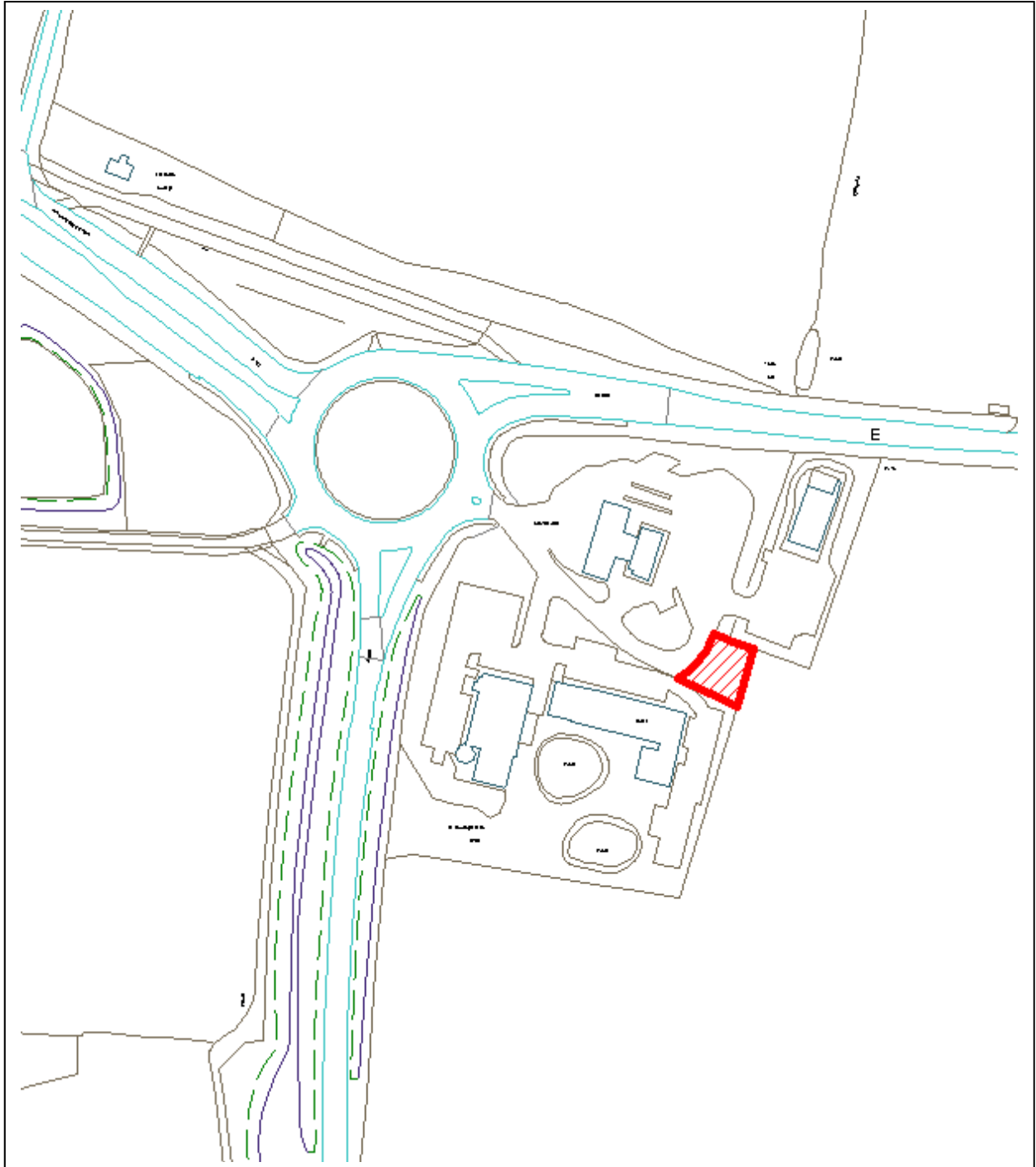


PLANNING COMMITTEE

14 OCTOBER 2014

REPORT OF THE HEAD OF PLANNING

**A.5 PLANNING APPLICATION - 14/01068/FUL - LAND ADJ. MCDONALDS,  
COLCHESTER ROAD, WEELEY, ESSEX, CO16 9JJ**



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<b>Application:</b>	14/01068/FUL	<b>Town / Parish:</b> Weeley Parish Council
<b>Applicant:</b>	Tendring Park Services	
<b>Address:</b>	Land Adj McDonalds Colchester Road Weeley	
<b>Development:</b>	Change of use of land to van hire drop-off and pick-up site with related office and fencing.	

## 1. **Executive Summary**

- 1.1. The application has been referred to Planning Committee by Councillor D. Skeels.
- 1.2. This application seeks planning permission for the change of use of land to van hire and drop-off and pick-up site with related office and fencing on land adjacent to McDonalds, Colchester Road, Weeley.
- 1.3. The site is considered to be in a sustainable location. Subject to conditions it is considered that it would not result in any material harm to the character and appearance of the surrounding area or result in a significant increase in traffic and on this basis is recommended for approval.

### **Recommendation: Approve**

#### **Conditions:**

1. Standard 3 year time limit for commencement.
2. Development in accordance with submitted plans.
3. Further details of the proposed screen planting to be submitted to and agreed in writing by the Local Planning Authority.
4. The proposed agreed screen planting to be carried out in the first planting season following commencement of development.
5. Prior to the commencement of development details of the design of the proposed Portacabin Building to be submitted to and agreed in writing by the Local Planning Authority.
6. No development shall take place until details of surface water and foul water drainage have been submitted to and agreed, in writing, by the Local Planning Authority.

## 2. **Planning Policy**

### National Policy

National Planning Policy Framework (2012) states planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system (paragraph 19).

### Local Plan Policy

Tendring District Local Plan 2007

- QL9 Design of New Development
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- EN1 Landscape Character
- TR1A Development Affecting Highways

Tendring District Local Plan - Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014)

- SD1 Presumption in Favour of Sustainable Development
- SD5 Managing Growth
- SD8 Transport and Accessibility
- SD9 Design of New Development
- PLA5 The Countryside Landscape

### **3. Relevant Planning History**

None.

### **4. Consultations**

- 4.1 Essex County Council Highways do not wish to object to the proposals as submitted and recommend the following informative: All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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](mailto:development.management@essexhighways.org) or by post to: SMO1 Essex Highways, Colchester Highways Depot, 910 The Crescent, Colchester, CO4 9QQ.
- 4.2 Weeley Parish Council objects to the planning application for the following reasons:
  - An inappropriate development tucked in between a hotel/restaurant and McDonalds.
  - Congestion and increase in vehicle movements along the access road to McDonalds.
  - There is no guarantee that spaces for 5 vans (as stated in the application form) would eventually be sufficient
  - The site looks barely big enough to accommodate at least five vehicles, turning places, site hut etc.

- Concern about connection to the main sewer (as stated in the application form) as other buildings on that site are all on private treatment plants.

## **5. Representations**

- 5.1 Cllr Dawn Skeels has called the application in for determination at Planning Committee due to highways issues and congestion. Cllr Skeels states that the access road is constantly in use by the garage, McDonalds and the hotel and restaurant. Also commercial vehicles are parked along the road 24/7 making it a single lane at the best of times.
- 5.2 One letter of objection has been received from a local resident which makes the following observations:
- The application forms states that the foul sewage will be connected to the mains sewer. What main sewer? Other buildings on the site are all on private treatment plants.
  - The drainage systems should be considered before a decision is made, not at a later stage as stated on the application form.
  - The potential extra distance travelled or the time taken is not as large as quoted.
  - Increase in vehicle movements along the access road to McDonalds part of which is used by the garage and pub/restaurant.
  - The application can only add to the existing congestion.

## **6. Assessment**

- 6.1 The main planning considerations are:
- Principle;
  - Impact on character and appearance of the surrounding area; and,
  - Highway Issues.

### **Proposal**

- 6.2 This application seeks planning permission for the change of use of land to van hire and drop-off and pick-up site with related office and fencing on land adjacent to McDonalds, Colchester Road, Weeley.
- 6.3 The proposal would provide a hardstanding which provides a parking and turning area for 5 vans; and a portacabin office measuring 3.6 metres by 2.4 metres. The site is proposed to be enclosed by a 2 metres high chain security fence. Screen planting is proposed along the eastern and northern boundary.
- 6.4 The justification for the proposal as set out in the Planning Statement is that it will be used by an established company based in Clacton specialising in van hire operations. The company has experienced considerable upturn in their business. The majority of the customers are based in the western half of the district or Colchester and this location will reduce the distance they have to travel to collect a van.

### **Site Description**

- 6.5 The application site extends to 0.05 hectares and comprises a grassed level area between the car park to McDonalds to the north and the hotel car park immediately to the south. To the east of the site is agricultural land.
- 6.6 It has a frontage of approximately 23 metres onto the access road which serves the restaurant and its associated drive through facilities.

### **Principle**

- 6.7 At the heart of National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Whilst the site is situated outside any Settlement Development Boundary, it is considered to be in a sustainable location, with its close proximity to the strategic road network and the Local Plan being revised to include Weeley as an area for strategic growth.
- 6.8 Furthermore, the site is adjacent to the existing established commercial uses and represents a modest extension to the commercial activities on the site.
- 6.9 For the above reasons it is considered that there is no principle objection to the proposal.
- 6.10 The supporting information states that the proposal will reduce the length of journeys for some people to travel when hiring a van, whilst this is a positive factor; it is not a determining factor when assessing the sustainability of the site.

### **Impact on Character and Appearance of the Surrounding Area**

- 6.11 The site lies adjacent to existing established commercial uses, where it would not appear out of character.
- 6.12 The proposed 2 metre high chain security fencing will be situated in front of screen planting along the rear and side boundaries, which are considered to be the most visible and therefore most sensitive. It is considered that this planting will soften the appearance of the development, so it would not result in material harm to the character and appearance of the surrounding area. A condition is recommended to secure suitable planting in this location.
- 6.13 No details of the design of the proposed Portacabin Office have been provided, however the submitted plans show it has a footprint of 3.6 metres by 2.4 metres. Given the character of the area and the size and location of the proposed Portacabin it is considered that subject to an appropriate design (which can be secured by condition) it would not result in any adverse impact on the character and appearance of the surrounding area.
- 6.14 For the above reasons it is considered that the proposal would not result in any significant adverse impact on the character and appearance of the surrounding area.

### **Highway Issues**

- 6.15 Concerns have been raised regarding the increase in vehicular movements and congestion. Essex County Council Highways have been consulted on the application and raise no objections.
- 6.16 Given the scale of the proposal (for 5 vans) it is considered that it would not result in a significant, material increase in the number of vehicles accessing the area. Concern has been raised that eventually the site could not be big enough; this is not a material

consideration in the determination of this application, as each application is considered on its own merits.

- 6.17 Currently on-street parking occurs along the road frontage. The proposed access will result in a loss of some current on-street parking space. This is informal parking and therefore no objection is raised to this loss.

### **Other Issues**

- 6.18 Concern has been raised regarding the proposed drainage and foul sewage. It is considered that inadequate details of these have been provided. However, it is considered that the site is capable of providing adequate provision, even if it is a requirement to have private facilities. On this basis it is considered that it is reasonable for this issue to be dealt with by condition.

### **Background Papers**

None.