
Appeal Decision

Site visit made on 22 July 2025

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/M4510/H/25/3359885

93 - 105 Saint James Boulevard, Newcastle upon Tyne NE1 4BW

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Wildstone Estates Limited against the decision of Newcastle Upon Tyne City Council.
 - The application Ref is 2024/1672/01/ADV.
 - The advertisement proposed is erection of 2no. new digital poster displays.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's officer report refers to an appeal decision¹ for the display of an advertisement that was dismissed. This is described as being the same size as the advertisements in the current appeal scheme and in almost the same location as that proposed on the southern elevation of the property. Whilst I have not been provided with any further details of that scheme, the appellant's evidence does not dispute this to be the case. However, although I note the references in the officer report to that decision, I have made my own assessment based upon the appeal submissions before me and my site visit.

Main Issues

3. The main issues are the effect of the proposed advertisements on:
 - the amenity of the area; and
 - public safety.

Reasons

Amenity

4. The appeal site is a relatively large, detached building located within a very prominent position to the eastern side of St James Boulevard. The surrounding area is characterised by commercial development with a mix of uses and variations in the appearance of buildings and advertisements. I observed St James Boulevard to be a busy highway that provides a main route into and out of the city. Having regard to its position close to the junction to the south with the routes that lead from

¹ Appeal Decision ref APP/M4510/Z/21/3289278

Scotswood Road and the Redheugh Bridge, the appeal site is seen within the context of a gateway location into the city.

5. The building is not of any significant or architectural interest in itself and the siting of the proposed advertisements to parts of the blank gable end sections would not dominate the overall elevations. However, due to the highly prominent position of the appeal site, their siting towards the roadside frontage, elevated position and illumination, the advertisements would be particularly notable features in the street scene in views along St James Boulevard and Churchill Street, as well as in the approaches from the south and south-west of the site. A line of trees between the pavement and road on the eastern side of St James Boulevard limits some views from the north towards the appeal site.
6. Despite variations in other signage within the immediate area, including poster displays to the south, I did not observe any similar digital advertisements. The proposal would introduce large, illuminated advertisements to a building in a prominent, gateway location that would be out of context with other advertisements in the locality. The advertisements would result in incongruous and visually intrusive features in this part of the street scene that would harm the visual amenity of the area. Despite the suggestion from the appellant, I do not find that they would add to the visual interest of the building or the area.
7. The appellant has suggested conditions that could control illumination levels and operation of the advertisements. They also suggest that such advertisements mimic more traditional poster and paste displays. The introduction of the advertisements in this location would result in discordant features and harm to the amenity of the area, which would be exacerbated by the proposed illumination. I do not consider that the proposal could be made acceptable through the use of conditions relating to illumination or other operational aspects, and they would not overcome the overall harm to amenity that I have found.
8. The appellant references rationalisation and decluttering associated with digital upgrades. I do not have any evidence before me to demonstrate how there would be direct benefits from the scheme in this respect in this particular location. I have also had regard to the appellant's suggested benefits of digital advertising in the context of the appeal scheme. However, I do not consider that these would justify the harm that I have identified in terms of amenity.
9. For the above reasons, I conclude that the proposal would have a harmful effect on the amenity of the area. In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations), I have taken into account the provisions of the development plan only insofar as they are relevant to amenity. Policies CS15, UC11 and UC12 of the Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (the CS) and Policy DM20 of the Newcastle upon Tyne Development and Allocations Plan 2015-2030 (the DAP) seek to protect amenity and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.
10. For the same reasons the proposal would also be contrary to paragraph 141 of the National Planning Policy Framework, which states, amongst other things, that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public safety

11. The Planning Practice Guidance (PPG) states that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety, including at junctions, roundabouts, pedestrian crossings or other places where local conditions present traffic hazards. The PPG also lists the main types of advertisements which may cause danger to road users as including those which, because of their size or siting, would obstruct or confuse a road-user's view, or externally or internally illuminated signs, which because of their size or brightness, could result in glare and dazzle, or distract road-users, and advertisements that are subject to frequent changes of the display. I am mindful that the Council's Transport Development comments raise concerns that both of the digital advertisements would create a distraction for motorists with adverse impacts on highway safety.
12. Since the application was determined the appellant has submitted a Highway Safety Report² (HSR) with the appeal. The HSR has been prepared having regard to the Transport for London Guidance for Digital Roadside Advertising and Proposed Best Practice (2013) (the TfL guidance). Whilst I have had regard to the HSR, full details of the TfL guidance have not been provided, therefore I cannot fully determine its relevance to this appeal.
13. The proposed advertisement to the northern gable end of the building (Panel A) would be situated close to the junction of St James Boulevard and Churchill Street, which also provides access and egress from Newcastle Coach Station and features a taxi rank. Whilst Churchill Street is single carriageway, St James Boulevard comprises two lanes in both directions as it passes the appeal site with right and left turns onto Churchill Street and a cycle lane on the southbound side on the approach to the site. There is a signalised junction and pedestrian crossing over St James Boulevard, as well as a signalised pedestrian crossing to part of the junction of St James Boulevard and Churchill Street. The egress from Churchill Street comprises a non-signalised left turn only slip road arrangement and a signalised right turn onto St James Boulevard.
14. Whilst the trees to the eastern side of St James Boulevard would limit some longer-range views from the north, Panel A would attract attention and become more evident just as road users move closer to the junction with Churchill Street and the pedestrian crossings. This is an area where road users will need to be aware of cars slowing to turn onto Churchill Street, cyclists and pedestrians, the signalised junctions, as well as vehicles exiting the Churchill Street slip road onto St James Boulevard.
15. The advertisement to the southern gable end of the appeal site (Panel B) would be seen and attract the attention of drivers when travelling north along St James Boulevard. Road users would need to look over to and across the southbound lanes to see this. The approach to this part of St James Boulevard follows on from a large, signalised junction featuring multiple lanes, with traffic heading towards the appeal site from Scotswood Road and from the Redheugh Bridge. This contributes to a busy environment for all users of the highway where drivers may be changing lanes, slowing down to turn into the casino site car park close to the location of

² Highway Safety Report Issue 1 – Astute, January 2025

Panel B, as well as approaching the signalised junction and crossing with Churchill Street.

16. Having regard to all of the above factors, a high level of concentration is required from road users in the area of both advertisements, including drivers, pedestrians and cyclists. I acknowledge the proposed static nature of the displays and periods of change, although road users would have to register changing displays within the immediate busy road environment. Given these circumstances, even momentary distraction to road users, such as those likely to arise from the changing images of the advertisements and the proposed illumination, would increase the risk of accidents to the detriment of the safe operation of the highway. Therefore, whilst I have had regard to the conclusions of the appellant's HSR, I find that the proposal would unacceptably increase the likelihood of distraction to road users in the location of the advertisements.
17. Similar to the above assessment in respect of amenity, conditions could be used to control the illuminance, hours of operation and the frequency of changes to the displayed image. Given the nature of the proposal and the overall site context, and despite other sources of illumination in the wider area, these measures would not be sufficient to avoid harm to public safety, and I do not consider that these would make the scheme acceptable.
18. I have also had regard to the information provided on road safety statistics. Whilst these do not indicate a significant number in the immediate vicinity of the appeal site, it is clear that there have been a number of incidents in this and the wider area. This information does not justify increasing the risk that would result from the proposal.
19. For the above reasons, I conclude that the siting, scale and nature of the advertisements in this location would likely result in a distraction for users of the highway, which would lead to the potential for increased conflict between road users. Consequently, the proposal would have a harmful effect on public safety.
20. In accordance with the Regulations, I have taken into account the provisions of the development plan insofar as they are relevant to public safety. Policy CS13 of the CS and Policy DM14 of the DMP look to ensure highway safety and so are material. Given I have concluded that the proposal would harm public safety, the proposal conflicts with these policies.

Other Matters

21. I viewed the advertisements referenced at Byker Bank³ and 369 Walker Road⁴. Although I have limited information on those proposals, and despite their roadside locations, they are seen in a different context to the appeal site. This includes siting in a more industrial setting and not a similar gateway location. I note that in the case of Byker Bank the new digital signage appears to have replaced a previous poster display, and there is also a separate poster display close to that site. There is no existing signage being replaced in the location of the appeal scheme and these would be completely new displays. I also have no details of the two poster displays located to the south of the appeal site or their status with regard to any consents.

³ LPA ref 2016/1110/01/ADV

⁴ LPA ref 2018/0827/01/ADV

22. I have also had regard to the examples of other gable end displays in various locations submitted with the application. Whilst they indicate roadside locations, I have not been provided with full details of those proposals and their wider site context, and it has not been explained how they relate to the appeal scheme. Therefore, I am unable to draw any direct comparisons from all of these with the scheme before me that would weigh in its favour or justify the harm that I have found. Furthermore, each proposal must be dealt with on its individual merits, and my assessment is based on the impact on amenity and public safety in this location.

Conclusion

23. For the reasons given above, and having had regard to all matters raised, I conclude that the proposed advertisements would harm amenity and public safety, and the appeal should be dismissed.

N Armstrong

INSPECTOR