



Appeal Decision

Site visit made on 30 August 2022

by **C Dillon BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15th September 2022

Appeal Ref: APP/H4505/Z/22/3303698

Eighton Lodge, Low Eighton, Harlow Green, Gateshead NE9 7UB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Wellburn Care Homes Ltd against the decision of Gateshead Metropolitan Borough Council.
 - The application Ref DC/22/00544/ADV, dated 13 April 2022, was refused by notice dated 22 June 2022.
 - The advertisement proposed is described as 2 No directional non illuminated signs
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The control of advertisements is exercisable only with respect to public safety and amenity and in this case the Council has no objection over safety. The main parties have not cited any specific development plan policies. I have taken into account the material factors which have been put before me, including paragraph 136 of the National Planning Policy Framework ("the Framework").

Main Issue

3. The main issue is the effect of the appeal proposals on amenity, with particular regard to the effect on the character and appearance of the area.

Reason

4. The appeal proposal seeks to promote the location of an existing residential care home to its visitors using a secondary access off Long Bank. The access lane has an air of informality and seclusion, being defined by mature hedgerow for much of its length. The land upon which these 2 free standing advertisement boards are proposed is physically detached from the care home grounds and is located within designated Green Belt.
5. The advertisement referred to by the main parties as "sign 4" will be situated on a narrow grass verge close to the junction of the access lane with Long Bank, a main route to and from this part of Gateshead. This part of the appeal site falls within close proximity to a busy roundabout junction serving the A1 motorway. Nonetheless, visually it appears distinctly detached from the nearby built-up, urban form of Birtley, Eighton Banks and Lowfell. The surrounding fields, hedgerow and other mature vegetation which screens nearby buildings give this part of this access route a relatively undeveloped, rustic countryside

- character and appearance. This is irrespective of its location in designated Green Belt.
6. Sign 4 will be situated in a manner which means that it will be visually detached from the care home. It will not be visible from the nearby dwellings. The surface area and overall height of sign 4 is substantial, although it does reflect some of the other signage in the vicinity of this access relating to the neighbouring inn. It will be read with that existing signage against mature vegetation. It will be prominent from short distance views on approach from the nearby roundabout and in the immediate vicinity of the junction between the access lane and Long Bank. It will unduly heighten the otherwise discreet presence of business activity here.
 7. The advertisement referred to by the main parties as "sign 5" will be situated on a grass verge at a point where the lane forks to provide access to either the neighbouring inn car park or a small cluster of dwellings. Existing signage relating to these properties is low key in terms of its size, careful positioning and limited height above ground level. This part of the lane continues to convey an informal, rustic, secluded character and appearance. This is irrespective of its location in designated Green Belt.
 8. Sign 5 is of a substantial scale in terms of surface area and overall height and in a position which means that, as intended, it will be extremely prominent in the view on approach along the access lane in either direction. Furthermore, it will be read directly against the surrounding rural backdrop of rising open fields and at points above the mature hedgerow. It will unduly heighten the otherwise discreet presence of business activity here. However, its position relative to the neighbouring dwellings means that it will not be visually intrusive from within those properties.
 9. In summary, given the combination of their visual detachment from the care home, substantial surface area and overall finished height, which in part is because of the length of the proposed vertical fixing posts, both sign 4 and sign 5 will be visually intrusive. Although this visual impact will be very localised, it will nonetheless cause unacceptable harm to the existing positive attributes of the informal rustic character and appearance of this locality. I therefore find that both of these particular advertisements will be harmful to amenity, with particular regard to the character and appearance of the area.
 10. Paragraph 136 of the Framework states that the quality and character of places can suffer when advertisements are poorly sited and designed and cumulative impacts should be taken into account. Consequently, in view of the identified harm there is conflict with the Framework in this regard.

Other Matters

11. The appellant's proposal to remove the directional arrow from sign 5 would negate the need for the Council's suggested condition. However, the Council has not raised objection on safety grounds in their decision notice and in any event this measure does not address the harm that I have found to amenity.
12. The rationale for the appeal proposals is recognised, in particularly the risk of visitors missing the main entrance off Durham Road. However, it is unclear from the submitted evidence how the appeal proposal will assist in such a scenario. This is because the visitor will already need to be aware of the

location of the alternative access to which the appeal proposal relates for it to be a benefit.

13. Furthermore, the appellant has not demonstrated that all other more discreet alternative options to direct visitors to the care home have been exhausted. Neither does the evidence before me adequately substantiate and quantify the direct effects that the current arrangements are having on business viability.

Conclusion

14. For the reasons given above, I conclude that the display of both of the proposed advertisements referred to as sign 4 and sign 5 will be detrimental to the interests of amenity. Consequently the appeal should be dismissed.

C Dillon

INSPECTOR