

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	08/01/2019
Planning Development Manager authorisation:	AN	8/1/19
Admin checks / despatch completed	ER	10/1/19

Application: 18/01770/ADV

Town / Parish: Great Bentley Parish Council

Applicant: Mr Dee Patel

Address: Plough Inn Plough Road Great Bentley

Development: Replacement of signage with 1no. illuminated fascia sign.

1. Town / Parish Council

Great Bentley Parish Council unanimously agreed to make no comment and no objection to this 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.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following condition:

1. The proposed light source for any externally lit signs shall be so positioned and shielded, in perpetuity, to direct light towards the proposed advertisement sign and away from the Highway.
Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety and in accordance with Policy DM1.

The above condition is to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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

pp Director for Highways & Transportation
Enquiries to Caroline Tracey
Telephone: 03330 130119
Email: caroline.tracey@essex.gov.uk

3. Planning History

96/01155/CON	(The Plough Public House, The Green, Plough Road, Great Bentley) Demolition of two outbuildings	Approved	11.12.1996
97/00729/ADV	Restaurant sign	Approved	16.09.1997
18/01769/FUL	Remodelling of existing building including extension to provide disabled access toilet facilities with baby change area, additional seating, revised landscaping scheme to provide front garden seating area, separate parking facilities, replacement signage, revised access and new wall.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN18A Advertisement Control in Conservation Areas

QL9 Design of New Development

TR1A Development Affecting Highways

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

SPL3 Sustainable Design

PPL8 Conservation Areas

CP1 Sustainable Transport and Accessibility

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 relates to The Plough Inn public house, Plough Road, Great Bentley.

The site is located on the eastern side of Plough Road within the Great Bentley Settlement Development Boundary and Conservation Area as defined within both the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017).

Description of Proposal

The application seeks advertisement consent for the replacement 1no. illuminated fascia sign consisting of Timber stained black weatherboarding back board with 19mm thick marine plywood letters with half round routed edge finished in 'Farrow and Ball' white on 25mm brass stand-off locator mounted to fascia.

The sign will be lit with an LED canopy in casing finished in black.

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 EN18a states Applications within conservation areas for express consent made under the Town and Country Planning (Control of Advertisement) Regulations will only be permitted if the advertisement would have no adverse effect on amenity, public safety or highway safety. Also when considering such applications special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area and street scene.

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.

Public Amenity

The application is for the replacement of the main, central fascia sign on the front elevation of the building. The signage design is sympathetic to the building itself and conservation area setting.

The visual impact will be minimal on the basis that is for a replacement sign. The new sign, lighting and materials are of an appropriate appearance that will preserve the character and appearance of the Great Bentley Conservation Area.

Therefore, the proposal will not result in any public amenity harm.

Highway Safety

The Highways Authority raises no objection to the application subject to a condition regarding the light direction and shielding.

Other Considerations

Great Bentley Parish Council has no objection to the application.

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 - 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 no: 82.08/A2 - P7 and Drawing no: 82.08/A3 - P10.

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

3 The proposed light source shall be so positioned and shielded, in perpetuity, to direct light towards the proposed advertisement sign and away from the Highway.

Reason - To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety.

8. Informatives

Not applicable.