



# **APPEAL STATEMENT OF CASE**

**Halifax Road, Rochdale, OL16 1XU**

Wildstone Estates Limited  
September 2025

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### **Halifax Road, Rochdale, OL16 1XU**

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Prepared by: Frank Walsh  
Planner

Reviewed by: Gary Morris, MRTPI  
Partner

#### **Alder King Planning Consultants**

Pembroke House, 15 Pembroke Road, Clifton, Bristol BS8 3BA  
Telephone: 0117 317 1000

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## 1.0 Introduction

- 1.1 The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 by Wildstone Estates Limited ('the Appellant') against the decision of Rochdale Borough Council ('the Local Planning Authority') not to grant advertisement consent. The application ref: 25/00567/ADV, validated 3 June 2025, was refused by notice dated 17 July 2025.
- 1.2 Copies of the decision notice and the officer's report issued by the Local Planning Authority are enclosed with this submission in **Appendix 1**.
- 1.3 The Regulations and the National Planning Policy Framework (the NPPF) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative effects.
- 1.4 The proposal was refused under the officer's delegated powers, primarily on the grounds of the perceived negative impacts that the digital display would have on amenity. The officer commented as follows on their reasons for refusal:

*"The proposed advertisement would be sited in a prominent location, directly adjacent to Halifax Road, a high-trafficked classified road. By virtue of its excessive height, size and siting, the proposed advertisement would appear visually strident and obtrusive against the street scene and would result in harm to the amenity of the surrounding area. The proposal therefore fails to accord with Policy P3 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework. Planning (Control of Advertisements)(England) Regulations 2007."*

## 2.0 Site and Surroundings

2.1 The appeal site is located at the south end of Bridge Street, and the D48 format advertisement display will be positioned where an existing paper and paste advert stands. The site's immediate surroundings are residential in character, while the wider surroundings are urban. Bridge Street itself is a residential street; however the sign is facing Halifax Road and is not in direct viewing of the residential properties along Bridge Street. Halifax Road has many existing advertisements in place of similar size and scale to the appeal proposal.

2.2 The immediate surroundings of the site area can be viewed in **Figure 1** below.

*Figure 1: The appeal site in August 2024.*





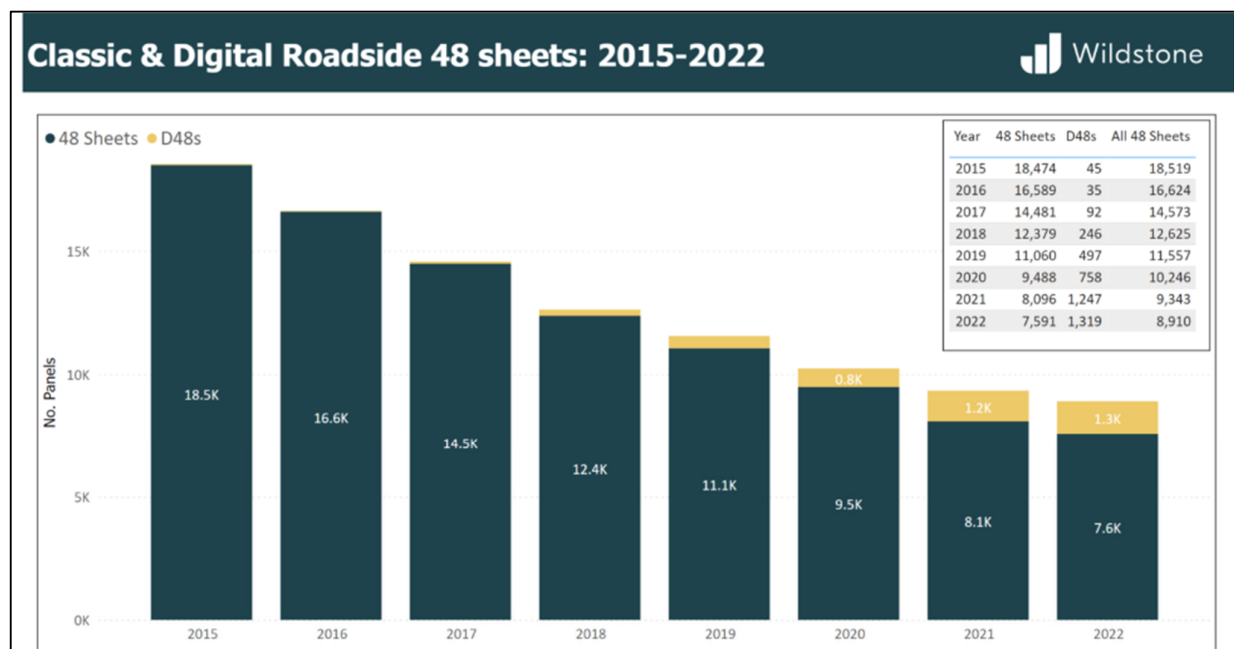
Source: Google Street View.

- 2.3 The site is in a location where advertising of this type would typically be found, with the site already hosting numerous advertisements including freestanding signs that are being replaced by the proposal. The site is not in a conservation area and has no listed buildings or other heritage assets in proximity. All sensitive frontages are also appropriately distanced from the site. In accordance with the classifications set out in the newly published ILP guide PLG 05/23, the proposal would be classified as within Environmental Zone 3 (suburban).

## 3.0 Appeal Proposal

- 3.1 The application ref. 25/00567/ADV sought advertisement consent to erect a single sided freestanding D48 format advertising display which would exhibit static advertisements on rotation. This is a standard small format advertisement, which is found across the UK in roadside, retail and transportation environments. There are over 75,000 6 sheets in the UK. The advertisement which is the subject of this appeal is primarily aimed at westbound road users on Halifax Road.
- 3.2 The proposed D48 format advertisement display has the same dimensions as a standard 48-sheet hoarding, measuring 6m(w) x 3m(h) x 0.25m(d) and will utilise LCD digital technology, which is durable, efficient and can be easily erected with minimal engineering. The quality of the image produced will mimic that of a traditional paper and paste display. The proposed display will meet modern requirements and will be capable of displaying 6 advertising campaigns at a time, sequencing every ten seconds. The advertisements will comprise local and national campaigns as well as goods and services sold on site.
- 3.3 The proposal is submitted as part of a nation-wide project to upgrade traditional advertising hoardings to a modern digital format, which will see an overall reduction in advertisements, as multiple advertising campaigns can be supported by single panels. This will result in the consolidation of “multi-panel” sites into single panels. As can be seen in **Figure 2** there has been an overall reduction in the volume of advertising panels over an extended period, even though the number of digital sites is increasing.

Figure 2: Graph showing reduction in advertisements between 2015-2022



Source: Wildstone Estates Limited

- 3.4 At present, there are over 1,300 digital 48-sheet advertisements across the UK, which is up from just 45 in 2015. However, over the same period the number of poster and paste 48 sheets has more than halved, from 18,519 to 8,910. This total reduction of 8,335 panels nationwide, demonstrating a clear pattern of rationalisation and decluttering associated with the digital upgrades. Since this project began Wildstone has gained consent for over 700 digital advertisements across the UK.
- 3.5 The proposed single-panel D48 display would replace 2 x existing 48-sheet poster advertisements. It therefore results in a significant reduction in advertising space at the site.
- 3.6 Advertisement consent was previously granted for a replacement display at this site, ref 24/00513/ADV, however the appellant has since decided that the height is insufficient for that advertisement, hence the application & appeal for the current proposal. In addition, the LPA attached a condition to that advertisement limiting the daytime illumination of that advertisement to just 3,000cd/m<sup>2</sup>. This is not in accordance with the guidance of the Institute of Lighting Professionals, who recommend 5,000cd/m<sup>2</sup> for daytime illumination. The nighttime illumination limit of 300cd/m<sup>2</sup> between dusk and dawn was acceptable.

#### **Conditions**

- 3.7 It is imperative that digital displays are appropriately controlled to ensure that they are acceptable in amenity and public safety terms. All advertisements are subject to the five standard conditions set out in the Regulations. The vast majority of digital advertisement consents now also operate within an established set of parameters that include controls over the level of luminance and the proposed speed and rate of change between adverts. These “industry standard” conditions have evolved over time, to address common concerns relating to amenity and public safety.
- 3.8 The proposed display will operate with a system of threshold controls, timers and light sensors to ensure that the luminance never exceeds the ILP guideline figure at nighttime, with lower thresholds set on more sensitive sites.
- 3.9 Newly published guidelines by the Institute of Lighting Professionals (ILP) have introduced a new set of model conditions which can be applied to advertisement consents going forwards. The model conditions are set out within Appendix 1 of Technical Note 5 “The Brightness of Illuminated Advertisements including Digital Displays” (PLG05/23). These are attached in **Appendix 3** of this statement

## 4.0 Planning Legislation and Policy

- 4.1 The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the “Regulations”). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.
- 4.2 The NPPF sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 141 of the NPPF, advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts.
- 4.3 As described in the National Planning Practice Guidance (NPPG) the regime is a “lighter touch” than the system for obtaining planning permission for development. The NPPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.
- 4.4 The statutory development Plan for the area consists of the Rochdale Local Plan Core Strategy 2016-2026, adopted October 2016. The area also considers policies from the Places for Everyone Joint Development Plan, adopted... The Local Planning Authority cited the following policies in their reason for refusal:

### *Rochdale Local Plan Core Strategy 2016-2026*

- Policy P3: Improving design of new development

### *Places for Everyone Joint Development Plan*

- Policy JP-P1: Sustainable Places

- 4.5 Policy P3 of the Rochdale Local Plan Core Strategy 2016-2026 states that all new developments should be of high-quality design and enhance the borough's sense of place having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general.
- 4.6 Policy JP-P1 of the Places for Everyone Joint Development Plan, states that all development, wherever appropriate, should respect and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used, it should also be durable and functional.

## 5.0 Grounds for Appeal

5.1 This section of the appeal statement sets out the grounds for this appeal in relation to the proposed installation of one D48 display at Halifax Road, Rochdale, following the refusal for express advertisement consent under application ref. 25/00567/ADV.

5.2 As previously set out above, proposals for advertisement consent should only be considered in terms of amenity and public safety. The proposal was not refused on the grounds of public safety, however it is also considered below.

5.3 The proposal was also refused for the following reason:

*“The proposed advertisement would be sited in a prominent location, directly adjacent to Halifax Road, a high-trafficked classified road. By virtue of its excessive height, size and siting, the proposed advertisement would appear visually strident and obtrusive against the street scene and would result in harm to the amenity of the surrounding area. The proposal therefore fails to accord with Policy P3 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.”*

5.4 As per Paragraph 141 of the NPPF, proposals for advertisements should only be considered on the grounds of amenity and public safety. The proposed advertisement was not refused on the grounds of public safety. During the consultation period, neither the local highways authority (Rochdale Borough Council Highways and Engineering) nor National Highways raised any objections to the proposed display. In the officer’s report, they stated that it is considered, subject to appropriate conditions, that highway safety would not be impacted by the proposal. Therefore, the following points will solely relate to amenity.

5.5 The application was refused for the following reason relating to amenity:

*“By virtue of its excessive height, size and siting, the proposed advertisement would appear visually strident and obtrusive against the street scene and would result in harm to the amenity of the surrounding area.”*

5.6 Paragraph 136 of the NPPF is clear that “Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”. Moreover, the NPPG sets out that “in practice, ‘amenity’ is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passersby will be aware of the advertisement.”

5.7 In this case, the immediate surrounding area to the site is mixed. Whilst the predominant use is residential, there are also commercial properties (for example, the barber’s shop) and also Halifax Road itself which is a dominant visual characteristic of the immediate area. The orientation of the proposed sign would mean that there would be a negligible impact on the residential amenity of residents of Bridge Street and Croft Street. Within the immediate surroundings of the site, there is an existing D48 display on 463 Halifax Road (application ref: 21/01442/ADV), see **Figure 3** below. Therefore, the context of the site is one where you

would typically see advertisement displays of this scale. The effect on amenity of the proposed D48 advertisement on this well-lit immediate neighbourhood will therefore be minimal.

*Figure 3: 463 Halifax Road, a D48 display in the immediate neighbourhood to the site.*



*Source: Google Street View.*

- 5.8 The refused digital display has the capacity to reach 5000 cd/m<sup>2</sup> which would appear as a full white display during the daytime. However, the screen will primarily not be illuminated to such a level. In fact, the digital sign will be significantly dimmer to reflect the surrounding environment, while also adapting to the content of the advertisement on show.
- 5.9 During the hours of darkness, which are between dusk and dawn illumination will be limited to just 300 cd/m<sup>2</sup>, as recommended by the Institute of Lighting Professionals. This would ensure that the proposed poster would not appear at all bright during times of darkness, providing additional consideration to the visual amenity of the surrounding area when compared with the well-lit forecourt, which remains illuminated during nighttime opening hours.
- 5.10 The situation of the proposed sign is displayed at an angle where it would be only visible from westbound drivers along Halifax Road. As such, the display would not be of any material detriment to residential amenity. The case officer states in their report that the proposal “would not adversely impact on residential amenity” (Paragraph 1, Page 4).
- 5.11 Advertisement consent already exists for a digital display on this site, mounted 1.65m from the ground. The decision notice limits the day-time illumination to 3,000cd/m<sup>2</sup>. The appeal proposal is for an identical

display at 3.0m from the ground – an increase of just 1.35m from the consented panel. Consent is sought for an illumination level of 5,000cd/m<sup>2</sup> (during the day) and 300cd/m<sup>2</sup> between dusk and dawn – in line with the ILP guidance for displays of this size. We therefore suggest that the determinative issues for this appeal are:

1. Does the raising of the panel by 1.35m have a materially different impact on amenity?;
2. Does the location of the advertisement dictate that a materially lower level of day-time illumination is justified when compared to the advice provided by the Institute for Lighting Professionals?

If the answer to both these questions is 'no', then the appeal should be allowed.

- 5.12 The council's reason for refusal refers to Policy P3: Improving design of new development from the Rochdale Borough Council Core Strategy and Policy JP-P1: Sustainable Places from the Places for Everyone Joint Development Plan. In terms of design, the proposal is of a standard design for D48 format advertisement, which is found across the UK in roadside, retail and transportation environments. There are over 1,300 digital 48-sheet advertisements across the UK at present.
- 5.13 Within their report, the officer states that because of "its excessive height and siting, the proposed display would appear noticeably more obtrusive than the existing display and would be at odds with the heights and proportions of the surrounding development". The proposed advertisement would, broadly, align with the heights of the eaves of the adjacent properties, the roof ridges of which are considerably higher than the proposed sign. Additionally, the adjacent tree is significantly taller than the houses and the proposed advertisement. Both of these factors mean that the proposed advertisement is of an appropriate height. The D48 display approved under application ref: 21/01442/ADV is marginally taller than the eaves of the neighbouring property. That proposal was deemed acceptable by the Council on 02/12/2021, where the application would have still been assessed against Policy P3: Improving design of new development. It is therefore inconsistent of the authority to refuse the appeal sign on this basis.
- 5.14 The proposal has no materially negative impact on visual amenity nor residential amenity and accords with Policy P3: Improving design of new development and Policy JP-P1: Sustainable Places from the Places for Everyone Joint Development Plan respectively.

## 6.0 Conclusion

- 6.1 In accordance with Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, advertisements should only be controlled where they are harmful to amenity or public safety.
- 6.2 This appeal proposal is seeking advertisement consent for one single-sided D48 display on the southern end of Bridge Street facing directly onto Halifax Road, Rochdale.
- 6.3 The case as set out within this appeal statement confirms that, with appropriate controls in place, the proposed D-Poster will not result in any detrimental impacts on amenity or public safety. As such, it has been demonstrated that the proposed D-Poster is not contrary to policies and guidance set out in the NPPF, the NPPG, or the Rochdale Local Plan Core Strategy 2016-2026 and the Places for Everyone Joint Development Plan.
- 6.4 To this end, it is respectfully requested that the appeal be allowed, and advertisement consent is granted for the proposed works.

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