



## TENDRING DISTRICT COUNCIL

### Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

**AGENT:** Ms Deborah Pitt - Sign Specialists Ltd- M. Lysiak  
19 Oxleasow Road  
East Moons Moat  
Redditch  
BR9 0RE

**APPLICANT:** Marston's Plc  
Marston's House  
Brewery Road  
Wolverhampton  
WV1 4JT

#### TOWN AND COUNTRY PLANNING ACT 1990, TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 2007

**APPLICATION NO:** 19/00068/ADV

**DATE REGISTERED:** 15th January 2019

Proposed Development and Location of the Land:

**3 No. internally illuminated wall mounted signs with sequential LED lighting 'A' 'B' 'C' and 1 No. internally illuminated freestanding totem with sequential lighting 'D'.  
The Smugglers Cove Lodge NEW DEVELOPMENT Brook Retail Park Clacton On Sea Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT ADVERTISEMENT CONSENT** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions:

- 1 All advertisement consents are subject to five standard conditions specified in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 which are as follows: -
  1. 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.
  2. 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 purpose of security or surveillance or for measuring the speed of any vehicle.
  3. Any advertisement 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.
  4. 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.
  5. 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.

Additionally all advertisement consents are for a fixed term of 5 years unless this period is varied on the formal decision notice.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, titled 'The Smugglers Cove Lodge Site Plan', 'The Smugglers Cove Lodge Block Plan', 'The Smugglers Cove Lodge Block Plan' which shows the positions of the adverts, the untitled document showing proposed elevations and the untitled document showing signs A, B, C and D.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The maximum luminance of the internally illuminated signs shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5, which in this case is 600 Candelas per square metre (600cd/m<sup>2</sup>).

Reason - To ensure that glare and dazzle is not caused to traffic in the adjoining highway, in the interests of highway safety.

**DATED:** 22nd February 2019

**SIGNED:**

*Catherine Bicknell*

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Catherine Bicknell  
Head of Planning

**IMPORTANT INFORMATION :-**

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN18B Advertisement Control

QL9 Design of New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

Positive and Proactive Statement

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.

**The attached notes explain the rights of appeal.**

## NOTES FOR GUIDANCE

### ABOUT ADVERTISEMENT APPEALS

- If you are aggrieved by the decision to refuse consent for the display of Advertisements, or to grant consent subject to conditions, an appeal can be made to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. **Please note, only the applicant possesses the right of appeal.**

If you want to appeal then you must do so within eight weeks of receipt of the formal decision notice using an **Advertisement Consent Appeal Form** which can be obtained from The Planning Inspector, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>.