



# The Planning Inspectorate

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PLANNING DEPARTMENT					
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received 29 OCT 1999

Town Planning Consultants  
118 Southwark Street  
London

Your Ref: VW/cjc/99215

Our Ref: APP/A1910/H/99/0965

SE1 0SW

Date: 27 OCT 1999

Dear Sirs

## TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1992

**APPEAL: Wickes DIY Store, London Road, Hemel Hempstead**  
**APPLICATION NO: 4/0200/99/ADV**

1. I have been appointed to determine the appeal of your clients, Wickes Building Supplies, against Dacorum Borough Council's refusal to permit the display, at the above mentioned premises, of various signs as follows:

Sign A – an internally illuminated flex face sign measuring 9.5m by 2.9m (front elevation)

Sign B – 6 internally illuminated Icon boxes each measuring 1.8m square

Sign C - (formerly Sign D) – externally illuminated sign measuring 9.5m by 3.2m on rear gable elevation facing service yard

(note – original Sign C on secondary front gable elevation now omitted)

Pylon – an internally illuminated, double sided composite pylon sign measuring 6m by 2.5m – (to be shared by your clients and the adjacent Homebase store)

(note - pylon to replace existing Homebase pylon sign on the frontage)

Customer Parking – a freestanding, non illuminated sign measuring 2.4m by 1.5m, at overall height of 3.5m - denoting additional customer parking facilities; and

Customer/Goods Entrance – a freestanding non illuminated sign measuring 2m by 1m, at overall height of 2.75m- denoting customer entrance and deliveries.

2. My decision has been made on the basis of the representations made on 29 September 1999 at the Civic Centre, Hemel Hempstead, together with the written documentation including photographs, and my inspections of the site and its surroundings both before and after the Hearing.

3. I accept the general descriptions of the appeal premises, their surroundings and the road layout, as set out in the Borough Council's statement and the supporting statement of Herts County Council, as Highway Authority, enclosed with the local planning authority's letter dated 1 September 1999. At the time of my inspection, all of the appeal signs except the pylon sign were in position. I also noted three secondary signs on the frontage, denoting simply Entrance/Exit/Exit. With the agreement of the parties at the Hearing, I have discounted these small signs for the purposes of the present appeal.

4. The Council are concerned about what they regard as an excessive concentration of signs on the building, particularly on the entrance elevation, resulting in a cluttered appearance to the detriment of local visual amenity. They are also concerned that the impact of the colourful, internally illuminated pylon sign could reduce the effectiveness of the adjacent traffic light signals and that, because of the extent of information on the face panels, some given in small lettering and some still unspecified, the pylon sign would unduly distract road users to the detriment of public safety.

5. The appeal premises are a massive DIY store located within a trading estate between the A421 London Road and the River Gade, to the south east of Apsley Local Centre and to the south of Hemel Hempstead. This stretch of London Road has a mix of commercial and residential uses but reflects a very high commercial profile. The Wickes store is set back about 50m from London Road and much of the building is screened from the carriageway by the adjacent Kent warehouse unit. Immediately to the north west, and separated by a shared access road, is a Sainsbury's Homebase unit. The access road, which also serves the Kent warehouse, is controlled by traffic light signals at its junction with the main A421. Customer surface parking is provided at the front and to the south east of the site.

6. The Wickes building is built at two storey level, with brick to the lower part of the elevations and cladding above. The entrance and exit points are located at the northern end of the frontage and denoted by a canopy which extends around part of the northern elevation.

#### *Amenity issues*

7. I deal first with the signs on the building. The store itself is of contemporary light industrial appearance with simple lines but no obvious architectural merit. Sign A occupies the full height of the upper floor above the shop canopy, but in my opinion does not unduly dominate the north western aspect of the frontage. I consider that the size, uncluttered design and simple rectangular form of Sign A respond well to the general mass and utilitarian form of the building and that, even when illuminated, its display would enliven the appearance of this rather bland functional building without appearing incongruous or unduly assertive.

8. Similar general considerations apply to the much smaller and well spaced Icon Boxes (Sign B) sited symmetrically over the adjacent section of the shop canopy. These signs are viewed as a composite display in association with the main Sign A and I accept that, at close range, they provide a fairly conspicuous focal point at the north western end of the frontage. However these signs merely denote the main commercial aspect of the store around the customer entrance, in keeping with the design and layout of the building. Any impression of advertising clutter or excess, likely to affect local visual amenity, in my opinion is ameliorated by the setting of the store within the trading estate, at some distance from the highway, and the substantial screening provided by the Kent warehouse in the foreground. However the commercial profile of the area is substantially reduced when the store closes. I therefore propose to grant consent for Signs A and B subject to a condition limiting the hours of illuminated display in order to protect the outlook and amenity of local residents.

9. The Council have raised no specific amenity objections to the freestanding signs denoting customer parking and customer/goods entrance and I agree that these non illuminated signs, seen at low level adjacent to the store as part of a co-ordinated signage scheme, would have no material impact on local visual amenity.

10. The Council have raised no specific amenity objections to the illuminated pylon sign as a direct replacement for the existing Homebase pylon sign on the frontage; and I see no reason to disagree with this view. They commented at the Hearing that the "new" Sign C is rather too large for its elevation. However they did not want to raise a substantive amenity objection to this externally illuminated sign because of its very restricted aspect on the rear gable elevation, facing the service yard, and its negligible impact on "public viewpoints". Again I see no reason to disagree with this view for the purposes of this appeal.

### *Public Safety*

11. I now turn to the safety issues, particularly arising from the proposed display of the replacement pylon sign.

12. London Road was formerly the A41. It has been de-trunked since 1994 when it was effectively by-passed, but its traffic levels remain high. Totem-style signs can be an effective means of denoting the entrance to trading estates from busy main roads. Composite signs are usually encouraged in appropriate circumstances; and clearly neither the local planning authority nor the Highway Authority in this case object in principle to a readily assimilated sign on the frontage giving advance warning of the prescribed entrance to the access road serving your clients' premises and the co-located Homebase store. I have reasonably assumed for present purposes that these retail outlets are patronised mainly by car-borne customers.

13. The present proposal is for a tall, imposing structure albeit of fairly conventional monolithic design. It would freestanding on the frontage but set slightly back from the junction. As applied, for its colour scheme would be mainly blue and white for the Wickes store, with as yet unspecified upper sections dedicated to the Homebase outlet. Some of these could be green and/or red and the display would be highlighted by illumination. Despite this combination of colours and lighting, the composite sign would command an open setting with a fairly long range of visibility in each direction. And I am satisfied for these reasons that its distinctive display would not obscure or be directly confused with the adjacent traffic light signals.

14. However I share the Highway Authority's concern about the excessive amount of information on the sign which drivers would have to assimilate on approach or in passing. Drivers may be used to "scanning" some roadside displays including those generally associated with petrol filling stations. However the pylon in this case at 6m by 2.5m would be a visually very arresting feature, presenting some fifteen product modules, together with name signs and opening times. On this part of London Road, drivers have to pay particular attention to the adjacent traffic lights with pedestrian phase, vehicle movements associated with the crossroads and the nearby petrol filling station, and road markings including hatching which provides protected right hand turns into the trading estate. I consider that such a large and complex sign as you now propose would unduly compete for drivers' attention at a point where a high level of concentration is required, and where even a moment's hesitation or distraction could lead to an accident.

15. I conclude in all the above circumstances that the display of the appeal signs, taken

either individually or collectively, would not be detrimental to the interests of amenity; but that the display of the proposed pylon sign would be against the interests of public safety.

16. I therefore dismiss that part of the appeal relating to the pylon sign.

17. I allow the remainder of the appeal and grant consent for the display for 5 years from the date of this letter of Sign A, Sign B (6 Icons), Sign C and the two freestanding Customer parking/Customer/Goods entrance signs, as applied for, subject to the following condition:

“Sign A and Sign(s) B shall not be displayed in illuminated form at any time when the Wickes store is closed to the public for retail sales.”

18. This letter does not give any approval or consent which may be required except under Regulation 5 of the Regulations.

Yours faithfully



MR ROWE

Advertisement Control Officer



# PLANNING

Civic Centre Marlowes  
Hemel Hempstead  
Herts HP1 1HH

SOVEREIGN SIGNS LTD  
ROTTERDAM ROAD  
SUTTON FIELDS INDUSTRIAL ESTATE  
HULL  
HU7 OXD

WICKES BUILDING SUPPLIES  
120-138 STATION ROAD  
HARROW  
MIDDX  
HA1 2QB

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION - 4/00200/99/ADV

WICKES BUILDING SUPPLIES LTD, LONDON ROAD, APSLEY, HEMEL  
HEMPSTEAD, HERTFORDSHIRE, HP3 9SR  
ILLUMINATED AND NON ILLUMINATED SIGNS

Your application for advertisement consent dated 03 February 1999 and received on  
04 February 1999 has been **REFUSED**, for the reasons set out overleaf.

Director of Planning

Date of Decision: 25 March 1999

**REASONS FOR REFUSAL APPLICABLE TO APPLICATION: 4/00200/99/ADV**

Date of Decision: 25 March 1999

- 1. The proposed signage to the building is excessive, particularly on the entrance elevation, resulting in a cluttered appearance to the detriment of the visual amenity of the area.**
- 2. The proposed illuminated pylon sign would give rise to conditions prejudicial to highway safety due to the level of information and small size of the wording contained in the sign.**

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 191

(as amended by section 10 of the  
Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)  
ORDER 1995

ARTICLE 24

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT  
for existing use or development

The Dacorum Borough Council hereby certifies that on 07 January 1999 the use and operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this Certificate were lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

*(1) The use of the land for equestrian purposes referred to in Schedule 1 has been in existence for at least ten years.*

*(2) The buildings and structures referred to in Schedule 1 have been present on the site for at least four years.*

Signed:



Director of Planning

On behalf of Dacorum Borough Council

Date: 21 June 1999

Reference: 4/00201/99/LDE

## FIRST SCHEDULE

- (1) USE FOR STABLING, FEEDING, EXERCISING, TEACHING, BREAKING IN AND SCHOOLING SIX HORSES BELONGING TO THE APPLICANT AND UP TO THREE OTHER HORSES FROM TIME TO TIME BELONGING TO OTHER PEOPLE, TOGETHER WITH STORAGE OF FOOD, HAY, TACK, HARNESSSES, FIVE CARRIAGES, AND 60 FOOT HORSE BOX AND TRAILER.
- (2)(a) THE ERECTION OF TWO POLYTUNNELS EDGED IN BROWN ON THE PLAN ATTACHED TO THE CERTIFICATE;
- (2)(b) THE ERECTION OF THE STABLES SHOWN EDGED IN YELLOW ON THE PLAN ATTACHED TO THE CERTIFICATE;
- (2)(c) THE ERECTION OF THE POLE BARN AND STABLE EXTENSION SHOWN IN GREEN ON THE PLAN ATTACHED TO THE CERTIFICATE;
- (2)(d) THE CONSTRUCTION OF THE HORSE WALKER AND MENAGE (SIC) SHOWN EDGED IN BLUE ON THE PLAN ATTACHED TO THE CERTIFICATE;
- (2)(e) THE CONSTRUCTION OF THE OBSTACLE COURSE SHOWN WITHIN THE AREA EDGED PURPLE ON THE PLAN ATTACHED TO THE CERTIFICATE.

## SECOND SCHEDULE

LAND ADJ., LOUISE WALK, GREEN LANE, BOVINGDON, HEMEL HEMPSTEAD, HERTS AS SHOWN EDGED RED ON THE PLAN ATTACHED TO THE CERTIFICATE.

### Notes

1. This Certificate is issued solely for the purposes of section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use and operations specified in the First Schedule taking place on the land described in the Second Schedule were lawful, on the specified date and, thus, were not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use and operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use and operations which are materially different from those described or which relate to any other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.