

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	S6/2012/1443/AD
APPLICATION Site:	2 Cuffley Gate, Sopers Road

NOTATION:

The site is located within the specified settlement of Cuffley and Employment Area 9 as designated by the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF PROPOSAL:

This application seeks advertisement consent for installation of 2 x fascia sign.

PLANNING HISTORY:

S6/1980/0840/ - Change of use from showroom to office and provision of mobile temporary office (Granted 19/02/1981)
S6/1990/0673/FP - Non-compliance with condition of Planning Permission 1561/61 that limits the occupation of the building to a local user (Granted 25/09/1990)
S6/1988/0799/FP - Single storey side extension to factory (Granted 21/11/1988)
S6/1988/0566/FP - Alterations to elevation of industrial building in association with the provision of ancillary office accommodation (Granted 01/08/1988)
S6/1988/0063/FP - Elevational alterations to existing building (Granted 21/03/1988)
S6/1986/0116/FP - Conversion/alterations to existing industrial building into pools promotion processing area with assoc. offices, canteen, toilets and car parking area (Granted 11/04/1986)
S6/1981/0514/ - Temporary mobile office (Granted 22/09/1981)
S6/1979/0486/ - Change of use of part of building from manufacturing to showroom (Granted 06/09/1979)
S6/1975/0610/ - Extensions and alterations to the existing offices including new second floor (Granted 19/12/1975)

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy Framework 2012
Circular 03/09: Costs Awards in Appeals and Other Planning Proceedings

East of England Plan 2008
SS1: Achieving Sustainable Development
ENV3: Biodiversity & Earth Heritage
ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan 2005
GBSP2: Towns and Specified Settlements
D1: Quality of Design
D2: Character and Context
Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

CONSULTATIONS

None

TOWN/PARISH COUNCIL COMMENTS

Northaw and Cuffley Parish Council – No response (consultation expired 31/10/2012)

REPRESENTATIONS

The application was advertised by site notice. No representations were received.

DISCUSSION:

The main issues are:

1. The impact on the visual amenity of the surrounding environment and highway safety
2. Other material planning considerations

1. The impact on the visual amenity of the surrounding environment and highway safety

The National Planning Policy Framework (NPPF) states that control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. This approach is reflected in the Council's Supplementary Design Guidance 2005 (SDG) which sets out general guidelines for the design of advertisements. The SDG supplements Policy D1 Quality of Design and D2 Character and Context of the Welwyn Hatfield District Plan 2005.

The SDG states that all advertisements requiring express consent must accord with the following criteria: (1) proposals should be well-designed and should relate to the character, scale and design of the building on which they are displayed; (2) the size and position of the signs should respect the architectural features of the buildings on which they are displayed; (3) proposals should not create visual clutter; (4) illumination will only be permitted where it would not be visually intrusive and is provided by discreet means.

This application seeks advertisement consent for two fascia signs which have already been erected on the north elevation of the application building. The application site is located within an employment area which is characterised by industrial units of various design and appearance. The design and scale of the signage respects the character of application building and are considered appropriate within an employment area. The signage is not visible from outside of the employment area and does not create visual clutter. The sign is not illuminated or positioned above a highway and therefore does not pose a threat to public safety. The nearest residential properties are separated from the application site by a railway. This degree of separation is sufficient to avoid any impact on residential amenity. The proposal is considered to be in accordance with the design quality aims of saved Policy D1 of the Welwyn Hatfield District Plan 2005.

2. Other material considerations

Protected Species: The presence of protected species is a material consideration, in accordance with 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 and amended 2012 Regulations further.

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 policy(ies) 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 signage would not have a detrimental impact on the visual amenity of its surrounding environment in accordance with the National Planning Policy Framework, Policy D1 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance.

RECOMMENDATION: GRANT EXPRESS ADVERTISEMENT CONSENT FOR 5 YEARS

CONDITIONS

- 1-5. C.10 – Advertisements
- 6. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details 15-01-103 Revision A & 15-01-104 Revision A & 15-01-105 Revision A received and dated 3 October 2012

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against the National Planning Policy Framework, East of England Plan 2008 policies SS1, ENV3, ENV7 and development plan policies D1, SD1 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 not 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.....