

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION                               | INITIALS | DATE                 |
|---|----------|----------------------|
| File completed and officer recommendation:  | NH       | 28/08/2018           |
| Planning Development Manager authorisation: | SCE      | 28-08-18.            |
| Admin checks / despatch completed           | AP<br>SB | 29/8/18<br>29/08/18. |

**Application:** 18/01103/ADV **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr George Hicks

**Address:** 26A The Parade Walton On The Naze Essex

**Development:** Proposed signage (non illuminated) for sweet shop.

### 1. Town / Parish Council

Frinton & Walton Town Council Supports this application

### 2. Consultation Responses

Not Applicable

### 3. Planning History

|              |  |         |
|--------------|--|---------|
| 18/00947/FUL | Change of use to sweet shop A1 use                 | Current |
| 18/01103/ADV | Proposed signage (non illuminated) for sweet shop. | 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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)**

### Site Description

The application site is situated on the northern side of The Parade, Walton on the Naze and is located within the Frinton and Walton Conservation Area. The existing use for the site is for a taxi office serving 'Shore Taxi's'.

The surrounding area comprises of a mixture of town centre uses. To the east of the site is a pizza takeaway and a public house and to the south east is Walton Pier.

### Proposal

This application seeks advert consent for non illuminated fascia sign for the sweet shop 'Sweets by the shore'.

### History

A full application is running concurrently under reference 18/00947/FUL for the change of use from the taxi office to the sweet shop.

### 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. As a result the main considerations are the impact on public amenity and highway safety. Saved Policy EN18a of the adopted Tendring District Local Plan 2007 supports this and also requires that such applications give special attention to the desirability of preserving or enhancing the character and appearance of the area and the street scene.

## Public Amenity

The site and proposed signage is located outside of the Town Centre Boundary and alongside other commercial units with examples of different branding and company signage dominating the street scene.

The signage results in a fascia with similar lettering and logo to the previous signage. The proposed signage will not be illuminated and therefore improving the impact within its conservation area setting. The proposal is considered to be of a similar scale to the existing signage within the area. Overall the signage will contribute positively to the street scene resulting in a cleaner, more coherent appearance.

The proposed signage will display the new companies name and is of a similar scale to the existing signage within the area.

The proposed signage will display the new companies name and is of a similar scale to the existing signage within the area and due to the proposed signage being set back from the highway, it is considered that the new signage would not result in an adverse impact to the character of the area or public amenity.

## Other Considerations

Frinton and Walton Town Council recommend the application for approval.

No letters of representation have been received.

## Conclusion

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

## 6. Recommendation

Approval - Advertisement Consent

## 7. Conditions / Reasons for Refusal

- 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: New Sign Fascia Design scanned 4th July 2018.

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.

|   |     |    |
|---|-----|----|
| <b>Are there any letters to be sent to applicant / agent with the decision?<br/>If so please specify:</b> | YES | NO |
| <b>Are there any third parties to be informed of the decision?<br/>If so, please specify:</b>             | YES | NO |