

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | NH | 11/11/2019 |
| Planning Development Manager authorisation: | AN | 11/11/19 |
| Admin checks / despatch completed | CC | 11/11/19 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | AP | 11/11/19 |

Application: 19/01391/ADV **Town / Parish:** Clacton Non Parished

Applicant: Hidden Hearing

Address: 72 Station Road Clacton On Sea Essex

Development: New halo illuminated aluminium fascia sign above shopfront and new edge illuminated projecting sign. Associated manifestations to shopfront.

1. Town / Parish Council

Clacton is non parished.

2. Consultation Responses

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

Informative1: 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

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|--------------|---|----------|------------|
| 06/00089/FUL | Installation of 3 no externally mounted condenser units at ground floor level on rear facing wall | Approved | 14.03.2006 |
| 06/00090/ADV | Illuminated fascia and projecting signs. | Approved | 14.03.2006 |
| 14/00231/FUL | Installation of a ramp to the shop. | Approved | 02.04.2014 |

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| 19/01391/ADV | New halo illuminated aluminium fascia sign above shopfront and new edge illuminated projecting sign. Associated manifestations to shopfront. | 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 (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)

Site Description

The application relates to 72 Station Road, Clacton on Sea which is a commercial unit that is located within Clacton settlement development boundary. The surrounding area comprises of a mixture of town centre uses.

Description of Proposal

The application seeks advertisement consent for a new halo illuminated aluminium fascia sign above shopfront and new edge illuminated projecting sign. Associated manifestations to shopfronts.

Assessment

With regard to outdoor advertisements, Paragraph 132 of the National Planning Policy Framework (2018) 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 EN18b deals with advertisement control stating that proposals for advertisement should be well designed and sited and respect their surroundings whilst not endangering traffic. Advertisement hoardings will normally be limited to commercial areas.

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 proposal includes new signage for 'Hidden Hearing'. The proposed signage will display the companies name and is of a similar scale to the existing signage within the area. The signage is considered appropriate to the existing building and area as it is located within the Town Centre Boundary, which is amongst many other commercial units which have a variety of illuminated and non-illuminated fascia and projecting 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.

Highway Safety

The Highways Authority raises no objection to the application and therefore it is acceptable in terms of highway safety.

Other Considerations

Clacton is non parished.

No letters of representation have been received.

6. Recommendation

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: Drawing No. 308-002-258, Drawing No. 308-002-259 and Drawing No. 308-008-301A.

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

8. Informatives

Positive and Proactive Statement

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.

Highways

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