
Appeal Decision

Site visit made on 29 July 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2025

Appeal Ref: APP/A0665/W/25/3365554

Fantastic Fireworks North, Runcorn Road, Barnton, Cheshire West and Chester, Northwich CW8 4EL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Fantastic Fireworks Limited against the decision of Cheshire West and Chester Council.
 - The application Ref is 24/01919/FUL.
 - The development proposed is use of three containers for the storage and sale of fireworks.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the above banner heading has been taken from the Council's decision notice as this concisely describes the proposed development.
3. The works as described above have already taken place at the site. The appeal has therefore been assessed on a retrospective basis.

Main Issues

4. The main issue of the appeal is the effect of the development on the character and appearance of the surrounding area.

Reasons

5. The appeal site relates to land located along Runcorn Road, Barnton to the north of the River Weaver. It was previously used as a car park for Northwich Antiques and Collectables Centre which operated from the Old Red Lion Inn located across the road. Three containers for the storage and sale of fireworks are located onsite and a green metal mesh fence has been erected around the site for security.
6. Retrospective planning permission is therefore sought for the use of three containers for the storage and sale of fireworks.
7. The site occupies a prominent location along Runcorn Road which is a busy main road and key route within the Borough. There are several residential properties nearby along with a retail use on the opposite side of the road which is now closed.
8. The land is currently hardstanding, and the containers are situated in an open space surrounded by some vegetation. The size of the shipping containers varies

and are of metal construction being blue and green in colour. They are clearly visible from public vantage points including from along Runcorn Road. This is despite their set back from the main road as the site is still clearly visible. They are of a temporary and utilitarian nature with no architectural merit which is ultimately harmful to the character and appearance of the surrounding area resulting in visual clutter. Such harm is exacerbated by its prominent location, extent of shipping containers and fencing proposed.

9. The site may not be regularly used by visitors to the area but even so, the containers are an incongruous and unsympathetic addition which are not considered to be a suitable design solution for the site. Even if there was already a container located onsite for some time, this does not mean that the scheme is not harmful particularly as three containers have a greater cumulative visual impact than one. My attention has been drawn to the previous condition of the site in terms of its industrial nature, but this would not alter my findings on the scheme I am considering which I have considered on its own merits and present context of the site opposed to any former buildings which no longer exist. I appreciate the difficulties in terms of ownership issues and built development but again this would not alter my findings.
10. There are containers located on the site opposite, but I am unaware of their planning history and their presence would not justify harmful development. I also note the appellant's comments regarding a reduction in antisocial behaviour although I have no substantive evidence that this is the case, nor would it be sufficient to justify harmful development.
11. There are some economic benefits of the proposal, and I note the appellant's claims regarding providing land for employment purposes. I am also aware of the appellant's comments regarding challenges to find a suitable office and storage facility as well as the reasoning for this specific location including safety reasons. However, this is not sufficient to justify harmful development, nor is it sufficient to outweigh the harm identified.
12. For the above reasons, I conclude that the proposed development unacceptably harms the character and appearance of the surrounding area. It is therefore contrary to Policy ENV 6 of the Cheshire West and Chester Local Plan (Part One) and Policy DM 3 of the Cheshire West and Chester Local Plan (Part Two) which together, amongst other matters, explains that development will be expected to achieve a high standard of design that respects the character and protects the visual amenity of the local area. For the same reasons, the proposed development is also contrary to section 12 of the National Planning Policy Framework relating to achieving well-designed places.
13. I am aware of other policies the appellant refers to including those relating to brownfield land, but the development would still need to comply with the above-mentioned policies which this scheme does not.

Other Matters

14. I do not dispute that the appellant runs a successful fireworks business that is heavily regulated with a drive for the responsible use of fireworks. I am also aware of the frustrations with the Council during the application process and those matters which are not in dispute. Such matters would not however alter my findings on the above main issue.

15. A different site may not provide the specific requirements needed in terms of licensing and regulation, but I do not have any information on alternative sites. I have considered this site and proposal on its own merits.

Conclusion

16. The development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR