



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT: Paul Thacker - Turnkey Design Partnership Ltd
The Cube
19 Love Lane
Cirencester
CL7 1YP

APPLICANT: Fountain Acquisitions Ltd
116 Collier Row Road
Romford
RM5 2BB

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

APPLICATION NO: 20/01795/ADV **DATE REGISTERED:** 13th January 2021

Proposed Development and Location of the Land:

**Replacement of an existing illuminated advertisement display with a digital advertisement display.
Advertising Right at 53 Carnarvon Road 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: T4587 A4 061 and T4587 A4 060; received 10th December 2020, T4587 A4 050A and T4587 A4 051A; received 13th January 2021.

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

- 3 Any proposed works particularly to the external surface area, directly abuts to the back of the footway. This is public highway and the construction work must be carried out subject to arrangements made with the Service Management Office (SMO1) contact details in the informative at the foot of the page.

Reason - In the interests of highway safety .

- 4 For the internally illuminated sign, the maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5, which in this case is 300 Candelas per square metre (300cd/m2).

Reason - To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety.

DATED: 5th March 2021

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:

National Planning Practice Guidance

NPPF National Planning Policy Framework February 2019

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 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.

Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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 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.](#)