

<u>APPLICATION NO:</u>	25/00051/ADV	<u>CASE OFFICER:</u>	Maxine Wishart
<u>WARD:</u>	Northwood	<u>PARISH:</u>	
<u>LOCATION:</u>	Academy Business Park , Lees Road, Knowsley Industrial Park		
<u>PROPOSAL:</u>	RETENTION OF SIGNAGE COMPRISING: 1 NO. 8 M HIGH TOTEM DISPLAYING 4 NO. INTERNALLY ILLUMINATED SIGNS; 1 NO. INTERNALLY ILLUMINATED HEIGHT RESTRICTOR SIGN; 3 NO. INTERNALLY ILLUMINATED WAYFINDING SIGNS; 2 NO. INTERNALLY ILLUMINATED CANOPY SIGNS; 5 NO. INTERNALLY ILLUMINATED FASCIA SIGNS; 2 NO. INTERNALLY ILLUMINATED ROUNDEL SIGN; 2 NO. EXTERNALLY ILLUMINATED SINGLE MENU BOARDS; 2 NO. EXTERNALLY ILLUMINATED DOUBLE MENU BOARDS; 8 NO. NON-ILLUMINATED ALUMINIUM PANEL BAY SIGNS; 3 NO. NON-ILLUMINATED BANNER SIGNS; 3 NO. NON-ILLUMINATED VINYL GRAPHIC SIGNS; 1 NO. NON-ILLUMINATED FROSTED VINYL MANIFESTATION SIGN		

KNOWSLEY LOCAL PLAN POLICIES MAP ALLOCATION

Primarily Industrial Area

Site Description

The application site is part of a larger site known as Academy Business Park, which is bounded by Arbour Lane, County Road and Lees Road. The application site is located at the junction of County Road and Lees Road.

The wider industrial park is located to the north and east, as well as to the south side of South Boundary Road. Existing units within Academy Business Park are to the north and west of that application site. Park Brow Primary School is located to the southwest with the nearest residential dwellings located further to the southwest at in excess of 200m from the site on Delfy Crescent and Broad Lane.

Other uses located on the Academy Business Park include a Costa Drive Thru, Wendy's restaurant and Drive Thru, a petrol filling station with associated retail and other commercial / industrial units.

Proposal

The application seeks retrospective Advertisement Consent for the installation of a suite of signage across a Popeyes Drive Thru Restaurant. Planning permission was granted for the unit in 2023 (Ref: 23/01778/FUL). The premises was fully operational at the time of Officer's site visit with advertisements displayed across the development. The application has been amended since its original submission to take account of the signage that has been displayed on the site.

The signage for which consent is sought relates to signage on the building and

around the site which comprises the following:

Site Signage	
1.	1 no. Totem Sign 8 m Displaying 4 no. internally illuminated 8m (h) x 2.2 m max. (w) x 535mm (d)
2.	1 no. internally illuminated Height Restrictor 3.65 m high x 5.95 m (w)
3, 4, and 5	3 no. internally illuminated wayfinding signs 'Drive Thru' - 1 m (h) x 410mm (w) x 50mm (d) 'No Entry' Wayfinding Sign 1m (h) x 410mm (w) x 50mm (d) Drive Thru' Wayfinding Sign 1 m (h) x 410mm (w) x 50mm (d)
6.	2 no. externally illuminated single menu boards 2.21 m (h) x 761 mm (w) x 100mm (d)
7.	2 no. internally illuminated canopy signs 2.9m (h) x 2 m (w) x 1m (d)
8.	2 no. externally illuminated double menu boards 2.1 m (h) x 1.49 m (w) x 100 mm (d)
9. and 10	8 no. non-illuminated aluminium panel bays signs (9) 1.4 m (h) with aluminium panel 300 mm x 550mm (10) 1.25 (h) with aluminium panel 350mm x 350 mm.
11.	3 no. non-illuminated banner signs max. 2.67m (h) x 3.84 m (w) x 100mm (d)
Façade Signage	
A & D	5 no. no. internally illuminated fascia signs 2 x A - 'Popeyes' logo - 4185 x 670 x 80 mm 3 x D - 'Drive-Thru' logo – 5640 x 900 x 80mm
B	1 no. internally illuminated roundel sign – Popeye's Brand Seal 1600mm DIA x 120mm
E, F, G	3 no. non-illuminated graphic signs 'Breakfast Everyday' vinyl (E) 'Welcome to Louisiana' vinyl (F) 'Y'all ready for this' vinyl (G)
H	1 no. non-illuminated frosted 'Poppy Manifestation' vinyl

The signage is in the Popeye's corporate colour palette which comprises in the main Orange (RAL 2003) and Turquoise Blue (RAL 5018).

Consultations

Highway Authority - No objections subject to a condition relating to the luminance levels.

Cadent Gas Limited - Advise the site is in close proximity to their medium and low pressure assets. They have no objection to this proposal from a planning perspective; however, they need the applicant to take action to prevent damage to assets or interference with their rights and request informative.

Representations

This application has been publicised by letters sent to 35 neighbours. It has also been advertised by Site Notice No representations have been received.

Planning History

The application site has a long and varied planning history the majority of which are not directly relevant to the current proposal. The most recent of applications are however, detained below:

APP. NO:	23/01778/FUL
PROPOSAL:	ERECTION OF 1 NO. DRIVE-THRU UNIT (CLASS E(A) AND/OR CLASS E(B) AND/OR SUI GENERIS (HOT FOOD TAKE-AWAY) TOGETHER WITH CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS
DECISION:	Granted
DECISION DATE:	13 November 2023
APP. NO:	23/01778/NMA
PROPOSAL:	NON-MATERIAL AMENDMENT FOLLOWING THE GRANT OF PLANNING PERMISSION 23/01778/FUL (ERECTION OF 1NO. DRIVE-THRU UNIT (CLASS E(A) AND/OR CLASS E(B) AND/OR SUI GENERIS (HOT FOOD TAKE-AWAY) TOGETHER WITH CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS) AMENDMENT SOUGHT FOR CHANGES TO THE EXTERNAL APPEARANCE INCLUDING THE USE OF DARK TEAL AND WHITE RENDER, SULCADO CLADDING WITH ORANGE INSERT, CONDENSER COMPOUND AREA CHANGE TO TIMBER (DARK TEAL) FASCIA BAND CHANGE FROM GREY TO ORANGE, REAR DOOR COLOUR CHANGE TO DARK TEAL, GLAZED SCREEN AND DOORS CHANGED TO LIGHT TEAL COLOUR, EXTENSION OF CANOPY TO FRONT OF UNIT (LIGHT TEAL) AND AMENDMENT TO KIOSK POD
DECISION:	Granted
DECISION DATE:	20 March 2024

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the

Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

NATIONAL PLANNING POLICY FRAMEWORK

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

EC3 - Primarily Industrial Areas

DQ3 - Gateway Sites and Corridors

S10 - Advertisements

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Advertisements are controlled under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Regulation 3 requires local planning authorities to control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

Saved Policy S10 of the UDP aligns with the above and states that proposals to display advertisements will be permitted provided that they would not harm amenity or public safety.

The National Planning Policy Framework establishes clear requirements for the assessment of advertisement applications. Paragraph 141 states that: *"The quality and character of places can suffer when advertisements are poorly sited and designed... Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."*

AMENITY

The signage is located within the curtilage of the Drive Thru on the wider Academy Business Park located within a primarily industrial area. The site holds a prominent location at the junction of County Road and Lees Road, County Road being a main arterial road leading to Kirkby Town Centre. Saved Policy DQ3 together with the policies set out above aim to protect and enhance the image of Knowsley. Saved

Policy DQ3 identifies certain routes and any other routes that link the routes to any of Knowsley's town or district centres and requires that high quality development visible from these routes. County Road (A5208) links the A580 (East Lancs Road) and the M57 which are identified routes, to Kirkby Town Centre.

Some of the signs are large and illuminated, in particular an 8 m high totem sign accommodating 4 no. illuminated signs, located close to the roundabout at the junction of County Road, Lees Road, South Boundary Road and Moorgate Road, the proposed adverts are however, considered to be appropriate for a drive-thru restaurant use within a built up urbanised / industrial location next to a very busy highway network.

The nearest residential properties are located some distance away on Delfby Crescent and Broad Lane to the west. Park Brow Community Primary School and its associated grounds is located to the south west beyond the dual carriageway and separated from County Road by significant planting.

The other uses on the Academy Business Park have similar large scale signage including monolith / totem signs, with the existing Esso internally illuminated totem sign located close by adjacent to County Road attaining a height of 9 m; Costa Coffee 8 m high sign and Wendy's on the adjacent site having a pylon sign almost 8m high.

Set in the context of the other uses on the Park, the signage across the site is not considered to have a significantly detrimental impact to the character of the area.

Overall, it is considered that the advertisements displayed do not have an adverse impact on amenity and comply with Policies CS2 and CS19 of the Core Strategy and Saved policies DQ3, EC3 and S10 of the Replacement UDP.

PUBLIC SAFETY

The site is located on a busy thoroughfare through Kirkby, the signs are highly visible from the surrounding street. There is an 8 m tall, illuminated totem sign that is located close to the site boundary with County Road.

It is considered that the signs would not have an unacceptable adverse impact on public safety provided a luminance level condition is attached. This view is supported by the Local Highway Authority who have raised no objection subject to a luminance control condition.

The proposed development would not impact on the safety and operation of the adjoining highway and would comply with Policies CS2 and CS19 of the Core Strategy and Saved Policy S10 of the Replacement UDP.

Conclusion

The signage is acceptable in relation to amenity and public safety and complies with Policies CS2 and CS19 of the Core Strategy and saved Policies DQ3 and S10 of the UDP and is recommended for approval.

Recommendation

That Advertisement Consent be granted subject to the following condition(s):-

- 1) The maximum luminance of the advertisements shall not exceed levels in accordance with guidance set out in the Institute of Lighting Professionals (ILP) Technical Note 5 "The Brightness of Illuminated Advertisements including Digital Displays" (PLG05/23).

Reason: In the interests of amenity and public safety and in order to retain effective planning control and to comply with the National Planning Policy Framework (2024), Policies CS2 and CS19 of the Knowsley Local Plan: Core Strategy, adopted January 2016, Saved Policies EC3, DQ3 and S10 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/04/2025	23.0233-A-DR-PL-01-200	Rev. A	PROPOSED SITE SIGNAGE PLAN
10/04/2025	23.0233-A-DR-PL-20-250	Rev. A	PROPOSED EXTERNAL ELEVATIONS
10/04/2025	-	-	SCHEDULE OF PROPOSED SIGNS APRIL 2025
20/02/2025	-	-	SITE LOCATION PLAN (1:1250)

Signed Case Officer¹: M Wishart

Signed Authorising Officer²: M Quinn

Date: 14/04/25

Informatives

- 1 NOTE FOR APPLICANT: The applicant's attention is drawn to the following comments;
- 2 The comments of Cadent in their email and (attached plan) dated 7 March 2025.

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.