

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	7 <sup>th</sup> Nov 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:		

**Application:** 19/01372/ADV **Town / Parish:** Thorpe Le Soken Parish Council

**Applicant:** Enterprise Inns

**Address:** The Crown High Street Thorpe Le Soken

**Development:** Proposed 2no. signwritten displays, 1no. hanging sign, 4no. amenity boards, 1no. set of individual letters and 1no. menu case.

### **1. Town / Parish Council**

No comments received

### **2. Consultation Responses**

No comments received

### **3. Planning History**

05/02061/FUL	Disabled toilet and covered yard	Approved	09.02.2006
07/00384/FUL	Installation of 3 No. large parasols each 5m x 6m (total area 90 square metres). Alteration of window to form double door opening.	Approved	23.05.2007
91/00465/FUL	Kitchen extension and alterations.	Approved	04.06.1991
19/01372/ADV	Proposed 2no. signwritten displays, 1no. hanging sign, 4no. amenity boards, 1no. set of individual letters and 1no. menu case.	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

TR1A Development Affecting Highways

EN17 Conservation Areas

EN18 Fascia and Shopfront Signs in Conservation Areas

EN18A Advertisement Control in Conservation Areas

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SP2 Spatial Strategy for North Essex

SP3 Meeting Housing Needs

SPL1 Managing Growth

PPL8 Conservation Areas

Local Planning Guidance

Essex Design Guide

### **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 special quality of Thorpe-Le-Soken Conservation Area derives ultimately from its importance in medieval times, indicated by the wealth of historic buildings lining a sinuous main street. Neighbouring parts of the village that relate to the medieval core in plan form and in the intrinsic interest of their buildings are also included in the Area because of their supporting role. Thorpe's High Street is a classic example of the visual benefits in townscape of a balance between unity and variety. Designs of considerable ingenuity and interest are created within tightly-defined constraints concerning massing, height, materials and colour finishes. The application relates to The Crown Public House and located within the Settlement Development Boundary and Conservation Area of Thorpe Le Soken.

### Proposal

The application seeks advertisement consent for:-

Left hand (north-west elevation)

- 1 x externally illuminated (overhead lantern) wall-mounted (sign C)
- 1 x externally illuminated (existing spot-lights) hand-painted lettering/logo to wall-fabric (sign A)

Front Elevation (south-west elevation)

- 1 x externally illuminated (existing spot-lights) individually fret cut timber letters (sign G)
- 1 x non illuminated wall-mounted sign (sign C)
- 1 x externally illuminated (overhead spot light) wall-mounted sign (sign D)
- 1 x double-sided externally illuminated (trough light) projecting sign (sign B)

Right hand (south-east elevation)

- 1 x externally illuminated (existing spot-lights) hand-painted lettering/logo to wall-fabric (sign A)
- 1 x externally illuminated (overhead lantern) wall-mounted (sign C)
- 1 x internally illuminated wall-mounted sign (sign I)

Right hand site boundary

- 1 x non illuminated wall mounted sign (sign H)

### 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 on the main shopping street of Thorpe Le Soken alongside other commercial units with examples of different branding and company signage dominating the street scene.

The signage is tantamount to replacing existing signage, no additional signs are proposed. The signage to the left hand boundary is being reduced as, currently, two large wall-mounted externally illuminated (trough lit) signs exist – these are being replaced with one traditional hand-painted

lettering/logo directly to the wall fabric and one wall-mounted sign to be externally illuminated by a lantern of pseudo-traditional appearance. The existing bracketry supporting the projecting sign is of a simple design; it is proposed to replace this with a traditional ornate gibbet. Overall the new replacement 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 3.3m.

The illuminance levels are acceptable for the signs of the size, in accordance with the Institution of Lighting Professionals Technical Report PLG05 The Brightness Of Illuminated Advertisements.

## **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 plans: Page 1 of 5, Page 2 of 5, Page 3 of 5 and Page 5 of 5 – received 11<sup>th</sup> September 2019.

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

- 3 Notwithstanding the details contained within the application form; the maximum luminance of the signs shall not at any time exceed the standards contained within the Institution of Lighting Professionals Technical Report PLG05 The Brightness Of Illuminated Advertisements, for zone E3 locations, which in this case is 600 Candelas per square metre (600 cd/m<sup>2</sup>) for signs less than 10m<sup>2</sup>, and 300 Candelas per square metre (300 cd/m<sup>2</sup>) for those over 10m<sup>2</sup>.

Reason - To ensure that users of the highway are not subjected to glare and dazzle in the interest 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