

ITEM NUMBER: 5e

20/00317/ADV	Installation of two totem advertisement signs.	
Site Address:	Car Park Lower Kings Road Berkhamsted Hertfordshire HP4 2AJ	
Applicant/Agent:	Dacorum Borough Council	
Case Officer:	Fiona Bogle	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted Castle
Referral to Committee:	DBC Application	

1. RECOMMENDATION

1.1 That advertisement Consent be **GRANTED.**

2. SUMMARY

2.1 The application is recommended for approval.

2.2 The proposed totem style signs would not have a detrimental impact on the visual amenity of the street scene and the wider Berkhamsted Conservation Area, nor would it have a detrimental effect on nearby listed buildings. The signs would not impact on highway safety. Accordingly, the proposal accords with policies CS11 and CS12 of the Core Strategy (2013), saved policy 120 of the Local Plan (1991), the NPPF (2013) and the Supplementary Guidance for Advertisements (2004).

3. Site Description

3.1 The site comprises the public car park off Lower Kings Road within Berkhamsted Town Centre and the Berkhamsted Conservation Area. The car park is bounded to the south by the rear of High Street properties of varying heights, to the east by shops and residences on Lower Kings Road, again of varying scale, to the north by flats adjacent to the River Bulbourne and to the west by the Waitrose store and car park. There are trees either side of the Lower Kings Road entrance including a TPO Indian Bean tree. All of the High Street buildings to the south are grade II listed buildings. There are also listed buildings opposite the access to the car park on Lower Kings Road.

4. Background

4.1 Planning permission was granted, following referral to the Secretary of State, on 22nd December 2016 for a multi storey car park. Construction of the car park is now under way. The planning permission was subject to a number of conditions, many of which have been discharged. Approval was granted on 3rd of January 2019 for a non-material amendment to the 2016 permission for minor internal alterations and the reduction in the total number of car parking spaces from 312 to 298, largely to accommodate wider parking spaces (2.5m) than the standard originally approved. A further non-material amendment was granted on 10th March 2020 (20/00287/NMA) to accommodate an electricity substation, installed under permitted development, involving the loss of one external disabled car parking space.

5. Proposal

5.1 This proposal is for advertisement consent for the siting of two totem signs at the Lower Kings Road entrance to the site.

5.2 The proposal includes the relocation of the existing Waitrose store sign, which is an internally illuminated totem advert measuring 5m (h) and 1.39m (w) and the erection of an additional totem sign measuring 2m (h) and 1.4m (w) at 0.6m above ground level for the carpark with part digital display providing information about occupancy levels of the car park.

5.3 The two signs will be located alongside one another set back from the position of the existing Waitrose sign to allow sufficient space for highway works associated with the 2016 planning permission.

5.4 The new Car Park totem sign will be designed to the following specification:

- mild steel inner frame
- 16mm thick base plates
- 5mm shaped gusset plates
- 2.5mm aluminium face tray panels
- 1.2mm brushed stainless steel lower face panels
- 1.2mm brushed stainless steel side cladding covers
- 3mm clear polycarbonate panel fitted behind display cut-out windows
- 2-off Dupline SBPDIS4x car park display units fixed to 2.5mm THK aluminium folded Z section rails onto inner main frame
- concrete mass base, M16 stud fixings
- sign colours – “Dacorum Green”
- cladding to be PPC satin
- all face graphics to be applied in 3M long life vinyl

6. Referral to Committee

6.1 The application is referred to the Development Control Committee as the applicant is Dacorum Borough Council.

7. Policies

7.1 National Policy Guidance

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

7.2 Adopted Core Strategy

NP1 - Supporting Development
CS12 - Quality of Site Design

7.3 Saved Policies of the Dacorum Borough Local Plan

Policy 112 - Advertisements
Policy 120 - Development in Conservation Areas

7.4 Advice Notes and Appraisals

Conservation Area Character Appraisal for Berkhamsted.

8. CONSTRAINTS

Parking Accessibility Zone (DBLP): 2

Area of Archaeological Significance: 21

EA BankTop EPlanning Tool: Banktop 20m Buffer

Canal Buffer Zone: Major

Canal Buffer Zone: Minor

CIL Zone: CIL1

Conservation Area: BERKHAMSTED

Former Land Use (Risk Zone): Former Printing Works, Cavalier Court, Berkhamsted

Former Land Use (Risk Zone): Former Brewery, High Street, Berkhamsted

Former Land Use (Risk Zone): Former Waterworks, High Street, Berkhamsted

Former Land Use (Risk Zone): Former Joinery Works, Berkley Court, Berkhamsted

Former Land Use (Risk Zone): Former Corn Mill, Mill Street, Berkhamsted

Former Land Use (Risk Zone): Former Gasholder, Mill Street, Berkhamsted

Former Land Use (Risk Zone): Former Smithy, Mill Street, Berkhamsted

Former Land Use (Risk Zone): Former Gasworks, Water Lane, Berkhamsted

Former Land Use (Risk Zone): Former Abbatoir, High Street, Berkhamsted

Former Land Use (Risk Zone): Former Timber Yard, Mill Street, Berkhamsted

Former Land Use (Risk Zone): Former Clothing Factory, St Johns Well Lane, Berko

Former Land Use (Risk Zone): Former Swan Brewery, High Street, Berkhamsted

Former Land Use (Risk Zone): Former Coal Yard & Sidings, Berkhamsted Station

Former Land Use (Risk Zone): Former Garage, Greenes Court, Berkhamsted

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Yellow (45.7m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

EA Source Protection Zone: 2

EA Source Protection Zone: 3

EA Source Protection Zone: 1

Town: Berkhamsted

T1 Indian Bean Tree

9. Representations

Consultation responses

9.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

9.2 These are reproduced in full at Appendix B.

10. Considerations

10.1 In consideration of proposals for advertisement consent only the impact on highways safety and on visual amenity are of relevance. Assessment of the proposals against these two aspects are taken in turn.

1. The impact on highway safety

10.2 Saved Policy 56 of the Dacorum Local Plan states that advertisement displays must be appropriate to the site location and should not distract highway users.

10.3 The signs are to be located further back from the site access and footway than the existing Waitrose sign, thus having less of an impact on the highway and public safety than the existing sign. Hertfordshire County Council as Highway Authority have been consulted and have raised no objection to the proposal, concluding that the proposal would not result in such an impact on the public highway to warrant refusal. The signs are acceptable to the Highway Authority. A condition is suggested with regard to illumination.

2. The impact on the visual amenity of the area

10.4 In consideration of the proposal on the visual amenity of the area it is necessary to consider such in the context of its setting within the Conservation Area, the impact on the character and appearance of the listed buildings, the street scene and amenity of neighbouring properties.

10.5 Saved policy 112 of the Local Plan (1991) and Supplementary Planning Guidance for Advertisements (2004) states that advertisements should be sympathetic in size, appearance, design and position to the site on which it is displayed and saved Policy 120 (Development in Conservation Areas) requires a high standard of advertisement design.

10.6 The proposed siting of the signs will also have less of a visual impact on the street scene and nearby listed buildings than the existing Waitrose sign by virtue of the fact that they are set further from the site access and footway. In terms of design and appearance the Waitrose sign is exactly as the current sign, thus the relocated sign would not be unduly prominent and will not detract from the amenity and character of the surrounding area as well as having a lesser impact on the highway and public safety.

10.7 The new car park sign is considered to be sympathetic in size, appearance, design and position on site and will be smaller than the relocated Waitrose sign. It would not be unduly prominent being set back from the footpath and road. It is not considered that the sign would detract from the amenity and character of the surrounding area. The only illuminated aspect of the sign will be the occupancy counters that will change when occupancy levels of the car park changes. The degree of this illuminance will not detract from the amenity of the area nor prejudice public safety.

10.8 The materials to be used are in keeping with the surrounding conservation area. The background colour is described as "Dacorum Green". This colour will be used for the whole sign excluding the digital display, symbols and logos.

10.9 The Conservation Officer has requested that there be a reduction in the general signage clutter. These points have been put to the applicant, however in terms of impact on amenity,

the proposed signs in themselves are not considered to unduly impact on visual amenity, nor the character of the conservation area. The Conservation Officer has also suggested some landscaping around the base of the signs and the planting of some ground plants has been supported by the Trees and Woodlands Officer. This request has been put to the applicant and is recommended as a condition of the consent.

10.10 An Arboricultural Impact Assessment, prepared by TMA has been submitted in support of the application. This report confirms that some minor tree pruning may be necessary to the southern lower crown of T41 (ash) in order to install the new signs. The extent of pruning required is minimal and can be achieved without detriment to the health, structure or appearance of this tree. The pruning works will have an insignificant impact on local amenity. The report was prepared on the basis that the TPO tree would be removed. An application to remove the tree had been submitted but subsequently withdrawn as the plans have been amended to accommodate the retention of the tree.

10.11 Protective fencing will protect the boundary trees during construction/installation.

10.12 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Policy CS12 of the Core Strategy (2013) seeks to ensure that new development does not result in detrimental impact on neighbouring properties and their amenity space.

10.13 Accordingly, it is considered the signs would not harm the living conditions of surrounding units, nor would adversely affect the character of the conservation area.

10.14 Overall, it is considered that the proposed advertisement signs would not harm the character and appearance of the listed buildings, surrounding street scene and conservation area. As such, the proposal accords with policies CS11 and CS12 of the Core Strategy (2013), saved policy 120 of the Local Plan (1991), the NPPF (2018) and the Supplementary Guidance for Advertisements (2004).

11. Conclusions

11.1 To conclude, both signs respect the amenity of the local area and do not propose a danger to public safety. In this regard, the application for advertisement consent is considered acceptable.

12. Recommendation - that Advertisement Consent is **GRANTED** subject to the following conditions:

Conditions:

- 1. This consent is granted for a period of five years commencing on the date of this notice.**

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. **(a) 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.**
- (b) 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.**
- (c) 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.**
- (d) 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.**
- (e) No advertisement shall be sited or displayed so as to: (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007; coupled with the requirements of Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 132 of the National Planning Policy Framework (2019).

3. **Prior to the first use of the development hereby permitted the intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Engineers in the publication 'Technical Report No 5: Brightness of Illuminated Advertisements' and 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies 17 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

4. **The signs shall not be installed until a soft landscaping plan that includes number, size, species and position of ground, plants and shrubs has been submitted to and approved in writing by the Local Planning Authority.**

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

5. **No work (including site clearance) in relation to the development hereby approved shall be undertaken until full details setting out how retained trees shall be protected, in accordance with BS5837:2012 (Trees in relation to design, demolition and construction), have been submitted to and approved in writing by the Local Planning Authority. Details shall include:**

- o **A scaled Tree Protection Plan showing the approved development layout and retained trees (surveyed in accordance with BS5837:2012), to include their accurate crown spreads and root protection areas (RPAs).**
- o **The sequential order of events required for tree protection.**
- o **The position and specification of tree protection fencing in accordance with BS5837:2012 (as applicable).**
- o **The position and specification of ground protection in accordance with BS5837:2012 (as applicable).**
- o **Details of hard surfacing constructed using no-dig techniques where proposed over the RPA of retained trees (as applicable).**
- o **Details of proposed levels.**
- o **The position of service routes and drainage (to include soakaways), and means of installation if these encroach through the RPA of retained trees.**
- o **The position(s) of welfare site cabins and areas for the storage of materials.**
- o **Tree protection measures during the landscaping stage(s).**
- o **Details of arboricultural site supervision to include timing and how each site visit shall be recorded.**

There shall be no excavation, changes in levels, storage of materials or access within the RPA of retained trees unless previously specified and agreed.

The works must then be carried out according to the approved details.

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).

6. **Notwithstanding the details contained in the Arboricultural Impact assessment Report tma Feb 2020 paras. 6.2 and 7.1 the TPO Indian Bean Tree (T43) shall be retained and protected during the installation works.**

Reason: For the avoidance of doubt.

7. **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**7025-01
A082119 - LGL 003 REV A**

**A082119 -006 REV B
 SBPDIS4x - DUPLINE CAR PARK DISPLAY
 PHOTOS/MEASUREMENTS OF EXISTING Waitrose sign
 Arboricultural Impact Assessment Report - tma Feb 2020**

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
<p>Berkhamsted Town Council</p>	<p>Amended Plans No objection</p> <p>Note one sign is to show unoccupied Car Park spaces Proximity to Waitrose sign may confuse.</p> <p>Original Plans No Objection</p> <p>Approval solely for the two totem signs with confirmation sought from the Planning Officer that the bean tree will remain.</p>
<p>HCC Highways</p>	<p>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: CONDITIONS 1. Prior to the first use of the development hereby permitted the intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Engineers in the publication 'Technical Report No 5: Brightness of Illuminated Advertisements' and 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies 17 and 21 of Hertfordshire's Local Transport Plan (adopted 2018). COMMENTS: This application is for: Installation of two totem advertisement signs. ANALYSIS This application is to install replacement totem sign and an illuminated sign showing number of spaces available at the entrance to the car park, which is on Lower Kings Road an Unnumbered "C" Classified</p>

	<p>Road with a 30mph speed limit. There have been no accidents involving personal injury in the vicinity of the site in the last 3 years.</p> <p>CONCLUSION</p> <p>The proposal is not considered to result in severe residual impact on the public highway and is acceptable to the Highway Authority, subject to the conditions above</p>
<p>Trees and Woodlands</p>	<p>Given the area would appear to need to be dug up it would be advantageous to put down grass seed or some bushes to landscape and hide the base of the totums. Ground covering plants may be better than grass, which would need regular mowing.</p> <p>It would be advantageous to kill the ivy from the trees and remove it at a later date as it appears to have almost fully taken over the trees and could cause problems later. Given the proximity of the totums to the ivy it may start to impact on the signs.</p> <p>Killing ivy is very tricky to complete without further damaging nearby vegetation, including trees. Ivy can be managed through the severing of stems at ground level at set time periods. However, in reality this will only occur following routine cyclical site inspections or public enquiry.</p> <p>Severing stems kills off most growth at a higher level, but will leave dead growth to fall at a later time when it loses structural integrity. It is not possible to actually remove ivy growth from within tree canopies without incurring high cost and probable canopy damage.</p>
<p>Conservation Officer</p>	<p>The area of land in question is somewhat underutilised at present. There is currently some signage including direction signs and footpath signs and trees.</p> <p>In principle we would not object to the proposed sign or the relocation of the other sign. However as the sign would impact on the immediate area we would recommend the following to enhance the conservation area.</p> <p>1 Reduce the signage clutter of the additional footpath and finger signs by combining them onto the black fingerpost and remove the other detrimental post. This will allow the footpath sign to remain visible as the proposed new totum sign would obscure it from view. The accumulation of parking signs opposite on the wall and on posts should also be reduced to leave 1 sign perhaps that on the wall with the bins stating car park.</p>

	<p>2 Given the area would appear to need to be dug up it would be advantageous to put down grass seed or some bushes to landscape and hide the base of the totums.</p> <p>3 It would be advantageous to kill the ivy from the trees and remove it at a later date as it appears to have almost fully taken over the trees and could cause problems later. Given the proximity of the totums to the ivy it may start to impact on the signs.</p> <p>Recommendation We would not object to the proposals however it would be beneficial to consider the above points to provide an enhancement to the conservation area to balance against any harm caused with the introduction of additional signage.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	2	2	0	0

Neighbour Responses

Address	Comments
3 Chalet Close Berkhamsted Hertfordshire HP4 3NR	<p>It appears that the siting if the electronic signage is visible only to cars coming from the high St. Those coming from the station end of LKR will turn in before they see a "full":sign. There is no where to turn so they are faced with driving round the narrow service road (3 point turn involved);driving through Waitrose, or driving in and out of the MSCP.</p> <p>Similarly those coming from the High St seeing a "full" sign need directing to the back entrance to the Water Lane car park, where there is potential for increased traffic/ congestion at the very narrow entry to Mill Street .</p> <p>I don't suppose this is now possible, but practically and environmentally signage would be better on the High street and either on LKR towards the station or on the opposite side of the entrance so that it can be seen by traffic coming from the direction of the station</p>
Stonycroft 9 Shrublands Road Berkhamsted	I write on behalf of the Berkhamsted Citizens Association Townscape Group, of which I am Chairman. The Group does not object to the proposal, but considers it inadequate. It notes that the sign giving

Hertfordshire HP4 3HY	information about availability in the MSCP can only be seen by traffic approaching from the main traffic lights. Traffic coming from the other direction will not be able to see the sign until it has already turned into the access road, when it is too late to change direction. Where will that traffic go to turn around? The mini roundabout is too restricted to accommodate that manoeuvre. The group suggests an additional sign is erected on the other side (beside Here) of the entrance road.
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