PLANNING COMMITTEE - 27 MAY 2021

PART I - DELEGATED

8. 21/0514/ADV: Advertisement Consent: Installation of 1 non-illuminated totem sign; 3 non-illuminated fascia signs to western elevation and non-illuminated fascia signs to southern elevation at TRAVIS PERKINS, CHURCH WHARF, CHURCH STREET, RICKMANSWORTH

(DCES)

Parish: Batchworth Ward: Rickmansworth Town Expiry of Statutory Period: 03 June 2021 Case Officer: Claire Wilson

(Agreed extension)

Recommendation: That Advertisement Consent be Granted.

Reason for consideration by the Committee: This application has been called into Committee by Batchworth Community Council as they consider that it overwhelms the street scene, is inappropriate in the conservation area, the size of the signs is excessive and they should not be illuminated.

1 Relevant Planning History

- 1.1 17/0192/FUL: Demolition of existing buildings and erection of a single storey industrial building to provide builders' merchant (sui generis) including plant and tool hire and outside display and storage (including racking system); erection of a part three, part four storey 92 bed hotel (Class C1); associated alterations to car parking; closure of existing access and construction of new access to roundabout; installation of electricity sub-station; refuse storage area for boaters; and associated landscaping, means of enclosure and associated works. Application permitted. Permission implemented.
- 1.2 21/0513/FUL: Subdivision of existing unit to allow for the provision of three builders merchants unit within the existing unit including external alterations, alterations to car parking provision and associated works. Application permitted.
- 1.3 Varying other applications relating to discharge of conditions for the wider site, and planning consents relating specifically to the adjacent Premier Inn Hotel.

2 Description of Application Site

- 2.1 The application site relates to a detached building which has permission to be used as a builders merchants. This building formed part of a wider scheme permitted under application 17/0192/FUL which granted planning permission for the redevelopment of the site including the provision of a Premier Inn Hotel; along with the Builders' Merchants. These buildings have both been constructed with the hotel occupying the southern side of the site and the host building located to the north.
- 2.2 Vehicular access to the site is from the Batchworth Roundabout; with this access serving both buildings. The River Chess runs to the east and south boundaries of the wider site with the Grand Union Canal and Batchworth Lock to the south of this. To the north of the site are the Ebury Way and St Marys Court, a flatted residential development. The surrounding area consists of a variety of residential and commercial uses. The boundary of the Rickmansworth Town Centre Conservation Area is approximately 40m to the north east of the site to the other side of Church Street and the Batchworth Roundabout.
- 2.3 It is noted that planning permission has recently been granted under reference 21/0513/FUL for the subdivision of the existing building into three separate commercial units. Each of the

units would still be utilised as a Builder's Merchants (Sui Generis) including Tool Station, Benchmarx and City Plumbing

3 Description of Proposed Development

- 3.1 The applicant is seeking advertisement consent for the provision of signage to the western and southern elevation of the host building and the erection of a totem sign to the site frontage.
- Three signs are proposed to the western elevation of the building, therefore fronting the roundabout. Each sign would contain one of the company's names which will be occupying the host building: Tool Station, Benchmarx and City Plumbing. As such, the colours of the signage do vary as indicated on the submitted elevations. The plans indicate that each sign would have a width of 5m and a height of 1m and would form a vertical arrangement down the western elevation. The signs would all be non-illuminated.
- 3.3 To the southern elevation of the building, a number of signs are proposed, associated with the respective companies occupying the host building. These are briefly described below:
- Benchmarx: This Company would be located to the western side of the host building. Three facia signs are proposed. The main sign containing the brand name would be located centrally and would have a width of 5m and a height of 1.2m. To either side of this would be two further facias, which would have a width of 4m and a height of 1.2m; these would contain details of the products sold by the company. Above the main customer entrance to the building would be a 'welcome' sign which would have a width of 1.975m and a height of 0.3m. Two smaller signs are proposed at a lower level, one would have a width of 1.2m and a height of 1.2m. The sign immediately adjacent to the entrance doors would have a width of 0.61m and a height of 0.61m and would contain the opening details for customers._The signs would be a mix of white and burgundy in colour and all would be non-illuminated.
- 3.5 <u>City Plumbing:</u> This Company would occupy the central part of the host building. Two facia signs are proposed above the entrances providing the brand names, these would have a width of 3.95m and a height of 1.8m. A further sign is proposed above the roller shutters and would be a directional sign with a width of 1.2m and a height of 0.5m. This would read 'Goods inwards'. Located on the entrance doors would be two further facia signs with a width of 2.2m and a height of 0.4m. These would be directional signs and would state 'customer entrance' and 'trade counter'. Two smaller signs are also proposed at a lower level to the side of both entrance doors. These would have a width of 0.42m and a height of 0.65m and would contain the opening hours of the unit. These would be mainly dark blue in colour with white and yellow detailing. They would all be non-illuminated.
- Tool Station: This Company would occupy the unit in the eastern side of the host building. Three facia signs are proposed at a high level. The central sign above the main entrance would state the name of the company and would have a width of 5m and a height of 1.2m. Above the two roller doors, two further facia signs are proposed, both with the same dimensions as outlined above. These would provide information regarding the unit. Above the entrance doors would be a directional sign stating 'entrance'. This would have a width of 4.5m and would have a height of 0.5m. Adjacent to the entrance would be a smaller sign with a width of 0.5m and a height of 0.55m and this would provide details of the opening times of the unit. The elevations also indicate that 4 smaller A1 poster signs would be sited at a lower level which would be changed regularly. They would be a mix of yellow, red and white, and would all be non-illuminated.
- 3.7 The totem sign would be erected to the west of the building adjacent to the existing access road into the site and would be sited behind the existing fencing. The sign would have a height of 3.5m and a width of 1.8m and a depth of 0.8m. It would be finished in a dark blue colour and would contain each company name as outlined above. It would be non-illuminated.

3.8 Amended plans have been received during the course of the application reducing the width of the signs on the western elevation from 10m to 5m and changing their arrangement. In addition, the signs would no longer be illuminated.

4 Consultation

4.1 Statutory Consultation

4.1.1 <u>Batchworth Community Council</u>: (Objection)

Batchworth Community Council objects to this application as it overwhelms the street scene, is inappropriate in the conservation area, the size of the signs is excessive and they should not be illuminated. We wish for this application to be called in, unless officers are minded to refuse.

Officer Comment: Following receipt of amended plans, Batchworth Community Council were re-consulted and confirmed that they still wished the application to be called in to the Planning Committee as the amendments did not overcome the concerns raised.

4.1.2 Hertfordshire County Council – Highway Authority: (No objection)

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Highway Informative's: HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN 2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN 3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via thewebsite:https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047.

AN 4) Projecting signs. Notwithstanding the consent issued under the Town and Country Planning Act, a licence issued under the provisions of Section 177 of the Highways Act 1980 is required prior to the erection of any part of the projection into or over the public highway. The applicant is advised to contact the County Council Highways via either the website:https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or telephone 0300 1234047 to arrange this.

<u>Comments:</u> The application is for the installation of 1 non-illuminated totem sign; 3 internally Illuminated facia signs to western elevation and 8 non-illuminated facia signs to southern elevations at Travis Perkins, Church Wharf, Church Street, Rickmansworth. This site is part of a larger application spanning a change of operator for the site. This specific application is for advertisement consent concerning this site.

The current site is located on private land that is not part of the highway network.

The applicant is reminded that the standard of luminance should comply with the recommendations as set out in Chapter 8 of the Institution of Lighting Engineers' Technical Report Number 5 –Brightness of Illuminated Advertisements (Third Edition).

No signs will impact the visibility of vehicles entering or exiting the site.

HCC as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway and therefore has no objections on highway grounds to the application.

- 4.1.3 Environmental Health: No comments received
- 4.1.4 National Grid: No comments received
- 4.2 Public/Neighbour Consultation
- 4.2.1 Number consulted: 43 No of responses received: None
- 4.2.2 Site Notice: Expiry 11.04.2021 Press notice: N.A
- 4.2.3 Summary of Responses: N.A
- 5 Reason for Delay
- 5.1 Committee cycle.
- 6 Relevant Planning Policy, Guidance and Legislation
- 6.1 National Planning Policy Framework and National Planning Practice Guidance

In 2019 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM3, DM6 and DM9.

6.3 Other

Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7 Planning Analysis

7.1 Advert Regulations

7.1.1 Outdoor advertisements are within the scope of the control regime specified by the Secretary of State in the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended).

This regime enables local planning authorities to control advertisements, when it is justified, in the interests of "amenity" and "public safety".

- 7.1.2 Amenity is not defined in the Regulations, although it includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality and the presence of any feature of historic, architectural, cultural or similar interest.
- 7.1.3 Paragraph 132 of the National Planning Policy Framework advises the quality and chapter of places can suffer when advertisements are poorly sited and designed. It also advises that advertisements should be subject to control only in the interests of amenity and public safety.

7.2 <u>Impact on Character and Street Scene</u>

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core

Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. The boundary of the Rickmansworth Town Centre Conservation Area is approximately 40m to the north east of the site to the other side of Church Street and the Batchworth Roundabout. Policy DM3 of the Development Management Policies LDD states that 'permission will not be granted for development outside but near to a Conservation Area if it adversely affects the setting, character, appearance of or views in to or out of that Conservation Area'.

- 7.2.2 It is noted that there would be a number of signs located on the southern elevation of the building which would vary in terms or colour and size. However, given the overall width of the host building and the size of the wider site as a whole, it is not considered that they would have detrimental impact on the appearance of the host dwelling or the wider area. Furthermore, it is emphasised that these would not be illuminated which would further minimise their prominence, particularly when viewed cumulatively.
- 7.2.3 Concerns were raised regarding the signage to the western elevation as indicated on the original plans. These were viewed to be excessively large, with a maximum width across the gable end of approximately 10m. As a result, it was considered that signage would dominate this elevation to an unacceptable degree, appearing as an excessively prominent form of development. It was also considered that their scale would have been further exacerbated by their proposed illumination. In response, amended plans have been received which indicate a reduction in width with the signs having a proposed width of 5m. In addition, their siting would be located in a vertical arrangement on this elevation and would be non-illuminated. Whilst it is acknowledged that the provision of signage would change the appearance of this currently blank elevation, it is not considered that they would be uncharacteristic given the commercial nature of the building. It is therefore viewed that the alterations to the siting of the signage, combined with their reduction in width and the removal of illumination would result in an acceptable form of development which would not negatively impact the visual amenities of the host building or wider locality.
- 7.2.4 The plans also include the provision of a totem sign which would be located to the west of the host building, adjacent to the existing access road into the site. Given the sign would be viewed against the backdrop of the existing building and the adjacent hotel building, it is not considered that it would appear unduly prominent. It would be sited within the site boundaries and thus would be set back from the adjacent highway. Furthermore, the signage would also not be illuminated.
- 7.2.5 It is noted that Batchworth Community Council have objected to the proposed development as they consider that the proposed development overwhelms the streetscene and the Conservation Area. They also consider that the size of the signage would be excessive and they should not be illuminated. In response, it is emphasised that the building is not located within the Conservation Area with the boundary being located approximately 40m to the north east of the site to the other side of Church Street and the Batchworth Roundabout. Given the commercial nature of the building, the size of the site and its relatively urban location on the Batchworth Roundabout, it is not viewed that the signage would result in harm to the setting of the Conservation Area or views into or out of the Conservation Area. Similarly, as previously noted, all of the signage proposed would be non-illuminated.
- 7.2.6 In summary, given the site circumstances and the commercial nature of the host building, it is not considered that the development would result in harm to the visual amenities of the streetscene. It is considered that the development would be acceptable and in accordance with Policy CP12 of the Core Strategy (adopted October 2011).
- 7.3 <u>Impact on amenity of neighbours</u>

- 7.3.1 Policy CP12 of the Core Strategy states that the 'Council will expect all development proposals to protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.
- 7.3.2 The proposed signage on the southern elevation of the building would face towards the existing Premier Inn Hotel, and thus would not directly front any nearby residential dwelling. Whilst there would be a range of signage of varied colour and scale, none of the signage would be illuminated and thus would have no impact on the adjacent hotel building. Thus no objection is raised in this regard.
- 7.3.3 The signage on the western elevation would front the roundabout, with the nearest residential neighbours being those located in St Marys Court to the north of the building. Due to the relationship with these neighbours, with this elevation angled away, it is not considered that they would experience any adverse harm. Furthermore, it is noted that the scale of the signage has been reduced and the illumination has also been removed. Likewise, it is not considered that the Totem sign would result in any demonstrable harm to these neighbours. Whilst it would be visible, it is sited away from the boundary with these neighbour and again the signage would not be illuminated.
- 7.3.4 In summary, the proposed development would not result in any harm to the residential amenities of neighbouring occupiers. The development is considered to be acceptable and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013) and Policy CP12 of the Core Strategy (adopted October 2011).

7.4 Wildlife and Biodiversity

- 7.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.
- 7.4.3 The application has been submitted with a Biodiversity Checklist and details that there would be no impact on any protected species. Given the nature of the application as providing non-illuminated signage to an existing building, no objection is raised in this regard.

7.5 Trees and Landscaping

7.5.1 No significant trees or areas of landscaping would be affected by the proposed development.

7.6 Highways, Access and Parking

7.6.1 Policy CP10 of the Core Strategy relates to highways and advises that development need should provide a safe and adequate means of access. The Highways Officer has been consulted and has raised no objection, considering that the proposed development would not have any impact on visibility when entering and exiting the site. Furthermore, since the time of these comments, the application has been amended removing all illumination from the submitted proposals, thus further minimising harm to the adjacent highway. The development is therefore in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

8 Recommendation

That ADVERTISEMENT CONSENT BE GRANTED subject to the following conditions:

- C1 1] The period of the validity of this permission is for five years commencing from the date of the decision notice.
 - 2] No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - 3] No advertisement shall be sited or displayed so as to;
 - (a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - 4] Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - 5] Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - 6] Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity

Reason: To comply with the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended) and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C2 The development hereby permitted shall be carried out in accordance with the following approved plans:

DRG-A-AR-0001-S1-P1 - Location Plan, DRG-A-AR-0002-S1-P1 - Existing Site Plan Rickmansworth Proposed Site Plan Rev 3.1,

300 Rev 5 - Proposed Elevations

643-040-PP01 Rev C - Toolstation Signage Details,

643-040-PP02 Rev C - Toolstation Signage Details,

Rickmansworth - L23866 Rev 7 - Proposed Signage Details

Reason: For the avoidance of doubt, in the proper interests of planning and visual amenity in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

8.1 Informatives:

11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a

dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works It is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I3 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website

https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to

- obtain their permission and requirements before construction works commence. Further information is available via the website:https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.
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- Projecting signs. Notwithstanding the consent issued under the Town and Country Planning Act, a licence issued under the provisions of Section 177 of the Highways Act 1980 is required prior to the erection of any part of the projection into or over the public highway. The applicant is advised to contact the County Council Highways via either the website:https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or telephone 0300 1234047 to arrange this.