
Appeal Decision

Site visit made on 10 February 2015

by **Martin Joyce DipTP MRTPI**

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

Decision date: 17 February 2015

Appeal Ref: APP/N1350/H/14/2228369

Jazz's Fish Bar, 318 North Road, Darlington DL1 3BH

- 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 The Wood Floor Company against the decision of the Darlington Borough Council.
 - The application, Ref: 14/00759/ADV, dated 29 July 2014, was refused by notice dated 6 October 2014.
 - The advertisement proposed is a single flat-fit fascia sign.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is retrospective as the advertisement for which consent is sought has already been erected and placed upon the southern gable wall of the appeal property. The non-illuminated sign measures 1.92m in height, 4.88m in length and 0.003m in depth. It is sited at first-floor level, 3.7m above ground level, and advertises, in black and white writing of varying styles, the appellant company whose premises are in Whessoe Road, some distance to the west. The application for consent states that a temporary period for display is sought, from 17 July 2014 to 16 July 2015.

Main Issue

3. The main issue in this appeal is the effect of the proposal on amenity having regard to the street scene in this part of North Road.

Reasoning

4. North Road is a long and straight main road bordered on either side, in the main, by two-storey semi-detached or terraced property that is in a mix of residential and commercial, including retail, use. It is the main route into and from the town centre from the north. The road rises from south to north, and long vistas are obtainable because of its width, the scale of the bordering development and the spaciousness of areas around road junctions. The appeal property, a two-storey semi-detached property, is located on the north-eastern side of one of the main junctions in this section of the road - a traffic-light controlled junction with Thompson Street West and Thompson Street East. The

ground-floor of the semi-detached building is a hot food takeaway, Jazz's Fish Bar, whilst there is a residential flat on the first floor.

5. The Council's policy in respect of the display of advertisements in built-up areas is set out in Policy E39 of their adopted Local Plan. This states that advertisement consent will be granted within built-up areas except where there would be an adverse effect upon amenity or public safety and that applications will be judged against a number of criteria. These include the need to safeguard the visual amenity of the neighbourhood, and the need to maintain and enhance the appearance of main travel corridors, including the main road approaches into the urban area. Although of some age, having been adopted in 2001, this Policy accords broadly with paragraph 67 of the National Planning Policy Framework, thus it attracts significant weight in the context of this appeal.
6. I noted that, in this section of North Road, there are no other examples of gable-end advertisements above ground-floor level, and that those which are displayed, on shops and other commercial premises, are generally discrete and well-related to the design of the relevant shopfront or associated building. This helps to maintain the largely residential appearance and character of this section of North Road, and ensures that visual amenity is not adversely affected. I noted that the main building of non-domestic scale in this area – the Motorman workshop and automobile premises to the south-west of the junction - has limited advertisement displays, with mainly small additional signs attached below first-floor level. These premises, however, appeared to be closed at the time of my visit.
7. The appeal advertisement is prominently seen in views from the south, and appears as a garish and visually jarring addition to the gable wall of the building and does not accord with its domestic scale and style. It materially harms the pleasant character and appearance of its surroundings and is thereby contrary to the aims of both local and national planning policy. My conclusion on this issue is that the proposal would materially harm visual amenity having regard to the street scene in this part of North Road.

Other Matters

8. I have taken account of all other matters raised in the written representations, including the proposed temporary nature of the sign and the desire to attract business customers in difficult economic times. However, these matters do not outweigh the serious visual harm that is being caused or the conclusions I have reached in respect of the main issue of this appeal.

Conclusions

9. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity.

Martin Joyce

INSPECTOR