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## 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: 8 April 2026

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**Appeal Ref: APP/M3455/Z/25/3376741**

**159 Waterloo Road, Stoke on Trent ST6 2ER**

- 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 Stoke-on-Trent City Council.
  - The application Ref is 25/AD/00159.
  - The advertisement proposed is 'One internally illuminated digital display advertisement'.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The decision notice includes references to policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted October 2009) (CSS) and guidance in the Urban Design Guidance Supplementary Planning Document (adopted December 2010) (the SPD).
3. However, powers under Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) to control advertisements may be exercised only in the interest of amenity and public safety, taking into account (a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach. As such, in my determination of this appeal, these policies have not in themselves been decisive but are material considerations.
4. To the south of the appeal site is a pair of semi-detached dwellings which form a Grade II listed building<sup>1</sup>. The decision notice does not include reference to the listed building as a reason for refusal, although the Council has provided the listing description in its evidence. As my decision does not involve the consideration of whether to grant planning permission, the statutory duty to preserve the building or its setting or any features of special architectural or historic interest which it possesses set forth in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply.
5. However, section 3(2)(a) of the Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The listed building is

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<sup>1</sup> List Entry Number: 1195855

located in relatively close proximity to the appeal site and makes a positive contribution to the amenity of the area. I note that the appellant has assessed any impacts upon the listed building as part of their evidence. As such they would not be prejudiced by my consideration of it.

## **Main Issues**

6. The main issues are the effects of the proposed advertisement on amenity and public safety.

## **Reasons**

### *Amenity*

7. The proposal would see the erection of an illuminated advertisement display to the side elevation of No.159 Waterloo Road. The host building has a red brick frontage with rendered sides, and the ground floor level was in commercial use at the time of my site visit. The advertisement display would measure some 6 metres (m) width by 3m height and would be positioned 4.85m above ground level. The elevation proposed for the display faces a car park used by an adjacent business to the north, while there are residential properties to the east and west. Generally speaking, the area is of mixed residential and commercial uses, while the A50 road runs roughly northwest to southeast past the host building.
8. The listed building is officially known as '184 and 186, Waterloo Road' and comprises a pair of imposing red brick semi-detached dwellings. Dating from the mid-19<sup>th</sup> century, the two properties are symmetrical and include projecting outer gables, casement windows and large chimneys. The special interest and significance of the listed building is therefore derived mostly from its architectural and historic interest including the building's age and association with the development of the area, its traditional construction and materials, and its pleasing architectural form and design. As such, the listed building makes a positive contribution to the amenity of the area and given the association with the history of this area, the appeal site is within its setting which makes a moderately positively contribution to its significance as a designated heritage asset.
9. While advertisements may be commonplace in the public realm generally speaking, in the immediate area they are not prevalent. The introduction of the advertisement at such an elevated level would make the display very prominent. Existing signage in the area is generally limited to shop fronts and a totem display at the nearby fuel station to the north. However, all examples I observed on my site visit were very muted in their design. In the context of the area, the addition of such a large, illuminated screen would be visually discordant and intrusive. Despite the use of conditions to control luminance, the proposal would result in a visually incongruous feature that would stand out from other more modest signage in the area. This impact would be compounded by the intermittent changing roughly every 10 seconds of the illuminated display that would significantly draw the eye, further accentuating its visual prominence and harmful effect on the amenity of the area.
10. The advertisement would face away from the listed building. However, due to the considerable size, elevated siting, strident illumination and dynamic changing display, it would disrupt and detract from medium to long range views of the listed

building along the A50 when travelling south, adversely altering how it would be experienced and undermining the ability to appreciate its significance.

11. I have little information on the host building before me, although from my observations it is utilitarian in its design and has little architectural merit. The advertisement would cover a significant proportion of the side elevation, although I would not consider it harmful to the host building as such.
12. There are residential properties in relatively close proximity to the display, particularly those to the northeast. While they may not face the advertisement directly, they would have views of it at an oblique angle and would be subject to increased light spill, particularly during hours of darkness. This would affect the living conditions of occupiers of these properties particularly during hours when they could reasonably expect to be able to relax in their homes. This would have an intrusive and potentially disturbing impact on the amenity of the occupiers of those properties. The existence of streetlights would not mitigate this effect to any significant degree.
13. The appellant has proposed conditions to control the level of illumination to meet best practice guidelines from the Institute of Lighting Professionals and to reduce the time of transitions between displays. However, due to the above reasons this would not be sufficient to mitigate the harm I have identified.
14. My attention is drawn to similar proposals approved by the Council or allowed at appeal. Be that as it may, each proposal is assessed on its own merits and the particular circumstances of these other cases, albeit in the same Council area, are materially different to the scheme before me. As such they do not convince me the proposal is acceptable on the basis of other approvals.
15. To conclude on this main issue, the proposal would harm the amenity of the area with regards to the character and appearance, the setting of a listed building and the living conditions of occupiers of nearby dwellings. Whilst not decisive this would conflict with policy CSP1 of the CS, which seeks to ensure new development would be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage and historic environment, among other things. In addition to that I have also had regard to the Framework which notes at paragraph 141 that the quality and character of places can suffer where advertisements are poorly sited and designed. The proposal would be conflict with this guidance as well as that found in the SPD as it relates to advertisements.

### *Public Safety*

16. I observed on my site visit that the A50 road was heavily trafficked even at the mid-afternoon hour. In the vicinity of the appeal site, the road was single lane in each direction with some limited time parking available and double red lines to the north and south otherwise.
17. The PPG chapter on advertisements advises that all advertisements are intended to attract attention. Of particular concerns are those which may those which obstruct or impair sightlines at corners, bends or at a junction, or at any point of access to a highway; those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or

signal; and those where the means of illumination is directly visible from any part of the road and subject to frequent changes of the display<sup>2</sup>.

18. Very clearly, the sign would be visible from the road to those travelling south. However, the road is straight for a considerable distance, has minimal traffic signs and has a 30 miles per hour speed limit. While the Council references a signal controlled junction nearby, I did not see this in the area. I note the appellant advises there is a junction, but it is some 750m from the appeal site, while the highways consultee did not reference a junction.
19. Based on the above, the proposal would not be harmful to public safety in terms of distracting and confusing motorists when travelling towards the advertisement. This would accord with policy CSP1 of the CS which seeks development which is safe, amongst other things. It would also accord with the advice in the SPD.

### **Other Matters**

20. I appreciate the proposal may bring some environmental and economic benefits. These include reduced energy consumption; using less paper; easy recycling of component parts; and a reduced number of maintenance visits to site. I am also informed of the contribution the advertisement sector makes to the economy as a whole. However, the Regulations require that I exercise my powers only with regard to amenity and public safety, albeit these benefits may be proffered as other relevant factors. In any event, these would not outweigh the harm I have identified.

### **Conclusion**

21. For the reasons given above, I find that the proposed advertisement would significantly harm amenity and therefore the appeal should be dismissed.

*C McDonagh*

INSPECTOR

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<sup>2</sup> Paragraph: 068 Reference ID: 18b-068-20140306