

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

APPLICATION No:	S6/2013/1035/AD
APPLICATION Site:	Ramada Hotel, St Alban's Road West, Hatfield

NOTATION:

The application site is in Hatfield. It is excluded from the Green Belt in accordance with Policy GBSP1 as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The site is situated on the on the western side of Comet Way and the southern side of St Albans Road West on an irregular shaped corner plot. The site fronts onto a busy road network including two roundabouts with traffic lights. The rear site boundary to the south-west adjoins the rear gardens of residential properties in Ashbury Close and Selwyn Crescent. The University of Hertfordshire and Hatfield Business Park are located to the north, the Galleria shopping centre is situated to the north-east and the A1 motorway passes in a cutting to the south-east.

The site contains a detached two-storey red brick building dating from the 1930's. The building is Grade II listed and identified as The Comet Public House in the listing description. A car park wraps around the front of the site with access from St Albans Road West and Comet Way.

DESCRIPTION OF PROPOSAL:

This application seeks retrospective advertisement consent for the retention of 9 non-illuminated signs. These are as follows:

- 7 Tariff signs at 600 x 800 mm
- 1 Entrance Sign at 600 x 800 mm
- 1 Pay Here Sign 350 x 450 mm

This application is a resubmission of an earlier application (S6/2012/1113/AD) which was refused on 30.8.12 for the following reason:

- 1. The proposed free standing signs, by virtue of their number, design, size and location within a prominent frontage area have had a negative impact on the character and appearance of the Listed Building and its setting. The*

cumulative impact of a large number of signs has resulted in undue visual clutter which in turn detracts from the architectural qualities of the building and the visual amenity of the street scene contrary to the National Planning Policy Framework and Policy D1 of the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy).

The previous application was for the retention of 11 pole mounted signs (5 x 'Tariff Pole Signs, 5 x 'Have you Paid' Pole Signs and 1 x 'Pay Here' Pole Sign). Two signs have now been removed and this application is for 9 signs (on 8 separate poles). Although this current application is described as being retrospective, the signs at the site are still the same as at the time of the previous application (which was refused). The proposed design of each individual sign has now changed and therefore if advertisement consent is granted the signs will need to be changed accordingly.

PLANNING HISTORY:

There is an extensive planning history at the site. The applications relevant to this current application are as follows:

S6/2012/1113/AD - Retention of 11 non-illuminated signs (5 x 'Tariff Pole Signs, 5 x 'Have you Paid' Pole Signs and 1 x 'Pay Here' Pole Sign)
R 30/08/2012

S6/2008/0586/AD - Erection of three internally illuminated pylon signs.
R 07/05/2008

S6/2007/1309/AD - Erection of three internally illuminated pylon signs, 1 internally illuminated fascia sign and 1 illuminated feature sign
R 22/11/2007

S6/2007/0628/AD - Erection of three free-standing cylindrical internally illuminated signs; one individually internally illuminated fascia sign and one neon parallel feature line
R 15/06/2007

SUMMARY OF POLICIES:

National Planning Policy Framework

Circular 03/09: Costs Awards in Appeals and Other Planning Proceedings

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:

BEAMS (Conservation advice) – The scheme is probably acceptable if the case officer is satisfied with the overall level of adverts/signs because the setting is much altered already so there is probably no further harm in terms of NPPF para. 134 etc.

Herts County Council – as highways Authority – Do not wish to restrict the grant of permission.

TOWN/PARISH COUNCIL COMMENTS:

None

REPRESENTATIONS:

The application was advertised by neighbour notification letters and a site notice. No representations were received. Period expired 1.7.13.

DISCUSSION:

The main issues are:

1. The impact on amenity
2. The impact on public safety
3. Other material considerations

1. Impact on amenity

In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, a local planning authority shall exercise its powers under the Regulations in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material and any other relevant factors. The Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.

The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments add to the overall quality of the area; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. They should also be visually attractive as a result of good architecture and appropriate landscaping.

Specifically in relation to advertisements, the NPPF notes that poorly placed advertisements can have a negative impact on the appearance of the built and

natural environment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Policy D1 of the Welwyn Hatfield District Plan 2005 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan and lays out detailed criteria relating to advertisements that require express consent. In general, proposals should be well designed and sensitively positioned and must not detract from the character of the building or the streetscene. The size and position of signs should respect the architectural features of the buildings on which they are displayed and they should not create visual clutter. Furthermore they should not pose a danger to public safety.

The car park for the hotel wraps around the front of the building and is highly visible from St Albans Road West and Comet Way. At the time of the previous application, the cumulative impact of all the signs was considered to create undue visual clutter which detracts from the character of the listed building and the visual amenity of the area. The bright yellow nature of the signs was considered to be an issue because it makes them so prevalent and obtrusive, especially when viewed against the backdrop of the listed building. It was acknowledged that the setting of the Listed Building has already been degraded to some extent due to the proximity of the busy roads, traffic lights and signage. However, in the end it was concluded that the introduction of additional signage had only served to exacerbate the harm by creating further clutter, which is not appropriate to the Listed Building and its setting.

The application has now been revised. The number of signs has been reduced from 11 to 9 (on 8 separate poles) and the plans illustrate that the proposed signs would be mostly black and white with no bold or bright colours and the text content has been reduced in order to address the previous concerns about their appearance when viewed against the backdrop of the listed building. The reduction in the number of signs is not significant and the cumulative impact of 8 separate poles is not considered to be much of improvement over 11 poles. However, because they are dotted around the different sides of the main building they would not all be viewed together and not all of them would be viewed directly against the backdrop of the listed building itself (although from outside the site they all would be to some extent). Four of the signs would be located close to the listed building and would be viewed with the building as a backdrop and the other 5 would be closer to the boundaries of the hotel car-park and would therefore have less of an impact on the immediate setting of the listed building. On balance, this is considered to be a fair mix especially because the Heritage Advisor has drawn attention to paragraph 134 of the NPPF, which states the following: "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*". The applicant notes in their statement that the hotel has experienced significant issues with its car-park in recent years with non-hotel users parking there to visit the surrounding facilities, which prevents hotel guests from being able to park in the car-park. The harm by reason of the revised-design signs is

considered to be less than substantial and there is some benefit (albeit to the hotel rather than the public) of having the signs in place.

Furthermore, the fact the signs would be a simple black and white design with less text than previously is considered to be a vast improvement on the previous design which used very bright and obtrusive colours. It is considered that the revised design would make the signs much less obtrusive and prominent in the site and, importantly, the design is considered to be much more appropriate in relation to the adjacent listed building.

On balance, and in line with the advice of the Council's Heritage Advisor and the guidance within the NPPF, because the setting of the listed building has already been altered over time, and taking into account the revisions that have been made to the proposal, the impact of the proposed signs on the visual amenities of the area is now considered to be acceptable.

2. Impact on public safety

As already noted, in accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, a local planning authority shall exercise its powers under the Regulations in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material and any other relevant factors.

The Regulations state that factors relevant to public safety include—

- (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
- (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

The application site is located between two busy highways. Nevertheless, it is not considered that the proposed retention of the signs (with the revised design) would endanger the safety of persons using the highways and or that the continued display of the adverts would obscure or hinder the ready interpretation of any traffic sign or that it would hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle. The Highways Authority have been consulted and do not wish to restrict the granting of permission. The proposal is therefore considered to be acceptable in this respect.

4. Other Material Planning 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 a EPS offence be likely to occur. It is therefore not necessary to consider the Conservation Regulations 2010 and amended 2012 Regulations further.

CONCLUSION:

It is not considered that the proposed signage would detrimentally impact upon amenity and public safety to such an extent as to warrant a refusal of the application. The proposed development is therefore considered to be in accordance with the National Planning Policy Framework and the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy). Because the existing signs at the site do not have the benefit of advertisement consent it is considered necessary to attach a condition to ensure that the signs are replaced with the revised designs in a timely manner. A time limit of 1 month from the date of permission is considered to be appropriate.

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: 2012-96/PL001 & ANPR Column SD received and dated 23 May 2013 and Ramada Hatfield Car Park Signage Layout - Rev H & Ramada Hatfield Car Park Signage Details - Rev H & Ramada Hatfield Car Park Sign Types - Rev H & Ramada Hatfield Car Park Elevations - Rev H received and dated 9 July 2013 unless otherwise agreed in writing by the Local Planning Authority.
7. The existing signs at the site shall be removed and/or replaced strictly in accordance with the details approved as part of this application within one month of the date of this permission, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and by virtue of the existing signage not having advertisement consent.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Councils website or inspected at these offices).

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