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## Appeal Decision

Site visit made on 6 January 2026

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13<sup>th</sup> January 2026

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**Appeal Ref: APP/H0738/Z/25/3371781**

**18 Oxbridge Lane, Stockton-on-Tees TS18 4DN**

- 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 25/0891/ADV.
  - The advertisement proposed is digital LED advertisement on the flank wall of the existing building.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The Council has drawn my attention to the policies within the Stockton-on-Tees Borough Council Local Plan ('LP') and the Part 5 Shop Front Design and Advertisements; Technical Guidance and Standards Supplementary Planning Document (S) it considers to be relevant to this appeal, and I have taken them into account as material considerations. However, powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 ('the Regulations') may be exercised only in the interests of amenity and public safety, taking account of any material factors. Therefore, in determining this appeal, the Council's policies, in themselves, have not been decisive.

### Main Issue

3. The main issue is the effect of the proposal upon the amenity of the area.

### Reasons

4. The proposed advertisement would be equivalent to a 48-sheet hoarding, positioned 4 metres above the ground on the gable end of the building and would display six advertisements rotating every 10 seconds. It would have variable illumination with self-adapting levels of between 330 candelas per square metre (cd/sqm) in darkness and 5,000 cd/sqm in daylight.
5. The appeal site is the gable end of an existing building which appeared unoccupied at the time of my visit. It is located along a stretch of Oxbridge Lane which notably straight as it heads towards the city centre. Some distance beyond the appeal site, the road dips significantly to pass under a railway line. Several advertisements, including digital advertisements, are located at the roadside within this dip.

6. The character of the immediate area is mixed, with a range of commercial properties addressing Oxbridge Lane itself, with residential streets of mainly terraced houses leading off the main road. Non-residential uses in the area include, but are not limited to, a school, church, convenience store, bathroom/interior showroom, petrol station and immediately adjacent to the appeal site, a hand carwash.
7. As a result, there is a range of existing signage and advertisement in the area. However, other than the large hoardings close to the railway line, and the totem associated with the petrol station there did not appear to be, at the time of my visit, a proliferation of other illuminated advertisements and my attention has not been drawn to any other examples in the area. Consequently, although advertisements are present, they are generally relatively understated in their appearance and effect upon the amenity of the area.
8. The site to the west of the appeal property is operating as car wash and contains only lightweight structures such as palisade fencing and canopies. It is visually permeable and effectively forms a gap in the street frontage. As a result, the gable wall of the appeal property is clearly visible and prominent when approached from the east. The proposed large, digital illuminated advertisement which would be hosted on this gable end would be highly prominent and visible for some distance when approached from the west due to the level topography and straightness of the road. This would be particularly so due to the height of the proposed advertisement above street level. Given the existing streetscene, the proposal would result in harm to the amenity of the area.
9. The advertisements to close to the railway line are visually contained by topography and nearby structures; when approached from the east, the railway bridge provides a significant level of screening until the viewer has passed underneath it, and the school building, in combination with the change in levels means that the adverts are not noticeably prominent when approached from the west. Accordingly, they are largely viewed separately and do not contribute to the character of the area immediately surrounding the appeal site, or in views when the appeal would be approached from the west. They do not, therefore, reduce or justify the harm that I have found.
10. The level of illumination of the proposed advertisement would be dynamic, with limits which could be controlled by means of planning condition. However, even with controlled levels of illumination, the proposed advertisement would remain large and prominent. Cycling through advertisements, even at ten second intervals, would introduce a degree of animation which would also draw the eye. The proposal would therefore remain unacceptably harmful to the amenity of the area.
11. The gable wall of the appeal property is currently covered by a mural. There is no dispute between the main parties that this unauthorised. The proposed advertisement would partially obscure the mural. While this might appear unusual, it would not, in itself lead to harm to the amenity of the area, particularly given the apparent unauthorised nature of the mural. This would not however, reduce the harm that I have otherwise identified would result from the proposal.
12. For these reasons I conclude that the proposed advertisement would have an unacceptably harmful effect upon public amenity. In reaching this conclusion, while

not determinative, I have taken account of LP Policies SD1 and SD8, the SPD, as well as the National Planning Policy Framework. Together, and amongst other factors, these policies seek to ensure that development should create a positive sense of place, and that advertisement hoardings should be appropriate in scale to their surroundings and will not be supported when they cause harmful visual impact.

### **Other Matters**

13. The proposed advertisement would have some benefits, including the ability to relay emergency or public messages, however it is unclear how these benefits would be secured. Equally, although it is stated that the unit would have the potential to accommodate smart city hardware, this also would not be adequately secured such that it would be a factor to which I could afford a large amount of weight, as there is no certainty that it would be brought forwards.
14. I do not doubt that the overall numbers of advertisements are decreasing following the rollout of digital advertising units. However, there is no evidence before me that indicates that the appeal proposal would directly lead to the removal of any specific existing advertisements, or even if it was to do so, how such removal could be adequately secured.
15. The appeal proposal may represent advantages in comparison to more traditional hoarding advertisements in terms of requiring fewer vehicle trips for servicing purposes and eliminating the need for new paper advertisements to be posted at intervals.
16. However, as set out above, there is no indication that the proposal would lead to the removal of any specific traditional hoardings, and therefore, while the proposal could be less harmful in these respects in comparison to a proposal for a new traditional hoarding, there is no substantive evidence before me to confirm that it would represent an improvement over the existing situation. Moreover, there is no indication that equivalent benefits could not be delivered at another, less harmful, location. I therefore afford very modest weight to these factors as benefits of the proposal.
17. It is stated that the proposal could be used for emergency messaging, to promote local businesses, to provide public messages or to display public art. However, the specific content of the proposed advertisement is outside of the scope of this appeal, and in the absence of any mechanism to secure this, I cannot, therefore, be certain that this would be the case. I therefore afford this factor very little weight as a benefit of the proposal.
18. The appeal property appears to be currently unoccupied. While the re-occupation of the building would undoubtedly be of a benefit to the character of the area, the introduction of an illuminated digital advertisement on the gable elevation of an otherwise empty building would not provide any significant or comparable meaningful animation to the property. I therefore afford this factor very limited weight in my considerations.
19. Even if I were to agree that the proposal represented a high quality and robust design and would not affect the living conditions of occupiers of nearby properties, a lack of harm in these respects would be neutral factors and would not weigh in favour of the proposal.

20. When considered in the round, the weight that I afford to the benefits of the proposed advertisement are limited and would not outweigh the harm to amenity that I have found.
21. The Council has raised no concerns in relation to the effect of the proposal upon public safety and I have no reason to disagree.

**Conclusion**

22. For the reasons given above, I conclude that the proposed advertisement would be detrimental to the interests of amenity. Accordingly, the appeal should be dismissed.

*C Harding*

INSPECTOR