

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	22 <sup>nd</sup> Aug 2019
Planning Development Manager authorisation:	GN	22/8/19
Admin checks / despatch completed	KUL	23/08/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	KC	23/8/19

**Application:** 19/00977/ADV **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr Jonathan Morris

**Address:** 39 Connaught Avenue Frinton On Sea Essex

**Development:** Replacement of existing Fascia, projecting and ATM signage, works to include the preparation and decoration of existing shopfront.

### 1. Town / Parish Council

Frinton and Walton Town Council                      APPROVAL

### 2. Consultation Responses

None received

### 3. Planning History

00/00086/FUL	Proposed alterations to incorporate internal ramp	Approved	11.05.2000
00/01038/FUL	Installation of automatic teller machine	Approved	21.07.2000
02/00360/ADV	ATM cash machine surround sign	Approved	22.04.2002
91/00588/ADV	Illuminated fascia and projecting box sign.	Approved	14.08.1991
19/00976/FUL	Replacement of existing Fascia, projecting and ATM signage (19/00977/ADV), works to include the preparation and decoration of existing shopfront.	Current	
19/00977/ADV	Replacement of existing Fascia, projecting and ATM signage, works to include the preparation and decoration of existing shopfront.	Current	

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN18A Advertisement Control in Conservation Areas

TR1A Development Affecting Highways

Tendring District Local Plan 2007

SPL3 Sustainable Design

PPL8 Conservation Areas

### **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

Frinton, and in particular Connaught Avenue, has developed as the main shopping and local office centre serving the area; Connaught Avenue is unique among the District's town centre shopping areas in having no sizeable secondary shopping area. The application relates to 39 Connaught Avenue, occupied by Nationwide Building Society and located within the Settlement Development Boundary and Conservation Area of Frinton.

The existing shopfront retains some original Victorian features for example the corbel and pilaster and stallrisers. The application proposes a number of changes to the external appearance, being:-

- repainting the corbel and pilaster
- replacing the somewhat dated beige-tiled stallriser and aluminium shopfront with a granite-grey colour
- replace the existing ATM surround, fascia and projecting signage (see 19/00950/ADV)

### Proposal

The application seeks advertisement consent for the replacement of the existing internally illuminated fascia, projecting sign and the ATM surround.

### Appraisal

With regard to outdoor advertisements, Paragraph 67 of the National Planning Policy Framework 2012 (NPPF) states that 'only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to a detailed assessment by the local planning authority, and such adverts should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

As a result the main considerations are the impact on public amenity and highway safety. Saved Policy EN18a of the adopted Tendring District Local Plan 2007 supports this and also requires that such applications give special attention to the desirability of preserving or enhancing the character and appearance of the area and the street scene.

### Public Amenity

The site and proposed signage is located within the Town Centre Boundary and on the main shopping street of Frinton alongside other commercial units with examples of different branding and company signage dominating the street scene.

The signage results in a fascia with smaller lettering and logo also reducing the illuminated area of signage therefore improving the impact within its conservation area setting. The projecting sign is again smaller with a softer shape and appearance being more sympathetic to the conservation area. Overall the new shop front and signage will contribute positively to the street scene resulting in a cleaner, more coherent appearance.

Therefore, given the location of the site amongst existing commercial uses and the improved size and appearance of the signage and shopfront it is considered that proposal would not cause harm to public amenity or the character and appearance of the conservation area.

### Highway Safety

Manual for Streets requires that features should not oversail footways at a height of less than 2.6m. The plans show the height to the underside of the sign is 3.2m.

The illuminated areas of the fascia sign are to be reduced in comparison to those approved previously improving the overall impact in terms of distraction and dazzle to highway users. Essex County Council raise no objections subject to conditions controlling maximum luminance levels.

## **6. Recommendation**

Approval - Advertisement Consent

## **7. Conditions / Reasons for Refusal**

- 1 The development hereby permitted shall be begun before the expiration of three years\* from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1179-03, revision A, 1179-05, NW-19-LS400-01 Sheet 1 of 2, NW-19-LS400-01 Sheet 2 of 2, NW-19-PS-ILLUM-01 Sheet 1 of 2 and NW-19-PS-ILLUM-01 Sheet 2 of 2; received 1st July 2019.

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

- 3 Notwithstanding the details contained within question 22 (Type of Proposed Advertisements) of the application form; the illuminance levels shall not exceed 600 candelabra per metre squared (600cd/m<sup>2</sup>)

Reason - To ensure that glare and dazzle is not caused to traffic in the adjoining highway, in the interests of highway safety.

## 8. Informatives

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

<b>Are there any letters to be sent to applicant / agent with the decision?</b>	NO
<b>Are there any third parties to be informed of the decision?</b>	NO