

DARLINGTON BOROUGH COUNCIL

APPEAL AGAINST REFUSAL FOR PLANNING PERMISSION & ADVERTISEMENT CONSENT

APPLICATION REF. NO:	25/01142/FUL Appeal A 25/01144/ADV Appeal B
APPEAL REF. NO:	Appeal Ref: 6003623 Appeal A Appeal Ref: 600329 Appeal B
LOCATION:	Kos's Barbers Ltd 142 North Road Darlington DL1 2EJ
DESCRIPTION:	Installation of external roller shutters to 2 no. windows and front entrance door (Retrospective Application) Appeal A Display of 3 no. internally illuminated fascia signs, internally illuminated projecting signs and barber poles (Retrospective Application) (Amended Description) Appeal B
APPLICANT:	Mr Kosrat Chawshin

ASSISTANT PLANNING OFFICER: PATRICIA BASTON

BRIEF SUMMARY:

1. The application site, currently in use as Kos's Barbers, is located in a prominent position on the corner of North Road and Shildon Street at the end of a row of terraced properties which has a mixture of commercial and residential use at ground floor level with residential flats above.

KEY POINTS TO NOTE:

2. Planning permission was refused for the installation of external roller shutters to 2 no. windows and the entrance door on the front elevation. This was a retrospective application. The appeal following the refusal of this application is Appeal A for the purposes of this report.
3. Advertisement consent was refused for the display of 3 no. internally illuminated fascia signs, internally illuminated projecting signs and barber poles. This was also a retrospective application, and Appeal B refers to the appeal following the refusal of advertisement consent.

REASON(S) FOR REFUSAL:

Appeal A

4. In the opinion of the Local Planning Authority, the replacement roller shutters and their external housing within the enlarged fascia and the runners have resulted in a form of development at odds with the character and appearance of this part of North Road/Shildon Street with resultant adverse impacts on the visual appearance of the application property and immediate surroundings by reason of their scale, form, colour, design and materials. 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.

Appeal B

5. 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.

APPEAL A ALLOWED:

6. The Planning Inspector found that:-
 - Whilst the appeal property is in a relatively prominent corner position, the black external roller shutter boxes and shutters assimilate with the colour of the surrounding areas of painted red. They do not appear incongruous in the local context which is a mix in terms of shop frontages of commercial premises on this side of the road. Given the Inspector did not consider the development is harmful to the character and appearance of the area it was considered to accord with the aims and provision of Darlington Local Plan (DLP) Policy DC1.
 - The Inspector also noted that whilst the Council had stated that not all the examples of externally mounted roller shutters of the neighbouring commercial properties had been granted planning permission. No evidence had been provided that the council are seeking or has previously sought to regularise other examples and therefore they form part of the character of the area.

APPEAL B DISMISSED

7. The Planning Inspector found that:-
 - The illuminated letters are backlit with 'sparkling' frontages over the shop frontages. The signage is noticeably more prominent than the other commercial units around it as it presents an overt and excessive elaborate form of illuminated signage which would be harmful to the amenity of the area, particularly as it is partially on a residential street. The proposal would therefore conflict with the National Planning Policy Framework and DLP Policy DC1 given its unacceptable harmful effect on public amenity.