

**ITEM NUMBER: 5g**

<b>21/02177/ADV</b>	<b>Four non-illuminated signs (retrospective)</b>	
<b>Site Address:</b>	<b>2 Hempstead Road, Kings Langley, Hertfordshire, WD4 8AD</b>	
<b>Applicant/Agent:</b>	<b>Di Hewetson / Chris Fidler</b>	
<b>Case Officer:</b>	<b>James Gardner</b>	
<b>Parish/Ward:</b>	<b>Kings Langley Parish Council</b>	<b>Kings Langley</b>
<b>Referral to Committee:</b>	<b>Contrary to views of Kings Langley Parish Council</b>	

**1. RECOMMENDATION**

That advertisement consent be **GRANTED**.

**2. SUMMARY**

2.1 The siting, design and number of advertisements would not adversely affect the visual amenity of the area; nor would they detrimentally affect highway safety. The proposal is therefore considered to comply with Policies CS11 and CS12 of the Dacorum Core Strategy (2013) and Policy 112 of the Dacorum Local Plan (2004).

**3. SITE DESCRIPTION**

3.1 The application site is located on the eastern side of Hempstead Road at the junction of the High Street and The Nap. The dwelling / clinic comprises of an early 20<sup>th</sup> century cottage with a steeply pitched clay tiled roof within which are two pitched roof dormers. Two of the four signs are located within the Kings Langley Conservation Area.

**4. PROPOSAL**

4.1 Retrospective Advertisement consent is sought for the erection and display of four non-illuminated signs:

Proposed Sign A - 845 x 770mm

Description: White UPVC sign with the following text: *Kings Langley Physiotherapy Clinic, 01923 261974.*

Location: Front boundary wall - western elevation.

Proposed Sign B – 2000 x 400mm

Description: White UPVC board with the following text: *Kings Langley Physiotherapy Clinic, 01923-261974.*

Location: Southern elevation - on posts within the garden.

Proposed Sign D – 915 x 310mm

Description: White UPVC Sign with the following text: *Kings Langley Physiotherapy Clinic*

Location: Western elevation.

Proposed Sign E – 360 x 560mm

Description: White UPVC sign with the following text: *Kings Langley Physiotherapy Clinic, 01923 261974.*

Location: Southern elevation.

**5. PLANNING HISTORY**

Planning Applications (If Any):

21/01862/FUL - Change of use from C3 Dwelling house to Dwelling / Clinic (Sui Generis) and construction of front porch (retrospective)

*GRA - 4th August 2021*

## **6. CONSTRAINTS**

Kings Langley Conservation Area

Large Village: Kings Langley

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (2021)

Dacorum Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

### Dacorum Core Strategy

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

### Dacorum Local Plan

Policy 112 - Advertisements

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;

The impact on visual amenity / conservation area

The impact on highway safety

### Principle of Development

9.2 Paragraph 136 of the National Planning Policy Framework (NPPF) advises that ‘*Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.*’

### **Impact on Visual Amenity / Conservation Area**

9.3 Policy 112 of the Dacorum Local Plan (2004) states that express consent to display an advertisement other than within a conservation area will be given provided the advertisement:

- a) *is sympathetic in size, appearance, design and position to the building or site on which it is displayed;*
- b) *is not unduly prominent;*
- c) *does not detract from the amenity and character of the surrounding area; and*
- d) *does not adversely affect highway and public safety.*

9.4 The policy goes on to provide further guidance in respect of advertisements within conservation areas:

*In conservation areas express consent to display an advertisement will be given provided criteria (a), (b), (c) and (d) above are met and:*

- h) the advertisement makes use of natural or other materials which are in keeping with and enhance the character of the conservation area and, if positioned on a building, the character of that building.*

9.5 Policies CS11 and CS12 seek to ensure that, amongst other things, development preserves attractive streetscapes and integrates with the streetscape character.

### **Assessment**

9.6 Advertisement consent is sought for the display of four advertisements, the specification of which have been outlined in the “Proposal” section above. It is considered that their dimensions are proportionate to the size of the site

9.7 Bullet point (b) tacitly acknowledges that advertisements will be prominent; indeed, this is their *raison d'être*. The policy therefore seeks to strike an appropriate balance between achieving an appropriate level of visibility, thereby enabling the business undertaken at the premises to be identified and located, while also ensuring a high quality public realm. Negotiation has taken place during the course of the application process, which has led to Sign B being located in the originally proposed location of Sign C. Sign C is to be removed from consideration. Sign B (‘Kings Langley Physio Clinic, 01923-261974’) would be visible to motorists and pedestrians driving / walking in a northerly direction along the High Street / Hempstead Road. The smaller wall-mounted sign (Sign A) would provide subtle identification on the front (western facing) elevation. Following removal of Sign C, it is considered that the signage would not be unduly prominent.

9.8 It follows that, in determining whether the signage would detract from the amenity of the area, regard needs to be had to the context. The High Street and southern end of Hempstead Road are predominantly commercial in character and therefore a range of signage is already present within the street scene. Whereas the local signage typically comprises of a mixture of wooden and plastic fascia boards above the respective commercial units, the application site proposes the use of signs at the boundary of the curtilage. The style and location of the proposed signage has been influenced by the fact that the building was originally constructed as a residential dwelling. It thus has a greater set back from the pavement due to the interposition of a garden, precluding the effective use of a fascia board. In summary, whilst board-style signage is not a common feature, it is submitted that this is an appropriate approach to a building not originally intended to be used commercially; and,

following removal of Sign C, which would have resulted in a visually unappealing agglomeration of signage, there would be no significant adverse impact on the character and appearance of the area.

9.9 The application form indicates that the signs are made from UPVC. Although timber would be preferable, there are mitigating circumstances:

- a) Seen from a distance, the signage has the appearance of timber; and
- b) There are a number of UPVC signs within the High Street and Hempstead Road.

9.10 On this basis, it is not considered that a refusal of advertisement consent could be justified on this reason alone. The Conservation and Design Officer has raised no significant concerns, and in line with his recommendation, should consent be granted, it is proposed to include a condition requiring the supporting timber posts to be painted black / dark brown.

### **Impact on Highway Safety**

9.11 Illuminated advertisements generally give rise to the greatest concerns in terms of highway safety. This application, however, does not propose any illuminated signs. The Highway Authority have nonetheless been consulted twice and on both occasions raised no objections. The signs are set back from the give way lines at the junction of the Nap and High Street / Hempstead Road, and their design is not so conspicuous as to inordinately divert the attention of drivers. There is therefore no reason to conclude that the signage would have any adverse impact on highway safety. The proposal therefore accords with bullet point (d) of Policy 112 of the Dacorum Local Plan.

## **10. CONCLUSION**

10.1 The proposed advertisements are considered to be sympathetic to the character and appearance of the area in terms of their siting and design. Given the lack of illumination and restrained design, it is submitted that there are unlikely to be any adverse impacts on highway safety. The signage therefore complies with Policies CS11 and CS12 of the Dacorum Core Strategy and Policy 112 of the Dacorum Local Plan.

## **11. RECOMMENDATION**

11.1 That planning advertisement consent be **GRANTED**.

### **Condition(s) and Reason(s):**

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. Within one month of the date of approval the timber posts supporting Sign B shall be painted black / dark brown.**

Reason: To ensure a satisfactory appearance in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy (2013) and Policy 112 of the Dacorum Local Plan (2004).

**4. Within one month of the date of approval, the sign referred to as Sign C shall cease to be displayed.**

Reason: In the interests of the visual amenity of the area in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy (2013) and Policy 112 of the Dacorum Local Plan (2004).

## **APPENDIX A: CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
Hertfordshire Highways (HCC)	<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.</p> <p>Highway Informative's</p> <p>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:</p> <p>AN 1) Storage of materials: The applicant is advised that the storage of</p>

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 the website <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.

Comments

	<p>The application is for the advertisement Consent: 5 signs advertising the business at 2 Hempstead Road, Kings Langley. Hempstead Road is a 30 mph principle A main distributor road that is maintained at public expense.</p> <p>The current property on site is a Physio clinic with signs already in place. The signs do not greatly block sight lines nor do they pose a threat to public safety on the highway.</p> <p>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.</p>
Kings Langley Parish Council	<p><u>16/06/21</u></p> <p>The Council objects to this application as it feels that the signs are unattractive, not in-keeping with the character of street and the adjacent High Street and that there are too many.</p>
Kings Langley Parish Council	<p><u>18/08/21</u></p> <p>The Council objects to this application as it feels that the sign to be moved the The Nap is too large and unattractive and not in-keeping with the character of the adjacent High Street and the Conservation Area.</p>
Conservation & Design (DBC)	<p><u>02/07/21</u></p> <p>This is a pleasant early 20th century cottage with a steeply pitched tiled roof. It sits on the main high street and makes a positive contribution to the conservation area.</p> <p>As per our previous comments we would recommend that to reduce visual clutter in the conservation area that the sign for the clinic attached to the front wall be removed to maintain the character of the area. The posts holding up the two signs in the corner of the garden should be painted black/ dark brown. If this work to rationalise and reduce signage and to make it more in keeping we would recommend refusal as it is currently detrimental to the character of the conservation area. It adds visual clutter and detracts from the street scene. As such it causes harm to the designated heritage asset.</p> <p>Recommendation No objection provided the signage is reviewed in light of the above as currently it is somewhat detrimental to the character of the area. If it is not reviewed we would object and recommend refusal as it causes harm to the character of the area.</p>

<p>Conservation &amp; Design (DBC)</p> <p><i>(Amended Proposal)</i></p>	<p><u>17/08/21</u></p> <p>This is a pleasant early 20th century cottage with a steeply pitched tiled roof. It sits on the main high street and makes a positive contribution to the conservation area.</p> <p>We welcome the removal of one of the signs on posts to the Hempstead road street frontage. The posts holding up the two signs in the corner of the garden have been painted black/ dark brown as previously suggested. This has reduced the clutter to the street frontage. Whilst not ideal we now believe that the proposals now do not harm the conservation area.</p>
<p>Hertfordshire Highways (HCC)</p> <p><i>(Amended Proposal)</i></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.</p> <p>Highway Informatives</p> <p>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:</p> <p>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.</p> <p>Further information is available via the County Council website at: <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx</a> or by telephoning 0300 1234047.</p> <p>AN 2) Obstruction of highway: 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 County Council website at: <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pave">https://www.hertfordshire.gov.uk/services/highways-roads-and-pave</a></p>

	<p>ments/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.</p> <p>AN 4) Projecting signs: Notwithstanding any 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 or overhang into or over the public highway. Further information is available via the County Council's website: <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/business-licences/oversail-licence-to-overhang-a-structure-on-a-public-road.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/business-licences/oversail-licence-to-overhang-a-structure-on-a-public-road.aspx</a> or telephoning 0300 1234047.</p> <p>Comments</p> <p>This application is an amendment regarding the advertisement Consent: 4 (previously 5) signs advertising the business at 2 Hempstead Road, Kings Langley. Hempstead Road is a 30 mph principle A main distributor road that is maintained at public expense.</p> <p>The current property on site is a Physio clinic with signs already in place. The signs do not greatly block sight lines nor do they pose a threat to public safety on the highway. The amended plans include the omission of a previous sign near the junction which is deemed to improve the visibility.</p> <p>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.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
0	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>
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