

<u>No:</u>	BH2012/00531	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Advertisement		
<u>Address:</u>	130 Old Shoreham Road, Hove		
<u>Proposal:</u>	Display of 3no internally illuminated fascia signs.		
<u>Officer:</u>	Clare Simpson, tel: 292454	<u>Valid Date:</u>	05/03/2012
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	30 April 2012
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Stiles Harold Williams, 69 Park Lane, Croydon		
<u>Applicant:</u>	Caskade Caterers Ltd, C/O Stiles Harold Williams		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to make a **SPLIT DECISION** for advertisement consent.

REFUSE advertisement consent for the internally illuminated ‘Colonels Head’ sign shown on drawing no. 0000/2011/A110b and A903b for the following reason:

1. The proposed illuminated sign by virtue of its design, size and positioning extending forward from the front elevation of the building fails to relate to the existing building. The sign would be overly dominant feature which would be visually intrusive to the detriment of the appearance of the building and the overall street scene. This sign is contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document on Signs SPD07.

GRANT advertisement consent for the internally illuminated KFC sign(s) shown on drawing no. 0000/2011/A110b, A901a A902a, and subject to the following Conditions and Informatives:

Conditions:

1. BH10.01 Standard time condition (Advert).
2. BH10.02 Clean and tidy condition.
3. BH10.03 Safety.
4. BH10.04 Removal if necessary.
5. BH10.05 Owner’s permission.
6. BH10.06 Highway Safety.
7. BH10.07 Non-intermittent illumination.

Informatives:

1. This decision to issue a split decision is based on drawing nos. 0000/2011/A110b, A901a A902a received on 21st February 2012.
2. This decision to grant Advertisement Consent for the KFC lettering sign has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Brighton & Hove Local Plan: (Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposed illuminated KFC signs are considered to be an acceptable size and design and positioned appropriately on the front and side elevations of the building.

2 THE SITE

The application relates to a detached property on the south side of Old Shoreham Road at the corner of Newtown Road. The site was previously occupied by Oddbins and is currently vacant. The site is opposite Goldstone Retail Park and adjacent to the Shell garage on Old Shoreham Road. Directly opposite the site are residential premises and Hove Park.

3 RELEVANT HISTORY

BH2012/00530: Change of use from retail (A1) to restaurant and take away (A3/A5) with part re-cladding of existing building and associated parking alterations. Refused 20/04/2012 for the following reasons:

The on-site disabled car parking provision is considered deficient in the number of spaces and those spaces which are provided are unacceptably restricted. The development relies on car parking on an adjacent site outside of the control of the applicant. The application fails to demonstrate that the forecast demand generated from the proposed site can be accommodated within the site or on-street within close proximity to the site and not cause a detrimental highway impact. The proposal is therefore contrary to policies TR1, TR7, TR18, TR19 and Parking Standards SPG4

BH2011/03245: Display of 3no internally-illuminated fascia signs and 1no internally-illuminated free standing totem sign – split decision issued 22/12/2011.

Refuse advertisement consent for the illuminated roof sign on the northern elevation, the illuminated colonels head sign shown on the eastern elevation for the following reason:

The internally illuminated sign on the north elevation and the ‘colonels head’ sign on the eastern elevation by virtue of their form and positioning extending beyond the existing elevations of the building would be unduly dominant and

visually intrusive. The proposed illuminated 'totem sign' located on a small forecourt close to highway would dominant the northern elevation and contribute to giving the site a cluttered appearance. Overall the signs would be visually intrusive harming the appearance of the building, the wider street scene and harming the outlook from neighbouring occupiers. The proposed signs are therefore contrary to QD12 and QD27 of the Brighton & Hove Local Plan and SPD07 Advertisements.

Approve advertisement consent for the internally illuminated KFC fascia sign on the eastern elevation for the following reason:

The illuminated KFC lettering sign on the eastern elevation has an acceptable design and appearance and is appropriately located. No-intermittent illumination is proposed.

4 THE APPLICATION

Advertisement consent is sought for display of 3no internally illuminated fascia signs. On the eastern elevation an internally illuminated KFC sign would be located to the rear of the building and an internally illuminated 'Colonels Head' on the entrance portal towards the front of building. On the northern elevation fronting Old Shoreham Road a KFC lettering sign is proposed.

5 CONSULTATIONS

External:

Neighbours: Sixty-six (66) letters of representation (see appendix A attached to this report for list of addresses) have been received, objecting to the application for the following reasons:

- The lighting to the signage proposed would impact on neighbouring properties.
- The works would be detrimental to highway safety.
- The traffic survey is insufficient and does not consider peak times.
- Congestion and problems relating to emergency.
- Reliance on car parking facilities not on the site, vehicles at the junctions.
- Lack of car parking on-site.
- Pedestrian safety issues.
- Lack of car parking for existing retail facilities at Goldstone Retail Park.
- Lack of cycle parking.
- The TA submitted with the application is unacceptable and fails to consider all of the issues.
- The applicant has not demonstrated that the existing A1 use is unviable contrary to policy SR8 of the Brighton & Hove Local Plan.
- The application conflicts with the NPPF in that the access is unsuitable, delivery and good have not been adequately considered, and traffic safety hazards.
- The development would breach policy SR12 of the Brighton & Hove Local Plan as a large A3 use close to existing large A3 uses.

- Visually dominant and intrusive external appearance out of character with the area,
- Existing units in the area are set back from the road this unit would dominate the area,
- The opening hours are excessive,
- Potential for anti-social behaviour,
- Other retailers would apply for extended hours,
- Impact of lighting on neighbouring properties,
- Noise and odour from the extraction,
- Waste management policies,
- Litter issues,
- Impacts on healthy eating strategies, especially for nearby school children,
- Obesity and health issues,
- Conflict with Brighton & Hove Local Area Agreement 2008.
- Concentration of other hot food take-away in the area,
- Dangers in the location close to a petrol station,
- Small comparable units would be put out of business resulting in job losses,
- Adjoining properties would suffer overshadowing, overlooking, and loss privacy,
- Concern over the restricted consultation undertaken.

Councillor Jayne Bennett and Councillor Vanessa Brown wrote a letter objecting to the application. A copy of the letter is appended to this report.

Mike Weatherly MP wrote a letter objecting to the application for the following reasons:

- The roads in the area are too busy,
- Impact on neighbouring residential premises on Old Shoreham Road,
- The area is currently relatively quiet in the evening, late opening hours would have a severe impact.

Internal

Sustainable Transport Team: No objection

The Highway Authority would not wish to restrict grant of consent of this Planning Application.

6 MATERIAL CONSIDERATIONS

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states “a Local Planning Authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account (a) the provisions of the development plan, so far as they are material and (b) any other relevant factors.”

The development plan is:

- The Regional Spatial Strategy, The South East Plan (6 May 2009);
- East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
- East Sussex and Brighton & Hove Waste Local Plan (February 2006);

- Brighton and Hove Local Plan 2005 (saved policies post 2004).
The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.

Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.

All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

7 RELEVANT POLICIES & GUIDANCE

Brighton & Hove Local Plan:

- TR7 Safe development
- QD12 Advertisements and signs
- QD27 Protection of Amenity

Supplementary Planning Documents:

- SPD07 Advertisements

The National Planning Policy Framework (NPPF)

8 CONSIDERATIONS

The main considerations in the determination of this application relate to the design and appearance of the designs and public safety.

A large number of letters of representation have been received; many of these are in standard form and refer to this application as well as the full planning application which has recently been refused (ref: BH2012/00530). This application relates solely to the advertisements proposed on the building. Issues relating to the proposed change of use and the changes to materials of the elevations, traffic and parking issues have been considered in the previous application and are not considered as part of this application.

Policy QD12 of the Brighton & Hove Local Plan states that sensitively designed and located advertisements and/or signs, which contribute to the visual amenity of the area and do not prejudice public safety, will be permitted. Advertisements and signs, which are detrimental to visual amenity and/or would adversely affect public safety, will not be allowed.

The criteria used to determine an advertisement's or sign's suitability will include:

- a) size;
- b) design;
- c) colour;
- d) materials;
- e) lettering;
- f) illumination;

- g) means of fixture;
- h) location; and
- i) overall impact, individually and cumulatively with existing advertisements/signs.

The appropriateness of each sign will depend on the characteristics of the building and the locality within which the advert will be displayed.

The Supplementary Planning Document: SPD07 on Advertisements states:
The council will seek to ensure that advertisements and signs are kept to a minimum and that they relate well to the function and use of the building or structure on which they are displayed. All advertisements should be carefully designed so that the appearance and character of the locality or area in which they are situated is preserved. The size of any sign should be proportionate to the scale of the building or structure to which it is fixed.

Old Shoreham Road is a principal east-west route through the city and is mixed in character. The area around the site contains Goldstone Retail Park to the east and a Shell Garage immediately west of the site. Additional business uses are located further to the west. As a result there are a variety of signs in the locality which make for a varied street-scene. Opposite is a terrace of two-storey houses and Hove Park which is the primary park and recreation site for Hove.

The frontage to Old Shoreham Road is relatively small 8 metres in length. On the previous application an illuminated roof sign and a totem sign was proposed for this elevation. The proposed sign for this elevation is the internally illuminated KFC lettering sign positioned on the main elevation and above the restaurant glazing. The lettering is the only part of this elevation to be illuminated. The design, size and positioning of this sign is considered acceptable.

The proposed signs on the eastern elevation comprise of 'Colonels Head' sign internally illuminated positioned on an extended entrance panel extending out from the main elevation. The surface of this sign would be approximately 4m². This is a reduction in size from the sign submitted on the previous application. Nevertheless, given that this logo would be illuminated, the size, and positioning on an extended entrance portal over the main glazed area, fails to be proportionate to the main building and would be an unduly dominant addition.

The applicant has included visual examples of similar signs on other properties. There is no information on where these properties are located and it is not considered these provide support for the proposals which seek consent for this site.

The KFC lettering sign located on the main eastern elevation is proportionate and considered well-located for this elevation. This sign is considered to be in

accordance with policy QD12 and SPD07 on advertisements.

Letters of representation received from neighbouring residents raise concerns regarding the light levels impacting on neighbouring properties. The luminance levels have been confirmed as 250 candela per square metre for each sign. The SPD advises that the maximum acceptable levels of luminance for any sign will be those allowed with deemed consent which is 600 candela per square metre where the illuminated area is not more than 10 square metres. Given that the proposed illumination is well within suggested levels it is not considered that the signs will impact on the residential amenity of neighbouring occupiers. In addition, the illumination is not considered to visually dominate the setting of Hove Park.

The Sustainable Transport Team have not objected to the proposal and therefore it is considered the signs will not impact on highway safety.

9 CONCLUSION

The KFC lettering signs are considered to have acceptable visual impact. The internally illuminated 'Colonels Head' logo is considered excessive in size and the design and location of the sign including its position extending forward from front elevation of the building fails to relate to the existing building and which would harm the overall street scene. A split decision is recommended.

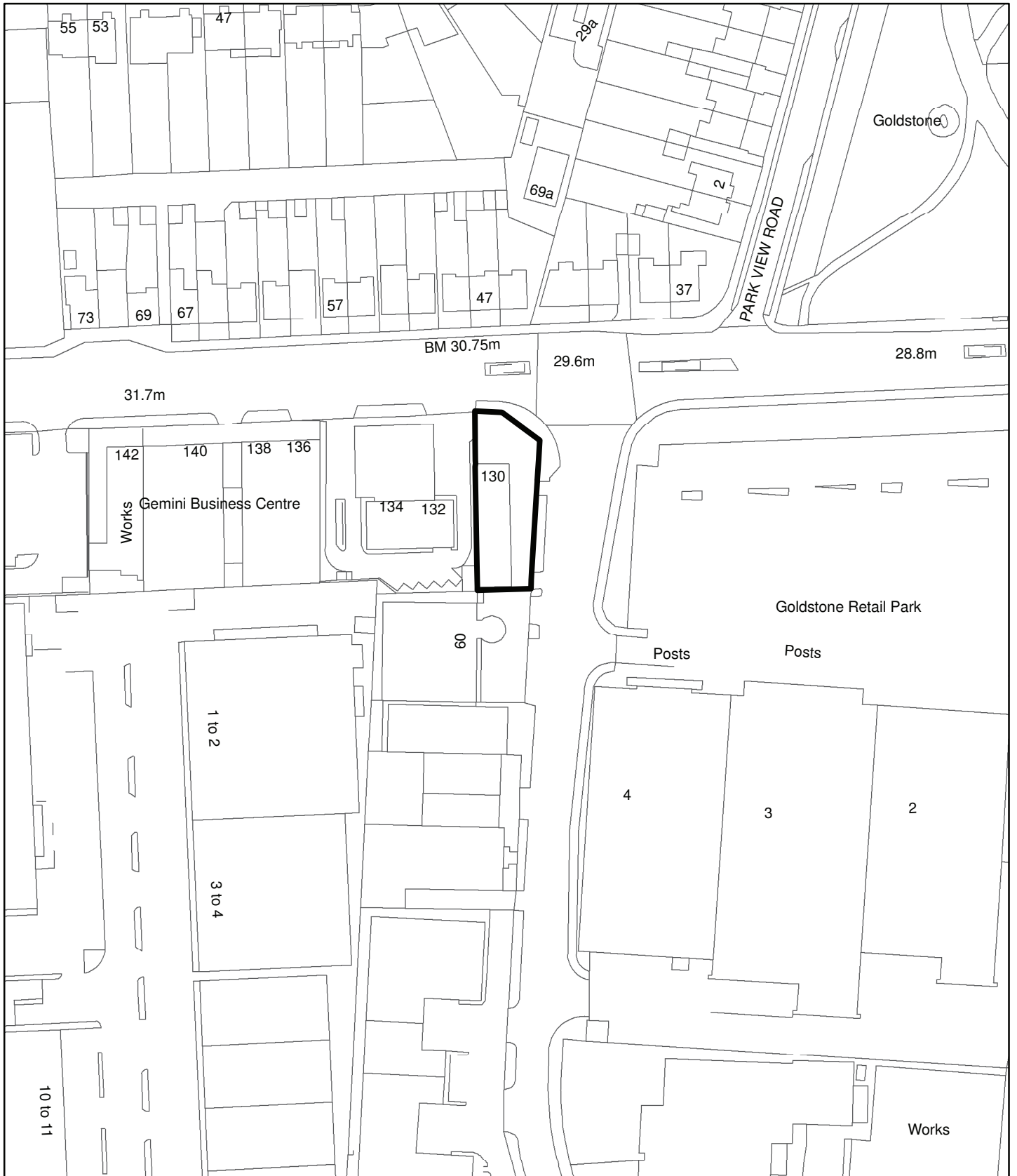
8 EQUALITIES IMPLICATIONS

None identified.

Appendix A - Letters of Objection

Property Name / Number	Street	Town
31, 35, 39, 54, 60, 64, 35, 56(x2), 58, 74,	Fonthill Road	Hove
1, 5, 7, 8, 15, 16, 22,	Nevill Road	Hove
17, 29, 31, 44, 53, 59, 88, 125, 133, 135,	Goldstone Crescent	Hove
2, 3, 7, 5, 15 (x2), 17,	Park View Road	Hove
45 (x2), 49, 51, 61 (x2)	Goldstone Lane	Hove
40	Mill Drive	Hove
5, 15, 12, 18, 33, 37, 39,	Orchard Gardens,	Hove
37, 41, 43, 55 (x2), 65, 67, 57, 73, 91,	Old Shoreham Road	Hove
3	Woodland Avenue	Hove
89,	Hove Park Road	Hove
3	Hartington Villas	Hove
52	Portland Villas	Hove
80	Nevill Avenue	Hove
Hove Park Cafe		Hove
6	New Street Square	London

BH2012/00531 130 Old Shoreham Road, Hove.



**Brighton & Hove
City Council**



Scale: 1:1,250



**Brighton & Hove
City Council**

PLANS LIST – 16 MAY 2012

COUNCILLOR REPRESENTATION

Clare Simpson
Planning Officer
1st Floor
Hove Town Hall
Norton Road
HOVE

Date: 29 March 2012
Our Ref: JB/VB/eb
Your Ref:

Dear Ms. Simpson

**Re: Planning Application BH2012/00530/0531
Proposal for a Kentucky Fried Chicken Fast Food Establishment on the
Oddbins Site on the corner of the Old Shoreham Road**

As the Councillors for Hove Park Ward where the site is we would again like to register our strong objections to the proposed use of the fast food outlet/eat in and take away.

This proposal will cause an increase in noise and disturbance for local residents living opposite. The opening hours are way too long and will again impact on the residents' quality of life.

The junction where this is situated is already very busy and long tail backs are caused by the retail park at peak times. There is very little parking in the area and Goldsmid Retail Park has controlled parking so this will result in illegal parking close to the junction. There are only 5 parking spaces proposed for this large outlet and this appears to be unrealistic.

We would like this application refused on noise and disturbance grounds and we would like to speak at the Planning meeting against this proposal.

Yours sincerely

Councillor Jayne Bennett

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Email: jayne.bennett@brighton-hove.gov.uk
Blackberry 07824 866986

Councillor Vanessa Brown

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