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Item No: 7.4

Application: 220994

Applicant: Mrs Jane Thompson, CBC

Proposal: Shopfront signage for unit 3 Colchester Bike Park and e-Cargo Bike Library, and unit 2 Colchester Bike Kitchen - to be mounted on existing fascia.

Location: 2 Colchester Bike Kitchen &, 3 Portal Precinct, Sir Isaacs Walk, Colchester, Essex, CO1 1JJ

Ward: Castle

Officer: Annabel Cooper

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 The Advertisement Consent application is referred to the Planning Committee because the applicant is Colchester Borough Council.

2.0 Synopsis

- 2.1 The application has been assessed leading to the conclusion that the proposal is acceptable, and that conditional approval is recommended. It is not considered there would be a detriment to visual or residential amenity and there would be no detriment to public safety.

3.0 Site Description and Context

- 3.1 Two ground floor units within Portal Precinct which is a small courtyard located off Sir Isaac's Walk. The site is within the Town Centre Conservation Area.

4.0 Description of the Proposal

- 4.1 Shopfront signage for unit 3 Colchester Bike Park and e-Cargo Bike Library, and unit 2 Colchester Bike Kitchen.

5.0 Land Use Allocation

- 5.1 Inner Core, Conservation area and Central Area. Primarily commercial, business, service and residential.

6.0 Relevant Planning History

- 6.1 Planning permission 212055 granted permission for secure cycle parking as well as a community bike maintenance facility.

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 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021 and is afforded full weight. The following policies are considered to be relevant in this case:

- SP1 Presumption in Favour of Sustainable Development
- SP7 Place Shaping Principles

Appendix A of the Section 1 Local Plan outlines those policies in the Core Strategy Focused Review 2014 which are superseded.

The final section of Policy SD1 which outlines the presumption in favour of sustainable development is superseded by policy SP1 of the Section 1 Local Plan as this provides the current stance as per national policy.

All other Policies in the Core Strategy, Site Allocations and Development Management Policies and all other adopted policy which comprises the Development Plan remain relevant for decision making purposes.

7.3 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
- UR2 - Built Design and Character

7.4 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

7.5 There are no relevant adopted Site Allocations (adopted 2010) policies that should be taken into account in the decision making process.

7.6 There are no relevant Neighbourhood Plans that should be taken into account in the decision making process.

7.7 Submission Colchester Borough Local Plan 2017-2033:

Section 2 Emerging Local Plan is at an advanced stage having been found sound by the Planning Inspectorate. The Plan will now be considered for adoption. Section 2 will be afforded significant weight due to its advanced stage.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. The degree of consistency of relevant policies to the policies in the Framework.

Policies relevant to this application include:

- DM15 Design and Amenity

7.8 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

- The Essex 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.

8.2 Environmental Protection:

No comments

8.3 Highways:

The Highway Authority does not object to the proposals as submitted.

Informative1: 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.

8.4 Built Heritage:

The application site is situated to the north of Sir Isaac's Walk, within the designated Colchester Conservation Area 1. The Portal Precinct comprises a group of two storey commercial units arranged in a small yard with access through a carriage arch from Sir Isaac's Walk. A number of listed buildings are located in the vicinity of site , including no 6 Sir Isaac's Walk and 18-22 Sir Isaacs Walk.

The application seeks advertisement consent for new signage at Units 2 and 3. The applications is reviewed from a heritage perspective for its impact on the character and appearance of the Conservation Area, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that in the exercise of planning functions, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

The proposed signage would be installed within the existing shopfront and fascia of the commercial units. The design, style, materials and detailing are contextually appropriate for the site and its location. Therefore, the proposal would not have an adverse impact on the Conservation Area and as such, there are no objections to its support on heritage grounds.

9.0 Parish Council Response

9.1 Non parish

10.0 Representations from Notified Parties

10.1 The application resulted in notifications to interested third parties including neighbouring properties. No representations have been received.

11.0 Report

11.1 The main issues are:

- Amenity
- Public Safety

11.2 Paragraph 67 of the NPPF states that “poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

11.3 In assessing a signs impact on "amenity", regard should be given to the effect on the appearance of visual amenity in the immediate neighbourhood where it is to be displayed and also consideration of any impact upon residential amenity. It is therefore necessary to consider what impact the advertisement, including its cumulative effect, will have on its surroundings. The relevant considerations for this purpose are the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality.

11.4 The Portal Precinct comprises a group of two storey commercial and residential units arranged in a small yard with access through a carriage arch from Sir Isaac's Walk.

11.5 The application seeks advertisement consent for new signage at Units 2 and 3 associated with the recently approved bike storage and bike repairs facilities.

11.6 The proposed adverts include aluminium cut text mounted on the existing facias and signage within the units windows. No illumination is proposed. The design, style, materials and detailing are contextually appropriate for the site and its location. Therefore, the proposal would not have an adverse impact amenity of the area or the Conservation Area.

11.7 Furthermore, the Council's Environmental Protection team have not raised any concerns therefore it is not considered that the signs would result in any harm to residential amenity.

11.8 In assessing the impact on "public safety", regard should be had to the effect upon the safe use and operation of any form of traffic or transport. In assessing the public safety implications of an advertisement display, one can assume that the primary

purpose of an advertisement is to attract people's attention. The vital consideration, in assessing an advertisement's impact, is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety.

- 11.9 The proposed signs are not considered to have an adverse impact on public safety including highway safety; this has been confirmed by the Highway Authority.

12.0 Conclusion

- 12.1 To summarise, the proposed signage is not considered to be harmful to visual and residential amenity or to public safety, including highway safety. The proposed is therefore considered to comply with the guidance set out in the NPPF and development plan policies which are material considerations in so far as they relate to amenity.

13.0 Recommendation to the Committee

- 13.1 The Officer recommendation to the Committee is for:

APPROVAL of advertisement consent subject to the following conditions:

1. Standard Advert Condition

Unless an alternative period is specifically stated in the conditions below, this consent expires five 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. Approved Documents

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers:

Location Plan dated 1.7.2021 &
Secure Cycle Park Signage Design.

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

3. Approved materials

The external facing materials to be used shall be those specified on the submitted application form and drawings.

Reason: To ensure that materials are of an acceptable quality appropriate to the area.

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.

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