



Appeal Decision

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: 11th February 2026

Appeal Ref: APP/H4505/Z/25/3371395

Land at Park Road, Gateshead, NE8 3ES

- 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 Gateshead Metropolitan Borough Council.
 - The application Ref is DC/25/00248/ADV.
 - The advertisement proposed is Installation of digital advertisement display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A Highway Safety Report was submitted in support of this appeal. However, I cannot be certain that all interested parties are aware of this information. Therefore, they would not be aware of the findings and its possible implications in relation to the proposal. The appeals procedural guide makes it clear that it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested individuals' views were sought. To do otherwise could unacceptably prejudice the interests of parties and on this basis, I have determined the appeal without taking this information into consideration.

Main Issues

3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions for express consent for the display of advertisements are made only in the interest of amenity and public safety.
4. Based on the Council's reasons for refusal, the main issues in respect of the appeal are the effect of the proposed advertisement on public safety and amenity.

Reasons

Public Safety

5. 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. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing, or other places where local conditions present traffic hazards. There are less likely to be road safety problems if the advertisement is on a site within a commercial or industrial locality, if it is a shop fascia sign, name-board, trade or

business sign, or a normal poster panel, and if the advertisement is not on the skyline¹.

6. As detailed above the proposed digital advert would be located in a primarily commercial area. However, the proposed digital advertisement would face oncoming traffic on a busy main road, adjacent to junctions with deceleration and acceleration lanes; which serve multiple businesses. The advertisement would also be close to traffic lights at the intersection of Park Road, Shearlegs Road and St James Road. A shared pedestrian and cycle route also runs in front of the appeal site, adjacent to the carriageway.
7. The Council note that the proposed advert would be at a point where vehicles are changing lane to turn left or right at the traffic lights or at the nearby access points on and off Park Road. This can lead to a concentration of conflicting vehicular movements and changing speeds in close proximity to the appeal site.
8. The Council also highlight that the traffic lights result in queuing on the road and at the time of my site visit on a mid-week afternoon I witnessed that vehicles queued at the traffic lights reached up to the appeal site. Also, users of the shared pedestrian and cycle lane would need to negotiate uncontrolled crossings at the nearby junctions on and off Park Road, and the Council noted that there is a recorded incident of an accident involving a cyclist at the exit junction.
9. The digital display of the proposed advertising is by its very nature designed to grab the attention of passers-by whether they be drivers or pedestrians. Despite the appellants submission that drivers would be able to glance at advertisements without being distracted from road or traffic movements, the intermittent changing of the advert display, albeit with little transition time, has the potential to distract motorists and create visual confusion. It would also pose a risk to pedestrians and road users as they approach this busy section of road particularly given the speed limit of 40 miles per hour on the approach to the appeal signage.
10. In coming to that view, I acknowledge that digital advertisement displays are common in urban, and commercial locations. However, the appeal site is close to a busy junction, traffic lights and a shared cycle/pedestrian footway and a car travelling at 40 miles per hour is likely to cause serious injury or potentially death to any pedestrian or cyclist in the event of a collision.
11. Taking all of the above into account, the risk to public safety would be likely to increase as a result of the proposed advertisement. In coming to that view, I have considered the conditions set out by the appellant to mitigate against the levels of illumination and the frequency and method of change of the display. Notwithstanding these conditions, the proposal has the ability to distract road users at a time when they should be paying due care and attention to the road.
12. My assessment is that the position and nature of display, would likely result in a distraction for users of the highway. Therefore, the proposal would have a harmful effect on public safety.

Visual amenity

13. The appeal relates to a section of ground flanked on one side by Park Road, a main arterial route in the north of Gateshead and, on the other side, by an access

¹ Paragraph: 067 Reference ID: 18b-067-20140306

- road that serves a petrol station and several large car dealerships. Across the highway, to the south, there are similar car dealerships which occupy large commercial units.
14. The immediate vicinity of the appeal site and the area to the north up to the Tyne is characterised by commercial uses. To the south, beyond the car dealerships across the highway, the wider area consists of predominantly residential dwellings.
 15. The proposal is for consent for the display of a 6m by 3m digital advertisement display that would present multiple static advertisements on rotation. The display would be mounted at the rear of an existing digital display of the same size and both signs would be mounted on 2m high poles.
 16. The section of pavement within which the proposed hub would be sited contains various items of existing street furniture, including and existing digital advert, lighting columns, concrete bollards, safety railings and traffic lights serving a controlled pedestrian crossing. The presence of street furniture is therefore an established characteristic on this section of the pavement, as well as within the wider area in general.
 17. Additionally, due to the commercial character of the immediate surroundings I observed various fascia signs, projecting signs and window adverts on nearby premises, as well as totem signs adjacent to the footway.
 18. Considering the commercial context of the immediate locality, as well as other existing items of street furniture in this area, the siting and appearance of the proposed advertisement would be broadly in keeping with its surroundings. Its simple, modern design would be compatible with the nearby commercial uses, and I find that the proposal would not represent a stark, visually intrusive or incongruous item, either on its own or in combination with other nearby items of street furniture.
 19. In coming to this view, I acknowledge that the advert would be taller than some of the existing items of street furniture on this section of the pavement. Nevertheless, there are nearby items of street furniture that would be taller than the proposed advert, such as lighting columns and totem signs.
 20. I also acknowledge that the addition of the hub would inevitably result in an increase in visual clutter on this side of the highway. However, in this particular case, as the proposal would be directly back to back with an existing sign they would read as a single unit, as such in this instance I do not find that the addition of an extra item of street furniture would have an unacceptable impact on the visual amenity of the area within this commercial context.
 21. Given that I have concluded that the proposal would not harm visual amenity for the reasons given above, I therefore conclude it would not conflict with the Regulations in this regard.

Other Matters

22. My attention has been drawn to several examples of when advertisement consent has been granted for advertisement consent close to highways². However, full details of each consent have not been provided. Therefore, I cannot be certain that the road conditions including junctions, traffic control measures, speed limit and

² Including DC/23/00622/ADV, DC/20/00898/ADV, DC/22/00632/ADV, 2024/0391/01/ADV, 19/02352/ADE

conflicting vehicular movements reflect the scheme before me; and I cannot be certain that the circumstances are the same. In any case each appeal must be determined on its own merits.

23. I note the environmental, social and economic benefits of digital advertisements as outlined by the appellant. Whilst these could be considered to be factors in favour of the proposal, they do not outweigh the harm that I have identified. Moreover, the Regulations require that I exercise my powers only with regard to amenity and public safety, albeit these benefits may be considered as other relevant factors.

Conclusion

24. Given the commercial character of the area I consider that the proposed advertisement would not harm visual amenity in this instance. However, the advertisement would be highly likely to distract users of a busy highway at a point where there are conflicting vehicular, cyclist and pedestrian movements, which would result in harm to public safety.
25. For the reasons given above the appeal should be dismissed.

C Livingstone

INSPECTOR