
Appeal Decision

Site visit made on 11 February 2025

by **Helen Hockenhull BA (Hons) B.PI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 February 2025

Appeal Ref: APP/V4250/Z/24/3352819

110 Woodhouse Lane, Wigan, WN6 7LZ

- 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 Wigan Metropolitan Borough Council.
 - The application Ref is A/24/97255/AD.
 - The development proposed is the erection of new digital poster display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) sets out that powers under those Regulations shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.
3. The Council's reasons for refusal refer to the Advertisement Design Guide Supplementary Planning Guidance. The appellant indicates that they have not been able to view this guidance, and I have not been provided with a copy. I do not take account of it in my decision.

Main Issue

4. The reasons for refusal do not allege any harm in respect to public safety. Therefore, the main issue is the effect of the proposal on amenity.

Reasons

5. The appeal site relates to a commercial property at the junction of Woodhouse Lane and Waterloo Street in Wigan. There is an existing advertising hoarding on the side elevation of the property, and it is proposed to upgrade this with an internally illuminated digital poster display. The overall dimensions of the new display would be 6 metres by 3 metres, approximately the same size and position as the existing advertisement. The proposal would display multiple static images on rotation every 10 seconds.
6. This section of Woodhouse Lane is mainly residential in character apart from the small commercial premises that would host the advertisement and a Church and

community centre to the north. The area is well lit, and the commercial premises has an externally illuminated fascia sign and a projecting sign.

7. During the daytime, the appellant advises that the screen can adjust to changes in ambient light ensuring that the brightness decreases in lower light conditions, for example if it is overcast. I am satisfied that during the day, the display would not appear significantly more prominent than the existing advertisement and would not cause harm to the visual amenity of the area.
8. However, at night, the proposed advertisement, due to its scale, illumination and changing images would be far more noticeable and striking in the street scene than the existing advertisement. As a consequence, the proposal would form an incongruous feature causing visual harm to the amenity of this predominantly residential area.
9. Immediately opposite the proposal is the side gable of an existing residential property which has ground floor and first floor windows facing the proposed advertisement. The proposal would be visually prominent and due to its scale, changing images and proximity to habitable room windows, would adversely affect the amenity of the occupants of the adjacent property.
10. I acknowledge that the appellant's proposal to control the illumination of the advertisement to 150cd/m², is half that recommended by the Institute of Lighting Professionals. This could be the subject of an appropriately worded planning condition. The appellant has also submitted a light spillage diagram which demonstrates that the light from the proposed display would not extend to the windows of the residential property across the road. Nevertheless, whilst this measure would assist to control light levels, due to the changing images at frequent intervals, it would not overcome the harm to outlook and overall visual amenity of the occupants of the adjacent property.
11. Given the above, I conclude that the appeal proposal would be out of keeping with its surroundings in this predominantly residential area causing harm to the amenity of the area and that of the occupiers of the neighbouring residential property. The proposal would fail to accord with Core Strategy Policies CP10 and CP17 and Policy JP-P1 of the Places for Everyone Development Plan 2022- 2039 which seek to provide high quality design, ensure that development has no unacceptable adverse impact on amenity and enable high quality digital infrastructure provision.

Other Matters

12. The appellant has provided examples of other locations where digital signs have been erected to demonstrate how the display would present itself during the day. Whilst I have had regard to these, they do not overcome my concerns particularly in terms of the impact of the display at night. I have also been provided with photographs of displays located on the gable ends of properties within residential areas. Unfortunately, I have limited information about the nature of these sites or the surrounding areas to enable me to make an informed comparison with the appeal case.
13. The appellant has brought my attention to a number of benefits associated with digital advertising which I have noted. Whilst these weigh in favour of the scheme, they do not overcome the harm I have found in respect to amenity.

Conclusion

14. For the reasons given above, and having had regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR