



Appeal Decision

Site visit made on 9 May 2025

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 June 2025

Appeal Ref: APP/M0655/Z/25/3362760

Higher Lane, Lymm, WA13 0BA

- 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 Warrington Borough Council.
 - The application Ref is 2024/01364/ADV.
 - The advertisement proposed is erection of a D6 small format advertisement display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Control of Advertisement Regulations require that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. Amenity includes aural and visual amenity, and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural, or similar interest.
3. The main issue in this appeal is the effect of the proposed advertisement display on amenity. In relation to public safety, the Highway Authority has raised no objection to the proposal, subject to the imposition of conditions. I see no reason to disagree.

Reasons

4. The petrol filling station is located next to the A56 Higher Lane, Lymm. It is within a residential area characterised by rows of dwellings at either side of the road and with occasional trees and hedges contributing a verdant appearance to the street scene. The filling station is situated between houses at either side. Opposite the site is the locally listed Lymm Baptist Church and there is a grade II listed travellers rest stone at the front of the appeal site. Its special interest is that it was a seat for travelling migrants, in particular Irish harvest workers of around 1860.
5. The appeal site includes a small Londis convenience store with its own green sign boarding. The petrol station has a tall totem sign with illuminated fuel prices. The canopy over the fuel pumps has a bright yellow and red edging to its roof. At the time of my site inspection the site had a cluttered appearance because of several small temporary signs advertising the jet wash, off-licence, and coffee. I note that

the 'before' and 'after' visualisations from the appellant indicate that some of the small signs near the proposed display would be removed.

6. The proposed D6 display would be around 2.4 metres in height, 1.23 metres in width and 0.22 metres deep. It would be sited within, and close to the entrance to the filling station and near the boundary with the dwelling of 37 Higher Lane. The digital LED display would have a brightness of 300 cd/m² from dusk to dawn and up to 5,000 cd/m² at all other times, dependent upon the time of day, time of year and ambient conditions, in accordance with the Institute of Lighting Professionals' guidelines. Images would be static and sequenced every 10 seconds.
7. The advertisement display would be angled towards the filling station and Higher Lane. It would have no adverse impact on the outlook from 37 Higher Lane or its garden because the blank rear of the display would face that property. I consider that the proposed display would have no significant harmful effect on the setting of the listed travellers rest stone in view of the already commercial nature of its immediate surroundings. There would also be no additional harm to the setting of the locally listed Baptist Church, which faces the filling station, because of the siting and scale of the sign and separation distance.
8. Although the sign would be situated just inside the filling station it would be prominent in view for vehicle drivers and pedestrians approaching it from an easterly direction. That is because of its proposed location near the highway, its illumination, and changing images. Although the level and timing of illumination could be restricted by conditions it would add to the amount of light already emitted from the site and would be noticeable because of the changing display. In this respect I note that two local residents have referred to existing problems with light pollution.
9. In view of the mainly residential and verdant nature of this part of Higher Lane, I consider that the proposed display would have a harmful effect on amenity having regard to the character and appearance of the area.
10. The Council has referred to policy DC6 of the Warrington Local Plan: Quality of Place in its reason for refusal. Although I have taken the development plan policy into account as a material consideration, it has not been a decisive factor in my determination of the appeal.
11. The appellant has cited claimed environmental, social, and economic benefits from the proposed advertisement, including reducing vehicle trips and waste associated with paper posters, use for non-commercial and community purposes during void periods and rent uplift /increase in business rates. However, none of these benefits are sufficient on their own, or when combined, to outweigh the harm to amenity that I have identified.

Conclusion

12. I conclude that the proposed D6 small format advertisement display would have a harmful effect on amenity, having regard to the character and appearance of the area and should be dismissed.

Martin H Seddon

INSPECTOR