



Appeal Decision

Site visit made on 15 February 2010

by **Graham Garnham BA BPHIL MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
5 March 2010

Appeal Ref: APP/H0738/H/09/2111301

Franks Flooring, 101A High Street, Stockton-on-Tees, TS18 1DB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Mr Martin Blane of Bettachat Ltd against the decision of Stockton-on-Tees Borough Council.
- The application Ref 09/1326/ADV, dated 29 May 2009, was refused by notice dated 23 July 2009.
- The proposal is described as paint and add signage to existing shop front structure.

Procedural Matters

1. The signage was in place before consent was sought. The retrospective nature of the proposal does not affect my consideration of its merits.
2. The details on the application form show that consent is sought for one advertisement, the type being "signage to existing fascia". The Council describes the proposal as being "retrospective application for erection of 3 no. non-illuminated canopy signs and 2 no. non-illuminated fascia signs". This description reflects the submitted drawings. The appellant has subsequently confirmed that his proposal is as described by the Council. I consider the proposal on this basis.
3. It is apparent that the fascia and canopy structures to which the signage has been applied have been in place for many years. The appellant has referred to a previous consent for illuminated signs on at least the fascia structure. Although I have no details of these signs, they appear to have related to previous uses, possibly (according to the appellant) dating back to the original cinema use in the 1960s. Their removal and the appellant's subsequent application for express consent for the signs he has now put in place means that his signs do not benefit from deemed consent under the Regulations. I therefore deal with the appeal signs on their own merits.
4. The Council's decision notice refers to policies GP1 & EN24 in the Stockton-on-Tees Local Plan (1997). The Regulations require that decisions be made only in the interests of amenity and, where applicable, public safety. Therefore the Council's policies cannot be decisive. I nevertheless take them into account as a material consideration.

Decision

5. I dismiss that part of the appeal relating to the 2 no. non-illuminated fascia signs. I allow that part of the appeal relating to the 3 no. non-illuminated canopy signs, and grant express consent for their display for a period of five
-

years from the date of this decision. The consent is subject to the standard conditions set out in the Regulations.

Main issue

6. I consider that this is the effect of the proposal on the character and appearance of the area.

Reasons

7. The appeal property has a very narrow frontage to High Street that is as high as the adjoining 4 storey premises. High Street forms the major part of the Stockton Town Centre Conservation Area, where section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area.
8. Considering firstly the fascia signage, the fascia structure appears to occupy the full width of the property, and extends from the canopy up to the parapet at roof level. The central part of the fascia to which the signage is applied protrudes at angles of 45 degrees. This enables the signage to be readily visible from both directions and from across the wide expanse of High Street. The 2 identical sets of lettering spell out FRANKS FLOORING in a silvery colour. The lettering occupies a height of about 10 metres. The submitted drawing shows that the top letters are over 14 metres above the pavement.
9. The fascia signage, as a result of its size and protrusion, is a very prominent part of the front elevation of the property. It is very visible in the street scene and, in my view, obtrusive. I observed very little evidence of signage on individual shops that was above ground floor and of a vertical emphasis. The only example in the vicinity was less obtrusive in terms of the height and size of its structure and the length and prominence of the lettering.
10. The conservation area extends along much of both sides of High Street where both older and more recent buildings have largely been retained intact above ground floor shop fronts. Upper floors are generally untouched by modern advertising, particularly of the scale and prominence of that at the appeal site. The width and straightness of High Street mean that the fascia signage at no.101A is visible within the conservation area from more than 200 metres away. The absence of illumination would reduce the effect when light levels are low. Nonetheless, at other times, I consider that the fascia signage is highly discordant in an area characterised by commercial signage that is largely confined to ground floor level. It therefore fails to preserve the character or appearance of the conservation area.
11. With regards, secondly, to the canopy structure, this is below the fascia signage and at the normal height of shop front signage in High Street. It has the horizontal emphasis that is characteristic of the street. I see no reason to disagree with the Council that the canopy signs displayed on it are acceptable.

Conclusions

12. Taking all matters into consideration, and for the reasons given above, I conclude that the 2 no. non-illuminated fascia signs significantly harm the

character and appearance of the conservation area and are detrimental to the general interests of amenity. This part of the appeal should be dismissed.

13. However, I conclude that the 3 no. non-illuminated canopy signs are acceptable on amenity grounds. I see no reason to withhold consent for this part of the proposal.
14. For the reasons I have given, I conclude that the appeal should be dismissed in part and allowed in part, as set out in the formal decision above.

G Garnham

INSPECTOR