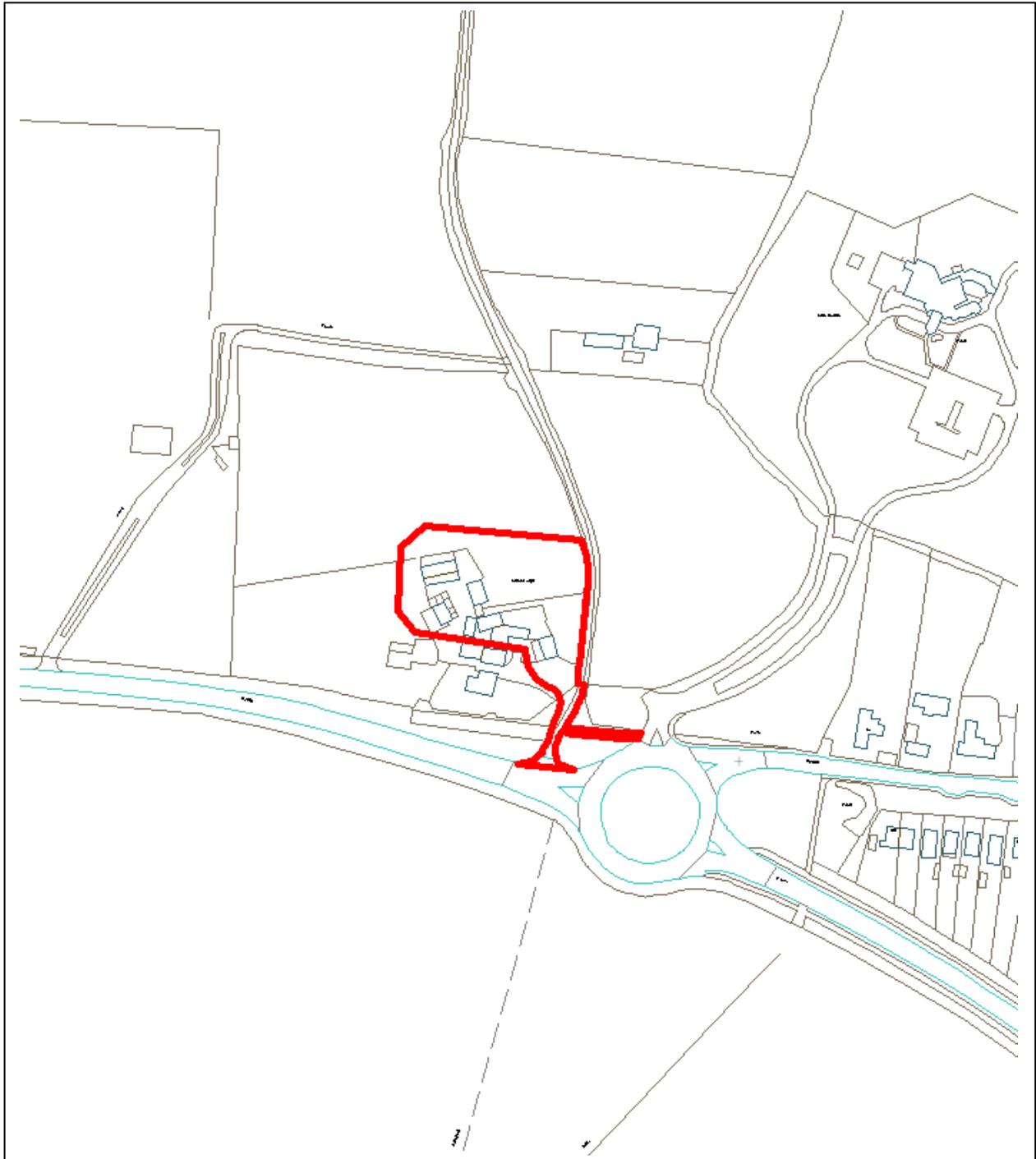


PLANNING COMMITTEE

3RD DECEMBER 2013

REPORT OF THE HEAD OF PLANNING

A.2 PLANNING APPLICATION - 13/00038/OUT - SAXONS LODGE COLCHESTER ROAD, WEELEY, CLACTON-ON-SEA, CO16 9AG



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Application:	13/00038/OUT	Town / Parish: Weeley Parish Council
Applicant:	Mr & Mrs I Richardson	
Address:	Saxons Lodge Colchester Road Weeley CO16 9AG	
Development:	Erection of Class B1 Business (Light Industrial) units and improvements to the existing vehicular access and road junction.	

1. Executive Summary

- 1.1 The application has been referred to Planning Committee at the request of Cllr Skeels.
- 1.2 The application involves the redevelopment of a brownfield site for employment purposes. The proposal site falls outside of the settlement boundary but is extremely well related to the primary route network and therefore is considered to be a sustainable location.
- 1.3 The use of the site for B1 purposes will not have any material impact on adjacent uses. The site can be developed without harm to the visual amenity of the area. This proposal represents economic development in a rural area and as such, is supported by the NPPF and emerging local plan policies.
- 1.4 This report concludes that there are no material conflicts with planning policy and since no material objections have been raised that outweigh the benefits of the proposed development the application is recommended for approval.

Recommendation: Approve

Conditions:

1. Standard time limit for submission of reserved matters (appearance and landscaping) and commencement of development.
2. A Construction Method Statement to be submitted and approved
3. All off street parking facilities to be provided in accordance with current Parking Standards
4. Details of the provision for parking of powered two wheelers and bicycles to be submitted and approved
5. Vehicular turning facility for service and delivery vehicles of at least size 3 dimensions to be submitted and approved
6. Means of access to be provided in accordance with the approved drawings
7. The infrastructure improvements (new footways and the closure of the gaps in the splitter island) to be provided in accordance with the approved details
8. The provision and implementation of a Travel Plan
9. Foul sewage details to be submitted and approved
10. Sustainable drainage system details to be submitted and approved
11. Development to be carried out in accordance with approved plans
12. Use restricted to Class B1(Business) only

2. **Planning Policy**

National Policy:

National Planning Policy Framework (NPPF)

Local Plan Policy:

Tendring Local Plan (2007)

QL1	Spatial Strategy
QL4	Supply of land for Economic Development
ER7	Business, Industrial and Warehouse Proposals
ER10	Small Scale Employment sites in Villages
ER11	Conversion and Re-Use of Rural Buildings
EN1	Landscape Character
EN13	Sustainable Drainage Systems
COM21	Light Pollution
COM22	Noise Pollution
COM23	General Pollution
COM31a	Sewerage and Sewage Disposal
TR1	Transport Assessment
TR1a	Development Affecting Highways
TR7	Vehicle Parking at New Development

Tendring District Local Plan Proposed Submission Draft

SD1	Sustainable Development
SD9	Design and New Development
SD8	Transport and Accessibility
PLA3	Water Conservation, Drainage and Sewerage
PRO6	Retail, Leisure and Office Development
PRO15	The Rural Economy

3. **Relevant Planning History**

1975 – Erection of cattery buildings – Approved (329/75 refers).

1975 – Erection of dwelling – Refused (341/75 refers).

1986 – Dwelling for kennels/cattery – Refused (1041/86 refers).

1992 – Staff Bungalow – Refused (92/0744 refers).

1995 – Caravan – Approved (95/0086 refers).

4. Consultations

Original Proposal

- 4.1 ECC Highways - The Highway Authority has examined this proposal and is concerned that users of the proposed development site will attempt undesired access manoeuvres into and out of site access between the keep left island and the lane splitter island at the adjacent roundabout. The applicant should be requested to submit amended plans detailing a "left in and left out" arrangement together with 15 kerbed radius bellmouth junction with Colchester Road ensuring that the revised access arrangements will safely accommodate the largest vehicle attracted to or generated by the commercial activities at Hawk Farm. The applicant should also be advised that the revised access arrangement will require a Stage 1 Road Safety Audit (RSA) to accompany any future application.
- 4.2 Environment Agency – The application is less than 1ha in Flood Zone 1 and is covered by our Flood Risk Standing Advice cell F5.
- 4.3 TDC Environmental Health (Pollution and Environment) - No comments
- 4.4 Weeley Parish Council - Weeley Parish Council does not feel that this site is suitable for the proposed light industrial use. The site is outside the village envelope, both in the current local plan and in the one due to be adopted this year. The Parish Council notes that, although this was one of many sites put forward for consideration for light industrial use for the new local plan, it was not considered suitable. The development would be inappropriate use for a rural area.

Revised Proposal

- 4.5 ECC Highways – The Highway Authority raises no objection subject to a number of controlling conditions relating to:-
- A Construction Method Statement to be submitted and approved
 - All off street parking facilities to be provided in accordance with current Parking Standards
 - Details of the provision for parking of powered two wheelers and bicycles to be submitted and approved
 - Vehicular turning facility for service and delivery vehicles of at least size 3 dimensions to be submitted and approved
 - Means of access to be provided in accordance with the approved drawings
 - The infrastructure improvements (new footways and the closure of the gaps in the splitter island) to be provided in accordance with the approved details
 - The provision and implementation of a Travel Plan
- 4.6 TDC Environmental Health (Pollution and Environment) - No comments
- 4.7 Weeley Parish Council – Weeley Parish Council remain opposed to this application. The amount of traffic using this junction is significant, taking into account Crematorium use and

visitors to the new Church of Jesus Christ of Latter Day Saints. It is felt that drivers may disobey the 'left turn only' arrangements, giving rise to safety concerns.

5. Representations

Original Proposal

5.1 Two letters of objection have been received. The objections to the development are summarised as follows:

- Inappropriate urbanisation of rural environment;
- Inappropriate neighbour for new church;
- Traffic generated would cause problems at crematorium roundabout;
- Site outside settlement boundary; and,
- The bus route information contained within the applicants Design and Access Statement is inaccurate.

Revised Proposal

5.2 Two further representations received from the same local resident opposing the development. The following salient points are made:

- Contest the Transport Assessment findings;
- Highway safety concerns;
- Proposals will exacerbate problems;
- Sewage disposal and surface water concerns; and,
- Inappropriate location for the establishment of a business.

6. Assessment

6.1 The main planning considerations are:

- Site Context;
- Proposal;
- Planning Policy Considerations;
- Visual Amenity;
- Highway Matters; and,
- Other Material Considerations.

Site Context

6.2 The application site is located to the north west of the built up part of Weeley. It is positioned outside of the settlement boundary and in close proximity to the crematorium. The land between the application site and the crematorium is currently being developed with a new church. The land to the west and north of the site is used for car-boot sales.

6.3 The existing buildings to be demolished are all relatively small scale and are not readily visible from the public highway. None of the buildings to be demolished are of any architectural or historic merit. Landscaping features along the site boundaries screen the buildings.

6.4 Access to the site is via an existing driveway located just before the main roundabout at the entrance to the village.

Proposal

- 6.5 The application involves the demolition of the existing kennels and associated buildings which have a combined floor area of 1040sqm floor area, and the erection of new B1 units with a net floor area of 1015sqm and improvements to the existing vehicular access.
- 6.6 This is an outline application seeking approval for access, layout and scale only at this stage. Matters of landscaping and appearance are reserved matters for later consideration.
- 6.7 The application has been revised since original submission to reflect additional junction improvements and new site access arrangement, including a 'left only' turn for vehicles exiting the site. These revisions were subject to a further period of consultation which has now expired.

Policy Considerations

- 6.8 Paragraph 23 of the NPPF is of primary relevance. It states in part "planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings; and, promote the development and diversification of agricultural and other land-based rural businesses".
- 6.9 Emerging policy PRO15 states that to support growth in the rural economy, the Council will grant planning permission for, amongst other things, the conversion or re-use of rural buildings in the countryside to employment, leisure or tourism use. Emerging policy COU3 provides specific requirements in this regard. Whilst the proposal is essentially a new build, attention is drawn to the fact that the site is already in a commercial use and therefore the general considerations would apply.
- 6.10 Saved policy ER7 relates to business, industrial and warehouse proposals and provides a range of criteria which is needed to be satisfied. The relevant criteria to this proposal is as summarised:
- Scale and nature of development being appropriate to the locality;
 - No unacceptable impact on amenity;
 - Satisfactory access;
 - Adequate waste water provisions;
 - Acceptable site storage facilities; and
 - Suitability for purpose proposed.
- 6.11 Saved policy ER10 is supportive of small scale employment sites in villages where the policy criteria defined within policy ER7 is met. Saved policy ER11 states that proposals for the replacement of existing rural buildings which are or have been in lawful business/employment use will be subject to the same criteria that conversions or the re-use of existing buildings are assessed against, namely the acceptability of:
- The type and scale of activity proposed;
 - The suitability of the building for the use proposed;
 - The level of traffic generated;
 - The effect on the external appearance of the building;
 - The scale and visual impact of any open storage areas;
 - The location of the building in relation to other buildings, the landscape and highway network;

- The impact on local amenity; and
- The impact on the historical value of the building.

- 6.12 Saved policy EN1 relates to landscape character and aims to protect the district's landscape character and distinctiveness.
- 6.13 Whilst the site is located outside the settlement boundary, it is not a 'greenfield' site; it contains existing buildings and has a lawful commercial use. This is important because when considering the impact of the development, the fall-back position of the existing activities and buildings must be taken into account. Furthermore, although the site is located outside of the settlement boundary for Weeley, the site is within 60m of the settlement boundary and well related to the local road network, with the site fronting the B1033, a main communication route in the district.
- 6.14 Although the site has not been allocated for industrial purposes in the emerging local plan, the principle of the proposal finds support from paragraph 28 of the National Planning Policy Framework (NPPF) which states in part "To promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings".
- 6.15 By its very nature, a B1 use will not cause disturbance to residential amenity or to the future use of the church being constructed on the adjacent site. Consequently, and in the absence of any planning policy conflict, the two main planning considerations relate to the impact of the development on visual amenity and highway safety.

Visual Amenity

- 6.16 Whilst the appearance of the proposed buildings is not included as part of the application, layout and scale are. The Design and Access Statement (DAS) indicates that the new buildings will have a range of eaves heights of between 3.5m and 6.5m. The new buildings will be located in the general area of the existing buildings and arranged in an 'L' shaped layout. If permission is granted, the Council will have control of the appearance of the buildings at the reserved matters stage.
- 6.17 It is also noted that the site currently supports a number of buildings which offer little visual interest. Their replacement with the proposed business units will have no material impact upon visual amenity.
- 6.18 Consequently, it is considered that an objection to the development in terms of its impact on the landscape and visual amenity could not be substantiated.

Highway Matters

- 6.19 When considering the effect of the development on Highway Safety, the potential traffic generation of the existing permitted uses must be taken into account. The application is submitted with a Transport Assessment which concludes that the development will not result in a material increase in vehicle flows to the site and that the improvements to the access will improve highway safety. Your officers acknowledge that the type of vehicles visiting the site is likely to differ with this proposed change of use, but a B1 use of the site will not result in any significant adverse impact in this regard.
- 6.20 Following concerns over the potential for vehicles accessing the site crossing the carriageway, revisions were sought and received providing a revised access arrangements, including a 'left in and left out' arrangement, new footways and the closure of the gaps in

the splitter island. Such works will prevent the potential for undesirable access manoeuvres into and out of site access and across the B1033.

- 6.21 Concern has been expressed by a third party that the proposal will exacerbate existing accident problems that exist at the nearby roundabout. In this regard no specific accident record details have been provided by the objector to enable useful comment to be made. In any event the proposals have been subject to full consultation with the highway authority and have included a Stage 1 Safety Audit being carried out. ECC have confirmed that the works are acceptable and that they do not give rise to any highway safety or convenience concerns. Indeed the revised proposals are likely to improve highway safety as crossing of the B1033 at this point will no longer be feasible.
- 6.22 Given the above there is no objection to the scheme on highway safety or convenience grounds.

Other Material Considerations

- 6.23 Concern has been raised in relation to the alleged lack of details surrounding sewage disposal and surface water drainage. However, the application details that a package treatment plant is proposed to deal with foul sewage with connection to the existing drainage system. Furthermore the documents clarify that a sustainable drainage system will be used to deal with surface water drainage. These matters can be controlled by the imposition of planning conditions. Consequently, there is no material conflict with planning policy in this regard.

Background Papers

None.