UNIT 2 2 QUEEN SQUARE LIVERPOOL



PLANNING, DESIGN AND ACCESS STATEMENT

PREPARED BY PEGASUS GROUP | FIVE GUYS JV LIMITED | NOVEMBER 2015 | BRS.6313





APPLICATION FOR ADVERTISEMENT CONSENT TO DISPLAY INTERNALLY ILLUMINATED SIGNAGE

UNIT 2, 2 QUEEN SQUARE, LIVERPOOL, L1 1RH

PLANNING, DESIGN AND ACCESS STATEMENT

ON BEHALF OF FIVE GUYS JV LIMITED

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

	Signature	Date
Written by	RHW8+.	05/11/15
Checked by	EARLY	05/11/2015
Approved by	FROM	WILLSON

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DECISION NOTICE 15F/0034



1. INTRODUCTION

- 1.1 Pegasus Group is instructed by Five Guys JV Limited ("the Applicant") to submit an application for advertisement consent for the provision of new signage at Unit 2, 2 Queen Square, in conjunction with their intended use of the premises as a restaurant. The unit benefits from dual frontage with elevations facing onto both Hood Street and Whitechapel.
- 1.2 This statement supports an advertisement consent application for installation of 1no. internally illuminated 'FIVE GUYS' 3-dimensional lettering sign on the Hood Street elevation and 1no. internally illuminated fascia sign on Whitechapel elevation.
- 1.3 The planning application seeks consent for advertisement only, as the unit already benefits from permission for Class A3 (restaurant) Use and shopfront alterations under planning permission ref: 15F/0034.
- 1.4 This Statement will set down the background to the application, providing details of the site and surrounding area and the relevant planning history of the unit. It will then state the relevant local and national planning policy and provide a full assessment of the proposals against it.
- 1.5 This statement should be read in conjunction with the other submission documents, including the proposal drawings produced by Blacksheep and signage details by GeeTee Signs.



2. THE SITE AND SURROUNDING AREA

- 2.1 The application site comprises a dual frontage ground floor unit on the corner of Whitechapel and Hood Street.
- 2.2 The unit was previously occupied by The Rat and Parrot public house, within Class A4 Use, however, planning permission has since been secured to change the use of the unit to Class A3 Use under planning ref: 15F/0034.
- 2.3 The unit is in the southwest corner of the Queen Square Shopping Centre.
- 2.4 To the north of the site, on Whitechapel, is The 1880 Bar and Casino. To the east of the site, on Hood Street, and part of the Queen Square Shopping Centre, is Nando's.
- 2.5 The site is not located within a Conservation Area and is not a Listed Building.
- 2.6 An application to remodel the exterior of the unit was submitted as part of planning ref: 15F/0034 in June 2015 and further details of this are set out within Section 4 of this report.
- 2.7 Images of the current shopfront and signage are included below for reference but this will be subject to shopfront changes as approved under the newly permitted scheme.



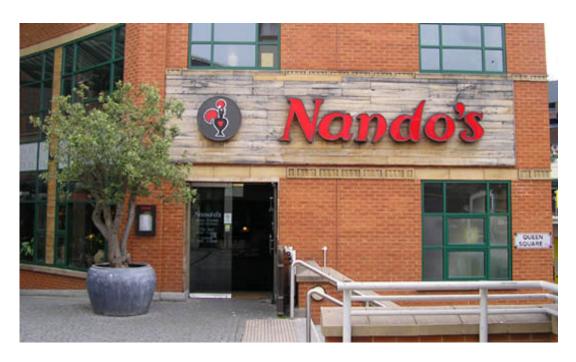
Existing Shopfront and Advertisement Scheme - Hood Street Elevation





Existing Side Elevation and Advertisement Scheme - Whitechapel Elevation

2.8 There are numerous examples of internally illuminated signage schemes locally as demonstrated in the Google Streetview images below.



Nando's, Queen Square, L1 1RH





Nando's, Queen Square, L1 1RH







Yates's, Queen Square, L1 1RH, with Internally Illuminated 3-Dimensional Lettering and 2no. Projecting Signs



Burger King, 7 Queen Square, with Fascia Sign and 2no. Projecting Signs



3. THE PROPOSAL

- 3.1 This application seeks advertisement consent for installation of internally illuminated signage at Unit 2, 2 Queen Square, Liverpool.
- 3.2 The proposal is for installation of 1no. internally illuminated 'Five Guys' 3-dimensional lettering sign and 1no. internally illuminated fascia sign.

Hood Street Elevation

- 3.3 The application seeks permission for individually mounted white 3-dimensional 'FIVE GUYS' lettering on red background which will be fixed, directly onto the face of the building. The lettering will be fixed onto the red 'goal post' shopfront design (as permitted under planning ref: 15F/0034). The built up lettering will be white and internally illuminated.
- 3.4 It is proposed that 1no. proposed milkshake double sided sign will be situated behind the glazing. In addition, 1no. proposed 'Open' sign will also be situated behind the glazing.

Whitechapel Elevation

3.5 At fascia height, it is proposed 1no. internally illuminated fascia sign is fixed to the glazing on the shopfront.



4. PLANNING HISTORY

- 4.1 The following section sets out the planning history for the application site which is considered relevant to the pending application.
- 4.2 **15F/0034** Application for change of use of the former public house to create a supermarket (A1 Use) and/or a restaurant/coffee shop/drinking establishment (A3/A4 Uses) on the ground floor and a restaurant (A3 Use) on the first and second floor/terrace and to carry out associated external remodelling works. Permission was granted on 14 May 2015. A copy of the decision notice is included at Appendix 1 of this Statement.

APPENDIX 1 - DECISION NOTICE 15F/0034

4.3 **PL/INV/3353/15** Current reserved matters application is dealing with outstanding matters for planning ref: 15F/0034 and is pending a decision.

Other Relevant Planning History

4.4 As set out below, there are other examples of permitted signage schemes in the vicinity of the site.

ASK Italian Restaurant, 4 Queen Square, Liverpool, L1 1RH

4.5 **13A/2987** Application for the retention of 3no. fascia signs, 2no. illuminated projecting signs and 2no. wall mounted illuminated menu boards was granted permission on 29 January 2014.

La Tasca, 4 Queen Square, Liverpool, L1 1RH

4.6 **13A/2918** Application to display 2no. fascia signs and 3no. other signs was granted permission on 27 January 2014.

4 Queen Square, Liverpool, L1 1RH

4.7 **11A/1730** Application to display signage, including 1no. fascia sign, 2no. projection signs, 4no. sets of acryclic letters and 2no. menu boards was granted permission on 20 October 2011.



Stanley Casino, Units 1 & 3, Queen Square, Liverpool, L1 1RH

- 4.8 **07A/3048** Application to display 2no. illuminated signs was granted permission on 3 January 2008.
 - Burger King, Unit 7, Queen Square, Liverpool, L1 1RH
- 4.9 **99A/1881** Application to display signage was granted permission on 13 October 1999.



5. PLANNING POLICY

National Planning Policy Framework

- Paragraph 67 of the National Planning Policy Framework (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 into account of cumulative impacts."
- 5.2 Paragraph 125 of the NPPF highlights that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It states that: "By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."

National Planning Practice Guidance

- 5.3 National Planning Practice Guidance (NPPG) came into force in March 2014 and supports the National Planning Policy Framework (NPPF). Planning Practice Guidance published on advertisements states that "Advertisements are controlled with reference to their effect on amenity and public safety only" as principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 5.4 The term 'amenity' is not exhaustively defined within the Town and Country Planning (Control of Advertisements) Regulations 2007 but it is a term for interpretation by the local planning authority as it applies in any particular case. In practice, 'amenity' is usually understood to mean the effect on visual amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

Saved Policies of the Liverpool Unitary Development Plan (adopted 2002)

5.5 The emerging Liverpool Local Plan is currently undergoing Regulation 18 consultation and therefore does not hold any weight for development control



planning decisions. Weight is given to the existing saved policies of the Liverpool UDP (adopted 2002) insofar as they accord with the NPPF.

- 5.6 **Policy GEN5** concerns provision of shopping facilities in the City Centre via:
 - ➤ the concentration of retail investment in, or adjacent to, the City Centre Main Retail Area, the Paradise Street Principal Development Area as an extension to the Main Retail Area and in the designated District Centres;
 - permitting retail development in other local centres and in the established Retail Warehouse Parks and Shopping Parks so long as the vitality and viability of the City Centre Main Retail Area and any of the District Centres is not adversely affected;
 - > securing, wherever possible, environmental and other general improvements to the City Centre Main Retail Area and the District Centres, and other local shopping centres; and
 - > strong presumption against permitting retail proposals outside these locations where there would be an adverse impact on their vitality and viability.
 - 5.7 **Policy S16** concerns shopfront design and states that planning permission will be granted for new or refurbished shopfronts provided:
 - fascia signs are not over dominant in terms of size or number;
 - illumination is sensitively located to avoid over brightness and unnecessary light pollution;

Shopfronts Design Supplementary Planning Guidance (2002)

- 5.8 The Shopfront Design Guidance SPD (which also sets out guidance for new signage) is contained within the Liverpool UDP SPD Note 9.
- 5.9 The guidance states that signage design should consider local styles and materials, street pattern and scale, and proportions of the building as a whole and any neighbouring buildings.



- 5.10 The guidance sets out that internal illumination is not appropriate on listed buildings or in conservation areas. In other circumstances, internal illumination is considered in the context of the site. As a general rule, illumination should be applied to individual letters only, with the fascia background in a dark, opaque, non-reflective material.
- 5.11 With regard to projecting signs, the guidance confirms that signs should be sited at fascia level, and that one sign per shopfront is sufficient. It also states that internal illumination is not appropriate on listed buildings or in conservation areas. Signs should not be located adjacent to a neighbouring projecting sign, and be positioned to relate to the retail unit and in proportion to the shopfront design and building.
- 5.12 It is considered that the proposed signage scheme has been designed in accordance with national and local planning policy and guidance and will support Five Guys operation within the unit.



6. DESIGN

- 6.1 There are numerous examples of bold signage locally, including Burger King, Yates's and ASK Italian.
- 6.2 Within the vicinity of Whitechapel and Hood Street, there are a wide variety of bold signage styles. These include different forms of illumination, modern materials, fascia signage and internal illumination.
- 6.3 In designing their proposals, Five Guys have incorporated the varied range of local signage types into their proposals for advertisement consent. It is considered that the advertising scheme proposed is designed to harmonise within its setting.
- 6.4 The proposals are for 1no. internally illuminated 'FIVE GUYS' 3-dimensional lettering sign on Hood Street and 1no. internally illuminated fascia sign on Whitechapel.
- 6.5 The internally illuminated signage lettering will be white and comprised of built up metal letters with a satin finish. The level of luminance will be fixed at 500 cd/m, in line with the National Industry Standard.
- 6.6 The proposed signage will create an attractive signage area which will complement the contemporary visual appearance of the building.
- 6.7 The proposed signage scheme is considered to be in accordance with Local Planning Policy S16 and the Council's Supplementary Planning Guidance.



7. ACCESS

- 7.1 The proposals include the retention of the existing entrance doors onto both Whitechapel and Hood Street.
- 7.2 The entrance doors will remain fully glazed so as to allow vision into and out of the shop and help create active frontages and maintain a safe environment.
- 7.3 The application site is in a central location in Liverpool which is considered easily accessible by foot and public transport. The unit fronts Queen Square Bus Station and is in close proximity to Liverpool Lime Street Train Station. By the nature of its central location, it is easily accessible for visitors and employees.
- 7.4 No other alterations are proposed with regards to access.
- 7.5 The signage will be located so as it can be easily maintained and cleaned. However, it will be positioned at a height that does not cause any obstruction to public safety on the highway.



8. CONCLUSION

- 8.1 This Statement supports an application for advertisement consent for installation of new signage at Unit 2, 2 Queen Square, in order to support Five Guys occupation of the unit.
- 8.2 It is considered that the proposed signage is appropriate to the building and surrounding area. The proposed signage will not unacceptably impact on amenity and will not impact on public safety, in line with planning policy.



APPENDIX 1 DECISION NOTICE 15F/0034



Certificate issued to:-DK-Architects 26 Old Haymarket Manchester Street Liverpool L1 6ER

Application No: **15F/0034**Date Issued: 14 May 2015

TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: 2 Queen Square, Liverpool, L1 1RH

Proposal: To change use of former public house to create supermarket (A1 Use)

and/or restaurant/coffee shop/drinking establishment (A3/A4 Uses) on ground floor and restaurant (A3 use) on first and second floor/terrace

and carry out associated external remodelling works.

Applicant: Neptune

Mr Daniel Hynd 2 Queen Square

Liverpool L1 1RH

Date Valid: 06/05/2015

In pursuance of its powers under the above-mentioned legislation, the Local Planning Authority on **13 May 2015 GRANTED** planning permission for the above-mentioned development in accordance with your application, subject to the compliance with the conditions specified on the attached schedule, for the reasons stated.

(see attached)







SCHEDULE OF CONDITIONS AND REASONS

ondition Condition	n
	elopment hereby permitted shall be commenced before the expiration of 3 m the date of this permission.
Act 1990	
	elopment hereby approved shall be carried out in accordance with the following and documents unless otherwise agreed in writing by the local planning:
969-P-02 (ii) Supp	ng Numbers 2, 03, 04, 06A, 06B, 06C, 08, 08A orting Documents nd Access Statement
	N: To ensure that the development is carried out in accordance with the diplans and within the parameters of the grant of planning permission.
Prior to t approved in accord planning (i) colod (ii) all ne shall ope	heir implementation, details of the following shall be submitted to and d in writing by the local planning authority. The scheme shall be implemented lance with the approved details and completed to the satisfaction of the local authority before the development is occupied/brought into use. It finish to all externally treated surfaces we external windows and doors and, for avoidance of doubt, no new doors and out over the public highway external CCTV cameras
ensure tl	N: These details are not included in the application and the Council wishes to nat they are satisfactory in accordance with Policy HD18 of the Liverpool Development Plan.
Notwiths or specif developr authority accordar	tanding the specifications indicated on the submitted documentation, samples ications of all materials to be used in the external construction of this nent shall be submitted to and approved in writing by the local planning prior to their use commencing. The scheme shall be implemented in nee with the approved details to the satisfaction of the local planning authority e development is occupied/brought into use.
	N: To ensure a satisfactory external appearance in accordance with Policy the Liverpool Unitary Development Plan.
construc local plai (i) com (ii) hou (iii) mea (iv) deta	commencement of development, including any works of demolition, a detailed tion method statement shall be submitted to and approved in writing by the nning authority. The statement shall include: mencement and completion dates is of operation for construction work sures to control noise and dust ils of site compounds, storage of plant and materials
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any music directed thereto from within the host premises, and the level of any incidental amplified sound escaping from the host premises shall not exceed existing background noise levels as measured and assessed in accordance with appropriate BS standards to the satisfaction of the local planning authority. REASON: To safeguard the amenity of adjacent occupiers in accordance with Policy EP11 of the Liverpool Unitary Development Plan. Prior to their implementation, details of a fume extraction system to be installed to all 13 areas where hot food is to be prepared shall be submitted to and approved in writing by the local planning authority. The fume extraction system shall be installed in accordance with the approved details and completed to the satisfaction of the local planning authority before the development is occupied/brought into use. Extract ducts shall be acoustically insulated and acoustically isolated from associated fans and the building structure. The discharge point should be at least 1 metre above roof eaves or in another such position so as to minimise the likelihood of nuisance to neighbouring premises, and for the avoidance of doubt, any fume extraction system shall not be operated outside the hours of 06.00 to 23.00 hours, unless otherwise agreed in writing by the local planning authority. REASON: To safeguard the amenity of adjacent occupiers and in accordance with Policy EP11 of the Liverpool Unitary Development Plan. 14 Prior to the development hereby approved being brought into use a management strategy for delivery, servicing and waste collection, detailing the number, frequency and times of deliveries/collections to the hotel, restaurant and bar shall be submitted to and approved in writing by the local planning authority; such an approved scheme to be implemented in the development hereby approved in full, and be maintained thereafter as such to the satisfaction of the local planning authority.

INFORMATIVES

Reasons for Approval - Positive Planning

The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals in the Liverpool Unitary Development Plan 2002. The Local Planning Authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning applications and have implemented the requirement in NPPF para 187.

REASON: It is in the interests of highway safety and the amenity of nearby occupiers.

During the site works the contractor shall pay full regard to the best practicable means available in respect of the control of noise and dust from the site. In addition, no operations which are audible at the site boundary shall be carried out:

- (i) outside the hours of 0800 to 1800 weekdays
- (ii) outside the hours of 0800 to 1300 Saturdays, and
- (iii) at any time on Sundays or Bank Holidays.

The applicants are advised that they will need to secure approval for all necessary amendments to the Traffic Regulation Order relating to the existing taxi bay on Whitechapel prior to the uses hereby approved becoming operational, unless as agreed otherwise by the local planning authority. In this respect, the applicants should contact the Council's Highway Management Section on telephone number 0151 233 0324.

The permission hereby granted does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by the applicant, including party boundaries. Applicants should satisfy themselves that the agreement of any adjoining land owners has been given prior to works commencing on site.

This permission does not infer any approval on the signage shown on the submitted plans, in respect of which a separate application for advertisement consent will be required.

TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

NOTES FOR PLANNING DECISION NOTICES

OTHER CONSENTS

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular, if building alterations are involved these may also require consent under the Building Regulations and before commencing work this aspect should be discussed with Building Control (Email: building.control@liverpool.gov.uk Tel: 0151 233 4458/ 4467). Where a building regulations approval is obtained and this requires changes from your planning permission, revised drawings must be submitted to the Divisional Manager Planning.

COMPLIANCE WITH THE PERMISSION/CONSENT

It is important that this permission/consent is implemented strictly in accordance with the plans approved by the consent. Where a planning permission is granted subject to conditions it is important that these are fully complied with. Non-compliance with the conditions of the permission/consent may well result in a Breach of Condition Notice being served on you or any other appropriate enforcement action required to remedy the breach of planning control.

APPEALS TO THE PLANNING INSPECTORATE

If you are aggrieved by the decision of the city council as local planning authority then you can appeal to the Planning Inspectorate. *Please note, only the applicant possesses the right of appeal.*

If you want to appeal, then you must do so within six months of the date of issue of this notice.

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

If you do not have access to this service, forms can be obtained from the Planning Inspectorate at 315a Eagle Wing, Temple Quay House, 2 The Square, Temple Quay Bristol, BS1 6PN. (Tel: 0117 372 6372 or e-mail: enquiries@planning-inspectorate.gsi.gov.uk). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.

PURCHASE NOTICES

If the local planning authority or the Office of the Deputy Prime Minister refuses to grant permission to develop land or grants it subject to conditions, the owner may claim in certain circumstances that the land has become incapable of development. In these circumstances, the owner may serve a Purchase Notice on the Council under Part VI of the Town and Country Planning Act 1990, requiring the Council to purchase the owners interest in the land.

COMPENSATION

In certain limited circumstances, a claim must be made against the local planning authority for compensation. The circumstances in which compensation is payable are set out in Parts VI and V of the Town and Country Planning Act 1990

NEW RESIDENTIAL DEVELOPMENT

In order to ensure that minimum disruption occurs once a development is completed; developers are asked to contact all the public utilities to ensure that adequate services are provided at the outset. In particular developers are asked to contact the Cable TV provider

PUBLIC NOTICE - PARTY WALL ETC. ACT 1996

From the 1 July 1997 any person intending to carry out works affecting party walls or involving excavations for foundations adjacent to a party wall will be required to serve notice on all adjoining owners before work commences. You are advised to engage the services of a private surveyor to act on your behalf in any formal private procedures and agreements that you are now required, by The Party Wall etc. Act 1996, to enter into. Failure to comply with the Act may result in civil action being taken against you.

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