

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	N6/2011/2643/AD
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NOTATION:

The site lies within the settlement of Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application property is a three storey hotel and restaurant located on an area of 0.97 hectares adjacent to Stanborough Road. The property currently features 90 bedrooms and provides 156 parking spaces on the hard surfacing that is located on the site. The site is located to the south of the town centre and on the south – eastern side of the highway.

The hotel building is set back from Stanborough Road with an area of parking to the front and side. There is an area of grass alongside the boundary with Stanborough Road where there are three existing signs. This includes a totem sign for the Premier Inn, a smaller sign advertising food and the proposed totem sign.

DESCRIPTION OF PROPOSAL:

This application seeks advertisement consent for the erection of an illuminated totem sign. This would have a height of 4.5m and would advertise the Beefeater restaurant at the site.

PLANNING HISTORY:

N6/20118/1204/FP: Erection of three storey extension to accommodate thirty bedrooms. Approved.

N6/2008/962/FP: Erection of three storey extension to accommodate 30 bedrooms Refused.

N6/2007/1915/FP: Erection of single storey extension – Approved

N6/2007/1434/FP: Erection of single storey front extension and balustrade to mock balcony– Withdrawn

N6/2006/0580/AD: Erection of externally illuminated fascia sign – Approved

N6/2004/1884/FP: Erection of three storey extension to provide 30 additional hotel rooms over part of existing car park - Approved

N6/2004/0802/AD: Installation of signs – Approved

N6/2003/0387/AD: Retention of illuminated pole sign and five illuminated signs on building - Approved

SUMMARY OF POLICIES:

National Policy

PPS1: Delivering sustainable development

PPS9: Biodiversity and Geological Conservation

PPG19: Outdoor Advertisement Control

East of England Plan 2008 Policies:

None

Hertfordshire Structure Plan Review 1991 – 2011:

None

SD1: Sustainable Development

GBSP2: Towns and Specified Settlements

D1: Quality of Design

D2: Character and Context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS:

HCC Transportation planning and Policy Department – No objections.

TOWN/PARISH COUNCIL COMMENTS:

None

REPRESENTATIONS:

This application has been advertised and no representations have been received.

DISCUSSION:

The main issues are:

- 1. The impact on the visual amenity of the surrounding environment**
- 2. The impact of the proposed development on the highway**
- 3. Impact on neighbouring properties;**
- 4. Protected Species**
- 5. Other Material Planning Considerations**

1. Policy D1 of the District Plan seeks high quality design is relevant. This is reinforced by Section 6 of the Council's adopted supplementary design guidance with regard to advertisements. The design guidance indicate that within residential areas and conservation area, because of their more sensitive character and visual amenity, it may be necessary to propose more exacting standards of advertisement control, whereas in shopping and town centres there is a need to achieve a reasonable balance between commercial and design considerations.

The application site is located on a principal road through Welwyn Garden City, although it is considered that this is a more residential area as residential properties back onto Stanborough Road along the northern side. Opposite the site is a Total petrol station also with a totem sign to the front which is illuminated. The application

site already contains a number of advertisements, two of which are totem signs that are illuminated, although one of these is the proposed totem sign. The previous advertisement that the totem sign replaces was not illuminated and was smaller and appeared less prominent within the street scene of Stanborough Road.

The proposed sign, which would have a height of 4.5m, is located with two other signs, all of which are prominent in Stanborough Road and relatively large and appear to have been located at the site in a haphazard uncoordinated manner. It is considered that a further totem sign at this site which is approximately the same height as the existing Premier Inn totem sign and which would be illuminated would further add to the visual clutter of this section of Stanborough Road. Whilst the signage itself would not be that unreasonable along such a main road on its own, it is considered that the amount of signage that would result at the site, two of which would be illuminated totem signs adjacent to each other, would have the greatest impact on the street scene. Therefore the introduction of a further totem sign, of the height and illumination proposed, is considered would be unduly prominent when travelling along this road, creating visual clutter to the detriment of the character of the street scene. The restaurant is within a prominent position along Stanborough Road where customers have a clear view of the building. It is considered that whilst appreciated that a company needs to advertise its presence, a further totem sign at the site does not justify the harm to the visual amenity which results from the existing signs or their continued display.

In addition, the sign is illuminated and whilst the level of luminance is 300cd/m² which complies with the recommendations in the Institution of Lighting Engineers, this would further emphasise its presence within the street scene of Stanborough Road.

Subsequently it is considered that a further totem sign, so close to an existing totem sign, is unsuited to the local context and detract from the visual amenities of the locality.

2. The totem sign would be illuminated and its level is 300cd/m² which is in accordance with the recommendations for luminance from Institution of Lighting Engineers. They recommend that within a town centre the illuminated area could be up to 1000cd/m². Hertfordshire County Council as Highways Authority has stated that the proposal would not impact adversely on highway safety. It is therefore considered that the scale, design and positioning of the sign would not adversely affect the safe and efficient operation of the adjoining highway in accordance with PPG19.

3. The proposed sign is located along Stanborough road which is a main road with street lights. The proposed sign would be illuminated however it is considered to be a sufficient distance from neighbouring properties so that the light pollution would have no detrimental impact on the residential amenity that they currently enjoy.

4. The presence of protected species is a material consideration, in accordance with PPS9 (Biodiversity and Geological Conservation), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981 as well as Circular 06/05. In the UK the requirements of the EU Habitats Directive is

implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9(5) of the Conservation Regulations 2010, which states: "*a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.*" The Conservation Regulations 2010, (Regulation 41) contains the main offences for EPS animals, however the existing site and development is such that there is not a reasonable likelihood of EPS being present on site nor would an EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 further.

5. East of England Plan 2008: On 10th November 2010, The High Court quashed the decision of the Secretary of State for Communities and Local Government to unilaterally revoke Regional Spatial Strategies in England on two grounds:

- That he acted outside his statutory powers in circumventing the need for parliamentary scrutiny of such a fundamental change to the national planning system; and
- He failed to consider the likely environmental effects of revoking Regional Strategies.

However, the Government is still committed to the abolition of Regional Spatial Strategies through the Localism Bill. In the meantime, the policies in the East of England Plan are re-established and form part of the development plan again and are therefore a material consideration which can be taken into account in reaching a decision. However, the Government's intention to abolish Regional Spatial Strategies is also a material consideration that could be considered to reduce the weight to be attached to policies in Regional Spatial Strategies.

The application has been considered against policies in the East of England Plan, which at the time of this decision forms part of the development plan for the Borough but that the weight accorded to these policies, in light of the above circumstances, has been carefully considered in reaching a decision.

CONCLUSION:

The proposed sign, by virtue of its siting, scale and illumination together with the existing signs at the site would create a cluttered appearance of this part of the street scene of Stanborough Road which would not comply with the design criteria in the Supplementary Design Guidance. The proposed development would therefore be contrary to PPG19 and Policies GBSP2, D1 & D2 of the Welwyn Hatfield District Plan and Supplementary Design Guidance; Statement of Council Policy 2005

The proposed signage would not impact on highway safety or neighbours residential amenity.

It is considered that the existing site and development is such that there is not a reasonable likelihood of ESP being present on site nor would an EPS offence be likely to occur.

RECOMMENDATION: REFUSAL AND REASONS

1. By virtue of the number of signs already at the site together with the siting, scale and illumination of the proposed totem sign, would result in a more cluttered appearance of the street scene of Stanborough Road that would be detrimental to the character and visual amenity of the surrounds. This would fail to be compatible with the maintenance or enhancement of the character and appearance of the area as stated in policy GBSP2 of the Welwyn Hatfield District Plan, 2005. The proposed development would therefore be contrary to PPG19 and Policies GBSP2, D1 & D2 of the Welwyn Hatfield District Plan and Part 6 of the Welwyn Hatfield District Plan, Supplementary Design Guidance, Statement of Council Policy, 2005.

INFORMATIVES:

None

REFUSED DRAWING NUMBERS:

Site Location Plan and Elevation and Section received and dated 13 December 2011.

Signature of author..... Date.....