

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>N6/2012/312/AD</b>
<b>APPLICATION Site:</b>	<b>Lakeside School, Lemsford Lane, WGC</b>

**NOTATION:**

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

**DESCRIPTION OF SITE:**

Lakeside is a school for pupils with learning difficulties. The site lies on the south-western edge of Welwyn Garden City. The site features a number of single storey and two storey buildings which are set back from the frontage of Lemsford Lane via hardstanding that is used for vehicular parking.

**DESCRIPTION OF PROPOSAL:**

This application seeks advertisement consent for the erection of signage on the front elevation of the property. The signage would feature the wording 'Lakeside School Learning for Life' in blue lettering and would be on a white acrylic backboard. The signage would measure approximately 9.95 metres wide and 2 metres tall and would not be illuminated.

**PLANNING HISTORY:**

N6/2011/0891/FP – Extension to existing classroom and alterations to external play area - Approved 07/07/2011

N6/2010/3103/PA – Alteration and extension to school including demolition – response 21/01/2011

N6/2005/1452/CD - Change of use from recreational land to school playing fields with associated boundary fencing and landscaping - Approved 24/01/2006

N6/2005/1372/FP - Erection of timber building - Approved 23/12/2005

N6/2003/1134/FP - Single storey timber building for use as sensory room – Approved 15/09/2003

N6/2002/0100/FP - Erection of a single storey detached timber building to be used as a library- Approved 04/03/2002

N6/1997/0388/CD - Replacement hydrotherapy pool - Approved 14/11/1997

N6/1996/1004/CC - Erection of new boundary fence – Approved 27/02/1997

N6/1995/0830/FP – Erection of single storey building for educational purposes and additional car parking - Approved 15/12/1995

N6/1976/0115/CC - Kitchen and classroom extension - Approved 04/05/1976

### **SUMMARY OF POLICIES:**

National Policy:

The National Planning Policy Framework 2012

East of England Plan 2008 Policies:

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

GBSP2: Towns and specified settlements

R3: Energy Efficiency

D1: Quality of design

D2: Character and context

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

### **CONSULTATIONS:**

Hertfordshire County Council Transportation and Policy – the proposal would have no impact on highway safety

**TOWN/PARISH COUNCIL COMMENTS:** None

### **REPRESENTATIONS**

The application was advertised by means of neighbour notification and a site notice and no representations were received.

**DISCUSSION:** The main issues are:

- 1. Visual amenity;**
- 2. Highway safety;**
- 3. Protected Species; and**
- 4. Other Material Planning Considerations**

1. The Council's Supplementary Design Guidance 2005 sets out general guidelines for the design of advertisements. The design guidance supplements Policy D1 'Quality of Design' of the Welwyn Hatfield District Plan 2005. Essentially there are two main issues in determination of advertisement applications. Firstly, the signage should not have a detrimental effect in terms of visual amenity and secondly, it should not pose a threat to public safety.

The Supplementary Design Guidance 2005 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.

The proposed signage would be mounted appropriately on the frontage of the school building, which is set back from the frontage of the street by a grass verge and hardstanding that is used for car parking. In this instance whilst the signage would be large it would be located appropriately below windows on the existing property and would be sited to not disrupt the architectural features of the buildings. The signage would also not be illuminated, would be an appropriate scale and design in relation to the scale of the building. As such the proposal is considered to comply with policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and Supplementary Design Guidance, February 2005

2. The proposed signage would not be illuminated and as a result of the scale and design of the proposed signage it is considered that it would cause no detrimental impact to drivers. It is therefore considered that the scale, design and positioning would not adversely affect the safe and efficient operation of the adjoining highway.

HCC Transportation Planning and Policy Department raise no concerns and consider that the proposed replacement signage would not impact upon highway safety.

3. The presence of protected species is a material consideration, in accordance with The National Planning Policy Framework 2012, 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. 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 signage would not impact on highway safety and would not have a detrimental impact on the visual amenity of its surrounding environment.

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

**CONDITIONS:**

- 1 - 5. C.10: Advertisements
- 6. C.10.1
- 7. C.13.1 - 2702-PL01 & 2702\_S01a & 2702\_S02 received and dated 17 February 2012

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

The proposal has been considered against The National Planning Policy Framework, East of England Plan policies SS1, ENV7 and development plan policies GBSP2, R3, D1, D2 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which 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.....**