



Appeal Decision

Site visit made on 24 February 2026

by **D R Kay BA Dip.Arch RIBA**

an Inspector appointed by the Secretary of State

Decision date: 27 March 2026

Appeal Ref: APP/N0410/H/25/3375694

102 Service Station, Lent Rise Road, Burnham, Buckinghamshire SL1 7BH

- 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 Buckinghamshire Council.
 - The application Ref PL/25/1824/AV was approved on 18 September 2025, and express consent was granted for the display of an advertisement subject to conditions.
 - The advertisement permitted is the installation of an internally illuminated digital display advertisement board.
 - The conditions in dispute are Nos 6 and 7 which state that:
 - 6) *'The signs hereby permitted shall not be illuminated between the hours of 11pm and 7am';* and
 - 7) *'Unless otherwise permitted, the minimum display time for each advertisement shall be 20 seconds and the advertisement shall not include any features which would result in interactive messages / advertisements being displayed'.*
 - The reasons given for the conditions are:
 - 6) *'In order to protect the residential amenities of nearby properties. (Policy EP7 of the South Bucks District Local Plan (adopted March 1999) refers.);'* and
 - 7) *'In the interests of amenity, public safety and in order to retain effective planning control.'*
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Decision

1. The appeal is allowed and the express consent Ref: PL/25/1824/AV for the display of an internally illuminated digital display advertisement board, at 102 Service Station, Lent Rise Road, Burnham, Buckinghamshire SL1 7BH, granted on 18 September 2025 by Buckinghamshire Council, is varied by deleting conditions 6 and 7 and substituting them for the following conditions:
 - 6) The sign hereby permitted shall not be illuminated between the hours of 11:00pm and 6:00am
 - 7) Unless otherwise permitted, the minimum display time for each advertisement shall be 10 seconds and the advertisement shall not include any features which would result in interactive messages / advertisements being displayed.

Preliminary Matters

2. There are differences in the description of development between the application form and the Council's decision notice. For the purposes of the header, I have used a blend of both, to provide a more accurate description of development.
3. Powers under the Control of Advertisements Regulations should be exercised only in the interests of amenity and public safety, taking account of cumulative impacts.
4. Whilst conditions placed on grants of express consent are not 'planning conditions' as such, the tests for planning conditions set out in para 57 of the National Planning

Policy Framework (the Framework) are a similarly sound basis to consider appeals against conditions imposed when granting express consent.

5. Therefore, I have considered the appeal with regards to the above and to the relevant policies of the South Bucks District Local Plan, only insofar as they are relevant to amenity or public safety.
6. Section 79(1) of the Town and Country Planning Act 1990 allows me to allow or dismiss the appeal or reverse or vary any part of the decision (whether the appeal relates to that part or not) and I may deal with the proposal as if it had been made to me in the first instance. This means that if I determine that a condition should be changed or amended in some way, the appeal is allowed regardless of whether this reflects the amendments sought by the appellant.

Main Issues

7. The main issues are whether Conditions 6 and 7 are reasonable and necessary having regard to the visual amenity of the surrounding area and to public safety.

Reasons

8. The appeal site consists of an internally illuminated signage structure erected within the forecourt of a fuel service station. The signage unit is located to the front of the site, perpendicular to the road, to which it presents its end elevation, around 1 metre from the rear of the footpath of Lent Rise Road. It sits adjacent to a high brick side boundary wall, which separates the service station from a neighbouring two-storey residential property, which presents its side gable to the service station, and which is situated around 2.5 metres to the other side of the boundary wall. This property has one small window at its upper level within this side wall. The signage unit is not illuminated to the side facing this neighbouring property.
9. To the other side of Lent Rise Road, there are a pair of two-storey Victorian semi-detached residential properties, an adjacent detached building with a shop at ground floor level and with accommodation above, and a church. The church and the service station occupy opposing corner plots at a 4-way staggered road junction, which is controlled via two interlinked mini-roundabouts. The illuminated face of the advertisement unit faces the service station forecourt and the road junction, around 50 metres beyond.

Visual Amenity

10. Condition 6 restricts the hours of illumination of the advertisement unit, requiring it to be turned off between the hours of 11:00pm and 7:00am. The reason stated was to protect the residential amenities of nearby properties. The closest properties likely to be so affected would be the pair of semi-detached dwellings and the accommodation above the shop unit on the opposite side of Lent Rise Road. Each of these would view the illuminated screen at a greater or lesser degree of acute angle, in terms of direct viewing.
11. The forecourt of the service station is subject to significant illumination, either through lights mounted within the underside of the canopy, from the associated shop, or from high level lights mounted on free-standing columns, one of which is located within around 1 metre of the advertisement unit. I also observed at my visit that the hours of operation displayed for the service station are from 6:00am to 11:00pm.

12. Within this context, residents within properties close to the service station are likely to be familiar with lighting from the service station at night and early in the morning in the darker months of the year. However, this lighting is likely to diminish following the closing of the service station at its advertised hours. Whilst there is street lighting present within the area, no evidence is before me which defines whether this operates continually through the hours of darkness.
13. The appellant considers that illumination of the advertisement unit throughout the hours of darkness, due to the reduced intensity of illumination, would not harm the amenity of the surrounding area or its residents. However, I find that due to the regular change in the advertisements being displayed, there would inevitably be variation in resulting illuminance levels, even allowing for a maximum candela restriction. During daylight hours, or when the sign is read against a constant level of illumination from the service station, this would be imperceptible. However, judged against the backdrop of the service station when closed, with little or no background illumination, the perception of the changing illuminance levels experienced would be more acute, leading to harm to the visual amenity of the surrounding area and its residents.
14. Whilst for the above reasons, I find the condition to be necessary, I find it would not be reasonable to control the hours of its illumination differently to the hours of operation of the service station in which it is located. Accordingly, I have varied the hours of control on illumination to match those advertised for the service station.

Public Safety

15. The appellant applied for the change times for the advertisements at a minimum of 10 second intervals, representing 6 advertisements per minute. This is the industry standard for similar internally illuminated advertisement units, using the model conditions from the Institute of Lighting Professionals (ILP) Technical Note 5 'The Brightness of Illuminated Advertisements including Digital Displays' (PLG05/23).
16. The Council consider that a lengthened interval between changes in advertisements is justified due the proximity of the illuminated unit to the road junction, and its potential to distract drivers, with consequent risks to public safety.
17. Having carefully examined the relationship between the advertisement unit, the service station and the road junction at my visit, the nature of the double mini roundabout is complex. There are also multiple other signage elements within the service station, along with traffic entering, moving within, and exiting the service station. Coupled to this is the presence of a significant mature shrub landscape feature, at the corner of the service station, where it abuts the traffic island, which partially obscures views of the advertisement unit from some directions.
18. Accordingly, I find that drivers would be concentrating on multiple other stimuli related to moving through the junction, such that the frequency of change in advertisements on the display unit, would not be a point of focus to the extent of being a distraction. Moreover, the unit would be at a distance, would be likely to be obscured, or partially obscured, by landscaping, other signage or other vehicles. Therefore, I do not find that a more frequent change in the frequency of presentation of advertisements within the display unit, would be likely to contribute to any greater distraction of drivers and therefore any greater public safety risk.

19. I therefore find the condition to be necessary, but it would not be reasonable to restrict the timing between changes of advertisement, differently from the industry standard. I have, therefore, varied the minimum display time for each advertisement accordingly.

Conclusion

20. It is reasonable and necessary to impose a condition to control the timing of the unit's illumination. However, I have varied the hours of its operation to coincide with the opening hours of the service station within which it is located. Consequently, Condition 6 would comply with the tests for planning conditions set out in paragraph 57 of the Framework and the related advice in Planning Practice Guidance (PPG).
21. It is reasonable and necessary to control the minimum timing for the display of each advertisement. However, I have varied the minimum timing to accord with that of the industry standard. Consequently, Condition 7 would comply with the tests for planning conditions set out in paragraph 57 of the Framework and the related advice in PPG.
22. For the reasons above, I conclude that the digital advertisement display board would not be detrimental to the interests of visual amenity and public safety. Therefore, the appeal should be allowed and the express consent varied by deleting the disputed conditions and substituting them with the revised conditions.

D R Kay

INSPECTOR