

24<sup>th</sup> June 2021

Mr M Lang  
Planning Services  
Tendring District Council  
Council Offices  
Thorpe Road  
Weeley  
Essex  
CO16 9AJ

Dear Mr Lang,

**S73 VARIATION OF CONDITION APPLICATION TO VARY CONDITION 2  
(APPROVED PLANS) OF PLANNING APPLICATION 19/01856/FUL**

**PROPOSAL:**

**Proposed farm diversification to create a children's adventure play within Alresford Hall Farm**

**LOCATION:**

**Alresford Hall, Ford Lane, Alresford, Colchester**

Please find enclosed within this letter information in support of an application to vary Conditions 2, 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.

If you require any additional information or clarification, please do not hesitate to contact me.

Yours sincerely,



**Shelley Coffey**  
Associate Director - Planning



## 1. INTRODUCTION

We write on behalf of our clients WSM Farming, the applicants, to apply to vary the approved plans for the main building approved as part of the development.

Further to the granting of planning permission 19/01856/FUL for a farm diversification project to create a children's adventure play within Alresford Hall Farm in August 2020, the applicant WSM Farming is seeking amendments to the existing permission by way of:

- An amendment to the approved plans for the main building to remove the galleon ship play feature;
- Installation of the galleon ship in a standalone location in front of the main building currently shown as allocated for a Sand Play area;
- Relocation of the Sand Play area to a new location west of the Water Play area.

This letter sets out further details and justification for the proposed variations.

## 2. PROPOSED VARIATIONS

The application seeks a variation under Section 73 of the Town and Country Planning Act 1990, of Conditions 2 attached to planning permission 19/01856/FUL, which is set out below:

### Condition 2 – Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

- 663-100C
- 663-101B
- S01 Rev B
- S02 Rev C
- B01
- 2019-F-006-009
- Ground Floor Plan - Main Building
- Proposed Mezzanine & Roof Plan - Main Building
- Proposed North & East Elevations - Main Building
- Proposed South and West Elevations - Main Building
- Toilet/Changing Floor Plans and Elevations

The applicant wishes to replace the approved plans with revised drawings as follows:

- 663-100C Landscape Plan replaced with **663-100D Landscape Plan**
- S01 Rev B Site Framework Plan with **'Site Framework Plan'**
- Ground Floor Plan - Main Building with **GA\_01 Rev A**
- Proposed Mezzanine & Roof Plan with **GA\_01 Rev A**
- Proposed North & East Elevations - **Main Building with GA\_02 Rev A**

- Proposed South and West Elevations - **Main Building – with GA\_02 Rev A**  
Plus, the inclusion of new drawings for the Galleon play feature as follows:

- Galleon planning drawings - Elevations & plans - **WYV-01-01-02 Rev 02**
- Galleon material details- Perspective - **WYV-01-02-02 Rev 02**
- Galleon Site plan - **WYV-01-03-02 Rev 02**
- Galleon Foundation Detail - **WYV-01-04-02 Rev 02**
- Galleon Foundation Plan - **WYV-01-05-02 Rev 02**

### 3. JUSTIFICATION

The children's adventure play design has been refined during the detailed design process since the granting of planning permission. This includes having to re-consider the implementation and operation of the scheme amid heightened visitor hygiene, health and safety practicalities and the potential for operational restrictions post Covid-19. Consequently, there is a higher degree of operational risk over indoor play facilities.

As such it is proposed to remove the galleon ship feature from the building and relocate this to the approved outdoor play areas as a standalone play structure. The proposed siting of the Galleon is shown in new plan WYV-01-03-02.

The design of the Galleon is materially as per the approved scheme, including in key (height, length) dimensions. Full plans are submitted for approval within this application.

The building has amendments to the elevation to replace the part of the front elevation where the Galleon was connected to the building. The proposed elevation continues the design aesthetic of the approved plans, with a blank timber-clad gable wall. Again, revised elevations and floor plans are submitted within this application.

The proposed siting of the Galleon will be in the approved position for the Sand Play area. The Sand Play area will be relocated northwards to an area to the west of the Water Play adjacent the toilet and shower block.

### 4. POTENTIAL IMPACTS

With reference to the original application and the council decision-making process on that application, consideration has been given to any potential detrimental impacts of the proposed design changes.

## EIA Development

A formal Screening under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, was undertaken by the council alongside the determination of the application. The council's response dated 21<sup>st</sup> July 2020 determined that giving consideration to the characteristics and location of the development, and the characteristics of the potential impacts, the proposed development was not EIA development.

There are no material changes to characteristics or location of the development that would be as a result of the proposed amendments. The potential impacts from noise, pollution, contamination or protected ecological sites, would remain as per the assessed scheme.

On this basis, it is concluded that this variation application is similarly not EIA development.

## Archaeology

At the request of the council a programme of archaeology evaluation was required and carried out pre-determination of the application. ECC-Place Services (Archaeology) subsequently reviewed the submitted evaluation report and agree that with the findings of the evaluation, of a landscape of multi-period activity from the Neolithic to Roman period. Overall, it was concluded that as the scheme maintains large areas of open space and areas where the topsoil will not be removed, there is potential for the preservation of archaeological deposits within the scheme.

A condition was required securing a mitigation strategy to outline how the construction details of the buildings and play equipment will protect the surviving archaeological deposits. The approved WSI remains applicable to the proposed changes.

## Heritage

A Heritage Statement and Addendum were prepared and submitted during the planning application assessing the impacts of the development upon the setting of these assets.

On their assessment of the approved scheme, ECC Place Services Team concluded that the development would result in a change to the setting of the heritage assets and that whilst screen planting would ensure the development was not visually prominent, the changes would affect the tranquillity and seclusion experienced in and around these assets. It was concluded that the development would cause less than substantial harm and that that harm would be at the lower end of the spectrum of harm.

With reference to Paragraph 196 of the NPPF, it was concluded that the public benefits of the scheme would outweigh that identified harm.

The proposed changes are not considered to change this assessment. The proposed development is the same character as that proposed, and located in the same area as the approved scheme. They are minor siting changes to a play element within the approved site and as such, it is considered that at most the development would give rise to less than substantial harm, at the lower end of the spectrum, and that this would be outweighed by the benefits of the development, which are listed in the officer's report and summarised as follows:

- Job creation during the construction and operational phases;
- Attraction of additional visitors to the local area with increased support for local services;
- Creation of local amenities;
- Provision of a unique visitor attraction which would encourage children's interaction with nature;
- Promotion of healthy lifestyle choices through outdoor activity and exercise;
- Landscape enhancements through reuse of a former development site (horticultural nursery);
- Biodiversity enhancements through new tree planting, hedgerows and a maize maze.

### Landscape Character and Trees

The council's Officer Report on the application concluded that in respect of impact on landscape character, the site is well screened by existing vegetation and that this can be strengthened and improved with new planting. It is noted the site is not overlooked from the public highway or public right of way network.

An Arboricultural Impact Statement and Method Statement were submitted with the application which identified trees for removal, an indication of compensational tree planting, and means for protection of the trees for retention.

The Officer report noted that none of the trees proposed for removal has any such amenity value that they merited retention or protection and new planting will adequately compensate.

The proposed amendments subject to this application will have no additional material impacts by way of landscape or visual impacts, or impacts on trees, than the approved scheme and it should therefore be deemed acceptable.

### Biodiversity

A detailed ecology survey was submitted in support of the original application. The survey contained a number of recommendations for mitigation and enhancement

measures. The findings of the report and proposed mitigation measures were accepted by the ECC Place Services Ecology Team.

At under 2 years old the survey and findings still remain valid. The proposed changes to the approved scheme will not conflict with the findings or recommendations of this report or of council's officers, and the scheme will remain acceptable in respect of impacts on biodiversity.

### Impacts on Residential Amenity

The potential for impacts on residential amenity was carefully considered as part of the council's determination of the original application. This included the request for a noise survey including from the proposed play areas. It was concluded that the operation of the site would have no observable adverse effects on its nearest neighbours. The council's Environmental Protection team reviewed the noise assessment and agreed with its findings.

The proposed changes to the approved scheme will not conflict with the findings or recommendations of this report or of council officers, and the scheme will remain acceptable in respect of impacts on residential amenities.

### Drainage

A Surface Water Drainage Strategy has been provided which confirms that the disposal of surface water flows is to be carried out via various infiltrations and SuDS systems to treat run-off at source.

The ECC SUDs Team reviewed the submitted drainage strategy and had no objections subject to conditions requiring precise details of the scheme, its implementation and on-going maintenance.

The proposed alterations will result in no changes to the principles of the proposed Surface Water Drainage Strategy; and updated details can be approved under condition as/if necessary, in line with the existing permission. The proposed development, therefore, remains acceptable.

### Highways

The highways implications of the approved scheme were considered at length as part of the approval of the original application and found to be acceptable.

The proposed changes to the building design and resiting of the Galleon and Sand Play areas will have no impact on the highways impacts of the proposed development.

## 5. PLANNING POLICY

The Tendring Local Plan consists of the Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 Plan, alongside saved policies of the 2007 Tendring Local Plan.

### Local Development Plan Policy

The principles of the development remain as per the approved and were found to be acceptable and in line with the relevant adopted and emerging policies.

It is considered, based on the assessment contained within this letter in respect of the impacts of the proposed variations subject to this application, that the proposals would be acceptable when judged against the local development plan.

### National Planning Policy Framework (NPPF)

Similarly, the original application was considered to be consistent with the relevant policies of the NPPF, including those concerned with rural economic development and tourism and leisure proposals; and was assessed to represent sustainable development as considered against the three objectives as set out within Paragraph 8.

The proposed changes are minor design changes that do not affect the principle of development or its benefits, and as such, it is considered that the proposed development would remain acceptable and consistent with national planning objectives.

## 6. CONCLUSIONS

The proposed amendment to the plan is considered minor in nature and remains in line with the overall principles of the approved scheme.

In all other respects, the scheme will remain the same and the proposed mitigation measures agreed through the original scheme will remain and provide adequate safeguards on environmental and amenity interests.

As such, it is considered that permission can and should be granted for this request to vary Conditions 2 of planning permission 19/01856/FUL.