



Appeal Decision

Site visit made on 27 April 2025

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 09 May 2025.

Appeal Ref: APP/P3040/Z/25/3362627

Petrol Filling Station at Land adjacent to Grantham Road, Bingham NG13 8DF

- 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 Wildstone Estates Ltd against the decision of Rushcliffe Borough Council.
 - The application reference is 24/02056/ADV.
 - The advertisement proposed as indicated on the Application form is the 'Erection of a small format Advertising Display.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I am required by the Regulations¹ to exercise my power in the interests of amenity and public safety. The Council raise no concern in respect of public safety and in this case, the issue of amenity relates to visual effects. Factors relating to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, and cultural interest. This is reflected by paragraph 141 of the National Planning Policy Framework (the Framework) and National Planning Practice Guidance (NPPG).²

Main Issue

3. Taking the above into account, the main issue is the effect of the proposed advertisement upon the amenity of the area.

Reasons

4. The appeal site lies to the front of a petrol filling station that is accessed from Grantham Road. Grantham Road is a classified A-Road which is a single carriageway in each direction that connects Bingham with surrounding settlements such as Grantham. At the point of the appeal site the petrol station is within long distance views to either side of the road to fields beyond. The road at the point of the appeal site has a cycleway and footpath on the northern side running in front of the petrol station, and street lighting. However, the overriding character of the locality is of a semi-rural experience with an unkerbed road edge, vegetation along the road edge with long distance views to either side of the road to the fields beyond. These are some of the positive qualities that reinforce the local character and distinctiveness of the area.

¹ The Town and Country Planning (Control of Advertisements)(England) Regulations 2007

² Paragraph: 079 Reference ID: 18b-079-20140306 Revision date: 06 03 2014

5. There is a small bungalow to the rear of the petrol station with blank gable facing the road edge. The petrol station presents as an anomaly to the positive qualities and features of vegetation and wider views to the landscape with the petrol station comprising of illuminated totem pole sign advertising fuel pricing, petrol station canopy and temporary banner signage and advertising paraphernalia to the front of the site such as a large novelty coffee cup providing clutter and detracting from the more positive qualities of the landscape in this particular location. I note comments in the Appellant's Statement of Case (SoC) of reference to other businesses, traffic and wayfinding signs, traffic lights, car parking areas and bus stops in the vicinity which the Appellant considers are part of the appeal site's character, however I did not experience these in the immediate vicinity and would not contribute to the character found in this particular location which is semi-rural, than 'mixed use' as suggested by the Appellant.
6. In addition to my considerations under the framework and the Regulations, the Rushcliffe Local Plan Part 1 – Core Strategy (CS) Policy 10 lists a number of design principles such as seeking that development makes a positive contribution to the public realm, reinforces local characteristics, affect on amenity, landscape, amongst others.
7. The proposed sign would be a self-standing black framed advertisement sign with overall dimensions of 2.4 metres tall x 1.23 metres wide x 0.22 metres in depth which would be single-sided and have an illuminated advertisement that would change with an intermittent sequence. The luminescence of the sign would change according to light conditions. I acknowledge comments within the Appellant's SoC around their considerations of placement of the proposed sign, but I disagree that the sign would assimilate into its backdrop which consists of semi-rural location where the proposed sign is large with its intended purpose to draw attention. The constant presence of the advertisement is demonstrated by the changing in illuminance to compete with weather conditions in order to maintain prominence despite the weather and which would exacerbate the uncharacteristic clutter in this location that would intrude upon the positive characteristics of this location which is also demonstrated in Appendix 4 of the Appellant's SoC.
8. I note comments from the Appellant's SoC that existing advertisements would be removed as a result of this sign, however the appeal documents do not contain any mechanism for this to occur. It is also unclear whether existing adverts such as the novelty coffee cup, large banner signs, etc have advertisement consent. In the absence of any clarity in this regard I cannot take these benefits into account in balancing the positive vs negative impacts of the proposed signage upon this location. I also note that it is the intention for the sign to be only for the users of the petrol station, however approaching this argument logically, one would think a sign placed to either side of the canopy to attract attention to customers filling up their vehicle would be more effective than placing the proposed sign at the exit facing oncoming traffic when the customer is looking to leave the petrol station.
9. I also note a number of planning consents listed in Appendix 1 of the Appellant's SoC highlighting other signs that have been approved. I have not been presented with any information in the appeal documents as to how the site considerations around these approvals are similar to the appeal site, which include other council areas, other policy considerations, constraints and judgements. In any event I have judged this particular appeal on the merits of the application, taking into account

the legislative and policy requirements, including any other material considerations. As such the approval of other signs does not demonstrate that the proposed sign is appropriate in this particular location.

10. I acknowledge the benefits of signage in this location as described in the Appellant's SoC such as Environmental benefits in terms of reducing energy consumption compared with traditional poster type signs where there is discarded waste, and vehicular trips in replacing signs; social benefits in terms of the ability to advertise charitable/local campaigns, public art; and Economic benefits in terms of uplift of rent and business rates, additionally there would be short-term economic benefits in terms of employing someone to erect the sign. One could also find greater environmental benefits in terms of not erecting the proposed sign given that there would not be a need to use any energy at all and there being no waste generated. Whilst I agree that there are some limited social and economic benefits, these would not be sufficient to outweigh the harm to the amenity of the area.
11. The illumination together with the size and scale of the sign is unlike anything in the vicinity and would have little relevance to the positive qualities of the locality, exacerbating the clutter to the area. As such the proposed sign together with its illumination would appear as an overly dominant installation and it would detract from the character and local distinctiveness of the locality and would consequently result in material harm to the amenity of the area, conflicting with CS Policy 10, together with the Advertisement Regulations as described previously.

Conclusion

12. For the reasons given above, the appeal is dismissed

J Somers

INSPECTOR