



Appeal Decision

Site visit made on 21 July 2026

by N Armstrong BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th August 2026

Appeal Ref: 6004841

Pavement outside Santander, Bondgate, Darlington DL3 7JB

- 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 Mr Nathan Still of In Focus Network Limited against the decision of Darlington Borough Council.
 - The application Ref is 25/00657/FUL.
 - The development proposed is the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form refers to the submission of applications for both planning permission and consent to display an advertisement. The Council's Officer Report also makes reference to a separate application seeking advertisement consent. The appeal before me relates only to a refusal to grant planning permission and I have determined the appeal accordingly.
3. The statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In addition, Section 66(1) of the Act requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.
4. In addition to this appeal, I am dealing with other appeals¹ for similar proposals within the same town centre. There are similarities in terms of the supporting information submitted with the planning application that also relates to those other sites, as well as the appeal submissions and main issues. However, I have dealt with the appeals separately and they are the subject of separate decisions.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area, including the Darlington Town Centre Conservation Area (the CA).

¹ Appeal refs: 6004833 – Pavement outside 5 Tubwell Row, 6004835 - Pavement outside 38 Northgate, 6004837 – Pavement outside 41-45 Northgate and 6004840 – Pavement outside 4 Northgate

Reasons

6. The appeal site comprises a section of pavement within a larger pedestrianised area that extends through the town centre and CA, close to the junction of Bondgate and High Row. The wider area is characterised by predominantly commercial uses with buildings of mixed age and design. The site is close to a more modern building and commercial ground floor shop front that extends around the corner from its frontage on High Row. There is limited street furniture on the southern side of Bondgate in the immediate vicinity of the site, with a low-level equipment cabinet sited close to the Santander building and a modest size street tree planter. This generally open and uncluttered visual character contrasts with the presence of other cabinets, seating, refuse bins and street lighting columns that are prevalent features to the opposite side of the street.
7. The CA comprises a mix of commercial uses and a variety of buildings and spaces within the town centre, which contribute to its overall vibrant and historic character. Its significance, insofar as is relevant to the appeal, derives in part from its architectural variety with Quaker and Victorian influences, and pleasant areas of public realm and spaces, contributing to its architectural and historic interest. There are Grade II listed buildings nearby, including The George Public House (now operating as Rosie's Tavern), the Statue of Joseph Pease, Nos 4 to 16 (even) and the King's Head Hotel above shops on Northgate and The Midland Bank (now HSBC). Despite being adjacent to a modern building, the appeal site forms part of an area that positively contributes to the significance of the CA, comprising a prominent position on a main pedestrianised route to and from the town centre, and in an area featuring historic characteristics.
8. The proposal would appear as a large and bulky structure in a prominent position that is largely free from existing street furniture and visual clutter. Due to its free-standing design, siting, scale and appearance, the proposal would appear as a visually intrusive and incongruous structure in this more open part of the pedestrianised public realm. Although my assessment is limited to the refusal of an application for planning permission rather than advertisement consent, the design of the structure and its integrated display would be prominent and draw attention.
9. Notwithstanding this, although it would be sited to the front of and opposite more modern buildings in comparison to other traditional development along Bondgate, due to its scale and appearance, the proposal would not respond positively to its local context or be sympathetic to local character in this area. It would not be a sensitive form of new street furniture in this location, and it would erode the quality and appearance of the public realm, particularly on the relatively wide and open approach towards the central part of the town centre. The proposal would therefore introduce a discordant form of development into this part of the street scene. It would have a detrimental impact on the character and appearance of the area, and the contribution it makes to the significance of the CA would be diminished. The development would therefore fail to preserve or enhance the character or appearance of the CA, and it would harm its significance.
10. As the proposed change would be localised in terms of the CA as a whole, the harm to the significance of the CA would be less than substantial, and at the lower end of the scale in that respect. Irrespective of the level of harm, the National Planning Policy Framework (the Framework) at paragraph 212 states that when considering the impact of a proposed development on the significance of a

designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 also requires that any harm to the significance of a designated heritage asset should have clear and convincing justification. Furthermore, paragraph 215 of the Framework requires the less than substantial harm to be weighed against the public benefits of the proposal.

11. The proposal would provide publicly accessible functions, including free calls to landlines, free Wi-Fi, interactive wayfinding, access to local webpages, a defibrillator and device charging. I also note the proposal's aims to promote inclusivity and connect communities, provide community messaging, to enable people to access digital networks, and it would assist with the Framework's aims to support high quality communications. The proposal could also provide monitoring and CCTV facilities, and I note its sustainable design credentials. It would be reasonable to treat these as public benefits insofar that they would contribute to economic, social and environmental objectives set out in the Framework. Even so, these public benefits are given moderate weight, which would not be sufficient to outweigh the identified harm and the great weight that I must give to the conservation of the designated heritage asset.
12. For the reasons set out, I conclude that the proposal would be materially harmful to the character and appearance of the area, and it would not preserve or enhance the character or appearance of the CA. It would therefore conflict with Policies DC1 and ENV1 of the Darlington Local Plan 2016-2036 (February 2022). Amongst other things, these policies aim to ensure that proposals reflect the local environment, that design responds positively to the local context and for proposals to conserve the significance of designated heritage assets.

Other Matters

13. As established above, there are Grade II listed buildings within the area near to the appeal site. The George Public House is a three-storey building located further along and to the opposite side of Bondgate to the site. The significance of this as a heritage asset, insofar as is relevant to the appeal, is derived in part from its architectural and historic interest, comprising an early 19th century building within the street scene. Its setting includes the appeal site, and the building is primarily appreciated from the area to its frontage and close views along Bondgate. Due to the location of the proposal and the intervisibility between the appeal site and the listed building, the contribution the site makes to the setting and significance of the building is limited. Based on the location and scale of the proposal, the setting of the listed building would be preserved.
14. The Statue of Joseph Pease occupies a highly prominent position within a pedestrianised area, forming a focal point in that part of the public realm. Its significance, insofar as is relevant to the appeal, derives from its historical interest, having been erected to commemorate a figure of national significance with historic association to the town. The setting of the statue is primarily experienced from the streets and pedestrianised areas surrounding it, which includes the pavement of the appeal site in views along Bondgate. Given the distance of the appeal site from the statue, the intervisibility with the appeal site is more limited than those views immediately surrounding the space in which the statue is located. This reduces the contribution the appeal site makes to its setting and significance, and due to the scale of the proposal, its setting would be preserved.

15. Nos 4 to 16 and the King's Head Hotel is a substantial, four-storey building with a late Victorian facade. Its significance, insofar as it relates to the appeal, derives from its architectural and historic interest given the scale and design of the building within a prominent position in the town centre. Due to its location and scale, the setting of this building is experienced from the public realm in a wide area, and with views of the listed building along Bondgate, the appeal site is within this setting. However, due to the separation and the scale of the proposal in relation to the size of the listed building, this reduces the contribution the appeal site makes to its setting, and the setting would be preserved.
16. The former Midland Bank occupies a highly prominent position at the corner of Bondgate and Northgate. Its significance, insofar as is relevant to the appeal, derives from its architectural and historic interest due to the imposing scale and modified baroque style of the building within its location. The setting of this building is largely experienced from the public realm in views around this part of the CA, particularly from its southern side. Given the proximity, the appeal site is within this setting. However, due to the siting and scale of the proposal in relation to this listed building, this reduces the contribution the appeal site makes to its setting, therefore the setting would be preserved.
17. The Council raised no concerns regarding the effect of the proposal on the setting of these listed buildings, and I see no reason to reach a different view. However, this does not alter my conclusion above on the harm to the CA.
18. The Council refers to a separate planning application² for a street hub submitted by another operator for a site close to Royal Oak Yard near to the appeal site. I have no further detail of this application nor any subsequent decision. In any event, for the reasons set out, I have found harm from the proposal in this location.
19. I observed a hub structure installed by another operator of a different design to the scheme before me to the front of the same Santander premises on High Row. There are no details before me of the planning circumstances relating to the installation of that hub within the CA, therefore I am unable to determine if those are directly comparable to the scheme before me to weigh in favour of the appeal. The presence of this does not alter my conclusion. Although similar structures have also been installed in other locations across the country, each site and scheme will have different circumstances and site-specific characteristics. My assessment has been made having regard to the effect of the proposal in this location.

Conclusion

20. The proposal conflicts with the development plan as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

N Armstrong

INSPECTOR

² Planning application ref: 25/01099/FUL