

<b>ITEM NO:</b>	<u>Location:</u>	<b>1A Church View, Portmill Lane, Hitchin, SG5 1EU</b>
<b>13</b>	<u>Applicant:</u>	<b>Mr Pinchin</b>
	<u>Proposal:</u>	<b>Installation of 3no. retractable awnings including integral advertisement logo's and text Logo's and text written.</b>
	<u>Ref. No:</u>	<b>17/02298/ 1AD</b>
	<u>Officer:</u>	<b>Tom Rea</b>

**Date of expiry of statutory period:** 03 November 2017

**Reason for Delay**

N/A

**Reason for Referral to Committee**

Councillor Clark has requested that this application be considered by Committee in the wider public interest, if issues remain unresolved between the applicants and residents of Church View.

**1.0 Relevant History**

- 1.1 13/02151/1:  
Demolition of all existing structures at the Former Royal Mail Delivery Office and Post Office site and redevelopment of the site to provide: 20 x 2 bedroom flats; 4 x 1 bedroom flats; flexible permission for 390 sqm of Class A1/A2/A3 use along the Hermitage Road frontage; flexible permission for Class A1/A3 (cafe only) use at the corner of Portmill Lane and River Hiz Walkway; 2295 sqm for Class C1 use comprising a 60-bedroom hotel incorporating a restaurant; two vehicular entrances to the site and a new loading bay along the Portmill Lane frontage; with enhancement of the River Hiz and the adjacent River Hiz Walkway (as amended by site plan no. 3001 39 Revision A received 10th October 2013)

Granted planning permission 30th January 2014. The development was completed by October 2016.

**2.0 Policies**

- 2.1 **North Hertfordshire District Local Plan No.2 with Alterations (Saved Policies)**  
Policy 43 - Shopping Areas in Town Centres  
Policy 57 - Residential Guidelines and Standards.

**Supplementary Planning Documents.**

Design SPD  
Vehicle Parking Provision at New Development SPD.

- 2.2 **National Planning Policy Framework**  
Section 1 - Building a strong, competitive economy.  
Section 7 - Requiring good design.  
Section 12 - Conserving and enhancing the historic environment

### 2.3 **North Hertfordshire District Local Plan 2011-2031 Proposed Submission**

Policy SP1 'Sustainable Development in North Hertfordshire'

Policy SP3 'Employment'

Policy SP4 'Town and Local Centres'

Policy SP9 'Design and Sustainability'

Policy D1 'Sustainable Design'

Policy D3 'Protecting Living Conditions'

The Examination in Public (EiP) in connection with the Submission Local Plan commenced on 13th November 2017.

### 2.4 **National Planning Practice Guidance**

Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.

## **3.0 Representations**

### 3.1 **Hertfordshire Highways:**

The highway authority raise no objections.

### 3.2 **Site Notice / Adjoining residents:**

Several letters have been received from the occupiers of flats within Church View. Concerns have been raised with regard to the colour of the awnings and the advertisements which announce the business as a 'deli & wine' establishment when there has been no alcohol licence granted.

## **4.0 Planning Considerations**

### 4.1 **Site & Surroundings**

4.1.1 No. 1A Church View is a ground floor unit within the Church View development located on the north side of Portmill Lane. The unit was granted permission for an A1 (retail) or A3 (Cafe only) use as part of a larger mixed use development for residential apartments, a hotel, an enhanced riverside walkway and retail units approved by the Local Planning Authority in January 2014. The development was fully completed by October 2016.

No. 1A has an L-shaped floor plan comprising approximately 170 sqm and has a frontage onto both Portmill Lane and the riverside walk. It is currently vacant and yet to be fitted out.

The site is within the Hitchin Conservation Area.

### 4.2 **Proposal**

4.2.1 The proposal is for the display of three adverts on the three awnings proposed to be attached to the south and east elevations of the building. The adverts include the text 'MERCADO - DELI & WINE' and an M logo on the top of the awnings. No illumination of the signage is proposed.

### 4.3 **Key Issues**

4.3.1 The key issues are design and impact on the visual amenity of the area.

#### 4.3.2 **Design and visual amenity**

The advertisements are straightforward and low key. The advertisements are not illuminated and the text and logos are not excessive nor do they add unnecessary clutter to the elevations of the shop unit in my view. The overall level of advertisements is limited and in proportion to the size of the shopfront on these two elevations. In my judgement there would be limited, if any, impact on the visual amenity of the area.

The issue of the advertisements displaying information relating to the sale of alcohol without a current licence is a matter for the applicant to resolve through an application to the Licensing Authority.

#### 4.4 **Conclusion**

4.4.1 It is considered that the proposed advertisement is acceptable in planning and highway terms.

### **5.0 Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

### **6.0 Recommendation**

6.1 That Advertisement Consent be **GRANTED** subject to the following conditions:

1. (a) 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.
- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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: As imposed by regulation within the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.