
Appeal Decision

Site visit made on 23 August 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2022

Appeal Ref: APP/X1355/Z/22/3302759

12 North Road, Durham DH1 4SH

- 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 John Noble of Noble Corp Ltd against the decision of Durham County Council.
 - The application Ref DM/22/01227/AD, dated 25 April 2022, was refused by notice dated 21 June 2022.
 - The advertisement proposed is to change the fascia sign on 12 North Road and erect a double-sided projecting sign.
-

Decision

1. The appeal is dismissed.

Main Issue

2. It is agreed between the parties that public safety is not an issue in this case. The main issue is the effect of the advertisements on amenity.

Reasons

3. The appeal property is a vacant three-storey building, faced in brick which is now painted a cream colour, having a ground floor painted timber traditional shopfront. It is located within the Durham City Conservation Area ('the Conservation Area'). In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
4. The property sits within a terrace of similar sized buildings which have a varied range in their external appearance, all having ground floor commercial uses, primarily shops and services. The street exhibits many interesting visual and architectural characteristics consistent with being part of the historic core of the city centre. The building contributes positively to the quality of the street as a result of its traditional appearance, including the shopfront which, although proposed to be altered to an appropriate darker colour, would largely be retained.
5. A handful of more modern shopfronts with larger aluminium framed windows and doors have been introduced to the street. I saw during my site visit that these are generally located in a cluster towards the bottom of North Road, and their appearance contrasts markedly with the predominant traditionally proportioned timber shopfronts in the street, including that at the appeal property.

6. External signs, the majority of which are at fascia height, are a common feature on shopfronts in the vicinity of the appeal property. The appellant draws my attention to some of these, including internally illuminated signs, which appear to be similar to the proposal in terms of the materials used and in the means of illumination. I visited the site in the evening when it was dark and was able to view shop signs along North Road and across the wider Conservation Area in that context. It was evident that advertisements in the area are generally non-illuminated. A handful of internally illuminated signs, located mostly in that small group of modified and more modern shopfronts towards the bottom of North Road, provide a distinct exception to the predominant character of signs locally.
7. Where direct illumination is provided to signs this mostly takes the form of external lighting in troughs or cowls. While adding to the features on those shopfronts, I saw that external lighting was generally discrete. The public streetlights and other illumination within buildings collectively give a pleasant, subdued, but well-lit feeling to the main commercial parts of the Conservation Area. These factors contribute significantly to visual amenity and are defining characteristics of the Conservation Area in the evening. The proposed signs would be distinctly different in their appearance from the dominant form of signs, particularly when lit, and this would detract from the pleasant characteristics that I observed.
8. Fascia signs on North Road and in the wider Conservation Area commonly comprise raised individual letters and motifs, and some, such as the Hays Travel shop sign include individual lettering in relief from the fascia board. The proposal comprises signs with individual lettering. However, these are created through the use of push-through acrylic material which would be illuminated internally, and this would introduce a distinctly different, stark and prominent feature in the street when seen alongside the predominant forms of signage.
9. I recognise that a range of materials have been used in the construction of existing signs in the vicinity. I also accept that the materials proposed may be more durable and easier to maintain than the traditional materials commonly found in the area. However, the combination of materials proposed, and the means of illumination would create an unfavourable contrast with other signs in the area which would lead to the proposed signs standing out against the more discrete signs they would be seen with.
10. I have been directed to two recent consents. One of these relates to a non-illuminated sign (Council ref. DM/22/00797/AD) and, from what I have seen, this is significantly different to the appeal proposal. From the evidence available to me I note that the other (Council ref. DM/20/00272/AD) was considered by the Council to reflect previous signage locations on that building. In any event, from the evidence and from what I saw during my site visit, those signs are not as harmful as the appeal proposal would be.
11. The appellant indicates they may erect certain forms of signage without the need for express consent. However, no details have been provided showing such signs, and it has not been shown that such signs would be as harmful as the appeal proposal.
12. The proposed signs would appear as visually intrusive features discordant with the dominant forms of advertising found on shopfronts in the area for the reasons I have set out. They would fail to preserve or enhance the character or

appearance of the Conservation Area and in this respect would be harmful to visual amenity.

13. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material. Policies 29 and 44 of the County Durham Plan (2020) and Policy H2 of the Durham City Neighbourhood Plan (2020 to 2035) all seek to protect amenity and are therefore material in this case. Given that I have concluded that the proposal would harm visual amenity, it would conflict with these policies.

Other Matters

14. I note the appellant's indication that a failure to be able to display an advertisement in corporate livery would lead him to reconsider occupying this vacant unit, and that such a decision would have an adverse impact on the vitality of the area. The National Planning Policy Framework indicates that advertisements are subject to control only in the interests of amenity and public safety, taking account of cumulative impacts, and I note the appellant acknowledges this in evidence. Accordingly, this is not a matter to which I can have regard.

Conclusion

15. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

David English

INSPECTOR