
Appeal Decision

Site visit made on 12 September 2016

by W Fabian BA Hons Dip Arch RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 October 2016

Appeal Ref: APP/M4510/Z/16/3151689

**46-52 Northumberland Street, Newcastle upon Tyne, Tyne and Wear
NE1 7DF**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Premier Vue against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2016/0462/01/ADV, dated 10 March 2016, was refused by notice dated 27 May 2016.
 - The advertisement proposed is 'Proposed external enhancement of high quality cladding with an inset micro mesh banner. The banner would be integral into the fabric of the cladding. The cladding would be undertaken on both elevations via Northumberland Street & Savill Row. The proposed cladding development would consist of Kaza Concrete acting as a 3D border with an infill of cladding. The colour scheme proposed is Anchorite Grey as requested by the Council. **this application be treated as 1 scheme incorporation the banner***'
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is subject to the five standard conditions set out in the Regulations and the following additional condition: the advertisement shall only be displayed for a single period of no more than 14 consecutive days and shall be permanently removed at the end of the 14 day period.

Procedural Matters

2. The description shown above is as given on the application, which was submitted as a combined application for planning permission and advertisement consent. The Council has granted planning permission Ref 2016/0432/01/DET, dated 25 May 2016, for the external cladding of the building as proposed. Accordingly, this appeal relates only to the Council's refusal to grant express consent for the banner advertisement proposed. As such I shall consider the proposed inset micro mesh banner only in my decision below.

Main Issue

3. The Council has not objected to the proposal on highway safety grounds and, therefore, the main issue is the effect of the proposal on visual amenity.

Reasons

4. The appeal relates to the display of an advertisement banner at the appeal premises, (made of high quality micro mesh PVC and measuring some 6.4 x 11.2m), which would be installed at first floor level above the existing projecting horizontal shop canopy. This is a large 1960/70s shop unit that fronts Northumberland Street, at the heart of the pedestrian only shopping precinct in the city centre. It also flanks Savill Row, a pedestrian only side street. The banner would be installed flush with the Northumberland Street building façade, set into a purpose designed panel of recessed cladding.
5. I have taken into account as material considerations the following of the Council's policies: EN1.1 of the *Newcastle Unitary Development Plan*, 1998, which although dated is in general accordance with relevant policy in the Framework; and CS15 and UC12 of the *Core Strategy Urban Core Plan for Gateshead and Newcastle upon Tyne*, which seek good place-making and high quality in the public realm. The Framework records that poorly placed advertisements can have a negative impact on the appearance of the built environment.
6. At my site visit it was apparent that this is a thriving busy city centre shopping area, typified by major retail outlets. The buildings styles are varied with a wide range of appearance from historic and ornate, as at the listed building nearby opposite, to plain and unadorned, as at the appeal premises. Many shops here have accommodation at upper floors; the predominant emphasis is, nevertheless, on retail display at ground level. While there are numerous projecting signs and some illuminated shop logos (as at the appeal premises) at first floor I saw no large banner type features of the type proposed above ground floor. Given this overriding character, I agree with the Council that the introduction, for the standard period of five years, of an extremely large banner display covering most of the first floor of the proposed extended height of the building would be wholly out of keeping with the surroundings, even if carefully installed within a recess designed for that purpose. It would be so large in relation to the building as a whole and to the shopfronts at ground floor as to introduce a jarring and discordant element that would unbalance the generally harmonious appearance of the street.
7. The appellant states that the banner advertisement is needed to finance the wider cladding scheme that has been granted planning permission, which would not go ahead without it. I saw at my visit that although the building is of a dated appearance and possibly in need of cleaning, with evidence of pigeon roosting and consequent dropping deposits, it does not appear to be in poor condition. As such the comprehensive scheme of which the proposed banner is one element may not be the only way to achieve the enhancement of the building that the appellant seeks.
8. However, according to the appellant's submissions the proposed banner would be in place for a two week period only. The submitted Design and Access Statement states: 'When the advertisement is not in use, it will be completely free of advertising as illustrated. The advertising frame will be integrated within the fabric of the cladding structure. When the advertisement is in use of [sic] a period of 2 weeks. The proposed advert will not be seen as an add on feature, rather integrated.' The appellant has further confirmed through the appeal submissions that the advertisement would be 'in situ for a maximum period of

up to two weeks'. The harmful effect described above would therefore be for a very limited time period only and on this basis the temporary harm to visual amenity would not be so overriding as to warrant refusal.

9. For the reasons given above, in the site specific circumstances of this case and taking all other matters raised into account, I conclude that display of the proposed banner for a temporary period of two weeks only would have little enduring adverse impact on the visual amenity of the area. A condition, as suggested by the Council, to secure the temporary period of display is necessary for the reasons set out above; were the period of display to be extended or repeated at periodic intervals this would 'tip the balance' such that visual harm would occur.

Wenda Fabian

Inspector