less intrusive in this location and position.
9. In addition to the above, there is another illuminated display unit in a similar type of position to the south of the junction at 494 Rice Lane, which was recently approved by the Council. I have seen this display and I do not consider it to be harmful to the visual amenity of the area. It is not readily visible from any nearby residential properties, but it is clearly seen in the context of other commercial advertisements on neighbouring shops, and also in the context of a Listed Bank and a Church on the opposite side of the road.

10. In conclusion, I find that the proposed display would not appear out of character with the busy commercial area around the junction of Walton Vale, Rice Lane, Orrell Lane and Chapel Avenue. In addition it would not be harmful to the residential amenities of the occupiers of dwellings on Balmoral Road. On this basis, it would not conflict with Policy UD9 of the LP, and I therefore allow this appeal.

Conditions

11. I have attached further conditions to the 5 standard conditions in order to avoid glare, dazzle or distraction to passing motorists in the interests of road safety, and to protect the residential amenities of the occupiers of nearby dwellings.

J D Westbrook

INSPECTOR