



Appeal Decision

Site visit made on 12 October 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2021

Appeal Ref: APP/P2935/Z/21/3279979

Land north of Shaw House Farm, Newton, Northumberland

- 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 Bradley Hall Chartered Surveyors & Estate Agents against the decision of Northumberland County Council.
 - The application Ref 21/00543/ADE, dated 2 February 2021, was refused by notice dated 4 June 2021.
 - The advertisement proposed is Display of 1no. 'Development Opportunity For Sale' board for a temporary period of 6 months measuring 3050mm x 1200mm mounted on metal poles fixed into the ground.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. No site address was included within the application form and therefore the address within the banner heading has been taken from the Council's decision notice. This also concurs with the address given by the appellant within the appeal form.

Main Issue

3. The main issue is the effect of the proposal on public safety.

Reasons

4. As set out in the Regulations¹, advertisements should be subject to control in the interests of amenity and public safety, and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Therefore, as the Planning Practice Guidance (PPG) explains, if the locality where an advertisement is to be displayed has important scenic, historic, architectural or cultural features, consideration should be given to whether it is in scale and in keeping with these features.
5. The adjacent farmstead of Shaw House Farm is Grade II listed. The effect of the advertisement on amenity with regards to the listed building is however not a matter in contention between the parties.

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Public safety

6. A significant volume of traffic at high speeds flows along the A69 as a major transport route between Newcastle and Carlisle. The road network outside the site on the A69 is dual carriageway.
7. Given the complexity of the staggered junction here, a central reservation within the A69 allows the driver to pull into the middle of the road before turning into the respective side roads. These side roads are clearly signposted.
8. Furthermore, there are a number of other directional signposts along this part of the A69, together with a bus lay-by located close to the proposed signage, and a pedestrian crossing point over the A69, also located within close range. Overall, there is a combination of junctions, signposts and other highway paraphernalia for the driver to be aware of when traveling along this part of the road.
9. Therefore, the driver requires good concentration levels, irrespective of how well or not the driver knows the road, taking into account the need to focus on the various road junctions, directional signs, bus stop and pedestrian crossing all located here. This is also combined with the high speeds of traffic.
10. Although the proposed sign would be set back from the A69, its location is angled and intended to draw the eye of passing traffic here. Given its purpose is advertising, it would not be typical highway signage that is a common and recognisable feature of the road network. Due to its proposed scale, location and position on poles set off the ground, it is therefore highly likely that the advert would be seen at short range, catching the eye of the driver. It would in turn lead to vehicle driver distraction, to the detriment of both highway and pedestrian safety.
11. Whilst the Council's transport department may not raise concerns from their own perspective, I apply significant weight to the fact that Highways England as a statutory consultee to the Council, have objected to the proposal on highway safety grounds.
12. In addition, irrespective of the advertisement's temporary nature, it may be non-illuminated with limited text included within the board, and even though the accident data may indicate the numbers of accidents here to be low, nonetheless, the network complexity draws me to a different conclusion.
13. I therefore conclude that the proposal, due to its scale and siting would prejudice conditions of public safety and conflict with Policy GD4 of the Tynedale District Local Plan 2000 in its road safety aims and the National Planning Policy Framework in terms of public safety. However, I find no direct relevance to Policy GD2 of the Tynedale District Local Plan 2000 as this policy has no association between design and highway safety.

Conclusion

14. For the reasons given, I therefore conclude that the appeal should be dismissed.

Alison Scott

INSPECTOR