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## Appeal Decision

Site visit made on 25 February 2026

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 March 2026

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**Appeal Ref: APP/B1605/Z/25/3373045.**

**Petrol Filling Station, Bouncers Lane, Prestbury, Cheltenham, GL25 5JF.**

- 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 Cheltenham Borough Council.
  - The application Ref is 25/00998/ADV.
  - The advertisement proposal is installation of digital advertising display.
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### Decision

1. The appeal is allowed and express consent is granted for the display of a digital advertising display at Petrol Filling Station, Bouncers Lane, Prestbury, Cheltenham, GL25 5JF, in accordance with the terms of the application, Ref 25/00998/ADV. 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 and the following additional conditions:

1)

The development shall be undertaken in strict accordance with the following approved drawings:

- 25618/PA/01 Site Location Plan
- 25618/PA/02 Existing Site Plan
- 25618/PA/03 Proposed Site Plan
- 25618/PA/04 Site Location Plan
- 25618/PA/05 Existing and Proposed Elevations
- 25618/PA/06 Specification
- 25618/PA/07 CGI

2)

There shall be no moving images, animation, video or full motion images displayed unless otherwise permitted by this consent.

3)

In the hours of darkness, the advertisement display luminance shall be no greater than 300cd/m<sup>2</sup> in accordance with the recommended maximum night time luminance value set out for Environmental Zone 4 in Table 10.4 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m<sup>2</sup>.

4)

In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright nor too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institution of Lighting Professionals – Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m<sup>2</sup>.

5)

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 or advertisements being displayed.

6)

The interval between successive advertisements shall be no greater than 1 second and the complete display shall change without effect. The display to include a mechanism to default to a blank or black screen in the event of malfunction, or if the advertisement is not in use.

7)

No images displayed shall resemble official road traffic signs, traffic lights or traffic matrix signs.

### **Main Issues**

2. The main issues are the effects of the proposed digital advertising display on environmental amenity and public safety, taking account of any cumulative impacts.

### **Reasons**

#### *Amenity*

3. Bouncers Lane as a whole is a predominantly residential street and evidently quite tranquil for much of the time. However, development in the vicinity of the appeal site includes not only the filling station itself, with its retail shop and car wash, but also a garage, a church hall, a pub and the nearby Prestbury and St Mary's Infant and Junior Schools.
4. The 2.4m by 1.2m proposed illuminated sign would stand within the filling station forecourt, against the boundary fence with No 28 Bouncers Lane, although it would rise some way above the top level of that fence.
5. The sign would be viewed mainly from the front and from the north in the context of the typically commercial filling station premises, with the usual central canopy and totem sign at the middle of the street frontage.
6. I agree with the Appellants that the sign would not appear unduly bulky in the street scene, and it would not directly face any residential property. The sign would be seen in the context of normal street furniture, traffic signs and lighting as well as existing advertising at other commercial premises nearby.
7. The main amenity concern is the effect of the illumination of the sign, especially during dark winter mornings and evenings, even if it were switched off overnight. It

is critical that, to be acceptable, the level of lighting must be controlled to avoid undue visual intrusion.

8. It is the stated aim of the Appellants that the proposed sign would follow modern industry standards and appear similar to a traditional paper advertisement panel or a computer screen and not a bright light source, such as a street lamp. This is evidently achievable by way of threshold controls, timers and light sensors to control luminance, in particular to no more than 300cd/sqm during hours of darkness.
9. The changing static displays would relate to the goods and services associated with the filling station or similar businesses, of primary concern to their visiting customers. I do recognise that, in times of darkness, glow from the illuminated sign might be visible from No 28 and other dwellings in Bouncers Lane. However, I do not consider that the periodically changing images would be unduly distracting to residents and passers-by, given the proposed controls over lighting. The latter could be secured by conditions, suggested by the Appellants, in line with the model conditions recommended by the Institute of Lighting Professionals.
10. Overall, I am satisfied that, with the suggested conditions in place to control illumination levels, the proposed advertisement display would not appear unduly incongruous in its setting, given the existing level of commercial activity, signage and street lighting in this part of Bouncers Lane.
11. Therefore, I find that the proposed digital advertisement display would have no unacceptably adverse impact on the character or appearance of the site and its surroundings or harm the visual, environmental or residential amenity of the locality.

### *Safety*

12. Whilst the Council did not refuse the application on public safety grounds, objections are raised by local residents in this regard. With the Prestbury St Mary's Infant and Junior School and the Chiltern Road junction in close proximity to the filling station on Bouncers Lane, it is clearly paramount that any potential effect of the proposed illuminated advertisement display on public safety, and on road safety in particular, is carefully considered. That is notwithstanding that the highway authority has no objection to the proposed sign.
13. It is understandable that parents in particular should be concerned for the safety of very young children who frequent this part of Bouncers Lane at the beginning and end of school hours when the area is busy with school traffic. The fear would be that distraction by the new illuminated display could give rise to inattention by children and adults crossing the road and entering or leaving vehicles, so increasing the potential for accidents.
14. However, on careful consideration of the proposal above, in connection with amenity, I have already reached the judgement that the display would not be so incongruous or so brightly lit that, even with its changing static images, it would not be so noticeable as to harm the local amenity. It follows that the proposed display would not cause such a degree of distraction as to pose any additional threat to public safety on Bouncers Lane above that which exists at present.

### *Other Matters*

15. Illuminated advertising displays of the type proposed in this case are commonplace across the UK and the remotely controlled sign would potentially be beneficial to amenity in that it could lead to a reduction of service visits and existing advertising clutter on the site, albeit that is not certain. The Council and residents question the necessity for the illuminated sign in this location, but need is not decisive where a proposal is otherwise acceptable. None of these factors, nor the many examples cited in precedent by the Appellants, have much influenced by conclusions on the present appeal, which is for assessment on its specific effects on amenity and safety.

### *Conclusions*

16. With respect to amenity, I consider that the appeal proposal is essentially compliant with the provisions of Policies D1 and D2 of the Adopted Cheltenham Plan (CP) that, consistent with national planning policy, advertisements should be designed to respect neighbouring development and avoid harm to visual amenity and the character of the immediate area. I also consider that the proposal is compliant with the requirement of CP Policy SL1 that development should not endanger public safety. Those policies are also consistent with Policies SD4 and SD14 of the adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy as well as with national policy.
17. For the reasons explained, I conclude that this appeal should be allowed subject to the conditions set out above.

*B J Sims*

INSPECTOR