



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
**CENTRAL AREA PLANNING COMMITTEE
30 MAY 2018**

Application Number	ADV/MAL/18/00344
Location	99 Wood Road Heybridge Essex CM9 4AS
Proposal	Fascia sign and window adverts.
Applicant	Mrs Sarah Smith
Agent	N/A
Target Decision Date	4 June 2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Council Owned Land

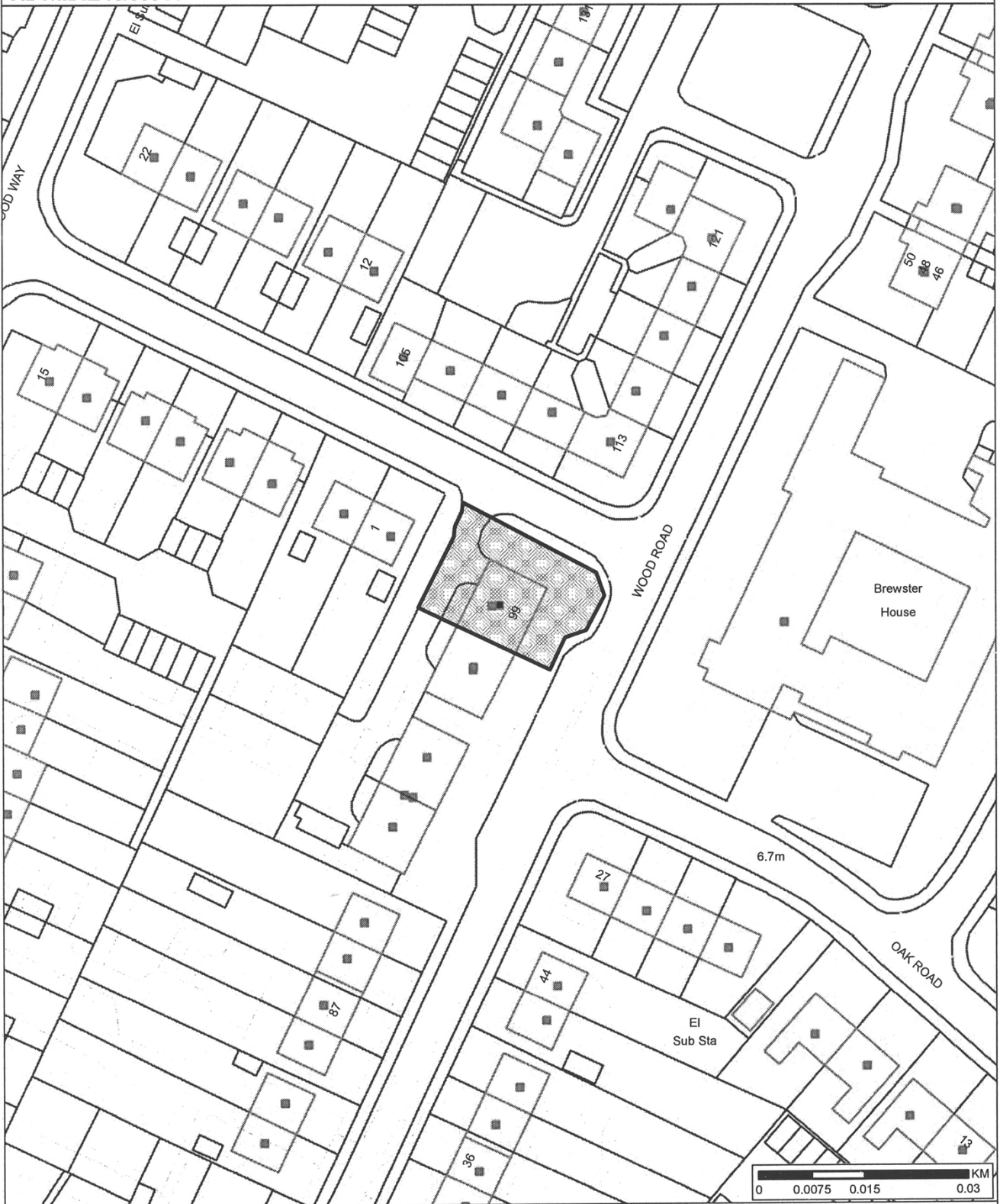
1. RECOMMENDATION


APPROVE for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

99 Wood Road Heybridge
ADV/MAL/18/00344



 <p>Copyright For reference purposes only. No further copies may be made. 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. Maldon District Council 100018588 2014</p>	Scale:	1:750
	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Committee
	Date:	16/05/2018
	MSA Number:	100018588
<p>www.maldon.gov.uk</p>		

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on a corner plot, west of Wood Road, within the settlement boundary of Heybridge. The site is a semi-detached building, which comprises a laundrette on the ground floor and a flat on the first floor.
- 3.1.2 Advertisement consent is sought for a fascia sign above the door of the shop and for various adverts in the windows and door.
- 3.1.3 The fascia sign will be located 2 metres above ground level. It will measure 0.6 metres high, 5.8 metres wide and 0.01 metres deep. The maximum height of any individual letters will be 0.5 metres. The background will be white with green text and pictures of flowers. It will not be illuminated.
- 3.1.4 There will be a window advert to the left of the door. It will measure 2.4 metres wide and 0.7 metres high, from the bottom of the window. The background will be white and the text will be green and no text will measure more than 0.07 metres high.
- 3.1.5 There will be another advert located to the right of the door, on a white background, measuring 0.8 metres wide and 0.7 metres high, starting from ground level.
- 3.1.6 There will also be adverts on the door. There will be a white panel measuring 0.7 metres wide and 0.7 metres high on the lower section of the door, with green text, with no text exceeding 0.1 metre high. There will also be a white panel with white text with a black outline, measuring 0.7 metres wide and 1 metre high, starting 0.9 metres above ground level. There will also be a small green panel with white writing located at the top of the door, measuring 0.7 metres wide and 0.1 metre high.
- 3.1.7 In terms of materials, the fascia sign will have an aluminium backing with self-adhesive vinyl. The window and door signs will be made of self-adhesive vinyl.

3.2 Conclusion

- 3.2.1 The proposal involves a fascia sign located above the door of the shop and window and door adverts. It is considered that the proposed advertisements would not harm the character and appearance of the site and would not cause harm to public safety. Therefore, the proposed advertisements are in accordance with policy D6 of the Maldon District Local Development Plan (LDP) and guidance contained within the National Planning Policy Framework (NPPF).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- 56-68 Requiring Good Design

4.2 Maldon District Local Development Plan approved by the Secretary of State:

- S1 Sustainable Development
- D1 Design Quality and Built Environment
- D6 Advertisements
- H4 Effective Use of Land

4.3 Relevant Planning Guidance / Documents:

- Essex Design Guide
- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide

5. MAIN CONSIDERATION

5.1 Principle of Development

5.1.1 Advertisements are controlled only with reference to their effect on amenity and public safety in accordance with Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). The NPPF and National Planning Practice Guidance (NPPG) also provides guidance on advertisements, recognising that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment and on public safety.

5.1.2 The main policy when assessing this application is policy D6 of the adopted LDP. Policy D6 stipulates that consent will only be given to signs that respect the interest of public safety and amenity subject to the following criteria:

- 1 The design, materials and location of the advertisement respects the scale and character of the building in which it is situated, the surrounding areas, and other advertisements within the area;*
- 2 Any proposals will not result in a cluttered street scene, excessive signage, or proliferation of signs advertising a single site or enterprise;*
- 3 Consent for signs to be illuminated will be considered in relation to impact on visual amenity, potential light pollution and road safety. Internally illuminated signs will not be permitted where the use and design of illuminated signage would cause harm to the special character and appearance of listed buildings and conservation areas;*
- 4 Where an advertisement is situated in a location remote from the business being advertised, permission will only be granted where it is demonstrated that there is no unacceptable harm to the amenity of the area.*

5.1.3 Paragraph 67 of the NPPF seeks to ensure that advertisements are appropriate for their setting. It states that the control of advertisements should be efficient, effective and simple in operation.

5.1.4 Generally, the principle of displaying an advertisement sign on businesses premises is considered to be acceptable.

5.2 Design and impact on the character and appearance of the area

5.2.1 In assessing the impact of visual amenity, the Local Planning Authority must assess the impact on visual and aural amenity of an advertisement. In assessing amenity, the Local Planning Authority must consider the local characteristics of the neighbourhood and whether the proposed advert is in scale and in keeping with the character and appearance of the area.

5.2.2 Neither the fascia sign nor window and door signs are considered to be excessive in size compared to the building which it is being displayed upon. The signage is of a generic type and materials and would not detrimentally harm the character and appearance of the streetscene.

5.2.3 The proposed fascia and window and door adverts are considered to be appropriate for the area. Due to the location within a small parade of shops, the proposal is not considered to cause demonstrable harm to the character and appearance of the area, in accordance with policy D6 of the LDP.

5.3 Public and Highway Safety

5.3.1 Considerations of public safety are defined as matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians. 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 other's safety.

5.3.2 All advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. If it can be demonstrated that signs would be confused with traffic or directional signals or the visibility of drivers is impaired, an application may be refused.

5.3.3 The positioning of the advertisements, which are visible from the highway, is not considered to result in the confusion or delay of passing traffic to the detriment of highway safety. Furthermore, the Highways Authority has not objected. Therefore, subject to conditions, no conflict would arise with policy D6 of the LDP.

6. ANY RELEVANT SITE HISTORY

- **MAB/72/66** – Shops with flats over – Approved.
- **MAB/25/69** – Laundrette – Approved.
- **FUL/MAL/17/00684** – Replacement windows - timber single glazed to UPVC double glazed. Replacement doors to rear elevation (West) – timber to aluminium. Replacement of timber soffits, fascias & barge boards with UPVC – Approved.
- **FUL/MAL/18/00342** – Change of use to florist shop – Pending consideration.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	Granting of permission would bring derelict commercial premises back into viable use.	Comments noted.

7.2 Representations received from External Consultees

Name of External Consultee	Comment	Officer Response
Essex County Highways	No objection	Comments noted.

7.3 Representations received from Interested Parties (*summarised*)

7.3.1 No letters of representation have been received at the time of writing this report.

8. PROPOSED CONDITIONS

- 1 The express consent hereby granted shall be for a period of 5 years beginning from the date hereof.
- 2 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.
- 3 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 purposes of security or surveillance or for the measuring the speed of any vehicle.
- 4 Any advert 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.
- 5 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.
- 6 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.

REASONS 1-6: These conditions are imposed pursuant to Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

INFORMATIVE:

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.

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.