

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	25/01/2022
Planning Development Manager authorisation:	AN	25/01/2022
Admin checks / despatch completed	ER	26/01/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	26.01.2022

Application: 21/02067/ADV **Town / Parish:** Alresford Parish Council
Applicant: WSM Farming
Address: Alresford Hall Ford Lane Alresford
Development: Erection of two non-illuminated signs.

1. Town / Parish Council

Alresford Parish Council
06.01.2022

The council supports the development of Wyvernwood, and its business model, supporting the application to install two non illuminated signs advertising the location of the new attraction.

Council observed that an elevation drawing and street-scene view with mocked up signage in situ would have aided councillors and members of the public present at January's full council meeting, in contextually visualising the impact of the signs and their dimensions.

Concern was expressed over the potential impact on sight lines for traffic headed in either direction of travel on the B1027.

2. Consultation Responses

ECC Highways Dept
21.01.2022

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. As indicated on the mounted signage, fencing and gates drawing the proposed signage must not be located within the highway boundary and any visibility splay.

Reason: To ensure the signs do not interfere with the passage of users of the highway, and to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

Note: Any sign on or overhanging any part of the highway requires a licence under Section 177 or 178 of the Highways Act, 1980 which will incur a charge of £725.00. The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging/ encroaching onto the highway which is considered to be an obstruction to the safe and convenient passage of the public

in the highway.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

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: 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.

3. Planning History

01/00154/FUL	New private drive and entrance wall/piers to Alresford Hall and the estate	Approved	25.04.2001
91/00962/FUL	Change of use of private residence to residential home for the elderly plus new sewage treatment plant.	Approved	15.10.1991
96/00927/LBC	Repairs and renovations as per schedule of works	Approved	03.03.1997
04/00910/FUL	Erection of lean-to extension, chimney and enclosure of existing covered way	Approved	25.06.2004
04/00911/LBC	Erection of lean-to extension, chimney and enclosure of existing covered way	Approved	25.06.2004
04/01125/FUL	Erection of brick wall in kitchen garden	Approved	10.12.2004
04/01204/LBC	Erection of brick wall in kitchen garden		29.11.2004
05/00444/FUL	Renovation, conversion and change of use of barn to form two dwellings and all ancillary works.	Approved	01.06.2006
05/00472/LBC	Renovation, conversion and change of use to form two dwellings.	Approved	01.06.2006

83/00006/FUL	Dwelling house	Approved	12.04.1983
83/00219/FUL	Continued use and extn of part as wholesale nursery garden, retention of two multispan polythene tunnels	Approved	12.04.1983
88/01172/FUL	Retention of polythene tunnels and potting shed related to horticultural nursery (part of renewal of 83/00219/FUL)	Approved	09.08.1988
93/00001/AGRIC	Agricultural Glasshouses	Determination	18.02.1993
10/01245/FUL	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	24.01.2011
10/01246/LBC	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	24.01.2011
11/00403/FUL	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	13.06.2011
11/00406/LBC	Alterations to the north east wing of house including replacement of roof coverings, internal alterations to the kitchen, alterations to the main bathroom, reinstatement of chimney to courtyard and other ancillary works.	Approved	31.05.2011
11/01305/FUL	Installation of 10kw ground mounted solar pv system.	Approved	04.01.2012
12/01328/FUL	Installation of community biomass system, to include a new plant room/fuel store building.	Approved	17.01.2013
12/01329/LBC	Installation of community biomass system, to include a new plant room/fuel store building.	Approved	

19/30144/PREAPP	Proposed farm diversification to create a childrens adventure play-land within Alresford Hall Estate.		09.10.2019
19/01856/FUL	Proposed farm diversification to create a childrens adventure play-land within Alresford Hall Farm	Approved	17.08.2020
20/01151/DISCON	Discharge of condition 7 (reptile mitigation) of approved application 19/01856/FUL.	Approved	08.09.2020
20/01404/DISCON	Discharge of conditions 2 (gates) and 3 (walls and piers) of approved application 01/00154/FUL.	Approved	08.12.2020
20/01523/FUL	Proposed swimming pool in the south side of the walled gardens. Proposed repair of walls, the raising of the east wall, a flight of brick steps, and the reinstatement of the original and new gates to the existing openings of the garden. (Part retrospective.)	Approved	19.03.2021
20/01524/LBC	Proposed swimming pool in the south side of the walled gardens. Proposed repair of walls, the raising of the east wall, a flight of brick steps, and the reinstatement of the original and new gates to the existing openings of the garden. (Part retrospective.)	Approved	19.03.2021
20/01603/DISCON	Discharge of conditions 3 (Materials), 5 (Play Equipment), 8 (Biodiversity Enhancement Layout), 9 (Lighting), 11 (Construction Traffic Management Plan), 20 (Mitigation Strategy), 21 (Contamination), 22, 25 and 26 (Foul and Surface Water) of approved planning application 19/01856/FUL.	Approved	14.09.2021
21/00060/AGRIC	Proposed development for the creation of a concrete pad for agricultural use.	Determinati on	08.02.2021
21/00653/DISCON	Discharge of condition 3 (Brick Material, Mortar Mix, Profile and Finish) of approved planning application 20/01523/FUL	Approved	21.06.2021
21/00825/FUL	Proposed siting of ground mounted solar array	Approved	01.07.2021
21/01103/DISCON	Discharge of condition 4 (Archaeological Investigation Report) of approved application	Approved	12.08.2021

20/01523/FUL.

21/01136/FUL	Variation of condition 2 (Approved Plans) of application 19/01856/FUL to substitute a revised site layout plan, and elevations, for a redesign of the main building to remove the galleon ship feature and install as a standalone play feature alongside, along with other minor updates to the siting of play areas.	Approved	15.09.2021
21/01970/FUL	Proposed installation of timber sculpture.	Approved	12.01.2022
21/02066/FUL	Proposed erection of signage, gates and stock proof fence.	Current	
21/02067/ADV	Erection of two non-illuminated signs.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)
QL11 Environmental Impacts and Compatibility of Uses (part superseded)
EN18B Advertisement Control

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)
SPL3 Sustainable Design

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework allows weight to be given to policies in emerging plans, according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and the degree of consistency with the policies of the Framework. On 24th November 2021, the Council received the Planning Inspectors' final report on the legal compliance and soundness of Section 2 of the emerging Local Plan. The report has confirmed, that with the inclusion of a number of 'Main Modifications' (which have already been the subject of formal public consultation), the Plan is legally compliant and sound and can now proceed to adoption. The report is due to be considered by the Planning Policy and Local Plan Committee on 11th January 2022 which is likely to recommend adoption of the Section 2 Local Plan to Full Council on 25th January

2022. On adoption, the new Section 2 Local Plan will join the new Section 1 Local Plan to form the 'development plan' for Tendring and the old 2007 Local Plan will be superseded in full.

Now that the Inspectors' final report is received, the Section 2 Local Plan has virtually reached the final stage of preparation, all objections have been resolved and the Inspector has confirmed that the Plan is sound and therefore in conformity with the Framework. For these reasons, Officers now advise that the emerging Plan should now carry 'almost full weight' in decision making.

Until the new Local Plan is adopted in January 2022, the 2007 adopted Local Plan, legally, will still form part of the 'development plan' and there will still be a requirement to refer to the 2007 Local Plan in decision making. However, the level of weight to be afforded to the policies in the 2007 Plan is reduced to very limited weight given that a more up to date Plan has progressed to such an advanced stage of the plan making process.

5. Officer Appraisal

Proposal

This application seeks consent for two non-illuminated signs on either side of the entrance drive displaying the business name, Wyvernwood. The purpose of the signage is to clearly mark the site entrance to facilitate safe vehicle access to the previously approved adventure play site. An identical sign will be sited to each side of the new entrance which lies along the B1027.

Appraisal

The signage will be metal fabricated with vinyl wrap artwork mounted on posts with decorative timber edging detail. The colour and appearance have been designed to reflect the theme of the business but also to be sensitive to the rural location of the site. The signage will measure 2.44 metres tall to the top of the sign, with a width of 1.22 metres. The signage will be sited in line with the existing boundary hedge to minimise the visual impact of the signage posts. There will be no illumination of the sign owing to the rural location of the installation and daylight operating hours of the operation. The location of the new signs would not result in an adverse impact to public amenity.

The applicant confirms that the signage has been sited so as not to affect the required visibility splays for the new entrance as previously approved. A condition to ensure the visibility splays remain free of obstruction by the signs will be imposed on consent of the advertisement.

Other Considerations

Alresford Parish Council has no objection to the application. The Parish Council expressed concern about the site lines in either direction, however this has been addressed above. They also note that the application for consent lacks submission of a realistic visualisation of the street scene, however this is not a statutory requirement of the advertisement consent.

No letters of representation have been received.

Conclusion

In the absence of any harm resulting from the proposed development the application is recommended for approval.

6. Recommendation

Approval - Advertisement Consent

7. Conditions

- 1 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Number GA_02_221121 and information sheet title 'Wyvernwood Signage' dated November 2021.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The proposed signage must not be located within the highway boundary and any visibility splay.

Reason - To ensure the signs do not interfere with the passage of users of the highway, and to preserve the integrity of the highway and in the interests of highway safety.

8. **Informatives**

Highways Informatives

Any sign on or overhanging any part of the highway requires a licence under Section 177 or 178 of the Highways Act, 1980 which will incur a charge of £725.00. The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging/encroaching onto the highway which is considered to be an obstruction to the safe and convenient passage of the public in the highway.

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Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
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Are there any third parties to be informed of the decision? If so, please specify:	YES	NO