

Appeal Decision

Site visit made on 14 March 2023

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 28 March 2023

Appeal ref: APP/A0665/Z/22/3310704

KFC, Greyhound Retail Park, Greyhound Park Road, Chester CH1 4QG

- 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 Euro Garages Group, (E G Group), against the decision of Cheshire West and Chester Council.
 - The application, ref. 22/00575/ADV, dated 17 February 2022, was refused by a notice dated 10 October 2022.
 - Retrospective permission is sought for the retention of 2 no. Non-Illuminated Banner Frames.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issues in this appeal are whether or not the two appeal signs would unduly distract vehicle drivers, harm characteristics of the locality and cause an over proliferation of signage.

Reasons

3. The appeal made by Euro Garages Group relates to the KFC retail food outlet premises adjacent to Sealand Road in Chester. The KFC building is in the Greyhound Retail Park, the restaurant building and drive-through set alongside Sealand Road but accessed only from the retail park roadway.
4. The advertisement application concerns 2 banner frame signs said to have been installed on the grass strip adjacent to Sealand Road, the application purportedly made in retrospect. At the time of my site inspection, the application signs were not in place, although there appeared to be a similar sign close to Sealand Road near the centre of the KFC building frontage.
5. The 2 proposed advertisement signs, one at each end of the KFC site, would be angled to face traffic in each direction on Sealand Road. They would be 5m wide overall, 1.3m deep, set 0.4m above ground on 3 posts. The application drawing shows signs painted grey with white KFC lettering and a portrait of the KFC founder. However, the similar banner sign on site shows them capable of being fitted with plastic display covers, as suggested by the banner frames description.
6. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 state at 3. —

- (1) 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.
- (2) Without prejudice to the generality of paragraph (1)(b) — (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
7. For the Appellants it was said that the advertisements were positioned to avoid public safety concerns and to avoid proliferation. The locations were intended to increase decision making time for drivers wishing to enter the site. Whilst those points are apposite, I do not find them sufficiently persuasive to overcome objections to the signs' siting.
8. The obvious propose of the signs is to draw attention, although the KFC building is already a feature of this section of Sealand Road. I agree with the Council that the 2 proposed large advertisement signs near each end of the KFC premises close to the side of Sealand Road would risk some detriment to highway safety. Sealand Road is a heavily trafficked arterial route, a main road in and out of Chester, as well as it serving many businesses along this length of the road, including access into the busy Greyhound Retail Park. The KFC building itself is prominent, easily seen from vehicles travelling in either direction along Sealand Road. The application signs, angled to face traffic to be better seen, if effective, would, in my view, add distraction to drivers rather than purportedly increase decision making time for drivers. That would be especially so if the banners were fitted with displays and details of offers, for example. Adding significantly to the existing array of advertising signs on this section of Sealand Road would add to the possibility of drivers' full attention being taken off this main road.
9. Policy DM 17 of the Cheshire West and Chester Local Plan says that "In assessing impacts on amenity and public safety regard will be had to the cumulative impact of advertisements.". The Council said the KFC advertisements would be overly prominent and discordant, harming the general characteristics of the locality, adding to an over proliferation of signage. I agree with their conclusion. This section of Sealand Road is fronted by numerous commercial and retail outlets, most with some degree of informative signage. Adding more signage to the existing prominent KFC would, in my view, have an unacceptable detrimental impact upon the visual amenity of this section of Sealand Road.

Conclusion

10. For the reasons outlined above, and taking into account all other matters raised, the appeal is dismissed.

John Whalley

INSPECTOR