



Appeal Decision

Site visit made on 8 October 2019 by Ifeanyi Chukwujekwu BSc MSc PIEMA RTPI (Assoc)

Decision by A U Ghafoor BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/M4510/Z/19/3232675

West Road, C/O Colston Street, Fenham, Newcastle Upon Tyne, NE15 6RB

- 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 Richard Wilson on behalf of Clear Channel against the decision of Newcastle City Council.
 - The application Ref 2019/0171/01/ADV, dated 30 January 2019, was refused by notice dated 10 May 2019.
 - The advertisement proposed is upgrade of existing double-sided advertising paper panels with double sided advertising digital panels forming an integral part of the shelter. The digital panels would display a sequence of static advertising images that would change no more frequently than every 10 seconds, change via smooth fade.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the advertisement on the visual amenity of the area.

Reasons for the Recommendation

4. Amenity is not defined within the Regulations nonetheless relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, it is reasonable to consider characteristics of the neighbourhood. For example, whether the proposed hoarding would be in scale and keeping with important features. There is an existing double-sided internally illuminated 6-sheet advertisement display within the Bus Shelter that is the site of this appeal. There a large-format advertisement display, in the form of wall-mounted display on the side elevation of No. 200 Canning Street. Watan Foods at No. 69-73 West Road also features internally illuminated signage within the modern ground floor frontage. Nevertheless, illuminated advertisement is not a feature of the area.
5. The appeal site is located between Nos. 67 and 69. This section of West Road is predominantly residential in character, although there are a few ground floor frontage conversions for commercial purposes such as an accountant's office at

No. 67 and Watan Foods at No. 69. On the opposite side of the road, there is a place of worship and the Better Extreme Trampoline Park and Gym. The car park serving this recreational facility fronts the road and gives an appearance of openness.

6. The appellant argues that the proposed replacement digital displays would be less tall, narrower and smaller in terms of display active area compared to the existing internally illuminated 6-sheet displays within the bus shelter. Despite this, at 1641.7mm high by 926.5mm wide it would still be prominent, and the sequential format with changing images every 10 seconds or so would accentuate its impact in the street scene. Furthermore, whilst the area is well lit and the intensity of the panel's illumination would accord with guidelines for illumination of advertisements¹, the proposal's illumination and changing images would be an incongruous feature which would compromise the character and appearance of the area, especially during the hours of darkness.
7. The appellant refers to a series of appeal decisions which allowed similar proposals². These appeals are mostly situated in a busy, city centre locations as compared with the appeal before me. The appeal site is located within a residential setting. Apart from the existing double-sided internally illuminated 6-sheet advertisement display within the bus shelter and Watan Foods sign is devoid of illuminated advertising. In any case, each application and appeal should be considered on its own merit, and these examples do not justify harmful development. In this location, the digital illuminated sequential displays would be discordant and unduly prominent features. The type and design of the advertisement would detract from the street's quality along this section of West Road, and it would be visually harmful to the locality.
8. The Regulations seek to control advertisements in the interests of amenity and public safety. The Council has drawn attention to policies as material considerations. These have not been decisive, but the proposals would not meet with the objectives of policies CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015), and EN1.1 of the Unitary Development Plan.

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I find that the proposed advertisement would have a harmful effect on visual amenity of the area. I recommend that the appeals should be dismissed.

Ifeanyi Chukwujekwu

Appeals Planning Officer

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR

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

² Lead case APP/R5510/Z/16/3157043 – included at Appendix A, and appeal case APP/V5570/Z/17/3169006 – included at Appendix B