## **6. 18/0054/ADV - Advertisement Consent: Replacement internally and externally illuminated signage at THE GATE PUBLIC HOUSE, RICKMANSWORTH ROAD, CHORLEYWOOD, WD3 5SQ, for Stewart Tucker**

 (DCES)

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| Parish: Chorleywood Parish Council | Ward: Chorleywood North and Sarratt |
| Expiry of Statutory Period: 26 March 2018 | Case Officer: Jake Shiels |

# Recommendation: That Advertisement Consent is granted.

# Reason for consideration by the Committee: A councillor is the owner of a neighbouring property adjacent to the site.

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# **1. Relevant Planning History**

### 8/774/92 - Single storey rear extensions and alterations and car park extension. Permitted and implemented, 11.03.1993.

### 96/0942 - Extension to existing Public house and erection of play barn. Refused at Committee, 13.03.1997.

### 98/0026 - Alterations and refurbishment. Approved, 26.03.1998.

### 98/00345/ADV - Installation of signs. Approved and implemented, 04.08.1998.

### 00/00077/FUL - Single storey extension to rear, front porch extension and alteration. Approved and implemented, 13.03.2000.

### 00/00722/ADV - Erection of new advertisement signs and external lighting. Approved and implemented, 27.07.2000.

### 08/0263/ADV - Retrospective Advert Consent: Two externally illuminated fascia signs, one externally illuminated post sign, one high level illuminated amenity board and sign writing to building. Approved and implemented, 18.04.2008.

### 1.8 17/2587/FUL - Proposed external works to redecorate exterior of building, including wall faces, window frames and cills, door faces and frames, roof fascia boards and soffites, gutters and rainwater pipes, new external lighting, and new timber planters. Approved, 07.02.2018 (currently being implemented).

# **2. Description of Application Site**

### 2.1 The application site measures approximately 3980sq.m in area and is square in shape comprising a two storey building which serves a Public House, pub garden and seating area to the rear and car parking area for visitors, located on the northern side of Rickmansworth Road, Chorleywood.

### 2.2 The application site borders the residential dwellings of Manor House Cottage to the west, Burford House to the east and Heather House and Christ Church on the opposing side of the road to the south. The area is predominantly residential in character with a small number of commercial buildings.

### 2.3 The Gate House Public House is a two storey building that is located within the south west corner of the site, with its principal elevation facing the east which is provided access from a porch element that has a pitched roof form. The building has an intersecting hipped roof and is predominantly two stories in height, although has single storey elements projecting from the front elevation to the east, the flank elevation to the north and to the rear of the dwelling to the west, all with pitched roofs. The exterior consists of white painted brickwork.

### 2.4 North of the Public House building is a patio area for outdoor seating with associated landscaping and Jumbrella for cover. Beyond this directly north is a large parking area, which extends east and south east to the flank of the Public House.

### 2.5 The application site is within the Metropolitan Green Belt and Chorleywood Common Conservation Area.

# **3. Description of Proposed Development**

### 3.1 This application seeks Advertisement Consent for the replacement of internal and external illuminated signage.

### 3.2 Internally the following advertisements are proposed for:

* Two 530mm (W) x 100mm (H) ‘Garden’ signage
* Six 305mm (W) x 100mm (H) ‘Private’ (x2), ‘Gents’ (x2), ‘Ladies’ (x2) WC signage
* Two 400mm WC (W) x 100mm (H) ‘Gents’ and ‘Ladies’ WC signage
* One 305mm (W) x 150mm (H) ‘Disabled & Baby Change’ WC signage
* All signs to be aluminium panel finished Cromadex 943 MLE100430 (Brown) with white vinyl decoration.
* Existing frosted vinyl decays internally to be updated with white text detail advertising new logo and pub name and In and Out sign for Kitchen.

### 3.3 Externally the following advertisements are proposed for:

* To the frontage of the site and adjacent to Rickmansworth Road, 2 x 1150mm (W) x 1200mm (H) ‘The Gate Chorleywood’ signage upon the existing post sign (shown as A on the submitted plans). Existing post to be painted white.
* Upon the west flank of the Public House and adjacent to Rickmansworth Road, one 2673mm (W) x 595mm (H) ‘The Gate Chorleywood’ flat aluminium text fixed to existing on brickwork and illuminated trough light above (shown as B on the submitted plans).
* Upon the front elevation of the Public House, one 2000mm (W) x 1618mm (H) ‘The Gate Chorleywood’ written text and logo on brickwork with new illuminated trough light above (shown as C on the submitted plans).
* To the frontage of the site, upon the entrance to the Public House car park, one 1450mm (W) X 1800mm (H) 50mm deep folded tray panel with logo and ‘The Gate Chorleywood’ white text fixed to 2 new oak posts with illuminated trough light above (shown as D on the submitted plans).
* To the frontage of the site, adjacent to the Public House entrance, one 800mm (W) X 1150 (H) ‘A’ Board (shown as E on the submitted plans).
* Upon the front elevation of the Public House, one 450mm (W) x 350mm (H) panel fixed to existing brick background ‘Parking Notice’ (shown as F on the submitted plans).
* Upon the front door access to the Public House, one frosted vinyl detail ‘The Gate Chorleywood’ written text and logo (shown as H on the submitted plans).
* Upon the east flank elevation of the Public House facing the outdoor area, one 400mm (W) and 300mm (H) panel ‘Garden Notice’ on existing brickwork (shown as M on the submitted plans).
* To the rear of the site, within the parking area, one 298mm (W) x 1620 (H) post mounted sign with removable aluminium panel. (shown as P on the submitted plans).
* Upon the front elevation of the Public House, one 2000mm (W) X 642mm (H) sign written ‘The Gate Chorleywood Country Pub & Eating’ text on existing brickwork (shown as Q on the submitted plans).
* All replacement signs on existing surfaces and brickwork to be aluminium panel finished Cromadex 943 MLE100430 (Brown) with white vinyl decoration.

# **4. Consultation**

## **4.1 Statutory Consultation**

### 4.1.1 Chorleywood Parish Council: No objection.

*“The Committee had no Objection to this application.”*

### 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.*

*The application comprises of consent for replacement advertisements and signs (illuminated and non-illuminated) at land at The Gate Public House, Rickmansworth Road, Chorleywood. Rickmansworth Road is designated as a classified ‘A’ main distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense.*

*None of the proposed signage is located on (or is considered to interfere with) the highway adjacent to the site on Rickmansworth Road. Hertfordshire County Council (HCC) as Highway Authority has considered that the proposed signage would not have an unreasonable impact on the safety of highway users passing the site. The applicant is reminded that that 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). “*

### 4.1.3 Environmental Protection: No comments received.

### 4.1.4 Conservation Officer: No objection.

*“These new signs will be discreet on this building in the Chorleywood Conservation Area. The agents have provided an excellent report detailing the changes.”*

### 4.1.5 National Grid: No comments received.

## **4.2 Public/Neighbour Consultation**

### 4.2.1 Number consulted: 7 No responses received: 0

### 4.2.2 Site Notice: Posted 14.02.18 Expired 07.03.18

### 4.2.3 Press notice: Published 09.02.18 Expired 02.03.18

### 4.2.4 Summary of Responses:

 Not applicable.

# **5. Reason for Delay**

### 5.1 None.

# **6. Relevant Planning Policy, Guidance and Legislation**

## 6.1 National Planning Policy Framework and National Planning Practice Guidance

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF) and 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 states 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'. 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, CP11 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: DM2, DM3, DM6 and DM9.

## 6.3 Other

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.

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

Chorleywood Common Conservation Area Appraisal (adopted 2010)

# **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 The NPPF (March 2012) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. The NPPF under paragraph 67 emphasises that only those advertisements which will clearly have an appreciable impact on their surroundings should be subject to the local planning authority's detailed assessment and should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##  Impact on Green Belt:

### 7.2.1 The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.

### 7.2.2 Paragraph 87 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

### The NPPF further advises at paragraph 88 that when considering any application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

* + 1. Core Strategy Policy CP11 sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it.

### 7.2.5 The proposal would not result in additional built form to the existing building, while internal signage is not considered to have any impact on the openness of the Green Belt. The proposal would primarily result in signage replacements upon existing brickwork, boards and fenestration which would not be considered prominent within this setting.

### 7.2.6 Nevertheless, there would be one new addition within the site which would include a post mounted sign within the parking area to the rear of the site (labelled as P on the submitted plans). In respect of the mounted sign given its minimal size and siting it would not cause demonstrable harm to the Green Belt.

### 7.2.7 The external lighting features proposed would be small in scale and small in volume including a halo glow and trough light. This form of lighting would not have a significant impact on the visual amenity of the Green Belt.

### In light of the above, the proposed advertisements would not result in actual harm to the openness of the Green Belt and therefore would comply with Policy CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the NPPF.

## 7.3 Impact on street scene and Conservation Area:

### 7.3.1 Policy CP12 of the Core Strategy (adopted October 2011) states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

### 7.3.2 The application site is located within the Chorleywood Common Conservation Area. In relation to development proposals in Conservation Areas Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character or appearance of the area. The Conservation Officer has commented on this application and does not wish to object to the proposal as new signs are considered to be discreet on the host building in the Chorleywood Conservation Area.

### 7.3.3 From the level of detail submitted, much of the signage would be located upon existing brickwork and structures. The signage would advertise the name of the Public House and associated directions and information for users. Colour detailing which would be brown on the proposed panels with white vinyl text would be in keeping with the character of the existing building and would not appear prominent within the Conservation Area.

### 7.3.4 Given that the advertisements would use existing structures this would minimise any additional harm to the Conservation Area and it is not considered that the signage would be overbearing or be considered prominent within the street scene.

### 7.3.5 The replacement signage would be most visible within the frontage of the Public House, which would include a mounted sign, A-board, folded panel board and texts and logos on the existing brickwork. While the signage to the frontage would be visible, signage would replace existing signage or being of a similar size to existing and would all be of a similar colour and style in keeping with the character of the Public House.

### 7.3.6 It is not considered that the proposed signage would be unduly prominent in the street scene or adversely affect the character and appearance of the building and Conservation Area. The proposal would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM3 of the Development Management Policies LDD.

## 7.4 Impact on amenity of neighbours:

### 7.4.1 Policy CP12 of the Core Strategy states that the Council will expect all development proposals to protect residential amenities.

### 7.4.2 The site is located along the Rickmansworth Road and the existing building is sited within a residential area. However, it is not considered that the signage given its size and scale and positioning on existing brickwork and structures, that are primarily non-illuminated, would result in any significant impact to the residential amenities of neighbouring occupiers any more than the existing signage.

### 7.4.3 Policy DM9 of the Development Management Policies LDD states that development proposals which include external lighting should ensure that there is no unacceptable adverse impact on neighbouring or nearby properties.

### 7.4.4 It is acknowledged that some signage would be illuminated, however, this would be from existing trough lighting above. Lighting is proposed upon the front elevation of the building above written text and above an existing folded panel close to the front entrance of the site. When considering the size and scale of the lighting proposed and separation of the road and separation of detached dwellings within their plots it is not considered that the lighting would not have a detrimental impact on neighbouring amenity of two storey dwellings.

### 7.4.5 Planning permission for various external alterations and new external lighting was conditioned to ensure that all external lighting shall be switched off between the hours of 01:00 (am) and 15:00 (pm) every day including weekends and Bank Holidays. This condition will apply to the proposed lighting under this application for Advertisement Consent.

## 7.5 Highway Safety:

### 7.5.1 The Highway Authority has been consulted on the proposed scheme and raise no objection stating that the proposed signs are located at a suitable height above ground level in adhering to the guidance as outlined in *Roads in Hertfordshire: Highway Design Guide* and are in a location reasonably far away from the main highway that they would not be detrimental to the adjacent highway users.

## 7.6 Biodiversity Checklist:

### 7.6.1 Given the nature of the development, it is not considered that there would be any significant impact on any protected species or wildlife, nor would the development compromise the integrity of the Green Infrastructure, therefore complying with Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

# **8. Recommendation:**

## 8.1 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 and maintained with the following approved plans: Drawing no. TRDC001 (Site Map), Drawing no. TRDC 002 (South East Elevation), Drawing no. TRDC003 (South West Elevation), Drawing no. TRDC004 (North East Elevation) and Drawing no. TRDC005 (Location Plan), TRDC006 (Block Plan), TRDC007 (External Signage A-E), TRDC008 (External Signage F-M), TRDC009 (External Signage Visuals A-B) TRDC010 (External Signage Visual C-D), TRDC011 (External Signage Visual F-H) and TRDC012 (External Signage Visual Q).

## Reason: For the avoidance of doubt, in the proper interests of planning in accordance with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007 (as amended), Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

## C3 The external lighting affixed to the public house and within the application site hereby permitted and shown on drawing number(s) Drawing no. TRDC001 (Site Map), Drawing no. TRDC 002 (South East Elevation), Drawing no. TRDC003 (South West Elevation), Drawing no. TRDC004 (North East Elevation) and Drawing no. TRDC005 (Location Plan), TRDC006 (Block Plan), TRDC007 (External Signage A-E), TRDC008 (External Signage F-M), TRDC009 (External Signage Visuals A-B) TRDC010 (External Signage Visual C-D), TRDC011 (External Signage Visual F-H) and TRDC012 (External Signage Visual Q). shall be switched off between the hours of 0100 (am) and 1500 (pm) every day including weekends and Bank Holidays.

## Reason: In the interests of the visual amenity of the Metropolitan Green Belt, to safeguard the character and appearance of the Chorleywood Common Conservation Area and to protect the amenities of the occupiers of neighbouring properties in accordance with Policies CP1, CP11, CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3 and DM9 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

## 8.2 Informatives:

## I1 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) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

## 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.

 I2 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.