
Appeal Decision

Site visit made on 4 November 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/W4325/Z/25/3374417
162 Cleveland Street, Birkenhead CH41 3QQ

- 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 Wirral Metropolitan Borough Council.
 - The application Ref is ADV/25/01029.
 - The advertisement proposed is erection of 1x D-Poster Advertisement.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has drawn my attention to the policies of the Development Plan that it considers to be relevant to the appeal, and I have taken them into account as a material consideration. However, powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 indicates that the control of advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The Council's policies have not therefore, by themselves, been decisive in my determination of this appeal.

Main Issue

3. The main issue is the effect of the proposed advertisement on amenity, including in respect of the setting of the Grade II listed former dock entrance to the Mersey road tunnel.

Reasons

4. The appeal site forms part of an irregular shaped grassed area adjoining Rendel Street, close to its busy junction with Cleveland Street and Watson Street. The grassed area is enclosed at the rear by the Grade II listed former dock entrance to the Mersey road tunnel (listed tunnel entrance) and a row of mature trees which are in front of its retaining wall. Further trees are planted close to the pavement. A car wash adjoins the grassed area.
5. The area is in mixed use, containing commercial properties and some residential. There are numerous signs within the vicinity of the site in association with the commercial activity including several at the adjoining car wash.
6. The listed tunnel entrance marks the approach to the tunnel portal. It ends in terminal blocks sited close to Rendel Street, that are stepped in plan and battered

in section. It is of a moderne style with Egyptian detailing and is constructed of white Portland Stone.

7. The special interest and significance of the listed tunnel entrance is, in part, derived from its evidential and historic value as part of the Mersey road tunnel connecting Birkenhead to Liverpool, in addition to its aesthetic value.
8. Being adjacent to the listed tunnel entrance, the appeal site forms part of its setting and, in combination with the wider grassed area, it provides a verdant feature that positively contributes to that setting by offering a striking visual contrast to the white Portland Stone structure. The appeal site and wider grassed area also provide a sense of spaciousness and visual relief that enhances the wider, and more built-up, surroundings.
9. The proposed advertisement (proposed D-Poster) would measure six metres by three metres. Given its position, angled towards Cleveland Street, it would be visible in medium to short distance views along Watson Street and Rendel Street. Due to its internally illuminated and frequently changing display, it would be a prominent feature within such views.
10. I acknowledge that it would be seen amongst many other advertisements. However, unlike the proposed D-Poster, they are static, much smaller in scale and are closely related to the commercial buildings in the area. Overall, it would represent an incongruous encroachment into an incidental area of open space and, even if all the trees within the grassed area are retained, it would detract from the street scene through an erosion of its verdant character.
11. The nearest terminal block of the listed tunnel entrance, which projects beyond the row of trees within the grassed area, would be seen in views of the proposed D-Poster along Watson Street and Rendel Street. It would intrude into this key vista, drawing the eye away from the designated heritage asset. In addition, by encroaching into the grassed area, the contrast that it provides to the listed tunnel entrance would be diminished. For these reasons, I find that the way in which the listed tunnel entrance would be experienced, and its significance, would be harmed.
12. At the time of my visit there was no advertisement on the appeal site, and I note none are identified on the existing site plan submitted with the appeal documents. Furthermore, there is nothing within the planning history to suggest that a paper and paste advertisement has ever been sited within the grassed area. Therefore, unlike the comparable sites that have been highlighted by the appellant where consent has been given to display digital advertisements, the proposed D-Poster would not replace an existing paper and paste advertisement.
13. Accordingly, even if it is part of a programme of removing inappropriately located or poorly performing paper and paste displays, there is no compelling evidence before me to suggest that the D-Poster would replace one that is currently a component of the same streetscape or is within views of the listed tunnel entrance. Thus, the harmful effect that I have identified would not be mitigated through the removal of an existing advertisement that has a comparable effect on the amenity of the area and on the designated heritage asset.
14. Therefore, for the above reasons, the proposal would unacceptably harm amenity, including in respect of the setting of the Grade II listed former dock entrance to the

Mersey road tunnel. Although not decisive, the scheme would not meet the design criteria within policies WS 6, WS 7 and WD 2 of the Wirral Local Plan, adopted March 2025, and paragraph 141 of the National Planning Policy Framework.

Other Matters

15. The appellant has put forward several benefits of a digital display. Nevertheless, as set out above, advertisements are subject to control only in the interests of amenity and public safety and in any event the identified benefits, either individually or in combination, do not outweigh my conclusion on the main issue.

Conclusion

16. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR