



Appeal Decision

Site visit made on 17 February 2026

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 13th March 2026

Appeal Ref: APP/A0665/H/25/3373928

Whitchurch Road, Rowton CH3 6AF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
- The appeal is made by Wildstone Estates Limited against Cheshire West and Chester Council.
- The application Ref is 25/02028/ADV.
- The advertisement proposed is a D6 small format advertising display.

Decision

1. The appeal is allowed and express consent is granted for the display of a D6 small format advertising display at Whitchurch Road, Rowton CH3 6AF in accordance with the terms of the application, Ref 25/02028/ADV, dated 24 June 2025. 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.

Preliminary Matters

2. The advertisement application form and the appeal form give the appeal site address as Winchurch Road. However, the submitted plans and the Council's statement of case identify the location as Whitchurch Road (A41). I have amended the address accordingly.
3. The appeal is against the failure of the Council to determine the application within the prescribed time period. In its evidence to the appeal the Council indicates that, had it determined the application, it would have approved it.
4. The Regulations require that decisions are made only in the interests of amenity and public safety. This is confirmed by the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG).

Main Issues

5. Therefore, the main issue is whether the proposed advertisement would be acceptable, having regard to amenity and public safety.

Reasons

6. The appeal relates to a petrol filling station (PFS) on Whitchurch Road. It is part of a loose ribbon of residential and commercial development in an area of sparsely developed open countryside between settlements. The PFS is not in the setting of a listed building nor is it in a conservation area.
7. The proposal would be a freestanding digital LED advertisement with the same dimensions as a standard 6-sheet hoarding, roughly 1.2m wide by 2.4m tall and 0.3m deep. It would be set back towards the boundary with the neighbouring hotel

to the north and it would replace a number of existing advertisements currently around the entrance to the PFS. The proposal would display up to 6 static advertisements on a 10 second rotation. Faults would be detected by diagnostic software and a kill switch would activate a black screen. Luminance would be controlled by light sensors and in accordance with Institute of Lighting Professionals guidance for nighttime thresholds.

8. The PFS is commercial in character, with numerous advertisements including shop front and carwash, fascia signs, on building elevations and freestanding. Moreover, the PFS is already artificially illuminated. The proposal would be in keeping with its commercial surrounding context. The closest property is the neighbouring hotel. While the advertisement would be slightly taller than the boundary hedge, it would be largely screened from the hotel by intervening vegetation. Moreover, there appear to be no facing windows in the hotel, and likely only limited and oblique views from the window in its roof dormer. Therefore, there would be no unacceptable adverse effects on amenity.
9. The PFS is on a relatively straight stretch of road with restricted speed. There are entrances to properties to either side, but there are no busy or complicated junctions and no pedestrian crossings in the immediate vicinity. Moreover, while the advertisement would be designed to attract attention, it would not be unexpected given the commercial context of the PFS and it would not impede visibility nor unduly distract drivers. The proposal would not result in conflict between road users nor be detrimental to the safe operation of the highway.
10. Therefore, I conclude that the proposed advertisement would not harm amenity and it would not harm public safety. Consequently, it would not conflict with the PPG or the Framework. Although not determinative in the appeal, the proposal would accord with the aims of policy DM17 of Cheshire West and Chester Council Local Plan (Part Two) Land Allocations and Detailed Policies.

Conditions

11. The Council suggests an additional condition over the 5 standard conditions set out in the Regulations, in order to ensure the display of static images only and not animated or video content. However, the advertisement is specified on the application form, including illumination levels and that the illumination would be static. Consequently, and as there is no suggestion that the proposal would harm amenity or public safety, non-standard conditions are not demonstrably necessary.

Conclusion

12. For the reasons set out above, I conclude that the proposed advertisement would not harm amenity or public safety. Therefore, the appeal should be allowed subject to the standard conditions set out in the Regulations.

Sarah Manchester

INSPECTOR