



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:	Mr Dan Ingram - Barton Wilmore Tower 12, 18-22 Bridge Street Spinningfields Manchester M3 3BZ	APPLICANT:	Clear Channel Uk Ltd 33 Golden Square London W1F 9JT
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TOWN AND COUNTRY PLANNING ACT 1990, TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 2007

APPLICATION NO: 19/01086/ADV **DATE REGISTERED:** 22nd July 2019

Proposed Development and Location of Land:

**Upgrade of existing 48 sheet advert to support digital poster.
186 Old Road Clacton On Sea Essex CO15 3LR**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE ADVERTISEMENT CONSENT** in accordance with the application form, supporting documents and plans submitted, for the following reason(s):

- 1 Paragraph 132 of the National Planning Policy Framework 2019 states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Policy QL9 of the Tendring District Local Plan 2007 and Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) state all new development must make a positive contribution to the quality of the local environment, and must relate well to its site and surroundings particularly in relation to its siting, scale and form. Policy QL11 of the Tendring District Local Plan 2007 states, amongst other things, that development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties. Policy EN18b of the Tendring District Local Plan 2007 states, amongst other things, that advertisements should be well designed and sited to respect their surroundings and not be detrimental to the amenities of residents or otherwise excessively obtrusive in the street scene.

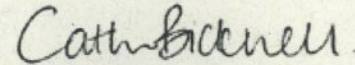
The proposed advertisement is an illuminated digital poster that replaces an existing 48 sheet unilluminated advert on a site that is located within a local centre boundary with other similar non-illuminated advert boards in the vicinity. The advert will be situated on the north side elevation of 186 Old Road, which is set forward over 10m from the premises to the north of the application site, resulting in the proposed signage facing onto the first floor windows of the adjacent building, which serves a residential flat at first floor level. The close proximity of the illuminated signage to residential property would be considered to cause light pollution directly into habitable rooms resulting in an unacceptable visual intrusion for the occupiers of the flat. The Council's concerns were set out throughout the course of the application and the agent suggested conditions to restrict the use of illumination, in terms of a night time curfew of 11pm and the display set to 1% of the maximum output between dusk and dawn. However, these measures were not considered to alleviate the adverse impact that the signage would cause on the

occupiers of the flat, especially in the winter months when days are much shorter.

Therefore, by reason of the proposed illumination the advertisement will be detrimental to residential amenity, contrary to the above mentioned national and local plan policies.

DATED: 13th September 2019

SIGNED:



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 February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

EN18B Advertisement Control

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

SPL3 Sustainable Design

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

ABOUT ADVERTISEMENT APPEALS

- If an applicant is aggrieved by the decisions 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.

If you want to appeal then you must do so within eight weeks of receipt of the formal decision notice using an **Advertisement 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>. **Please note, only the applicant possesses the right of appeal.**

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.