

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | ML | 14/06/2019 |
| Planning Development Manager authorisation: | SCE | 14.06.19 |
| Admin checks / despatch completed | SB | 17/06/19 |

Application: 19/00374/ADV **Town / Parish:** Great Bentley Parish Council

Applicant: Mr M Rollings

Address: Land to The East of Heckfords Road Great Bentley

Development: Erection of two site advertisements.

1. Town / Parish Council

Great Bentley Parish At Great Bentley Planning Committee meeting held on 9th May 2019, it was agreed to offer no objection providing the signs are only in place on a temporary basis

2. Consultation Responses

ECC Highways Dept 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.

The above conditions are 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 1

The location of the sign should not impede the inter-visibility between vehicles using the existing road junction and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies.

Informative 2

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 3

Siting of Signs: All signage must not obstruct:

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

Informative 4:

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 or by post to:

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

3. Planning History

| | | |
|--------------|--------------------------------------|----------|
| 19/00373/FUL | Erection of two site advertisements. | Approved |
| 19/00374/ADV | Erection of two site advertisements. | 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

TR1A Development Affecting Highways

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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located on the eastern side of Heckfords Road, Gt Bentley at the proposed entrance to a new housing development comprising of 50 dwellings. Construction work has commenced on site with the access largely completed. The area of the site relating to this proposal consists of a grass verge on either side of the access. Opposite the site is a further housing development for 50 dwellings which is nearing completion.

Proposal

The siting of 2 no. 3m (H) x 1.5m (W) advertisement signs promoting the construction of a new housing development at Heckfords Road, Gt Bentley.

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 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 2 proposed signs would be sited either side of the new access road serving the housing development at an angle to the highway. The signs would be set back between 7m and 10m from the back of the carriageway and would measure 3m in height. The signage would consist of two metal poles supporting boarding with plastic lettering/logos promoting the new housing development and the construction company.

Overall the signage, although relatively tall is of a modest width and sympathetic design that would not harm the character and appearance of the area. The signage would be temporary and a condition will be attached to the permission ensuring they are removed after two years or upon sales of all the units which is later.

Therefore, given the location of the signs and the temporary 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 proposal subject to a condition being included requesting that the applicant contacts ECC-Highways if the signage directly abuts the back of highway land. The signs are set back behind the visibility splays serving the access approved as part of the housing development.

Other Considerations

Great Bentley Parish Council has no objections. 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.

2 The advertisements the subject of this application shall be removed from display within 2 years of the date of this permission or once all the residential units have been sold for the first time, whichever is later, unless the Local Planning Authority first gives written approval to any variation.

Reason - To ensure that the signs are on display no longer than is necessary, in the interest of visual amenity.

3 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), the contact details of which are included in the informative at the foot of the page.

Reason - In the interests of highway safety in accordance.

4 The development hereby permitted shall be carried out in accordance with the following approved plans: 170116/ADV/201 and 192205 (dated 28.01.19).

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

8. Informatives

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.

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 or by post to:

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

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| Are there any letters to be sent to applicant / agent with the decision? If so please specify: | YES | <input checked="" type="radio"/> NO |
| Are there any third parties to be informed of the decision? If so, please specify: | YES | <input checked="" type="radio"/> NO |