



Appeal Decision

Site visit made on 3 June 2025

by A Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/B2355/Z/24/3351683

Wynsors World Of Shoes, Newchurch Road, Stacksteads, Bacup OL13 0BL

- 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 Mr Graeme Hughes of Alight Media Ltd against the decision of Rossendale Borough Council.
 - The application Ref is 2024/0270.
 - The advertisement proposed is installation of 1 x 48 sheet freestanding LED illuminated advertising display unit, measuring 6.4m in width x 3.4m in height and comprising a pressed metal frame and sealed LED screen.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in terms of amenity and public safety, taking into account the provisions of the development plan only insofar as they are material and any other relevant factors. Insofar as it is relevant, I have also had regard to the latest version of the National Planning Policy Framework (the Framework), which was published in February 2025.

Main Issue

3. The reason for refusal did not allege any harm in relation to public safety and from the evidence before me and my own observations, I have no reason to disagree. Therefore, the main issue in this case is the effect of the proposed advertisement on amenity, that being visual amenity.

Reasons

4. The appeal site is a small, grassed parcel of land between the pavement and a stone boundary wall. It is located on the east side of Newchurch Road which generally encompasses a mix of traditional residential terraces and commercial premises of various sizes and uses along its length. While commercial premises are a prominent feature of the street scene, particularly on the east side of the road, the steeply sloping and vegetated land to the west, opposite the site, provides an open and pleasing, semi-rural feel to the immediate area.
5. Although there is some commercial signage along the road, this almost exclusively relates to the business premises to which they are attached, with the exception of

a large poster display on the gable elevation of the nearby end terraced property at 18 Newchurch Road. However, this display is not illuminated.

6. The proposed freestanding illuminated display unit would take the form of a modern, digital six metres by three metres LED display board attached to two steel 'legs' with an overall height above ground level of approximately 6 metres. The illuminated display would show multiple static images on rotation around every ten seconds. An existing smaller directional sign for the adjacent business would be re-located to accommodate the proposed advertisement. I also note that an existing street pole would sit directly in front of the proposed advertisement.
7. Due to its height, the advertisement display unit would project significantly above the height of the adjacent boundary wall. It would be higher than the rooflines of the immediately surrounding buildings, including the building at the rear of the boundary wall, Wynsors and those at Riverside Business Park. Given the scale and prominent position of the structure, and the alignment of the road, the advertisement display unit would be visible from a long distance when travelling northbound along Newchurch Road. Views in this direction are framed by trees to the west and the terraced rooftops rising towards the ridge of the wooded hillside beyond the appeal site. In the above context, the advertisement display would be an overly dominant and incongruous feature in the street scene.
8. There is an illuminated totem sign and other signage at the nearby petrol filling station to the north of the appeal site, and the size of the proposed advertisement display would be typical of 48 sheet advertisement displays. Nevertheless, the proposed display unit would be substantial and the proposed illumination, with changing images would be extremely noticeable in the street. This would particularly so at night and in low daylight conditions, even though there are streetlights in the surrounding area. Even if conditions were imposed to regulate the level of illumination and changing images, the display would be eye-catching, since that is its inherent purpose.
9. As a consequence of its scale, position and illumination, the proposed advertisement display would not integrate positively in this location. Although the advertisement would be visible only from one direction in terms of movements along the public highway, the impact would be considerable in that direction. It would introduce a garish and discordant feature that would be visually intrusive to the amenity of the local area.
10. Furthermore, the proposal would increase the amount and range of advertising over and above the existing signs advertising specific businesses. The boundary wall would partially prevent the blank rear of the display unit being exposed to view, but there would nevertheless be a materially increased level of street clutter, and this too would result in harm to the amenity of the surrounding area.
11. I recognise Planning Practice Guidance¹ alludes to poster hoardings being more acceptable where there are large commercial buildings and main highways. Indeed, digital displays are increasingly common along busy arterial roads. However, in this particular street scene, highway infrastructure is not a dominant feature and the area is not exclusively commercial. Rather, the vegetated bank on the west side of Newchurch Road and the long-distance hillside views beyond the site are sensitive and important characteristics of the area. While well-designed

¹ Paragraph: 079 Reference ID: 18b-079-20140306

advertisement displays can provide positive visual interest in the right urban context, in this particular case the harm arising from increased visual prominence would not justify the harm I have found to the visual characteristics of the area I have set out above.

12. No heritage assets would be affected, and the site is not within an Area of Special Control, but there would nevertheless be harm to visual amenity.
13. For the above reasons, I conclude that the proposed advertisement would have a significant harmful effect on amenity due to its size, position and illumination.
14. In accordance with the Regulations, I have taken into account the provisions of the development plan only so far as it is relevant. Policy ENV1 of the Rossendale Local Plan 2019 to 2036, adopted December 2021, seeks, amongst other things, high quality development that takes account of the character and appearance of the local area including in terms of siting, scale and lighting. In the Framework, paragraph 141 highlights that the quality and character of places can suffer when advertisements are poorly sited and designed. Given that I have concluded that the proposal would harm amenity, it conflicts with this aspect of the Framework and relevant aspects of the development plan policy as outlined above.

Other Matters

15. The proposed advertisement would be a modern display using high-quality materials. It is stated that digital signage is a more sustainable method of display, however this would be in comparison to a traditional poster billboard which is not present at the appeal site. This consideration does not therefore offer any weight in support of the appeal proposal.
16. The appellant has directed me to examples of advertisements elsewhere that are said to be in a similar context to that of the appeal site. In the examples provided, while the size of the advertisement display is similar to the appeal proposal, at Accrington, the advertisement is attached to a two-storey gable wall, a solid backdrop, which is not the case here. At Blackburn, the advertisement is located adjacent to a wide, four-lane carriageway. That is not the case in this appeal where, in the vicinity of the appeal site, Newchurch Road is relatively narrow and enclosed by steep vegetated land to the west and buildings or walls close to the edge of the carriageway to the east. At Ipswich, the advertisement appears to be immediately adjacent to a backdrop of tall trees and railway infrastructure.
17. The context of these cases is not therefore comparable to the appeal site and do not provide justification for a similar installation in a location with different visual characteristics. In any event, while consistency in decision-making is important, I have determined the appeal on its own merits and concluded that it would cause harm for the reasons set out above.

Conclusion

18. For the reasons given above, the appeal is dismissed.

A Veevers

INSPECTOR