LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/0906 **Ward:** Muswell Hill

Date received: 29/03/2016

Last amended date: 25/05/2016

Drawing number of plans: RG-MH-P01-Rev01 & RG-MH-E01-Option2

Address: 224 Muswell Hill Broadway N10 3SH

Proposal: Display of 1 x externally illuminated fascia sign and 1 x non-illuminated hanging sign

Applicant: DrTimothy Mullany

Ownership: Private

Officer contact: Valerie Okeiyi

2. RECOMMENDATION

GRANT ADVERTISEMENT CONSENT/

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

This is an application for display of 1 x externally illuminated fascia sign and 1 x non-illuminated hanging sign

3.2Site and Surroundings

The application site comprises a four storey, mid-terrace building located on a parade of similar buildings on Muswell Hill Broadway right opposite the roundabout. The property is currently in use as a shop on the ground floor with residential use above. The surrounding area provides a mixture of similar properties and is located within a primary shop frontage of a defined Town centre. The site is located in the conservation area.

3.3 Relevant Planning and Enforcement history

- HGY/2015/0016 - Change of use from shop (use class A1) to restaurant (use class A3) – Refused – Appeal reference APP/Y5420/W/15/30137 - allowed 17/09/2015

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

Internal

1) LBH Conservation Officer

4.2 There was no internal responses received.

5. LOCAL REPRESENTATIONS

5.1 The application was published by way of 118 letters to neighbouring properties.

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses:1
Objecting:
Supporting:

5.5 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:

- Objection on the basis of not receiving the initial planning application for the shop to be converted into a late night restaurant (Officer comment: The application to change the use of the shop to a restaurant was allowed on appeal under appeal reference APP/Y5420/W/15/30137)

6. MATERIAL PLANNING CONSIDERATIONS

Regulation 3(1) of The Town and Country Planning (Control of Advertisement) Regulations 2007 states that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

Circular 03/2007 clarifies how amenity and public safety should be interpreted. Specifically, it advises that the definition of “amenity” includes both visual and aural amenity. Therefore as well as visual amenity, the noise generated by advertisements should be considered. “Public safety” is not confined to road safety. Crime prevention and detection are relevant; the obstruction of highway surveillance cameras, speed cameras and security cameras by advertisements is now included.

The NPPF states in Paragraph 67 that “Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The main considerations in the assessment of this application are therefore amenity and public safety. In this respect Saved UDP (2006) Policy UD10 states that advertisements

will be granted consent provided they do not cause a public safety hazard or a loss of amenity. Schemes should meet of the following criteria:
a) being of a high quality and sensitive to its visual appearance on the building on which it is to be sited and the surrounding street scene, especially in the case of listed buildings and conservation areas;
b) not contributing to an unsightly proliferation or clutter of signage in the vicinity;
c) being sited so as not to cause a hazard to pedestrians or road users;
d) being sited so as not to cause visual intrusion by virtue of light pollution into adjoining residential properties; and
e) where appropriate, be constructed of materials and finishes which discourage both graffiti and flyposting.
Draft DM Policy DM3 'Public Realm' continues this approach.

6.1 Impact on Amenity

The proposed signage is considered to be on balance acceptable as the fascia will be externally illuminated by pinned off lettering and the hanging sign would not be illuminated and would not result in further visual clutter to the building. As such, the proposal would preserve the character and appearance of the Conservation Area and is considered acceptable in this instance in accordance with policies.

6.2 Public safety

In terms of highway safety, the proposed signage would not pose a hazard to pedestrian and highway safety.

6.3 Conclusion

Overall it is considered that the proposed advertisement would preserve the character and appearance of the Conservation Area and would not pose a hazard to pedestrian and highway safety.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7.0 RECOMMENDATION

GRANT ADVERTISEMENT CONSENT

Registered No. HGY/2016/0906

Applicant's drawing No.(s) RG-MH-P01-Rev01, RG-MH-E01-Option2

Subject to the following condition(s)

1. A. That the display of the advertisement (s) shall be permitted for a period of five years from the date of this decision
   B. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition.

C. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
D. Where any advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public..
E. 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.
F. 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.

Reason: The conditions are imposed by virtue of the Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.