



Planning Applications Committee Agenda

1.30 pm, Wednesday, 29 July 2026
Council Chamber, Town Hall, Darlington DL1 5QT

Members of the Public are welcome to attend this Meeting.

1. Introductions/Attendance at Meeting
2. Declarations of Interest
3. To approve the Minutes of the meeting of this Committee held on 1 July 2026 (Pages 5 - 8)
4. Introduction to Procedure by the Assistant Director, Law and Governance's Representative
5. Applications for Planning Permission and Other Consents under the Town and Country Planning Act and Associated Legislation (Pages 9 - 10)
 - (a) 4 Glanton Court, Darlington, DL3 0NY (Pages 11 - 20)
6. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting
7. Questions

PART II

8. Notification of Decision on Appeals –

The Executive Director of Economy and Public Protection will report that the Inspectors appointed by the Secretary of State for the Environment have dismissed the appeal by Gary Cockerill of Alight Media against this Authority's decision to refuse permission for the Display of 1 No. freestanding internally illuminated LED advertising display unit at Car Park Adjacent To 28 West Auckland Road, Darlington, DL3 9EP (25/01374/ADV) (copy of Inspector's decision enclosed).

Recommended – That the report be received.

(Pages 21 - 28)

9. Notification of Appeals –

The Executive Director, Economy and Public Protection will report that appeals have been received against this Authority's decision to refuse permission for :-

- (a) The Installation of external roller shutters to 2 No. windows and replacement external roller shutter to entrance door (Retrospective Application) at 115 North Road, Darlington (Ref No 25/01388/FUL).
- (b) The Erection of 1 no. three bed self-build dwelling with a detached garage/store, hard standing, landscaping and provision of a new vehicular access with entrance gates and wall at Land At Mole End, Neasham Road, Hurworth, Darlington, DL2 2AZ (Ref No 25/01004/FUL).
- (c) Prior Approval Notification for the installation of telecommunication equipment comprising of a 20m high slim-line monopole, supporting 6 no. antennas, 2 no. transmission dishes, along with 2 no. equipment cabinets and ancillary development thereto including 3 no. Ericsson Radio Systems (ERSs) at Grassed Verge Of Carmel Road North, Cockerton, Darlington, DL3 8NN (25/01353/PA).
- (d) Outline application for erection of 5 No. 4 bed self-build dwellings, associated landscaping and external works with all matters reserved except for means of access at Land Off Sockburn Lane, Sockburn Lane, Neasham, Darlington (24/01208/OUT)

RECOMMENDED – That the report be received.

PART III

EXCLUSION OF THE PUBLIC AND PRESS

10. To consider the Exclusion of the Public and Press –

RECOMMENDED - That, pursuant to Sections 100B(5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A of the Act.

11. Complaints Received and Being Considered Under the Council's Approved Code of Practice as of 17 July 2026 (Exclusion Paragraph No. 7) – Report of Executive Director, Economy and Public Protection (Pages 29 - 42)
12. SUPPLEMENTARY ITEM(S) (IF ANY) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting
13. Questions



Amy Wennington
Assistant Director Law and Governance

Tuesday, 21 July 2026

Town Hall
Darlington.

Membership

Councillors Ali, Allen, Anderson, Bartch, Beckett, Cossins, Durham, Haszeldine, Holroyd, Kane, Laing, Lawley, McCollom and Tostevin

If you need this information in a different language or format or you have any other queries on this agenda please contact James McAllister, Democratic Officer, Resources and Governance Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays E-Mail: james.mcallister@darlington.gov.uk or telephone 01325 403122

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PLANNING APPLICATIONS COMMITTEE

Wednesday, 1 July 2026

PRESENT – Councillors Haszeldine (Chair), Ali, Allen, Anderson, Beckett, Durham, Holroyd, Kane, Laing, McCollom and Tostevin.

APOLOGIES – Councillors Bartch, Cossins and Lawley.

OFFICERS IN ATTENDANCE – Lisa Hutchinson (Interim Head of Planning Development Management), Andrew Errington (Lawyer (Planning)), Andrew Harker (Interim Planning Development Manager), Nikita Josan (Legal and Land Charges Assistant), James McAllister (Democratic Officer) and David Hand (Head of Service for Planning Policy, Economic Strategy and Environment).

PA9 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

PA10 TO APPROVE OF THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 3 JUNE 2026

RESOLVED – That the Minutes of this Committee held on 3 June 2026 be approved as a correct record.

PA11 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

PA12 2 RABY CHASE, SUMMERHOUSE, DARLINGTON.

26/00426/FUL - Replace existing post and rail timber fence and gate with 1.8m high close boarded timber fence and gate on east boundary.

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highway Engineer, Ecologist, Summerhouse Parish Council; and also the Applicant and an Objector, whom the committee heard.)

RESOLVED: That planning permission be granted subject to the following conditions:

1. Time Limit.

The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990 (as amended).

2. Approved Plans.

The development hereby permitted shall be carried out in accordance with the

approved plan, drawing number AFR/P1528/D1 REV B (date received 17.06.2026).

Reason: To ensure the development is carried out in accordance with the planning permission.

3. Fence Colour.

The hereby approved timber fence and gate, shall either weather naturally or be stained / painted a brown colour, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

4. Wildlife Access.

The hedgehog highway and amphibian access as demonstrated on drawing AFR/P1528/D1 REV B (date received 17.06.2026), shall be implemented in full and shall be retained thereafter for the lifetime of the development.

Reason: To conserve protected species and their habitats, in accordance with local policy ENV7 as well as the National Planning Policy Framework.

PA13 NOTIFICATION OF DECISION ON APPEALS -

The Executive Director of Economy and Public Protection reported that the Inspectors appointed by the Secretary of State for the Environment have dismissed the appeal by Ardent Land Limited against this Authority's decision to refuse permission for the Display of 1 No. internally illuminated free standing digital display unit (Amended description) at Meynell Retail Park, (Western Verge, facing Whessoe Road), Darlington, DL3 0YQ (25/01193/ADV).

PA14 NOTIFICATION OF APPEALS -

The Executive Director for Economy and Public Protection reported that:

(a) JCDecaux has appealed against this Authority's decision to refuse permission for the Installation of 1 No. multi functioning hub incorporating 1.9 m internally illuminated LCD advert screen to one side and defibrillator to other side at Pavement Outside 5 Tubwell Row, Darlington (Ref No 25/00450/FUL).

(b) JCDecaux has appealed against this Authority's decision to refuse permission for the Installation of 1 No. multi functioning hub incorporating integral advertisement display screen to one side and defibrillator to other side at Pavement Outside 38 Northgate, Darlington (Ref No 25/00452/FUL).

(c) JCDecaux has appealed against this Authority's decision to refuse permission for the Installation of 1 No. multi functioning hub incorporating internally illuminated LCD advert screen to one side and defibrillator to other side at Pavement Outside 41-45 Northgate, Darlington (Ref No 25/00653/FUL).

(d) JCDecaux has appealed against this Authority's decision to refuse permission for the Installation of 1 No. multi functioning hub incorporating internally illuminated LCD advert screen to one side and defibrillator to other side at Pavement Outside 4 Northgate, Darlington (Ref No 25/00655/FUL).

(e) JCDecaux has appealed against this Authority's decision to refuse permission for the Installation of 1 No. multi functioning hub incorporating internally illuminated LCD advert screen to one side and defibrillator to other side at Pavement outside Santander, Bondgate, Darlington (Ref No 25/00657/FUL).

RESOLVED – That the reports be received.

PA15 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A to the Act.

PA16 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 22 JUNE 2026 (EXCLUSION PARAGRAPH NO. 7)

Pursuant to Minute PA8/May/2026, the Executive Director, Economy and Public Protection submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 22 June 2026.

RESOLVED - That the report be noted.

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BOROUGH OF DARLINGTON

PLANNING APPLICATIONS COMMITTEE

Committee Date – 29 July 2026

SCHEDULE OF APPLICATIONS FOR CONSIDERATION

Background Papers used in compiling this Schedule:-

- 1) Letters and memoranda in reply to consultations.**
- 2) Letters of objection and representation from the public.**

Index of applications contained in this Schedule are as follows:-

Address/Site Location	Reference Number
4 Glanton Court, Darlington	26/00320/FUL

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DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 29 July 2026

APPLICATION REF. NO:	26/00320/FUL
STATUTORY DECISION DATE:	27 th July 2026 Extension of Time Agreement 31 st July 2026
WARD/PARISH:	Brinkburn and Faverdale
LOCATION:	4 Glanton Court Darlington DL3 0NY
DESCRIPTION:	Change of use of habitable room to aesthetics clinic (Use Class E)
APPLICANT:	Mrs Ranjit Kaur

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website via the following link: [26/00320/FUL | Change of use of habitable room to aesthetics clinic \(Use Class E\) | 4 Glanton Court Darlington DL3 0NY](#)

APPLICATION AND SITE DESCRIPTION

1. The application property is a detached dwelling located on the High Grange Estate to the northwest of Darlington within a predominantly residential area. It is located within a cul-de-sac of other detached dwellings and is accessed via a shared drive which gives access to a further two properties, 2 and 3 Glanton Court. The property is surrounded by other dwellings to its north, south and west sides, and the Aldi Regional Distribution Centre is to the east of the property.
2. Planning permission is sought for the change of use of a former double garage serving the property to an aesthetic clinic (Use Class E). The building adjoins, although is set back from the front of the property, with parking to the front. Planning permission was granted for the conversion of the former garage to habitable rooms in connection with the dwelling in 2013. The garage doors have been retained giving the appearance of a garage, although are not in use. Access to the clinic would be via a set of existing double doors to the rear of the building from the applicant’s garden. No external alterations are proposed.

3. The clinic will provide aesthetic treatments including botox, dermal fillers, skin boosters and microneedling. Information submitted with the application sets out the clinic would operate on an appointment only basis, typically 45 minutes each, with a 15-minute break to ensure no overlap. The applicant would be the sole practitioner, and no additional staff would work at the premises. The clinic would be open Monday – Friday 9am – 6pm, Saturdays 9am – 2pm with no opening on a Sunday or Bank/Public Holidays.
4. Parking would be provided on the applicant's driveway to the front of the former garage. A parking plan submitted with the application properties confirms that the property can accommodate parking for 4 vehicles.

MAIN PLANNING ISSUES

5. The main issues for consideration are:
 - a) Impact on the character and appearance of the property and surrounding area
 - b) Impact on residential amenity
 - c) Highway safety
 - d) Disabled Access
 - e) Flood Risk
 - f) Other Matters

PLANNING POLICIES

6. Relevant planning policies include those seeking to ensure that new development: -
 - Promotes good design to create attractive and desirable places to live, work and invest and follows the design principles of the Design of New Development SPD (DC1).
 - Will be designed to mitigate and adapt to climate change (Policy DC2)
 - Is sited, designed and laid out to protect the amenity of existing users of neighbouring land and buildings and the amenity of the intended users of the new development (DC4).
 - Provides suitable access and facilities for people with mobility issues (IN 2)
 - Provides suitable and safe vehicular access and parking arrangements (IN 4).

RESULTS OF TECHNICAL CONSULTATION

7. Darlington Borough Council's Highways Engineer and Environmental Health Officer have raised no objections to the proposal.

RESULTS OF PUBLICITY AND NOTIFICATION

8. Four letters of objection have been received from the occupants of 2, 3, 5 and 6 Glanton Court. Their comments can be summarised as follows:
 - Highway safety, increase in traffic, narrow access, no pedestrian pavements and lack of parking provision within a residential cul-de-sac
 - Clinic is already operating in contravention of planning rules

- Business would be more suited in one of the empty shop units in Darlington
 - Inaccessible proposal
 - Loss of residential amenity including noise disturbance and loss of privacy
 - Loss of planning control from an unrestricted Use Class E
 - Introduce commercial activity into a residential area.
9. A number of issues have been raised which are not material planning considerations and these will be dealt with in the 'Other Matters' Section of the report.

PLANNING ISSUES/ANALYSIS

(a) Impact on the character and appearance of the property and surrounding area

10. The application property is a large, detached dwelling located within a cul-de-sac, accessed via a shared drive which gives access to a further two properties, 2 and 3 Glanton Court.
11. This proposal seeks full planning permission to change the former double garage which has been converted into habitable rooms into an Aesthetics Clinic. There will be no external changes given that the garage doors will remain in place and the property will retain the appearance of a double garage associated with a residential dwelling. In this regard the proposal is considered to comply with the requirements of Local Plan Policy DC1 insofar as it relates to good design.
12. A business use within a residential area has the potential to impact upon the character of an area. The acceptability of such a proposal depends on the extent to which the proposed use would impact upon the living conditions of nearby residents with regard to noise and disturbance arising from proposed comings and goings of customers, including vehicle movements, and the nature of the proposed use. This will be considered in the following sections of this report.

(b) Impact on residential amenity

13. The former garage where the clinic is to be located is attached to the application property dwelling in the southeast corner of the application site, set in approximately 0.8m from the shared boundary with 3 Glanton Court to the south. Customers would access the property via a gate to the side of the garage and from existing double doors to the rear. The proposed aesthetic clinic would be operated entirely within the building and the treatments carried out are unlikely in themselves to generate any discernible noise impacts.
14. It is acknowledged that there would be additional comings and goings to the property over and above that associated with normal visits to a residential property. Opening hours would be Monday to Friday 9am – 6pm, Saturday 9am - 2pm. There would be no early morning or late evening opening and no opening on a Sunday or Bank Holidays. These hours are consistent with other domestic business settings elsewhere within the Borough and are during daytime hours when residents are generally up and about and going about their daily business. They are not at unsociable hours or times when residents would expect a quieter residential environment. The clinic would operate on

an appointment only basis with the applicant being the sole practitioner, and appointments would be on a 1-1 basis with a 15-minute break between appointments to avoid overlap between customers. Opening hours would be controlled by planning condition.

15. Further planning conditions are proposed which would make any permission granted personal to the applicant and in the event of the applicant vacating the property the clinic would revert to its former use as habitable accommodation and limiting the use of the premises to an aesthetics clinic only with no other permitted changes within Use Class E being allowed. Such conditions would allow the Local Planning Authority to retain control over the current and future use of the building.
16. It is acknowledged that the proposed use would give rise to additional comings and goings of customers and their vehicles to the premises, which has the potential to impact upon the living conditions of nearby residents. However, subject to the conditions outlined above, it is not considered that these impacts would be so unacceptable in terms of noise and disturbance to warrant refusal of the application on these grounds, and the proposal would satisfy the requirements of Local Plan Policy DC4.

(c) Highway Safety, Parking Provision and Accessibility

17. The application property is served by a driveway to the front of the former garage which provides a total of 4 no. parking spaces. As the former garage has been converted to habitable space, the proposed use would not result in any loss of parking to the property beyond the existing arrangement. One of the four spaces would be made available for customer parking.
18. The Council's Highways Engineer has noted that the supporting documentation sets out that any bookings will be limited to one at a time, with 15 minutes between appointments. Additional car parking is therefore limited to one space at a time which can be accommodated on the existing in curtilage driveway which can accommodate four vehicles. This is considered sufficient to meet the needs of both the existing household and proposed business use. While additional vehicle movements will be generated within the existing residential environment of Glanton Court, at one arrival and departure per hour, this would not warrant refusal on highway safety grounds.
19. Concerns have been raised by objection regarding highway safety and the lack of parking provision and maneuverability with the small cul-de-sac which has narrow access and which allows only one car in or out at a time. In addition, the limited available parking with the cul-de sac cannot accommodate the increase in traffic generated by the business, which would have an adverse impact on both highway safety and the safety of residents given that there are no pedestrian footpaths.
20. The objections also consider that the tandem parking for four cars is not sufficient and manoeuvring within the narrow road and shared access is not safe and is likely to result in cars being parked in front of other residential properties, which is not considered appropriate in a narrow cul-de-sac.

21. These objections have been further considered by the Highway Engineer who advises that while these raise highway safety concerns relating to the highway layout of Glanton Court, the proposal does not make any material change to this layout. The context of the street is a small residential cul-de-sac serving 10 properties from a single point of access via a shared surface carriageway. Local guidance permits a maximum of 25 dwellings can be served via a shared surface road, and so the current arrangement offers resilience of access and limited pedestrian and vehicle movements and does not raise any fundamental concerns over intensification of use.
22. Predicted additional vehicle movements are de minimis of the local highway network and have no demonstrable impact on capacity or safety at just one arrival and departure per hour as set out in the application. Given that no material changes are made to the existing highway layout or driveway access, it would not be reasonable to request swept path analysis for any delivery service vehicles associated with the proposal. Glanton Court is served by the Council's kerbside refuse collection service using a full sized 11.2m refuse vehicle. Given that the location is accessible to a refuse vehicle, there is no reason to conclude that it would not be easily accessed by delivery vehicles or emergency service vehicles, all of which are smaller than a full-sized refuse vehicle.
23. There is no requirement for a private shared driveway to accommodate two-way traffic. The shared driveway to 4 Glanton Court serves just three properties and is of limited length with good clear open visibility to enable give and take between users. There is no reason to conclude that minor intensification of use would lead to driver conflict or a safety issue.
24. Based on this analysis of the site, the Highway Engineer advises that refusal of the proposal on the grounds of highway safety or inadequate parking could not be evidenced. The Highway Engineer raises no highway objection subject to any permission granted being personal to the applicant. On this basis, the proposal is considered to satisfy the requirements of Local Plan Policies DC1 and IN4.

(d) Disabled Access

25. Policy IN2(a) sets out that proposals for new buildings of the change of use or alteration of existing buildings to which the public and employees have access will be required to provide suitable access and facilities, particularly for people with mobility issues.
26. Access to the proposed clinic would be via a narrow path to the side of the garage into the rear garden from which the clinic would be accessed by existing double doors to the rear. These double doors open outwards into the garden and have stepped access. The applicant has submitted an accessibility statement which advises that due to the physical constraints of the building it is not reasonably practicable to provide step-free wheelchair access to the proposed clinic. The existing access route is too narrow to safely accommodate a wheelchair, and the stepped entrance cannot be altered without significant structural works. The installation of a ramp or handrails is also not feasible because of the configuration of the entrance and the outward opening double doors.

27. The accessibility statement also outlines that the treatment couch is fixed at a static height and cannot be lowered or adjusted. To ensure treatments are carried out safely, clients must be able to transfer onto and off the treatment couch independently. This requirement arises from the nature of the equipment and the treatments provide, and from the need to ensure the safety of both clients and practitioner.
28. Darlington Association on Disability (DAD) has commented on the proposal and the accessibility statement. While they are disappointed that the proposed clinic is unable to offer facilities for disabled people or those with mobility issues, they consider the applicant could argue that it would be impractical and unreasonable to physically alter the building. While it is not possible for the proposed use to comply with the requirements of Local Plan Policy IN2(a), given that it has been demonstrated that it is not reasonable or practical to make the necessary alterations to the property, for this reason it is not considered that this in itself would be a reason to refuse planning permission.

(d) Flood Risk

29. The site is within a low flood surface water risk area. Given that the proposal does not result in any further built development it would therefore give rise to any increase in surface water drainage.

(e) Other Matters

30. Concerns have been raised that the storage of hazardous materials on site could be unpleasant and hazardous for nearby residential properties. This is not a matter for consideration as part of this planning application, rather it is dealt with by separate legislation (dealt with by the Council's Licensing team). The license considers infection control and the correct storage and disposal of sharps etc. In relation to Health and Safety (other than those matters controlled by the licence) the responsibility for the enforcement of the Health and Safety at Work etc Act 1974 in domestic premises rests with the Health and Safety Executive (HSE).

THE PUBLIC SECTOR EQUALITY DUTY

31. In considering this application the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The application has considered and assessed the impact on the proposal on those with mobility issues in section C of this report.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

32. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION AND RECOMMENDATION

33. Subject to planning conditions controlling the hours of operation, requiring the use to be personal to the applicant and limiting it to an aesthetic clinic only, the proposed use is considered to be acceptable and would not unduly harm the character of the wider area or the amenity of the neighbouring occupiers. As has been set out in the report, the proposal would not give rise to any adverse impacts in terms of parking or highway safety. While it is not possible for the proposed use to comply with the requirements of Policy IN2(a) in this instance the applicant has demonstrated that it is not reasonable or practical to make the necessary alterations and this in itself would not be a reason for refusal. It is therefore recommended that:

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS

1. A3 Implementation Limit (Three Years)

The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.

REASON - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plan, as detailed below:

- Proposed Site Layout Plan to Rear Dwg. No. 25.109 04 Rev A
- Proposed Elevations Dwg. No. 25.109 05
- Proposed Block Plan Dwg. No. 25.109 06

REASON – To ensure the development is carried out in accordance with the planning permission.

3. This permission shall be solely operated for the benefit of the applicant, Mrs Ranjit Kaur and shall not run with the land and in the event of Mrs Ranjit Kaur vacating the premises the detached garden structure shall revert to a use ancillary to the main residential use of the application property.

REASON – In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over subsequent use in the event of Mrs Ranjit Kaur vacating the premises.

4. The Aesthetics Clinic hereby approved shall not be open for business outside the hours of 9am – 6pm Monday to Friday, 9am - 2pm on a Saturday, and there shall be no opening on Sunday or Bank/Public Holidays.

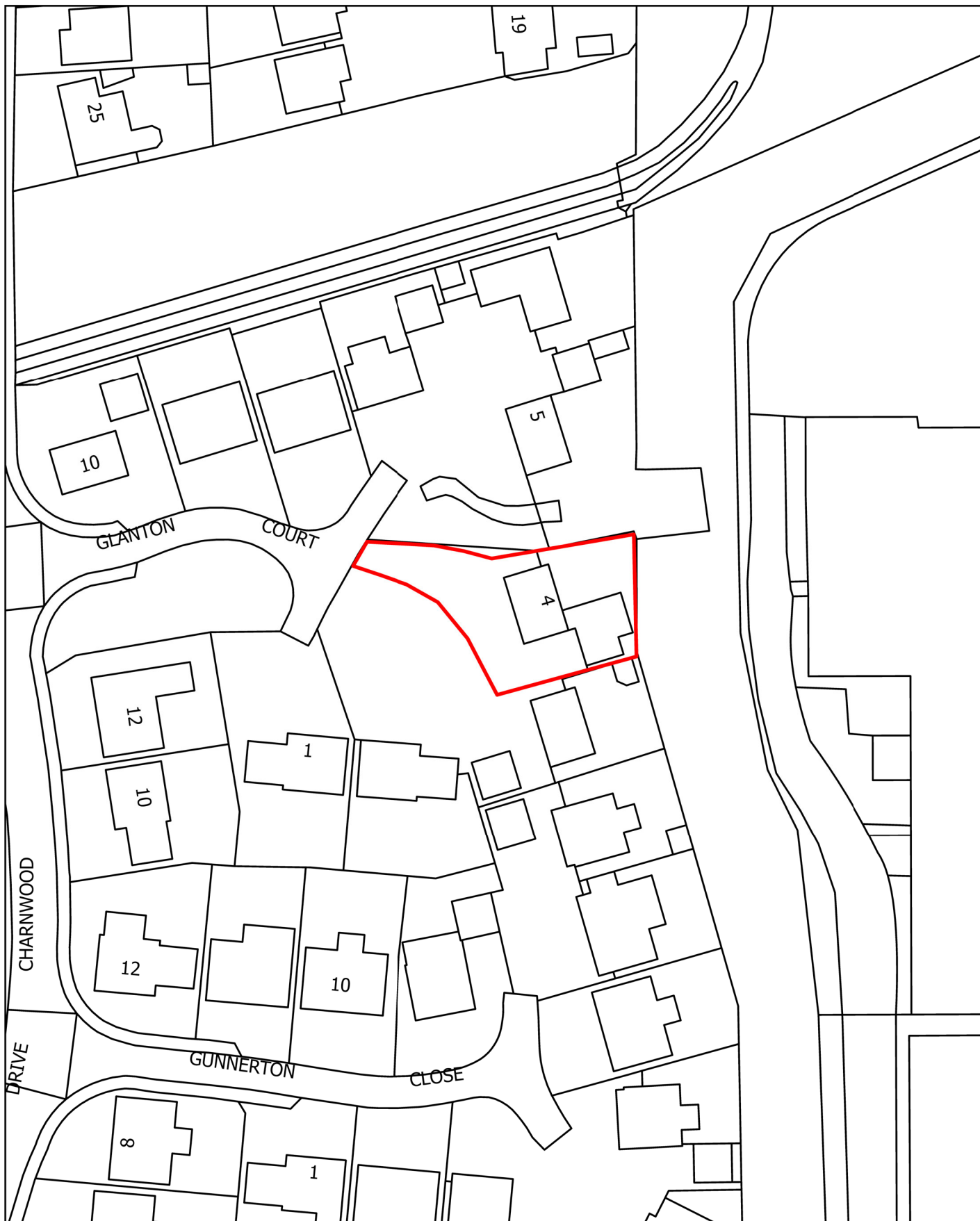
REASON – In the interest residential amenity.

5. The premises shall be used only as an Aesthetics Clinic and for no other purpose (including any other use in Class E of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any Order revoking and re-enacting that Order).

REASON – The Local Planning Authority is satisfied that the use hereby approved would not result in detriment to adjoining properties but would wish to control future changes of use within the same class in the interests of amenity.

6. A minimum of one parking space shall be provided within the curtilage of the property and shall remain available for use by customers during the hours set out in condition 4 of this permission.

REASON – In the interest of highway safety.

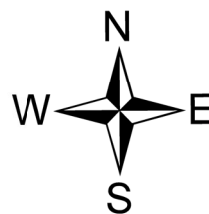


Planning Ref: 26/00320/FUL

Address
4 Glanton Court
Darlington



DARLINGTON
Borough Council
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DARLINGTON BOROUGH COUNCIL
APPEAL AGAINST REFUSAL OF PLANNING PERMISSION

APPLICATION REF. NO:	25/01374/ADV
APPEAL REF.:	6007317
LOCATION:	Car Park Adjacent To 28 West Auckland Road, Darlington
DESCRIPTION:	Display of 1No. freestanding internally illuminated LED advertising display unit
APPLICANT:	Mr Gary Cockerill

PLANNING OFFICER: CHRISTINA MCALPINE

BRIEF SUMMARY:

1. This appeal follows the refusal of advertisement consent as described above, which would have been situated adjacent the gable wall of 58-60 West Auckland Road. The application was considered and refused owing to the impacts upon visual amenity and the amenity impact upon disabled parking.

REASON(S) FOR REFUSAL:

2. In the opinion of the Local Planning Authority, the proposed freestanding advertisement by virtue of its scale, siting and illumination is considered to form a large and incongruous feature within the street scene, to the detriment of the character and appearance of this urban area. The proposal is therefore contrary to local policy DC1 of the Darlington Local Plan (2016-2036) and paragraph 141 of the National Planning Policy Framework (2024).
3. In the opinion of the Local Planning Authority, the proposed freestanding advertisement by virtue of its location, would encroach onto the hatched markings of a disabled parking bay and as a result, would cause an obstruction that would reduce pedestrian accessibility for those using this disabled parking bay. The proposal would impact upon the quality of car parking that could reasonably be expected to be available and free from obstruction, thereby creating accessibility issues to the detriment and disadvantage of those with disabilities/ reduced mobility. The proposal is therefore contrary to local policies IN2 and IN4 of the Darlington Local Plan (2016-2036) as well as paragraphs 113 and 117 of National Planning Policy Framework (2024).

KEY POINTS TO NOTE:

4. The inspector concluded that the second reason for refusal (the impact upon disabled parking) could be overcome and would not therefore amount to a reason for refusal. However, they did agree with the first reason regarding the impact upon visual amenity. Therefore, the appeal was dismissed due to visual amenity impacts.

SUMMARY OF DISMISSED APPEAL:

5. The inspector noted that there are commercial and residential uses, with a mix of advertisements. They noted that the existing advertisements are mainly located on unit frontages and are not of the scale and form of this proposed signage. They concluded that the proposed scale and illumination would create a prominent and obtrusive feature. The sequentially changing nature of the images was also considered to draw further attention to the sign and create a feature that would be notably different in character compared to the existing signage of this area. The appellant suggested that the level of illumination and operation be controlled by way of conditions. The inspector did not conclude that such conditions would mitigate for the scale and obtrusive location.
6. Although the inspector accepted that the existing gable wall is prominent within the streetscape, they commented that it is an 'understated' feature. Therefore, the backdrop of the gable wall was not sufficient in this instance to allow the signage, because the proposed signage was considered to create a contrast with the 'extant and understated appearance of the gable'.
7. The inspector also concluded that the proposed advertisement would create an intrusive and dominant feature in views achieved from nearby residential properties. Controlling the illumination and hours of operation would not mitigate for the introduction of a large elevated and illuminated advertisement. In addition, the change in images was considered to 'draw the eye and be an unduly distracting feature for residents.'
8. The appellant made reference to a previous hoarding sign that was installed on the gable wall historically. But the inspector gave little weight to the previous hoarding sign given the length of time since it was previously in place and that the proposed advertisement would be materially different to that previous signage.
9. The appellant submitted details of other advertisements granted elsewhere. The inspector did not consider that they mirrored the circumstances of this case. Nevertheless, the inspector determined this appeal on its own merits.
10. Regarding the disabled parking issue, the inspector agreed that the one of the supporting poles for the proposed advertisement would be located within an area used as a disabled car parking space. The submitted details of the application, indicated that one of the poles would be situated within a hatched area around the parking space, thereby hindering access to the vehicle for those with disabilities. The inspector agreed with this conclusion and argued that this matter could be dealt with as an amenity issue under the advertisement consent process.
11. The appellant submitted a revised layout of the car park as part of the appeals process, which showed the disabled parking bay being moved away from the advertisement. The inspector considered that the amended layout plan could address this issue and could have been secured by way of a condition. However, due to the above

conclusions regarding the harm to the visual amenity for the area, the appeal was still dismissed.

12. The appellant referred to a number of benefits arising from this advertisement, such as economic benefits and the form of advertisement being more energy efficient. However, the inspector concluded that advertisements are to be considered only in the interests of amenity and public safety, and so the benefits did not weigh in favour of the appeal.

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Appeal Decision

Site visit made on 5 June 2026

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2026

Appeal Ref: 6007317

Car Park Adjacent to 28 West Auckland Road, Darlington, DL3 9EP

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Gary Cockerill of Alight Media against the decision of Darlington Borough Council.
 - The application Ref is 25/01374/ADV.
 - The advertisement proposed is installation of 1 x 48 sheet freestanding LED illuminated advertising display unit, measuring 6.4m in width x 3.4m in height and comprising a pressed metal frame and sealed LED screen.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Various descriptions and locations of the proposal have been given in the application and appeal documents. I have used those given in the Council's decision notice as these accurately represent the circumstances of the proposal.
3. Powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

4. The main issue is the effect of the proposal on amenity, with due regard to visual amenity and disabled parking.

Reasons

Visual Amenity

5. The appeal site is located on the edge of a car park which serves a nearby supermarket and hot food takeaway. The sign would be located adjacent to the gable wall of a 2-storey building which includes a commercial use on the ground floor. The site is adjacent to the busy A68 through-road and is part of a small commercial area which contains a mix of uses, including some residential properties.
6. The area contains a mix of signage and advertisements, although these are primarily associated with the frontage of commercial properties and are not of the

scale and form of the proposal. The existing gable wall is a prominent if understated feature within the streetscape.

7. Due to its scale and illumination, the appeal proposal sited in this prominent location would be an obtrusive feature within the streetscape, even allowing for the mixed commercial character and levels of traffic within this well-lit area. The scale of the proposal as well as the illumination resulting from the display and the frequent change in images would be of a materially different character compared to existing signage in the area. The prominence of the advertisement would be exacerbated by the digital display and luminance, as well as the sequentially changing nature of the images. Although the advertisement would be viewed against the massing of the gable wall, this would not be sufficient to mitigate for the unacceptable contrast with the extant understated appearance of the gable.
8. There are also residential properties which look onto the appeal site, including dwellings on West Auckland Road as well as views from the rear of Moorlands Road. The appeal proposal would be an intrusive and dominant feature in views from these properties, even allowing for the oblique angle of some of the views, levels of traffic and the mixed commercial nature of the streetscape. Whilst the level of illumination and hours of operation could be controlled, this would not mitigate for the introduction of a large elevated illuminated advertisement on a site where one does not currently exist. The regular change in images would also draw the eye and be an unduly distracting feature for residents.
9. Reference has been made to a previous hoarding located on the gable wall. However, this was removed a number of years ago and it has not been established if the hoarding was illuminated. In any event, the form of the proposed display with regularly changing images would be materially different from even an illuminated paper and paste hoarding. Due to the length of time since the previous hoarding was in place and the differing form of the appeal proposal, the existence of a previous hoarding on the site carries little, if any, weight in favour of the appeal.
10. The appellant refers to consents granted for advertisements elsewhere which are of a similar size, form and orientation as the appeal proposal. However, it has not been demonstrated that they mirror the circumstances of the appeal proposal, particularly with regard to the history of the site or the relationship with residential properties. In any event, I have determined this appeal on its own merits.
11. The appellant also refers to suggested conditions, including with regards to the level of illumination, the timing of operation and the form of the images displayed. However, I am not persuaded that such conditions would mitigate for the scale and obtrusive location of the proposal.
12. I conclude that, due to its scale, siting and illumination, the proposed advertisement would have a significant adverse effect on the amenity of the area. I have taken into account Policy DC1 of the Darlington Local Plan 2022 (the Local Plan), and given that I have concluded that the proposal would harm visual amenity then the proposal conflicts with the character and local context considerations of that Policy.
13. The proposal would also be contrary to the National Planning Policy Framework (the Framework) which advises that the quality and character of places can suffer when advertisements are poorly sited and designed.

Amenity – Disabled Parking

14. One of the supporting poles for the advertisement would be located within an area used as a disabled car parking space as shown on the existing layout plan. The evidence suggests that the pole would be located in the hatched area around the space rather than in the actual parking space. However, the pole would hinder access to the vehicle for people with disabilities, such as gaining access to the boot of the car. This would affect the amenities of people with disabilities who could reasonably expect the availability of convenient disabled parking provision when accessing facilities.
15. The appellant submits that the matter of disabled parking falls outside of the scope of what can be considered and controlled through an advertisement application. In this respect, the Regulations state that “amenity” includes aural and visual amenity. However, the Planning Practice Guidance states that “amenity” is not defined exhaustively in the Regulations¹. It goes on to state that it is a matter of interpretation by the local planning authority (and the Secretary of State) as it applies in any particular case. In practice, “amenity” is usually understood to mean the effect on visual and aural amenity. However, I consider that the issues referred to are not a closed list, and in the circumstances of this particular case the effect of the proposal on the convenience of access to parking for disabled drivers is an issue of amenity.
16. The appellant has submitted a revised layout for the car park which moves the disabled parking bay away from the advertisement and which they contend provides safer and more convenient access. At the time of my visit, I saw that the layout of the car park had changed from that shown on the originally submitted plans, with a disabled parking space in approximately the same location as on the revised layout. The amended layout plan indicates that a revised car parking layout could address concerns relating to access to the disabled parking space. This could be ensured by condition, which would enable the layout to be submitted to the Council for approval.
17. Subject to an appropriate planning condition, I conclude that the proposal would not harm the amenities of people with disabilities in respect of access to disabled parking. I have taken into account Policies IN2 and IN4 of the Local Plan, and for the reasons given the proposal would not conflict with the accessibility and parking considerations of those Policies. The proposal would also not conflict with the Framework regarding the promotion of sustainable transport.

Other Matters

18. The Regulations require that I also assess the proposal in respect of the interests of public safety. The Council has not raised any concerns regarding public safety. Based on what I have seen and read, I also conclude that the proposal would not harm public safety.
19. The appellant has referred to a number of benefits of the proposal, including the potential for the sign to be used by the Council, community groups, local businesses and the emergency services. The proposal would also be more efficient in respect of energy and the frequency of visits compared to traditional advertising formats. There may also be wider economic benefits arising from advertising

¹ Paragraph: 079 Reference ID: 18b-079-20140306

businesses and services. However, advertisements should be subject to control only in the interests of amenity and public safety. On that basis, the benefits referred to by the appellant do not weigh in favour of the appeal.

Conclusion

20. Notwithstanding my conclusions in respect of the effect of the proposal on the amenity of people accessing a disabled parking space, I have concluded that the proposal would lead to significant harm to the visual amenity of the area. For the reasons given above the appeal should be dismissed.

David Cross

INSPECTOR

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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