

Tendring
District Council



Town Hall
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Clacton on Sea
Essex CO15 1SE

AGENT: Mr Martin Brown –
Harlequin Group
Rutland House
5 Allen Road
BT Centre
London
EH554 6TQ

APPLICANT: Mr Martin Brown –
Harlequin Group
Rutland House
5 Allen Road
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London
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**TOWN AND COUNTRY PLANNING ACT 1990, TOWN AND COUNTRY PLANNING
(CONTROL OF ADVERTISEMENTS) REGULATIONS 2007**

APPLICATION NO: 23/00096/ADV

DATE REGISTERED: 19th January 2023

Proposed Development and Location of Land:

**Proposed installation of 2no. digital 75 inch LCD display screen, one on each side of the Street Hub unit.
Footpath outside McDonalds 24 - 26 Pier Avenue Clacton On Sea**

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):

- Paragraph 130 of the National Planning Policy Framework 2021 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment, function well and add to the overall quality of the area, and establish or maintain a strong sense of place.

Paragraph 106 of the NPPF 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.

Adopted Tendring District Local Plan Section 1 (TDLPS1) Policy SP7 seeks high standards of design that responds positively to local character and context. 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.

The introduction of this illuminated digital advertisement unit by virtue of its unsympathetic design in terms of its size and illumination would appear as a prominent and harmful feature located in the core of the town centre shopping area detrimental to visual amenity and the character and appearance of the local area.

The proposal is therefore considered not to respond accordingly to the character and appearance of the streetscene and locale and would result in a significantly harmful

impact in terms of visual amenity contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

- 2 Paragraph 106 of the NPPF 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 CP2 of Part 2 of the Adopted Local Plan 2013-2033 and Beyond, also states that planning permission will not be granted if there would be an unacceptable impact on highway safety.

The location of the unit is positioned on the inside of a bend adjacent to the carriageway which will impact on the visibility of any pedestrian crossing in the vicinity of the unit and Pier Avenue. The site is a busy pedestrian friendly location and the interference which this proposal would engender for both pedestrians and approaching vehicles who would be distracted by the advertisements, would result in an unacceptable degree of hazard to all road users to the detriment of general highway safety.

The proposal therefore conflicts with the above policies resulting in a harmful impact to public and highway safety contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

DATED: 16th March 2023

SIGNED:



John Pateman-Gee
Planning Manager

IMPORTANT INFORMATION :-

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

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

CP2 Improving the Transport Network

INFORMATIVES:

Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

- Existing and Proposed Site Photo
- Street Hub Brochure
- Product Statement
- Planning Supporting Statement
- Noise Management Plan
- Frequently Asked Questions
- Anti Social Behaviour Management Plan
- Site and Location and Block Plan
- Proposed Elevations

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.](#)