
Appeal Decision

Site visit made on 14 April 2026 by J Reed MPlan MRTPI

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2026

Appeal Ref: 6006319

Meynell Retail Park, (Western Verge, facing Whessoe Road), Darlington DL3 0YQ

- 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 Smart Outdoor Limited against the decision of Darlington Borough Council.
 - The application Ref is 25/01193/ADV.
 - The advertisement proposed is 1 no freestanding digital signboard at Meynell Retail Park.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The powers under the Regulations shall 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. Therefore, while the development plan policies referred to on the Council's decision notice cannot by themselves be decisive, they have been taken into account as a material consideration as part of this decision.
4. The Council has not identified any concerns in respect of public safety. I have no reason to form a different view. Having regard to the Regulations, the main issue therefore relates to amenity.
5. The Planning Practice Guidance sets out that in practice, 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic interest. The Council has referred to the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) in relation to nearby heritage assets.
6. Section 72(1) of the Act requires that special attention shall be paid to the desirability of "preserving or enhancing the character or appearance" in a Conservation Area (CA). However, the appeal site lies outside of the CA. As such, the consideration of its setting does not apply within current legislation as Section

72(1) specifically refers to buildings or other land in a CA. Whilst this does not apply to the appeal scheme, the effect on the significance of nearby heritage assets can be a material consideration, in the context of considering the effect on amenity.

Main Issue

7. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons for the Recommendation

8. The appeal site is within a predominantly commercial area, just outside the boundary of the Northgate Conservation Area (NCA). The NCA derives its significance from the area's historical and architectural interest including its use, age, form, and fabric which contributes positively to the built environment and the wider areas industrial heritage.
9. The appeal site is a section of highway verge on Whessoe Road. The area holds a busy urban character due to the variety of commercial and industrial units. To the opposing side of the highway is the '1861 shed' which is part of the Stockton and Darlington Railway heritage quarter. To the opposing side of the highway verge is the Meynell Retail Park which contains a variety of different retail units. From my observations on site, illuminated advertisements were not a dominant characteristic of the immediate area with only limited examples of advertisements present on Whessoe Road.
10. The proposed digital advertisement would be viewed as a highly prominent, visually obtrusive addition as a result of its depth, width, height and siting in an elevated position. It would be viewed in stark contrast to the directly surrounding area due to the limited number of advertisements and absence of other digital adverts. Moreover, the overly large and overtly contemporary proposal would be a discordant feature in the context of the surrounding traditional built environment and against the verdant backdrop of the highway verge.
11. The function of advertising is to draw attention, and the introduction of brightly illuminated images on the proposed display would catch the eye, as is intended. However, the large, illuminated display would appear strident and intrusive in this location where illumination in the public realm is generally limited to street lighting necessary in the interests of public safety. Moreover, the proposal allows for regularly changing images to be displayed. Such regular changes to the images would serve to further emphasise the visual draw of the display. The proposal would therefore introduce advertising features that would be uncharacteristic, dominant, and visually intrusive in this prominent location. This would be the case even if the levels of illumination and the speed and frequency of image transitions on the display screen were carefully controlled.
12. When directly beside the appeal site on Whessoe Road, views of both the proposed sign and the '1861 shed' can be gained. The advertisement would be read as particularly discordant in these views appearing as a stark contrast against the important historic backdrop to the detriment of the setting of the historic building and the NCA.
13. I note the appellant's comments stating that the '1861 shed' is accessed from elsewhere rather than from the entrance opposite the appeal site, and therefore the

proposed advert would not impact visitors. However, regardless of this, the proposed advertisement is situated on a busy stretch of road in a highly prominent part of the public realm. Furthermore, while the appeal proposal lies outside of the NCA, this does not automatically lead to a finding that there would be no harm to amenity.

14. Therefore, I conclude that, the proposed advertisement would harm amenity. Although not determinative, the proposal would conflict with policies DC1 and ENV1 of the Darlington Local Plan (2022). These policies, among other things, seek for proposals to support the delivery of high-quality design which preserves the significance of heritage assets. Given my conclusion on this main issue, there is conflict with these Policies. It would also conflict with the aims of the National Planning Policy Framework in relation to sustaining the significance of heritage assets and protecting the quality and character of places from poorly sited and designed advertisements.

Other matters

15. Whilst I note the merits of the scheme outlined by the appellant, such as the use of the digital advert to promote the initiatives of the railway centre. However, this would not satisfactorily mitigate the harm I have identified. In any event, applications for advertisement consent can only be assessed in regard to amenity and public safety.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR