

**ITEM NUMBER: 5h**

<b>22/01443/ADV</b>	<b>Facsia and hanging board signs</b>	
<b>Site Address:</b>	<b>97 High Street Hemel Hempstead Hertfordshire HP1 3AH</b>	
<b>Applicant/Agent:</b>	<b>Mrs Claire Hobson</b>	<b>Mr Mark Biddiss</b>
<b>Case Officer:</b>	<b>Sally Robbins</b>	
<b>Parish/Ward:</b>		<b>Hemel Hempstead Town</b>
<b>Referral to Committee:</b>	<b>The applicant is a DBC Councillor.</b>	

**1. RECOMMENDATION**

That advertisement consent be **GRANTED**

**2. SUMMARY**

2.1 The proposed fascia sign and hanging signboard are acceptable in terms of their visual impact and impact on highway safety. The proposed advertisement signs comply with Saved Policy 112 of the Dacorum Local Plan (2004), Dacorum's Supplementary Planning Guidance for Advertisements (2004) and the NPPF (2021).

**3. SITE DESCRIPTION**

3.1 The application site comprises a Grade II listed building and is located on the east side of the High Street in Hemel Hempstead old town, within the Conservation Area. The site comprises a retail unit at ground floor level, which is the subject of a concurrent change of use application (ref. 22/01442/FUL - Change of use of ground floor (with basement) from Class E(a) retail, to Sui Generis, café serving alcohol).

**4. PROPOSAL**

4.1 The application seeks advertisement consent for the following:

A: Fascia board above the shopfront measuring 2m x 0.3m

B: Hanging sign measuring 0.8m x 0.8m

4.2 The proposed signs would not be illuminated. The proposed advertisements would also require Listed Building Consent, however this application is solely for advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**5. PLANNING HISTORY**

Planning Applications

22/01442/FUL - Change of use of ground floor (with basement) from Class E(a) retail, to Sui Generis, café serving alcohol  
*Pending-*

**6. CONSTRAINTS**

Area of Archaeological Significance: 36

CIL Zone: CIL3

Hemel Hempstead Conservation Area

Listed Building, Grade: II,

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)  
Residential Character Area: HCA14  
Smoke Control Order  
Parking Standards: New Zone 3

Town: Hemel Hempstead

## **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 Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS29 - Sustainable Design and Construction

Saved Policy 112 - Advertisements

Supplementary Planning Guidance/Documents:

Supplementary Planning Guidance for Advertisements (2004)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

Impact on visual amenity of the area  
Impact on highway safety

### Impact on visual amenity of the area

9.2 Saved Policy 112 of the Dacorum Local Plan (2004) and Supplementary Planning Guidance for Advertisements (2004) state that advertisements should be sympathetic in size, appearance, design and position to the site on which it is displayed. Furthermore, Paragraph 136 of the NPPF (2021)

states that the quality and character of places can suffer when advertisements are poorly sited and designed.

9.3 The proposal comprises a new fascia board sign and hanging sign that would be composed of white letters on a grey background. The fascia board above the entrance would measure 2m wide by 0.3m high and the hanging board would measure 0.8m by 0.8m with a maximum projection of 1.5m from the principal elevation. The signage would not be illuminated. The Council's Conservation and Design Officer has been consulted and raised no objection to the proposal, noting that the signage scheme is restrained.

9.4 The proposed advertisement signs would not detract from the character and appearance of the surrounding area or have a detrimental impact in terms of visual amenity. The proposal is therefore in accordance with Saved Policy 112 of the Dacorum Local Plan (2004), the Supplementary Guidance for Advertisements (2004) and the NPPF (2021).

#### Impact on highway safety

9.5 The NPPF (2021) and Saved Policy 112 of the Local Plan (2004) seek to ensure that advertisement displays do not affect highway and pedestrian safety. Hertfordshire County Council, as Highway Authority, have been consulted and have raised no objection to the proposal, subject to the inclusion of relevant informative notes.

## **10. CONCLUSION**

10.1 The proposed new signage would not be considered to have an adverse impact on the visual amenity of the surrounding area or on highway or pedestrian safety. The proposal therefore accords with Saved Policy 112 of the Dacorum Local Plan (2004), the Supplementary Guidance for Advertisements (2004) and the relevant sections of the NPPF (2021).

## **11. RECOMMENDATION**

11.1 That advertisement consent be **GRANTED**

### **Conditions and Reasons:**

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).

### **Informatives:**

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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
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.
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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/oversail-licence-to-overhang-a-structure-on-a-public-road.aspx> or telephoning 0300 1234047.

5. Advertisement consent has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

#### APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	No objection to this restrained signage scheme.
Hertfordshire Highways (HCC)	<p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that 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. 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.</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>

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.

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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/oversail-licence-to-overhang-a-structure-on-a-public-road.aspx> or telephoning 0300 1234047.

#### Comments

The application is for the installation of fascia and hanging board signs at 97 High Street, Hemel Hempstead. High Street is a 20 mph unclassified local access route that is highway maintainable at public expense.

The new shop proposes a new projecting sign and fascia sign . HCC would note that our guidance states in section 4, 1.9; 3.1 Structures Over the Highway "The headroom to structures over the highway, such as bridges, lamp columns or archways, should be at least 5.3m. Structures over access roads to car parks or shared areas may be lower.

Assessment should be made on a case-by-case basis. The headroom to any obstacle within 450mm of a right of way shall be at least:

- 2.3m over a footway or footpath
- 2.4m over a cycle track
- 3.7m over a bridleway"

HCC observes that the sign projecting would be above the 2.3 metre stipulation and therefore is considered acceptable. The applicant must contact the council separately as per informative 4 above to finalise the erection of the projecting sign over highway land.

	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.
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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>