The Planning Inspectorate

Appeal Decision

Site visit made on 2 December 2019 by S Witherley

Decision by Chris Preston BA(Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2019

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Appeal Ref: APP/H0738/W/19/3236901
94-95 High Street, Stockton-on-Tees, TS18 1BD

- 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 Paolo Raffiq (Yarm Property LTD), against the decision of Stockton -on-Tees Council.
- The application Ref 19/1456/ADV, dated 2 July 2019, was refused by notice dated 15 August 2019.
- The advertisements are described on the application form as: Large banner signs on first floor of building.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter and Recommendation

3. The details submitted within the appeal form indicate that the application is retrospective and the appellant wrote to the Planning Inspectorate shortly after the appeal was submitted to confirm that the advertisements were already in place. However, at the time of the site visit none of the advertisements referred to in the application form were in situ. After I sought clarification the appellant confirmed that they had been removed at the request of the Council.

4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 set out the required level of information that should be provided when making an application for advertisement consent. Under Regulation 9(3) applicants are required to fill in the requisite application form and provide a fully scaled plan showing the proposed location of the signs and the position on the building. Section 12 of the application form identifies what details should be included on the submitted drawings, including its size, position on the building and materials. Whilst a site location plan was submitted, no plans are before me to show precisely where on the building the advertisements were placed. Whilst a photographic

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image of the frontage of the building was submitted, that would appear to be historic, dating from a previous use, and did not show the location of the advertisements. That results in some difficulty because, in the absence of any indication of precisely where the adverts were situated on the building, it was not possible to adequately assess their likely impact. The written description given on the application form is not sufficient for that purpose. In order to properly visualise the proposal, scaled plans would be required and no such plans were provided.

5. The appellant has suggested that he would be prepared to meet me at the site in order that he can explain the proposals to me. However, that is not how appeal proposals are assessed and any decision would need to be based on accurate details, including plans so that the basis upon which the decision had been made was clear. Given that the unauthorised advertisements have now been removed, detailed plans would be required to enable an assessment to be made. In the absence of adequate details, I am unable to assess the proposal or conclude that the effect on amenity or public safety would be acceptable or that the development would be consistent with relevant policies of the development plan. Consequently, it is recommended that the appeal is dismissed due to the lack of information. If the appellant wishes to make a new application to erect advertisements at the premises it is open to him to discuss that with the Council and to make an application which would need to include adequate detail, in line with the Regulations.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

6. I have considered the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree and conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR