



**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# NOTICE OF DECISION

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) AND TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007 (AS AMENDED)

### Name and Address of Agent/Applicant:

Jacobs Douwe Egberts  
Ruscote Avenue  
Southam Road  
Banbury  
OX16 2QU

### Advertisement Determination

---

**Date Registered:** 23rd March 2023

**Proposal:** 5 no (3.5m x 1.0m) temporary vinyl, waterproof banners advertising/celebrating 100 years of Kenco Coffee - attached with rope/cable ties

**Location:** Jacobs Douwe Egberts, Ruscote Avenue, Banbury, OX16 2QU

**Parish(es):** Banbury

### CONSENT TO DISPLAY ADVERTISEMENT(S) SUBJECT TO CONDITIONS

The Cherwell District Council, as Local Planning Authority, hereby **GRANTS** consent for the display of the advertisement(s) described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information, **SUBJECT TO THE CONDITIONS SET OUT IN THE ATTACHED SCHEDULE.**

The reason for the imposition of each of the conditions is also set out in the schedule.

Cherwell District Council  
Bodicote House  
Bodicote  
BANBURY  
OX15 4AA

David Peckford  
Assistant Director – Planning and  
Development

**Date of Decision: 18th May 2023**

**Checked by: Nathanael Stock**

## SCHEDULE OF CONDITIONS

1. This consent to display advertisements shall expire at the end of 5 years, beginning on the date this consent was granted.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and the following approved plans: Site Location Plan, Site Layout and documents referenced 'Banner Dimensions', 'Banner Position 1', 'Banner Position 2', 'Banner Position 3', 'Banner Position 4', and 'Banner Position 5'.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. 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.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. 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.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

5. 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.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

6. 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.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

7. Where an advertisement is required under the Advertisement Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

8. No advertisement shall be illuminated.

Reason - In the interests of amenity and public safety and to comply with Government guidance contained within the National Planning Policy Framework.

9. There shall be no more than one banner in each location, as shown in the plans listed in Condition 2 of this consent.

Reason - In the interests of amenity and public safety and to comply with Government guidance contained within the National Planning Policy Framework.

### **DEVELOPMENT MONITORING**

We would be grateful if you could let us know of your intention to start the development at least 14 days prior to the commencement of work on site. You can do this by emailing the Council on: [monitoring@cherwell-dc.gov.uk](mailto:monitoring@cherwell-dc.gov.uk) and providing us with the following information: application number; application address; and the date you intend to start the development. During the monitoring period, we will be assessing the development against the approved plans, and compliance with any conditions imposed on the permission. It is in your interest to comply with this request as it will help to avoid any unnecessary, and possibly expensive, corrective works.

### **INFORMATIVE NOTES TO APPLICANT**

1. **Conditions** – the applicant’s attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

### **STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, the Council has worked positively, creatively and proactively to determine this application within the agreed timescales, having worked with the applicant/agent where necessary and possible within the scope of the application (as set on in the case officer’s report) to resolve any concerns that have arisen, in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.

The case officer’s report and recommendation in respect of this application provides a detailed assessment of the merits of the application when considered against current planning policy and guidance, including consideration of the issues raised by the comments received from consultees and members of the public. This report is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>.



## NOTICE OF DECISION

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) AND TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007 (AS AMENDED)

#### NOTES TO THE APPLICANT

##### GRANTING OF ADVERTISEMENT CONSENT

In granting consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), the Local Planning Authority is required by Regulation 13 to impose the standard conditions contained within the decision notice schedule and any additional conditions as it thinks fit.

If you wish to have any further explanation of the reasons for the conditions imposed on this consent, it will be given on request, and a meeting arranged if necessary.

##### APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to grant consent subject to conditions you can appeal to the Secretary of State for the Environment, Transport and the Regions in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

If you wish to appeal, then you must do so within eight weeks of the date of this notice or such longer period as the Secretary of State may allow, using a form which you can obtain from the **Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000**. The above notice of appeal should be accompanied by a copy of each of the following documents:

- the application made to the Local Planning Authority;
- all relevant plans and particulars submitted to the Authority;
- the notice of the decision; and
- any other relevant correspondence with the Authority.

The Secretary of State may require you or the Local Planning Authority to submit to him, within a specified period, a statement in writing in respect of such matters relating to the appeal as he may specify, and if, after considering the grounds of appeal and any such statement, he is satisfied that he has sufficient information to enable him to determine the appeal he may, with the agreement in writing of both parties, determine the appeal without further investigation.

Otherwise, the Secretary of State shall, if either party so desire, afford to each of them the opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

If, before or during the determination of such an appeal, the Secretary of State forms the opinion that, having regard to the Regulations and to any direction given under them, consent could not have been granted by the Local Planning Authority other than subject to the conditions imposed, he may decline to determine the appeal or to proceed with the determination.

If at any time before or during the determination of such an appeal it appears to the Secretary of State that you are responsible for undue delay in the progress of the appeal, he may give you notice that the appeal will be dismissed unless specified steps are taken within a certain period of time.