



Appeal Decisions

Site visit made on 31 March 2026

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14th May 2026

Appeal A Ref: 6003623

Kos's Barbers Ltd, 142 North Road, Darlington DL1 2EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Kosrat Chawshin against the decision of Darlington Borough Council.
 - The application Ref is 25/01142/FUL.
 - The development proposed is installation of external roller shutters to 2 no. windows and front entrance door (Retrospective Application).
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Appeal B Ref: 6003629

Kos's Barbers Ltd, 142 North Road, Darlington DL1 2EJ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Kosrat Chawshin against the decision of Darlington Borough Council.
 - The application Ref is 25/01144/ADV.
 - The development proposed is display of 3 no. internally illuminated fascia signs, internally illuminated projecting signs and barbers poles (Retrospective Application).
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Decisions

1. Appeal A is allowed and planning permission is granted for the installation of external roller shutters to 2 no. windows and front entrance door at Kos's Barbers Ltd, 142 North Road, Darlington DL1 2EJ in accordance with the terms of the application, Ref 25/01142/FUL.
2. Appeal B is dismissed.

Preliminary Matters

3. Appeal A relates to the refusal of planning permission for the installation of external roller shutters. Appeal B relates to the refusal of advertisement consent for signage at the appeal property. I have combined the appeals into a single decision letter as they are intrinsically linked and raise similar issues, however I have considered each on its individual merits.
4. In relation to Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) stipulate that control may be exercised only in the interests of amenity and public safety. Therefore, whilst the development plan policies referred to by the Council are not determinative, I have taken them into account where relevant.

5. The external roller shutters and advertisements were in place at the time of my visit and appeared to accord with the provided plans. I have therefore considered the appeals on a retrospective basis.

Main Issues

6. In relation to Appeal A the main issue is the effect of the development on the character and appearance of the area.
7. In relation to Appeal B the main issue is the effect of the advertisements on the amenity of the area.

Reasons

Appeal A – Character and appearance

8. The appeal property is a two-storey building located on a corner plot on the eastern side of North Road. The ground floor of the building incorporates a shop frontage within walls of grey painted render, with an upper storey of red brick construction. The road is a main route into Darlington town centre from the north and is characterised by commercial properties interspersed with residential dwellings. At regular intervals, streets of terraced housing branch off from North Road.
9. The western side of the road includes larger, more modern purpose-built commercial and services premises, including a supermarket and health centre, while the eastern side of the road is generally of a more domestic and traditional scale and character. Commercial uses on North Road are varied in nature and include shops, services and hot-food takeaways.
10. The development comprises external roller shutter boxes containing perforated shutters which, when closed, cover the two large shop windows and the entrance door using three separate black coloured shutters.
11. Roller shutters are a common feature of commercial properties on North Road, including at a neighbouring shop. While some are internally incorporated into the shop frontages, there are numerous examples of externally mounted shutter boxes. While the Council has stated that not all of these examples may have been granted planning permission, they nevertheless exist and there is no evidence before me to indicate that the Council is actively seeking, or has previously sought, to regularise other examples. They therefore form part of the character of the area. The appeal property itself is acknowledged by the Council as having previously accommodated roller shutters, thought to have been installed around 2009, before the scheme to which this appeal is related was installed sometime around 2024.
12. Despite the potential status of other examples of external shutters, there is nevertheless a noticeable mix in terms of the shop frontages of commercial premises on this side of the road; some are traditionally proportioned timber shopfronts, others are aluminium framed. Doors are of various types and design, and there is similar variation in security features; some premises have externally mounted box roller shutters, others are accommodated within the fascia, and some properties do not appear to incorporate any roller shutters at all. There are also buildings with residential uses at ground floor level.
13. Although it incorporates external roller shutter boxes and the appeal property is in a relatively prominent corner location, it does not appear incongruous given this local

context. The black colour of both the shutter boxes and the shutters assimilate with the colour of the surrounding areas of painted render. Although the shutter perforations are not large, with the premises open for much of the day, it is likely that for large periods when the shop is closed and shutters are down, that the area would be in darkness, and the impacts of an unanimated frontage reduced. Overall, when considered in the round, the roller shutters and boxes do not appear as being unacceptably harmful.

14. No evidence has been put before me in relation to specific crime or anti-social behaviour issues. Roller shutters are a common form of additional basic security utilised by commercial premises in many locations, and I have not been directed to any policy requirement for the use of roller shutters to be justified in such terms.
15. While I acknowledge the Council's position that a more open grille or lattice type shutter would be more appropriate, I am required to make my decision on the basis of the merits of the development before me, rather than a theoretical alternative.
16. In relation to Appeal A, I therefore find that the development is not harmful to the character and appearance of the area and in doing so it accords with Policy DC1 of the Darlington Local Plan ('DLP'). Among other factors, this policy states that development should reflect the local environment and respond to local context.

Appeal B - Amenity

17. The advertisements comprise individually cut and lit lettering and symbols over the shop frontage, along with LED lit barbers' poles. The illumination of the letters is backlit with "sparkling" frontages.
18. While there are a limited number of similar examples on North Road, many shopfront advertisements are either non-illuminated, externally illuminated or internally box illuminated, rather than individually lit letters or LED lit barbers' poles. This means that the advertisements subject to Appeal B, being both individually lit and incorporating a "sparkle" style of frontal illumination are particularly prominent within the streetscene, even taking account of the mixed-use nature of the street. The appeal property is noticeably more prominent than other commercial units around it and presents an overt and excessively elaborate form of illuminated signage in what is an area of mixed use. In doing so, it is harmful to the amenity of the area, particularly as it partially addresses a residential street.
19. I acknowledge the desire of the appellant to generate business presence and that the signage represents an investment into the business and local area. It is also the case that the National Planning Policy Framework ('the Framework') states that significant weight should be placed on the need to support economic growth. However, it has not been shown that alternative signage would be detrimental to the business such that the harm that I have identified would be outweighed by these factors.
20. For these reasons I conclude that the proposed advertisements have an unacceptable harmful effect on public amenity. In reaching this conclusion, while not determinative, I have taken account of DLP Policy DC1, as well as the Framework. Together, and among other factors these policies state that development should reflect the local environment and respond to local context and recognise that the quality and character of an area can suffer when advertisements are poorly designed.

Other Matters

21. In respect of Appeal B, the Council has raised no concerns in relation to the effect of the proposal upon public safety and I have no reason to disagree.

Conditions

22. In respect of Appeal A, as the development has already occurred, no time limit for implementation is necessary, nor have any other conditions been suggested to me.

Conclusion

23. The external roller shutters would accord with the development plan as a whole, and there are no material considerations that would lead me to reach a decision other than in accordance with it. I therefore conclude that Appeal A should succeed. However, I have also found that the advertisements are harmful to the amenity of the area, and therefore Appeal B is dismissed.

C Harding

INSPECTOR