

DARLINGTON BOROUGH COUNCIL

APPEAL AGAINST REFUSAL FOR PLANNING PERMISSION & ADVERTISEMENT CONSENT

APPLICATION REF. NO: 25/00362/FUL Appeal A
25/00364/ADV Appeal B

APPEAL REF. NO: Appeal Ref: APP/N1350/W/25/3370353 Appeal A
Appeal Ref: APP/N1350/H/25/3370354 Appeal B

LOCATION: 33 West Auckland Road Darlington DL3 9EL

DESCRIPTION: Installation of 1 No. external security roller shutter and Installation of new shopfront (Retrospective Application) **Appeal A**
Display of 1 No. internally illuminated fascia sign and 1 No. internally illuminated projecting sign to the front elevation (Retrospective Application) **Appeal B**

APPLICANT: Miss Anh Thi Ngoc Vo

ASSISTANT PLANNING OFFICER: PATRICIA BASTON

BRIEF SUMMARY:

1. The shop is in a prominent position on West Auckland Road and close to the end of a row of terraced commercial properties and these properties have residential flats above.

KEY POINTS TO NOTE:

2. Retrospective planning permission was being sought for the unauthorised installation of 1 No. external security roller shutter and Installation of new shopfront (Appeal A).
3. Whilst advertisement consent had been submitted to regularise the unauthorised display of 1 No. internally illuminated fascia sign and 1 No. internally illuminated projecting sign to the front elevation (Appeal B).

REASON(S) FOR REFUSAL:

Appeal A

4. In the opinion of the Local Planning Authority, the replacement shopfront, roller shutter and its external housing by reason of their scale, form, design and materials has resulted in a form of development at odds with the character and appearance of this part of West Auckland Road, with resultant impacts on the visual appearance of the application property and immediate surroundings. The proposal is therefore contrary to Policy DC1 (Sustainable Design Principles and Climate Change) of the Darlington Local Plan (2016-2036) and the National Planning Policy Framework 2024.
5. The replacement shopfront fails to make adequate provision for access to the premises for those with mobility issues, contrary to Policy IN2(a) (Improving Access and Accessibility) of the Darlington Local Plan (2016-2036).

Appeal B

6. In the opinion of the Local Planning Authority, the advertisement is considered to be an unnecessary form of advertisement which by virtue of its illumination, scale, form, design and amount of signage, has an incongruous and harmful impact on both the application property and surrounding area, to the detriment of the character and appearance of this part of the urban area of Darlington. The proposal is therefore contrary to Policy DC1 (Sustainable Design Principles and Climate Change) of the Darlington Local Plan (2016-2036) and the National Planning Policy Framework 2024.

BOTH APPEALS DISMISSED:

Appeal A

7. The Planning Inspector found that:
 - the roller shutters failed to respond positively to local context and character, and the shopfront lacks the positive and distinctive features of other remaining traditional shopfronts within the parade, or indeed those features that were previously present within the appeal property's shopfront. And is therefore contrary to the aims and provision of Darlington Local Plan (DLP) Policy DC1.
 - the scheme failed to make appropriate provision for suitable and inclusive access to the premises, contrary to DLP Policy IN2.

Appeal B

8. The Planning Inspector found that:
 - The installed signage would harm amenity, given that the fascia signage is poorly proportioned and dominates the shop's façade, whilst the combination of the illuminated lettering and projection sign is unnecessary harsh. The proposal would therefore conflict with paragraph 141 of the National Planning Policy Framework and DLP Policy DC1.