

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 4 March 2020

APPLICATION REF. NO:	19/01162/ADV
STATUTORY DECISION DATE:	6 March 2020
WARD/PARISH:	NORTHGATE
LOCATION:	27 Corporation Road
DESCRIPTION:	Display of 1 No. non illuminated free standing sign (retrospective application)
APPLICANT:	Mr Namiq Hama Raouf

RECOMMENDATION: GRANT ADVERTISEMENT CONSENT SUBJECT TO CONDITIONS:

Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website.

APPLICATION AND SITE DESCRIPTION

1. The application site is a single and 1.5 storey building close to the junction of Corporation Road and Northgate. The building is currently used as a general store (Class A1).
2. The site is bound by residential terraced dwellings to the north (on the opposite side of Corporation Road); offices/snooker hall to the east; the ASE Club to the south and No 29 Corporation Road to the west, a former NHS building which has planning permission to be converted to seven flats and appears to have been implemented. The wider area includes the retail and commercial units on Northgate (east), the Navy Club on Corporation Road/Northgate junction (North east); St Georges Hall on Elmfield Street which is a building converted to bedsits for vulnerable people (south west) and the continuation of residential dwellings on Corporation Road (west).
3. The premises are located within the Northgate Conservation Area.

4. This application was originally seeking advertisement consent to illuminate an existing freestanding sign board located in the forecourt to the front of the premises. The sign board is on three posts and the planning application was to attach a trough light across the top of the sign to externally illuminate the panel.
5. Following the submission of objections from residents, the applicant has agreed to omit the trough light and leave the existing sign non-illuminated. Whilst the sign has probably been in existence for a few years and used by previous occupants of the premises (car showroom and animal feed store), the sign has been displayed without the benefit of advertisement consent and this retrospective application is seeking to regularise the matter.
6. The signboard measures 4.4m wide x 1.2m high and is on three posts making the overall height 4.6m above ground level. The advertisement is positioned alongside the gable end of No 29 Corporation Road, which is a property converted into flats.

MAIN PLANNING ISSUES

7. Planning applications for a canopy; condensing units and roller shutters (19/00982/FUL) and to extend the opening hours (19/00981/FUL) were granted by the Planning Applications Committee in December 2019.
8. The main issues to be considered here is whether this retrospective application is acceptable in the following terms:
 - a) Amenity
 - b) Public Safety

PLANNING POLICIES

9. A separate consent process within the planning system controls the display of advertisements. It states that advertisements should be subject to control only in the interests of **amenity** and **public safety**, taking account of cumulative impacts.
10. The relevant Local Plan policies include those seeking to ensure that the proposed development:
 - a) Promotes, enhances and protects buildings in conservation areas (CS14 of the Core Strategy 2011)
 - b) Protects the general amenity and health and safety of the local community (CS16 of the Core Strategy 2011)

RESULTS OF TECHNICAL CONSULTATION

11. No objections in principle have been raised by the Council's Highways Engineer or Environmental Health Officer

RESULTS OF PUBLICITY AND NOTIFICATION

12. **Five letters of objection** were received following the Council's publicity exercises for the original submission. As the advertisement will not now be illuminated, a further consultation exercise was carried out by the Council and **two of the objector's have withdrawn their comments.**
13. The comments in the three remaining objection letters all relate to concerns over the sign being illuminated, which is no longer the case.

PLANNING ISSUES/ANALYSIS

a) Amenity

14. The sign is positioned perpendicular to the terrace of dwellings on the opposite side of Corporation Road. The gable end of No 29 Corporation Road does not contain any window openings. The sign will no longer be illuminated and will not have an adverse impact on the outlook from any neighbouring dwellings. There sign is acceptable in residential amenity terms.
15. The sign is only visible within the street scene when approached from the east (Northgate). The design and scale of the sign is acceptable and when viewed against the backdrop of the brick gable end of the neighbouring building, the sign will not harm the general appearance and character of this part of Corporation Road, which is a mix of residential and commercial properties.
16. The sign would sustain the significance of the Northgate Conservation Area in accordance with the National Planning Policy Framework 2019.
17. It is also acknowledged that the sign has been in situ for several years without cause for complaint and will not be changed other than the poster content which is not a material consideration in this instance.
18. The sign is acceptable in visual amenity terms.

b) Public Safety

19. The Council's Highways Engineer has raised no objections and there would be no public safety concerns over the sign.
20. In summary, the sign accords with policies CS14 and CS16 of the Core Strategy 2011 and the National Planning Policy Framework 2019.

CONCLUSION AND RECOMMENDATION

21. The planning application has been amended to remove the method of illumination. The application is to retain the existing free standing, non illuminated sign which has been displayed for a few years without the benefit of advertisement consent. The sign is acceptable in terms of amenity and public safety and it would sustain the significance of the Northgate Conservation Area. The sign would accord with the appropriate local development plan policies and the National Planning Policy Framework 2019.

THAT ADVERTISEMENT CONSENT BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development hereby granted shall be carried out in accordance with the details contained within the email dated 12 February 2020 and the following approved plans

- a) Drawing Number 19.137.01
- b) Drawing Number 19.137.03

REASON: To ensure the development is carried out in accordance with the advertisement consent

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
REASON: To ensure that the development accords with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

3. No advertisement shall be sited so as to-

- a) endanger persons using any highway, railway waterway, dock, harbour or aero drome (civil or military);
- b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

REASON: To ensure that the development accords with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

4. Any advertisement or hoarding displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

REASON: To ensure that the development accords with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

5. Any structure or hoarding erected or used principally for the purposes of displaying advertisements shall be maintained in a condition that does not endanger the public.

REASON: To ensure that the development accords with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON: To ensure that the development accords with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007