



Appeal Decision

Site visit made on 28 July 2025 by Sara Manson DipTP

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Appeal Ref: APP/M4320/Z/25/3367405

Land at 491 Hawthorne Road, Bootle L20 5AG

- 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 Sefton Metropolitan Borough Council.
 - The application Ref is DC/2025/00340.
 - The advertisement proposed is the conversion of advertising billboard to a D-Poster digital advertising display.
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Decision

1. The appeal is allowed, and express consent is granted for the conversion of advertising billboard to a D-Poster digital advertising display at land at 491 Hawthorne Road, Bootle L20 5AG in accordance with the terms of the application, Ref DC/2025/00340. 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 advertisement hereby permitted shall not contain moving or full motion images, animations or videos at any time.
 - 2) In the hours of darkness, the intensity of the illumination of the advertisement hereby permitted shall be no greater than the recommended maximum nighttime luminance value set out in Table 10.4 of the Institution of Lighting Professionals - Professional Lighting Guide 'Brightness of Illuminated Advertisements including Digital Displays' (PLG 05) (or its equivalent in a replacement guide) in cd/m². The applicable nighttime luminance value in the Table 10.4 of the PLG 05, shall be agreed in writing with the Local Planning Authority prior to the advertisement first coming into use and the advertisement shall then only be operated in accordance with the agreed nighttime luminance value.
 - 3) In daylight hours, the advertisement hereby permitted shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the PLG 05 (or its equivalent in a replacement guide) in cd/m².
 - 4) The minimum time for each advertisement hereby permitted shall be ten seconds and shall at no time include any features which would result in interactive messages or advertisements being displayed.

- 5) The interval between successive displays on the advertisement hereby permitted shall be no greater than one second and the complete display shall change without effect. The display shall include a mechanism to default to a blank or black screen in the event of malfunction, or if the advertisement is not in use.
- 6) The advertisement hereby permitted shall not display any images or advertisements that resemble road traffic signs, traffic lights or traffic matrix signs.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The above mentioned regulations shall be exercised in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors. Therefore, and whilst the development plan policy referred to in the Council's decision cannot by itself be decisive, where relevant I have taken it into account as a material consideration. The Council has not objected to the appeal scheme on amenity grounds, and I have no reason to disagree. My findings therefore focus on its effect on public safety, which is the main issue.

Reasons for the Recommendation

4. The appeal site is to the south side of Linacre Lane as it crosses Hawthorne Road. The scheme would replace but be smaller than an existing billboard which currently sits at an angle to Hawthorn Road, facing the centre of a wide and otherwise unimpeded four way junction. Both roads carry a constant stream of traffic, them being main routes in and out of Bootle town centre. The speed limit is 30 miles per hour. Each arm of the junction is traffic light controlled with pedestrian crossings.
5. Whilst in line of sight for drivers of vehicles approaching the junction westbound on Linacre Lane and southbound on Hawthorne Road, it would be considerably smaller than the existing billboard and offset from the centreline of the junction. It would thus be obliquely rather than obviously visible. In terms of Hawthorn Road, it would be off to the right and noticeably clear of the traffic signal and therefore not unacceptably interruptive. The traffic lights are also set quite far back from the junction at this point. The perspective for drivers approaching it along Linacre Lane would also view it as a more recessive feature than the traffic lights and as such should be able to see them as distinctly identifiable elements.
6. In addition, the minimum period of display for each advert is intended to be ten seconds. They would be static with no moving images or transition effects. Consequently, any change in the advertisement displayed would be almost instantaneous and the advertisement is unlikely to be distracting or confusing to road users in these regards. Vehicles heading towards the appeal site are generally travelling at a slow speed as they are approaching the traffic lights and junction where the phasing of the lights dictates regular changes, impeding faster speeds significantly.

7. For this and the above reasons, the scheme would not adversely affect public safety. Insofar as it is material to the main issue, the advertisement would satisfy the aims of Policy EQ11 of the Local Plan for Sefton 2017 which, amongst other things, seeks to ensure that advertisements do not have an unacceptable impact upon amenity and does not harm public safety.

Conditions

8. Advertisement consent is subject to the five standard conditions set out in schedule 2. I have also had regard to the suite suggested. As such, the advertisement should have no moving images, animation, video or full motion images. Illumination levels should be controlled during the day and night, as should transition arrangements and the time that images should take to change. No images shall resemble traffic signals and, in the event of malfunction, a black screen shall be shown. These conditions are reasonable and necessary in the interests of public safety.

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed since it would satisfy the means of assessment under the advertisement regulations.

Sara Manson

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

John Morrison

INSPECTOR