

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	AP	30/01/2025
EIA Development - Notify Planning Casework Unit of Decision	NO	
Team Leader authorisation / sign off:	ML	31/01/2025
Assistant Planner final checks and despatch:	ER	31/01/2025

Application: 24/01783/ADV **Town / Parish:** Frinton & Walton Town Council

Applicant: Mrs Gemma Peck - Poundstretcher

Address: 78 - 80 Connaught Avenue Frinton On Sea Essex

Development: Application for Advertisement Consent - Company brand fascia logo sign above door and window graphics.

1. Town / Parish Council

Frinton and Walton Town Council - Supports application

2. Consultation Responses

ECC Highways Dept
17.12.2024

From a highway and transportation perspective the Highway Authority has no comments to make on this proposal; given the luminance levels do not exceed the recommended level of 600 cd/m for a medium district area (small town centre), as contained within the Technical Report No.9 - Brightness of Illuminated Advertisements Third Addition.

Informative:

i. 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

Essex County Council
Heritage
08.01.2025

Built Heritage Advice pertaining to an application for Advertisement Consent to install a company brand logo sign above door. It is noted that the proposed elevations also include the installation of additional advertisements applied internally as half-height window graphics to premises shopfront.

Nos. 78-84 Connaught Avenue form an unlisted building that is located within the Frinton and Walton Conservation Area. The flat roofed building is part of a terraced streetscape characterised by the mainly commercial premises. Nos. 78-84 were built during the latter half of the twentieth century as two commercial premises that have since been combined into one. As such, its shopfront formed of three bays is much wider than the neighbouring premises and appears prominent in the streetscene.

There is a Character Appraisal and Management Plan (CAMP) adopted for this Conservation Area, and the Frinton and Walton Town Council has published a Shopfront Design Guide for Frinton.

The previous signage installed upon the premises as approved by 17/01078/ADV was unassuming and consisted of non-illuminated acrylic 3D letting mounted onto a dark grey painted timber fascia board. It was replaced by the existing signage that has been refused consent by application 24/00359/ADV on the grounds that it has a detrimental impact upon public visual amenity, due to the inappropriate design, materials, and colour used. This resulted in less than substantial harm to the character and appearance of the Conservation Area, which were not outweighed by public benefits.

It is also acknowledged that a concurrent application (24/01777/FUL) has been submitted for alteration to the front of the building to install hand painted light grey eggshell panels on the shopfront.

This current application proposes signage to replace that installed without consent. There is no objection to the proposed advertisements that would be applied internally to the shopfront windows because the same design is repeated across the shopfront using a muted colour (light grey), making the signage appear simpler and more understated than the refused signage. But there are still outstanding issues with the fascia signage above the door, which need to be addressed before the proposal can be supported. The issues are set out below with amendments given as potential ways to overcome them:

- The 3D lettering and logo is made of aluminium finished satin white, this material is not appropriate for signage in the Conservation Area and should be amended to painted timber a material traditionally used for signage as per paragraph 4.9 of Frinton Shopfront Design Guide.

- The signage tray made of aluminium finished satin red is to be used as a new fascia board above the door, which the 3D lettering will be affixed to. Paragraph 4.12 of the Frinton Shopfront Design Guidance identifies this material is not acceptable for use as a fascia board due to its reflective quality, and proneness to quickly corrode in the sea-air. It is recommended that a traditional painted timber fascia board be used instead.

- The smaller lettering 'every penny counts...' using a different and lighter weight typeface should not be pronounced in 3D, as this detracts from the larger lettering '£ poundstreicher', therefore, it is suggested that this be painted on to the fascia to simplify the design of the signage, as per the expectation of Paragraph 4.18 of the Frinton Shopfront Design Guide, which states that the signage must relate to the scale and character of the building and street.

- The CAD cut logo used for the 'Pet Hut' includes small writing underneath the graphic that also appears to be disproportionate, this should be omitted to simplify the design of the logo. The logo should either be painted onto the fascia board or mounted as a painted timber cut-out.

- The projecting trough light proposed to illuminate the new signage above the door appears cumbersome. Illuminated signage within the

Conservation Area should be avoided. When signage is illuminated Paragraph 4.20 of the Frinton Shopfront Design Guide states that the means of lighting must be as unobtrusive as possible, therefore, it is suggested that precise specification details be provided for the trough light and that a slimline fitting be used.

It is recommended that large-scale sectional drawing of the signage above the door be provided prior to determination of the application, as it is not clear how pronounced the 3D lettering/logo will be.

Please note that the amendments suggested above should not be considered as the only acceptable options, there may be other appropriate ways to resolve the issues. If amendments are made to the proposal that accord with the Frinton Shopfront Design Guide, then the proposal could be supported.

However, as presented the proposal is not acceptable and does not preserve or enhance the character or appearance of the Conservation Area, contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and is therefore not supported in its current iteration.

With regards to the National Planning Policy Framework (NPPF) the proposal is still considered to cause 'less than substantial' harm to the significance of the Conservation Area, due to its inappropriate design. As such, Paragraph 215 of the NPPF is relevant to decision making, and the Local Planning Authority should weigh this harm against any public benefits that flow from the proposal, giving great weight to the heritage asset's conservation as per Paragraph 212, and providing clear and convincing justification in respect of Paragraph 213 for any level of harm.

3. Planning History

14/01271/ADV	Erection of 2 x externally illuminated fascia signs, 1 x externally illuminated hanging sign and 2 x other signs.	Approved	29.10.2014
17/01078/ADV	3 x non-illuminated fascia signs and 1 x non-illuminated projecting hanging sign.	Approved	07.09.2017
17/01099/FUL	Amalgamation of existing units into one retail unit with the additional of 27 square metres of floor space. Alterations to existing shop front. Change of use of unit 84 from A3 to A1. Change of use of unit 84A on the first floor from D1 to ancillary A1 (retail staff accommodation and stock areas).	Approved	07.09.2017
24/00359/ADV	Application for Advertisement Consent - illuminated company brand logo sign above door.	Refused	21.05.2024

4. 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 Local Plan 2013-33 and Beyond (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any Neighbourhood Plans that have been made and the Minerals and Waste Local Plans adopted by Essex County Council.

5. **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. **Relevant Policies / Government Guidance**

National:

National Planning Policy Framework December 2024 ([NPPF](#))

National Planning Practice Guidance ([NPPG](#))

Local:

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

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

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

SPL3 Sustainable Design

PPL8 Conservation Areas

Supplementary Planning Documents

Frinton and Walton Conservation Area Character Appraisal and Management Plan November 2023

Local Planning Guidance

Frinton Shopfront Design Guide

7. **Officer Appraisal**

Proposal

This application seeks consent for one fascia sign and trough light above the entrance doors from Connaught Avenue and the window graphics. 78-80 Connaught Avenue opened as a Poundstretcher retail shop in March 2024 and lies within the busy town centre. The application site lies within the Frinton settlement development boundary and within the Frinton and Walton Conservation Area.

A separate application for alterations to the shopfront, reference 24/01777/FUL has been submitted for redecorating the exterior of the shopfront to include the fascia, windows and door frames and stallriser.

Appraisal

The main considerations of this advertisement consent are public amenity and highway safety.

With regard to outdoor advertisements, the National Planning Policy Framework states at paragraph 141 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.

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.

Policy SPL3 of the Tendring District Local Plan states all new development must make a positive contribution to the quality of the local environment, and must relate well to its site and surroundings.

The Local Planning Authority has a statutory duty to preserve or enhance the character and appearance of Frinton and Walton Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The proposal includes a fascia sign above the entrance doors to the shop externally illuminated by a trough light. The signage promotes the Poundstretcher brand and therefore uses the brand colouring of red and white. The sign tray is red, finished in satin aluminium with 3D white satin built up individual letters spelling out '£poundstretcher' with matt finish printed graphics for 'pet hut' and 'every penny counts...'. It is acknowledged that the aluminium finish and printed graphics does not align with all the principles in the Frinton Shopfront Design Guide that favour and support the use of timber fascias and lettering or sign written signs. The proposal does; however, meet a number of the principles, for example, the signage is limited to the name and purpose of the business, individual letters are used for '£poundstretcher' in a colour that contrasts with its background and concealed illumination of the fascia will be achieved through a tube hidden in a trough.

The proposal also includes window graphics, applied internally to the bottom half of the Connaught Avenue facing windows in grey.

Essex County Council Place Service have been consulted for their heritage advice. They have no objection to the internally applied window graphics as the same design is repeated across the shopfront using a muted colour (light grey), making the signage appear simple and understated. Their view, however, is that the fascia sign and trough light is not acceptable and does not preserve or enhance the character or appearance of the Conservation Area.

Notwithstanding the comments from Place Services the context of this central part of Connaught Avenue is considered. The M&Co fascia logo that came before was made of acrylic lettering contrary to the principles of the design guide, albeit on a timber sign tray. Neighbouring shops have internally applied window graphics of differing designs and colours while neighbouring fascia signs also take differing forms. Sainsbury's next door have individual raised lettering, it is not timber and neither is the sign tray. Other shops have fascias that cause reflection and glare due to their shiny finish with lettering and advertising within the sign itself. The shopfront at 78-80 Connaught Avenue has been altered over the years and is a predominantly single storey more modern building and shop front. It is considered that in the context of this part of Connaught Avenue and the design principles that have been adhered to from the Frinton Shopfront Design Guide weighs in favour of the proposal and the conservation area will be preserved.

Essex Highways were consulted as part of the advert consent application and they have no comments to make on this proposal; given the luminance levels do not exceed the recommended level of 600 cd/m for a medium district area (small town centre).

Other Considerations

Frinton and Walton Town Council have no comments and support the application.

There have been no other letters of representation received.

Conclusion

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

8. Recommendation

Approval - Advertisement Consent

9. Conditions

1 ADVERTISEMENT (SCHEDULE 2 CONDITIONS)

CONDITIONS:

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.

REASON: All advertisements displayed with the (express) consent of the Local Planning Authority are subject to these standard conditions by virtue of Schedule 2 to the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

- The approved red line plan drawing is Planning Portal site plan 1:1250 received 2 December 2024
- UK Planning Maps Block Plan 1:500
- Proposed Poundstretcher Front Elevation Signage

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved,

unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3 COMPLIANCE REQUIRED - FASCIA SIGN AND WINDOW GRAPHICS

CONDITION: Within 3 months of the date of this decision the fascia sign and window graphics shown on approved drawing PROPOSED POUNDSTRETCHER FRONT ELEVATION SIGNAGE shall be fully installed and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and the character and appearance of the area.

10. **Informatives**

Highways Informative

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

11. **Equality Impact Assessment**

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

12. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO
Has there been a declaration of interest made on this application?	YES	NO