



Appeal Decision

Site visit made on 3 December 2025

by N Armstrong BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2026

Appeal Ref: APP/J4525/H/25/3369799

171 High Street, Easington Lane DH5 0JS

- 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 Sunderland City Council.
 - The application Ref is 25/00763/ADV.
 - The advertisement proposed is erection of 1 x D-poster advertisement.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed advertisement on:
 - the amenity of the area; and
 - public safety.

Reasons

Amenity

3. The appeal site comprises the gable end of a modest, two-storey building with a ground floor commercial use, detached from other development, and in a prominent position adjacent to High Street and a roundabout with the junction of Elemore Lane. The site is within the Easington Lane Local Centre, with a mix of residential and commercial development in the vicinity. The gable end of the host building is highly visible from the road and pavements in the immediate area. An adjacent area of grassed open space breaks up and softens the built form in the street scene. Bungalows on The Lawns are close to the appeal site, and residential properties are the predominant built form to the southern side of High Street, at Tower Court and along Elemore Lane in the immediate area of the site. Ground floor commercial uses are prevalent on High Street, largely further to the west of the site and to the northern side of the road.
4. The advertisement would occupy a considerable portion of the upper part of the gable end of the host building. Given the highly prominent position of the site, the proposed scale, elevated position and illumination, the advertisement would be a notable and dominating feature in the street scene in views towards the site from High Street and Elemore Lane. Due to its orientation, the gable end of the appeal site appears as a focal point at the northern end of the long, linear Elemore Lane. The adjacent open space separates the site somewhat from the higher

concentration of commercial uses on High Street. The advertisement would therefore be seen more in the context of a residential rather than a predominantly commercial setting in views from High Street, Elemore Lane and The Lawns close to the site.

5. The commercial uses in the surrounding area display a range of predominantly smaller advertisements, and there are no digital advertisements or those of a similar scale to that proposed apparent in the immediate area. Due to its considerable scale, illumination, and prominent position, the appeal proposal would be a visually intrusive advertisement in this location. Notwithstanding its location within a local centre, the proposal would therefore be out of context with other signage and the established character and appearance of the area. As such, even if there were no direct effects on nearby residential dwellings, the proposed advertisement would have a harmful effect on visual amenity.
6. The appellant identifies that an advertisement has previously been displayed in the same location as that proposed. However, I have few details of this previous advertisement, its planning history, or the circumstances of its installation and removal. The evidence indicates that it was a poster type display that was not illuminated and has not been displayed for several years. It therefore does not represent a clear context for the proposal before me. On this basis, a materially different advertisement displayed some time ago is a matter of limited weight in my decision.
7. While the introduction of advertising may facilitate the maintenance of the existing building elevation, there is no compelling evidence that the appeal proposal would be the only way to achieve this benefit, nor any indication of how the long-term maintenance of the surrounding building elevation could be secured.
8. Conditions could control the levels of illumination and operation of the advertisement, and the appellant suggests the proposal would mimic a more traditional poster display. However, despite existing street lighting, the proposal would result in a discordant feature and harm to the amenity of the area, and its siting, scale and illumination would accentuate this impact. I do not consider that the use of such conditions would adequately mitigate the visual impact, and they would not overcome the overall harm to amenity that I have found.
9. For the above reasons, I conclude that the proposal would have a harmful effect on the amenity of the area. In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations), I have taken into account the provisions of the development plan only insofar as they are relevant to amenity. Amongst other things, Policy BH4 of the Sunderland City Council Core Strategy and Development Plan 2015-2033 (2020) (the CSDP) states advertisements should be sympathetic to the character and appearance of their location and that illuminated advertisements should not adversely affect the amenity of the area. Given that it aims to protect amenity, it is material in this case. As I have concluded that the proposal would harm amenity, the proposal conflicts with this policy.
10. For the same reasons, the proposal would also be contrary to paragraph 141 of the National Planning Policy Framework (the Framework), which states, amongst other things, that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public Safety

11. The advertisement would be located close to the three-way roundabout where drivers would be negotiating this and any pedestrians using the uncontrolled crossing points and refuge islands, as well as bus stops. I visited the appeal site on a weekday afternoon and there was a steady and continuous flow of traffic, particularly along the busier High Street in comparison to Elemore Lane. Temporary traffic lights were in place to both sides of the roundabout on High Street and on Elemore Lane, closing off one lane due to maintenance of the railings to the northern side of High Street. Therefore, I was not able to observe the typical use of the roads and crossing points at this junction. However, from the information before me and my visit, I am satisfied that I am able to understand the layout at this point and the likely effects of the proposal.
12. The Planning Practice Guidance states that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety, including at junctions, roundabouts, pedestrian crossings or other places where local conditions present traffic hazards.
13. As established above, the advertisement would be in a prominent location and there is good forward visibility on the straight, single carriageway roads approaching the site and roundabout. Even with the pedestrian crossings, this comprises a straightforward arrangement that does not present significant technical difficulties for drivers. Due to the 30mph speed limits, traffic speeds would also be relatively low. Therefore, there would be time for drivers to assimilate the road conditions, including the proposed advertisement that would be comfortably within their field of view. In this context, conditions to ensure images are static and illumination levels are appropriate would mitigate potential adverse effects of driver distraction.
14. I am mindful that the Council's Future Transport comments raise concerns that the advertisement would be likely to cause a distraction to motorists with increased risk of collision, as well as potential for conflict between vehicles and vulnerable highway users. The Council has had the opportunity to comment further on the appellant's submissions, including the Highways Technical Note¹. However, I have no compelling evidence before me to indicate that there would be increased risks with adverse effects in relation to highway and pedestrian safety in this location.
15. Consequently, I conclude that the proposal would not unacceptably harm public safety. In accordance with the Regulations, I have taken into account the provisions of the development plan insofar as they are relevant to public safety. Amongst other things, Policies ST2 and ST3 of the CSDP aim to ensure there will not be a severe impact on the safe operation of the highway network, and that proposals would not increase the risk of accidents or endanger the safety of road users. Given my conclusion on this main issue, the proposal would not conflict with these policies.

¹ Axis, Highways Technical Note 01, 5241-01-HTN01, dated July 2025

Other Matters

16. I have had regard to the examples of other advertisements in various locations submitted with the appeal, as well as an appeal² for a digital sign in Manchester. Despite some apparent similarities of roadside and mixed-use locations, I have not been provided with full details of those proposals, their wider site context or the circumstances in which they have been permitted. Some examples, including at 194 Southwick Road and 3 Western Hill, relate to the replacement of existing signs, which differ from the appeal proposal. Therefore, I am unable to draw any direct comparisons from these with the scheme before me that would weigh in its favour or justify the harm that I have found on amenity. Furthermore, my assessment is based on the impact of the advertisement in this particular location.
17. The appellant references rationalisation, modernisation and decluttering associated with digital upgrades. I have also had regard to the appellant's other suggested benefits of digital advertising. As there is no existing advertisement on this appeal site, such benefits would not arise. There may also be some economic and social benefits arising, and I acknowledge the appellant's references to the Framework in this respect. However, my judgement is based on the effect that the proposal would have on the interests of amenity and public safety. I do not consider that the above matters would justify the harm that I have identified.
18. Both parties agree that the proposal would not harm the setting of the nearby Grade II listed war memorial, and I have no reason to disagree. However, the absence of heritage harm is a neutral matter that does not weigh in favour of the proposal.

Conclusion

19. For the reasons given above, and having had regard to all matters raised, I conclude that the proposed advertisement would harm amenity, and the appeal should be dismissed.

N Armstrong

INSPECTOR

² Appeal reference APP/B4215/Z/22/3303626