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# Appeal Decision

Site visit made on 13 April 2015

**by S Ashworth BA (Hons) BPI MRTPI**

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

**Decision date: 30 April 2015**

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**Appeal Ref: APP/H0738/H/14/2223029**  
**27 High Street, Yarm, Cleveland TS15 9BW**

- 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 Ms Samantha Harvey against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 14/0272/ADV, dated 3 February 2014, was refused by notice dated 8 May 2014.
  - The advertisement proposed is sign for front of property with company logo and contact details.
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## Decision

1. I dismiss that part of the appeal that relates to the fascia sign (sign 1). I allow that part of the appeal that relates to the hanging sign (sign 2) and grant consent for its display. The consent is for five years from the date of this decision and is subject to the standard conditions set out in the regulations.

## Preliminary Matters

2. The application and appeal forms relate solely to a single fascia sign. Nevertheless I note that the Council has treated the proposal as also including a hanging sign. Plans submitted with the appeal indicate the dimensions and positions of both signs. I have therefore dealt with the proposal on the basis that it is for both signs.
3. The proposal formed the subject of applications for advertisement consent and listed building consent. Whilst both applications were refused by the Council, the appeal has been lodged against the refusal of advertisement consent only. I have dealt with the appeal on that basis. The grant of advertisement consent does not obviate the need for a grant of listed building consent for it.
4. At the time of my site visit the signs were already being displayed.

## Main Issue

5. The main issue in this case is the impact of the signs on the character and appearance of the building and the surrounding area.

## Reasons

6. Nos 27 and 29 High Street form a double fronted, three storey building which is a Grade II Listed Building and which dates from the C18. The building, which has a symmetrically designed frontage, is located in a row of properties that

form part of the main shopping street. The significance of the building derives from its age and its architectural detailing. No 27 is in use as a travel agent and 29 as a day nursery. Signage for No 29 includes a fascia sign positioned above the ground floor bay window.

7. The site lies within the Yarm Conservation Area which is characterised by terraces of properties, many of which are listed, set adjacent to the main road which has parking space on either side of it.
8. The fascia sign that forms the subject of this appeal (sign 1) is situated in a central position at first floor level between two first floor bay windows. Given its central position I accept the appellant's view that the sign does not affect the symmetry of the building. However, it is a large sign that is highly prominent on the building. Moreover, the sign is positioned at a high level. As a result of its size and scale, and its position at a high level, the sign visually dominates the elevation on which it is displayed and thereby detracts from the building's character, appearance and special interest. For this reason the sign also fails to preserve or enhance the character or appearance of the wider street scene and surrounding Conservation Area contrary to the provisions of Sections 66 (1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
9. I note that there is a sign at first floor level on the adjoining premises No 31. However, the Council advise that there is no record of consent for this sign and the matter is under investigation. Whatever the status of this sign, however, it is incumbent on me to determine the appeal proposal on its own merits.
10. The Council has referred to Policy CS3 (8) of the adopted Core Strategy and Policies EN24 and EN26 of the Stockton on Tees Local Plan. Whilst not decisive I have had regard to the policies as material considerations noting that the fascia sign does not make a positive contribution to the local area, is of a scale that is not appropriate or in keeping with the Conservation Area and Listed Building. Nevertheless, powers to control advertisements under the regulations can only be exercised in the interests of amenity and public safety.
11. I have taken into account the landlord's support for the proposal and other advice given to the appellant. However, this does not persuade me that sign 1 is acceptable on the grounds of amenity.
12. The Council raised no objections to the hanging sign and I have no reason to disagree with this view. The hanging sign is of a scale that reflects the proportions of the building and is located sensitively between the ground floor and first floor windows. As such it respects the character and quality of the exiting buildings and does not harm any interests of amenity.
13. For the reasons outlined above, I conclude that the display of the fascia sign (sign 1) is detrimental to the interests of amenity but that the hanging sign (sign 2) is acceptable on amenity grounds.

*S Ashworth*

INSPECTOR