REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/1607 **Ward:** Muswell Hill

Date received: 17/05/2016

Drawing number of plans: PP3303-01, PP3303-02 & CR-MHL-128-SIGN-01

Address: 58 Muswell Hill Broadway N10 3RT

Proposal: Display of 1 x internally illuminated fascia sign and 1 x internally illuminated hanging sign

Applicant: MrMahyar RajaeiSieb Ltd

Ownership: Private

Officer contact: Valerie Okeiyi

2. RECOMMENDATION

REFUSE ADVERTISEMENT CONSENT

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Proposed development

This is an application for display of 1 x internally illuminated fascia sign and 1 x internally illuminated hanging sign

3.2 Site and Surroundings

The application site is located on the eastern side of Muswell Hill Broadway close to the junction of St James Lane and Hillfield Park. The site is located within the Muswell Hill Town Centre. The property comprises of a commercial unit on ground floor, office on the first floor and residential use on the second floor.

The site is located with the Muswell Hill Conservation Area.

3.3 Relevant Planning and Enforcement history

There is no relevant planning history

4. CONSULTATION RESPONSE

4.1 The following were consulted regarding the application:

Internal

1) LBH Transportation team

2) LBH Conservation Officer

4.2 There were no internal comments received.

5. LOCAL REPRESENTATIONS

5.1 The application was published by way of 55 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:1
Supporting:0

5.3 Muswell Hill CAAC made the following comments: :

- There is an objection if the proposal is that the whole of the signage would be internally illuminated. This is not permissible in the Broadway.

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 unacceptable as the fascia and hanging sign would be illuminated internally, which is considered to impact on the visual amenity of the conservation area, where the majority of the shop fronts within the town centre have non-internally illuminated adverts. As such, the proposal would fail to preserve the character and appearance of the Muswell Hill Conservation Area, contrary to saved UDP Policies UD3 and CSV5, London Plan Policy 7.8, Local Plan Policies SP11 and SP12 and Policies DM8 and DM9 of the Pre-Submission Version of the Development Management DPD January 2016.

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 result in loss of visual amenity contrary and it would have an adverse affect on the character and appearance of the conservation area.

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

7.0 RECOMMENDATION

REFUSE ADVERTISEMENT CONSENT

Registered No. HGY/2016/1607

Applicant's drawing No.(s) PP3303-01, PP3303-02 & CR-MHL-128-SIGN-01

For the following reasons