



Appeal Decision

Site visit made on 2 April 2019

by K Winnard LL.B(Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 22 May 2019

Appeal Ref: APP/H0738/Z/19/3220295

2 Devonshire Street, Stockton on Tees TS18 3QQ

- 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 Chris Gould against the decision of Stockton on Tees Borough Council.
 - The application Ref 18/0703/ADV, dated 28 March 2018, was refused by notice dated 19 November 2018.
 - The advertisement proposed is part retrospective advertisement consent for 3 no banner signs.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. One of the banner signs, the subject of the appeal, is already displayed on site. The application is therefore part retrospective and I have determined it on this basis. I have adopted the Council's description of the application as this describes the proposal more accurately.

Main Issue

3. The main issue is the effect of the proposed advertisements on the amenity of the area.

Reasons

4. The appeal property is a corner commercial premises located in a primarily residential area at the junction of Devonshire Street and Yarm Road. It adjoins a row of dwelling houses on Devonshire Street and a commercial premises on Yarm Road. There are windows in both of the first floor elevations on which is it proposed to display the banner signs.
5. The sign which is already displayed occupies a significant proportion of the first floor elevation above the frontage to Devonshire Street and is placed across the window. It is out of scale with the building, adversely affects the external appearance and appears overly dominant. Whilst I note that the first floor of the premises is used for storage only, the blocking of the window by the

banner sign appears incongruous when seen in the context of the windows of the adjoining row of dwelling houses.

6. Whilst the signs proposed on the elevation fronting Yarm Road are smaller, they nonetheless would cover a sizeable area of brickwork above the fascias of the two commercial premises. One would occupy most of the gap between the two windows on this elevation. Given their siting and the scale of their coverage, they would appear visually obtrusive and detrimental to the character and appearance of the area.
7. My attention has been drawn to other advertising signage on Yarm Road. I do not have the details of the circumstances of the display of other signage and so am unable to make direct comparisons, but in any event this does not justify other advertising signage which would otherwise be unacceptable.
8. The Council has cited Policy 3(CS3) of the Stockton on Tees Core Strategy Development Plan Document and the Adopted Shop Front Design and Advertisements Supplementary Planning Document. The regulations require that decisions are made in the interests of amenity and public safety. I have had regard to Policy 3 (CS3) which requires, amongst other matters, proposals to make a positive contribution to the local area and so is material to this case. Given that I have concluded that the proposal would harm amenity, the proposal would also conflict with this policy.

Other Matters

9. I acknowledge that both the existing banner sign and previous advertising signage on the property have been displayed for a number of years and that until recently there have been no complaints about the signage on the shop. In addition, the appellant refers to the commercial impact on his business of not having on site advertising signage. However, these factors do not provide sufficient justification to allow advertisements signs that cause the harm described above.
10. The appellant has also referred to the Council's handling of the application for advertisement consent, but this is not a matter before me or one which alters my findings.

Conclusion

11. For the reasons given above, I conclude that the banner signs are and would be detrimental to the amenity of the area and the appeal is dismissed.

K Winnard

INSPECTOR