

PLANNING COMMITTEE – 17 AUGUST 2023

PART I – DELEGATED

6. **23/0942/ADV - Advertisement Consent: Installation of non-illuminated fascia sign to building at CHANGING ROOMS, OXHEY PAVILION EXTENSION, GREEN LANE, OXHEY HALL**

Parish: Watford Rural Parish Council

Ward: Oxhey Hall and Hayling

Expiry of Statutory Period: 25.08.2023 (Agreed Extension)

Case Officer: Lilly Varnham

Recommendation: That advertisement consent be GRANTED subject to conditions

Reason for consideration by the Committee: The application made is on TRDC land and TRDC is the applicant.

To view all documents forming part of this application please go to the following website:

[23/0942/ADV | Advertisement Consent: Installation of non-illuminated fascia sign to building | Changing Rooms Oxhey Pavilion Extension Green Lane Oxhey Hall Hertfordshire \(threeivers.gov.uk\)](https://threeivers.gov.uk/23/0942/ADV)

1 **Relevant Planning History**

- 1.1 11/2433/FUL - Two storey extension (including pitched roof) to existing modular sports changing pavilion at South Oxhey Playing Fields - Permitted.
- 1.2 12/1546/NMA – Non-Material Amendment to planning permission 11/2433/FUL: Construction of new roof at 15-degree pitch – Permitted.

2 **Description of Application Site**

- 2.1 The application site contains a two-storey detached building adjacent to Oxhey Pavilion, accessed via Green Lane, Oxhey Hall and is sited adjacent to South Oxhey Playing Fields. The existing building has a red tiled pitched roof form with an exterior finish consisting of a light smooth render and a dark green painted exterior.
- 2.2 The building serves as a changing room for use by users of South Oxhey Playing Fields and appears to have implemented a two-storey extension including a new pitched roof form. To the south of the building is South Oxhey Playing Fields, to the west is The Pavilion (PH) which also includes a residential unit and to the North is an existing area of hardstanding used for car parking, accessed via Green Lane. To the east are residential dwellings including Oxhey Warren Cottage, also accessed via a separate track to the area of hardstanding off Green Lane.
- 2.3 Green Lane is characterised by a flatted developments and the commercial units adjacent to the application site.

3 **Description of Proposed Development**

- 3.1 The application seeks advertisement consent for the installation of non-illuminated fascia sign to building.
- 3.2 The proposed signage would be sited on the Northern elevation of the Changing Rooms fronting the area of hardstanding that forms part of the wider site boundary for South Oxhey Playing Fields. The signage would facilitate a welcome sign and read 'Welcome to South

Oxhey Playing Fields. The sign would be approximately 8.6m x 3.05m, the sign would not protrude from the building and would be non-illuminated.

- 3.3 The graphic panels are supplied as a high tac adhesive vinyl applied direct to the surface of the building. The vinyl is classified as a permanent adhesive, this is gauged on the expected life span based on outside weathers. The graphic panels are applied like wallpaper drops (in equal width sections by length). The submitted information indicates that although classified as a permanent installation the vinyl's can be removed as no actual fixtures are used within the installation.
- 3.4 It is understood from the applicant that following last year's (2022) Green Flag Awards site visit to South Oxhey Playing Fields, it was highlighted that the site was difficult to navigate from the main entrance (next to the Pavilion pub and car park area) as well as being a very uninviting space. The proposed signage on the pavilion building is in response to the feedback from the Green Flag Awards.

4 Consultation

4.1 Statutory Consultation

4.1.1 Watford Rural Parish Council: No comments at time of writing.

4.1.2 National Grid: No comments at time of writing.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 5 No of responses received: 0

4.2.2 Site Notice Posted: 07/07/2023, Expires: 28/07/2023.

4.2.3 Press Notice: [Not Required]

4.2.4 Summary of Responses: [No responses received at time of writing, any comments to be reported verbally to the committee]

5 Reason for Delay

5.1 No delay.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

6.2 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).

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.

6.3 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

In July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication

of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

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 unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development 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 DM1, DM2, DM6, DM13 and Appendices 2 and 5.

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).

7.1.2 This regime enables local planning authorities to control advertisements, when it is justified, in the interests of “amenity” and “public safety”.

7.1.3 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.

7.1.4 Paragraph 136 of the National Planning Policy Framework advises that the quality and character of places can suffer when advertisements are poorly sited and designed. It also advises that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

7.2 Design and Impact on the Host Building and Streetscene

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy 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’.

7.2.2 The proposal would include the installation of a new vinyl sign, designed to welcome residents and the community to South Oxhey Playing Fields from its entry via Green Lane. The sign does result in a notable feature as viewed from the area of hardstanding/parking accessed via Green Lane, however, it would only become noticeable at the entrance to the area of hardstanding; the colour also adds to the noticeability of the sign.

7.2.3 The sign however is not considered to be prominent or obtrusive in long range views along Green Lane nor is it visible from South Oxhey Playing Fields or within the wider landscape. The sign is placed on the existing Changing Room building and would not protrude from the building. The sign is also non-illuminated. The sign does not result in an unduly urbanising, prominent or contrived feature within the street scene or significantly detract from the character of the building or wider streetscene.

7.2.4 The proposed signage when read against the backdrop of the commercial unit and playing fields would appear subordinate and represent an appropriate and sympathetic form of development which is not considered to result in demonstrable harm to the character of the building or wider streetscene. The development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

7.3 Amenity

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

7.3.3 The proposed signage would not project from the fascia of the building and is not considered to significantly alter the appearance of the building relative to the existing. The signage would largely be screened from view of neighbouring properties owing to its siting on the North Elevation facing the existing hardstanding/parking area adjacent to the application site. Views of the advert would predominantly be visible from this area of hardstanding, the closest neighbours would be those to the West at Flat 1, The Pavilion, however, by virtue of this property's positioning relative to the application site the location of the proposed signage would be largely screened from view of this neighbour. Views of the proposed signage from the neighbours to the East at Oxhey Warren Cottage would be largely screened from view by virtue of the existing built form.

7.3.4 Given that the signage would not be illuminated and would sit flush to the wall of the building it is not considered that there would be any significant impact as a result. The signage may be visible from the wider area, including from residential properties, however, given the separation distances between buildings it is not considered that the signage would result in harm.

7.3.5 Overall, it is not considered that the proposal would be imposing on any neighbouring residential or commercial units or would result in a significant adverse impact on the neighbouring residents. The development would be acceptable in accordance with Policy CP12 of the Core Strategy (adopted October 2011).

7.4 Public Safety

7.4.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking.

7.4.2 The proposed signage would be set inside of the application site on the changing rooms premises and would not project such that it would pose an obstruction to the highway, pedestrians or drivers. It is therefore not considered that the proposed advertising signage would result in any demonstrable harm to public safety in accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007 (as amended) and CP10 of the Core Strategy (Adopted October 2011).

7.5 Wildlife considerations

- 7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.5.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.
- 7.5.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.6 Trees and landscape

- 7.6.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 7.6.2 The application site is not located within a Conservation Area and no trees would be affected as a result of the proposed development. The proposal is considered acceptable in this regard.

8 **Recommendation**

8.1 That ADVERTISEMENT CONSENT BE GRANTED subject to the following conditions:

C1 Standard advertisement conditions:

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 advertisements hereby permitted shall be carried out and maintained with the following approved plans: TQRQM23158 125948488 (Block Plan), BL220330-04 REV C (Location Plan), TRC_0061 (South Oxhey Playing Field Graphics), TRDC01 (Detailed Drawing), TRDC02 (Nearby Buildings), TRDC03 (Site Plan), TRDC04 (NU-COAT TECHNICAL DATA SHEET - M12-H-K), TRDC05 (NU-COAT TECHNICAL DATA SHEET - T25 -P-P).

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, DM6, DM9 and DM13 of the Development Management Policies LDD (adopted July 2013).

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) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) 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.

- 13 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.