

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	6/4/2022
Planning Development Manager authorisation:	AN	7/4/2022
Admin checks / despatch completed	DB	07.04.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.04.2022

Application: 22/00172/ADV **Town / Parish:** Elmstead Market Parish Council
Applicant: Mr Ian Mitchell - R W Mitchell and Sons
Address: Elmstead Hall Church Road Elmstead
Development: Advertisement consent for new entrance sign.

1. Town / Parish Council

n/a

2. Consultation Responses

ECC Highways Dept
17.03.2022

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, google earth image dated April 2019.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority.

Informative

All signage must be position clear of the highway.

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

3. Planning History

15/01412/CMTR	Construction of an irrigation reservoir involving the excavation, processing and removal of sand, gravel and soils, engineering works and ancillary buildings	Determination	01.11.2016
17/01319/CMTR	Details pursuant to Condition 6 (Tree Protection) of planning permission ESS/24/15/TEN -	Determination	15.08.2017

	Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.		
17/01320/CMTR	Details pursuant to Condition 9 (Ecology) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017
17/01321/CMTR	Details pursuant to Condition 11 (Archaeology) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017
17/01322/CMTR	Details pursuant to Condition 15 (Vehicle Routing) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017
17/01323/CMTR	Details pursuant to Condition 17 (Vehicle Monitoring) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017
17/01324/CMTR	Details pursuant to Condition 31 (Noise Monitoring) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017
17/01325/CMTR	Details pursuant to Condition 36 (Dust Monitoring) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017

17/01326/CMTR	Details pursuant to Condition 37 (Groundwater Monitoring) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017
17/01327/CMTR	Details pursuant to Condition 56 (Landscaping) of planning permission ESS/24/15/TEN - Construction of an irrigation reservoir involving excavation, processing, and removal of sand, gravel, and soils, engineering works and ancillary buildings.	Determination	15.08.2017
19/00411/CMTR	Discharge of Condition 51 (Soil Movement and Storage Scheme) of planning permission ESS/24/15/TEN.	Determination	22.03.2019
19/00412/CMTR	Discharge of Condition 24 (Scheme of Working) of planning permission ESS/24/15/TEN.	Determination	22.03.2019
19/00413/CMTR	Discharge of Condition 30 (Lighting) of planning permission ESS/24/15/TEN.	Determination	22.03.2019
19/00414/CMTR	Discharge of Condition 49 (Soil Handling and Storage) of planning permission ESS/24/15/TEN.	Determination	22.03.2019
19/00415/CMTR	Discharge of Condition 23 (CEMP) of planning permission ESS/24/15/TEN.	Determination	22.03.2019
19/00416/CMTR	Discharge of Condition 55 (Revised Restoration Scheme) of planning permission ESS/24/15/TEN.	Determination	22.03.2019
19/00417/CMTR	Discharge of Condition 58 (Biodiversity Management Plan) of planning permission ESS/24/15/TEN.	Determination	22.03.2019
21/01990/CMTR	County Application ESS/97/21/TEN: Proposed continuation of construction of an irrigation reservoir without compliance with condition 2 (Duration) of Planning Permission ESS/24/15/TEN that was for "Construction of an irrigation reservoir involving the excavation, processing and removal of sand, gravel and soils, engineering works	Determination	04.02.2022

and ancillary buildings" to now extend site operations including restoration until 6th November 2025 on land at Elmstead Hall, Elmstead, Colchester.

22/00104/CMTR	Continuation of construction of an irrigation reservoir without compliance with Condition 3 (Approved Details) of Planning Permission ESS/24/15/TEN that was for "Construction of an irrigation reservoir involving the excavation, processing and removal of sand, gravel and soils, engineering works and ancillary buildings" to now provide for retrospective revisions to the location and design of the peripheral environmental bund, aggregate processing plant, mineral stockpile and storage areas, the site entrance, the internal access road and site water management and the addition of a mobile soil screening plant.	Determination	04.02.2022
22/00172/ADV	Advertisement consent for new entrance sign.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021
National Planning Practice Guidance

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

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Proposal

This application seeks retrospective consent for one non-illuminated sign. The purpose of the signage is to clearly mark the site entrance for the quarry/proposed reservoir accessed along Tye Road in Elmstead.

Appraisal

The signage which is already in place is made of a composite plastic and mounted on the existing timber post and rail fencing at the site entrance set back from Tye Road. The sign denotes the company name managing the operations on the site and has a white background with green lettering. The sign measures 1.5 metres in width and 1 metre high. There will be no illumination of the sign owing to the location in a rural area where the business only carries out its operations during daylight hours. The location of the new sign would not result in an adverse impact to public amenity.

Essex Highways do not object to the proposal.

Other Considerations

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: Plan No. 1003/A/S/1 v1 and 1003/SL/1 v1.

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

8. Informatives

Highways Informative

All signage must be positioned clear of the highway.

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

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