

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/08/2019
Planning Development Manager authorisation:	GN	21/8/19
Admin checks / despatch completed	ER	22/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	KLE	22/08/19

**Application:** 19/01026/ADV **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Ms Jan Clark - Notemachine UK Ltd

**Address:** 53 - 55 High Street Walton On The Naze Essex

**Development:** Retrospective application for the installation of internally illuminated sign in association with new ATM.

### 1. Town / Parish Council

Frinton and Walton Town Council      Approval

### 2. Consultation Responses

ECC Highways Dept      From a highway and transportation perspective the Highway Authority has no objections to make on this proposal as it is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, policies ST4 & ST6 of the Local Plan and policy T1 of the Local Plan Submission Version 2017.

#### Informative 1:

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

01/02115/FUL	Extension to first floor	Approved	18.01.2002
12/00214/FUL	Retention of shop front.	Refused	18.10.2012

13/00425/FUL	Proposed amendments to existing shop front.	Refused	11.06.2013
19/01025/FUL	Retrospective application for the installation of an ATM installed through a secure panel to the left hand side of the shop front	Current	
19/01026/ADV	Retrospective application for the installation of internally illuminated sign in association with new ATM.	Current	

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

NPPF National Planning Policy Framework February 2019  
National Planning Practice Guidance

Tendring District Local Plan 2007

EN18A Advertisement Control in Conservation Areas

EN18B Advertisement Control

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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 (2019) 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)**

##### **Application Site**

The application site comprises of a south facing commercial premises located within a town centre location. The premises is an existing A1 establishment with a number of signage already in situ.

### Proposal

This application seeks consent for the following signage;

- 1no internally illuminated sign surround ATM and illuminated surround.

Upon the site inspection the works were already complete and the signage was already in place.

### Appraisal

#### Public Amenity

The proposal includes new signage in association with the installation of a ATM machine.

The proposed signage will display will advertise the new facility.

The new signage is considered appropriate to the existing building and area as it is located within the town centre where it is amongst many other commercial units which have a variety of illuminated and non-illuminated fascia signs of varying colours.

As the proposed signage will be set back from the highway and will be consistent with other signage within the area it is considered that the new signs would not result in an adverse impact to character of the area or public amenity.

The site is located within a conservation area however will not infringe upon its existing character due to the vast array of signage within the immediate vicinity.

Essex County Council Highways has been consulted as part of the process of the application and have confirmed that they raise no objection.

It is therefore considered that the proposal would not cause glare or dazzle to traffic and is acceptable in terms of highway safety.

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#### Other Considerations

Frinton and Walton Town Council recommend approval for the application.

There have been no letters of representation received.

### Conclusion

In the absence of any harm resulting from the proposed development the application 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 plan: 3473551\_AI and Surround details 5886/7.

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

## **8. Informatives**

### Highways Informative

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