

**Planning Committee:** 26 November 2013

**Item Number: 8**

**Application No:** W 13 / 1449

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Graham Price

**Registration Date:** 16/10/13  
**Expiry Date:** 11/12/13

01926 456531 graham.price@warwickdc.gov.uk

**43 Prospect Road, Leamington Spa, CV31 2BZ**

Display of hanging sign within front garden (retrospective application) FOR Mr & Mrs Prabhaker & Bhatia

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This application is being presented to Committee due to an objection from the Town Council having been received.

**RECOMMENDATION**

Planning Committee is recommended to REFUSE the application for the reasons provided in the report.

**DETAILS OF THE DEVELOPMENT**

The application seeks retrospective advertisement consent to display a hanging sign on a steel post to the front of this residential property adjacent to the front boundary.

**THE SITE AND ITS LOCATION**

The application relates to a two storey semi-detached dwellinghouse situated on the north side of Prospect Road close to the closed junction with Waverley Road in Leamington Spa. The application property is situated in a predominantly residential area characterised by semi-detached dwellings of a broadly similar design situated on plots of varying size.

**PLANNING HISTORY**

In 2006 planning permission (Ref. W/06/1240) was granted for the 'erection of single and two storey side extensions and a single storey rear extension'.

In 2008 an enforcement case (Ref. ENF/330/31/08) was opened as the extension referred to above was not built in accordance with the approved plans.

In 2013 an enforcement case (Ref. ENF/185/13) was opened as the house was claimed to be being used as a travel agents office along with a hanging sign which been erected in front of the property. Based on fact and degree and the way in

which the travel agents business was being run from the property with particular regard to scale and intensity, it was considered that there had not been a material change of use of the property. However, it was considered that the hanging sign required advertisement consent. The current application has been submitted as a result of this enforcement case.

### **RELEVANT POLICIES**

- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

### **SUMMARY OF REPRESENTATIONS**

**Royal Leamington Spa Town Council** - Objection on the grounds that the hanging sign is visually inappropriate in a residential area.

**Public Response:** No comments have been received as a result of the public consultation process; however, a petition of support containing 15 names and addresses was submitted with the application.

### **ASSESSMENT**

The main issues relevant to the consideration of this application are as follows:

- On amenity grounds, the impact of the sign on the residential character of the property and its mainly residential surroundings;
- Impact on public safety

#### **Impact on visual amenity**

The application property is a dwellinghouse situated in a residential street in a predominantly residential area where the absence of commercial signage is distinctly apparent.

The sign introduces a typically commercial feature into a residential area, and in the opinion of both officers and the Town Council, it is considered to represent an alien and incongruous feature in the street scene.

The harm is exacerbated due to its siting in an overtly prominent position adjacent to the pavement and road with consequent long ranging visibility thereby forming a conspicuous feature in the street scene. For this reason it is also considered that the sign intrudes on local residents' amenity of outlook.

Accordingly the sign is considered to be harmful to the visual amenity of the area and contrary to Local Plan Policy DP1.

The applicant's argument for the need for the sign is noted, however, need is not a material planning consideration in the consideration of applications for advertisement consent, which can only be assessed in terms of visual amenity and public safety.

A discrete form of signage on the property, e.g. in the form of a small plaque may be considered to be acceptable, but the sign as proposed by reason of its design, size and siting is considered to be harmful to the visual amenity of the area.

#### Impact on public safety

The sign is not considered to cause harm to public or highway safety.

### **SUMMARY/CONCLUSION**

In conclusion, the proposal is considered to have a detrimental impact on the residential character visual amenity of the area by introducing a typically non-residential feature into a residential street scene and permission should therefore be refused.

### **REFUSAL REASONS**

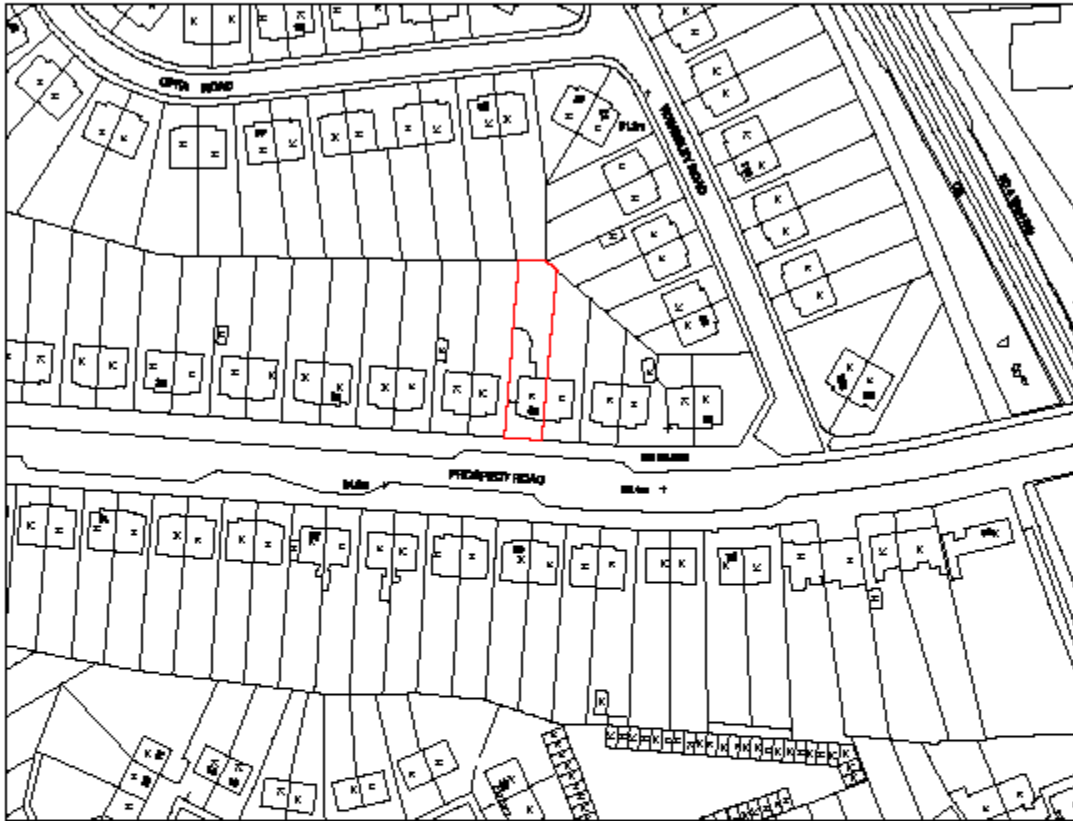
- 1 Policy DP1 of the Warwick District Local Plan 1996-2011 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The application property is a dwellinghouse situated in a residential street in a predominantly residential area where the absence of commercial signage is distinctly apparent.

In the opinion of the Local Planning Authority the sign proposed is considered to be harmful to the visual amenity of the area by reason of its design, size, prominent siting and because it introduces a typically commercial feature into a residential area which stands out as an alien and incongruous feature in the street scene.

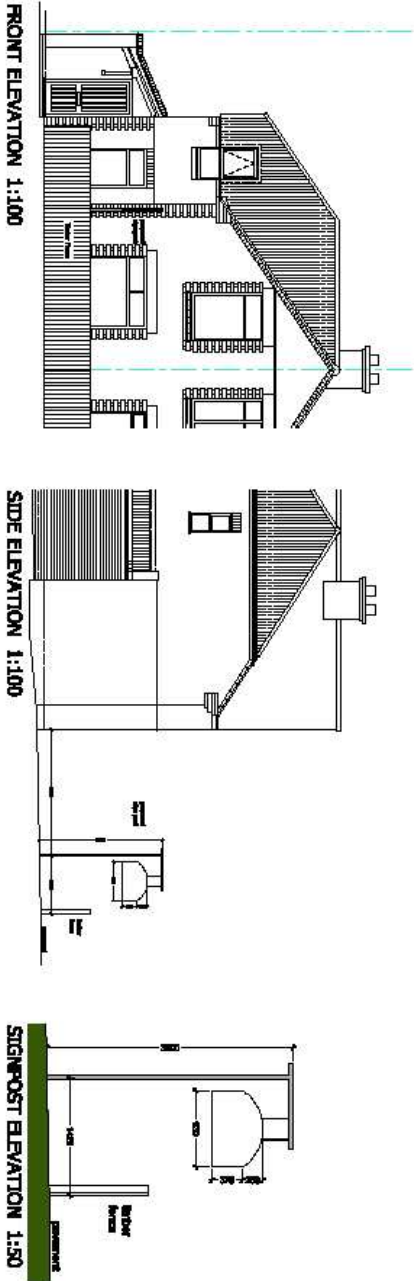
The development is thereby considered to be contrary to the aforementioned policy.

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<b>Amberscope Ltd</b> 21 Mary Herbert Street Chaymansoon Coventry Tel: 024 76 828 884	
<b>Client:</b>	Mr & Mrs Prashanth & Elaine.
<b>Reference:</b>	Proposed Garage at 48 Prospect Road Lutterington Spa CV34 2BZ
<b>Title:</b>	Location Plan
<b>Date:</b>	Oct 13
<b>By:</b>	1:1250 at A4
<b>Dwg No:</b>	18.18.GA.001

Amber Scope Ltd  
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The retrospective proposals as shown on the plans and elevations also include the removal of the existing signpost to the rear of the building and the new signpost to be installed as shown in Photo 3

PHOTO 1



PHOTO 2



PHOTO 3

Client	Amber Scope Ltd 21 Playfair Street Chesham Bucks HP8 3JH
Project	Proposed Signage at 43 Prospect Road Leamington Spa CV32 2SE
Date	Oct 15
Scale	As indicated
Drawn by	13.18.GA.002