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Item No: 7.7

Application: 171236
Applicant: Mrs Elizabeth Simpson
Agent:
Proposal: Freestanding 'V' Agents Letting Board
Location: Street Record, Westway Northbound, Colchester
Ward: Castle
Officer: Sue Jackson

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

1.1 This application is referred to the Planning Committee because the applicant is Colchester Borough Council.

2.0 Synopsis

- 2.1 The key issues explored below are the impact of the proposed advertisement in terms of its potential impact on the amenity of the area and on highway safety.
- 2.2 The application is subsequently recommended for approval

3.0 Site Description and Context

- 3.1 The site is part of Westway close to the junction with Middleborough Roundabout. Members may recall planning permission was granted to the Council in 2015 for the erection of two office buildings on land at Sheepen Road/Westway. Temporary hoardings with advertising signage and letting information have recently been removed as one of the buildings is now complete and will be occupied in the near future. The “V” board is to replace the hoarding. Westway is a dual carriageway with the back gardens of houses in Sheepen Place opposite the site.

4.0 Description of the Proposal

- 4.1 The proposal is for a single “V” shaped freestanding Agents Letting Board. The Board will be almost 3 metres above the ground with each element measuring 1.830.06m by 2440.00m. It will comprise aluminium panels with multi coloured text set on a white background.

5.0 Land Use Allocation

- 5.1 The site is within a Mixed Use area on the Proposals Map.

6.0 Relevant Planning History

- 6.1 151825 Erection of two office buildings - approved
151826 Totem sign board to front of building- approved
161291 Printed site hoarding - approved

7.0 Principal Policies

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester’s Development Plan is in accordance with these national policies and is made up of several documents as follows below.
- 7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:
SD1 - Sustainable Development Locations
CE2 - Mixed Use Centres
UR2 - Built Design and Character
- 7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity

- 7.4 Some “allocated sites” also have specific policies applicable to them. SA CE1 Mixed Use Sites
- 7.5 The Neighbourhood Plan for Boxted / Myland & Braiswick is also relevant. This forms part of the Development Plan in this area of the Borough.
- 7.6 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):
External Materials in New Developments
Shopfront Design Guide

8.0 Consultations

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

Highway Authority has no objection subject to informatives

9.0 Parish Council Response

- 9.1 N/A

10.0 Representations from Notified Parties

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties and no comments have been received.

11.0 Parking Provision

- 11.1 N/A

12.0 Open Space Provisions

- 12.1 N/A

13.0 Air Quality

- 13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

14.0 Planning Obligations

- 14.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

15.0 Report

- 15.1 Paragraph 67 of the NPPF states that ‘poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.’ It further states that ‘advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

Local planning authorities are required “to exercise their powers under the Advertisement Regulations with regard to amenity and public safety, taking into account relevant development plan policies in so far as they relate to amenity and public safety, and any other relevant factors. The definition of “amenity” includes both visual and aural amenity.

In assessing an advertisement's impact on "amenity", regard has to be had to the effect on the appearance on visual amenity in the immediate neighbourhood where it is to be displayed. It is therefore necessary to consider what impact the advertisement, including its cumulative effect, will have on its surroundings. “Public safety” is not confined to road safety. Crime prevention and detection are relevant; the obstruction of highway surveillance cameras, speed cameras and security cameras by advertisements is now included”.

It is considered that the impact of the advertisement, provided it is for a temporary period only, will not have an adverse impact on amenity. The immediate area comprises predominantly office development with the rear gardens of houses in Sheepen Place screened by a row of tall trees and separated from the site by Westway.

In assessing the advertisement's impact on "public safety", regard has to be given to the effect upon the safe use and operation of any form of traffic or transport. The proposed signage, by virtue of its location, is not considered to have an adverse impact on public safety, especially given that there is no illumination proposed and no objection has been received from the Highway Authority.

The application indicates the advertisement is proposed for the maximum period permitted of 5 years this is considered excessive and a 2 year consent is recommended.

16.0 Conclusion

16.1 To summarise, The advertisement would result in no adverse impact upon the amenity of the area or upon public safety and it is recommended advertisement consent is granted subject to the conditions below.

17.0 Recommendation to the Committee

17.1 The Officer recommendation to the Committee is to grant advertisement consent subject to the following conditions:

- 1. This consent expires two years from the date of this decision and is subject to the following standard conditions:**
 - 1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**
 - 2. Any structure or hoarding erected or used principally for the purpose of displaying**

advertisements shall be maintained in a safe condition.

3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

4. 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.

5. No advertisement shall be sited or displayed as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: In order to comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2. ZAM – Development to Accord with Approved Plans, “V” board drawing and site location plan 1:1250**

18.1 Informatives

18.1 The following informatives are also recommended:

Informative1: 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.

Informative2: 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 – Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.