



Appeal Decision

Site visit made on 23 January 2024

by **A Caines BSc(Hons) MSc TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2024

Appeal Ref: APP/H4505/Z/23/3334308

Land south-east of Askew Road West, Gateshead NE8 2JX

- 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 Wildstone Group Limited against the decision of Gateshead Council.
 - The application Ref DC/23/00791/ADV, dated 22 August 2023, was refused by notice dated 31 October 2023.
 - The proposal is for removal of 2no existing 48 sheet poster boards; replacement of 2no existing 96 sheet poster boards with 2no internally illuminated digital advertising displays 6m(w) x 3m(h) x 0.061m(d) positioned 2.8m above ground level.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed digital advertising screens on i) visual amenity and ii) public safety, with particular regards to highway safety.

Reasons

Visual amenity

3. The appeal site is a roadside location at a four-way mini roundabout junction, close to the A184. There are some commercial influences in the vicinity of the roundabout, but there are also wide grass verges and other open land and trees maintaining a relatively open aspect around the junction.
4. The site already hosts a number of externally illuminated poster billboard displays which may benefit from deemed consent due to the length of time they have been present. There is also an existing digital advertising screen on Cuthbert Street, which was allowed at appeal in 2018. Large format adverts are therefore an established part of the street scene in this location.
5. That said, the existing billboards are set well back from the edge of the road, and due to the muted texture of the paper surface, subtle overhead external lighting, and the permanence of the images, have a relatively subdued appearance, although they are not positive features in the street scene. The existing digital advertising screen is set further back from the roundabout and is not seen together with the other existing billboards when travelling along Askew Road West and Tyne Road.

6. A reduction in the number of billboards at the site could be beneficial to the visual amenity of the area. However, the new digital advertising screens would be positioned much closer to the edge of the road and angled in a way that would be more visible to traffic travelling along Askew Road West, particularly from the south-west where 'screen F' would be clearly seen over a long distance. They would also have a noticeably different, brighter, and more obvious appearance by reason of their digital illumination and sequential changing images. This would be the case even if the levels of illumination and the speed and frequency of image transitions on the display screen were carefully controlled, as demonstrated by the existing digital screen on Cuthbert Street.
7. Consequently, the proposed digital advertising screens would be significantly more prominent and eye catching than the existing paper billboards at the site, while their projection towards the road would also reduce the open aspect at the junction. In my judgement, this would be harmful to the street scene, notwithstanding it is not a conservation area.
8. I therefore find that the proposed digital advertising screens would be detrimental to the interests of visual amenity. Accordingly, the proposal would also conflict with paragraph 141 of the National Planning Policy Framework (the Framework) which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public/highway safety

9. Askew Road West is a local distributor road feeding into the major A189/A184 Redheugh Bridge Roundabout. The mini roundabout where the proposed advertising screens would be sited is around 110m south-west of the Redheugh Bridge Roundabout and also takes in traffic from Cuthbert Street to the south-east and Tyne Road to the north-west. Three of the approaches into the roundabout split into two lanes for turning and there is a petrol station exit just a short distance to the north-east on Askew Road West.
10. The Council's objection to the proposal on public safety grounds has been informed by an objection from the Highway Authority. Concerns are raised regarding the increased potential for distraction for motorists approaching and undertaking manoeuvres at the mini roundabout. It is advised that the mini roundabout suffers from congestion during peak periods, primarily linked with queuing traffic at the Redheugh Bridge Roundabout. In addition, accident data has been cited which includes four collisions between vehicles and more vulnerable road users coming into the roundabout from different directions.
11. The appellant's Highways Technical Note suggests that the frequency of accidents at the mini roundabout does not represent a cause for concern and that no accidents have occurred on Cuthbert Street since the existing digital display was installed. Even so, for the reasons I have already set out above, the proposals would be far more prominent and very different in nature compared to the existing advertisements at the site.
12. Planning Practice Guidance on advertisements 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. Furthermore, it advises that one of the main types of advertisement which may

cause danger to road users are those which are illuminated, and those subject to frequent changes of the display.

13. From the evidence before me, and based on my own observations, this is clearly a location where road users need to take care and where local conditions present potential traffic hazards. I consider that the proposals would introduce an additional and unhelpful distraction in their proposed location, regardless of the rate of change or level of illumination. This could reduce the time to assess potential risks such as stopping or merging vehicles, including motorbikes and bicycles, or even crossing pedestrians, thereby increasing the risk of an accident in this location. I am also concerned that the siting of the screens so close to the pavement edge would obstruct visibility of and for vehicles emerging from the adjacent petrol station.
14. I acknowledge there are cases where similar digital advertisements have been accepted adjacent to roads and busy junctions. However, the circumstances in each case will vary depending on the specific proposals and site context. I have necessarily reached my own conclusions and my concerns relate, not to the principle of digital advertisements, but to the specific siting of the proposals and the local highway conditions at this location.
15. I therefore find that the proposed digital advertising screens would be detrimental to the interests of public safety. Again, there is conflict with the Framework where it seeks to prevent the negative impact of poorly sited advertisements.

Other Matters

16. The appellant has highlighted a variety of other benefits that the advertisements may bring. However, these matters do not weigh in favour of the proposal as advertisement decisions are made only in the interests of amenity and public safety.

Conclusion

17. The proposed digital advertising screens would be detrimental to the interests of amenity and public safety. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR