
Appeal Decision

Site visit made on 14 February 2017

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 14 March 2017

Appeal Ref: APP/M4510/Z/16/3164071

Saint John Ambulance Saint John House, 437 Westgate Road, Newcastle upon Tyne, NE4 9PQ

- 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 Mr Smith against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2016/1514/01/ADV, dated 13 September 2016, was refused by notice dated 17 November 2016.
 - The advertisement proposed is 1 of freestanding illuminated LED 48 sheet measuring 3 metres x 6 metres.
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Decision

1. The appeal is dismissed.

Main Issue

2. The *National Planning Policy Framework* (the Framework) indicates that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Against this background, I consider that the main issue in this case is the effect of the proposal on the character and appearance of the locality.

Reasons

3. The Framework recognises that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. It confirms that advertisements should be subject to control in the interests of amenity. The national *Planning Practice Guidance* confirms that amenity includes visual amenity and factors relevant to this include the general characteristics of the locality.
4. Westgate Road is a major movement corridor and in the vicinity of the appeal site, it is characterised by a mix of uses, including commercial, community and residential. Development opposite the appeal site, on the northern side of Westgate Road, fronts directly onto the northern edge of the highway footway. In contrast, St John House forms part of a row of 4 substantial buildings¹, which are set well back from the southern side of Westgate Road, giving this section of the street a particularly broad and open appearance. Landscape

¹ Cherry Tree House, St John House, The Beacon and the premises of John Bardgett & Sons (Funeral Directors & Memorial Consultants).

planting within the frontages of the other 3 properties in the row makes a particularly positive visual contribution to the street scene, with the assistance of the reasonably open frontage of St John House.

5. The street scene is not devoid of advertisements. However, the proposal would be set back a short distance from the front boundary of the property and would extend alongside its western side boundary wall. The proposed advertisement, the base of which would be 2.4 metres above ground level, would be 6 metres long and 3 metres high. Particularly when seen from the west and east along Westgate Road, the proposed substantial addition within the frontage of St John House would narrow the appearance of the street and interrupt some views of the neighbouring landscaped areas, diminishing the contribution that they make to the street scene. It would have an unduly obtrusive appearance.
6. I conclude that the proposal would cause significant harm to the character and appearance of the locality, contrary to the interests of amenity.

Other matters

7. The Council has drawn my attention to Policies EN1.1 and EN2 of the *Newcastle upon Tyne Unitary Development Plan, 1998* and Policies CS15 and UC13 of the *Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne, 2010-2030*, which are consistent with the aims of the Framework insofar as they seek to secure, between them, high quality design and development that respects local distinctiveness. I have taken them into account as material considerations. With reference to my conclusion on the main issue, the proposal would not accord with these Policies. However, as I have indicated, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. Therefore, the identified policy conflicts have not, by themselves, been decisive.

Conclusion

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

I Jenkins

INSPECTOR