



## Appeal Decision

Site visit made on 5 January 2009

by **Bern Hellier BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
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**Decision date:**  
**15 January 2009**

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**Appeal Ref: APP/N1350/H/08/2084102**  
**407 North Road, Darlington, County Durham, DL1 3BN**

- 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 Primesight against the decision of Darlington Borough Council.
  - The application Ref 08/00512/ADV, dated 12 June 2008, was refused by notice dated 24 July 2008.
  - The advertisement proposed is one internally illuminated, double sided, free standing display unit.
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### Decision

1. I dismiss the appeal.

### Main issues

2. I consider there are two main issues.
  - The effect on the character and appearance of the street scene.
  - The effect on the safety of pedestrians.

### Reasons

3. The free standing display unit would have an overall height of some 2.5 metres and a width of 1.3 metres. It would be on the forecourt of a corner row of four shops fronting onto the busy North Road (A167) at its junction with Lawson Street. The shops have modern colourful fascia signs and two shops use advertising A-boards on the forecourt. Immediately to the north the terrace continues as houses with front gardens surrounded by iron railings on a low wall. The surrounding area is mixed in character but predominantly residential.
  4. The proposed display would be in a prominent location set at right angles to the terrace and located at the back edge of the footway, well in front of the building line. Its height, bulk and forward position would make it a dominant feature which would be visually intrusive in the context of the open forecourt and neighbouring front gardens. Although sited on a commercial frontage I consider it would introduce an overly commercial element out of keeping with the predominantly residential nature of the area. This impact would be magnified at times when the display is illuminated. I conclude that the proposal would be detrimental to the character and appearance of the street scene and to visual amenity.
  5. In relation to pedestrian safety the display would be situated between a traffic light controlled pedestrian crossing and the access ramp to the corner shop and
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cash machine. The Darlington Association on Disability points out that it would be a potential hazard for visually impaired people who would be moving in a straight line from the crossing. However these are local shops and a fixed sign, unlike A-boards, is something that would come to be recognised as a familiar obstruction or even a point of reference. The risk of a collision could be minimised by using a bright colour on the frame and by the provision of a cane rail on the supporting plinth. This could be the subject of a condition. For other pedestrians, including those with wheelchairs and prams, there would be sufficient room to manoeuvre. Overall I do not consider the display would pose a risk to the safety of pedestrians.

6. I have found in favour of the appellant in relation to pedestrian safety but this does not outweigh the harm that would be caused to visual amenity. The appellant is prepared to accept conditions controlling the degree and duration of illumination but this would not overcome the adverse impact associated with the scale and siting of the display.
7. For the reasons set out and taking account of all other matters before me I conclude that the appeal should be dismissed.

*Bern Hellier*

INSPECTOR