



Appeal Decision

Site visit made on 25 June 2018

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2018

Appeal Ref: APP/H0738/Z/18/3197388

The Griffin, Bader Avenue, Thornaby TS17 0EH

- 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 Mandale Construction Ltd against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 17/2813/RET, dated 15 November 2017, was refused by notice dated 17 January 2018.
 - The advertisement proposed is erection of non-illuminated two sided projecting directional sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of the non-illuminated two sided projecting directional sign as applied for. The consent is for the period until 15 May 2019, that being the period for which the appellant seeks consent, and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The express consent hereby granted shall expire on 15 May 2019.
 - 2) The advertisement hereby permitted by this consent shall be removed from the site within 28 days of completion of the sale of the last house on the development site for which it gives direction.

Procedural Matters

2. I have adopted, in part, the description given on the Council's decision notice as this more fully describes the advertisement for which consent is sought. I have, however, omitted superfluous wording and in so doing I am satisfied that this would not disadvantage any party.

Background and Main Issues

3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the Guidance) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council's reason for refusal refers to policy CS3 of the Stockton-on-Tees Borough Council Core Strategy (CS) and the Council's 'Shop Front Design and Advertisements' Supplementary Planning Document (SPD) Shroud Advertisement Planning Guidance'. I have taken these into account only insofar as they are material.
4. The main issues are the effects of the proposal on (i) the amenity of the area and (ii) public safety.

Reasons

Amenity

5. The Griffin public house is a part single storey / part two storey flat roofed building. It forms part of a small commercial centre along with what appeared to be a convenience store and a hot food takeaway. The area surrounding the appeal site is predominantly residential.
6. The directional sign for which consent is sought is located on the building's south facing elevation. Although this elevation is on the opposite side of the building to the other commercial premises, the public house nonetheless has a clear commercial presence on this elevation.
7. The V-sign is located on the flank elevation of the two storey element of the building, straddling a chimney stack that projects out from that elevation. It is positioned broadly in line with ground floor element of the public house's existing fascia. Although the form of the V-sign means that it would project from the building's façade in a way that the existing signage does not, I do not find its scale or proportions to be out of keeping with the commercial nature of the host building, or the character or appearance of the existing signage.
8. The large area of open ground to the south of Bader Avenue and west of Thornaby Road means that longer views across it towards the pub are possible. The sign is visible in those views but it appears as a small constituent element of the building and does not appear excessive or out of proportion with the host building or its surroundings. Whilst the sign's colouring is lighter than that of the dark red brick of the host building, it is not harmfully incongruous and I do not consider the sign to be out of place on the flank of the building.
9. Consent is sought for a temporary period so as to provide directions to an on-going housing development. I do not consider the scale, positioning or appearance of the sign to be excessive or out of place and, as a transient temporary feature, I conclude that it would not cause harm to the residential character of the area. There would be no harm to amenity and, insofar as it is material, the proposal would not be contrary to CS policy CS3.

Public safety

10. I note that a number of objectors have raised concerns that the sign is sited directly opposite a road junction. The sign is a static display and is not illuminated. It is also located some distance to one side, and above, a driver's eye-line as they approach the nearby junctions. However, public safety concerns were not part of the Council's reasons for refusal and, whilst I have carefully noted the concerns of local residents in this respect, I have not been presented with any compelling evidence that would lead me to conclude that the proposal would cause harm in this respect.

Conditions

11. In addition to the five standard conditions set out in the Regulations, I have imposed a condition granting consent for a specified period of time, the period being that for which the appellant sought consent. Thus, as the advertisement is to provide directional guidance to an on-going residential development, in addition to a condition to specifying the period for which consent is sought, I have also imposed one for the removal of the advertisement following the

completion of the sale of the final unit on that development. I consider both to be reasonable and necessary in the interests of amenity.

Conclusion

12. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR