



Appeal Decision

Site visit made on 30 June 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/X4725/Z/20/3253251

Starbucks, Unit 1 Heathlands Park, Wakefield

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Mark Hepburn, 23.5 Degrees Limited against the decision of Wakefield Council.
 - The application Ref 20/00289/ADV, dated 6 February 2020, was refused by notice dated 9 April 2020.
 - The advertisement proposed is described on the application form as comprising the installation of a clearance bar, order point canopy, HVAC condensers to the exterior of the approved drive thru unit and associated signage.
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Decision

1. The appeal is allowed and express consent is granted for the display of one 8metre Internally Illuminated Totem Pole Sign (F), and one Double sided Illuminated Mini Totem sign (N). The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matter

2. Ten internally illuminated Starbucks signs were proposed as part of the original application¹ and all signs are in place at the site including the two signs that are in contention by the parties. These signs are the double sided 8m high internally illuminated totem (sign F) positioned on grassed land at the south western corner of the site, and the 1700mm high internally illuminated double sided Drive Thru sign located at the main vehicular entrance into the site off the A6194 Wakefield Eastern Relief Road, to the east.

Main Issue

3. The main issue is the effect of the advertisements on the amenity of the area.

Reasons

4. The appeal site is located at a complicated intersection of road networks. It is a prominent site and highly visible from most directions and directly accessed off the A6194 to the east with the A638 Doncaster Road to the north. The surrounding land is under construction together with the City Fields housing development site.

¹ 20/00289/ADV

5. In respect of advertisements, they are only subject to control in the interests of amenity and public safety. With regards to public safety, no concerns have been raised by the Council to their location or illumination levels from a public safety perspective and I have no reason to disagree with these findings.
6. The 8m high totem sign alerts drivers to the fact that they are approaching a Starbucks that offers a drive-thru service. There are no other high-level adverts save for those mounted on the building. Whilst its intentions is to be visible, it is located on the edge of the boundary of the site and is the only high level sign detached from the building that has the purpose of identifying the site as providing a drive-thru service.
7. It is visible from a number of directions although it is located within close proximity to the commercial centre of Wakefield. The character of the area here is dominated by the road junctions although it is appreciated that the wider developments will create a commercial setting.
8. Whilst there are a number of signs to advertise the business within the site, and although the Council would prefer a shared totem sign with other units who will take up occupation at Heathlands Park, I find no visual intrusion occurs to the amenity of the area as a result of this totem sign.
9. Sign N is a low level sign and upon entry to the site, directs the driver towards the drive-thru area where there are a number of other drive-thru directional signs. This sign, in this location at the vehicular entrance into the site is not superfluous to requirements as it is the first directional point, with other signs dispersed around the site. It does not lead to a cluttered appearance to the site, and nor does the totem sign.
10. The appeal signage is therefore not in conflict with the Council's Local Development Framework Development Policies Document 2009 Policy D9 in its design aims, or Policy D16 for advertisements to respect the character of the area, amongst other criteria. Nor are the signs in conflict with paragraph 132 of the National Planning Policy Framework.
11. For the reasons outlined above, the appeal is allowed.

Alison Scott

INSPECTOR