

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	30/07/18
Planning Development Manager authorisation:	AN	6/8/18
Admin checks / despatch completed	AS	7/8/18

*ER*

**Application:** 18/00814/ADV **Town / Parish:** Brightlingsea Town Council

**Applicant:** Cardtronics UK Ltd Trading As Cashzone

**Address:** Co-Op Brightlingsea Samsons Road Brightlingsea

**Development:** Retention of an automated teller machine with 2no illuminated signage.

### 1. Town / Parish Council

Brightlingsea Town Council      No comment.

### 2. Consultation Responses

ECC Highways Dept      The Highway Authority does not object to the proposals as submitted.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

### 3. Planning History

02/00860/FUL	Retention of 1 metre satellite dish for connection to Automated Teller Machine.	Approved	12.07.2002
98/00528/ADV	(BP petrol filling station adjacent to Brightlingsea Co-op Fiveways, Sampsons Road, Brightlingsea) Forecourt signage	Approved	21.08.1998
99/00946/FUL	Installation of Automated Teller Machine (ATM)	Approved	31.08.1999
99/00947/ADV	Automated Teller Machine Surround Sign.	Approved	31.08.1999

15/00589/FUL	Installation of a portable cabin to existing jetwash facility for continued use as a hand valeting operation. Construction of 2m high timber fencing to front section of site.	Approved	19.10.2015
15/00590/ADV	Provision of 21 Non illuminated fascia signs and 4 non illuminated other signs for hand car wash facility.	Approved	11.06.2015
18/00815/FUL	Retention of an automated teller machine with 2no illuminated signage.	Current	

#### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN18B Advertisement Control

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

#### Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In

general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

## **5. Officer Appraisal**

### Site Description

The application site is the Brightlingsea Co-op, which is sited to the eastern side of Samson's Road within the parish of Brightlingsea. The building in question is a large single storey property currently serving a number of retail units including Co-op Supermarket and Subway. The site falls within the Settlement Development Boundary for Brightlingsea within both the Saved Tendring District Local Plan (2007) and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

### Description of Proposal

This application seeks retrospective advertisement consent for the retention of an automated teller machine (ATM) and two fascia signs.

The ATM surround is the only element of the proposal which is subject to this advertisement consent application. The proposal as a whole will be considered under planning application 18/00815/FUL.

The works are to be located to the southern elevation, with details of the fascia signs as follows:

- 1 x internally illuminated sign sited 1.79m from ground level, and measuring 0.4m height, 0.17m width and 0.04m depth. It will include white lettering on a green and black background; and
- 1 x internally illuminated sign sited 1.58m from ground level, and measuring 0.17m height, 0.47m width and 0.00m depth. It will use white lettering on a green background.

### Appraisal

With regard to outdoor advertisements, Paragraph 132 of the National Planning Policy Framework states that the quality and character of places can suffer when advertisements are poorly sited and designed. Such adverts should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

As a result the main considerations are the impact on public amenity and highway safety.

### Amenity

The proposed signage is on a building which is of no architectural or historic interest and currently has other fascia signs. The proposed ATM surround is of a size and appearance which is in keeping with what would be expected of such a proposal and would not result in any adverse impact on the character and appearance of the surrounding area.

For the above reasons it is considered that the proposal would not cause harm to public amenity.

### Highway Safety

The proposed fascia signs are to be internally illuminated at a luminance level of 60 candelas per square metre. Essex County Council Highways have been consulted on the application and do not wish to object to the proposal.

### Other Considerations

No letters of representation have been received.

## Conclusion

In the absence of any material harm to public amenity and highway safety resulting from the development, this application for advertisement consent is recommended for approval.

## **6. Recommendation**

Grant Advertisement Consent

## **7. Conditions**

1 All advertisement consents are subject to five standard conditions specified in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 which are as follows: -

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Additionally all advertisement consents are for a fixed term of 5 years unless this period is varied on the formal decision notice.

2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers NW0093A Revision 01, NW0305 and E012060 V2 Revision 01.

Reason - For the avoidance of doubt and in the interests of proper planning.

## **8. Informatives**

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.