**BRIAN SMITH** PMRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

FILE COPY

**Advertisement Refusal**

Reference: H09/0989/91 Received: 16-OCT-91 Type: ADVERTISEMENT

Name: Mr C A Clark
Bulls Neck
Pennyhill
Holbeach
Spalding Lincs

Agent: Mr C A Clark
Bulls Neck
Pennyhill
Holbeach
Spalding Lincs

Description: A.D.A. Board

Location : On land north of A17 between Boston Road and Pennyhill Holbeach

South Holland District Council hereby give notice that CONSENT HAS BEEN REFUSED for the display of the advertisement(s) for the following reason(s):

1 In the opinion of the Local Planning Authority, the proposed sign would, if permitted, be injurious to the visual amenity of the locality and could lead to a proliferation of similar signs along the trunk road, to the detriment of the locality.

2 The sign is considered to be a distraction to drivers using the trunk road and could lead to drivers slowing suddenly to read the sign, to the detriment of other road users. The sign could lead to a proliferation of similar signs along this road for other commercial enterprises in the locality, to the detriment of road safety.

Notes to Applicant:

The applicant is advised that if the sign is not removed within one month of the date of this notice legal action will be taken to ensure its removal.

**BRIAN SMITH** TP MRTPI District Planning Officer

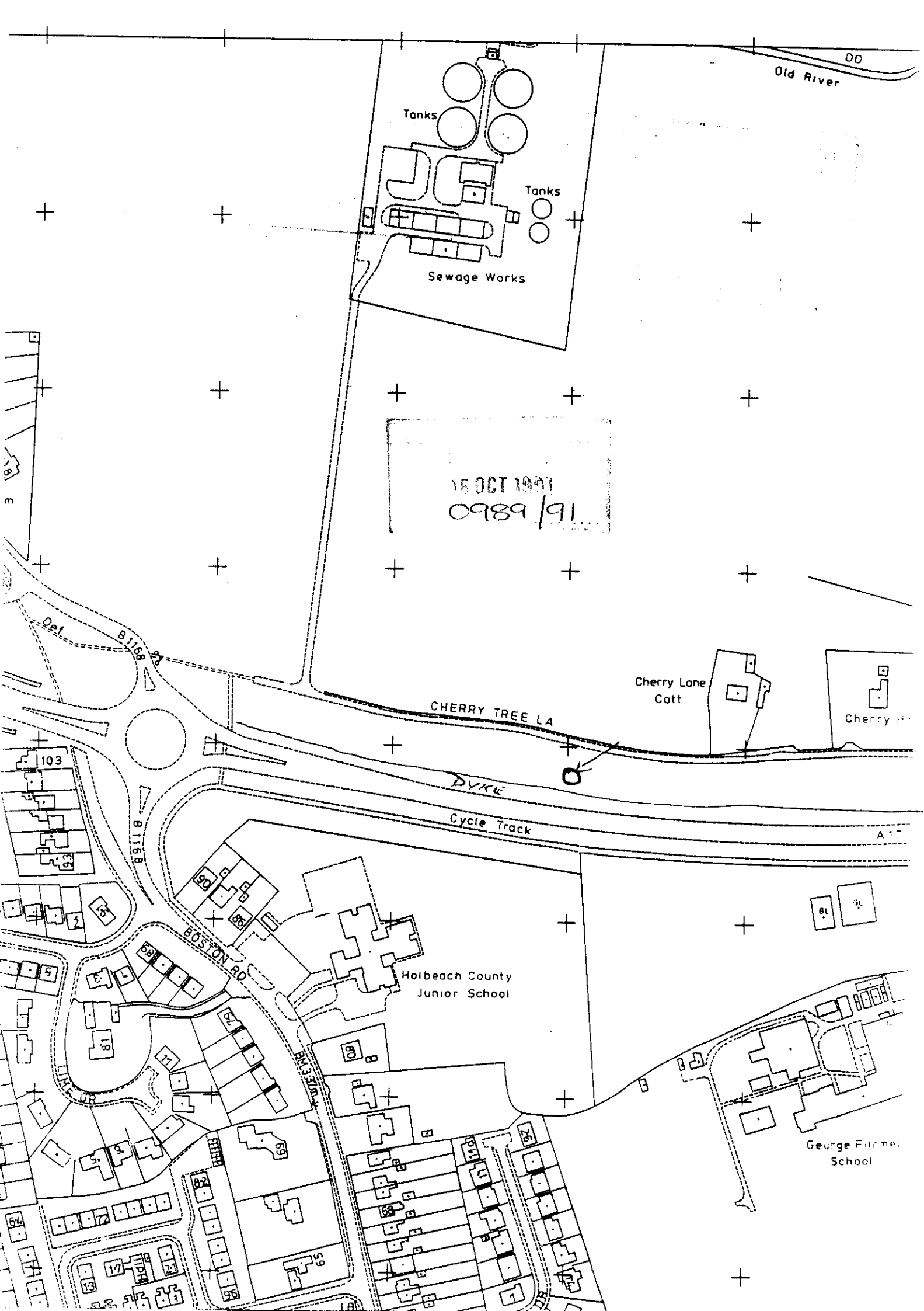
Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Director of Planning and Building Control Services
17-DEC-91

H09/0989/91

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation.


Old River
Tanks
Tanks
Sewage Works
16 OCT 1991
0989/91
B 1168
CHERRY TREE LA
Cherry Lane Cott
DYKE
Cycle Track
BOSTON RD
Holbeach County Junior School
George Farmer School

# ADVERTISEMENT APPLICATION

**For office use only**
Application No. H09/0989/91
Date Registered 16 OCT 1991
Grid Reference

1. Please complete in block letters

**NAME AND ADDRESS OF APPLICANT**

CHARLES ALFRED CLARK
BULLS NECK
PENNYHILL, HOLBEACH
SPALDING, LINCS
PE12 8DN

Tel. No. 0406 22154

**NAME AND ADDRESS OF AGENT**
(if form completed by agent)

Tel. No.
(Personal contact name)

Please complete in block letters

**FULL POSTAL ADDRESS OF THE APPLICATION SITE**

ON LAND NORTH OF A17 BETWEEN BOSTON ROAD & PENNYHILL HOLBEACH

Please complete in block letters

**BRIEF DESCRIPTION OF ADVERTISEMENT PROPOSED**
(e.g. fascia sign, projecting box sign)

ADA BOARD

Please complete

I attach the necessary plans and I enclose the fee of £

Signed ..... (Applicant/~~Agent~~) Date 16.10.91

Please complete **all** the sections below

| | |
|---|---|
| 2. **SITE DETAILS**<br>State the present use of the land or buildings: | WASTE LAND |
| What is the applicant's interest in the site? (e.g. owner, tenant) | NIL |
| Has a planning application also been submitted for related proposals? | State Yes or No: NO |
| If so, please describe the proposal or give planning reference. | |

| | |
|---|---|
| 3. **ADVERTISEMENT DETAILS**<br>Will the advertisement be illuminated? | State Yes or No: NO |
| If so, describe the type of illumination (e.g. internal): state whether static or intermittent: | |
| State height of advertisement above ground level:<br>dimensions of advertisement:<br>size of letters or symbols:<br>colours of letters and background: | 72INS × 144INS<br>48INS × 144INS<br>5INS LETTERS<br>BACK GROUND BURGANDY<br>GOLD LETTERS GREEN HIGHLIGHT |
| 4. **DURATION**<br>Please state period consent is required for (max. 5 yrs). | 5 YRS |

**BRIAN SMITH** Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Mr C A Clark
"Bulls Neck"
Pennyhill
Holbeach
Spalding
Lincolnshire

M A Caughey

MAC/SJS H09/0989/91

15 January 1992

Dear Sir

Planning Application H09/0989/91 - ADA Board - On land north of A17 between Boston Road and Pennyhill, Holbeach

I refer to the above application and the minutes from the 10 December 1991 Committee Meeting to which it was reported.

Therefore, in accordance with the minutes I am forwarding to you a copy of the Council's adopted policy on Advance Advertisement Signs. Essentially the policy is sympathetic to signs based upon designs approved by the Development Commission and the enclosed copies give details of the approved design.

However, notwithstanding the advice any application would be judged on its own merits.

I trust this information is of help to you.

Yours faithfully

N R Midlen
Principal Planning Officer

APPLICATION REFERENCE: H09/0989/91 DATE RECEIVED: 16 October 1991

APPLICANT: Mr C A Clark
Bulls Neck
Pennyhill
Holbeach
Spalding
Lincolnshire

AGENT:

TYPE: Advertisement

DESCRIPTION: Advance Direction Advertisement Board

LOCATION: Land north: A17 between Boston Road and Pennyhill, Holbeach

Parish Council: Recommend refusal. Traffic hazard.

Ward Member: He had a sign refused before, also I believe he had an appeal refused. It is a danger to traffic; too many signs on trunk roads.

Department of Transport: "The proposed sign which has already been erected, contains a directional element and is considered totally unacceptable in creating an unnecessary distraction along a high speed section of open rural trunk road and in so doing may cause vehicles to slow down or an action likely to be a potential source of accident/interference with the free and safe flow of traffic on the trunk road.

Furthermore the sign is erected on land which is totally divorced from the site to which it relates, and if permitted would lead to proliferation of similar signs along the trunk road to the detriment of road safety".

PLANNING POLICIES/DOE ADVICE
Circular 11/84.
Minute 652/86 (Planning Committee 4 June 1986) - Resolved:
(a) The Council's general policy of opposing advanced advertisement signs to be continued, but sympathetic consideration be given in rural areas to proposals to display signpost signs for local businesses, based upon designs approved by the Development Commission and CoSIRA.
(b) Consideration be given to applications for tourist attraction signs only if evidence is given that the provision of official signs by the Highway Authority have been refused.

PREVIOUS DECISIONS
H09/0936/90 - Advertisement Board - application received as a result of enforcement action - Refused 10 October 1990.
Enforcement action taken against sign.
Appeal against action by applicant.
Appeal dismissed 24 April 1991.
Current application received 16 October 1991.
Prosecution of applicant scheduled for December 1991.

PLANNING ISSUES
1 The issues for this application must be essentially the same

as before, namely visual amenity and highway safety.

2 However, the comments of the Department of the Environment Inspectors report must also be born in mind:-
"The Council have stated that the appeal sign conflicts with their adopted, restrictive policy for control over the display of advance signs. While the Secretary of State accepts that they may have regard to this general policy in considering the proposal, he takes the view that the appeal must be determined solely on its merits and by reference only to the aforementioned considerations of "amenity" and "public safety", as specified in Regulation 4.

The Council and the Highway Authority are clearly concerned that, if the appeal were to be allowed, it would create an undesirable "precedent" for a proliferation of commercial signs adjacent to the trunk road. In that connection, however, it is considered that under the Regulations they would still have every opportunity to deal with any subsequent proposals on their individual merits, in the light of the circumstances then pertaining.

As regards public safety in this case; although the appeal sign in its exposed position is visible at very long range alongside the eastbound carriageway it is considered that, once attracted to it, and in order to assimilate its full text which includes a list of facilities and a directional element, drivers might be encouraged to slow down or even stop on this generally fast stretch of trunk road, thereby creating a road safety hazard."

CONCLUSIONS

1 The Inspectors report goes on to conclude, broadly, that a sign on this strip of land in this location is detrimental to visual amenity. Hence, regardless of the improvement of the signs quality in this new application it is still an unacceptable intrusion into a rural setting.

2 Equally, because the new sign is in the same position as the old one, it is still a hazard to road safety.

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PLANNING OFFICER'S RECOMMENDATION - Refuse permission

1 In the opinion of the Local Planning Authority the proposed sign would, if permitted, be injurious to the visual amenity of the locality and could lead to a proliferation of similar signs along the trunk road, to the detriment of the locality.

2 The sign is considered to be a distraction to drivers using the trunk road and could lead to drivers slowing suddenly to read the sign, to the detriment of other road users. The sign could lead to a proliferation of similar signs along this road for other commercial enterprises in the locality, to the detriment of road safety.

---

Note to Applicant:

The applicant is advised that if the sign is not removed within 1 month of the date of this notice legal action will be taken to ensure its removal.

THE DEPARTMENT OF TRANSPORT

EAST MIDLANDS REGIONAL OFFICE
NETWORK MANAGEMENT AND
CONSTRUCTION DIVISIONS
CRANBROOK HOUSE CRANBROOK STREET
NOTTINGHAM NG1 1EY

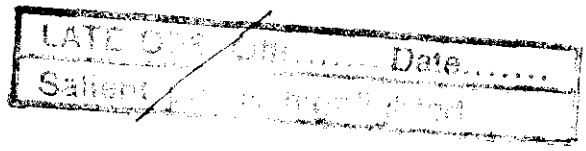
TELEPHONE 0602 476121 Ext. 455
GTN 6202
FAX Ext. 560

The District Planning Officer
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincs PE11 2EX
**FAO Ms M Coughey**

Your Ref: H09/0989/91

Our Ref: EMCM 5065/05/TR51 Pt 3

Date: 28 November 1991




Dear Sir

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 1989
ERECT NON-ILLUMINATED SIGN AT LAND ON NORTH SIDE OF TRUNK ROAD BETWEEN BOSTON ROAD AND PENNY HILL, HOLBEACH
A17 KING'S LYNN - NEWARK**

I refer to the application dated 30 October and submitted by C A Clark Esq to display an advance direction sign at the above-mentioned location.

The proposed sign which has already been erected, contains a directional element and is considered totally unacceptable in creating an unnecessary distraction along a high speed section of open rural trunk road and in so doing may cause vehicles to slow down or an action likely to be a potential source of accident/interference with the free and safe flow of traffic on the trunk road.

Furthermore the sign is erected on land which is totally divorced from the site to which it relates, and if permitted would lead to proliferation of similar signs along the trunk road to the detriment of road safety.

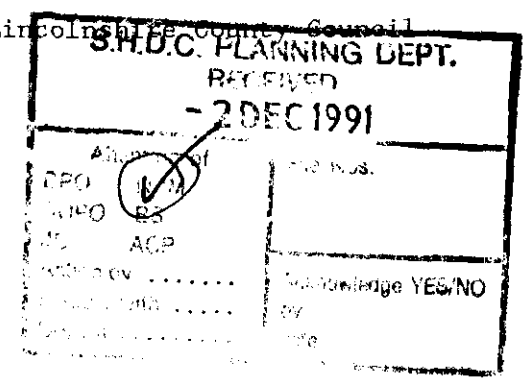
It is therefore strongly recommended that the permission for the erection of these signs should be withheld by your Council.

Yours faithfully

pp I. Marshall
J BACH
for Director of Network Management & Construction

MC

cc C Briggs, Development Control Section, Lincolnshire County Council



**BRIAN SMITH** Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

MC

S.H.D.C. PLANNING DEPT.
RECEIVED
-7 NOV 1991

| Attention of | File Nos. |
|---|---|
| DPO NRM<br>DOPO BS<br>JC ACP<br>Action by .....<br>Discuss with ..... | Acknowledge YES/NO<br>by |

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H09/0989/91

Applicant: Mr C A Clark
Bulls Neck
Pennyhill
Holbeach
Spalding Lincs

Agent: Mr C A Clark
Bulls Neck
Pennyhill
Holbeach
Spalding Lincs

Description: A. D. A. Board

Location: On land north of A17 between Boston Road and Pennyhill Holbeach

Type: ADVERTISEMENT

Date received: 16-OCT-91

24-OCT-91

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 08-NOV-91. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is M A CAUGHEY

Yours faithfully
B SMITH
District Planning Officer

---

Clerk to Holbeach PC
10 West End
Holbeach
Spalding Lincs
PE12 7LW

FOR PARISH COUNCIL USE ONLY

Comments: Recommend refusal
Traffic hazard

Signed:

[signature]

4/11/91

## FURTHER INFORMATION / CONSULTATIONS

APPLICATION REF:

DIRECTIONS

Art 7 (Outlines) RM :

| | Siting | Design | Ext App | Access | Lands |
|---|---|---|---|---|---|
| Previous | | | | | |
| Current | | | | | |
| Required | | | | | |

Reg 4 (or equiv) Scale drawing ..... Highway S/W ..... Agric appraisal .....

Precise details, for non-standard requirement:

Notify DOT please. 30/10/91

Maire Make sure you are aware of full planning history.
+ Take to committee.

CONSULTATION/PUBLICITY REQUIRED

Publicity : General
Departure
Setting of LB Viz

Consults : Dept of Transport
Env Health
Conservation consults : Local
Local & National
English Heritage LBC I, II*
Setting I, II*
Major CA

Consultant : Name
Order No:

Other :

30/10 re 31/10.

---

## REVALIDATION

Information satisfactory/unsatisfactory

Further direction - details:

Amended description:

Reconsultations required -
Parish Council
Ward Members
Residents
Advertise
Other

New valid date .....

Re-Registered .....
Ack/Reception/Filesheet .....
Consultation .....

Conversation with J. Z - 26/11/91 Can't (?) respond by tomorrow in writing. But verbally confirms will refuse.

**BRIAN SMITH** ;P MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H09/0989/91 Type: ADVERTISEMENT

Applicant: Mr C A Clark
Tel: 0406 22154

Agent: Mr C A Clark
0406 22154

Description: A. D. A. Board

Location: On land north of A17
between Boston Road and
Pennyhill
Holbeach

---

Valid date: 16-OCT-91 Terminal date: 11-DEC-91
Target dates: Target Committee: 10-DEC-91
To case officer 21-OCT-91 29/10 Report deadline: 26-NOV-91
Inspected by 26-OCT-91
Extra contacts 31-OCT-91 Case Officer:
Report if not clear by 20-NOV-91 M A CAUGHEY

---

DEVELOPMENT/CONSTRAINTS

Size:
Category: Misc works
Listed building:
Conservation Area:

---

CONSULTATIONS CARRIED OUT

| | | Sent | Expiry | |
|---|---|---|---|---|
| Clerk to Holbeach PC | | 30-OCT-91 | 13-NOV-91 | |
| Cllr N I Capes | 0406 23830 | 24-OCT-91 | 07-NOV-91 | objection |
| Cllr T G M Tyler | 0406 22285 | 24-OCT-91 | 07-NOV-91 | objection. |
| Cllr D S Venni | | 24-OCT-91 | 07-NOV-91 | |
| Department of Transp | 0602 476121 | 30-OCT-91 | 13-NOV-91 | |

L.C.C. - No Comments - Trunk Road RCB 7-11-91

986. PLANNING APPLICATIONS (Continued)

(b) **Applications Refused** (Continued)

| Plan No. and Applicant | Proposal |
|---|---|
| H14/0955/91<br>Koon Keung Tsang | Change of use to chinese take-away at 75/77 Church Street, Pinchbeck. |

(Councillor T. Bray declared an indirect interest in the above application, vacated the Chair, and left the Council Chamber during consideration thereof. Councillor W.D. Skells took the Chair for this item.)

(Councillors W.D. Skells and N.I. Capes left the meeting following consideration of the above application.)

| | |
|---|---|
| H11/0963/91<br>Mr M A & Mrs S Mumby | Retention of dwelling without complying with the agricultural habitation condition at Danellie, Tydd Low Road, Long Sutton. |
| H11/0978/91<br>Barclays Bank plc | Alterations to front elevation including the replacement of three windows plus provision of ramp for disability access at Barclays Bank Plc, 37 Market Place, Long Sutton. |
| H14/0979/91<br>C B Bettinson | Removal of agricultural habitation clause at Orchard House, Northgate, Pinchbeck. |
| H09/0989/91<br>Mr C A Clark | Advance Direction Advertisement Board on land north of A17 between Boston Road and Pennyhill, Holbeach. |

(It was also agreed that (i) the applicant be advised about the type of signs which would be acceptable and (ii) legal proceedings be initiated under Section 224 of the Town and Country Planning Act 1990 against the persons displaying the sign in contravention of the Town and Country Planning (Control of Advertisement) Regulations 1989 if the unauthorised sign is not removed within 1 month of the date of this meeting.)

(c) **Applications Deferred**

Consideration of the following applications be deferred for the reasons indicated:-

| Plan No. and Applicant | Proposal |
|---|---|
| H16/0850/91<br>Mr R Turner | Free standing signboard at Brooks Farm, access onto Barrier Bank, Cowbit. |

(Pending a site inspection to enable members to assess the suitability of the site for the proposed development.)

(Councillors T. Barker and M.C. White declared indirect interests in the above application and left the Council Chamber during consideration thereof.)

H09/989/91



NEW SIGN



PREVIOUS SIGN H09/936/90