

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	09/08/18
Planning Development Manager authorisation:	AN	9/8/18
Admin checks / despatch completed	KLE	10/08/18

Application: 18/00983/ADV **Town / Parish:** Clacton Non Parished

Applicant: Mr Andy Harper - Trade Sign Solutions

Address: Visitor Centre Clacton Factory Shopping Village Stephenson Road West

Development: Proposed 1 No. Fascia sign, 1 No. Projecting or hanging sign and 8 No. Other signs.

1. Town / Parish Council

Clacton – Non Parished.

2. Consultation Responses

ECC Highways Dept

AMENDED SIGN LOCATIONS (NOW BEHIND BOUNDARY TREATMENTS) AND NON- ILLUMINATED – DETAILS RECEIVED VIA EMAIL DATED 06 AUGUST 2018.

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

Informative1: The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging or adjacent to the highway which is considered to be an obstruction or a hazard to the safe and convenient passage of the public in the highway.

Informative2: 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 or by post to:

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

3. Planning History

95/00448/DETAIL	Submission of Reserved Matters under Planning Permissions TEN/1223/89 and TEN/93/0430 - (Change of Use from Agricultural to Industrial for consideration in relation to Categories B1, B2, B8	Approved	09.10.1996
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	and A1 (Non Food		
96/01394/FUL	(Willow Farm, Gorse Lane, Clacton on Sea) Construction of underpasses in relation to Clacton Common Factory Outlet Village: Planning Consent TEN/95/0448	Approved	11.12.1996
96/01395/FUL	() Factory Outlet Centre: Willow Farm, Gorse Lane, Clacton on Sea (Variations to Design of Scheme as Approved under Planning Consent TEN/95/0448) incorporating the erection of a visitor information centre	Approved	11.12.1996
97/00530/FUL	() Variations to design as approved under consent TEN/95/0448 and consequential amendments to scheme as approved under consents TEN/96/1393, TEN/96/1394 and TEN/96/1395	Approved	03.06.1997
97/01247/FUL	() Factory Outlet Centre - Variations to design as approved under consent TEN/95/0448 and consequential amendments to scheme as approved under consents TEN/96/1393, TEN/96/1394 and TEN/96/1395	Approved	18.11.1997
98/01228/ADV	(Clacton Common Factory Shopping Village, Willow Farm, Gorse Lane, Clacton on Sea) 2 No. hoardings (freestanding), 1 No. 20 metre mast (illuminated)	Approved	14.10.1998
98/01420/ADV	(Clacton Common Factory Shopping Village, Willow Farm, Gorse Lane, Clacton on Sea) Banner/pendant signs to lighting columns	Approved	15.12.1998
98/01439/ADV	(Clacton Common Factory Outlet, Clacton on Sea) Halifax Plc ATM - card cash fascia sign	Approved	07.12.1998
03/01992/ADV	1 Non-illuminated sign advertising commercial shopping outlets	Approved	28.11.2003
06/00670/FUL	Change of use of units 1 & 2 from A1 (shops) to A3 (Restaurant).	Approved	15.06.2006
06/01351/FUL	Removal of some road frontage railings and piers. Alterations to gateways. Installation of bollards to southern road frontages.	Refused	29.09.2006

08/00523/OUT	Outline application for car show room, A3/A4/A5 units and a garden centre. Appearance and materials reserved.	Withdrawn	30.06.2008
08/00524/OUT	Outline application for car show room, A3/A4/A5 units and 6 'B1/B2/B8' units. Appearance and materials reserved.	Withdrawn	30.06.2008
08/00526/OUT	Outline application for car show room and A3/A4/A5 units with appearance and materials reserved.	Withdrawn	30.06.2008
08/00885/FUL	Material change of elevation. Front elevations to be overtilted with cedar type cladding and brickwork to be rendered to form a more presentable outlet centre.	Approved	08.08.2008
08/00979/OUT	Outline application for car show room, A3/A4/A5 units and 6 'B1/B2/B8' units. Appearance and materials reserved.	Approved	18.09.2008
08/00980/OUT	Outline application for car show room, A3/A4/A5 units and a garden centre. Appearance and materials reserved.	Approved	18.09.2008
08/00981/OUT	Outline application for car show room and A3/A4/A5 units with appearance and materials reserved.	Approved	18.09.2008
08/01133/FUL	Proposed part enclosure of east and west malls with stretched fabric canopys including amendments to lighting, bins, seating and planters.	Approved	15.09.2008
09/00111/FUL	Proposed part enclosure of east and west malls with stretched fabric canopy's including amendments to lighting, bins, seating and planters.	Approved	01.04.2009
09/00902/ADV	1 No. non illuminated post sign.	Approved	30.10.2009
09/00908/FUL	Variation of Condition 11 of planning permission TEN/95/0448, to allow the amalgamation of units 27-29 and a further amalgamation or sub-division of units at the outlet.	Approved	29.09.2009
10/00200/FUL	Erection of a cinema (Class D2) and A3 and/or A4 and /or A5 units and associated works.	Approved	08.09.2011

10/01427/FUL	New canopies to outdoor areas of the east and west malls and 2 emergency accesses.	Approved	16.02.2011
14/00184/DISCON	Discharge of condition 06 (landscaping scheme), 08 (materials), 11 (scheme of covered cycle parking), 12 (scheme of motorcycle parking), 13 (Refuse and recycling area details), 14 (solar panel details) and 15 (scheme of rainwater harvesting and re use) of planning permission 10/00200/FUL	Approved	04.04.2014
14/00594/TELLIC	Replacement of telecommunications antennas and installations of two equipment cabinets.	Determination	23.05.2014
14/01445/OUT	Hybrid Planning Application for the development of the site to provide: Full Application Element: Part-demolition and Reconfiguration of North Site Floor Space (A1/A3/A4/A5 Use) Including replacement unit at Units 23-26 (A1 Use). Reconfigured Leisure (A3/A4/A5/D2 Use) Site Floor Space to include Cinema (D2) use and Restaurant (A3) use. Outline Application Element: Development of New Retail Floor Space (A1 - restricted and A3/A4/A5 Drive Through Unit) at South Site with All Matters Reserved apart from Access. Plus Associated Access, Landscaping, Parking Amendments and Variation to Existing Section 106 Agreement.	Approved	03.08.2015
15/01304/ADV	Fascia signage comprising dibond panel with digitally printed vinyl. Acrylic yellow letters to be applied.	Approved	19.10.2015
15/01350/DISCON	Discharge of condition 9 (Strategic Phasing Plan) and 20 (Construction Method Statement) of planning permission 14/01445/OUT.	Approved	30.12.2015
15/01479/DISCON	Discharge of condition 12 (local recruitment strategy), 13 (landscape management plan), 15 (surface water drainage management strategy), 16 (external materials) and 17 (hard and soft landscaping) of planning permission 14/01445/OUT.	Approved	28.07.2016

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN18B Advertisement Control

QL9 Design of New Development

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 land to the north and south of Stephenson Road West that is known as the Clacton Factory Shopping Village. The surrounding area is largely urban in character with a range of commercial, industrial and residential properties, particularly to the east, south and west. The site falls within the Settlement Development Boundary for Clacton-on-Sea within both the Saved Tendring District Local Plan (2007) and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Description of Proposal

The application seeks advertising consent for the following:

1. 1 x halo illuminated fascia sign measuring 1.8 metres in height, 4.6 metres in width and 0.10 metres in depth. It is to be sited 4.55 metres from the ground and will have a blue background with white and cream lettering;
2. 1 x non-illuminated hanging sign measuring 1.5 metres in height and 0.65 metres in width. It is to be sited 3.5 metres from the ground and will have a blue background with white and cream lettering;
3. 5 x other non-illuminated signs measuring 2.2 metres in height, 3.3 metres in width and 0.18 metres in depth. Each sign will have a blue background with white and cream lettering;
4. 1 x other non-illuminated sign measuring 1.2 metres in height, 4 metres in width and 0.02 metres in depth. The sign will have a blue background with white and cream lettering;
5. 1 x other non-illuminated sign measuring 2.1 metres in height, 1 metre in width and 0.10 metres in depth. The sign will have a blue background with white and cream lettering; and
6. 1 x other halo illuminated sign measuring 3.2 metres in height, 1.9 metres in width and 0.18 metres in depth. It is to be sited 14 metres from the ground and will have a blue background with white and cream lettering.

Appraisal

With regard to outdoor advertisements, Paragraph 132 of the National Planning Policy Framework (2018) 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.

Saved Policy EN18b states proposals for advertisements should be well designed and sited and respect their surroundings.

Saved Policy QL9 and emerging Policy SPL3 state all new development must make a positive contribution to the quality of the local environment, and must relate well to its site and surroundings particularly in relation to its siting and scale.

Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

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

Amenity

The various proposed signage will be situated in numerous locations across Clacton Factory Shopping Village so will all be publically visible. Despite what was originally stated within the application form that some of the proposed signage would be illuminated, it has since been confirmed by the agent for the application that all but two signs will be non-illuminated, with the only two illuminated signs being the fascia sign and the 'phone tower' sign. That notwithstanding, some signs are replacements to existing signage and the immediate surrounding area is characterised by commercial and industrial units, with the nearest residential properties located approximately 150 metres to the south. There is potential for the phone tower sign in particular to be seen but given the huge distance there will be no material harm as a result.

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

Highway Safety

The Highways Authority, following the submission of amended plans, has stated that they have no objections to the proposal.

Other Considerations

Clacton is non-parished so no comments are required.

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

Approval.

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, drawings titled 'Clacton 001', 'Clacton 002a Option B', 'Clacton 003', 'Clacton 004a', 'Clacton 004a Option B Rev 1', 'Clacton 005', 'Clacton 006', 'Clacton 007', 'Clacton 009 Option A', 'Clacton009a Option B Rev 1', the untitled Site Location Plan and the untitled location plan that shows the siting of the proposed signage.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.