



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/25/3367953

Land adjacent to 84 Station Road, South Gosforth, Newcastle-upon-Tyne NE3 1QD

- 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 2025/0638/01/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. I have determined this appeal on the basis that it seeks consent for a digital 48-sheet 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.
5. It is agreed between the main parties that there is no unacceptable impact on public safety. An interested party has raised concern about potential distraction to road users. Notwithstanding the absence of a public safety reason for refusal from the Council, I have considered the effect on public safety as a main issue in this appeal.

Main Issues

6. The main issues are the effect of the proposal on amenity and public safety.

Reasons

Amenity

7. 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.
8. The proposed advertisement would be situated on the gable end of a residential terrace that has some commercial uses at ground floor, including at the appeal property. There is a public house opposite. The appeal site is at the corner of Hunter’s Road, which comprises semi-detached dwellings. The appeal site is adjacent to a major movement corridor and the South Gosforth Roundabouts. The approaches from the A189 and A191 towards the roundabouts have a pleasant verdant and spacious character.
9. The proposed LED display would be situated at a prominent corner and appear stark and intrusive. It would clutter and disrupt the residential character of the immediate area of Hunter’s Road, as it would be highly visible when travelling along the road towards the roundabouts. It would also unduly dominate the view when travelling on the A191 towards the roundabouts. It would therefore cause substantial harm to the visual amenity of the area.
10. My attention has been drawn to other examples of digital advertisements. 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.
11. 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.

Public Safety

12. Poster advertisement hoardings may have been historically sited on the gable end wall. However, there is no evidence that the traffic situation would have been as it is today when their position may have been considered by the Council. I therefore attribute very little weight to the possibility that poster hoardings may previously have been acceptable to the Council in terms of the impact on public safety. I note that the Council has no objection on public safety grounds to the current appeal proposal but no other substantive reasoning has been provided for this conclusion.
13. At approximately 4.30pm on a Monday, I observed that the traffic in the area was very busy. The double roundabouts comprise a complicated arrangement that require extra careful concentration and navigation even at less busy times.
14. I have had regard to the evidence from an interested party and my own observations on site in relation to the complex nature of the South Gosforth Roundabouts. The introduction of the proposed LED display would create a level of distraction at this busy, complex junction that is likely to have an unduly negative

effect on public safety, both for motorists and pedestrians negotiating the roundabouts. I do not consider that conditions or the ability to alter the luminance, timing and animation of the LED display would overcome this harm.

15. I conclude that the proposed advertisement would cause substantial harm to public safety.

Other Matters

16. 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 visual amenity and public safety only.

Conclusion

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

A Hartley

INSPECTOR