

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	27 th July 2020
Planning Development Manager authorisation:	AN	27/07/2020
Admin checks / despatch completed	CC	27.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	27.07.2020

Application: 20/00675/ADV **Town / Parish:** Clacton Non Parished

Applicant: The Range

Address: The Range Valley Road Clacton On Sea

Development: 1 No. non illuminated slim frame flex face sign.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

00/00229/FUL	Mobile catering unit (Renewal of planning permission TEN/98/1584)	Approved	23.03.2000
00/01487/FUL	Fire protection works: Erection of a sprinkler tank and pumphouse to serve a sprinkler system within existing retail store	Approved	17.10.2000
96/01035/FUL	(B & Q, Valleybridge Road, Clacton on Sea, Essex) Erect 3.6m high galvanised weld mesh fence and gates to form secure loading bay compound	Refused	29.10.1996
96/01189/ADV	(B & Q DIY Supercentre, Valley Bridge Road, Clacton on Sea) Individual surface mounted letter signs	Approved	25.10.1996
96/01502/ADV	4 No. 8 m flagstaff and flags	Approved	06.01.1997
98/01584/FUL	Mobile catering unit (B & Q Car Park)	Approved	16.02.1999
99/00962/FUL	To enclose the existing service yard and form a secure area, by the erection of a 2.7m high fence, with "Goods In and Fire Escape" gates included.	Approved	31.08.1999

03/00275/FUL	Mobile catering unit (renewal of planning permission 00/00229/FUL)	Approved	07.04.2003
04/00765/FUL	Vary Condition 2 and 6 of planning permission TEN/1089/86-floorspace.		29.07.2005
04/00768/FUL	Alterations to retail warehouse.	Approved	01.08.2005
19/01174/FUL	Variation of condition 3 of application 04/00765/FUL to enable the sale of a limited range of food and drink items	Approved	24.09.2019
20/00675/ADV	1 No. non illuminated slim frame flex face sign.	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

EN18B Advertisement Control

TR1A Development Affecting Highways

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)

The site forms part of an established out of town retail park. The individual site is a retail premises which sells an array of household goods. Recently the premises has sub-let part of the shop-floor to a well-known frozen-food supplier and this advertisement application reflects the mix of retail proposed.

Proposal

The application seeks advertisement consent for a new non-illuminated wall-mounted sign. The sign would not project any more than 30mm from the building face, would be a little over 4m wide and 1m high.

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 an established retail park alongside other commercial units with examples of different branding and company signage dominating the street scene.

The proposed signage is of a smaller scale than that advertising the ‘main’ shop and reflects its subservient relationship with the main function of the outlet.

Therefore, given the location of the site amongst existing commercial uses and the size and appearance of the non-illuminated signage it is considered that proposal would not cause harm to public amenity or the character and appearance of the 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 4.4m.

No illumination is proposed and for these reasons the proposed sign is unlikely to cause a distraction to passing motorists.

6. Recommendation

Approval - Advertisement Consent

7. Conditions / Reasons for Approval

- 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: Issue 1, received 29th May 2020.

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