

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	26/07/2022
Planning Development Manager authorisation:	AN	26/07/22
Admin checks / despatch completed	SH	26.07.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	26.07.2022

Application: 22/00858/ADV **Town / Parish:** Frinton & Walton Town Council
Applicant: Ms Stephanie Condron
Address: Bruff 29A The Parade Walton On The Naze
Development: Consent to display one externally illuminated fascia sign.

1. Town / Parish Council

FRINTON & WALTON TOWN COUNCIL
24.06.2022

Recommends Approval

2. Consultation Responses

ECC Highways Dept
01.07.2022

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

1. The proposed works particularly to the external surface area directly abuts to the back of the footway. This is public highway, and the construction work must be carried out subject to arrangements made with the Service Management Office (SMO1) contact details in the informative at the foot of the page.
Reason: In the interests of highway safety in accordance with policy DM1.

2. The proposed light source shall be so positioned and shielded, in perpetuity, to direct light towards the proposed advertisement sign and away from the Highway.
Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety and in accordance with Policy DM1.

3. For the internally illuminated sign, the maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5, which in this case is 600 Candelas per square metre (600cd/m²).
Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety and in accordance with Policy DM1.

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

2: The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging or adjacent to the highway which is considered to be an obstruction or a hazard to the safe and convenient passage of the public in the highway.

3: 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
22.07.2022

The application is for consent to display one externally illuminated fascia sign.

The proposal site is within the Frinton and Walton Conservation Area.

The proposal is considered to preserve the character and appearance of the Conservation Area, in line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the NPPF.

There is no objection to this application.

3. Planning History

20/01505/FUL	Installation of recessed door (in previous location of around 70 years ago), recessed stepped access with glazed box light above and re-painting of shop frontage.	Approved	12.05.2021
22/00858/ADV	Consent to display one externally illuminated fascia sign.	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.

5. Officer Appraisal

Proposal

This application seeks consent for an externally illuminated fascia sign to the shop front of 29A The Parade which operates as a café. The application site lies in a prominent seafront position on the corner of Newgate Street and The Parade. The premises is also situated within the town centre boundary, the urban regeneration area, the development boundary of Frinton, Walton and Kirby Cross as well as lying within the Frinton and Walton Conservation Area.

Appraisal

The application site is an established retail unit in the town centre of Walton on the Naze.

The proposal includes the name of the café above the main entrance with the number of the shop at each end of the fascia. The text will be red, outlined in blue on a timber fascia painted white. The red and blue colours taking cues from the main door and entrance steps. An LED strip light fixed above the shop name will externally illuminate the letter writing. The level of illumination here will be 270cd/m². The new fascia signs will offer a welcome sympathetic upgrade to the shopfront.

Due to the location of the café within the conservation area, Place Services have been consulted. They do not object to the application and consider it to preserve the character and appearance of the Conservation Area, in line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the National Planning Policy Framework.

As a result of the design and scale of the fascia sign, it would not result in an adverse impact to public amenity.

The luminance and positioning of the fascia sign is secured by condition in consultation with Essex Highways to ensure it is directed away from the highway in the interests of highway safety.

Other Considerations

Frinton and Walton Town Council recommend approval of the application.

No further representations 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 No. BH-STC-S6

Drawing No. BH-STC-S1

Drawing No. BH-STC-S2

Drawing No. BH-STC-S3

Drawing No. BH-STC-S4

Drawing No. BH-STC-S5

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

3 The proposed light source shall be so positioned and shielded, in perpetuity, to direct light towards the proposed advertisement sign and away from the Highway.

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

4 For the externally illuminated sign, the maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5, which in this case is 600 Candelas per square metre (600cd/m²).

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

8. Informatives

Highways Informatives

The proposed works particularly to the external surface area directly abuts to the back of the footway. This is public highway, and the construction work must be carried out subject to arrangements made with the Service Management Office (SMO1) in the interests of highway safety.

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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The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging or adjacent to the highway which is considered to be an obstruction or a hazard to the safe and convenient passage of the public in the highway.

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.