
Appeal Decision

Site visit made on 22 November 2016

by W Fabian BA Hons Dip Arch RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 December 2016

Appeal Ref: APP/Z4310/Z/16/3155641

Land at corner of Erskine Street, Liverpool, L6 1NA

- 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 London and Cambridge Properties Limited against the decision of Liverpool City Council.
 - The application Ref 16A/0819, dated 17 March 2016, was refused by notice dated 9 June 2016.
 - The advertisement proposed is a 96 sheet hoarding.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application that resulted in this appeal was submitted at the same time by the same appellant as two other similar but different applications nearby at different locations at the same roundabout, described below. Separate appeals have been made in respect of those applications and I have considered these also, taking into account the different circumstances in each case. This appeal decision relates only to the application described above and has been determined on its own merits.

Main Issues

3. The main issues are the effect of the proposal on visual amenity and on the safety of users of the adjacent road system.

Reasons

4. The proposed non-illuminated timber-framed plywood advertisement hoarding would be erected at the west end of a large triangular traffic roundabout (gyratory) on the A580, a main dual carriageway approach to Liverpool city centre. The roundabout incorporates the Erskine Industrial Estate, a small complex of business units. These are low plain buildings clad with dark profiled steel sheets that also curve over the eaves to form the roofs. They are slightly set down from the surrounding road level, with their ground level below the surrounding wide roadside grass verges. These include small areas of shrub planting as well as groups of semi-mature trees that provide some screening to the buildings.

5. The proposed hoarding would be orientated so as to be seen by the one-way northeast-bound traffic on Brunswick Road. It would be located almost parallel with the side of a row of industrial units, across a point where the building steps forward, and at the top of the crescent shaped steeply sloping roadside grass verge, behind a pleasing wide group of scattered semi-mature trees.
6. Policy OE15 of the Liverpool Unitary Development Plan, November 2002, (UDP) sets out the Council's aim to enhance the appearance of designated Environment Improvement Corridors by requiring the retention of existing landscape features. It states that advertisement consent will be refused for signs and other advertisements which by reason of their size and situation detract from the visual amenity of the corridor.
7. The appeal site lies within the North East Corridor, which includes the A580. The appellant suggests that the proposed 12.2m long hoarding would assist with screening the existing buildings behind it; a further aim of the policy. However, it would have a very limited effect in this regard, as it would occupy only a small proportion of the building frontage at this side. Although there are existing business signs fixed at eaves level along the outside of the building, these are modest in size and appropriate to the low key appearance of these typically 1970/80s buildings.
8. Given the overall height of the large hoarding proposed (some 4.6m) and the relative ground level of the building to the verge, the sign would be roughly equivalent in height to the building eaves. Due to the sloping topography here, the viewpoints of passers-by both from the footway and in vehicles on the road would be well below the hoarding such that it would loom in front of the building and would be much more visually prominent than it.
9. In addition, the appellant has acknowledged that the proposal would result in the loss of three trees from the existing group and this would in itself be contrary to the Council's policy in this regard; it would unbalance an existing established group of trees and harm the visual amenity of the surroundings at a key view when travelling northeast on the A580.
10. The positions and proximity of these trees to the hoarding is not identified on the small scale plan submitted. From my visit it is apparent that at least three trees would undoubtedly block views of the advertisement hoardings, but with time as the tree canopies grow, it could also result in pressure for the further loss or substantial pruning of other trees in the group. The lack of information in this regard adds to my concern regarding the harmful impact of the loss of three trees on visual amenity.
11. Due to the prominent elevated and angled roadside position as well as the large size of the proposed hoarding, it would increase visual clutter in a location that is currently well landscaped and characterised by visually non-intrusive buildings, in the immediate outlook from dwellings across the road as well as for passers-by on this main thoroughfare. It would be contrary to the aims of the Council's Environment Improvement Corridors policy.
12. I conclude that the proposal would be harmful to the visual amenity of the surrounding area and on this basis alone the appeal should be dismissed.
13. Erskine Street curves tightly around the west end of the island to merge with northeast-bound traffic on Brunswick Road. Traffic on this stretch of road is

heavy and fast moving, at or around the 30 mph speed limit, and the road layout is not simple to negotiate. As the proposed hoarding would be located to the right and above drivers needing to look left to negotiate the merge manoeuvre into the main stream of fast moving traffic there would clearly be the potential for driver distraction arising from the proposal. UDP policy HD25 resists advertisements that would result in a hazard or distraction to road users to the detriment of public safety.

14. The appellant's transport consultant has drawn attention to a lack of accident cluster evidence to demonstrate a problem in this regard and drawn direct comparison with the existing large hoarding supported by metal 'Liverbird' cut-outs, at the southeast end of the roundabout. It seems to me that although that is also at a point where traffic streams merge, is not elevated so as to cause drivers to look up at an angle. The proposed hoarding would be prominent and visually eye-catching; in my assessment it would be likely to create an unnecessary distraction that could imperil road users. Whilst this effect may not be so overriding as to warrant dismissal on this ground alone, it adds to my conclusion on visual amenity.
15. I have seen the double sided poster display to the west of the appeal site, but this is orientated vertically, is of a high quality of design and fabrication and is centrally located in the dual carriageway at a point where traffic is not seeking to merge or change direction. The replacement of an existing LED hoarding with a larger one allowed at appeal nearby differs in that it is adjacent to taller buildings directly behind it and would not result in a loss of trees. Similarly the other appeal drawn to my attention was for a static illuminated display for a shorter temporary period and is also not associated with existing landscaping. As such, none is directly comparable with the proposal.
16. I conclude overall that the proposed advertisement would be harmful to visual amenity and highway safety and the appeal should be dismissed.

Wenda Fabian

Inspector