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| 4/01382/18/ADV | EXISTING SIGN TO BE INSTALLED ON NEW 8.5M POLE. |
| Site Address | MCDONALD'S RESTAURANT, 3 STONEY LANE, HEMEL HEMPSTEAD, HP1 2SB |
| Applicant | MCDONALD'S RESTAURANTS LTD, 11-59 HIGH ROAD |
| Case Officer | Rachel Marber |
| Referral to Committee | Contrary views of Bovington Parish Council |

1.Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed replacement advertisement sign would not result in detrimental impact to the visual appearance of the surrounding street scene, Green Belt, residential amenity of adjacent properties or the safety and operation of the highway and passing pedestrians. Thus, the proposed adheres with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 and Policies 56 and 112 of the Local Plan (2004), the NPPF (2018) and the Supplementary Guidance for Advertisements (2004).

3. Site Description

3.1 The application site comprises a single storey McDonalds restaurant in a service area just off the A41. The Site, which is within the Green Belt and south of the village of Bourne End, forms part of a complex along with Premier Inn hotel and Total petrol station.

4. Proposal

4.1 Advertisement Consent is sought to replace the existing advertisement sign pole of 6.480 metres high with one which is 8.480 metres high.

5. Relevant Planning History

4/00649/18/FUL THE CONSTRUCTION OF A NEW REMOTE CORRAL TO THE NORTH OF THE SITE FINISHED WITH A 2.2M CLOSE BOARD TIMBER FENCE SURROUND.

Granted
30/04/2018

4/00126/18/FUL REFURBISHMENT OF RESTAURANT WITH A 90.5 SQUARE METRE EXTENSION.

Granted
07/03/2018

4/00127/18/ADV INSTALLATION OF NEW ADVERTISING POLE SIGN.

Granted
02/03/2018

4/01880/13/NM NON MATERIAL AMENDMENT TO PLANNING PERMISSION

- A 4/00550/13/FUL (RECONFIGURATION OF THE CAR PARK, ALTERATIONS TO DRIVE-THRU TO PROVIDE SIDE-BY-SIDE ORDER POINT, INSTALLATION OF TWO CUSTOMER ORDER DISPLAYS WITH ASSOCIATED CANOPIES, INSTALLATION OF A RETAINING WALL TO ALLOW FOR ADDITIONAL CAR PARKING SPACES AT SOUTH SIDE OF THE STORE, CONSTRUCTION OF A NEW ISLAND AND RECONFIGURED KERB LINES, AND ALTERATIONS TO THE EXISTING SIGNAGE WITH ADDITIONAL SIGNS).
Granted
01/11/2013
- 4/00550/13/FUL RECONFIGURATION OF THE CAR PARK, ALTERATIONS TO DRIVE-THRU TO PROVIDE SIDE-BY-SIDE ORDER POINT, INSTALLATION OF TWO CUSTOMER ORDER DISPLAYS WITH ASSOCIATED CANOPIES, INSTALLATION OF A RETAINING WALL TO ALLOW FOR ADDITIONAL CAR PARKING SPACES AT SOUTH SIDE OF THE STORE, CONSTRUCTION OF A NEW ISLAND AND RECONFIGURED KERB LINES, AND ALTERATIONS TO THE EXISTING SIGNAGE WITH ADDITIONAL SIGNS.

Granted
23/05/2013
- 4/00551/13/ADV RECONFIGURATION OF EXISTING SIGNAGE SUITE INCLUDING THE REMOVAL AND RELOCATION OF SIGNS PLUS ADDITIONAL SIGNAGE, WHICH INCLUDES 5 FREESTANDING SIGNS, 2 HEIGHT RESTRICTORS, 2 CUSTOMER ORDER DISPLAYS (COD) AND 1 SIDE BY SIDE DIRECTIONAL.

Granted
23/05/2013
- 4/00902/11/FUL CHANGES TO ELEVATIONS INCLUDING NEW ROOF AND ADDITIONAL CLADDING TO DRIVE THRU BOOTHS

Granted
25/07/2011
- 4/00903/11/ADV FIVE ILLUMINATED ROOF LEVEL SIGNS

Granted
27/07/2011
- 4/00378/09/ADV TWO REPLACEMENT INTERNALLY ILLUMINATED APPENDAGE BOXES

Granted
03/06/2009
- 4/02823/07/ADV REPLACEMENT SIGNAGE COMPRISING 3 INTERNALLY ILLUMINATED QUAD POSTER BOXES, NON-ILLUMINATED GOLDEN ARCH FIXED TO ROOF AND INTERNALLY ILLUMINATED TEXT SIGNAGE AFFIXED TO ROOF

Granted
08/01/2008

4/02824/07/FUL ALTERATION TO BUILDING FACADE
Granted
31/12/2007

4/02446/07/ADV EIGHT INTERNALLY ILLUMINATED SIGNS

Granted
06/12/2007

6. Policies

6.1 National Policy Guidance (2018)

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy (2013)

CS12 - Quality of Site Design

6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

56 - Roadside Services
112 - Advertisements
Appendix 3 - Layout and Design of Residential Areas

6.4 Supplementary Planning Guidance / Documents (2004)

Supplementary Planning Guidance for Advertisements

7. Constraints

- GREEN BELT
- AREA OF SPECIAL CONTROL FOR ADVERTS

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and Principle
- Impact on Appearance of Street Scene
- Impact on Highway and Pedestrian Safety

Policy and Principle

9.2 The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

9.3 Advertisements are controlled with reference to their effect on amenity and public safety only, so the regime is lighter touch than the system for obtaining planning permission for development.

9.4 The display of advertisements is controlled through a specific approval process and separate planning permission is not required in addition to advertisement consent. Under section 222 of the Town and Country Planning Act 1990 (as amended), planning permission is deemed to be granted for any development of land involved in the display of advertisements in accordance with the Regulations.

Impact on Street Scene

9.5 Saved Policy 112 of the Local Plan (2004) and Supplementary Planning Guidance for Advertisements (2004) states that express consent to display an advertisement should be given (other than within a conservation area) provided that it is sympathetic in size, appearance, design and position to the site on which it is displayed; is not unduly prominent; and does not detract from the amenity and character of the surrounding area. Saved Policy 56 of the Local Plan (2004) states that the visual impact of illumination and advertisement displays must be appropriate to the site's location in relation to the open countryside. In areas which require special protection on grounds of amenity, the council may apply more stringent control over the display of certain types of advertisements by making such areas the subject of a Special Control Order.

9.6 The proposed advertisement pole sign would replace an existing sign with a larger one in order for the advertisement to be visible above the landscaping alongside the A41 bypass. As such, the proposed advertisement would retain the same plot positioning as the existing sign and relate to the A41 bypass in terms of orientation and positioning. The advertisement sign would also clearly relate to the McDonald's service station restaurant and be read in the context of the other surrounding advertisements for the other service station uses. The area will not appear cluttered.

9.7 As such, the proposal would have marginal further impact to the character and appearance of the immediate street scene and surrounding countryside. It is further considered that the proposal would not result in a significant visual detriment when considered in conjunction with the context of the site and nature of advertisement.

Impact on Highway Safety

9.8 Saved Policy 56 of the Local Plan (2004) states that the illumination of advertisement displays must be appropriate to the site location and should not distract highway users. Saved Policy 112 of the Local Plan (2004) requires that advertisements do not adversely affect highway and public safety.

9.9 The advertisement sign would be internally illuminated at a level of 600.00cd/m which is considered acceptable.

9.10 HCC Highways were consulted on the proposed sign and provided the following summative comments: 'This application is for the existing sign to be installed on new 8.5m pole...Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways'. As such the proposed replacement advertisement sign is not expect to result in detrimental impact to highway or pedestrian safety.

10. Conclusions

10.1 The proposed replacement advertisement sign would not result in detrimental impact to the visual appearance of the surrounding street scene, Green Belt, residential amenity of adjacent properties or the safety and operation of the highway and passing pedestrians. Thus, the proposed adheres with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 and Policies 56 and 112 of the Local Plan (2004), the NPPF (2018) and the Supplementary Guidance for Advertisements (2004).

11. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions/Reasons for Refusal

| No | Condition |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>1. This consent is granted for a period of five years commencing on the date of this notice.</p> <p>Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.</p> <p>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.</p> <p>Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.</p> <p>3. No advertisement shall be sited or displayed so as to: -</p> <p style="padding-left: 40px;">(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);</p> <p style="padding-left: 40px;">(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or</p> <p style="padding-left: 40px;">(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.</p> <p>Reason: To comply with the provisions of the Town and Country Planning (Control</p> |

of Advertisements) (England) Regulations 2007.

4. Any advertisement displayed, and any site used for the display of advertisement, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

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.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

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 provisions of the Town and Country Planning (Control of Advertisements) Regulations (England) 2007.

7. The intensity of illumination shall be controlled at the level as illustrated and described on the submitted plans/ application form and is to be retained such that it will not cause glare beyond the site boundaries.

Reason: In the interest of public safety and visual amenity, in accordance with policies CS11 and CS12 of the Dacorum Core Strategy (2013) and Saved Policies 56 and 112 of the Dacorum Local Plan (2004).

8. The development hereby approved shall not be carried out other than in accordance with the following approved plans/documents:

Application Form

0912-0517-23 Rev D

0912-0517-01 Rev C

Reason: For the avoidance of doubt and in the interests of proper planning.

Informative

1. 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:
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. 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 the website
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300

Appendix A

Consultation responses

HCC Highways

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 subject to the following conditions:

The proposals are not considered to result in any adverse impact on the public highway, subject to the conditions and informative notes below

CONDITION

1. The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Professionals in PLG05 The Brightness of Illuminated Advertisements (2015).

Reason: The above condition is required in the interest of public safety and visual amenity.

INFORMATIVES:

1. 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: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. 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 the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS:

This application is for Existing sign to be installed on new 8.5m pole

It is to replace the existing 6.480m pole with one which is 8.480m high, to support the existing double sided illuminated moulded yellow acrylic "golden arch" over an illuminated red panel with white text "MCDONALD'S".

The site is on land within the curtilage of the applicant at the Bourne End Service Area on the A441 which is a primary distributor, accessed from Stoney Lane, which is an unnumbered "C"

classified road.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

Bovingdon Parish Council

Objection

Too obtrusive - total height of pole plus sign is 34.5 feet. Existing signage is sufficient and junction signs could be utilised to show additional information i.e. McDonald's, which is more in keeping with its rural setting.

Bourne End Village Association

Objection

1. Increased height will be distracting at a vital point in the road.
2. The slips road on and off the A41 are the sole access to the 45 new homes.
3. Sign out increase obtrusiveness in the Green Belt.
4. The existing sign is already visible and achieves the advertising required.