
Appeal Decision

Site Visit made on 22 June 2021 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2021

Appeal Ref: APP/M4510/Z/21/3273826

Percy House, Percy Street, Newcastle u Tyne, NE1 4PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mark Wilkinson on behalf of Infinity Outdoor Ltd against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2021/0349/01/ADV, dated 18 February 2021, was refused by notice dated 23 April 2021.
 - The development proposed on the application form is: A temporary illuminated scaffold mounted shroud upon the fully working access scaffold on the host building. Within the area of the proposed shroud a space will be given over for use of commercial banner adverts that will be posted from time to time. The adverts and shroud or a temporary installation during the redevelopment of the building that will act as a debris netting and hide the unsightly essential scaffold installation.
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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.

Preliminary Matters

3. The description of the development on the Council's decision notice has changed from that provided on the application form to: Display of a temporary illuminated scaffold mounted banner advert within a shroud.
4. In accordance with the National Planning Policy Framework (the Framework), the Regulations and the Planning Practice Guidance, (PPG), my consideration of this appeal is confined to the issues of amenity and public safety, taking into account the provisions of the development plan, so far as they are material and any other relevant factors.

Main Issue

5. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons for the Recommendation

6. Percy House is a four-storey commercial building located in a busy city centre location. Its design is somewhat typical of late 60s and early 70s office blocks of that time. It features prominent strips of horizontal cladding with rows of

individual pocket windows above. At ground floor the building is recessed and sits upon a set of structural pillars. The building sits on a corner site with its prominent front façade overlooking Percy Street. Its smaller and less obvious flank wall overlooks the junction of Percy Street and Gallowgate.

7. Whilst the site is not located within the Central Conservation Area (CCA), it sits on the opposite side of the junction of Gallowgate where the boundary of the CCA is located. To the north of the appeal site sits the Leazes Conservation Area (LCA). Given its prominent corner location, Percy House can be seen from various views to and from these Conservation Areas (CAs).
8. Both CAs are primarily commercial in character with their significance, in so far as they relate to this appeal, deriving from the ages of some of the buildings, the architectural detailing, their built form, street layout and the areas social history.
9. Directly across from the appeal site at the junction of Gallowgate are Nos. 1 – 15 Gallowgate. These buildings are Grade II listed as is St Andrews Church and Churchyard which overlooks Newgate Street where it merges at the junction of Gallowgate with Percy Street.
10. Given the area's predominant commercial character, there is evidence of advertisements of a range of types, sizes, and illumination in the area. However, all such signage appears modest in scale. There is no visible evidence of any excessively large block illuminated signage within the immediate area in which the appeal building is located.
11. The proposal seeks temporary permission for an advertisement shroud for a period of 10 months. The advertisement element would sit significantly forward of the face of the host building. This would result in it appearing as a visually prominent element in the street.
12. As a result of the appeal site's prominent location along with its proposed scale and levels of illumination, it would be highly visible from various places throughout the surrounding area. Most notably it would be seen in short and long views from Newgate Street and from beyond the Eldon square bridge on approach to the appeal site. Some of these views would be taken from within the CAs and from the appeal site across to them. Consequently, given its overall scale and location the proposal would appear overly dominant and incongruous in the context of the area. As such it would be detrimental to the visual amenity of the area.
13. Moreover, as a result of its prominence and excessive scale, which would be further pronounced when illuminated, it would interrupt the setting of the architecturally striking listed buildings located along Gallowgate and the neighbouring Church of St Andrews. This would have a detrimental effect on the setting and significance of these buildings. Whilst the harm would only last for a temporary period it would, nonetheless have a significant impact on the ability to appreciate the listed buildings and their setting for the duration of that time.
14. The proposal's effect on the setting of the designated heritage assets would therefore be harmful and would impact upon the experience of the assets within their respective settings and the adjacent CAs.

15. I note the appellant's argument that the proposed shroud would hide and obscure unsightly works, light and noise which would arise as a result of the building's refurbishment works. For the reasons set out above I consider the impact of a large illuminated advert within this central town location, adjacent to a number of historic assets would be significantly more harmful than an innocuous plain shroud.
16. I have had regard to the condition suggested by the appellant in respect of illumination and the time that the advert would be displayed. However, I am not satisfied that such a condition would make otherwise unacceptable development acceptable and it would not mitigate for the harm arising as a result of the scale and overtly prominent display.
17. Having regard to the above I conclude the proposal would harm the visual amenity of the area, including the appearance of the nearby CAs and the setting of the nearby listed buildings. In reaching this finding, account has been given to the Framework which seeks to avoid poorly sited and designed advertisements; Policies CS15 and UC12, of the Planning for the Future, Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010 – 2030 (2015) and Policies DM20, DM21 and DM22 of the Development and Allocations Plan 2015-2030 (2020) which aims seek protect the conservation of heritage assets and require the design of proposals to respond positively to local distinctiveness and character and so are material in this case.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR