



Appeal Decision

Site visit carried out on 16 April 2025

by Jennifer Vyse DipTP MRTPI DipPBM

an Inspector appointed by the Secretary of State

Decision date: 16 May 2025

Appeal Ref: APP/M3455/Z/24/3357715

Petrol Filling Station, Longton Road, Trentham, Stoke on Trent ST4 8BU

- 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 Limited against the decision of Stoke on Trent City Council.
 - The application No is 71371/AD.
 - The advertisement proposed comprise the display of an internally illuminated advertising display.
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Decision

1. For the reasons that follow, the appeal is allowed and express consent is granted for an internally illuminated advertising display at Petrol Filling Station, Longton Road, Trentham in accordance with the terms of application No 71371/AD. 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 plus the additional conditions set out in the schedule attached below.

Preliminary Matters

2. On the plans/drawings/photos submitted with the application, and those that have informed the appellant's appeal statement and the accompanying Highways Report,¹ there is a difference in the siting of the proposed display. On the layout plans, the sign is sited immediately adjacent to the back of the footway. However, on the photos and elevation drawings, it is set back into the site, away from the footway, in a similar position to an existing freestanding sign. I confirm that I have dealt with the appeal on the basis of the siting as shown on the layout plans.

Main Issue

3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. There is no suggestion from any party that the advertisement proposed would have an adverse impact on amenity. The main issue in this case therefore, relates to the effect of the proposed display on public safety.

Reasons for the Decision

4. The appeal site comprises a petrol filling station on the southern side of Longton Road (A5305). The garage forecourt is bounded by a short length of low walling along the back of the footway, with an in/out vehicular entrance at each end of the road frontage.

¹ SLR Highway Safety Report (Project No: 415.064858.00001 Rev 01 dated 4 December 2024)

5. The northeastern (side) boundary of the forecourt is bounded by a low wall with railings on top in part, although the end of the wall is set back from the rear of the footway. The height of the wall increases further back into the site. The walling separates the garage forecourt from an adjacent access drive that serves two separate properties - Canal Mews, a development of residential properties, and Lake View Nursing Home. That access drive effectively creates a crossroads junction with Meadow Lane opposite. However, there are carriageway splitter islands along this part of the main Longton Road. The siting of the splitter islands creates a right turn 'pocket' within the main carriageway, which is subject to a 30mph speed limit here and has SLOW road markings in the vicinity of the appeal site.
6. The proposed freestanding structure on which the signage would be displayed, would be 1.23 metres wide x 2.4 metres high, with a depth of 0.22 metres. The site plan (No 23864/PA/04) shows it sitting sideways on to the road, immediately adjacent to the back of the line of the footway at the northeastern end of the site frontage, in the space created by the set back of the boundary walling here. The single-sided, free standing advertisement display would face west, comprising an LED screen (1.65m x 0.928m) capable of displaying six advertising campaigns at a time, sequencing every ten seconds. As set out on the application form, it is intended that brightness would be 300 cd/sqm from dusk to dawn and up to 5,000 cd/sqm all other times, dependent on time of day/year and ambient conditions. The rear (east facing elevation) would be solid.
7. The Council's concerns relate to the potential for the brightness of the display during the daytime to impede the visibility of vehicles accessing the petrol filling station alongside the visibility of vehicles entering and leaving the adjacent Canal Mews/Lake View Nursing Home access. No issue is taken with the proposed night-time brightness level.
8. The orientation of the screen means that the proposed digital display would be primarily viewed by drivers approaching along the main road from the west, and by users of the petrol filling station. Notwithstanding the brightness levels indicated on the application form, the Highways Report confirms that the luminance level of the display would be controlled to track light level changes during the day, to ensure that perceived brightness is no more than 300 cd/m² above ambience level, confirming that a condition along those lines would be acceptable if considered necessary.
9. As demonstrated by Drawings 415.064858.00001-D101 (Driver Visibility Review – Canal Mews) and 415.064858.00001-D101 (Driver Visibility Review – PFS Access Points) in the Highways Report, the proposed display structure would not physically conflict with 2.4m x 43m visibility splays for drivers exiting either the Canal Mews/Nursing Home access or the petrol filling station access. Whilst drivers leaving the appeal site would be close to the illuminated sign, the available visibility splay would ensure that they could still see emerging vehicles to their right on the adjacent access, although I consider that day time brightness should be controlled in the manner suggested to avoid the potentially dangerous distraction of a very bright sign in such close proximity.
10. The approach along the main road from the west is along a straight carriageway with good forward visibility. The Highways Report confirms that the signage would be seen from around 90m away on this approach, according with Manual for

Streets Stopping Sight Distance for 30mph roads. I consider that with appropriate control over day-time brightness as set out above, traffic exiting either the appeal site, or the adjacent access, would be sufficiently visible to those approaching site along the main road. Emerging vehicles would similarly be clearly visible to those within the right turn pocket created by the splitter islands in the main carriageway.

11. Although busy, this section of Longton Road is a generally low speed environment with an uncomplicated road layout. On the basis of the information that is before me, I consider that the proposed advertisement would not be harmful to public safety, subject to conditions to control the level of daytime illumination and removing the potential for moving/animated images etc. For the reasons set out above, I therefore conclude that the appeal should succeed.
12. Whilst consented displays at numerous locations around the country were referred to by the appellant, I confirm that I have made my decision based only on the site specific circumstances of this case.
13. In addition to the five standard conditions set out in the Regulations, a number of other conditions are suggested by the appellant. There is no need for the suggested time limit on commencement, since any consent is automatically given for five years, and a condition requiring that development be carried out in accordance with approved plans is not relevant, as that is intended to facilitate applications for minor material amendments to planning permissions.
14. However, in the interest of public safety, it is necessary to ensure that the intensity of the illumination reflects ambient light conditions in the hours of daylight, and be limited during the hours of darkness. For the same reason, it is necessary to ensure that advertisements do not change more frequently than every ten seconds, with changes taking no longer than one second, and that the display defaults to a black/blank screen in the event of a malfunction. Again for reasons of public safety, it is necessary to ensure that no interactive messages/ advertisements, moving images, animation, video or full motion images are displayed, with no images to be displayed that resemble official road traffic signs, traffic lights or traffic matrix signs.

Jennifer A Vyse
INSPECTOR

**SCHEDULE OF CONDITIONS IN ADDITION TO THE FIVE STANDARD
CONDITIONS SET OUT IN THE REGULATIONS**

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- 1) The illumination levels of the advertisement shall not exceed 300cd/m² above ambience level between local sunrise and sunset times on any day, and shall not exceed 300 cd/m² after local sunset time on any day until local sunrise the following day.
- 2) The minimum display time of each advertisement shall be 10 seconds. The interval between successive advertisements shall be no greater than 1 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 any malfunction, or if the advertisement is not in use.
- 3) No interactive messages/advertisements, moving images, animation, video or full motion images shall be displayed at any time, and no images displayed shall resemble official road traffic signs, traffic lights or traffic matrix signs.

-----End of Schedule-----