
Appeal Decisions

Site visit made on 6 January 2026

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 January 2026

Appeal A Ref: APP/M4510/W/25/3375216

Pavement Outside Newcastle City Library, 33 New Bridge Street West, Newcastle NE1 8AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Nathan Still, In Focus Networks Limited, against the decision of Newcastle Upon Tyne City Council.
- The application Ref is 2025/1015/01/DET.
- The development proposed is installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.

Appeal B Ref: APP/M4510/H/25/3375214

Pavement Outside Newcastle City Library, 33 New Bridge Street West, Newcastle NE1 8AX

- 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 Mr Nathan Still, In Focus Networks Limited, against the decision of Newcastle Upon Tyne City Council.
- The application Ref is 2025/1007/01/ADV.
- The advertisement proposed is installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.

Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals relate to the same proposal on the same site. Appeal A concerns the refusal of planning permission to erect a street hub unit (the hub). Appeal B concerns the refusal of express consent for advertisement panels on one side of the hub. I have considered each appeal on its individual merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
4. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken account of the policies that the Council considers to be relevant, these have not been decisive in my determination of this appeal.
5. The appeal site is located within the setting of the Grade II Listed Buildings known as the Laing Art Gallery and the Northern Goldsmiths building. In determining Appeal A I have a statutory duty, under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), to have special regard to the

desirability of preserving the setting of these listed buildings, and any features of special architectural and historic interest which they possess.

Main Issues

6. The main issue in respect of Appeal A are the effect of the proposal on the character and appearance of the area, including its effect upon nearby listed buildings.
7. The main issues in respect of Appeal B are the effect of the proposed advertisement on amenity and public safety.

Reasons

Character, appearance and visual amenity

Character, appearance and significance of heritage assets

8. The appeal relates to a wide section of pavement located to the west of the busy junction of New Bridge Street West and John Dobson Street in Newcastle City Centre. The site is situated within a predominantly commercial setting, consisting of a range of food and drink establishments, offices, and public buildings, as well as residential apartments.
9. There are various items of existing street furniture within the immediate vicinity of the appeal site, including stone seating, lighting columns, CCTV columns, bins, railings, and bollards. The presence of street furniture is therefore an established characteristic of this area, and I found the balance between the proliferation of items on the pavement and a clear and welcoming area for pedestrians to be delicately poised.
10. Additionally, due to the largely commercial character of the area I observed various signs and adverts on nearby buildings, and close to the appeal site is a large LED advertising display that forms a side wall of a bus shelter.
11. To the east is the Laing Art Gallery and across the road to the southwest is Northern Goldsmiths, which are both Grade II Listed Buildings. The Laing Art Gallery occupies a prominent location at the corner of John Dobson Street and the pedestrian section of New Bridge Street West, and is visible from long distances along New Bridge Street West. Its visual prominence is accentuated through its domed distinctive tower cupola and sandstone ashlar finish which stands out amongst the surrounding building materials.
12. Similarly, Northern Goldsmiths occupies a prominent position on the corner of Blakett Street and Pilgrim Street and is also visible in long range views along New Bridge Street West. The prominence of Northern Goldsmiths is accentuated by its highly decorative façade and ornate circular cupola topped with a distinct painted dome. The long views along the busy highway positively contribute to the setting of both listed buildings. Furthermore, their decorative features add architectural interest and enhance their visual prominence on the street scene, as well as their significance as designated heritage assets.

Effect of the proposal

13. The appeal proposal seeks to erect a street hub unit with advertisement panels on either side. The proposed installation would be an upstanding rectangular structure

- and would house features that provide free Wi-Fi, free UK calls, USB charging, access to emergency services, a defibrillator and other facilities.
14. Whilst acknowledging some limited items of street furniture around the appeal site, the proposed hub would be sited on a section of this pavement that is currently free of street furniture and advertisements. Due to a combination of its siting, height and width, the proposed freestanding hub, with its large digital advertisement panel on one side, would represent a bulky, dominant and obtrusive feature in this location. It would also introduce additional visual clutter to the detriment of the existing open character of the street scene.
 15. Additionally, the illuminated rotating digital adverts on the proposed hub would be a strident and incongruous feature in comparison to the adverts displayed within the existing bus shelters located to the east. It would also result in the over proliferation of digital advertising within the immediate area.
 16. Consequently, I find that the proposal would cause harm to the character, appearance and visual amenity of this area.
 17. The proposal would also be prominently viewed within the short to mid-range setting of the Laing Art Gallery and the mid-to long range setting of Northern Goldsmiths which are currently defined by the open and spacious characteristics along this street. Paragraph 212 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation.
 18. It is acknowledged that the proposed hub would be located close to a building which is an example of contemporary architecture and it would be several meters from both listed buildings. However, due to the open characteristics of the street scene, both the Laing Art Gallery and Northern Goldsmiths are prominently visible from views along the highway from the appeal site. As such, I find the siting and bulky design of the proposal would introduce a dominant and incongruous feature within their settings, and in particular when observed from the west the hub would compete with views of the Laing Art Gallery due to its siting in its foreground.
 19. I also observed on site that, despite the width of the path, as pedestrians travel along New Bridge Street West, the proposed hub would partially impede and block views of both listed buildings, and their features of architectural interest. Furthermore, the frequently changing digital advertisement images would detract from the clear and spacious characteristics of the area, and the setting of these listed buildings. My concerns in this regard are not resolved by the adjustment of light levels from the hub to suit external conditions or the intersection of John Dobson Street.
 20. I therefore find that the proposal would undermine the open and spacious character of the setting of both the Laing Art Gallery and Northern Goldsmiths as well as harming their features of architectural interest, which contribute to their significance as designated heritage assets. Paragraph 213 of the Framework states that any harm to the significance of a designated heritage asset from development within its setting should require clear and convincing justification.
 21. To that end, I note the submission refers to the removal of a kiosk on Market Street East outside the Central Police Station, Magistrates Court and Fire Station and

Carloli House which are both Grade II Listed, and another kiosk outside 172-174 and 178 Westgate Road and within the Hadrian's Wall World Heritage Site. However, both these locations are not visible from the appeal site, and I therefore found them to be visually unrelated. This therefore limits the weight I attribute to the removal of these existing kiosks in favour of the appeal proposal's effect on the character and appearance of the area, and the setting of the Laing Art Gallery and Northern Goldsmiths.

22. My attention has been drawn to other hubs and associated advertisements in the city, including 4 that were recently approved by the Council on Northumberland Avenue¹. Whilst I have had due regard to these decisions, issues relating to the impact of a proposal upon the character, appearance and visual amenity of an area, and designated heritage assets, are matters of planning judgement based on the site-specific circumstances and surroundings.
23. In this regard, I have been provided with limited information in respect of these decisions that would enable me to draw any direct comparisons with the specifics of the appeal site and scheme before me, including any potential relationship those proposals shared with any nearby listed buildings. These decisions therefore carry limited weight in my determination of this main issue.
24. Consequently, I do not find that the removal of existing kiosks elsewhere and the recent planning decisions referenced by the appellant, to provide clear and convincing justification for the harm that would be caused to the significance of the designated heritage assets from the proposed development within their setting. My concerns in this regard are not lessened by the hubs location outside of a Conservation Area.

Public benefits and conclusion on the designated heritage asset

25. In view of the above, I find the proposal would lead to less than substantial harm to the significance and setting of both the Laing Art Gallery and Northern Goldsmiths, with the level of harm being at the lower end of that spectrum. Nevertheless, mindful of my statutory duty, I give this harm considerable importance and weight.
26. Paragraph 215 of the Framework requires that where a proposal would lead to less than substantial harm to a designated heritage asset, the harm should be weighed against the public benefits of the proposal.
27. In respect of Appeal A, paragraph 119 of the Framework states that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social well-being. The Framework also seeks to support the expansion of electronic communication networks. The hub would therefore support the Government's aim of improving digital infrastructure.
28. The proposal would include a defibrillator, free ultrafast wi-fi, access to public services, multiple accessibility options, a charging point, free phone calls, a direct emergency call button, community and emergency awareness messaging, a map of the city and environmental sensors to measure factors such as air quality. The hub would also provide improved 5G coverage to local communities through the installation of small cell mobile connectivity providing faster and more reliable

¹ 2023/1437/01/DET, 2023/1436/01/ADV, 2023/1440/01/DET and 2023/1439/01/ADV

connection for calls and internet access, as well as free screen time for council advertising.

29. The hub would provide some indirect lighting and be powered by 100% renewable carbon-free energy, which is an environmental benefit. I also note the appellant's view that the proposed unit could assist in encouraging shoppers to return to the city centre and promote the city to visitors.
30. When taken together, I find that all the above-mentioned public benefits attract moderate weight in favour of the appeal proposal. However, these public benefits do not outweigh the considerable importance I must attach to the designated heritage assets.
31. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. As such, most of the proposed benefits put forward cannot be taken into consideration in my decision for Appeal B. Nonetheless, even in a scenario whereby I accepted that use of the advertisement to display emergency messages and public messaging campaigns was a public safety matter relevant to the control of advertisements, the benefits derived from it would not overcome the harm I have identified to visual amenity.
32. I therefore conclude on this main issue that the proposal would have an unacceptable impact on the character, appearance and visual amenity of the area. Furthermore, it would harm the significance and setting of the nearby listed buildings the Laing Art Gallery and Northern Goldsmiths.
33. The proposal would therefore conflict with Policies UC12, UC14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-30 and Policies DM15, DM16 and DM20 of the Newcastle upon Tyne Development and Allocations Plan 2015-2030. When read together, these policies are consistent with the Framework in requiring that development respects and responds positively to local distinctiveness and the characteristics and context of an area and that development proposals conserve or enhance the significance of heritage assets, including their setting and surrounding key views. In respect of Appeal A, the proposal would also fail to satisfy the requirements of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Other Matters

34. The Officer report highlights East Pilgrim Streets designation as a key site for growth and refers to planned improvements to the public realm as part of the development of the Pilgrim Quarter. However, no substantive evidence has been provided to clearly demonstrate how the hub would harm this development specifically. Nevertheless, for the reasons detailed above, I have found that the proposal would harm the character, appearance and amenity of the area in general.

Conclusion

35. For the reasons given, I have concluded that the proposal would harm the significance and setting of two listed buildings, the Laing Art Gallery and Northern Goldsmiths, and would cause harm to the character, appearance and visual amenity of the area.
36. Appeal A therefore conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision

should be made other than in accordance with the development plan. Appeal B would harm visual amenity.

37. Therefore, for the reasons given, both Appeal A and Appeal B are dismissed.

C Livingstone

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/M4510/W/25/3375216	IN FOCUS NETWORKS LIMITED
Appeal B	APP/M4510/H/25/3375214	IN FOCUS NETWORKS LIMITED