

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	18/09/2019
Planning Development Manager authorisation:	TF	25/09/2019
Admin checks / despatch completed	SB	27/09/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	EX	27/9/19

Application: 19/01200/ADV **Town / Parish:** Clacton Non Parished

Applicant: Miss Joanne Murray - Clear Channel UK

Address: O/s Morrisons Supermarket Waterglade Retail Park Old Road

Development: Display of double-sided digital advertising panel on bus shelter (internally illuminated).

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

Informative1: The interval of the rotation of adverts should not be less than 10 seconds for each cycle and the permitted illuminance of the proposed adverts should not exceed the permitted level of 600cd/m² for daytime or during hours of darkness.

Informative2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall 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

19/01200/ADV	Display of double-sided digital advertising panel on bus shelter (internally illuminated).	Current
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4. Relevant Policies / Government Guidance

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

NPPF National Planning Policy Framework February 2019

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks advertisement consent to replace the existing paper advertising panels on a bus shelter with double sided digital LCD advertisement display screens. The bus shelter is within the Development Boundary of Clacton On Sea.

Public Amenity

The bus shelter is sited outside of an existing retail park serving a number of retail units many of which have illuminated and non illuminated signs to the front and side of their premises. A totem is also visible informing customers of the different shops within the retail park.

The proposed advertisement will be sited in the same position as the existing advertisement, and will be of a comparable size. The illumination of the LCD panel will be comparable to the existing fluorescent tube illumination. It is considered that there will be no harm to the visual amenity of the area as a result of the proposed advertisement.

Across the road from the proposal are a number of residential properties. As a result of their distance away and their current views onto the existing retail park it is considered the proposal would not result in an adverse impact to these properties.

Highway Safety

Essex County Council Highways have been consulted on the application, and have no objection, subject to relevant Informatives.

Conclusion

In the absence of material harm as a result of the proposed development, this application 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 plan: 3BAY_INSIG1_MK1_DS75 and Block Plan 1:500.

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

8. Informatives

Highways Informative

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