

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	01/02/2021
Planning Development Manager authorisation:	TC	01/02/2021
Admin checks / despatch completed	CC	01.02.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	DB	01.02.2021

Application: 20/01641/ADV **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Jerry Wedge

Address: The Council House Triangle Shopping Centre Frinton On Sea

Development: Proposed projecting Post Office sign.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
11.01.2021

NOTED

2. Consultation Responses

ECC Highways Dept

The Highway Authority observes that The Council House Triangle Shopping Centre does not form part of the publicly maintainable highway and would not normally comment, however, it is noted that the proposed sign is not going to be illuminated and will not overhang or adjacent to the highway, therefore:

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

Informative:

1: 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 – Development Management Team

**Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT**

3. Planning History

02/01205/FUL	To provide disabled access.	Approved	21.08.2002
18/01744/FUL	First floor extension to house platform lift.	Approved	18.01.2019
20/01641/ADV	Proposed projecting Post Office sign.	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)

CP1 Sustainable Transport and Accessibility

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally

compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application relates to the installation of a Post Office sign within the Triangle Shopping Centre in Frinton On Sea. The sign would be sited attached to the east elevation of The Council House building, directly opposite the existing post office. The surrounding buildings can be mostly characterised as retail spaces.

Description of Proposal

The application seeks advertisement consent for:

- The installation of a Post Office sign attached to the Council House Building, directly opposite the existing Post Office and sign.

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 the 'Post Office'.

The proposed signs will be located within the Triangle Shopping Centre, so will not be directly visible from the highway.

The sign is of the following dimensions:

45cm x 45cm x 5cm and be erected 2.2 metres from the ground floor level.

The applicant has asked for permission for this sign, for the life of the post office existence at this site.

As the sign is small in scale and not illuminated, it is deemed that the proposal would not have a negative impact on the visual amenity of the shopping centre. As the sign would be located within the shopping centre (a pedestrianised area) it is deemed to not adversely impact on highway safety.

Highway Safety

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

Other Considerations

Frinton and Walton Town council made no comment on the proposal.

No other letters of representation have been received.

6. Recommendation

Advertisement Consent Approved

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: -

i. 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.

ii. 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.

iii. 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.

iv. 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.

v. 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.

2 The development hereby permitted shall be carried out in accordance with the following approved plans/documentation received 11th December 2020:

- 1803/02A
- 1803/00

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

8. **Informatives**

1. Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways

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.

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

