



TENDRING DISTRICT COUNCIL

Planning Services

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

APPLICANT: Miss Hannah Short - Linden **AGENT:**
 Limited
 Eastwood House
 Glebe Road
 Chelmsford
 CM1 1RS

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

APPLICATION NO: 20/00436/ADV **DATE** 27th April 2020
REGISTERED:

Proposed Development and Location of the Land:

Display of six flags showing company logo, two main signboards and three leader signs.

Land East of Halstead Road Kirby Cross Frinton On Sea

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: -
 - i. 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.
 - ii. 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.
 - iii. 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.
 - iv. 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.
 - v. 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans/documentation received 14th April 2020:

Amended Block Plan Flp.01 d	Received on	02 Dec 2020
Amended Flagpole Specification 2		26 Oct 2020

Main Sign 1
Leader Sign 3

26 Oct 2020
26 Oct 2020

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

- 3 The signs and associated posts holding up the signs associated with this planning application shall be removed completely from the site, including the concrete foundations if used, by the 02/10/2023 unless otherwise agreed in writing by the Local Planning Authority. Once removed, the land where the signs stood shall be restored by to its original use of a turfed lawn area.

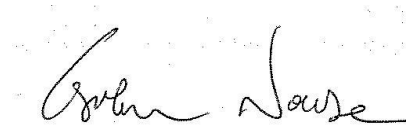
Reason - In the interest of visual amenity and residential amenity.

- 4 The full length sign erected adjacent to the Halstead Road running along approximately 13 metres of the northern boundary of the site (at the section closest to the Halstead Road), is to be removed within 1 month of the date of this approval, unless otherwise agreed in writing by the Local Planning Department.

Reason - This advert is excessive in its current form also, the signs detract from the setting of the wider area and acts as a distraction to passing motorists potentially harming highway safety.

DATED: 18th December 2020

SIGNED:



Graham Nourse
Assistant Director
Planning Service

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

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN18B Advertisement Control

TR1A Development Affecting Highways

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

CP1 Sustainable Transport and Accessibility

SPL3 Sustainable Design

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informatives

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.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

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.

The applicant is advised to use white cable ties to ensure the draw string holding the flags to the flag pole does not create excessive noise in windy conditions. The cable ties should be cut off at the point the required hold is achieved removing the unused plastic 'tail'.

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>.

- 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.](#)