



AGENT: Miss Megan Koch - ISG Design Ltd 7th Floor Aldgate House 33 Aldgate High Street London EC3N 1AG	APPLICANT: Mr Anthony Reilly - The Bank of Scotland PLC House F 1st Floor Gogarburn EH12 1HQ
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**TOWN AND COUNTRY PLANNING ACT 1990, TOWN AND COUNTRY PLANNING
(CONTROL OF ADVERTISEMENTS) REGULATIONS 2007**

APPLICATION NO: 23/00487/ADV	DATE 6th April 2023
	REGISTERED:

Proposed Development and Location of the Land:

Proposed 2 no. illuminated fascia signage, 1 no. new opening times signage, 1 no. ATM advert panel, 1 no. new illuminated ATM, 2 no. chevron manifestation deployed on Station Road. 1 no. illuminated signage, 1 no. illuminated projecting sign and 2 no. heritage chevron manifestation deployed on Pallister Road.
10 Station Road Clacton On Sea Essex CO15 1TA

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE ADVERTISEMENT CONSENT for the proposed 3 no. illuminated fascia signs** in accordance with the application form, supporting documents and plans submitted,

- 1 The proposed three illuminated fascia signs are hereby REFUSED.

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design. Paragraph 136 of the NPPF also confirms that the quality and character of places can suffer when advertisements are poorly sited and designed.

Local Plan Policies SP7 and SPL 3 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design; and the development respects or enhances local views, open spaces and other locally important features.

The proposal is sited opposite a prominent public open space within Clacton Town Centre, at a junction of five roads in the core of the historic seaside resort. The host building is an impressive four storey building which is a positive feature in the streetscene. The site abuts the Clacton Seafront Conservation Area at its rear boundary.

It is considered that the design and detailing of the three proposed fascia signs, being internally illuminated, does not respect the character of the building on which they are displayed. It is therefore considered that the proposal would result in harm to the character and appearance of the host building and the visual amenity of the area,

contrary to the above policies.

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT ADVERTISEMENT CONSENT for the OPENING TIME SIGNAGE, ATM ADVERT PANEL, ILLUMINATED ATM SURROUND AND ILLUMINATED PROJECTING SIGN** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions:

- 2 APPROVED PLANS & DOCUMENTS - 1 NO NEW OPENING TIME SIGNAGE, 1 NO. ATM ADVERT PANEL, 1 NO. NEW ILLUMINATED ATM SURROUND AND 1 NO ILLUMINATED PROJECTING SIGN

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing No. 2114/G1P/E1
Drawing No. 2114/G1P/E2
Design and Access Statement

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3 ADVERTISEMENT CONSENT - 1 NO NEW OPENING TIME SIGNAGE, 1 NO. ATM ADVERT PANEL, 1 NO. NEW ILLUMINATED ATM SURROUND AND 1 NO ILLUMINATED PROJECTING SIGN

CONDITION - 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.

DATED: 1st June 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

Local Planning Guidance

Essex Design Guide

Informatives

Positive and Proactive Statement - Proposed 3 no. illuminated Fascia signs

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Positive and Proactive Statement - 1 NO NEW OPENING TIME SIGNAGE, 1 NO. ATM ADVERT PANEL, 1 NO. NEW ILLUMINATED ATM SURROUND AND 1 NO ILLUMINATED PROJECTING SIGN

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.

Highways Informative:

1: 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

2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3: 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 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.](#)