



Appeal Decision

Site visit made on 6 January 2026

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2026

Appeal Ref: APP/H4505/Z/25/3376146

Chain Bridge Road, Newcastle, NE21 5ST

- 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/25/00553/ADV.
- The advertisement proposed is the conversion of existing paper and paste displays to digital posters.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council issued a split decision, approving express consent for the digital and illuminated display referred to as 'Sign D'. For the avoidance of doubt, this appeal relates solely to the proposed advertisement identified as 'Sign C'.
3. My attention has been drawn to a previous appeal decision¹ which was dismissed. Whilst I have had regard to the previous appeal decision, I have determined the current development on its own merits.
4. The appeal submission includes additional evidence which was not before the Council at the time of its decision. This includes a Highway Safety Report² (the HSR). The Procedural Guide states 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 people's views were sought.
5. I have considered this additional information taking into consideration the principles established by the Courts in *Holborn Studios Ltd*³. In this case, the additional information provides further evidence in relation to the Council's reasons for refusal, rather than significant amendments to the proposal. The Council has been given the opportunity to comment on this document. For this reason, I consider that there would be no prejudice to any party, and I have therefore determined the appeal on the basis of this additional information.

¹ Appeal Ref: APP/H4505/H/21/3274690

² Prepared by SLR Consulting dated 19 November 2025

³ *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin)

Background and Main Issue

6. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) require that advertisements be subject to control only in the interests of amenity and public safety.
7. The Council has not suggested that the proposal would cause harm to the amenity of the area, and I see no reason to disagree. Therefore, the main issue is the effect of the proposed advertisement on public safety.

Reasons

8. The appeal site is located within Dutton Court, a retail and industrial park situated to the north of Chain Bridge Road (A695). The area is characterised by a distinctly commercial and industrial environment, comprising a variety of business premises and associated signage, including an existing prominent totem-style display. A digital display sign is already in place on the opposite side of Chain Bridge Road, facing the same direction as the appeal proposal.
9. The appeal site is situated just off the eastbound side of Chain Bridge Road between the A1 and Toll Bridge Road, the site sits alongside a two-way dual carriageway with a 70mph speed limit. This stretch of road features several access points serving the various businesses located within the retail park.
10. The proposed digital advertisement (Sign C) would have a 6m by 3m screen, positioned approximately 2.4 metres above the ground. Whilst the proposal would replace an existing non-digital advertisement, it would introduce a digital display screen with LED illumination and a sequential change of advertisement, at a frequency of approximately every ten seconds. Due to its orientation, traffic travelling along Chain Bridge Road in a westbound direction would not have views of the sign. Therefore, it would predominantly be visible to east bound traffic travelling along Chain Bridge Road.
11. The Planning Practice Guidance (the 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.
12. I accept that digital displays are a common and well-integrated feature of the UK road network, where sited appropriately and carefully designed they can coexist safely with road infrastructure and in isolation the change from paper to a digital display might not necessarily lead to harm to highway safety. The HSR states that the change from a paper and paste display to a digital display with static advertisements would not result in a material change to highway safety. The only change being the introduction of illumination which can be controlled to ensure both dwell time and the level of distraction is minimised. It further states that the presence of digital displays on high-speed roads is common and can be safely implemented.
13. The existing retail premises is served by two junctions onto the eastbound carriageway of Chain Bridge Road. These are both standard access points with no acceleration or deceleration lanes. One of the accesses operates as an entrance point, and the other as an exit point. Due to the position of the proposed display, it

would not be located within the visibility splay for the access points. As such, it would not cause an obstruction to the sightlines of drivers entering or exiting the adjacent retail premises.

14. However, the proposed advertisement would result in the provision of two digital display screens within the same field of view. The change in display image would be likely to draw the eye and encourage a motorist to look towards the display to see the new advert. In this particular location road users may need to react to vehicles entering or leaving the access points, which would increase the level of risk from such a distraction to an unacceptable degree. Therefore, whilst I acknowledge that drivers would have good visibility and a clear sight line towards the advertising screen from about 200m to the west, there would nonetheless be an increase in the number of distractions for drivers travelling eastbound along this carriageway. This creates an additional demand on drivers' attention both passing and exiting the commercial site, which would compromise highway safety.
15. My attention has been drawn to examples of where two digital advertising displays have been permitted facing the same part of the road network, which the appellant states demonstrates that multiple screens in close proximity facing the same traffic lane does not inherently compromise highway safety. However, whilst each digital display is capable of being controlled in terms of brightness, fixed dwell times, and controlled transitions, there is no substantive evidence before me that the two signs can be controlled simultaneously so not to cause an additional distraction to motorists. It is therefore entirely possible that the two screens could transition at different time, increasing the level of distraction. Furthermore, I am not aware that there have been any significant changes to either the local highway conditions, siting, or regulations and guidance that would lead me to reach an alternative conclusion to the previous appeal decision.
16. The proposed advertising display is positioned to the left of the directional sign for Chain Bridge Road, the industrial estate and Derwenthaugh Marina. The directional sign would remain fully visible to drivers approaching along the road. As such, I am satisfied that the proposed advertisement would not lead to conflict with the existing directional highway signage.
17. I have had regard to the conditions suggested by the appellant which would be largely identical to those imposed by the Council in respect of Sign D to control features including, but not limited to, the level of illumination, the frequency at which adverts can change and to restrict moving imagery. However, given my above-mentioned concerns, I am not satisfied that the imposition of these conditions would overcome the harm in respect of public safety.
18. The benefits associated with digital advertising which have been put to me include the combination of high-quality, robust designs with tidy, well-maintained sites that enhance the local environment and an uplift in business rates, creating additional funds for public services. The appellant further states that they eliminate the need for physical posters, significantly reducing production waste, whilst their flexibility allows local businesses easier access to advertising space. These displays can also serve wider community purposes, acting as platforms for emergency messaging and providing opportunities to use unused time for public information or public art campaigns. Additionally, they offer the potential to integrate smart hardware that supports broader Smart City objectives. However, whilst I have had regard to these benefits, my judgement is based on the effect that the proposal

would have on public safety. I do not consider that the above matters would justify the harm that I have identified.

19. Consequently, I therefore conclude that the proposal would harm public safety in terms of highway safety. In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations), I have taken into account the National Planning Policy Framework and the PPG cited in the Council's reason for refusal as material considerations. However, the power to control advertisements under the regulations may be exercised only in the interests of public safety and amenity. Consequently, they have not, in themselves, been decisive in my determination.

Conclusion

20. For the reasons given above the appeal should be dismissed.

K Lancaster

INSPECTOR