

**12. 19/0357/ADV – Advertisement Consent: Erection of eight non-illuminated signs at LEAVESDEN COUNTRY PARK, COLLEGE ROAD, ABBOTS LANGLEY, HERTFORDSHIRE WD5 0GU.
(DCES)**

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 19.04.2019

Ward: Leavesden
Case Officer: Scott Volker

Recommendation: That the decision to be delegated to the Head of Regulatory Services to consider any representations received and that Advertisement Consent be granted subject to conditions

Reason for consideration by the Committee: This application is brought before the Committee as the applicant is Three Rivers District Council.

1 Relevant Planning History

- 1.1 15/0555/PDND - Prior Notification of Demolition: Demolition of an existing single storey – Permitted April 2015.
- 1.2 17/1743/FUL – Construction of single storey education building and landscaping works to Country Park including creation of a heritage trail with sculptures, remembrance garden and works to boundary treatment including installation of brick pier and railings along College Road – Permitted October 2017; implemented.

2 Description of Application Site

- 2.1 Leavesden Country Park is an allocated Open Space and designated Green Corridor. There are various buildings located within the Country Park and it is surrounded by residential and other uses.
- 2.2 Leavesden Country Park covers an area of 279 hectares over three connected sites, North Side, South Side and East Lane Cemetery and consists of walking/biking paths, a football pitch, wildlife areas, tennis courts, a children's play area and an outdoor gym for adults. Public footpaths surround the park and connect it to the communities of Abbots Langley, Bedmond, Garston and Kings Langley. The area is covered with a blanket TPO, it is also located within the Metropolitan Green Belt.

3 Description of Proposed Development

- 3.1 This application seeks advertisement consent for the installation of 8no. non-illuminated freestanding signs within the Country Park. In summary:
 - 1 x Leavesden Park Main Welcome sign
 - 1 x Leavesden Park Medium Welcome sign
 - 2 x Leavesden Park Small Welcome signs
 - 4 x Leavesden Park Map signs
- 3.2 The 1 x Leavesden Park Main Welcome sign would have a maximum height of 3.4 metres from the ground to the top of the sign with the sign itself measuring 1.3 metres in height with a width of 2.8 metres and depth of 100mm. Text would read 'Welcome to Leavesden Country Park' with additional information in relation to the Country Park. The sign would be positioned to the right hand side of the access road into the Country Park from College Road.
- 3.3 The 1 x Leavesden Park Medium Welcome sign would have an approximate maximum height of 4.2 metres from the ground to the top of the sign due to an existing ditch. The sign

itself would measure 1.3 metres in height with a width of 1.8 metres and depth of 100mm. Text would read 'Welcome to Leavesden Country Park' with additional information in relation to the Country Park. The sign would be positioned within the Country Park next to the footpath entrance into the Country Park close to the pedestrian crossing located on Langley Road.

- 3.4 The 2 x Leavesden Park Small Welcome signs would have an approximate maximum height of 2 metres from ground level to the top of the sign. These signs would measure 1.2 metres in width; 0.6 metres in height and 75mm in depth. One of the signs would be next to the footpath entrance in the northern corner of the Country Park located on Langley Road. The second would be located beside the footpath entrance into the Country Park along Woodside Road between Warren Court and the football pitch within the Park.
- 3.5 The 4 x Leavesden Park Map signs would be double sided steel stands measuring a maximum height of two metres; 1.2 metres in width and a depth of 100mm. There would be a 1 metre x 1 metres floating plate detailing a map of the park on each side of the signs with a logo below. One would be located close to the Woodside Café and car park; two others would be located close to the northern and southern entrances into the park along College Road and the last would be located to the south of the memorial garden within the southern part of the park.
- 3.6 No illumination is proposed.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [No response]

4.1.2 National Grid: [No objection, informative suggested]

Should you be minded to approve this application please can the following notes be included an informative note for the Applicant.

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

4.1.3 Landscape Officer: [No response]

4.1.4 HCC Footpath Section: [No response]

4.2 Public/Neighbour Consultation

- 4.2.1 Number consulted: 113 (expires 15 March 2019)
- 4.2.2 No of responses received: 0 objections, 0 letters of support
- 4.2.3 Site Notice: Posted 27.02.2019 Expires 20.03.2019
Press Notice: Published 01.03.2019 Expires 22.03.2019
- 4.2.4 Summary of Responses:
 - None at time of writing.

5 Reason for Delay

- 5.1 None.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 19 February 2019 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The 2019 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 states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. 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.

6.2 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 PSP2, 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 DM2, DM6 and DM11.

6.3 Other

Open Space, Amenity and Children's Playspace Supplementary Planning Document (December 2007).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

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.

The Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended).

7 Planning Analysis

7.1 Advertisement 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). This regime enables local planning authorities to control advertisements, when it is justified, in the interests of "amenity" and "public safety".

7.1.2 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.

7.1.3 Paragraph 132 of the National Planning Policy Framework advises that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

7.2 Impact on the Metropolitan Green Belt

7.2.1 The application site is located wholly within the Metropolitan Green Belt. The NPPF states at paragraph 133 that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

7.2.2 Paragraph 145 of the NPPF advises that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, however, exceptions to this include the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

7.2.3 The purposes of including land within the Green Belt are listed at paragraph 80 of the NPPF which states that the Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.2.4 The National Planning Policy within the NPPF is supported by Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

7.2.5 No material change in the use of the land is proposed as part of this application and the site will remain in the same use. Given the design and scale of the proposed signage it is considered that the signs will not appear obtrusive and will not affect the openness of the Green Belt. Some of the proposed signs will replace existing signs within the park. Therefore, the proposed signage is not felt to result in inappropriate development within the Green Belt and as such is acceptable in accordance with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF.

7.3 Impact on Character and Street Scene

7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

7.3.2 Leavesden Country Park covers an area of over 27 hectares and consists of walking/biking paths, a football pitch, wildlife areas, tennis courts, a children's play area and an outdoor gym for adults. Public footpaths surround the park and lead on to such communities as Abbots Langley, Bedmond, Garston and Kings Langley and the proposed signs would support the promotion of the Country Park.

7.3.3 Whilst some of the signs would be large, they would serve a functional purpose and would not appear out of context within their setting. It is not considered that the scale or siting of the signage would cause demonstrable harm to the amenity or character of the area or that it would be unduly prominent so as to justify refusal of consent. The development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.

7.4 Impact on amenity of neighbours

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

7.5 There are no immediate neighbouring residential properties that would be adversely affected by the proposals.

7.6 Wildlife and Biodiversity

7.6.1 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.

7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application. Leavesden Country Park supports a mosaic of habitats, from woodland to mature trees to scrub and amenity and rough grassland; typical of a country park. Given the nature and location of the proposals which do not include illumination, it is not considered that any adverse impact to wildlife and biodiversity would occur.

7.7 Trees and Landscaping

7.7.1 No trees would be affected by the development.

7.8 Highways, Access and Parking

7.8.1 Core Strategy Policy CP10 requires development to demonstrate that it will provide a safe and adequate means of access.

7.8.2 The development would not be considered to adversely affect highway safety or operation and would be acceptable in accordance with Core Strategy Policy CP10.

7.9 Summary

7.9.1 It is not considered that the proposed signage would result in any demonstrable harm to amenity or public safety in accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007 (as amended).

8 **Recommendation**

8.1 That the decision to be delegated to the Head of Regulatory Services to consider any representations received and 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 advertisement hereby permitted shall be carried out and maintained in accordance with the following approved plans: 955/200 and the Leavesden Country Park Planning Visuals document dated 21.02.2019.

Reason: For the avoidance of doubt, in the proper interests of planning and visual amenities 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 and DM9 of the Development Management Policies LDD (adopted July 2013).

8.2 **Informatives:**

- 11 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.

- 12 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

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