



Appeal Decision

Site visit made on 18 August 2025

by **A Hartley, LLB (Hons), Solicitor, MBA**

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/M4510/Z/25/3367664

83 Bothal Street, Newcastle-upon-Tyne NE6 2JQ

- The appeal is made under Regulation 17 of the Town and Country Planning Act (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Venderoo Limited against the decision of Newcastle City Council.
 - The application Ref 2025/0639/01/ADV.
 - The advertisement proposal is for the display of 1 No. LED digital display screen.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council altered the description of the proposed advertisement. This description is clearer than that given on the application form. I have therefore used this description in the banner heading and formal decision.
3. At the site visit I noted that the advertisement applied for was not in place. Within the appeal site there were no advertisements. On an adjacent site within a few metres of the appeal site, there was a poster hoarding. The information within the application form states that the advertisement is already in place. This contradicts the situation I observed on site. I have determined this appeal on the basis that it seeks consent for a digital LED poster display that is not already in situ. Further, that it is not replacing an existing advertisement.
4. The Council's reason for refusal refers to the proposal conflicting with its development plan. However, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken the development plan into account insofar as it is relevant, and the National Planning Policy Framework (the Framework), they have not been decisive considerations in my determination of this appeal.

Main Issue

5. It is agreed between the main parties that there is no unacceptable impact on public safety subject to conditions. I have no reason to disagree. The main issue is therefore the effect of the proposal on amenity.

Reasons

6. Planning Policy Guidance at paragraph 079 acknowledges that “amenity” is not defined in legislation, but states that it includes the effect on visual amenity in the immediate neighbourhood where passers-by will be aware of the advertisement. The existing character of the immediate area should therefore be assessed to determine the level of impact caused by the proposal.
7. The proposed advertisement would be situated close to a main road roundabout, beyond which there is a modern church building and car park. Notwithstanding the commercial nature of some uses in the area, I observed on site that its character in the immediate area is predominantly residential, with green verges, trees and bushes evident opposite the terraced housing. There is a poster advertisement close to the appeal site on the gable end of a terrace of dwellings. This existing large advertisement is a dominant feature within the vista when travelling towards it along the main Wellbeck Road. The proposed LED advertisement would be seen within the same vista when reaching the roundabout from this direction. It would also be prominent in the view from the Allendale Road approach.
8. The introduction of the LED display within the same vista so close to the existing large poster hoarding would cumulatively appear stark and intrusive, cluttering and disrupting the more residential character of the immediate area. It would therefore cause substantial harm to the visual amenity of the area.
9. My attention has been drawn to other examples where digital and poster hoardings can be viewed together. However, these are within different contexts, do not appear directly comparable and I therefore attach very little weight to these in the determination of this appeal.
10. I have considered, so far as relevant, policy CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (2015) and policy DM20 of the Newcastle upon Tyne Development and Allocations Plan (2020). These policies, amongst other things, seek to ensure proposals respect and make a positive contribution to their surroundings, and so are material in this case. With respect to the main issue, I find that the proposal would cause harm to the amenity of the area and accordingly the proposal would conflict with these policies.

Other Matters

11. My attention has been drawn to potential economic, social and environmental benefits of the proposal. However, in determining an advertisement consent appeal, I am confined to considering the effect of the proposal on public safety and visual amenity only.

Conclusion

12. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity, therefore the appeal should be dismissed.

A Hartley

INSPECTOR