



Appeal Decision

Site Visit made on 22 November 2021

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2021

Appeal Ref: APP/M4510/Z/21/3274127

Land at St James Metro Station, Gallowgate, Newcastle upon Tyne

- 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 Kwasi Bentil against the decision of Newcastle Upon Tyne City Council.
 - The application Ref 2020/1533/01/ADV, dated 5 October 2020, was refused by notice dated 10 March 2021.
 - The advertisement proposed is display of 7 no. internally illuminated display screens including 3 x illuminated 48 sheets, 2 x illuminated 32 sheets and 2 x illuminated 6 sheets as amended by plans and letter received 12 January 2021.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appellant's appeal the revised National Planning Policy Framework (the Framework) was published and came into force on 20 July 2021. In light of this I have sought the views of the main parties in writing and comments received have been taken into consideration.
3. In the interests of brevity and clarity, I have taken the description of development from the Council's decision notice.

Main Issue

4. The main issue is the effect of the proposed advertisements on the amenity of the area.

Reasons

5. The area surrounding the appeal site is characterised by a mix of commercial and student properties including the St. James' Metro Station and St. James' Park Football Stadium. The area has few standalone advertisements with some existing billboards and a single illuminated display advertisement being adjacent to St. James' Park Stadium. The Council have also described that the surrounding area is undergoing a regeneration scheme which includes removal of the existing billboards.
6. The appellant has indicated that the proposals would reduce the level of advertising by 50%. Nevertheless, given the size, design, siting and illuminance of the proposal, they would appear out of keeping with the characteristics of the surrounding area and be seen as incongruous features that are prominent and would dominate the townscape.

7. Planning conditions can control levels of illumination, advert images and frequency to reduce effects on nearby residents and highway safety. However, the proposals would be discordant structures that would detract from the existing urban fabric of the area.
8. Accordingly, the proposals would have a harmful effect on the amenity of the surrounding area. The proposals would be contrary to Policies CS15 and UC12 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2015, Policy DM20 of the Newcastle upon Tyne Development and Allocations Plan 2020 and the Framework which seeks proposals to deliver high quality design and respect and enhance the positive characteristics and context.

Conclusion

9. The proposals would not have an adverse effect on highway safety or the living conditions of nearby properties. However, these matters would not outweigh the significant harm I have identified with regards to the effect on the amenity of the area.
10. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
11. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR