

**PIZZA HUT
LAKESIDE RETAIL PARK
THURROCK
RM20 1WN**

Planning Statement
January 2021

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NOTICE

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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared by Williams Gallagher Town Planning Solutions Ltd ('Williams Gallagher'). It supports a full planning application for operational works and signage at the former Pizza Hut unit at Lakeside Retail Park, Thurrock, RM20 1WN ('the site'). The application is made on behalf of Tim Hortons UK & Ireland Ltd ('the Applicant'), who is proposing to occupy the unit.
- 1.2 The proposed description of development is as follows:
- 1.3 *"Full planning permission with advertisement consent for the installation of a drive thru lane and associated engineering works including alterations to the service yard area, minor alterations to the unit and elevations including recladding and associated changes to car parking and landscaping and new signage."*
- 1.4 For the avoidance of doubt, this is an application for advertisement consent and full planning permission for minor operational development, consisting of:
- the creation of a drive-thru lane, and associated alterations to the car park layout;
 - upgrades to the facades of the building to provide internalise an existing canopy area, provide a service window, and improve the external appearance of the building;
 - a new cold store and storage area to replace the enclosed external service yard; and
 - replacement advertisements.
- 1.5 This Statement provides a description of the site and its planning history and a description of the development proposal. It also outlines relevant planning policies and material considerations to inform an assessment of the proposal.
- 1.6 It concludes by demonstrating that the proposal is in accordance with local and national policies and that all necessary tests and considerations have been satisfied.
- 1.7 In relation to this proposal, it is important to recognise that Pizza Hut has been operating from these purpose-built premises for nearly 10 years. During all this time, takeaway food and drink, hot and cold, has been part of their offer and use of the site. This proposal is simply to help facilitate this offer, by a new occupier, in a more customer friendly, convenient and safe manner,
- 1.8 Therefore, this application does not seek a change of use as there is no material change of use of the premises proposed.

APPLICATION SUBMISSION

- 1.9 The planning application submission comprises the following documents (in accordance with the Local Validation Checklist and National Validation Guidelines):
- Application Form and Certificates
 - Plans and Drawings (prepared by Beyond London)
 - Planning Statement (this document)
 - Transport Statement (prepared by Transport Planning Associates (TPA))
 - Flood Risk Assessment (prepared by TPA)
- 1.10 The following drawings are also submitted:

DRAWING NUMBER	DRAWING DESCRIPTION	SCALE
7317-PL-00.1A	SITE & LOCATION PLAN	1:500/1:1250
7317-PL-01.2B	EXISTING SITE PLAN	1:200
7317-PL-01.3	EXISTING ELEVATIONS	1:100
7317-PS-01.4A	EXISTING G.A PLAN	1:50
7317-PS-01.5C	PROPOSED SITE PLAN	1:200
7317-PL-01.6B	PROPOSED ELEVATIONS	1:100
7317-PS-01.8A	PROPOSED G.A	1:50
ADVERTS PACK		
7317-PS-01.7B	PROPOSED ELEVATIONS (ADVERTS)	1:100
7317-ADV-DTS-0.2A	SITE PLAN FOR ADVERTS	1:1250/NTS
7317-ADV-DTS-0.3A	DRIVE-THRU SIGNAGE SUITE	1:50
7317-ADV-DTS-1AA	TOTEM	1:20/1:50
7317-ADV-DTS-2A	WELCOME TOTEM	1:20/1:50
7317-ADV-DTS-3AA	HEIGHT LIMITER 3.6M	1:20
7317-ADV-DTS-4A	ROTATING LEADER BOARD	1:20
7317-ADV-DTS-5A	ORDER POINT (CONTACTLESS)	1:20
7317-ADV-DTS-6A	MENU BOARD	1:20
7317-ADV-DTS-7	DOUBLE-SIDED BILLBOARD	1:20
7317-ADV-DTS-8A	WAYFINDING	1:20

Table 1: Drawing Schedule

Source: Beyond London

- 1.11 On the basis of the above and in accordance with Paragraph: 030 Reference ID: 14-030-20140306 of the Planning Practice Guidance, a Design and Access Statement is not required to accompany the application submission. However, in the interest of fully explaining the proposal, this Planning Statement is provided to assist the Council in better understanding the components of the proposed development.

2.0 TIM HORTONS

- 2.1 By way of background, Tim Hortons is a relatively new entrant to the UK market and can best be described as a restaurant chain with a coffee and bakehouse offer.
- 2.2 The brand was founded in 1964 in Hamilton, Ontario, Canada. It has since grown into Canada's most loved brand with over 4,500 stores from coast to coast. Known affectionately as 'Timmy's', it is a place famous for its fresh coffee and baked goods and is visited by more than 5.3m Canadians daily (approximately 15% of the population). As well as coffee and doughnuts, Tim Hortons serves a wide variety of snacks and beverages such as toasted bagels and wraps.
- 2.3 Tim Hortons opened its first store in the UK in 2017 and now have 26 units with another 2 opening soon across all four countries of the UK. Its current focus is to expand its drive-thru model across the UK, including at the proposal site.
- 2.4 As outlined above, Tim Hortons will operate in much the same way as Pizza Hut has on this site for nearly 10 years, offering restaurant facilities with a take-away option, so that there is no material change of use of the premises.

3.0 THE SITE AND PLANNING HISTORY

THE SITE

- 3.1 The application proposal relates to a standalone unit which was up until recently occupied by Pizza Hut. It forms part of the Lakeside Retail Park in Thurrock and is located to the north east of the island junction of Grebe Crest and West Thurrock Way (B186).
- 3.2 The premises were purpose built for the recent occupants. It is predominantly a simple single storey light sandy coloured blockwork structure with a two-part grey sheeted curved roof and some minor additions.
- 3.3 There is low level planting around the building which becomes more substantial away from the building, between the car park and the road.
- 3.4 There is no direct access to the building from the public road. Access is by internal roads servicing the large car park areas to the east of the store.

PLANNING HISTORY

- 3.5 The most relevant planning application was submitted in April 2011 (Ref: 1/50302/TTGFUL). This was for an *"A3 restaurant at Lakeside Retail Park, with associated car parking and servicing areas"* and was granted permission on 15 July 2011, subject to a number of conditions.
- 3.6 It is noted that Condition 11 requires that there are no retail sales of convenience goods from the restaurant unit without the prior written approval of the Local Planning Authority.
- 3.7 This matter has been the subject of a separate query to Thurrock Council but for the purposes of the current application it is considered that the use of the unit will not change and that Tim Horton's will operate in a similar way to the previous occupier.

4.0 PROPOSED DEVELOPMENT

4.1 In order to facilitate the occupation of the unit by Tim Hortons the following works are proposed:

- the creation of a drive-thru lane, and associated alterations to the car park layout;
- upgrades to the facades of the building to provide internalise an existing canopy area, provide a service window, and improve the external appearance of the building;
- a new cold store and storage area to replace the enclosed external service yard; and
- replacement advertisements.

4.2 It is important to note that whilst these proposals are to improve the takeaway service, the restaurant will continue to provide for 105 covers, as well as providing outside seating areas. As an integral part of the retail park, with pedestrian connections across the site, walk-in restaurant trade will continue to be a crucial part of the overall offer.

DRIVE-THRU

4.3 The proposed drive-thru lane will be accessed from the existing car park area to the south of the building, where orders will be taken. It then wraps around the south western corner, with pick up along the west elevation of the building which will incorporate new service window. The drive-thru then emerges back onto the car park, to the north of the building.

4.4 The changes to the layout in the immediate vicinity of the building will result in the rearrangement of 7 car parking spaces close to the building frontage. There will however be no change in the overall number. There will also be no change in the number of cycle parking spaces provided.

4.5 The proposal will require some slimming and tidying of the existing planting alongside West Thurrock Way (B186).

EXTERNAL ALTERATIONS / FAÇADE UPGRADE

4.6 It is intended that the external appearance of the unit will be upgraded to reflect the new national rollout of the Tim Hortons business.

4.7 The existing render and timber panelling will be repainted primarily in black and brown with the new collection window and doorways highlighted in red reflecting the Tim Horton brand. The drive-thru collection window will be provided on the west elevation, with a brown clad portal surround and a small canopy over it.

4.8 The existing canopied / courtyard area to the south east corner of the building will be incorporated with new external glazing to match the building.

4.9 The proposals also include changes to reduce the length of the enclosed service area, thereby reducing its visual impact, as it will be now be read against the main building, more than the current service yard is.

4.10 The alterations and improvements result in a slight fall of 17 sqm in the total GIA from 290 sqm to 273 sqm.

COLD STORE AND SERVICE PROVISION

4.11 It is proposed that the existing external service yard will be replaced with a smaller area to be used for coldrooms and bin storage. This will be surrounded by a new timber fence painted black to match the existing building.

4.12 It should be noted that this application is not proposing any changes to the existing servicing

arrangements to the unit which will continue to be made from the layby on the adjoining Grebe Crest.

ADVERTISEMENTS

- 4.13 The current unit has three individual illuminated 'Pizza Hut' lettered signs on the south facing roof pitch to West Thurrock Way (B186), on the gable facing the junction with Grebe Crest and on the north wall of the building, which is visible when exiting the Retail Park. There is also a large 'totem' sign on the West Thurrock Way frontage.
- 4.14 These will all be replaced with the advertisements proposed on the drawings listed above and shown on the accompanying plans.
- 4.15 This is a balanced advertisement scheme, intended to provide similar coverage to that previously enjoyed, and enjoyed by other units within the retail park. There is also the addition of wayfinding signage where necessary to properly support the drive-thru facility.

5.0 PLANNING CONSIDERATIONS

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission shall be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.2 In the case of Thurrock, the development plan comprises:

- the Core Strategy Local Plan and Policies for Management of Development; and
- the saved policies of the Borough Local Plan.

5.3 Whilst neither of these documents contain policies that are specific to this proposal, it is important to note the emphasis that the Core Strategy gives to supporting and encouraging the growth and development of the Lakeside shopping complex as a Regional Centre. Lakeside positively features in 6 of the Strategic Spatial objectives. Essentially, this is about investing in the Lakeside complex and improving the facilities within it, in accordance with the approach embodied within the Core Strategy.

5.4 As an example of Lakeside's importance, Paragraph 3.11 states that:

"The Council and its regeneration partners will prioritise efforts to bring about the transformation of Lakeside into a Regional Centre and in doing so, will create an image, re-shape perceptions and consequently encourage and drive forward inward investment".

5.5 In this case, the proposed minor works and engineering operations are seeking to provide a drive-thru service facility at an existing restaurant unit and as such is consistent with the policy aims of expanding / improving the food and drink provision at Lakeside. There are no more specific policy implications in relation to the use of the property as there is no material change of use proposed by this application.

HIGHWAYS

5.6 The accompanying Transport Statement and plans provide full details of the changes to car parking and delivery arrangements that are necessitated by the introduction of the drive-thru lane and assesses these against the relevant policy requirements.

5.7 This concludes that:

- There is no change to the number of car parking spaces provided in the immediate vicinity of the unit. As the existing car park is shared, and given that the local car parking standards are set as maximums, it is considered that the proposed parking provision is appropriate;
- the provision of 6 cycle parking spaces is appropriate;
- the Drive-thru lane can accommodate a large car (as demonstrated by the swept-path analysis);
- servicing access to the site will be unchanged and will continue to be from the layby on Grebe Crest as will refuse collection;
- the existing and proposed uses are the same and there is no significant change in the GEA of the building. There will therefore be no material change in primary trip attraction;
- the proposal will not result in any material change in primary trip attraction - the development impact cannot therefore be considered severe;
- the proposal aligns with Policy PMD2 as access by walking, cycling or public transport will remain unchanged; and
- the proposed development will have a negligible impact on the local highway network.

5.8 It is therefore concluded that there are no transport or highways related reasons that should

prohibit the development proposals from being granted planning permission.

TREES & LANDSCAPING

- 5.9 The proposed works will require a limited amount of change to the existing landscaping on the southern and western boundaries of the site, including the removal of three small trees. The majority of the existing planting will however be unaffected and any areas affected during construction will be reinstated.

AMENITY

- 5.10 Tim Hortons operation is such that no grease or odour is produced and therefore there is no requirement for any extraction equipment. The use therefore has fewer negative impacts on the amenity of the area than the previous occupier.

FLOOD RISK

- 5.11 The site is within Flood Zone 3, an area with a high probability of flooding but which benefits from flood defences.
- 5.12 A Flood Risk Assessment (FRA) is provided as part this application. This concludes that:
- the risk of flooding from rivers and the sea is considered to be low;
 - flooding from surface water will not be an issue as the drive-thru lane is outside the area at high risk of flooding;
 - the site is not at risk of flooding from reservoirs;
 - it is unlikely that there will be a significant risk of flooding from groundwater within Thurrock;
 - there is no historic record of any sewer flooding in the vicinity of the site; and
 - the overland flows are expected to be minimal at the Brownfield runoff rate before reaching the lowest point of the site where it will soak into the ground.
- 5.13 The FRA also includes a Flood Evacuation Plan in accordance with the Thurrock Council's Community Flooding Pack.
- 5.14 The FRA concludes that there are no insurmountable issues with regards to the flood risk aspects associated to the site and a robust Evacuation Plan has been proposed. Therefore, there are no reasons for objecting to the proposed development being delivered.

DESIGN

- 5.15 The importance of good design is highlighted in national and local planning policy and in Thurrock's Core Strategy and Policies for Management of Development.
- 5.16 In this case, the existing building is being retained but the proposed introduction of a drive-thru lane is being complemented by an upgrade to the existing, dated building, which will result in a more modern design appropriate to its retail park setting.

ADVERTISEMENTS

- 5.17 In accordance with the NPPF, Planning Practice Guidance and Advertisement Regulations advertisements can only be considered in terms of their effect on amenity and public safety.
- 5.18 Assessment of the impact on amenity is generally consideration as to whether the visual appearance of the advertisements will affect the visual appearance of the area. In this case, the proposed fascias signs are suitably located and proportionate to the elevation of the building as

shown on the submitted drawings. The proposed colours reflect the company corporate image. This combined with the set back of the building from the site frontage means that the fascia adverts will have no adverse effect in public amenity.

- 5.19 The proposed totem sign will be located close to the B186 and Grebe Crest junction. The use of the pole support ensures that visibility is not blocked for traffic or pedestrians and ensures that the sign cannot be subject to vandalism. The size and alignment of the sign is such to provide appropriate visibility for visitors to the site. As with the fascia signs, it will be internally illuminated. Illumination is restricted to the lettering thereby minimising visual impact to the extent that it will have no adverse effect on amenity.
- 5.20 Other directional and customer information signs are located appropriately within the site to ensure the efficient operation of the drive-thru and have no adverse effect on public amenity.
- 5.21 The second consideration is whether the proposed advertisements will affect public safety. This primarily relates to whether the proposals will cause a distraction to drivers or are unsuitably located. In this case the proposed fascias are replacing existing signage and thus would not cause any impact on safety.
- 5.22 We have also assessed the 'totem' sign against the provisions of the Planning Practice Guidance to confirm that the proposal will not have an adverse impact:

REF	EFFECT	SIGN IMPACT
a)	Obstructs or impairs sight lines at bend/junction or any point of access to the highway.	No impact
b)	Obstructs or confuses a road user's view of, or reduces clarity of a traffic sign or signal, or distracts because of the unusual nature of the sign.	No impact
c)	Leaves insufficient clearance above the highway or insufficient lateral clearance for vehicles on the highway.	No impact
d)	Externally or illuminated signs (incorporating either flashing or static lights) including those using LED technology:	No impact
	(i) where the means of illumination is directly visible from any part of the road	
	(ii) which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals	
	(iii) which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather	
	(iv) which are subject to frequent changes of the display	
e)	Those which incorporate moving or apparently moving elements in their display, or successive individual advertisements which do not display the whole message	No impact
f)	Those requiring close study (such as Public Information Panels), which are situated so that people looking at them would be insufficiently protected from passing vehicles; or those advertisements sited on narrow footpaths where they may interfere with safe passage by causing pedestrians to step into the road	No impact

REF	EFFECT	SIGN IMPACT
g)	Those which resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984, and may therefore be subject to removal by the traffic authority under Section 69 of that Act, for example	No impact
	(i) those embodying red circles, crosses or triangles, or any traffic sign symbol; or those in combinations of colours which might otherwise be mistaken for traffic signs; or	
	(ii) those incorporating large arrows or chevrons with only the arrow or chevron made of retroreflective material or illuminated, causing confusion with similar signs in use at, or approaching roundabouts	
h)	Those which embody directional or other traffic elements and which need special scrutiny because of possible resemblance to, or confusion with, traffic signs, for example, advertisements which:	No impact
	(i) contain a large arrow or chevron (or have a pointed end and have only a few words of message)	
	(ii) invite drivers to turn right on a main road, or where there is fast moving traffic	
	(iii) invite drivers to turn, but are sited so close to the turning that there is not enough time to signal and turn safely	
	(iv) are so close to similar advertisements, or official traffic signs, that road-users might be confused in the vicinity of a road junction or other traffic hazard	

5.23 The proposed signs are therefore considered to be proportionate, well located and designed and to have no adverse effects on either amenity or public safety.

5.24 The proposed advertisements are therefore considered to be fully acceptable.

6.0 CONCLUSION

- 6.1 This planning application for operational works involving the installation of a drive-thru lane at the former Pizza Hut unit and associated advertisements is intended to facilitate occupation by Tim Hortons, who will operate the unit as a coffee and bakehouse, in accordance with the extant planning permission for the site.
- 6.2 The introduction of the drive-thru lane will provide customers with a choice of either 'eating in' or allowing them the convenience of using the drive-thru facility, an option that is popular with customers and is now provided by a wide range of food and beverage operators.
- 6.3 Following consideration of the statutory development plan and other material considerations, we conclude that the key planning matters for consideration in the determination of this application is that the works proposed support investment within the Lakeside Retail Park in accordance with the Core Strategy aims and objectives.
- 6.4 The proposals also assist in tidying up and refreshing an older unit and provide the more modern facilities now expected by the public. The proposals are not contrary to the development plan and are in accordance with the NPPF.
- 6.5 Overall, the proposed changes will have a positive impact on the accessibility of the unit for customers, separating the restaurant and take-away trade in a manner which will improve the offer to customers.
- 6.6 The proposal does not result in any adverse impacts in terms of highways, transport or parking, nor does it impact on residential amenity. In practice, the proposal, by virtue of the way it operates as set out above, will have a reduced impact in terms of odours than may be the case with many other restaurant uses that could occupy the unit. There are also no concerns raised from the location of the site within a Flood Zone 3 which benefits from flood defences.
- 6.7 Paragraph 11 of the 2019 NPPF states that plans and decisions should apply a presumption in favour of sustainable development and that for decision-taking this means:
1. approving development proposals that accord with an up-to-date development plan without delay; or
 2. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - 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 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.
- 6.8 This application is seeking permission for a development that will facilitate the occupation of recently vacated unit in a highly accessible location by a tenant whose operation is compatible with surrounding uses, and in accordance with the existing planning permission.
- 6.9 To this end, the proposal supports Government objectives to promote and support the development of under-utilised land and buildings. The proposal will also bring about much needed investment opportunities during the construction phase and upon occupation of the unit by Tim Hortons and local employment will be retained.
- 6.10 As these proposals are in accordance with the development plan and raise no issues or adverse impacts that would give a clear reason for refusing the proposals, it is requested that the

application be approved without delay.

