



Appeal Decision

Site visit made on 7 October 2025

by **A Caines BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 October 2025

Appeal Ref: APP/W4325/H/25/3371352

Shell, Liscard Road, Egremont, Wallasey CH44 9AD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against conditions imposed when granting express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Wirral Council.
 - The application Ref ADV/25/00845 was approved on 22 July 2025 and express consent was granted for the display of an advertisement subject to conditions.
 - The advertisement permitted is erection of a D6 digital advertisement.
 - The condition in dispute is No 8 which states that: *The sign shall not be illuminated between the hours of 2300 and 0600.*
 - The reason given for the condition is: *To preserve the amenities of neighbours.*
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Decision

1. The appeal is allowed and Condition 8 attached to the express consent Ref ADV/25/00845 for erection of a D6 digital advertisement at Shell, Liscard Road, Egremont, Wallasey CH44 9AD, granted on 22 July 2025 by Wirral Council, is hereby deleted.

Background and Main Issue

2. Express consent has been granted for the installation of a freestanding digital advertisement display (approximately 2.4 metres high by 1.2 metres wide) within the forecourt of a petrol station on the A551 Liscard Road, a main distributor road in a predominantly residential area. The display will be positioned adjacent to the gable wall of 49 Liscard Road, and will show internally illuminated, sequential static images at ten-second intervals.
3. Condition 8 of the consent prevents illumination of the display between the hours of 2300 to 0600, with the stated aim of preserving the amenity of neighbouring residents. The appellant contends that this condition does not meet the tests of reasonableness and necessity set out in paragraph 57 of the National Planning Policy Framework.
4. Thus, the main issue is whether Condition 8 is reasonable and necessary to safeguard the living conditions of nearby residents, particularly in relation to light intrusion during nighttime hours.

Reasons

5. The appeal site operates as a 24-hour petrol station and is subject to continuous nighttime illumination from forecourt lighting, canopy fixtures, other illuminated signage, and nearby streetlights. This creates a consistently lit environment throughout the night, which forms the baseline of assessment.

6. The approved digital display is modest in scale and subject to conditions that limit its luminance to 300cd/m² during hours of darkness. This level of brightness is consistent with industry standards for nighttime digital signage and is unlikely to result in significant light intrusion. The display is also limited to static images, with no moving or flashing content permitted.
7. The nearest habitable windows facing the site are either located across the road or set back at a distance, with views filtered through the existing illuminated context of the forecourt. Consequently, the potential for direct light intrusion into habitable rooms is minimal.
8. No objections were received from technical consultees, including highways and environmental health. This absence of concern lends support to the view that the display would not materially harm the living conditions of nearby residents.
9. Accordingly, Condition 8 is not considered necessary or reasonable to safeguard the living conditions of nearby residents. Its removal would not conflict with Policies WS6, WS7, and WD10 of the Wirral Local Plan (2025), insofar as they relate to residential amenity.

Conclusion

10. Given the above, the appeal should be allowed and Condition 8 of express consent ADV/25/00845 deleted accordingly.

A Caines

INSPECTOR