



## Appeal Decision

Site visit made on 3 March 2026

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7<sup>th</sup> April 2026

### Appeal Ref: APP/M3455/H/25/3375585

#### Land to the North West of Anchor Road, Stoke on Trent ST3 5BL

- 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 Stoke-on-Trent City Council.
- The application Ref 72017/AD was approved on 13 October 2025, and express consent was granted for the display of an advertisement subject to conditions.
- The advertisement permitted is described as 'Internally illuminated D48 advertising display'.
- The condition in dispute in No.2 which states that: The maximum luminance of any light source shall not exceed 300 candelas per square metre at night and 600 candelas per square metre during the day.
- The reasons given for the condition is: To limit the intensity of light and thereby reduce the potential for glare and dazzle which might distract drivers, in the interests of highway safety.

### Decision

1. The appeal is allowed and express consent Ref 72017/AD for 'Internally illuminated D48 advertising display' at Land to the North West of Anchor Road, Stoke on Trent ST3 5BL granted on 13 October 2025 by Stoke-on-Trent City Council, is varied by deleting condition 2 and substituting it for the following:
  - 2) The maximum luminance of any light source shall not exceed 300 candelas per square metre ( $\text{cd/m}^2$ ) during hours of darkness. In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions, and the luminance level shall not at any time exceed the recommended maximum daytime luminance values ( $5,000 \text{ cd/m}^2$ ) set out in Table 10.5 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 2023: 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide).

### Main Issue

2. The main issue is whether the disputed condition is reasonable and necessary in the interests of public safety.

### Reasons

3. The appeal site is adjacent a fuel station and car wash off Anchor Road. The Council granted express consent for the display of a freestanding illuminated advertisement display subject to conditions. The condition subject to this appeal sought to limit the luminance of the display in the interests of public safety to reduce potential glare and distractions for motorists using the road.

4. I note that the appellant does not disagree with limiting the luminance of the advertisement to 300 candelas per square metre ( $\text{cd/m}^2$ ) during hours of darkness. This would evidently be being in accordance with guidance set out in Lighting Guide PLG 05 (2023) (PLG05) issued by the Institute of Lighting Professionals. The photographs submitted with the appellant's evidence show this level is sufficient for the display to function adequately during hours of darkness.
5. However, the currently imposed luminance limit of  $600\text{cd/m}^2$  during hours of daylight would make the display difficult to see during bright light. This is also demonstrated in a submitted photograph of another advertisement display located elsewhere.
6. I am informed that the advertisement can be controlled remotely and responds to light levels during the day in real time. This would automatically adjust the display to reflect ambient light conditions when required in the same manner as a smart phone, ensuring the display would not be too bright.
7. In lower light, the illuminance would reduce to ensure the screen would not create any glare or dazzle for drivers, which could be detrimental to highway and therefore public safety. Although, I note the intention of the originally imposed condition, I see no reason to conclude that an increase of up to  $5000\text{cd/m}^2$  during daylight hours in line with expert guidance would be harmful to public safety. I have had regard to the wording of the condition suggested by the appellant to achieve this. Although I have amended the wording slightly, this is reasonable with respects to public safety.
8. For the reasons above, the disputed condition is not reasonable and necessary in its current form in the interests of public safety. I shall therefore allow the appeal and vary the original consent by deleting the disputed condition and substituting it with an amended condition.

### **Conclusion**

9. For the reasons given above the appeal should be allowed and the consent is varied by deleting condition 2 and substituting it in the terms set out above.

*C McDonagh*

INSPECTOR