

Planning Committee

19 July 2011

Reference:
ADV/11/00600

Area Team:
North Team

Case Officer:
Mrs S Lacey

Ward:
Hoylake and Meols

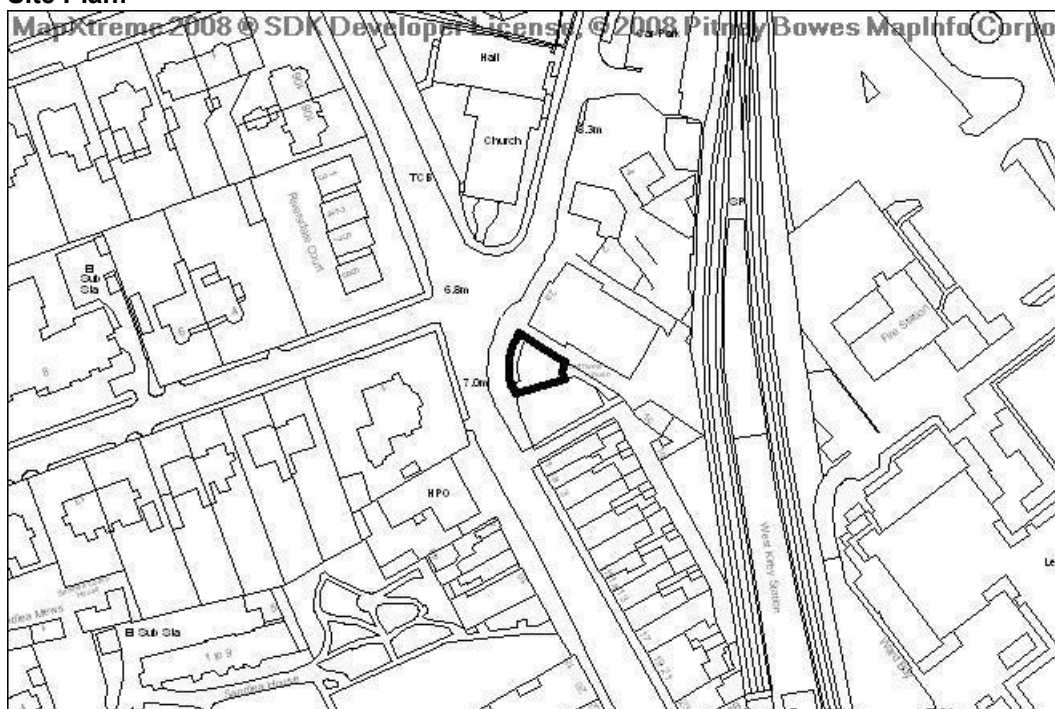
Location: The Wro, North West House, GRANGE ROAD, WEST KIRBY, CH48 4DY

Proposal: Signage for the Bar Cafe.

Applicant: The Wro Limited

Agent : RADM Architects

Site Plan:



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Development Plan allocation and policies:

Key Town Centre

Tourism Development Site

Planning History:

APP/99/06362 Change of use to restaurant Approve 10/09/1999

APP/08/05733 Introduction of pavement cafe Approve 04/08/2008

APP/08/06601 Change of use of first floor office to lounge cafe bar Approve 13/11/2008

ADV/10/01332 Proposed signage for two fascia signs and three overhang signage Refuse

Summary Of Representations and Consultations Received:

Representations:

6 letters of notification were sent to neighbouring properties. Three individual letters of objection were received, citing the following concerns:

- The Wro is already the major source of light pollution on Grange Road, far in excess of the street lighting in a residential area and the application is to install yet more illumination. This new

illumination in itself is in excess of the levels laid down in good practice guidelines. I believe that the signage proposed should not be illuminated thus not adding to the existing light pollution which disturbs nearby residents. I do not believe that the illumination is justifiable on the grounds of advertising as the existing branding of the Wro bars is clearly visible at night.

- The Communities and Local Government guidance for class 5 signage advertisements on business premises) suggests signage should not be illuminated;
- The level of illumination as stated is greater than recommended as good practice by a factor 5;
- There are no stated hours of illumination and will result in illumination far exceeding the local street lamp illumination well into the night and impact the amenity of neighbouring dwellings and be unsuitable in a residential town centre;
- The door shown on the plans is not there at present and is not inkeeping with the style of the premises;
- The number of signs is excessive.

Councillor Hale objected to the proposal on the grounds the proposed illumination would be out of character with the surrounding area.

Consultations received:

Director of Law, HR and Asset Management Environmental Health: No objection.

Director of Technical Services – Traffic Management Division: No objection

DIRECTORS COMMENTS:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Hale removed the proposal from delegation on the grounds the proposed illuminated signage is not inkeeping with the character of the town centre.

INTRODUCTION

The application proposes one externally illuminated fascia sign and three externally illuminated hanging signs.

PRINCIPLE OF DEVELOPMENT

Adverts on commercial premises are generally acceptable in principle subject to impact on amenity and highway safety.

SITE AND SURROUNDINGS

The site comprises a drinking establishment/restaurant situated in a Key Town Centre. The building forms a prominent 3-storey structure on a commercial row. There is an example of first floor signage at No.5 Grange Road and existing ground floor illuminated fascia and projecting signage. The site is adjacent to a Primarily Residential Area and there is a residential property opposite the site, and within 25m of the main elevation.

POLICY CONTEXT

The proposal shall be assessed against the relevant Unitary Development Plan Policy SH1 Criteria for Development in Key Town Centres, and SPG 43 – Shop Front Design Guide. This is assessed against PPG19 Outdoor Adverts.

Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 Local Authorities can exercise power in the interests of amenity taking into account the provisions of the Development Plan, so far as they are material. The definition of amenity includes visual amenity.

The Wirral Unitary Development Plan sets out Key Town Centres as important economic centres which the Local Authority sets out to strengthen and diversify. The essence of Policy SH1 Criteria for Development in Key Town Centres is to safeguard the vitality and viability of Key Town Centres.

APPEARANCE AND AMENITY ISSUES

A previous application for fascia signage measuring 7.8 metres in height and above the first floor windows was refused (planning application APP/10/01332) as it was considered by the LPA the size and positioning of the signs would form a visually obtrusive feature that would be detrimental to the character of the Key Town Centre and residential amenity.

The application has been re submitted and the signage above first floor has been removed and a smaller fascia sign and overhanging sign above the entrance on the right of the building (measuring a maximum of 4.3m above ground floor level) is proposed, along with an additional 2 hanging signs beyond the canopy.

The proposed signs are considered acceptable in terms of scale and design, and are not considered to result in a cluttering effect. There are wall mounted signs in the vicinity of similar height and some signs that protrude out from the elevation. The adjacent commercial units, *The Red Door*, *Casa Mia* (No.1 Grange Road), *Liberty* (No.3 Grange Road) and *Welcome Fish and Chips* (No.5 Grange Road) all have static illuminated signage, and as such the proposed external illumination is not considered out of character. It is considered that the proposed signs when lit would not appear visually obtrusive in this location. In terms of PPG19 the proposal does not cause visual harm and does not cause harm to highway safety. The proposal complies with relevant Council policy SH1 and SPG43 and the application is recommended for approval.

Objections were received concerning the levels of illumination are above what is advised in The Communities and Local Government guidance for class 5 signage advertisements on business premises. The proposed level of illumination is 300cd/m which is not considered to have a harmful effect on residents amenity. Given the low levels of illumination it is not considered necessary to restrict the hours of illumination. Levels of illumination can be controlled and the potential of lights shining directly into bedroom windows can be controlled by Environmental Health legislation. For clarification, the application relates solely to the proposed advertisements and not to external alterations to the building.

SEPARATION DISTANCES

The nearest property used solely for residential use is 25m away from the proposed building. Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development in terms of overlooking or loss of privacy.

HIGHWAY/TRAFFIC IMPLICATIONS

The Director of Technical Services (Highway Engineers) had no objection to the proposal. There are no highway implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

Objections were received regarding the levels of illumination impacting on the surrounding residential properties. For a light to be construed as a statutory light nuisance the light emanating from the light fitting would have to be prevalent in a bedroom or living room with normal curtains closed, and the levels of illumination can be controlled and the potential of lights shining directly into bedroom windows can be controlled by Environmental Health legislation. According to the Institute of Lighting Engineers Technical Report No. 5 'Brightness of Illuminated Advertisements', for a sign of the proposed size in Zone E2 (rural or small village) the recommended maximum level of luminance would be 600 cd/m², so the proposed sign could not be described as too bright. Environmental Health have not received any complaints regarding light nuisance from this premises.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is acceptable in terms of visual appearance and highway safety, and is not considered to significantly affect the appearance or amenity of the Key Town Centre or neighbouring residential area. It complies with relevant Council policy SH1 Criteria for Development in Key Town Centres of the Wirral Unitary Development Plan, SPG 43 Shop Front Design Guide and PPG19 Outdoor Adverts.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Advertisement Consent has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is acceptable in terms of visual appearance and highway safety, and is not considered to significantly affect the appearance or amenity of the Key Town Centre or neighbouring residential area. It complies with relevant Council policy SH1 Criteria for Development in Key Town Centres of the Wirral Unitary Development Plan, SPG 43 Shop Front Design Guide and PPG19 Outdoor Adverts.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. 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.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. This consent shall expire after a period of 5 years from the date of this permission.

Reason: To comply with Regulation 2 (1) of Schedule 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Further Notes for Committee:

Last Comments By: 01/07/2011 13:08:19

Expiry Date: 15/07/2011