



Appeal Decision

Site visit made on 4 February 2026

by **S F Barnes MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 February 2026

Appeal Ref: APP/K0235/Z/25/3375986

66A Elstow Road, Bedford MK42 9LP

- 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 Bedford Borough Council.
 - The application Ref is 25/01254/ADV.
 - The advertisement proposed is a digital advertisement display.
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Decision

1. The appeal is allowed and express consent is granted for the display of a digital advertisement display at 66A Elstow Road, Bedford MK42 9LP in accordance with the terms of the application, Ref 25/01254/ADV, dated 16/06/2025. 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 non-standard additional conditions in the schedule attached at the end of this decision.

Preliminary Matters

2. The application form describes the proposal as '*replacement of a paper and paste display board with a digital advertisement display*'. For clarity, I have omitted words in the original description above from my formal decision as these do not relate to the advertisement proposed.
3. The Regulations¹ require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The Council's reason for refusal relates specifically to matters of amenity. Subject to a number of suggested conditions, no objection was raised by the Council on public safety grounds. I find no reason to take a different view on that matter.

Main Issue

4. Having regard to the above, the main issue is the effect of the proposed advertisement on amenity.

Reasons

5. The appeal building is a 2-storey, end terrace corner property on Elstow Road, within the urban area of Bedford. This part of Elstow Road has a mixed residential and commercial character. Neighbouring uses include a petrol station on the opposite corner and ground floor commercial units with residential accommodation above, such as the property opposite, 68 Elstow Road (No 68). Illuminated

¹ Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

features in the immediate vicinity include a street light column on this corner of Elstow Road and the petrol station's totem advertisement.

6. The proposal would replace an existing non-illuminated display with an LED-illuminated digital display panel of similar scale and position. Parts of the panel would align with the positions of first-floor windows at No 68, consisting of one narrow window at its side wall and another at the side of its front bay feature.
7. Due to the proximity of the nearest residential windows, the proposed illuminated display could result in annoyance, distraction or visual discomfort to the occupiers of No 68. However, the panel would only display static images and its intensity of illumination would adjust automatically in response to changing ambient lighting conditions.
8. Both the main parties have referred to relevant guidance within a publication by the Institute of Light Professionals (ILP)². For daytime operation, a recommended maximum sign luminance of upto 5,000cd/sqm applies in most categories of ambient light conditions defined by this publication. The proposed display's stated maximum luminance would be within those recommended limits. No substantive evidence is before me which demonstrates that a display operating in accordance with the ILP's recommended daytime limits would result in harmful light intrusion on the occupiers of No 68.
9. The proposed maximum sign luminance of 300cd/sqm at night is the level advised by the ILP for suburban and urban surroundings at night, which would be acceptable in this location, given the existing luminance associated with street lighting and nearby commercial premises. The image changes would be at 10 second intervals. These would draw attention, consistent with their purpose, but would not give the advertisement any appreciable prominence within this mixed residential and commercial setting. Further mitigation would also be provided by operation of an illumination curfew, as suggested by the appellant.
10. Concluding on this main issue, the proposed advertisement would not harm amenity. Although not determinative, I find no conflict with Policy 34 of the Bedford Borough Local Plan 2030 (2020) insofar as it relates to amenity. This policy seeks to ensure advertisements have a positive visual impact on a building or on its surroundings.

Conditions

11. In addition to the five standard advertisement conditions set out in the Regulations, the appellant and local Highway Authority propose further non-standard conditions. I have considered these against the tests set out in the Framework and the advice in the Planning Practice Guidance and made such amendments as necessary to comply with those.
12. In the interest of public safety, particularly to avoid distractions to highway users, it is necessary to prohibit the display of moving or frequently changing images, prohibit display of any images that could be confused with traffic signage, ensure instantaneous transitions, and to provide a fallback in case of malfunction.
13. As I have set out, controlling the maximum value of sign luminance is necessary to avoid harmful light intrusion for neighbouring occupiers. It is also necessary to

² The Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays'

prevent glare and dazzle to road-users. The display must adjust to ambient light and remain within ILP limits day and night. Moreover, a nighttime illumination curfew is necessary in the interests of visual amenity of the area in general.

14. A suggested condition to time-limit commencement of development is unnecessary, as planning permission is not being granted. Express consent is to be granted in accordance with the terms of the application, including the duration of consent. A suggested condition defining approved plans and requiring adherence to them would duplicate the terms of my formal decision, so is unnecessary. Suggested wording that seeks to restrict display of advertisements containing interactive messages would not be precise, so has not been imposed.

Conclusion

15. For the reasons given, I conclude that the appeal should be allowed.

S F Barnes

INSPECTOR

Schedule of Non-standard Conditions:

- 1) No individual advertisements shall be displayed that contain moving images, animation, video or full motion images.
- 2) No individual advertisements shall resemble official road traffic signs, traffic lights or traffic matrix signs.
- 3) The intensity of the illumination of the display panel shall at no time exceed maximum daytime luminance values in cd/sqm as set within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays'.
- 4) During the hours of darkness (dusk to dawn), the intensity of illumination of the display panel shall not exceed 300cd/sqm and between the hours of 23:00 and 06:00, there shall be no illumination of the display panel.
- 5) The minimum display time for each advertisement shall be 10 seconds. The interval between successive advertisements shall be no greater than 1 second and the complete display shall change instantaneously.
- 6) The display shall include a mechanism to default to a blank or black screen in the event of malfunction, or when not in use.

End of schedule.