

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>N6/2012/1299/AD</b>
<b>APPLICATION Site:</b>	<b>Stadium Service Station, Stanborough Road, Welwyn Garden City</b>

**NOTATION:**

The site lies within the town of Welwyn Garden City and the Welwyn Garden City Conservation Area as designated in the Welwyn Hatfield District Plan 2005.

**DESCRIPTION OF SITE:**

The application site is a service station off the northern side of Stanborough Road. It is bounded to the west, north, and east by the rear gardens of residential properties. The south is bounded by Stanborough Road from which the site is accessed. The service station currently features signage.

**DESCRIPTION OF PROPOSAL:**

The proposal seeks to re-brand the existing signage and carry out a number of variations over the existing signage in place on the site. In summary, these encompass;

- Increase in company pole sign on grassed area between site entrance and exit from 6m to 7m tall.
- New illuminated canopy fascia over existing illuminated fascia on the Stanborough road elevation and new illuminated canopy fascia in place of the existing on the forecourt approach elevation
- Replacement canopy fascia on all other elevations
- New canopy pecten logo on canopy fascia on the forecourt approach elevation
- 4 non-illuminated 'spreader panels' adjacent to the fuel pumps, under the canopy.
- 8 poster units, 4 'spreader panels' on the supporting column of the canopy adjacent to the fuel pumps, 2 standard bins, 1 vent stack sign, 4 customer service units with bin, towel holder and glove dispenser, and pump numbers, all non-illuminated and in the refuelling area under the canopy.

- 5 secondary signs for directions, a single sided wall mounted and single sided free standing sign for car wash use, one promotional sign, 2 free standing single sided signs for the vacuum, and a free standing single sided sign for air, and 2 wall mounted single sided sign for promotions, all non-illuminated
- 2 signs, one at either end, of the carwash fascia measuring 16600x800mm, coloured and non-illuminated

## **PLANNING HISTORY:**

N6/1974/0073/ - Extensions and alterations to form mess room and extension to lubrication bay – approved 04/06/1974

N6/1994/0309/AD - Erection of 1 No. internally illuminated gantry sign – approved 11/07/1994

N6/1991/0321/FP - Erection of a new petrol filling station, convenience store, car wash and ancillary facilities - withdrawn 01/10/1991

N6/1991/0322/FP - Erection of a new petrol filling station, convenience store, car wash and ancillary facilities (duplicate application) – withdrawn 17/11/1992

N6/1994/0368/AD - Erection of canopy fascia edges, building fascia and wash fascia - approved 04/08/1994

N6/1997/0452/FP - Erection of a single storey extension to existing sales shop - withdrawn 23/06/1997

N6/1974/0576/ - New canopy, conversion to self service operation and new 6000 gallon underground tank – approved 04/12/1974

N6/1993/0791/FP - Erection of petrol filling station, canopy, retail convenience shop, car wash, landscaping and ancillary facilities. (Renewal of permission N6/0042/89/FP) – approved 17/02/1994

N6/1993/0793/FP - Erection of petrol filling station, with shop, forecourt refueling area, forecourt canopy, automatic car wash, No.2 jet washes, tank installation and surfaced areas, alterations to access – approved 17/02/1994

N6/2001/0684/FP - Retention of 1.0m diameter satellite antenna – approved 30/07/2001

N6/2001/0683/AD - Proposed tv monitor/screen suspended from underside of canopy/back lit – approved 06/08/2001

N6/2003/1040/FP - Single storey side extension – approved 21/10/2003

N6/2007/1574/FP - Variation of condition 7 of planning permission N6/0791/1993/FP  
– approved 14/12/2007

**SUMMARY OF POLICIES:**

National Planning Policy Framework

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

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:**

Hertfordshire County Council Transportation and Policy – No objection subject to a condition requiring the level of illumination to be controlled to prevent drivers on Stanborough Road being dazzled or distracted.

**TOWN/PARISH COUNCIL COMMENTS:** None

**REPRESENTATIONS:**

None, period expired

**DISCUSSION:**

The main issues are:

1. **Visual amenity**
2. **Safety**
3. **Protected species**
4. **Other planning considerations**

**1. Visual Amenity**

Policy D1 of the District Plan states that the council will require the standard of design in all new development to be of a high quality, including incorporating the design principles contained in the Supplementary Design Guidance (SPG). The SPG requires advertisements which require express consent to accord with a number of criteria whereby proposals should relate to the character, scale and design of the building on which they would be displayed, and should not detract from the character of the building and street scene.

Policy D2 of the District Plan requires new development to respect and relate to the character and context of the area in which it is proposed. Policy GBSP2 requires

proposals in Welwyn Garden City to be compatible with the maintenance and enhancement of its character. The SPG contains additional criteria for proposals within Conservation Areas which echo the abovementioned criteria and also states that the overriding aim is to preserve and enhance the uniqueness of each area, which is considered more important than competitive advertising or the promotion of corporate images. In addition to the previous criteria regarding the buildings on which advertisements would be displayed, attention should also be given to the design, size and location of the signage proposed, so that it would preserve or enhance the character and appearance of the Conservation Area. In this regard, the sensitive positioning of signs is considered vital to good design.

The site occupies a prominent position, with a primary frontage onto Stanborough Road and sits at the southern edge of a conservation area, with the area on the opposite side of the road lying outside of the conservation area. Whilst it lies in a conservation area, the development immediately adjacent to the west and east is comprised of modern properties, with older housing stock considered to be more vulnerable to impacts on their setting as heritage assets sited approximately 26 metres north of the northern site boundary, with their rear aspect orientated towards the site. The site is primarily visible and accessible from its frontage onto Stanborough Road. Consequently, whilst sited in a conservation area, the site is not considered to be sited in a particularly sensitive location with regard to its impact upon heritage assets.

The proposal would essentially involve the re-branding of the existing signage, and the introduction of small scale signage, largely utilitarian and ancillary in nature, with 3 for promotional purposes.

With regard to the increased height of the replacement company pole sign on the grassed area between site entrance and exit from 6m to 7m in height, it is considered that this would not be detrimental to the character or context of the site or conservation area as its position adjacent to the roadway would not appear overly prominent to adjoining properties, and an existing structure of similar height is already in existence in this location. Its replacement would have a similar appearance, albeit with yellow and red colours rather than solely red, and a different corporate logo. To this end, no detrimental impact is considered in this regard.

With regard to the proposals for the canopy, the replacement canopy treatment is considered acceptable as the existing canopy has a similar appearance and the proposal would not add any new areas of illumination, but retain luminescence where it already exists on two elevations, with the only change being the colours featured. In this regard, the proposal is not considered to result in a change to the character or context of the site or surrounding conservation area and the colours proposed are considered in keeping with the visual amenity of the area. The addition of a canopy pecten logo on the forecourt approach elevation is not considered to impact upon this consideration as the logo would be small scale in nature when viewed against the backdrop of the canopy.

Similarly, the other works proposed under the canopy are not considered detrimental to the character, context or appearance of the site. Whilst they would have an additional visual impact, they are not considered to add to visual clutter to the site as

they would be ancillary to the purposes and function of the site as a service station, and their colours would correspond to and match those of the canopy and other elements of the site forming a consistent appearance. They would not be visible to adjacent residences to the west, north or east. Accordingly, they are considered to be of a good quality and appropriate to the character and context of the site and surrounding conservation area.

Notwithstanding the 3 signs proposed for promotional purposes, the remainder of the signage proposed would be functional in nature, and ancillary to the use and services provided on the site. They would be small in scale and fulfil a practical purpose. Their colour and limited size would be consistent with the general design of the re-branded service station and accordingly they are considered acceptable in terms of the character and context of the site and are not considered to detrimentally impact upon the character of the street scene or conservation area.

Whilst 3 promotional signs are proposed, one would be adjacent to the 7m corporate pole sign on the grass verge adjacent to Stanborough Road in the place of an existing sign of the same proportion and comprise painted corporate colours which would be consistent with the others proposed on the site, and the other two would be sited on the elevation of the building facing Stanborough Road, in the place of the existing signs in this location, and thus no additional impact which would be to the detriment of the character or context of the site or surrounding conservation area is considered to take place in this regard.

In summary, the proposed signage is considered acceptable as it would essentially re-brand the existing signage with no additional harm to the character, scale and design of the building, structures or site on which they would be displayed, and would not detract from the character of the building, street scene or conservation area as the changes would largely be limited to a change in colour.

## **2. Highway safety**

The comments received from the Local Highway Authority are noted. It is therefore considered that the proposal would not have an adverse impact on the safe and efficient operation of the adjoining highway, should the signs be retained.

## **3. Protected species**

The presence of protected species is a material consideration, in accordance with the NPPF, 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.

#### **4. Other planning considerations**

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 Act. 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 proposal would involve a change of signage which would largely replace existing signage for similar, albeit in different but acceptable design and colour. The additional signage would be small scale and ancillary in nature. It is considered that the design and colour of the signage would be acceptable and maintain the character and context of the site and surrounding conservation area, and accordingly the proposal is considered to accord with policies GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005 and the Supplementary Design Guidance, Statement of Council Policy 2005.

#### **RECOMMENDATION: GRANT EXPRESS ADVERTISEMENT CONSENT FOR 5 YEARS**

#### **CONDITIONS:**

1. C.10
2. C.10.1
3. C.13.1 – Development in accordance with approved plans

4. The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Professionals in TR5 Brightness of Illuminated Advertisements (2001)

REASON: So that drivers of vehicles along the adjacent Stanborough Road are not dazzled or distracted, leading to interference to the free and safe flow of traffic along the highway.

**SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

The proposal has been considered against the National Planning Policy Framework, East of England Plan 2008 policy SS1, and development plan policies SD1, GBSP2, D1 and D2 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which, at the time of this decision indicate that the proposal should be approved. Material planning considerations do justify a decision contrary to the development plan (see Officer's report which can be inspected at these offices).

**INFORMATIVES:** None

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