

Application Number: 2013/0615

Location: London Midland Railway Club Association, 2 Victoria Park Way, Netherfield, Nottinghamshire



NOTE:

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Report to Planning Committee

Application Number: 2013/0615

Location: London Midland Railway Club Association 2 Victoria Park Way Netherfield Nottingham

Proposal: 11 No. building signs and 15 No. site signs associated with erection of restaurant with drive through facilities, car park and amended access.

Applicant: KFC (GB) Limited

Agent: Mr S Simms

Site Description

The application occupies a corner plot located at the junction of Victoria Parkway and the Colwick Loop Road. There is an existing single storey building on the site at present occupied by the London Midland Railway Club Association. The building is set at a slightly lower level than the adjoining pavement level. Morrisons food store and petrol station adjoin the south eastern boundary of the site and McDonalds drive through restaurant is located opposite the site. Access into the site is from Victoria Parkway.

Proposed Development

Advertisement Consent is sought for the erection of the signage in connection with the proposed restaurant, drive through facility and associated works proposed under application reference 2013/0614, which is still under consideration by the Borough Council.

Eleven signs are proposed to be erected to the building and fifteen signs are proposed to be erected within the curtilage of the site serving the proposed restaurant, drive through, car parking areas and access and exit to the site.

The proposed signs are specified to be illuminated with maximum luminance levels of 800 cd/m.

During the processing of the application a revised plan has been submitted showing a revision to the entrance and exit signs proposed to be erected. The plan shows the erection of the entrance sign adjacent to the proposed access and the exit sign single sided adjacent to the proposed exit, stating exit only.

Consultations

Public Protection – raise no objections to the proposal.

Nottinghamshire County Council Highway Authority – Having considered the additional information together with amended plans submitted in support of this application to address highway concerns no objections are raised in principle to the proposed development subject to minor alterations to the designed layout as detailed below:-

There are several other food outlets situated across the main road (Victoria Park Way) from the proposed site access. It is probable that pedestrians visiting these outlets will also wish to visit KFC. To do so it is likely that they will try crossing from the retail park out of the pedestrian access directly across to KFC. Crossing over multiple traffic flows (traffic lanes) and through stationary queuing vehicles is shown to be particularly hazardous for pedestrians and conflicts will occur.

As a result of a Road Safety Stage 1 Audit carried out by our Accident Investigation Unit it is recommended that guard railing or similar should be erected on the central reserve of Victoria Park Way between the roundabout and the traffic signal junction. The presence of railings or similar will help to prevent pedestrians from crossing at this location.

Sign reference 1 as shown on the proposed site signage plan drawing no. XXXX/2013/A100 Revision C needs amending. The Highway Authority has concerns that the sign front showing 'ENTER' will lead to confusion for vehicles entering the site. The front face of sign 1 should be left blank. In order to assist vehicles entering the site sign face with 'ENTER' should be placed at an alternative location where it would not cause any confusion, preferably on land south eastern corner of the site (just before the first set of car parking area when entering the site).

The Highway Authority would recommend that the consent be subject to conditions covering the followings to ensure that the access and parking are provided in a satisfactory manner.

1. No part of the development hereby permitted shall be brought into use until the site access arrangements including road markings and a 'turn left' sign as shown for indicative purpose only on plan reference XXXX/2014/A001 has been provided in accordance with the construction details to be first submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of Highway safety.

2. Prior to the development hereby approved first being brought into use, individual parking spaces and internal road marking shall be clearly marked out on site in accordance with the approved plan reference XXXX2014/A001 Revision E. Parking spaces shall be kept available for parking in association with the development thereafter.

Reasons: In the interests of Highway safety.

3. No part of the development hereby permitted shall be brought into use until all signs as shown for indicative purpose only on plan reference XXXX/2014/A100 Revision C have been provided. These signs shall be kept available and maintained in association with the development thereafter.

Reasons: In the interests of Highway safety.

4. No part of the development hereby permitted shall be brought into use until all drives, parking and turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives, parking and turning areas shall then be maintained in such hard bound material for the life of the development.

Reasons: In the interests of Highway safety.

5. No part of the development hereby permitted shall be brought into use until such time details of guard railing or similar to be erected on the central reserve of Victoria Way between the roundabout and the traffic signalised junction (A612 Colwick Loop Road) have been submitted to and approved in writing by the Local Planning Authority. Erection of such guard railing or similar shall be carried in accordance with the approved plans to the satisfaction of the Highway Authority.

Reasons: In the interests of Highway safety.

6. Any security lighting / floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway. The details of any such lighting shall be submitted to and approved by the Local Planning Authority (together with a lux plot of the estimated luminance).

Reasons: To protect drivers from uncontrolled light sources near the public highway

7. No part of the development hereby permitted shall be brought into use until the cycle parking as shown for indicative purpose only on plan reference XXXX/2014/A001 Revision E has been provided and that the cycle parking area shall not thereafter be used for any purpose other than the parking of cycles.

Reasons: To promote sustainable travel.

Local residents have been notified by letter and a site notice has been posted – I have received one e-mail of representation as a result. The contents of which are summarised below:

Concerns are raised regarding the increased noise levels during the late evening and overnight hours.

Concerns are raised regarding the increased noise levels.

Concerns are raised regarding smells emanating from the area.

Planning Considerations

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that Local Planning authorities should consider applications in the interests of amenity and public safety.

The National Planning Policy Framework (2012) (NPPF) is the relevant national policy guidance in the determination of this application.

Paragraph 67 of the NPPF states that: -

'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'

The proposed levels of luminance accord with the Institution of Lighting Professionals 'Guidance for the Reduction of Obtrusive Light' and I am therefore satisfied that the levels of luminance would not affect nearby properties or the area in general.

I am of the view that the proposed signage except sign 11 would have no undue impact upon the visual amenity of the site or the immediate area nor highway safety given the location of the site adjacent to the Victoria Retail Park and the location of the proposed signage within the context of the site.

In respect to the comments received from the Highway Authority I would advise, as stated above, the signs to the entrance and exit to the site (Sign 1) have been amended to accord with the advice of the Highway Authority.

In addition whilst I note the suggested conditions by the Highway Authority I am mindful that the comments relate to both the full planning application for the erection of the restaurant and the proposed advertisement application. I consider therefore the only condition relevant to this application is the condition relating to the provision of the signs prior to the site first being brought into use.

I am therefore satisfied that the proposal except in relation to sign 11 is acceptable and that it would result in no undue impact upon the visual amenity of the site, the area in general or highway safety. I therefore consider that signs 1 to 10 and 12 accord with the 2007 Advertisement Regulations and advice contained within the National Planning Policy Framework 2012.

However, I am concerned about the scale and bulk of sign 11. Sign 11 would be set on a 1m high platform and the sign itself would be 11m high. The sign would have a minimum width of 3.2m and maximum width of 3.8m; it would be 1.3m in depth. The sign would be internally illuminated. The sign would be sited to the rear of the proposed building but would sit forward of it and would be located closer to the edge of the highway. The proposed building would have a maximum height of 7.5m and a minimum height of 3.5m. The sign would therefore be between 4.5m and 8.5m higher than the building. Within the vicinity of the site are lamp posts which are

approximately 10m in height and also highway trees which are around 8m in height. The sign would sit behind these trees, but given its height it would be visible above their canopy. The sign would be one of the largest structures in the surrounding area and would be visible above the building and trees over a significant distance in all directions. Given its scale and bulk it is my opinion that in this context the sign would have a detrimental impact on the visual amenity of the area and would detract from the design of the building. The advert regulations do allow split decisions, and given the impact on the visual amenity of the area I consider that sign 11 should be refused advertisement consent.

Recommendation:

1. Refuse Advertisement Consent for sign 11 on the following grounds:-

In the opinion of the Borough Council Sign 11 by reason of its scale and bulk would have adverse impact on the visual amenity of the area and therefore would not accord with paragraph 67 of the National Planning Policy Framework.

2. GRANT ADVERTISEMENT CONSENT for signs 1 to 10 and 12: subject to the following conditions:-

Conditions

1. The adverts (except sign 11 which has hereby been refused Advertisement Consent due to the adverse impact that would be caused to the surrounding area) shall be erected in accordance with the details as set out within the planning application forms and as shown on drawing numbers XXXX/2013/A102B, XXXX/2013/A100C, XXXX/2013/A100E and XXXX/2014/A001E.

Reasons

1. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council the signage will result in no undue impact on the amenity of nearby properties or the area in general and is acceptable from a highway safety viewpoint. The application is therefore in accordance with the National Planning Policy Framework (March 2012) and the 2007 Advertisement Regulations.