

Planning Committee

18 July 2019

Reference:
ADV/17/00782

Area Team:
South Team

Case Officer:
Mr M Parry-Davies

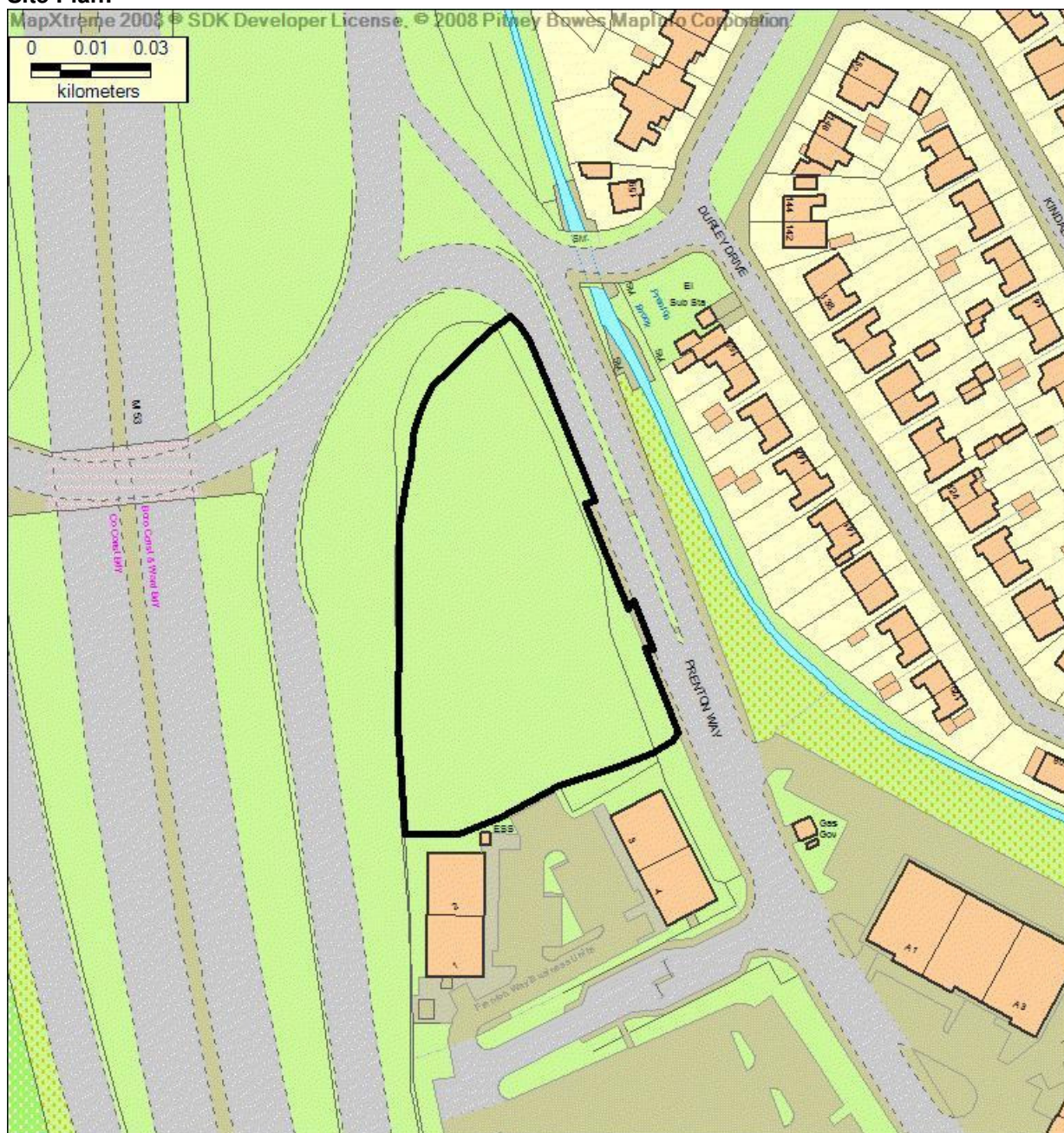
Ward:
Prenton

Location: Land at, Prenton Way, PRENTON, CH43 3DU
Proposal: THE INSTALLATION OF 2no. FREESTANDING 12M TOTEM SIGNS

Applicant: MCDONALD'S RESTAURANTS LTD
Agent : Planware Ltd

Qualifying Petition: No

Site Plan:



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Planning History:

Location: Vacant land, 2A PRENTON WAY, PRENTON, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a two storey restaurant with associated drive-thru, car parking, landscaping and associated works including the installation of 2no. customer order displays with associated canopies, 2no. gas and electricity kiosks, cycle stands, jumbrellas and children's play space.
Application No: APP/17/00779
Decision Date: 31/05/2019
Decision Type: Approved

Location: Land adjacent to Total Fitness Gym, Total Fitness, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a substation
Application No: APP/07/05944
Decision Date: 15/06/2007
Decision Type: Approved

Location: Land adj to Total Fitness, Prenton Way, Prenton, Wirral, CH43 3DU
Application Type: Full Planning Permission
Proposal: Erection of two office buildings
Application No: APP/06/06195
Decision Date: 04/08/2006
Decision Type: Approved

Location: Unused Land, 2A Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Outline Planning Permission
Proposal: Erection of two car showrooms (outline)
Application No: OUT/03/07690
Decision Date: 27/02/2004
Decision Type: Approved

Location: McDonalds Restaurant, West of (rear) 135-155 Durley Drive, Fronting Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a freestanding single storey modular restaurant(A3).
Application No: APP/00/06448
Decision Date: 25/01/2002
Decision Type: Refused

Location: Land at Former North West Water, North Cheshire Trading Estate, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Advertisement Consent
Proposal: Erection of a free standing double sided illuminated tower sign.
Application No: ADV/02/05071
Decision Date: 05/07/2002
Decision Type: Refused

Location: West of (rear) 135-155 Durley Drive, Fronting Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Full Planning Permission
Proposal: Erection of a freestanding single storey modular restaurant (A3).
Application No: APP/00/06451
Decision Date: 25/01/2002
Decision Type: Refused

Location: Former North West Water, North Ches Trading Estate, Prenton Way, Prenton, Wirral, CH43 3DX

Application Type: Full Planning Permission
Proposal: Erection of a two storey exercise, rehabilitation and hydrotherapy centre with associated car park
Application No: APP/01/05390
Decision Date: 19/09/2001
Decision Type: Approved

Location: Former North West Water, North Ches Trading Estate, Prenton Way, Prenton, Wirral, CH43 3DX
Application Type: Advertisement Consent
Proposal: Erection of two illuminated free standing signs
Application No: ADV/01/06654
Decision Date: 28/09/2001
Decision Type: Approved

Location: Land at junction of M53 Woodchurch Roundabout and Prenton Way, Prenton. L43 3DU
Application Type: Full Planning Permission
Proposal: Renewal of temporary planning permission WAPP/24318 for use of land for youth training horticulture scheme and erection of a portacabin.
Application No: APP/89/05273
Decision Date: 16/03/1989
Decision Type: Approved

Location: East of Manweb, west of railway line, North Cheshire Trading Estate, Prenton Way
Application Type: Outline Planning Permission
Proposal: Erection of 225,000 sq.ft. of retail floorspace, 10,000 sq.ft. garden centre, 6,500 sq.ft. restaurant and layout of 1,500 car parking spaces.
Application No: OUT/88/05483
Decision Date: 06/07/1988
Decision Type: Refused

Location: Land to the West of, Prenton Way, Prenton, L43 3DU
Application Type: Full Planning Permission
Proposal: Use of land for Youth training Horticultural Scheme and erection of a portacabin
Application No: APP/84/24318
Decision Date: 22/03/1984
Decision Type: Conditional Approval

Location: North Cheshire Trading Estate, Woodchurch Interchange, Landican, Birkenhead
Application Type: Advertisement Consent
Proposal: Estate agency boards
Application No: ADV/75/03665
Decision Date: 04/05/1976
Decision Type: Refused

Appeal Details

Application No	APP/00/06451
Appeal Decision	Dismissed
Appeal Decision Date	09/01/2003

Summary Of Representations and Consultations Received:

1.0 REASON FOR REFERRAL TO PLANNING COMMITTEE

1.1 48 separate letters of objection have been received. Having regards to the current Scheme of Delegation for Determining Planning Applications, where more than 15 separate objections have been received and is recommended for approval an application must be

considered and determined by the Planning Committee.

2.0 WARD MEMBER COMMENTS

2.1 No Ward Member comments have been received in connection with this application.

3.0 SUMMARY OF REPRESENTATIONS

3.1 REPRESENTATIONS

Having regards to the Council's Guidance on Publicity for Applications, 50 Neighbour Notifications were sent to adjoining and nearby properties and a Site Notice was posted. 48 individual objections have been received. Whilst the bulk of these objections cite the erection of a new McDonald's restaurant as the main area of concern, objections have also been raised around the proposed signage and these can be summarised as follows:

1. To facilitate signs removal of trees would be needed;
2. Decrease the value of homes;
3. Will impact on views from property;
4. Any illumination will add to light pollution; and
5. Signs will cause distraction(s) for highways users.

3.2 CONSULTATIONS

Highways - No objections

Highways England - No objections

Merseyside Fire and Rescue Service - Illuminated signage are subject to Article 37 of the Regulatory Reform (Fire Safety) Order 2005. Accordingly, should the signage be illuminated by luminous discharge tubes operating at voltages normally exceeding 1000v AC or 1500v DC if measured between any two conductors, or 600v AC or 900v DC if measured between any conductor and earth, a cut-off switch (firefighter's switch) shall be required.

3.3 Site and Surroundings

3.3.1 The site is located at the northern part of the North Cheshire Trading Estate, adjacent to the M53 Motorway. The site is immediately adjacent to the roundabout at Junction 3 of the motorway giving access to Prenton Way and to Woodchurch Road. To the south are located a number of industrial uses; to the east are residential properties located on Durley Drive, Linden Drive and Kindale Road and to the west is the M53 motorway and open fields beyond.

3.3.2 The site currently benefits from mature landscaping in the form of mature trees and shrubs around the perimeter of the site. The site has been vacant for some time.

3.4 Proposed Development

3.4.1 Advertisement consent is sought for 2 No freestanding 12 metres high totem poles. Three advertisements would be attached to each pole, each one just under 2 metres wide (1920 mm) and having depths of 1.7 metres, 1.3 metres and 0.9 metres and would all be backlit.

3.4.2 The signs would form part of the advertisements for the new McDonald's restaurant approved by the Council in May 2019. One sign would be located to the north of the site at the junction of Prenton Way with the slip road (southbound) of Junction 3 of the M53. The other would be located in the south-west corner of the site adjacent to the boundary with Total Fitness and adjacent to the slip road (southbound) of the M53.

3.5 Development Plan

3.5.1 There are no specific policies in the Unitary Development Plan or the National Planning Policy Framework that focus on advertisements. Policy SH8 - Criteria for Shop Fronts allows proposals for new shop fronts provided that company colours, logos and advertising are designed with reference to the building(s) concerned and its neighbours.

3.6 Other Material Planning Considerations

- 3.6.1 The Local Planning Authority shall exercise its powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 in the interests of amenity and public safety, taking into account the general characteristics of the locality (including the presence of any features of historic or architectural interest) and the safety of persons using any highway.

3.7 Assessment

- 3.7.1 The main issues pertinent in the assessment of the proposal are;

- Impact on Amenity;
- Public Safety

3.8 Principle of Development:

- 3.8.1 Planning permission was granted on 31 May 2019 for the erection of the restaurant and drive-thru together with associated car parking and infrastructure in association with McDonald's restaurants. These signs are in connection with that permission.

- 3.8.2 The display of outdoor advertisements is controlled in the interests of 'public safety' and 'amenity.' The control system is concerned with the visual effect that advertisement signs would have on their surroundings and highway safety.

3.9 Impact on Amenity:

- 3.9.1 Having regard to visual amenity, the proposed adverts are considered to be similar to the type of signs found at petrol filling stations and are standard to McDonald Restaurants throughout the UK. The nearest residential properties are located over 50 metres from the nearest sign. In this context, and given the overall context of the North Cheshire Trading Estate, the poles would not harm residential or visual amenity and are considered to be entirely appropriate to the existing commercial industrial estate and the over permission granted for the erection of the new restaurant earlier this year. The signs have been designed using the corporate logo and fits well with the context of the site and wider location.

3.10 Highways:

- 3.10.1 The Highways Authority have been consulted and has no objection to the proposed signage. No other public safety issues are identified. Therefore, it is considered that the proposed signage would not be harmful to public safety. The poles have been designed and sited at the most appropriate location suitable to ensure highway safety.

3.11 Other Matters:

- 3.11.1 As with the previous application ref ADV/17/00777, members of the public have raised a number of objections to the application around increase in traffic and congestion, obesity problems, non-local business paying minimum wage, litter, pollution, not in keeping with the area, anti-social behaviour etc. However, the majority of the objections received focus on the principle of the restaurant in this location and the associated impacts rather than the specific signage proposed as part of this application. These concerns were considered as part of the associated planning application ref APP/17/00779 which was approved by the Committee in May this year. Applications for advertisement consent can only be assessed on amenity and public safety.

3.12 Conclusion:

- 3.12.1 It is considered that the proposals would not detract from the amenity of the area and would not be detrimental to public safety. The proposals are considered to comply with the Advertisement Regulations 2007 and are recommended for approval.

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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered that the proposals would not detract from the amenity of the area and would not be detrimental to public safety. The proposals are considered to comply with the Advertisement Regulations 2007

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.

7. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the local planning authority on 16 June 2017 and listed as follows: 7202-SA-8141-P022A (dated May 2017); 7202-SA-8141-P002A (dated May 2017) and Butterfield Signs DRIVE TOTEM 2 (12 MT) Sign Type 1B

Reason: For the avoidance of doubt and to define the permission.

Further Notes for Committee:

1. Illuminated signage are subject to Article 37 of the Regulatory Reform (Fire Safety) Order

2005. Accordingly, should the signage be illuminated by luminous discharge tubes operating at voltages normally exceeding 1000v AC or 1500v DC if measured between any two conductors, or 600v AC or 900v DC if measured between any conductor and earth, a cut-off switch (firefighter's switch) shall be required.

Last Comments By: 15/08/2017

Expiry Date: 31/08/2017