
Appeal Decision

Site visit made on 7 December 2016

by Michael Moffoot DipTP MRTPI DipMgt MCMI

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

Decision date: 9th January 2017

Appeal Ref: APP/M4510/Z/16/3159124
14 Blackett Street, Newcastle NE1 5BS

- 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 New World Payphones against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref: 2016/1086/01/ADV, dated 6 July 2016, was refused by notice dated 31 August 2016.
 - The advertisement proposed is internally illuminated digital panel as integral part of telephone kiosk.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Reference is made to sustainable development and the economic benefits of the appeal proposal. However, paragraph 67 of the *National Planning Policy Framework* ('the Framework') makes it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Accordingly, the various development plan policies cited in this case are not decisive. As the appeal site lies within the Central Conservation Area and a number of properties on the south side of Blackett Street are listed buildings, my considerations in this case are confined to amenity.
3. The appeal is concerned with the proposed display panel only, and any benefits to amenity arising from the replacement of the existing pair of telephone kiosks on the site have no bearing on the planning merits of the case.

Main Issue

4. The main issue in this case is the effect of the proposed advertisement panel on amenity, with particular regard to whether or not the proposal would preserve or enhance the character or appearance of the Conservation Area and its effect on the setting of listed buildings.

Reasons

5. The city's extensive Central Conservation Area is characterised by historic buildings of imposing scale and grandeur interspersed with modern developments. The prevailing pattern of terraced buildings and the formal
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arrangement of streets impart a very distinctive quality which significantly contributes to this character.

6. Paragraph 67 of the Framework makes it clear that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. The appeal site lies on the north-eastern edge of the Conservation Area. Here, in the vicinity of the site, the principal components are four and five-storey terraced buildings including the distinctive and ornate Northern Goldsmiths shop and the iconic Grey's Monument. On the northern side of the street, and outside the Conservation Area, is a modern and rather severe four-storey building and the Pearl Assurance office block which contrast strongly with their historic surroundings.
7. Consistent with the retail character of the area there are illuminated and non-illuminated fascia and box signs on premises. The existing telephone kiosks on the appeal site feature vinyl signs and an adjoining BT installation has a scrolling illuminated panel on the rear. There is also a large and obtrusive digital display above an entrance to the Eldon Square Shopping Centre about 140m to the west of the site. Nevertheless, this is not an area that is characterised by extensive advertising material and signage.
8. Whilst the proposal would employ a simple design, at 1.65m x 0.928m it would be a conspicuous feature when approaching from the west, and especially so as the display would change about every 10 seconds. Although the area is well lit and the intensity of the panel's illumination would be within guidelines for commercial areas¹, the illumination of the advertisement would render it particularly prominent at night, which would compound its impact on this part of the Conservation Area. Accordingly, I find that the proposal would harm the amenity of the area and the character and appearance of the Conservation Area.
9. In reaching this view I acknowledge the presence of illuminated poster displays on bus shelters in surrounding streets, but they are not generally observed in the context of the appeal site. The vinyl signs in the existing kiosks and the illuminated panel on the adjacent BT facility are discordant features and do not therefore justify the proposal.
10. The Northern Goldsmiths building is prominently located on the corner of Blackett Street and Pilgrim Street. The building dates from the late 19th century and is constructed of ashlar with rusticated ashlar dressings under a Welsh slate roof. Largely original shopfronts and fenestration add to the building's interest, and the ornate cantilevered 1930s clock is of particular note. Nos 29, 31 and 33 Blackett Street also date from the late 19th century and are constructed of sandstone ashlar with dark roof slates. Fenestration to the upper floors is particularly fine, comprising distinctive Venetian and round-headed windows in curved bays. Like other buildings in the terrace, nos 23, 25 and 27 Blackett Street are built of sandstone ashlar under a Welsh slate roof. Their shopfronts incorporate art-nouveau detailing and the façades are highly ornamental, with intricately carved door surrounds and detailed architraves to windows and dentilled cornicing.

¹ PLG 05: *The Brightness of Illuminated Advertisements* (Institute of Lighting Professionals 2015)

11. The buildings comprise part of an impressive terrace which forms an important approach to the Conservation Area from Northumberland Street and New Bridge Street West and makes a significant contribution to the historic character of Blackett Street. Their setting is informed by Grey's Monument and the surrounding open paved area and imposing buildings at the northern end of Grainger Street. The proposed panel would be observed from the west in the context of this setting. It would be an intrusive and incongruous addition that would unacceptably compromise the setting of the listed buildings I have referred to.
12. Amongst other things, policies UC12, UC14 and CS15 of the Core Strategy² aim to ensure that development respects and enhances its context and sustains and enhances the significance of heritage assets and their setting. Policies C2 and EN1.1 of the Unitary Development Plan³ seek to protect the setting of listed buildings and integrate development into its setting. The appeal proposal would conflict with these policies.
13. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Michael Moffoot

Inspector

² Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030

³ Newcastle upon Tyne Unitary Development Plan (1998)
