

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	11/06/2018
Planning Development Manager authorisation:	AN	14/6/18
Admin checks / despatch completed	EB	21/06/18.

Application: 18/00660/ADV

Town / Parish: Harwich Town Council

Applicant: Mr Stephen Crowther - Nationwide

Address: Nationwide Building Society 238 High Street Harwich

Development: Proposed 2 No. fascia signs, 1 No. projecting or hanging sign and 2 No. other signs.

1. Town / Parish Council

Harwich Town Council has no objection to this application.

2. Consultation Responses

ECC Highways Dept

This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection to the above application subject to the following:

' The maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals Technical Report PLG05 The Brightness Of Illuminated Advertisements, for zone E3 locations, which in this case is 600 Candelas per square metre (600 cd/m²) for signs less than 10m², and 300 Candelas per square metre (300 cd/m²) for those over 10m².

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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' The proposed projecting sign shall afford minimum headroom of 3.28 metres above the footway.

Reason: To ensure the unimpeded passage of pedestrians and cyclists, in the interests of highway safety and in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' The maximum projection of the proposed sign shall be 0.60 metres.
Reason: For the avoidance of doubt in the interests of highway safety and in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Note: Any sign or overhang of any part of the highway may require the structure to be licensed 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 the highway which is considered to be an obstruction to the safe and convenient passage of the public in the highway. Contact should be made with the

Highway Authority on 0845 603 7631 in order to identify the extent and nature of the highway in the vicinity of the application site prior to any works being undertaken.

Note: No part of any sign, including any foundations required, shall be erected on land covered by highway rights as this would constitute a breach of the Highways Act 1980.

INF1 Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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:

Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

INF2 Cost of Works - 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.

3. Planning History

00/00943/FUL	Installation of Automatic Teller Machine	Approved	20.07.2000
02/00365/ADV	ATM cash machine surround sign	Approved	17.04.2002
91/00609/ADV	Illuminated fascia and projecting sign	Approved	16.07.1991
03/00840/ADV	1 Fascia sign and 1 projecting sign	Refused	11.07.2003
03/01754/ADV	1 fascia sign and 1 projecting sign	Approved	27.10.2003
90/00046/FUL	Alterations to shopfront for the installation of an automatic teller machine.	Approved	02.03.1990

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

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

EN18A Advertisement Control in Conservation Areas

TR1A Development Affecting Highways

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PPL8 Conservation Areas

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF 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 216 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. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. 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 216 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)

Site Description

The application relates to 238 High Street, Harwich occupied by Nationwide Building Society and located within the Settlement Development Boundary, Town Centre Boundary, Urban Regeneration Area and Conservation Area of Harwich and Dovercourt.

Proposal

The application seeks advertisement consent for the replacement of the existing signage with 1 no. fascia sign with illuminated logo & letters, 1 no. internally illuminated projecting sign, 1 no. internally illuminated ATM surround and non-illuminated aluminium fascia panels and grey vinyl.

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 the Town Centre Boundary and on the main shopping street of Harwich alongside other commercial units with examples of different branding and company signage dominating the street scene.

The signage results in a fascia with smaller lettering and logo also reducing the illuminated area of signage therefore improving the impact within its conservation area setting. The projecting sign is again smaller with a softer shape and appearance being more sympathetic to the conservation area. Overall the new shop front and signage will contribute positively to the street scene resulting in a cleaner, more coherent appearance.

Therefore, given the location of the site amongst existing commercial uses and the improved size and appearance of the signage and shopfront it is considered that proposal would not cause harm to public amenity or the character and appearance of the conservation area.

Highway Safety

The illuminated areas are to be reduced improving the overall impact in terms of distraction and dazzle to highway users. Essex County Council raise no objections subject to conditions. The suggested conditions include the height and projection of the projecting sign which are covered by the approved plans condition and therefore not necessary. The maximum luminance condition will be imposed.

Other Considerations

Harwich Town Council recommend approval.

No individual letters of representation have been received.

Conclusion

In the absence of any material harm to public amenity, the character and appearance of the Conservation Area or highway safety, this application for advertisement consent is recommended for approval.

6. Recommendation

Approval - Advertisement Consent

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: -

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 Number: 119515 Version: 1 Page: 1, Page: 2, Page: 3 and Page: 4.

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

- 3 The maximum luminance of the signs shall not at any time exceed the standards contained within the Institution of Lighting Professionals Technical Report PLG05 The Brightness Of Illuminated Advertisements, for zone E3 locations, which in this case is 600 Candelas per square metre (600 cd/m²) for signs less than 10m², and 300 Candelas per square metre (300 cd/m²) for those over 10m².

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

1. Any sign or overhang of any part of the highway may require the structure to be licensed 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 the highway which is considered to be an obstruction to the safe and convenient passage of the public in the highway. Contact should be made with the Highway Authority on 0845 603 7631 in order to identify the extent and nature of the highway in the vicinity of the application site prior to any works being undertaken.

2. No part of any sign, including any foundations required, shall be erected on land covered by highway rights as this would constitute a breach of the Highways Act 1980.

3. Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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:

Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

4. Cost of Works - 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.