



Appeal Decision

Site visit made on 24 June 2025

by **G Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 July 2025

Appeal Ref: APP/H0738/Z/25/3365748

161- 162 High Street, Stockton on Tees TS18 1PL

- 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 Stockton-on-Tees Borough Council.
 - The application Ref is 25/0176/ADV.
 - The advertisement proposed is Advertisement consent for 1no internally illuminated wall mounted digital media screen.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the Guidance) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The reasons for refusal refer to Policies SD8 and HE2 of the Stockton-on-Tees Borough Council Local Plan (the LP)¹. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these policies into account insofar as they are material to matters of amenity, they have not been decisive in my consideration of this appeal.
3. The Council have not objected to the proposal on grounds of public safety, nor have I been presented with any further compelling evidence to lead me to reach an alternative conclusion on this matter.
4. Having regard to the above, the main issue in this instance is therefore the effect of the proposed advertisement upon amenity, having regard to Stockton Town Centre Conservation Area and nearby grade I, II* and II listed buildings.

Reasons

5. The appeal site is currently occupied by a wall-mounted 'paper-and-paste' advertisement panel at 161-162 High Street, positioned approximately at first floor level on the largely blank flank elevation of that building. The site lies in a prominent position towards the northern end of High Street where it splits at the junction with Norton Road and Bishopton Lane and is prominently sited when travelling south into High Street from the latter two roads.
6. The site lies in a predominantly commercial area, with shop fronts and commercial premises at ground floor levels on neighbouring units, albeit that the main body of

¹ Adopted 30 January 2019

the town centre lies further south along High Street and within the Wellington Square shopping centre. Residential uses are present on upper floors in some nearby buildings, including that of the public house, directly opposite the appeal site. At the time of my visit to the site, the current advertisement did not appear to be illuminated.

7. There is some dispute between the main parties as to the site's advertisement history. The appellant claims that the site benefits from over 10 years continuous display of advertisements, providing photographs that show an advertisement in place in approximately the same position as the existing panel (and proposed advertisement) in 2009, 2014, 2017 and 2024. The Council does not dispute that the site has been used for the display of advertisements, but notes that an advertisement was removed from site some time between June 2018 and November 2020, and not re-installed until late 2023. Although the Council has not provided any photographic evidence to support its timeline, this period coincides with a lengthy gap between the photographs supplied by the appellant.
8. There is nevertheless a broad consensus that the site is seen in a commercial context amongst a mix of shopfront signage. I agree. Thus, a public house lies in the site's foreground on approach from Bishopton Lane and the shopfronts at the junction of Norton Road and High Street as its backdrop. Similarly, from Norton Road, a long, modern and illuminated fascia sign of the commercial unit beyond on High Street provides an immediate backdrop to the proposed signage.
9. However, most of that signage is typically shopfront fascia signage on shops and other commercial premises. Advertisements at, or above, first floor level are not so common. Whilst noting the appellant's assurances regarding variable illumination levels, and the comparative illumination examples provided in the appellant's submissions, of digital display panels, images shown on digital displays are nevertheless often sharper than their 'paper-and-paste' counterparts. Furthermore, the regularly refreshing images on the display panel would exacerbate the sharper, more stark nature and often brighter appearance of the resulting image.
10. Thus, in such a prominent location at a main entrance point onto High Street and the town centre, the very nature of the proposed digital display, added to its size and positioning, would be disruptive, incongruous and, ultimately, harmful to the amenities, in this instance visual, of the surrounding area. Furthermore, the immediate foreground and backdrop of commercial premises and shopfronts against which it would be viewed would be sufficiently different in its nature and character as to provide little, if any, mitigation for the appearance of the images displayed on the panel.
11. The proposed digital panel may well be the smallest form of large format outdoor advertising displays, and its 6 metres by 3 metres dimensions an industry standard, but in this context and location, the visual starkness of its digital display would be compounded by its size. Merely because the overall size of the panel is broadly similar to that of the existing non-illuminated 'paper-and-paste' panel does not make the proposal a 'like-for-like' replacement. Nor was I struck by any particular sense that the existing signage was harmful to the amenities of the local area through neglect or physical condition and that its replacement would improve matters in this respect.

12. There are residential flats within the upper floors of the public house building that lies directly opposite the proposed digital display panel at 163 High Street, with windows at first floor on the side elevation and a bay window on the front elevation of that building. Whilst I accept that the appeal site is located at a busy road junction at a town centre gateway where there is a commercial presence and where streetlight is present, the proposed digital display would be close to those windows.
13. Even though the relationship is offset between the proposed panel and the windows, and the bay window looks forward rather than towards the appeal site, there is only a narrow road separating them and, thus, only a short distance between them. The nature of the bay window is such that the return panel of the bay would capture light and glare from the panel, as would the closest window on the side elevation, even if it is not directly opposite the panel. That the neighbouring property is in a central location served by streetlighting does not in my judgement diminish the intrusive and unpleasant nature of a digital display panel so close to windows serving a residential property. Nor am I persuaded that the controls available in terms of dimming the panel display according to ambient light levels, luminance thresholds and restricting the manner in which images change would be sufficient to offset the harm by reason of proximity.
14. LP Policies SD8 and HE2 set out the Council's approach to securing design of the highest possible standard and conserving and enhancing the borough's heritage assets. To this end, they take into consideration the context of the surrounding area and responds positively to, amongst other things, the quality, character and sensitivity of the surrounding public realm, heritage assets and nearby buildings, in particular at prominent junctions and town centre gateways. Additionally, LP Policy SD8(e) also considers the need to respond positively to the amenity of existing and future occupants of land and buildings. As I have concluded that the proposal would harm amenity, it would also conflict with these policies insofar as they are material to matters of amenity, and with the guidance set out at paragraph 135 of the National Planning Policy Framework, which recognises that the character and quality of places can suffer when advertisements are poorly sited and designed.
15. The appeal site's backdrop in particular is made more sensitive by the presence of a number of listed buildings, as well as its location within the Stockton Town Centre Conservation Area (the CA). Although the Stockton Town Hall (grade II* listed) is some distance from the appeal site at the southern end of High Street, the layout of High Street and perspective means that the town hall is neatly framed between the receding building frontages on either side of the street. From the junction of High Street, Norton Road and Bishopton Lane, the proposed digital panel would be an intrusive feature in the foreground of the town hall.
16. So too, albeit from differing aspects, would the proposed panel be an intrusive foreground presence in the setting of Stockton Parish Church (grade I listed) and the Globe theatre (grade II listed). None of these buildings or their settings are harmfully encroached upon in the same manner by the more modest and typically-found shopfront signage schemes present along High Street. Whilst the High Street area of the CA is commercial in its nature, and the setting of the listed buildings similarly so, the strident nature of the digital display panel would be such that the proposal would fail to preserve or enhance the character or appearance of the CA or the significance of the setting of the listed buildings.

17. In support of the proposed digital display, the appellant has set out a range of benefits arising from the operation of a digital display advertisement as opposed to a paper-and-paster advertisement. Wider public benefits are stated as including the provision of tidy and well-maintained sites, uplift in business rates, reduction in waste involved in paper advertisements as well as reduced trips associated with replacing campaigns in that format, greater flexibility for local businesses, a platform to use for emergency message broadcasting, the use of void periods to allow for public messaging and public art campaigns and the ability to integrate hardware to meet 'Smart City' objectives.
18. In a very broad sense, these may be considered to be public benefits but they are matters which carry only limited weight and are not sufficient to outweigh the harm, including the less than substantial harm to the CA and the setting of the listed buildings, that I have identified above. Neither individually nor cumulatively therefore are they sufficient to outweigh the amenity harm that I have identified above. With regard to the digital panels allowing smarter real-time campaigns and better control over sales, these are private benefits to the advertisers and operator of the site and are not matters that weigh in favour of the proposal in respect of the historic environment matters.

Other Matters

19. The appellant has provided a list of what are described as 'comparable sites' within conservation areas and close to listed buildings. However, no further commentary on, or assessment of, these examples has been offered and only limited details in respect of each have been submitted. Nevertheless, from the evidence before me, I am not persuaded that these examples are sufficiently similar to the matter before me to persuade me as to the acceptability of the appeal scheme. The Kirklees² and North Devon³ examples appear, from the evidence, to have been justified at least partly on the basis of the replacement of multiple externally illuminated advertisement panels with just one digital panel, whilst the Cornwall⁴ and Enfield⁵ examples have not been offered with any commentary or assessment beyond the submitted plans and decision notices. I therefore afford these examples limited weight.

Conclusion

20. For the reasons given above the appeal should be dismissed.

G Robbie

INSPECTOR

² Appendix 3: Comparable Sites – Kirklees Metropolitan Borough Council – APP/Z4718/Z/22/3307301

³ Appendix 3: Comparable Sites – North Devon Council – APP/X1118/Z/20/3265565

⁴ Appendix 3: Comparable Sites – Cornwall Council – LPA Ref No: PA23/05420 and PA23/05421

⁵ Appendix 3: Comparable Sites – London Borough of Enfield – LPA Ref No: 22/00105/ADV