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## Appeal Decision

Site visit made on 24 March 2026

**by Tamsin Law BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 21 September 2026**

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**Appeal Ref: APP/U1620/Z/25/3376634**

**Advertising Display at 2 Kingsholm Road, Gloucester GL1 3AZ**

- 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 Elonex against the decision of Gloucester City Council.
  - The application Ref is 25/00773/ADV.
  - The advertisement proposed is the replacement of existing paper and paste advertisement on the side elevation of 2 Kingsholm Road with a digital LED-illuminated display board showing rotating series of advertisements.
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### Decision

1. The appeal is allowed and express consent is granted for the display of the replacement of existing paper and paste advertisement on the side elevation of 2 Kingsholm Road with a digital LED-illuminated display board showing rotating series of advertisements at 2 Kingsholm Road, Gloucester GL1 3AZ in accordance with the terms of the application, Ref 25/00773/ADV. 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 following additional conditions:
  - 1) In the hours of darkness, the advertisement display luminance shall be no greater than 300 candela per sqm in accordance with the recommended maximum night time luminance value set out in Table 10.4 within the Institution of Lighting Professionals – Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m2.
  - 2) In daylight hours, the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than the recommended maximum daytime luminance values set out in Table 10.5 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide) in cd/m2.
  - 3) The screen shall only be operated as follows:
    - i. images to be shown with no greater frequency than 10 seconds between each advert;
    - ii. no visual effects to be used during the time that any message is displayed – visual effects are deemed to include animated, flashing, scrolling, intermittent, or video elements;

- iii. the transitional time interval between successive displays shall be no greater than 0.1 seconds with no fading, swiping, or other animated transition methods between successive displays;
- iv. content to be limited to two dimensional display only and will not emit any noise, sound, smoke, smell, or odours;
- v. the display shall not include any features or odours which would allow interactive messages or advertisements to be displayed; and
- vi. the display shall be equipped with a dimmer control and a photo cell which shall constantly monitor ambient light conditions and adjust sign brightness accordingly.

### **Preliminary Matters**

- 2. Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) makes clear that advertisements should be subject to control only in the interests of amenity and public safety. Regard does not need to be had to the development plan. Therefore, while I have taken relevant policies of the Joint Core Strategy, the Gloucester City Plan and National Planning Policy Framework into account as material considerations, they have not been determinative. Further, I concur with the main parties that there are no public safety concerns in this appeal.
- 3. The appeal site lies adjacent to the Worcester Street Conservation Area (the CA). Accordingly, in my consideration of these appeals I have been mindful of my statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires special regard be paid to the desirability of preserving or enhancing the character or appearance of the CA. For advertisement appeals this is only relevant in so far as it relates to visual amenity.
- 4. The site is also close to Grade II listed buildings. Section 66(1) of the Act does not apply to applications for advertisement consent. Accordingly, in respect of this appeal, the proximity of the site to listed buildings is again only relevant insofar as it relates to visual amenity.

### **Main Issue**

- 5. The main issues are the effect of the proposed advertisement on the visual amenity of the area, with particular regard to the CA and Grade II listed buildings.

### **Reasons**

- 6. The CA derives its significance from its architectural and historic interest, its distinctive collection of 19th-century buildings, historic street layout, and cohesive townscape character. These elements collectively illustrate the historic development of Gloucester. The appeal site is also located close to Grade II listed buildings, The Church St Mark, front wall and gate piers, and 74 and 76 Worcester Road.
- 7. The appeal site is situated along Kingsholm Road, a busy main thoroughfare characterised at this point by a mix of commercial and residential uses. There is a variety of building scales and street furniture, including a rugby stadium and associated advertisements, paraphernalia and floodlights. The footway in the

vicinity of the appeal site contains various items of street furniture, including street signs, lamp posts, a street hub and bus stops. Together, these features, along with various illuminated and non-illuminated signage along the street, provide a modern, commercial context which defines the character and appearance of the area.

8. Due to the elevated position of the building, the size and illumination of the billboard and its siting high up on the host building, the display would be visible for a considerable distance. There are numerous fascia and projecting signs along Kingsholm Road which form part of the commercial context of the appeal site. Whilst none are as large as the proposal or are in a similar position on their host buildings, it would replace an existing paper and post billboard. Illuminated advertisements are also evident within the immediate and wider context. and the proposal would be viewed in the context of existing advertisements. This, combined with the commercial nature of the area, would mean that the proposed advertisement would not have a harmful impact on the visual amenity of the area.
9. The proposed advertisement would be visible from the CA and listed buildings. However, due to its location to the north of the CA combined with its location on the side of a building it would only be visible in views looking north, out of the CA. In these views it would be seen in the context of the rugby stadium, nearby commercial uses and public house. As the CA and listed buildings are already experienced, and in many cases, seen with, diverse advertisements, there would be no harm from the proposal being within their setting. Thus, it would preserve the settings of the CA and listed buildings.
10. Adjacent properties are set back from the road, and the billboard would be positioned perpendicular to them. Although there would be some light spill, given the orientation, separation distances and existing street lighting, the proposal would not result in unacceptable harm to the amenity of neighbouring occupiers. Furthermore, conditions limiting light levels would ensure that the proposal would not have a harmful impact on nearby occupiers.
11. In light of the above, the proposed advertisement would not harm visual amenity.

### **Conditions**

12. In addition to the standard conditions set out in the Regulations, conditions, which relate to luminance levels, display intervals and transitional arrangements are necessary in order to safeguard the visual amenity of the area.

### **Conclusion**

13. For the reasons given above the appeal should be allowed.

*Tamsin Law*

INSPECTOR