



**Application No:** 161291

**Location:** Sheepen Road, Colchester, CO3 3WG

**Scale (approx):** 1:1250

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**7.3 Case Officer: Sue Jackson      Due Date: 19/07/2016**

**OTHER**

**Site:**                      **Sheepen Road, Colchester, CO3 3WG**

**Application No:**   **161291**

**Date Received:**   24 May 2016

**Agent:**                Mr Kevin Whyte, Barefoot & Gilles

**Applicant:**           Ms Brett, Colchester Borough Council

**Development:**      Printed site hoarding.

**Ward:**                 Castle

**Summary of Recommendation:** Conditional 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.

### **3.0      Site Description and Context**

- 3.1      Planning permission was granted in November 2015 for two office buildings on the application site. One of the buildings is under construction and hoardings have been erected around the development site under permitted developmnet.
- 3.2      The site is situated on the edge of Middleborough Roundabout on the west side of the roundabout. It is bordered to the south and west by Sheepen Road with Westway, a dual carriageway to the north. To the other side of Westway are the back gardens of houses in Sheepen Place. Office buildings face the site across the roundabout and Rowan House occupied by Colchester Borough Council faces the site along Sheepen Road; while to the west is Colchester Retail Park.

### **4.0      Description of the Proposal**

- 4.1      The application proposes the erection of a 56m length of printed plastic advertisement on the existing hoardings, 2 metres high and non-illuminated along the road frontages.
- 4.2      The advertisement provide details of the approved office buildings, the name of the development, contact details for the 2nd building (CBC), the proposed occupier of the first building and details of the architect, builder and other contractors.

## **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
- 6.2 151826 totem sign board to front of building 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 also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

- 7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through 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 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity

- 7.4 Further to the above, the adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

SA CE1 Mixed Use Sites

- 7.5 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

Shopfront Design Guide

## **8.0 Consultations**

- 8.1 The Highway 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 informatives.
- 8.2 Environmental Control no comment.

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

## **9.0 Parish Council Response**

9.1 N/A

## **10.0 Representations**

10.1 None 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 Development Team and 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 (S106) of the Town and Country Planning Act 1990.

## **15.0 Report**

15.1 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. Therefore as well as visual amenity, the noise generated by advertisements should be considered. "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".

15.2 It is considered that the impact of the advertising on the surrounding area will be minimal. 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. The site currently has hoarding along the road frontages.

15.3 In assessing an 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.

## **16.0 Conclusion**

16.1 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**

17.1 APPROVE subject to the following conditions:

## **18.0 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 - \*Development to Accord With Approved Plans**

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 1842 DE 10-01 SITE LOCATION PLAN, HOARDING ADVERT DETAIL, HOARDING POSITION.

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

### **3 - Non-Standard Condition/Reason**

The advertising/hoarding hereby granted consent shall be removed from the site by the 31 August 2017, or an alternative period agreed in writing with the local, planning authority.

Reason: In order to ensure that this temporary artifact is not retained on permanently site.

## **19.0 Informatives**

### **(1) ZT0 – Advisory Note on Construction & Demolition**

The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction & Demolition Works for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

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

(3) 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](mailto:development.management@essexhighways.org) or by post to: Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

(4) 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.

## **20.0 Positivity Statement**

20.1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.