

## **Report of the Head of Planning & Enforcement Services**

**Address** 132 RYEFIELD AVENUE HILLINGDON

**Development:** Installation of 3 externally illuminated fascia signs to front, a portrait shape advertisement to the left of the shop entrance and an externally illuminated pole sign to front, as well as signage to the lower half of windows in the front elevation.

**LBH Ref Nos:** 1728/ADV/2011/31

**Drawing Nos:** 01 Layout Plan  
Location Plan  
05 Rev D received 4 October 2011  
Letter from agent dated 3 October 2011

**Date Plans Received:** 10/05/2011      **Date(s) of Amendment(s):** 10/05/2011  
**Date Application Valid:** 20/05/2011      16/05/2011  
04/10/2011

### **1. CONSIDERATIONS**

#### **1.1 Site and Locality**

The application site is a former public house, The Oak Tree, on Ryefield Avenue. The site is roughly rectangular in shape with a frontage of approximately 22m and is located within the Ryefield Avenue Parade.

To the south a three storey terraced block forms part of the parade with retail units on the ground floor and residential above.

The former public house itself is set back from the primary building line providing a hardstanding service/delivery area.

The general locality is flat and the site is within a 'Developed Area' as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

#### **1.2 Proposed Scheme**

This application is in part retrospective and seeks permission for the installation of:

- i) 3 externally illuminated fascia signs on the front facade set above the ground floor windows (one retrospective (centrally located), a further two are proposed)
- ii) A sign attached to the wall of the former public house, located to the left of the shop entrance (retrospective); and
- iii) An externally illuminated pole sign on the front forecourt.

iv) Signage on the lower half of the bay and other windows in the front elevation (retrospective).

### **1.3 Relevant Planning History**

#### **Comment on Planning History**

The site has an extensive planning history, the most relevant of which is ref: 1728/APP/2011/1123 which related to a certificate of Lawful Development for the change of use to from Use Class A4 Drinking Establishments) to Use Class A1 (Retail).

This kind of change of use constitutes permitted development and as such the certificate was issued on 25/08/2011. The signage proposed in the current application relates to the shop.

### **2. Advertisement and Site Notice**

**2.1** Advertisement Expiry Date:- Not applicable

**2.2** Site Notice Expiry Date:- Not applicable

### **3. Comments on Public Consultations**

119 owner/occupiers in the surrounding area were consulted on the application and the Oak Farm Residents Association. 190 individual written responses were received objecting to the application. In addition 4 petitions were received:

1st petition reads We the residents of Ryefield Avenue, call on the Council to reject the application for the installation of 3 externally illuminated fascia signs to front and 1 externally illuminated pole sign to front. These works have brazenly been carried out already and have proven the fact that they make the building and the area terrible. We believe that as well as ruining out street scene and character of the area, they will and have already brought associated problems such as anti-social behaviour, congestion and traffic chaos. 28 signatures to the petition.

2nd petition reads We call on the Council to reject plans for the installation of 3 externally illuminated fascia signs to front and 1 externally illuminated pole sign to front of 132 Ryefield Avenue. We believe this imposing shop window s details, lighting, finishing of the building and the general oversized existence of the store does [not] blend in nor harmonise with the existing street scene. The general light pollution and nuisance is already being endured since they were installed. 62 signatures to the petition.

3rd petition reads We the undersigned call for the application for the installation of 3 externally illuminated fascia signs to front and 1 externally illuminated pole sign to front to be rejected as the proposed works have already been carried out and look totally out of the character for the area and has ruined the harmony of the street scene. We call on the council to reject these plans and to order the removal of these blemishes to the area 64 signatures to the petition.

4th petition reads We the undersigned declare that we have seen the proposed development plans for the change of use at 132 Ryefield Avenue, Hillingdon, UB10 9DA (Ref 1728/APP/2011/1123) and signage (1728/APP/2011/31) and confirm that we have no

objection to the proposal. 155 signatures to the petition.

The letters of objection can be summarised as follows

- (i) Object to the number of proposed illuminated signs and their size that is too large.
- (ii) Object to the number of signs that have already been put up on the premises.
- (iii) Object to signs to the rear of the premises.
- (iv) Illuminated signs are out of character with the area.
- (v) The light levels plus the late night opening keeps my kids awake at night from noise and light pollution.
- (vi) The parade of shops has conservative signage, this signage is overwhelming compared to the signage to the smaller shops on the parade. The signage does not blend, harmonise or complement with this residential area. The signage destroys the distinctive qualities of the area.
- (vii) Signage looks unsightly, tacky and cheap and will further destroy the character of the area.
- (viii) Unhappy the signs have already gone up without consent.
- (ix) Concerned about parking and signage attracting additional traffic and further blocking access to the rear driveway,
- (x) The illuminated signs will attract kids to hang around in the evening.
- (xi) The shop opens with long hours (until midnight) and the late opening hours will harm the other shops in the parade and attract kids to loiter around that will result in crime and anti social behaviour
- (xii) We do not need another shop.
- (xiii) The opening hours will attract late night drinkers.
- (xiv) Object to the owners of the shop not considering the wishes of the local residents thereby being arrogant.
- (xv) It is shocking the Council can not prevent a shop opening.
- (xvi) The shop drowns out other businesses in the area. The shop is too big for the area and the neighbouring parade, as is the signage.
- (xvii) The applicant mocks the residents of the area with this application.

The objections raised in relation to the design and the number of signs are considered with in the body of this report. The objections relating to the conversion of the public house into a retail unit without requiring planning permission, as well as the opening hours of the shop, traffic generation from the retail unit and the actions of the applicant, are not material planning considerations relevant to this advertising consent application.

#### **4. UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

- |      |  |
|------|--|
| BE27 | Advertisements requiring express consent - size, design and location |
| BE15 | Alterations and extensions to existing buildings                     |
| BE29 | Advertisement displays on business premises                          |
| BE30 | Advertisement hoardings enclosing sites under construction           |

## **5. MAIN PLANNING ISSUES**

### **BACKGROUND**

Following the conversion of the ground floor of the former public house into a shop, signage was erected on the frontage to Ryefield Avenue. The lack of advertising consent for the signage resulted in an investigation by the Councils Planning Enforcement Team. Initially there had been a large number of signs erected on the frontage. Following discussions with Council officers (who advised that the signage was excessive) the applicant removed a number of unauthorized signs and prepared this part retrospective planning application.

### **APPEARANCE OF SIGNAGE**

i) 3 externally illuminated fascia signs on the front facade set above the ground floor windows (one retrospective, a further two are proposed)

#### **PLANNING OFFICER COMMENT**

In respect of the 3 externally illuminated signs, these would be set within the fascia and there is no objection in terms of size, location or the lettering. It is not considered (in the context of the parade) that these three signs would cause harm to amenity or the character of the area, nor would they pose a hazard to traffic or pedestrians.

ii) A sign attached to the wall of the former public house, located to the left of the shop entrance (retrospective)

#### **PLANNING OFFICER COMMENT**

When viewed in the context of the building frontage it is not considered that this sign would cause harm to amenity or the character of the area, or to the appearance of the building on which it is set nor would it pose a hazard to traffic or pedestrians.

iii) An externally illuminated pole sign on the front forecourt.

#### **PLANNING OFFICER COMMENT**

This sign is positioned within the area of the original public house sign, given the size and location there is no objection to this sign.

iv) Signage on the lower half of the bay and other windows in the front elevation (retrospective).

#### **PLANNING OFFICER COMMENT**

The transfers applied to lower halves of the windows would not be illuminated and feature 'life style' images (e.g. persons consuming the sorts of goods on sale in the store). This signage is not considered to overly dominate the appearance of the frontage or architectural features of the building. There is no objection to this signage.

### **ILLUMINATION OF SIGNAGE**

Section 8 of Hillingdon Design and Access Statement (HDAS) Shopfronts Supplementary Planning Document recommends that where illuminated signs are sought that they are externally illuminated to avoid the lighting being too bright to neighbours. The 3 externally illuminated fascia signs and the pole sign would conform with this guidance and as such would not have an adverse impact on the character of the area, or result in significant light pollution to occupants of neighbouring properties thereby complying with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## SAFETY

The proposed signage is located in positions which would not pose a risk to persons due to collisions with the signs. A condition should be imposed on any consent requiring details of how signage would be fixed to the pole sign (to ensure the sign is appropriately fixed and would not fall off).

The Council's Highways Officer has not raised any objection to the proposal. The level of illumination would not distract drivers, it is not considered that the signage poses any form of safety hazard.

## SUMMARY

The proposed signage is considered acceptable in terms of its appearance. It is not considered to result in any loss of amenity or pose an unacceptable safety hazard.

Approval is recommended.

## 6. RECOMMENDATION

### **APPROVAL subject to the following:**

#### **1 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

## REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **2 ADV1 Standard Advertisement Conditions**

i) 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.

ii) 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.

iii) 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.

iv) 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.

v) 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.

vi) The consent hereby granted shall expire at the end of a period of five years from the date of this consent.

#### REASON

These requirements are deemed to be attached by Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

#### **3** ADV2 Non-illumination (Signs)

The advertisements hereby permitted shall not be internally illuminated.

#### REASON

In order to protect the visual amenity of the area and/or highway safety in accordance with Policy BE27 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **4** ADV5 External lighting

The external lights hereby given consent shall be so angled and shielded/hooded that light is directed onto the sign directly below.

#### REASON

In order to protect the visual amenity of the area and/or highway safety in accordance with Policy BE27 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **INFORMATIVES**

**1** The decision to GRANT advertisement consent has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

**2** The decision to GRANT advertisement consent has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE27 Advertisements requiring express consent - size, design and location

BE15 Alterations and extensions to existing buildings

BE29 Advertisement displays on business premises

BE30 Advertisement hoardings enclosing sites under construction

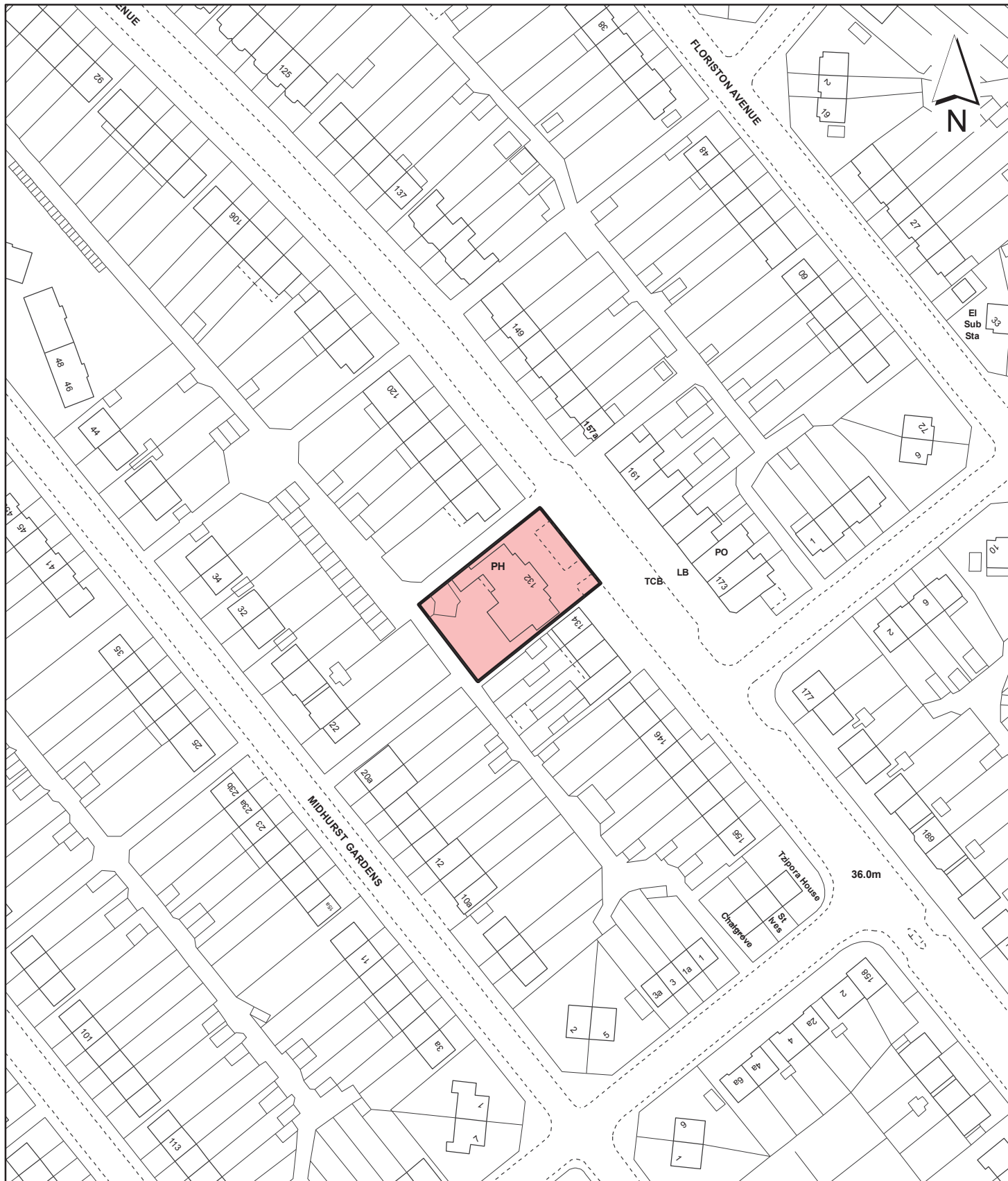
**3** You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved

must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

**Contact Officer:** Gareth Gwynne

**Telephone No:** 01895 250230





## Notes



Site boundary

For identification purposes only.

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Site Address

**132 Ryefield Avenue  
Hillingdon**

Planning Application Ref:

**1728/ADV/2011/31**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**October  
2011**

**LONDON BOROUGH  
OF HILLINGDON**  
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