



Appeal Decision

Site visit made on 13 January 2026

by **E Dade BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st January 2026

Appeal Ref: APP/E5900/H/25/3374948

Land adjacent Rothbury Road & East Cross Route, Tower Hamlets E9 5EP

- 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 the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/25/01224/NC was approved on 3 October 2025 and express consent was granted for the display of an advertisement subject to conditions.
 - The advertisement permitted is display of 2no free-standing landscape digital display units (12m by 3m).
 - The condition in dispute is No 2 which states that:
“The illumination of the signage hereby approved shall, during the hours of darkness (between sunset and sunrise) not exceed 300 cd/ m2.
Daytime lighting levels (between the hours of sunrise and sunset) shall not exceed 3500 cd/m2 and shall be controlled by light sensors to vary the brightness of the screens according to the brightness of the day.
The panels shall not display any image with bright white / bright red background.
The panels shall not display any image with long text messages.
No intermittent or flashing lighting shall be used. No moving features, animations or exposed cold cathode tubing shall be displayed.
The frequency of image changes would be no more often than every 10 seconds.”
 - The reasons given for the condition is: “In the interest of visual amenity and highway safety and to accord with policies D.DH10 and S.TR1 of the Tower Hamlets Local Plan 2031 (2020)”.
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Decision

1. The appeal is allowed and the express consent Ref PA/25/01224/NC for display of 2no free-standing landscape digital display units (12m by 3m) at land adjacent Rothbury Road & East Cross Route, Tower Hamlets E9 5EP granted on 3 October 2025 by the Council of the London Borough of Tower Hamlets is varied by deleting condition 2 and substituting it for the following condition:
 - 2) The illumination of the signage hereby approved shall, during the hours of darkness (between sunset and sunrise) not exceed 300 cd/m2.

Daytime lighting levels (between the hours of sunrise and sunset) shall not exceed 3500 cd/m2 and shall be controlled by light sensors to vary the brightness of the screens according to the brightness of the day.

No intermittent or flashing lighting shall be used. No moving features, animations or exposed cold cathode tubing shall be displayed.

The frequency of image changes would be no more often than every 10 seconds.

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the regulations) requires advertising be controlled in the interests of amenity and public safety, taking into account the provisions of the development plan in so far as they are material, in addition to any other relevant factors¹. Therefore, in my decision, I have had regard to the development plan only in respect of matters of amenity and public safety.

Main Issue

3. Having regard to the above, the main issue in this appeal is the effect of varying condition no 2 on amenity and public safety.

Reasons

4. The appeal site comprises land between the A12 dual carriageway and mini roundabout junction at Rothbury Road / Wansbeck Road. The site is currently in use for the display of advertisements, hosting two existing display units which are oriented to face the A12 dual carriageway. The permitted scheme would replace the existing advertising display units.
5. Regulation 3.(4) states that unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed. The Planning Practice Guidance (PPG) states that if a local planning authority decides to impose conditions on an advertisement consent which are additional to the standard conditions, these must be supported by specific and relevant planning reasons². Furthermore, paragraph 57 of the National Planning Policy Framework (the Framework) requires planning conditions be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
6. In October 2025, the Council granted advertisement consent for the display of two free-standing landscape digital display units each measuring 12m wide by 3m high³. This grant of express advertising consent is subject to the five standard advertising conditions, and a further two conditions were imposed by the Council. The appeal is made directly against condition no 2 imposed on the grant of express consent.
7. The proposal, in effect, seeks to modify condition no 2 through omitting the third and fourth clauses, which state: "*The panels shall not display any image with bright white / bright red background*"; and "*The panels shall not display any image with long text messages*".
8. Condition no 2 was imposed in the interest of visual amenity and highway safety, and to accord with policies D.DH10 and S.TR1 of the Tower Hamlets Local Plan 2020 (THLP). The third and fourth clauses of condition no 2 appear to reflect advice from Transport for London (TfL), dated 12 August 2025, to avoid excessive distraction and glare to drivers and thus relates to matters of public safety.

¹ Part 1, regulation 3.(1)

² PPG ref: Paragraph 034 Reference ID: 18b-034-20140306

³ LPA ref: PA/25/01224/NC

9. The first two clauses of condition no 2 concern the illumination of the signage, setting maximum lighting levels for night and day and includes control by light sensor to vary brightness depending on ambient daylight conditions. These are necessary requirements in accordance with industry standards to prevent harm to public safety. The proposed amended condition would retain these requirements.
10. However, the relationship between background colour and glare has not been explained. Therefore, since lighting levels are stipulated by the condition, it is unclear how use of certain background colours, namely bright white or bright red, would result in glare for drivers.
11. The Council suggest condition no 2 is intended to prevent the display of any image with a high contrast. However, it is not explained why bright white or bright red would be more distracting for drivers than any other bright colour. Furthermore, the submitted evidence does not specify what constitutes a high contrast bright white or bright red background and does not explain how prohibiting use of those colours would avoid display of high contrast images.
12. TfL assert that display of images containing long text messages may distract drivers from paying attention to road conditions. However, the number of characters which would constitute a 'long text message' is not specified and no evidence has been provided to demonstrate use of lengthy text would be more distracting to drivers than any other image.
13. The site is an established location for display of advertisements and this section of the A12 dual carriageway is understood to have a good safety record. The risk to highway users of display of images containing bright white or red background colours or long text messages has not been quantified. Therefore, the submitted evidence does not demonstrate it would be necessary to restrict use of background colour or text. Consequently, I have no compelling reason to consider the proposed variation of condition no 2 would result in harm to public safety.
14. To the west of the site are modern office buildings and an industrial estate. In its assessment, the Council concluded the displays would remain proportionate to the scale of the surrounding commercial and industrial buildings and would not result in any material additional or undue visual impact. In addition, the Council concluded that since there are no residential properties in the immediate area, there would be no impact on neighbouring amenity. Therefore, I have no reason to consider the proposed variation of the condition would harm amenity.
15. For these reasons, I am satisfied the modified condition would maintain, and thus would not harm, amenity and public safety.
16. In so far as relevant to amenity and public safety, the proposal would comply with THLP Policy D.DH10, which requires advertisements complement the character, appearance and visual amenity of the site and surrounding area and not adversely affect public or highway safety, and would accord with THLP Policy S.TR1 which requires development not adversely impact on the safety of the transport network.

Conditions

17. As set out in the decision above, I have varied the express consent by deleting condition no 2 and substituting it with a version which omits the third and fourth clauses relating to background colour and long text messages. I have retained all

other clauses of condition no 2, which are necessary for the purposes of maintaining amenity and public safety and are compliant in all other regards with the tests at paragraph 57 of the Framework.

Conclusion

18. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

E Dade

INSPECTOR