

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	13/12/2018
Planning Development Manager authorisation:	SCE	14.12.18
Admin checks / despatch completed	W	18/12/18

**Application:** 18/01849/ADV **Town / Parish:** Harwich Town Council  
**Applicant:** Mr Jack Wright  
**Address:** Unit C Harwich Gateway Retail Park Freshfields Road  
**Development:** Proposed new fascia sign x 2.

### 1. Town / Parish Council

Harwich Town Council  
 Harwich Town Council has no objection to this application but concerns were raised as this was a retrospective application.

### 2. Consultation Responses

ECC Highways Dept  
 The information that was submitted in association with the application has been fully considered by the Highway Authority.

The illuminated signs are not located in a position where they will have an impact on the highway, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority as it is not contrary to the following Development Management policies:

- A) Safety: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- B) Accessibility: Policy DM 9 of the Highway Authority's Development Management Policies February 2011
- C) Efficiency/Capacity: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- D) Road Hierarchy: Policy DM 2-4 of the Highway Authority's Development Management Policies February 2011
- E) Parking Standards: Policy DM 8 of the Highway Authority's Development Management Policies February

### 3. Planning History

95/01383/FUL (Land off Station Road Roundabout, Dovercourt) Approved 23.01.1996  
 Variation to conditions 3 and 21 of planning permission for industrial/warehousing, retail units, fast food, PFS, hotel and residential (LPA reference: TEN/93/0206)

95/01384/FUL Variation to condition 6 of planning permission for industrial/warehousing, retail units, fast food, petrol filling station, hotel and residential (LPA Ref: TEN/93/0206) Approved 23.01.1996

96/01170/FUL (Land off Station Road Roundabout, Dovercourt) Approved 12.11.1996  
 Variation of condition 2 of consent TEN/93/0206 to allow the submission of reserved matters and their date of commencement for a further

	two years		
03/01693/DETAIL	Construction of six retail units, garden centre and associated car parking and servicing	Approved	10.11.2003
18/00638/FUL	Sub-division of Unit 2A (to create two new units), external alterations and change of use of new Unit 2A from Class A1 (shops) to Class A3 (restaurants and cafes).	Approved	15.06.2018
18/01071/NMA	Amendment to approved 18/00638/FUL to allow A1 class use of Unit 2A.	Approved	19.07.2018
18/01849/ADV	Proposed new fascia sign x 2.	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 relates to a retail unit at Harwich Gateway Retail Park, occupied by Card Factory and located inside the settlement development boundary of Harwich.

## **Proposal**

The application seeks consent for 2 no. new illuminated fascia signs. The fascia sign located on the forward most elevation is already in situ and seeks permission retrospectively.

## **Assessment**

The main considerations of this advertisement consent are public amenity and highway safety.

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.

Policy QL9 of the Tendring District Local Plan 2007 and Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) 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. Saved Policy EN18b of the 2007 plan states proposals for advertisements should be well designed and sited and respect their surroundings.

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.

### **Public Amenity**

The proposed fascia signs are considered to be appropriate to the site and the surrounding area as they will be located on a unit within an existing retail park where various other A1 units exist with signage of a similar scale and nature. Due to this it is considered that the new signs would not result in any adverse impact to character of the area or public amenity.

### **Highway Safety**

Essex County Council Highways have been consulted on this application and confirm that the illuminated signs are no located in a position where they will have an impact on the highway and confirm that the development is acceptable in terms of highway safety.

### **Other Considerations**

Harwich Town Council has no objection to the application but concerns were raised over the retrospective nature of the application.

No letters of representation have been received.

### **Conclusion**

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

## **6. Recommendation**

Approval – 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: Block Plan titled Harwich 1:500 and Drawing Number 16042018 Version 1.

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

## 8. Informatives

N/A

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