



The Ordnance Survey map data included within this publication is provided by Colchester Borough Council of Rowan House, 33 Sheepen Road, Colchester CO3 3WG under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use. This map is reproduced from Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller Of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Crown Copyright 100023706 2017

Item No: 9.4

Application: 181087

Applicant: Mr Jack Conington, CBC

Proposal: Consent to display two new internally illuminated signs and nine banners promoting Charter Hall, Colchester.

Location: Charter Hall, Colchester Sports Centre, Cowdray Avenue, Colchester, CO1 1YH

Ward: Castle

Officer: James Ryan

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it is made by Amphora Trading on behalf of the Council.

2.0 Synopsis

- 2.1 The key issues for consideration are the impact the scheme will have on public safety and visual amenity. Both of which are held to be acceptable.
- 2.2 The application is subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 Charter Hall is located on Cowdray Avenue and forms part of the same building as Leisure World and Aqua Springs.

4.0 Description of the Proposal

- 4.1 Two illuminated signs are proposed along with nine non-illuminated banners.

5.0 Land Use Allocation

- 5.1 The site is located within the settlement limits.

6.0 Relevant Planning History

- 6.1 The site has a complex planning history but there is nothing of particular relevance to this scheme.

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
SD3 - Community Facilities
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
DP4 Community Facilities

- 7.4 Some “allocated sites” also have specific policies applicable to them. The adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

N/A

- 7.5 There are no Neighbourhood Plans relevant to this proposal.

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

The Essex Design Guide
External Materials in New Developments
Shopfront Design Guide

7.7 Submission Colchester Borough Local Plan 2017-2033

The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing. The following emerging policies are considered to be relevant:

SP1 - Presumption in Favour of Sustainable Development
DM2 - Community Facilities
DM15 - Design and Amenity

Paragraph 216 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.

The Emerging Local Plan is at an advanced stage and may therefore be taken into consideration in the determination of this application. In the context of this application proposal there are no fundamental unresolved objections to the aforementioned policies in the emerging plan and it is considered, at this stage, that the relevant policies in the emerging Local Plan are consistent with the Framework. The Emerging Local Plan is, therefore, considered to carry some weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

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 objection.

8.3 ECC Highways – No objection.

9.0 Parish Council Response

9.1 Non-parished.

10.0 Representations from Notified Parties

10.1 No representations received.

11.0 Parking Provision

11.1 This scheme has no impact on parking.

12.0 Open Space Provisions

12.1 This scheme has no open space implications.

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 As an application for advertisement consent the only issues for consideration in this case are:

- Visual Amenity
- Public Safety

15.2 Visual Amenity – The scheme proposes two illuminated signs and nine non-illuminated banners and they will be considered in turn.

- 15.3 The main sign will be an internally illuminated 'Charter Hall' sign measuring 3.1m wide by 0.6m tall. It will sit at a height of 5.25m from the ground on a wall of the building that faces Cowdray Avenue but is set well back from the main road. It is a relatively prominent location but that is intentional to enable the public to locate the entrance to the building when visiting the hall. In this context where internally illuminated signs are part of the character of the area - for example the McDonalds restaurant opposite - the internally illuminated individual letters are held to be acceptable.
- 15.4 A smaller internally illuminated sign is proposed over the entranceway. It is 1.5m wide by 0.6 tall. This will not be visually prominent as it is tucked under a projecting canopy. This is held to be acceptable.
- 15.5 Nine hanging banners are proposed on the building. Each banner will be 2.9m tall by 0.6m wide. They are proposed to sit on the eastern flank of the building facing the main car park. They will sit in three groups of three banners and will be positioned in-between exiting brick pillars and will highlight the types of events that occur at Charter Hall. They are held to be acceptable in terms of visual amenity, sitting comfortably within the architecture of the building and being of a proportionate scale.
- 15.6 Public Safety – As set out by ECC Highways the proposal raises no issues in terms of highway safety. The scheme raises no other issues of public safety.

16.0 Conclusion

- 16.1 To summarise, the signs proposed are held to be acceptable in terms of visual amenity and public safety and are therefore acceptable.

17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for:

APPROVAL of advertisement consent subject to the following condition:

1. ZQA - 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. ZAM - *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 01, Page 1 of 3, Page 2 of 3 and Page 3 of 3.

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

3. Non Standard Condition - Illuminated Signs

The luminance levels of the internally illuminated signs hereby granted consent shall not exceed 600 CD/m².

Reason: In the interests of visual amenity.

18.0 Informatives

18.1 The following informatives are also recommended:

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. ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either **before you commence the development or before you occupy the development**. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via www.colchester.gov.uk/planning or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

3. ZTB - Informative on Any Application With a Site Notice

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.