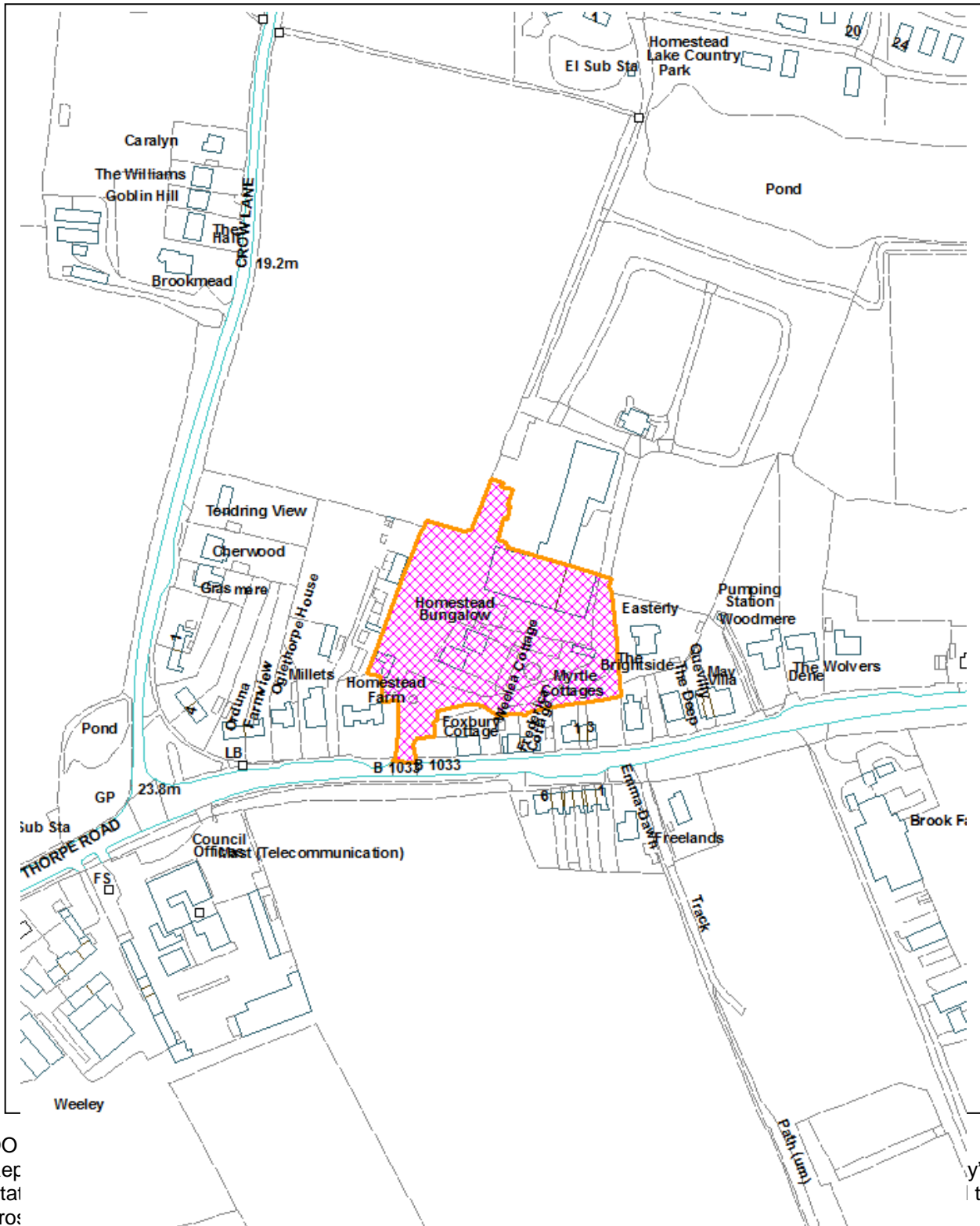


PLANNING COMMITTEE

28 JULY 2015

REPORT OF THE HEAD OF PLANNING

A.1 PLANNING APPLICATION - 15/00737/OUT - HOMESTEAD LAKE COUNTRY PARK, THORPE ROAD, WEELEY, CLACTON ON SEA, CO16 9JN



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Application:	15/00737/OUT	Town / Parish: Weeley Parish Council
Applicant:	Bricklawn Ltd	
Address:	Homestead Lake Country Park Thorpe Road Weeley CO16 9JN	
Development:	Commercial development (B1) with parking and other associated works.	

1. Executive Summary

- 1.1 The application has been referred to Committee at the request of Cllr Bray. This outline application with all matters reserved is for the re-development of a brownfield site currently in a commercial and tourism use incorporating B1 commercial units with associated parking and other works. The site is outside the settlement development boundary of Weeley in the saved Tendring District Local Plan (2007) but within in the Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014). The National Planning Policy Framework (NPPF) confirms the requirement that there is a presumption in favour of sustainable development and states that Local Planning Authority's should proactively drive and support sustainable economic development.
- 1.2 The site is located in a sustainable location within Weeley, which is defined as a Key Rural Service Centre in the draft local plan, in close proximity to local facilities and transport links. Consequently the principle of siting B1 units on this brownfield site is acceptable and consistent with the provisions the NPPF.
- 1.3 As the application is in outline form with all matters reserved the scale, layout and design of the buildings and their impact upon visual and residential amenity cannot be fully assessed at this stage. Having regard to the informal layout provided and the character of the local area it is considered that the development could take place without adversely affecting the character and appearance of the locality or local resident's amenity.
- 1.4 Essex County Council Highways have no objections to the principle of the development subject to certain conditions/methods of mitigation.

Recommendation: Approve

Conditions:

- 1) Time Limit – Commencement
- 2) Time Limit – Reserved Matters
- 3) Submission of Reserved Matters
- 4) Materials
- 5) Acoustic Fencing Details
- 6) Landscaping Scheme
- 7) Implementation of Landscaping
- 8) Lighting Scheme
- 9) Off-Street Parking in accordance with parking standards
- 10) Road widths being 6m
- 11) Details of Loading/Unloading Facilities
- 12) Details of a Size 3 Turning Facility
- 13) Footway widths being 2m

- 14) Road junction showing 6m radii
- 15) Cycle/Powered Two Wheelers Storage details
- 16) Details of a Segregated 3.5m wide footway/cycleway connecting caravan park
- 17) B1 use restriction
- 18) No outside storage/working
- 19) Surface drainage scheme
- 20) Foul drainage scheme
- 21) Submission of Sustainability features
- 22) Demolition/Construction Method Statement
- 23) Approved Plans

2. **Planning Policy**

National Policy:

National Planning Policy Framework

National Planning Practice Guidance

Local Plan Policy:

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL4 Supply of Land for Employment Development

ER1 Employment Sites

ER7 Business, Industrial and Warehouse Proposals

ER18 Caravan and Chalet Parks

COM1 Access for All

COM2 Community Safety

COM22 Noise Pollution

TR1A Development Affecting Highways

TR5 Provision for Cycling

TR7 Vehicle Parking at New Development

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

SD3 Key Rural Service Centres

SD8 Transport and Accessibility

SD9 Design of New Development

SD10 Sustainable Construction

PRO6 Retail, Leisure and Office Development

PRO9 Holiday Parks

PLA3 Water Conservation, Drainage and Sewerage

Other guidance:

Essex County Council Car Parking Standards - Design and Good Practice

3. **Relevant Planning History**

96/00132/FUL	Siting of mobile home unit for use as refreshment/snack bar. Ancillary to overall caravan centre (renewal of TEN/94/0262)	Approved	07.03.1996
99/00146/FUL	Proposed caravan service workshop and store	Approved	31.03.1999
02/02211/FUL	Replacement demountable building to provide cafeteria facility	Approved	08.01.2003
03/02352/FUL	Extension to provide additional workshop/storage area	Approved	29.01.2004
04/01665/FUL	Proposed extension to shop	Approved	18.10.2004
15/00737/OUT	Commercial development (B1) with parking and other associated works.	Current	

4. **Consultations**

Environment Agency No objections

Building Control and
Access Officer No objections

Regeneration The Regeneration Team are broadly supportive of this project, as it is an existing commercial site which would appear suitable for a development of small business units. However, we would have liked to have seen evidence of possible end users included within the application in order to show demand and to ensure that the units are not left empty once they have been built. We are unsure of the reason for limiting the B1a use to 250sqm as this may negatively impact on the developer's ability to fill the units once they are built. We believe

consideration needs to be given to separating the access for the new industrial area from the access to the holiday park to ensure that the two sides of the business are independent.

ECC Highways Dept

No objections subject to the following conditions/mitigation;

- off street parking being in accordance with parking standards
- the size 3 turning head being more conveniently located
- provision of loading/unloading facilities
- all road widths being 6m throughout
- all footways being 2m wide throughout
- connection road junction being provided with a 6m radii
- cycle and PTW storage being provided
- the provision of a segregated 3.5m shared footway/cycleway connecting Thorpe Road with the caravan site to the rear

Environmental Health

Lighting

No development shall take place until a scheme for the control of light pollution has been submitted to and approved in writing by the local planning authority.

Waste Management

All waste shall be removed from site on a regular basis by a licensed waste carrier and disposed of at a licensed waste disposal site.

Construction and Demolition

Request the submission of demolition/construction method statements

Anglian Water Services Ltd

No objections subject to the inclusion of a condition covering surface water management.

5. Representations

5.1 The proposal has been referred by Cllr. Bray. The material considerations he raises relate to the need for commercial development in this location, the inappropriate nature of the development within a residential area, highway concerns in respect of proximity of site to nearby residential development and access to the caravan/chalet park to the rear. These matters are covered below in the assessment.

5.2 7 letters of objection have also been received from local residents. The material planning considerations raised include:

- (i) Too close to resident's properties causing noise/light pollution
- (ii) Proximity to rear gardens resulting in dominating/oppressive development
- (iii) Not suitable location for commercial development
- (iv) Highway safety concerns
- (v) Adverse impact on rural village/landscape

These issues are addressed in the assessment below.

5.3 Other considerations raised include the loss of the access for resident's fronting onto Thorpe Road. This is however a land ownership matter and cannot therefore be considered as part of this application.

5.4 Weeley Parish Council objects to the application on the basis that the chalet park to the rear would have to be accessed through the proposed development, that the increase in traffic would cause congestion and be detrimental to highway safety and the inappropriateness of commercial development in this predominantly residential location.

6. Assessment

6.1 The main planning considerations are:

- Context and Background;
- Proposal;
- Policy Context/Principle of Development;
- Visual Impact;
- Residential Amenity; and,
- Highway Safety.

Context & Background

6.2 The application site is located on the northern side of Thorpe Road, Weeley outside the settlement development boundary in the saved Tendring District Local Plan (2007) but within in the Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

6.3 The site is accessed via Thorpe Road to the south which is the main route which connects the A133 to the west with Thorpe-le-Soken and Frinton to the east. The character of Thorpe Road is predominately linear comprising of a mixture of bungalows and two-storey properties that differ in style and materials.

6.4 The site is situated at the entrance into Homestead Chalet Park, which is located beyond to the north-east. At present the site is used as part of the Homestead Caravans and Outdoor Leisure enterprise which sells caravans and outdoor leisure equipment. There are a variety of structures present on the site that are associated with this business. These being a former bungalow and café located centrally within the site, a workshop to the site's northern end, a caravan sales area located along the site's western boundary and a reception building located in the eastern side of the site. The southern boundary of the site shares a common boundary with the rear gardens of the properties fronting onto Thorpe Road to the south. This boundary is marked by a mixture of 3/4m high Leylandi trees and low level fencing. There are several trees located in the south-eastern corner of the site. The eastern boundary of the site, shared with Easterly, comprises of 2/3m high conifer hedgerow. The western boundary is marked by 1.8m close boarded fencing up against which caravans for sale are located.

6.5 The supporting documentation submitted states that due to the increase in internet sales, the showground area has become less essential for the day to day operation of the business. The company is therefore looking to restructure their activities on the site to a smaller area to the north where the existing workshops are located.

Proposal

6.6 This application seeks outline approval with all matters reserved for the re-development of the site for commercial B1 development. The development proposes to utilise the existing access onto Thorpe Road. Whilst all matters have been reserved an indicative layout has been provided showing approximately 2266sqm of commercial B1 floorspace. The application supporting statement confirms that it is intended to limit the amount of B1 (a) office space to 250sqm leaving the remainder of the site for B1 (b)

(Research/Development) and (c) (Industrial Processes which can be carried out in a residential area without causing detriment to amenity) purposes.

- 6.7 Additional landscaping is shown on the indicative layout to the edges of the site and a section of acoustic fencing to protect the amenity of local residents that front onto Thorpe Road to the south.

Policy Context/Principle of Development

- 6.8 The National Planning Policy Framework (NPPF) was published by the Government on March 27th 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38 (6) of the Planning Act). The development plan for Tendring comprises the Tendring District Local Plan (2007)
- 6.9 In addition, some weight can be attributed to the recently published Tendring Local Plan Proposed Submission Draft (2012) as amended by the Tendring District Local Plan Pre-Submission Focussed Changes (2014) where policies are consistent with the NPPF.
- 6.10 Although planning applications have to be determined against the provisions of the saved and draft local plan policies, it is evident that a great emphasis has to be placed on the consistency of those policies against the aims of the NPPF. The NPPF sets out policies and principles that local planning authorities should take into account, when both preparing local plans, and determining planning applications. The policies within the NPPF are a material consideration that should be given significant weight. Of particular note within the NPPF is the requirement that there is a presumption in favour of sustainable development. Furthermore, paragraph 17 of the NPPF encourages the re-development of brownfield land and states that Local Planning Authorities should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- 6.11 Whilst the site is located outside of the settlement development boundary in the saved local plan it is located within the boundary in the draft local plan. Moreover, in the draft local plan Weeley is classed as a 'Key Rural Service Centre' as described within draft policy SD3. This draft policy confirms that Weeley is considered to be capable of accommodating sustainable growth. It is further considered that the site is situated in a sustainable location opposite a proposed residential allocation and close to local transport links and facilities and services present within Weeley.
- 6.12 The proposed re-development of this brownfield site that is currently in commercial and tourism use and its sustainable location would be consistent with the aims of the NPPF outlined above and assist in providing employment for the proposed increased population of Weeley. The principle of siting B1 units on the land is therefore considered to be acceptable and in accord with the draft local plan policies and Government Guidance which confirms a presumption in favour of sustainable development in the NPPF.
- 6.13 Draft Policy PRO9 and saved policy ER18 seek to protect caravan/chalet parks from redevelopment for alternative uses to support tourism in the district. Whilst the site is designated as being safeguarded for holiday purposes it is evident from the uses that are carried out on the site that the application site itself does not form part of the main leisure and tourism element of Homestead, which lies to the north and east of the site. It is therefore not considered that the re-development of the site for B1 commercial purposes would adversely affect the continued running of the caravan/chalet park to the rear for tourism purposes.

Visual Impact/Character

- 6.14 The application is in outline form with all matters reserved for consideration at the detailed stage. However, from the indicative drawing provided it is evident that the site can suitably accommodate the proposed commercial development without adversely impacting upon the character and appearance of the locality. The buildings would be set in-between the residential properties fronting onto Thorpe Road to the south and several workshop buildings on the adjacent land to the west and the associated caravan site to the north. Consequently the buildings, subject to detailed design considerations relating to their height, size and materials, would be sited within an existing cluster of buildings that differ in style and function and as such not appear overly prominent in views from Thorpe Road to the south and would not be detrimental to the existing character of this section of Weeley. The introduction of an appropriate soft landscaping scheme, the use of sympathetic surface materials and a segregated footway/cycleway for access to the caravan site to the rear would assist further in softening the appearance of the proposed development in views from public vantage points to the south.

Residential Amenity

- 6.15 The development proposed would consist of B1 uses. Whilst a small section of the development is proposed to be B1 (a) office use, the rest of the development would be utilised by light industrial units that by their very nature are defined as industrial processes which can be carried on in a residential area without causing detriment to the amenity of the area. The informal layout plan shows the provision of a landscaping belt to the southern and eastern boundaries of the site along with the provision of an acoustic fence to further reduce the potential for noise. Having regard to the current commercial use of the land, these methods of mitigation along with conditions controlling outside working/storage and working hours on the site demonstrates that, subject to the detailed layout and design of the buildings being agreed at the detailed stage, that the site can accommodate B1 commercial units without causing an adverse level of noise and disturbance to local residents. Further conditions to protect local resident's amenity are also proposed in respect of restricting the use of the buildings to solely B1 and preventing any lighting being installed prior to the submission of a detailed lighting scheme.

Highway Safety

- 6.16 The development proposes to use the existing access into the caravan site from Thorpe Road. Essex County Council Highways have confirmed that the impact of the proposal is acceptable from a highway and transportation perspective subject to a number of mitigation methods and conditions concerning the detailed layout of the development. These include the provision of a segregated footway/cycleway allowing pedestrian access into the caravan site to the rear without having to travel through the proposed commercial development. Other detailed matters concern footway/road widths, parking/cycle storage provision, turning facilities and the junction radii that will be confirmed via at the reserved matters stage.
- 6.17 The development, subject to the requirements of Essex County Council Highways being provided at the reserved matters stage, would not be detrimental to highway safety. Furthermore, given the size of the site and the nature of the development, adequate parking provision can be provided which is in accordance with the Council's parking standards.

Background Papers

None.