

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	03/02/2022
Planning Development Manager authorisation:	AN	03/02/2022
Admin checks / despatch completed	DB	04.02.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	04/02/20022

**Application:** 21/02088/ADV **Town / Parish:** Thorpe Le Soken Parish Council

**Applicant:** Mr Lloyd Phillips - Burfoot Homes

**Address:** Site to South of Frinton Road Frinton Road Thorpe Le Soken

**Development:** Placement and erection of five number site advertisements.

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

No comments received

### **2. Consultation Responses**

ECC Highways Dept  
02.02.2022

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material.

**From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:**

1. As indicated on the Signage West drawings the proposed signage must not be located within the highway boundary and any visibility splay.

**Reason:** To ensure the signs do not interfere with the passage of users of the highway, and to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

**Note:** Any sign on or overhanging any part of the highway requires a licence under Section 177 or 178 of the Highways Act, 1980 which will incur a charge of £725.00. The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging/ encroaching onto the highway which is considered to be an obstruction to the safe and convenient passage of the public in the highway.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

**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](mailto:development.management@essexhighways.org)

2: The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Essex County Council  
Heritage  
06.01.2022

The application is for the placement and erection of five number site advertisements within the Thorpe Le Soken Conservation Area.

There is no objection to the application with the following condition

- Prior to commencement, layout, design and specification of each board must be submitted and approved by the Local Authority; and
- The proposed advertising boards must be fitted in the approved locations and retained for no longer that two years' time. Should a longer period be required this should be agreed through a new application.

### 3. Planning History

14/30369/PREAPP	Proposed development of site consisting of low density housing scheme, new hall/scout hut and changing facilities, and new local 'store' to create additional shopping provision.		22.10.2014
15/01452/OUT	Outline application for the construction of up to 49 houses together with access road.	Withdrawn	01.12.2015
16/00838/OUT	Outline application for the construction of up to 49 houses together with access road etc	Refused	10.11.2016
20/30180/PREAPP	Residential development of 85no. dwellings.		18.11.2020
21/00666/DETAIL	Reserved Matters Application (Appearance, Landscaping, Layout and Scale) for Outline Application (16/00838/OUT) for the construction of up to 49 houses, together with access road etc (Granted on Appeal ref: (APP/P1560/W/17/3166985)	Approved	06.08.2021
21/01779/DISCON	Discharge of conditions 10, (Construction management plan) 11 (Management plan and specifications) and 13 (Tree		13.12.2021

	protection plan) of appeal 17/00041/REFUSE.		
21/01830/DISCON	Discharge of conditions 9, (Travel Plan) 14 (Maintenance and management of Surface Water Drainage) and 18 (Fibre optic broadband details) of application 16/00838/OUT (Appeal 17/00041/REFUSE) and Condition 10, (Travel Plan) of application 21/00666/DETAIL		07.01.2022
21/01936/DISCON	Discharge of condition 17 (Materials) of application 16/00838/OUT (Appeal APP/P1560/W/17/31669850 .	Current	
21/01979/DISCON	Discharge of condition 15 (Written scheme of archaeological investigation) of application 16/00838/OUT.	Approved	14.01.2022
21/02019/DISCON	Approval of details reserved by Condition 16 (Ecological Mitigation scheme and management) of 16/00838/OUT (Appeal 3166985)	Current	
21/02088/ADV	Placement and erection of five number site advertisements.	Current	
21/02123/DISCON	Discharge of conditions 6 (full site survey and floor levels) and 7 (visibility splays) allowed at appeal APP/P1560/W/17/3166985 (16/00838/OUT) and discharge of conditions 4 (Estate roads and footways) and 14 (Phase 1 risk assessment ) of application 21/00666/DETAIL	Current	

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)  
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)  
SPL3 Sustainable Design

#### **Status of the Local Plan**

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the

Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

In relation to housing supply:

The Framework requires Councils boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, to account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible or if housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, Paragraph 11 d) of the Framework requires granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole (what is often termed the 'tilted balance').

The Local Plan fixes the Council's housing requirement at 550 dwellings per annum. On 19 October 2021 the Council's Strategic Housing Land Availability Assessment (SHLAA) updated the housing land supply position. The SHLAA demonstrates in excess of a six-and-a-half-year supply of deliverable housing land. On 14 January 2022 the Government published the Housing Delivery Test (HDT) 2021 measurement. Against a requirement for 1420 homes for 2018-2021, the total number of homes delivered was 2345. The Council's HDT 2021 measurement was therefore 165%. As a result, the 'tilted balance' at paragraph 11 d) of the Framework does not apply to applications for housing.

## **5. Officer Appraisal**

### Proposal

This application seeks consent for five non-illuminated signs, two on the western parcel of land and three on the eastern parcel of land. The purpose of the signage is to advertise and clearly mark the site entrances to the new housing developments along this part of Frinton Road in Thorpe le Soken, application number 16/00838/OUT allowed on appeal.

### Appraisal

The signage will be aluminium composite material panels secured on steel posts showing the Thorpe Hall Gardens development logo, the developers name and estate agent details. Three of the signs will be sited so that they are visible above the developers 8ft high hoarding which will bound the edge of the development. Two signs are a lower level to be viewed individually.

The larger signage will measure 3.6 metres tall to the top of the sign, with a width of 2.4 metres. The smaller signage will measure 3 metres tall to the top of the sign, with a width of 2.4 metres. The signage will be sited and angled to the highway, set back sufficiently so as not to unduly detract drivers of vehicles. There will be no illumination of the signs owing to the location in the conservation area and residential properties on the northern side of Frinton Road. The location of the new signs would not result in an adverse impact to public amenity.

Essex Highways have requested that a condition to ensure the visibility splays remain free of obstruction by the signs be imposed on consent of the advertisement.

### Other Considerations

Place Services have been consulted for their heritage advice given the location of the site within the conservation area. They request details of the specifications, layout and design of the signs which has been further submitted as part of this application. They also state that the boards should be fitted in the approved locations which can be secured with a condition to comply with specific plans and drawings. In addition they state that the signs should not be retained for longer than two years, however they do not offer a reason for this request and there is no compelling evidence that indicates the timeframe should be shortened and therefore it is not considered necessary to impose a restriction of two years where the approval of advert consent offers a fixed term of 5 years to display an advert.

No letters of representation have been received.

### Conclusion

In the absence of any harm resulting from the proposed development the application is recommended for approval.

## **6. Recommendation**

Approval - Advertisement Consent

## **7. Conditions**

- 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:

DRAWING TITLE: Post Mounted Sign Location Plan (West Parcel) REF: Signage West

DRAWING TITLE: Post Mounted Sign Location Plan (West Parcel) REF: Signage East

High Level Post Mounted Sign - 1

Post Mounted Sign - 2

Image Lifespa Entrance Signage 1

Image Lifespa Entrance Signage 2

Image Development Entrance Signage 1

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

- 3 The proposed signage must not be located within the highway boundary and any visibility splay.

Reason - To ensure the signs do not interfere with the passage of users of the highway, and to preserve the integrity of the highway and in the interests of highway safety.

## 8. Informatives

### Highways Informative

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