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WALSINGHAM PLANNING

SPECIALIST PLANNING & DEVELOPMENT CONSULTANTS

Planning Statement

Land to West of
A151/A16 junction, Spalding, PE12 6EP

June 2019

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1 INTRODUCTION

1.1 Walsingham Planning has been instructed by the SME Group Plc to submit a planning application for the erection of a drive thru Costa Coffee on land to the West of the junction of A151 and A16 in Spalding. The drive thru would be within use class A3.

1.2 In addition to this Planning Statement, the application is supported by the following documents:

- Site Location Plan – drawing no. 2006268/2019/G000 – Rev A
- Site Plan - 2 drawing no 006267-2019-G100 – Rev A
- Elevations - 2006267-2019-G101
- Design and Access Statement
- Geo-Environmental Report – Enzygo
- Flood Risk Assessment – Simpson Consulting Engineers
- Transport Assessment – RGP
- Flooding Sequential Test – Walsingham Planning

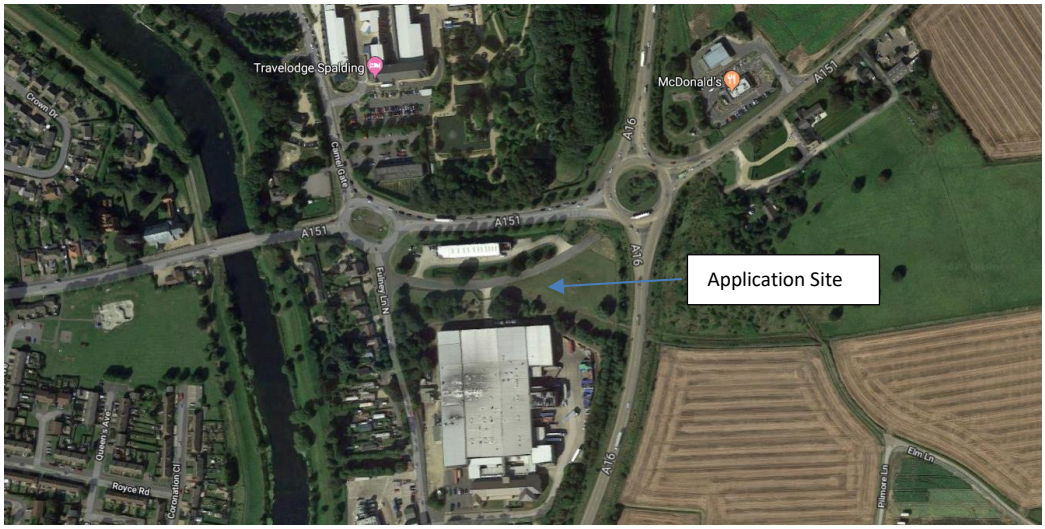
1.3 This statement will describe the site and surroundings, document the site's planning history and assess the proposals against relevant development plan policies and any other material considerations. It is concluded that the proposals would accord with the Development Plan such that a recommendation for approval of planning permission is appropriate.

2 SITE & SURROUNDINGS

Site Description

2.1 The application site has an area of 0.37 ha and lies on the south side of A151 to the west of the roundabout junction with A16 on the north-eastern edge of Spalding. It consists an area of open land which is undeveloped land with mature trees to the southern boundary. The site adjoins to the east a site that has recently been granted permission for a drive thru KFC.

2.2 The site is within flood zone 3 as is much of Spalding.



Application Site

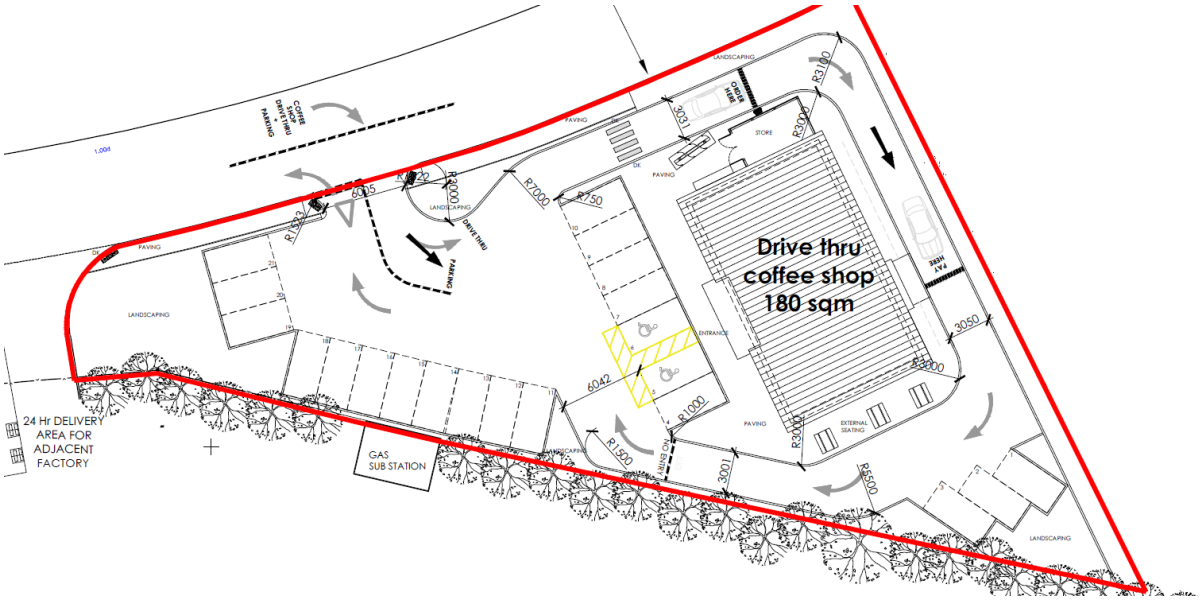
2.3 To the South of the site is the Spalding Bakery. To the North East of the site, the access road is a single storey building that houses "Bush Tyres". On the opposite corner of the roundabout (intersection of A16 and A151) is a petrol filling station and a 24 hour McDonalds.

2.4 The site is located outside of the settlement boundary for Spalding in the South East Lincolnshire Local Plan (March 2018), but is within an area identified as an 'Established Employment Site' which covers the Spalding Bakery premises.

3 THE PROPOSED DEVELOPMENT

3.1 The proposal is for the erection of a single storey drive thru Costa Coffee drive thru (Class A3), with associated car parking, cycle parking, landscaping and access.

3.2 The access to the new Costa will be from an existing access road that is off Fulney Road North. 21 car parking spaces will be provided, including 2 disabled spaces.



Proposed Site Plan

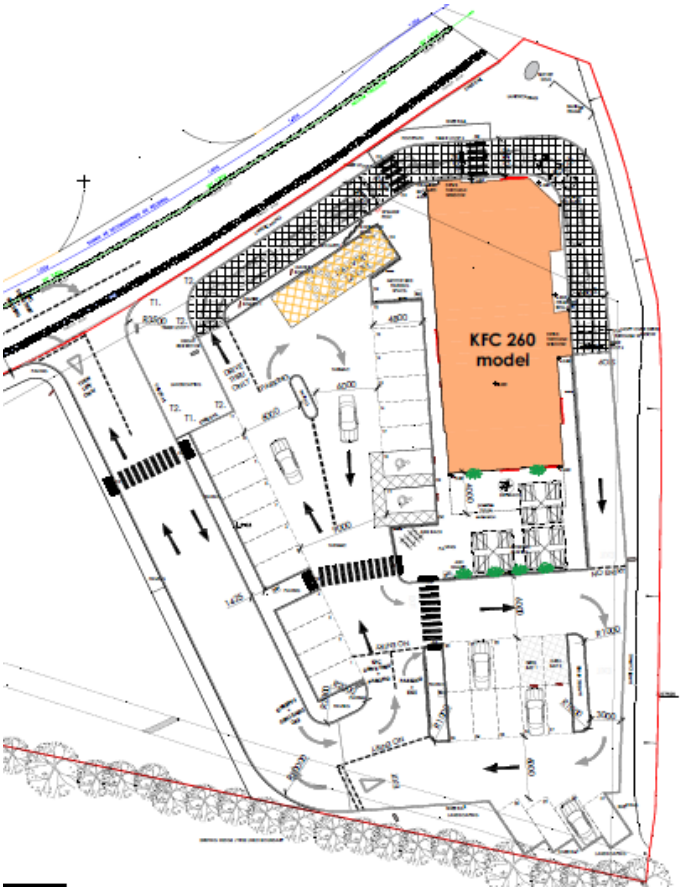
3.3 The Costa will be positioned in the eastern part of the site, parallel to the adjoining site for the KFC. The single storey building will provide 180 m² floorspace and have an enclosed yard to the side. It will incorporate a flat roof and use a palette of materials including timber effect panels for the walls with large areas of glazing to the customer areas. Customer toilets will be provided, including a disabled toilet.

3.4 Signage will be dealt with as a separate advertisement consent application.

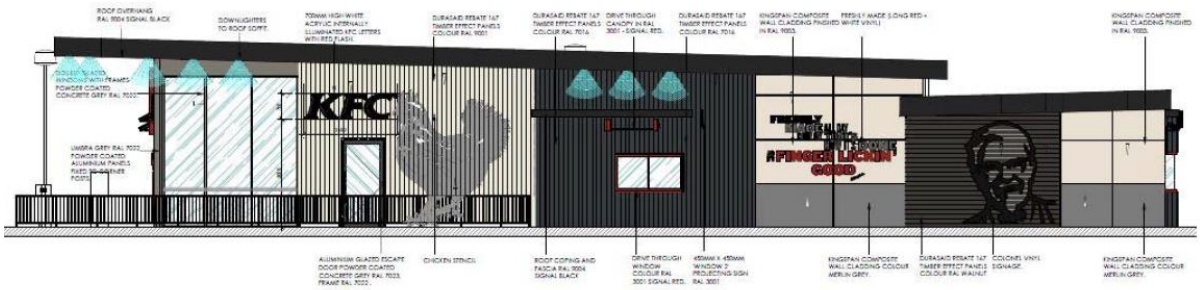
3.5 The developed part of the site will be landscaped to ensure a soft boundary to the A151 and to the neighbouring sites to the South and East.

Planning History

3.6 The adjoining site between this site and the A16 has recently been granted planning permission for: "Erection of a single storey drive thru restaurant for KFC with associated car parking, cycle parking, landscaping and access" (Ref: H16-1185-18). This was granted on 23.01.19. The approved site plan and side elevation are set out below.



Approved Site Plan



Approved Side Elevation

4 PLANNING POLICY

Development Plan

4.1 The Development Plan consists of the Adopted South East Lincolnshire Local Plan (March 2019).

4.2 The assessment below demonstrates how the scheme meets the provisions of the Development Plan. A detailed assessment of the relevant issues are set out in Section 5.

South East Lincolnshire Local Plan (March 2019)		
Policy 7: Improving South East Lincolnshire's Employment Land Portfolio		
POLICY	**RESPONSE**	**EVIDENTIAL JUSTIFICATION**
"Any non-B development will only be supported where the applicant can show that it is ancillary to the effective functioning of the Established Employment Site."	Achieved	This is considered in detail in section 5 below.
Policy 24: The Retail Hierarchy		
POLICY	**RESPONSE**	**EVIDENTIAL JUSTIFICATION**
"The town centres of Boston and Spalding will be the locational focus for the development of town centre uses; planning permission will be granted for retail, food and drink outlets, financial and professional services, leisure and tourist-related uses (Classes A1-A5, B1, D1 and D2) and residential development."	Achieved	As the site has only 119.6 m2 of sales area this policy does not apply to this proposal.

Policy 2: Development Management		
POLICY Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to: 1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses; 2. quality of design and orientation; 3. maximising the use of sustainable materials and resources; 4. access and vehicle generation levels; 5. the capacity of existing community services and infrastructure; 6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion; 7. sustainable drainage and flood risk; and 8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets	**RESPONSE** Achieved	**EVIDENTIAL JUSTIFICATION** The proposed development would be of a scale that would not harm the character and appearance of the area. The proposal would be set in landscaping and would not harm the amenities of the wider area.
Policy 3: Design of New Development		
POLICY "All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable."	**RESPONSE** Achieved	**EVIDENTIAL JUSTIFICATION** The proposed development would be of a similar design to the recently approved KFC. The materials would complement the consented scheme and would not harm the character and appearance of the area.

Policy 4: Approach to Flood Risk		
POLICY "..will be permitted, where 1. It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local circumstances relating to the catchment area for the development justify a reduced search area, i.e. there is a specific need for the development in that location… Development in all flood zones, and development over 1 hectare in size in Flood Zone 1, will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.	**RESPONSE** Achieved	**EVIDENTIAL JUSTIFICATION** This is considered in detail in section 5 below.

National Planning Policy Framework (2019)

Introduction

4.3 The National Planning Policy Framework was published in February 2019. This document sets out the Government's objectives for the planning system placing "sustainability" at the forefront of national planning policy. Paragraph 8 explains that " Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)."

4.4 Paragraph 8 explains that there are three overarching objectives to sustainable development: economic, social and environmental, as follows:

- An economic objective– to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- A social objective– to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- An environmental objective– – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.5 The three components need to be pursued in an integrated way looking for solutions which deliver multiple goals. It is therefore clear that what the National Planning Policy Framework wishes to see is balanced decision making with all factors considered rather than "development control" decisions made in isolation of the three overriding principles.

4.6 Paragraph 11 continues by stating that:

"For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; and
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date7, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Building a strong, competitive economy

4.7 The document identifies that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 80 states :

"Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation40, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential".

4.8 Paragraph 82 of the Framework states: "Planning policies and decisions should recognise and address the specific locational requirements of different sectors."

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Retail and Town Centres

4.9 Section 7 of the Framework sets out the Government's policy in relation to maintaining the vitality of town centres. Paragraph 86 of the document explains that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. Paragraph 89 then describes the impact assessment, which should be undertaken for edge and out-of-centre retail developments that are over 2,500sq.m in size, or where the locally defined impact threshold indicates otherwise.

Promoting sustainable transport

4.10 Section 9 of the Framework relates to the promotion of sustainable transport. Paragraph 111 states that: "All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed". A Transport Assessment has been prepared and submitted as part of the planning application.

4.11 Paragraph 110 highlights the need to facilitate sustainable modes of travel. It states that applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Design

4.12 In terms of design the NPPF states that: " Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.." (paragraph 124)

4.13 The Government requirement is for 'good design' and the following paragraph 127 states that decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Flooding

4.14 Paragraph 155 of the NPPF states that inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk but, where development is necessary, making it safe without increasing flood risk elsewhere.

4.15 Paragraph 158 goes on to state that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding and development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

4.16 Paragraph 163 sets out clearly the assessment process for determining applications in areas liable to flood. "Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) the development is appropriately flood resistant and resilient;

c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."

5 PLANNING ASSESSMENT

Principle of Development

5.1 The review of national planning policy in Section 4 shows that there is a real focus on the need for sustainable economic development. Government policy is clear that there should be a presumption in favour of sustainable development, that economic growth is a high priority and that planning should encourage and not act as an impediment to sustainable growth.

5.2 The application site is located part of a wider employment site that is called Fulney Lane North in the emerging South East Lincolnshire Local Plan. The application site is a landscaped area to the North of the Spalding Bakery and currently has no employment function.

5.3 The Local Plan Policy for established employment sites is set on in Policy 8. This allows non employment uses where it can be shown that the proposed use would be ancillary to the effective functioning of the Established Employment Site

5.5 As the proposed site has no employment function and the use is of a small scale in terms of building size and traffic movements, it would be clearly ancillary to the wider function of the Fulney Lane North employment site. Furthermore, the proposed use would generate employment for approximately 20 people.

5.6 Similar considerations to the above were also applied when the Council granted consent for the KFC on the adjoining site. The Council considered the following:

> "In terms of the soon to be adopted South East Lincolnshire Local Plan (SELLP), the site is outside the settlement boundary for Spalding but is within an area identified as an 'Established Employment Site' which covers the Spalding Bakery premises. The intention is that Established Employment Sites should be protected for new B1, B2 or B8 development/re-development because of their important role in the economy. Any non-B development, such as that proposed, would only be supported where it is ancillary to the effective functioning of the Established Employment Site. The proposed development would be small in scale compared to the existing employment premises and could be used by employees. It would also generate employment for 30 full-time

staff. It is therefore not considered that there is significant conflict with emerging policy."

5.6 Taking account of the decision on the adjoining site, similar considerations apply in that the proposed use would deliver employment on the site. It would also be ancillary to the wider employment site. On this basis, the principle of development can be accepted as the proposal would be in accordance with Policy 8 of the adopted South East Lincolnshire Local Plan (2019).

Sustainable Development

5.7 In relation to the three objectives of sustainable development set out in the NPPF, the following is noted:

- *An economic objective* – the application scheme will make efficient use of this partly brownfield site. The proposal will generate 20 new jobs, in addition to employment created during the construction phase. It will also build on business for local retailers through linked trips.

- *A social objective*– the proposal will provide a food and drink facilities close to an identified local need and consumer base. New jobs will increase local spending power.

- *An environmental objective* – the application proposal involves the redevelopment of a vacant site within the existing employment area which will improve its physical environment. A comprehensive landscaping scheme will be incorporated into the proposals.

5.8 The NPPF makes clear that there should be a presumption in favour of sustainable development and that "development which is sustainable can be approved without delay" (paragraph 11). The proposals are considered to constitute sustainable development and should therefore be approved.

Impact on Spalding Town Centre

5.9 Policy 24 of the South East Lincolnshire Local Plan 2019 requires a retail impact assessment only if a proposal is over 250m2. As this proposal is only 180 m2 net, there is no need to undertake a sequential assessment to demonstrate that the proposal could if possible go elsewhere.

5.10 In assessing the adjoining site, the Council considered the following:

"A retail impact assessment is not required because the proposed gross internal floorspace (248m2) is considerably lower than the 2,500m2 threshold set out in the NPPF, and there is no locally adopted threshold at present. A 250m2 threshold is set out in the SELLP for proposals outside of Spalding Town Centre but the proposed use would still fall below this. Furthermore, given the nature of the proposal and its likely source of custom, it is not considered that it would be reasonable to request a retail impact assessment or sequential test. The Transport Assessment submitted with the application indicates that 70-72% of the KFC customers would represent 'pass-by' trade that would tend to form part of an onward journey. It is therefore not considered that the proposed development would have the effect of drawing people away from the town centre as a significant number of the visits to the premises would form part of a journey that would already take place along the A16 or A151. The nature of the proposed development means that it is important that it is located in a prominent position such as the application site."

5.11 Given that this proposal is similar to the adjoining KFC, it is considered that the impact would be similar. Even if both proposal came forward the impact would not be significant given that for this use 98% of trips would be diverted trips from the existing highway network rather than being a destination in itself.

Transport and Parking

5.12 The vehicular layout of the proposed development provides for 21 car parking spaces will be provided, including 2 disabled spaces. Four cycle parking spaces will be provided for staff as there is not necessary for customer demand.

5.13 The site is well positioned close to its target market of passing vehicular trade but it will also serve the surrounding business areas and link well with the Springfields retail park.

5.14 A Transport Assessment submitted with the application concludes:

> "Extensive survey information has been consulted to determine the existing and post-development operation of the site in terms of trip generation and parking demand. The results show that the trips generated by the site would not be detrimental to the current functioning of the local highway network and the parking provision, as proposed, would be sufficient to accommodate demand."

5.15 The impact would therefore be not significant, and the Transport Statement defines this as follows:

> "The vast majority (98%) of the above vehicle trips would comprise 'pass-by' trips, whereby customers to the drive-through outlet would arrive as part of a diverted trip from an existing pre-determined journey on the adjacent highway network. The number of 'primary' vehicle trips generated by the site would equate to approximately 2 two-way movements during the AM peak hour as a worst-case and 15 over the course of the day"

5.16 The Transport Assessment accompanies the application also confirms that the parking provision is at an acceptable level. Given the conclusions, the proposed development therefore complies with adopted policy 29 of the South East Lincolnshire Local Plan (2019).

Flooding and Drainage

5.17 Paragraph 158 of the NPPF indicates that inappropriate development in areas at risk of flooding should be avoided by directing it away from areas at highest risk by the application of the Sequential Test (ST). The aim is to ensure that development only takes place in areas at risk from flooding if there are no reasonably available alternative sites at locations where the risk is less. These tests are reflected in policy 4 of the South East Lincolnshire Local Plan 2019.

5.18 In support of this application a Flood Risk Assessment and Sequential Test has been prepared. The Flood Risk Assessment concludes:

> "In terms of flood risk, it is concluded that the development can be occupied and operated safely and that there will be no increase in the level of flood risk to the site or neighbouring sites as a result of the development.

5.19 The second part of the assessment of impact on flooding is whether the development could go elsewhere in a lower risk level of flooding. It should be appreciated that a drive thru Costa has very specific locational criteria i.e size and on the main road network and therefore the type of sites are very limited.

5.20 The Sequential Test adopts a search area for the whole of the Spalding and assesses 39 sites. The conclusion from the search is that of 39 sites examined in detail, there is no suitable and available site for this development. The sequential test is therefore passed.

5.21 From both the Flood Risk Assessment and Sequential Test, it can be concluded that there are no reasonably available alternative sites and that the proposal would not increase the flood risk elsewhere. The proposal would therefore be in accordance with the NPPF and policy 4 of the Local Plan 2019.

6 CONCLUSION

6.1 The application proposes the erection of a drive thru on land to the west of the junction of the A16 and A151. The drive thru would be within use Class A3.

6.2 The following conclusions can be drawn:

- The redevelopment would represent a more efficient use of a site within the established urban area.
- The site is in a good location to attract passing trade to enhance food and drink provision local employees.
- There will be a positive economic impact as a result of the development through the creation of nearly 20 jobs and increased earnings in the local area.
- There are no sequentially preferable alternative sites for the development. The proposals would not increase the flood risk elsewhere as there are no other alternative sites.
- The proposals represent a bespoke design and will create a high quality, modern development that makes efficient use of the land. The accompanying landscaping scheme will ensure the development sits comfortably in its surroundings.

6.3 In light of the above, it is concluded that:

1. The proposal accords with national and local planning policy, as set out in the National Planning Policy Framework and the Development Plan;
2. There are no other material considerations, that outweigh the presumption in favour of sustainable development as set out in the National Planning Policy Framework; and
3. The site is considered suitable and appropriate for the proposed development.

6.4 The overall conclusion therefore is that the application should be treated favourably and planning permission should be granted in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.