



**AGENT:** Mr Aram Hekmat –  
Dovetail Architects Ltd  
5th Floor  
Unex Tower  
Station Road  
Stratford  
E15 1DA

**APPLICANT:** Mr Darren Burney –  
Burney Estates Ltd  
Suite 1  
Burney Court  
113 Manor Court  
Chigwell  
IG7 5PS

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

**APPLICATION NO:** 24/01135/ADV

**DATE REGISTERED:** 6th August 2024

Proposed Development and Location of the Land:

**Application for Advertisement Consent - 9no. freestanding signage and 7no. fascia signage for Starbucks and 7no. freestanding signage and 7no. fascia signage for Burger King.  
Stanton Europark Freshfields Road Harwich 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 **CONDITION - STANDARD ADVERTISEMENT CONDITIONS**

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.

**REASON:** All advertisements displayed with the (express) consent of the Local Planning

Authority are subject to these standard conditions by virtue of Schedule 2 to the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

## 2 APPROVED PLANS & DOCUMENTS

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 Numbers 3835\_PL102, 3835\_PL201, 3835\_PL203, 3835\_PL204, 3835\_PL205 Rev A, 3835\_PL206, 13296 A1, 13296 B0, 13296 F1, 13296 G0, 13296 i0, 13296 K1, 13296 L1, 13296 Q1, 13296 R1, 13296 T0, 13296 X0, 20-000-Stbx-EMEA Cafe Shell, and the drawings titled '5 Panel Menu Boards', 'Built up Acrylic Drive Thru Text', '1 Off Clearance Bar', 'Clearance Bar Base/Cage Details', 'No Entry/Thank You Directional Sign', 'Drive Thru Directional Sign', 'Starbucks Order Canopy', 'Order Canopy Base/Cage Details', 'Preview Menu Board', '2 Off 1500mm External Single Sided Roundel', '2 Off 750mm External Single Sided Roundel - 1:5', '9M Internally Illuminated Totel Pole Sign', '250mm Wordmark - Wall Mounted', and the untitled drawings showing the Starbucks Clearance Bar received dated 30th July 2024, the order canopy elevations for Starbucks received dated 30th July 2024 and the order canopy rear elevation for Starbucks received dated 30th July 2024.

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 **CONDITION:** The maximum luminance of signs 1 to 16 shall not exceed 350 candelas/m<sup>2</sup> at any time.

**REASON:** Any luminance in excess of this level would cause harm by reason of being detrimental to the prevailing character of the area, residential amenity, biodiversity and possible distraction to highway users.

- 4 **CONDITION:** The maximum luminance of signs 17 to 30 shall not exceed 350 candelas/m<sup>2</sup> at any time.

**REASON:** Any luminance in excess of this level would cause harm by reason of being detrimental to the prevailing character of the area, residential amenity, biodiversity and possible distraction to highway users.

**DATED:** 27<sup>th</sup> September 2024

**SIGNED:**




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John Pateman-Gee  
Head of Planning and Building Control

**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 2023 (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):

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

**Highways Informatives**

i) 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 must 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](mailto:development.management@essexhighways.org)

- ii) For the proposed totem signs, the drawings do not show its construction however, it will need to be sufficiently strong to support the number/height of the signs and resist the wind loading (which being coastal) will be significant.
- iii) 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.
- iv) 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.

#### 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 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.](#)