



agree to this sign being located adjacent to his boundary wall.

Informative 3

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

Informative 4

Siting of Signs: All signage must not obstruct:

- Sightlines at side roads
- Sightlines at roundabouts
- Sightlines at traffic signals

Informative 5:

Any 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](mailto:development.management@essexhighways.org) or by post to:

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

Historic England

Thank you for your letter of 12 February 2019 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Place Services –  
Environment Manager

There are no objections to this application. It has been assumed that there is no associated lighting scheme. With exception of the permanent sign, it is recommended that a condition is attached limiting the temporary signs to three years, after which time a new application (for extension of time for these signs or a permanent solution) can be made. A condition should also be attached to stipulate the specific dimensions of the features which have not been clarified on the drawings.

### 3. Planning History

11/00333/OUT	Erection of 190 dwellings on 16.3 hectares of land; new junction and access roads; driveways; parking; footpaths; landscaping and all ancillary works; use of land as an archery range; construction of access drive and layout of parking area including siting of storage container for archery equipment. The proposals also include for a new footway to be built along a section of Colchester Road, south of the Wellwick.	Approved	18.03.2016
16/00656/FUL	Demolition of existing property at 7 Mill Street and the creation of 72 no. two, three and four bedroom houses, plus associated roads, car parking, garages and landscaping.	Approved	18.11.2016
16/00671/FUL	Erection of 17 dwellings for use as residential and holiday accommodation (C3 use); restoration of park landscape; bunding; re-grading of 9 hectares of land; construction and alterations to access driveway; landscaping and all ancillary works.	Approved	18.11.2016
17/00634/FUL	Variation of condition 3 of planning permission 16/00671/FUL - To allow the re-location of Lake House North and South Lodge.	Approved	19.12.2018
17/01175/FUL	Variation of condition 3 of 16/00656/FUL to allow amendments to the elevations and layout of Phase 1 and removal of condition 14 part e to remove the requirement to relocate the bus stop.	Approved	21.12.2018
17/01593/DISCON	Discharge of conditions 02 (S106 Agreement), 07 (Construction details), 08 (Wastewater Strategy), 09 (Foul Water Strategy), 10 (Surface Water Strategy) 11 (Landscape/ habitat management plan), 12 (Construction and Environmental management Plan), 13 (Cleaning facility), 14 (Highways details), 15 (Amendments to Drawings), 17 (Local Recruitment Strategy), 19 (External Lighting)	Approved	18.09.2018

and 20 (Construction Method Statement) of Planning Permission 16/00656/FUL.

Discharge of Conditions 02 (S106 Agreement), 08 (Construction Details), 12 (Landscape/ habitat management plan), 14 (Construction and Environment Plan), 15 (Cleaning facility), 17 (Local Recruitment Strategy) and 19 (Construction Method Statement) of planning permission 16/00671/FUL.

17/01828/DISCON	Discharge of condition 4 (Materials) of approved planning application 16/00656/FUL.	Approved	29.05.2018
17/01843/FUL	Variation of condition 2 of 11/00333/OUT - condition to be amended from "application for approval of the reserved matters (listed above) shall be made to the Local Planning Authority before the expiration of three years from the date of the permission" To - "application for approval of the reserved matters (listed above) shall be made to the Local Planning Authority before the expiration of five years from the date of the permission".	Approved	
18/01476/DETAIL	Erection of 190 dwellings on 16.3 hectares of land; new junction and access roads; driveways; parking; footpaths; landscaping and all ancillary works; use of land as an archery range; construction of access drive and layout of parking area including siting of storage container for archery equipment. The proposals also include for a new footway to be built along a section of Colchester Road, south of the Wellwick.	Current	
18/01596/FUL	Erection of 14 dwellings. (As part of previously approved West Field scheme.)	Current	
19/00208/ADV	5 No. signs to advertise development and business activities.	Current	

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

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 (including Site Description and Proposal)**

##### Site Description

The application relates to St Osyth Priory, The Bury, St Osyth which comprises of an exceptional range of historic buildings including 16 separate Grade I, II\* and II Listed Buildings. Part of the priory is designated a Scheduled Monument and the Priory buildings are set within a Grade II registered park and garden, which covers approximately 95ha. The total site area equals approximately 200 hectares. The application site is located outside the Settlement Development Boundary and 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 5 signs:

Signage Type 1 - Two temporary signs on Mill Street at the entrance to the West Field Development to promote the new homes.

Signage Type 2 - One temporary sign on Colchester Road opposite the Wellwick Development, to advertise the proposed venue, new homes and visitor attraction.

Signage Type 3 - One permanent sign on the Bury to advertise the charitable trust, the estate and to provide an information board for flexible use.

Signage Type 4 - One temporary sign on the junction of Colchester Road and Bypass Lane, to advertise the proposed venue, new homes and visitor attraction.

## Appraisal

With regard to outdoor advertisements, Paragraph 132 of the National Planning Policy Framework (2019) 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, heritage impact and highway safety.

## Public Amenity and Heritage Impact

The five signs proposed consist of three different designs all of which are similar in style being made of natural wood with oak posts and finials atop that match those that can be found at the Priory. Signage Type 1 for two temporary signs will be used to primarily advertise the development of new homes. Signage Type 2 and 4 will advertise the new homes and once the Trust has been successful with its grant application, this will be updated to advertise the whole estate offering of a wedding and events venue, visitor attraction, cafe and farm shop. Signage Type 3 will be used to promote the Trust and advertise up to date information about the Estate, akin a parish notice board. The signs will be constructed from a dark heritage style colour with plain white text and the framework is tradition in style but made of natural oak. The signage is modest in size, sympathetic and appropriate to the character and appearance of the area. Overall the signage will contribute positively to the street scene.

Historic England were consulted on this application and do not offer any comments. The Councils Historic Environment consultant has been consulted on this application and has stated that there is no objection to the application. The officer has recommended to include two conditions in relation to the temporary use of the signs for three years and a condition to stipulate the specific

dimensions of the signs. The temporary use of the sign is a standard condition that will be imposed for five years.

Therefore, given the location of the signs and the nature of the proposals, it is considered that they would not cause harm to public amenity.

#### Highway Safety

The Highways Authority raises no objection to the application subject to a condition regarding the works directly abutting the highway. This condition has not been imposed as the signs are situated on private land which do not overhang the highway.

#### Other Considerations

St Osyth Parish Council have no objections to this 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. CC-0175-SIGN -1, Drawing No. CC-0175-SIGN -2 A, Drawing No. CC-0175 -SIGN - 3 A, Drawing No. CC-0175-SIGN 4, Drawing No. CC-0175 - SIGN 5 A and Design, Access & Heritage Statement for signage at the St Osyth Priory Scanned 07 Feb 2019.

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

- 3 Prior to the erection of each sign, the exact height shall have been submitted to and approved in writing by the Local Planning Authority. The sign shall be erected and maintained in accordance with the approved details.

Reason – In the interests of local amenity and the application relates to a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

## 8. Informatives

### Highways

Should the proposed works particularly to the external surface area directly abut the back of the Highway. This is public highway and the construction work must be carried out subject to arrangements made with the Service Management Office (SMO1) contact details in the informative at the foot of the page.

Prior to installation of the sign facing east on drawing no. CC-0175-Sign 1, the owner/ occupier of 9 Mill Street must be consulted and agree to this sign being located adjacent to his boundary wall.

Any 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](mailto:development.management@essexhighways.org) or by post to:

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

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