

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	30 th June 2020
Planning Development Manager authorisation:	AN	30/06/2020
Admin checks / despatch completed	CC	02/07/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	02/07/2020

Application: 20/00581/ADV **Town / Parish:** Clacton Non Parished
Applicant: Mr Ben French - HSBC CRE
Address: 47 Station Road Clacton On Sea Essex
Development: Replacement of existing ATM header signage.

1. Town / Parish Council

Not applicable

2. Consultation Responses

ECC Highways Dept The information that was submitted in association with the application has been fully considered by the Highway Authority. It is noted that the proposal is a replacement non-illuminated sign under one metre squared in area therefore, from a highway and transportation perspective, the Highway Authority has no objections to make on this proposal.

3. Planning History

94/00132/ADV	Illuminated fascia and projecting signs	Approved	18.03.1994
95/00271/FUL	Installation of new ramp to main entrance of bank (ramp on public pavement)	Approved	11.04.1995
97/00921/ADV	Illuminated fascia and projecting sign	Approved	04.09.1997
10/00349/ADV	New benefits panel over existing ATM. New welcome message panel over entrance door.	Determination	15.04.2010
15/01091/FUL	Replacement external ATM.	Approved	16.09.2015
17/00187/ADV	Application for one fascia sign, one projecting or hanging sign, and one non illuminated vitreous enamelled branch nameplate sign.	Approved	05.05.2017
20/00581/ADV	Replacement of existing ATM header signage.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN18B Advertisement Control

QL9 Design of New Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 an-east facing commercial premises "47 Station Road Clacton." The premises is set back from the highway and is part of a row of commercial properties located within the vicinity of Clacton Town Centre.

The application seeks advertising consent for the replacement of the existing non-illuminated ATM header in order to comply with new HSBC UK branding. The sign would be 0.7m high, 0.7m wide and 0.03m deep and the maximum height of any of the individual letters and symbols would be 15 cm. The sign would be a folded aluminium panel with digital print.

Assessment

The main considerations of this application are the impact on visual amenity and public safety. With regard to outdoor advertisements, the National Planning Policy Framework states that only those advertisements which will clearly have an appreciable impact on a building or on the 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.

Saved Policy EN18b states proposals for advertisements should be well designed and sited and respect their surroundings.

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.

Public Safety

The Highways Authority were consulted and, in noting the relatively small scale of the sign in conjunction with the sign being non-illuminated, raised no objection to the sign. In regards to the siting of the sign, it would be adhered to the face of the wall and not overhang the public footpath in any manner. The proposal is therefore considered acceptable in terms of public safety.

Visual Amenity

The immediate surrounding area is characterised by retail and employment uses, with residential units a significant distance to the west. The proposed sign is considered to be of a size and scale in keeping with other examples within the vicinity. Therefore the harm will not be detrimental enough to warrant a reason for refusal.

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: Drawing No. 19 230 121 PA 15.

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.

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