



STANFORDS

Land South of Centenary Way

London Road

Clacton On Sea

CO16 9RA

Outline Application for a New Garden Centre with Access from London Road (all matters reserved except access)

Planning Statement.



Alison Cox

November 2023

## **1.0 Introduction**

- 1.1 This Planning Statement has been prepared on behalf of Mr. D. Thompson and is submitted in support of an outline planning application (considering the vehicular access only) for the principle of a new garden centre at Land South of Centenary Way, London Road, Clacton On Sea, CO16 9RA.
- 1.2 This statement should be treated as forming part of the application, and includes details on the site and its surroundings, the intended scheme and how it relates to adopted planning policies. Although the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013 removed the requirement for Design and Access Statements to be submitted with minor planning applications, this statement is submitted to explain the rationale behind the development to assist the Local Planning Authority in making its decision.

## **2.0 Site and Surroundings**

- 2.1 The site lies on the southern side of Centenary Way, between the settlements of Clacton (to the south) and Little Clacton (to the north).
- 2.2 The application site is of an irregular rectangular shape and sits to the south of the wider Burcart's Meadow (originally named White Lodge Meadow); in total the Meadow is around 193m deep from the northern boundary (Centenary Way) to the southern boundary (London Road). The application site is 70m deep from north to south with the remaining 123m from the northern site boundary to Centenary Way being in the same land ownership but outside the confines of the application site. The east boundary of the application site is inset between 14 and 15m from the east boundary of Burcart's Meadow (shared with Woodville Farm London Road) and the west boundary of the application site is inset between 11 and 14m from the west boundary of Burcart's Meadow (shared with White Lodge). Overall the application site measures some 0.97 hectares.
- 2.3 There is a fall from the north-west corner to the south-east corner and the landscape is characterised by strong boundary hedgerow and tree planting; it is open and mainly laid to grass.

2.4 The site has one vehicular access; this is off London Road and is the development resulting from planning approval 09/01060/FUL.

### 3.0 Relevant Planning History & Background Information

3.1 There are five planning applications linked to the site; three of these relate to car-boot sales with the other two being for large-scale housing developments.

3.2 The site has a long-history (back to circa 2004) for utilising permitted development rights granted under the Town and Country Planning Act (General Permitted Development) Order 2015, as amended, Schedule 2 Part 4 Class B. This Class provides certain types of temporary uses of the land and would typically include use for markets/car-boot sales etc - subject to adhering to a number of requirements.

3.3 Applications 09/01059/FUL, 09/01060/FUL and 10/00283/FUL all relate directly to the parcel of land within which the proposed application site sits.

10/00283/FUL	Continued use of field for car boot sales, markets and exhibitions together with the siting of mobile toilets.	Approved	
09/01060/FUL	New access to field for car boot sales etc including new vehicle crossover. Closing of existing access and removal of vehicle crossover.	Approved	
09/01059/FUL	Continued use of field for car boot sales, markets and exhibitions together with the siting of mobile toilets	Refused	Biodiversity & Geological Conservation

3.4 Applications 15/01720/OUT and 17/00453/OUT both relate to directly to the parcel of land within which the proposed application site sits AND the site to the east which contains the property known as Woodville Farm.

15/01720/OUT	Outline proposal for the erection of up to 175 residential dwellings, provision of permanent public open space and supporting site infrastructure, with all matters reserved apart from access	Refused (appeal dismissed)	Local Green Gap
17/00453/OUT	Erection of up to 175 residential dwellings, public open space and supporting site infrastructure, with all matters reserved apart from access	Refused	Outside settlement boundary Local Green Gap

#### 4.0 Development Proposal

- 4.1 The submission seeks Outline planning permission with all matters reserved (except for access) for a new garden centre. The building would be sited to the west of the plot and includes an external plant sales area. Parking is proposed to the east served by vehicular access from London Road.
- 4.2 The scheme proposes a single storey building with external plant sales area; details regarding its final appearance and footprint are reserved matters.
- 4.3 It is acknowledged that the site's existing access was approved under application 09/01060/FUL however this was in association with the use of the site for car-boot sale purposes. The application proposes a replaced 4.8 metres wide access with footways, 90m vision splays at the site entrance, two Type 3 turning head for delivery vehicles and a landscaped area with parking for approximately 119 cars.
- 4.4 The proposed intentions for the land within the blue line are discussed in more detail in paragraph 5.21 below.

## 5.0 Policy Context

### National Guidance

- 5.1 The National Planning Policy Framework advises that, in determining planning applications for development, local planning authorities should consider the Development Plan Policies and all other material considerations. Local planning authorities should follow the approach of the 'Presumption in Favour of Sustainable Development' and that development which is sustainable can be approved without delay. It emphasises the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than a barrier.

### Local Planning Policy

- 5.2 The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

#### Relevant Section 1 Policies:-

Policy SP 1	Presumption in Favour of Sustainable Development
Policy SP 3	Spatial Strategy for North Essex
Policy SP 5	Providing for Employment
Policy SP 7	Place Shaping Principles

#### Relevant Section 2 Policies:-

Policy SPL 1	Managing Growth - Settlement Hierarchy
Policy SPL 2	Settlement Development Boundaries
Policy SPL 3	Sustainable Design
PP1	New Retail Development
PP2	Retail Hierarchy

PP5	Town Centre Uses
PPL3	The Rural Landscape
PPL4	Biodiversity And Geodiversity
PPL6	Strategic Green Gaps
Policy CP 1	Sustainable Transport And Accessibility

#### Location of the Development

- 5.3 The site abuts the southern end of the settlement boundary of Little Clacton (to the north) and in between two of the settlement boundaries for Clacton.
- 5.4 The southern part of Tendring currently has four Garden Centres; information pertaining to retail units which have ancillary garden/plant/accessories outlets such as B & Q or Home Bargains have been excluded as their main sales arise from products unconnected with garden centres. St. John's Nursery has also been excluded as planning permission has been granted for a complete redevelopment of the site to residential purposes.

**Clacton Garden Centre, St. Johns Road, Clacton-on-Sea** : The site is located to the west of Clacton; 1.2 miles from the five-point roundabout at Clacton Fire Station. The site is 0.8ha and has a large retail unit which stocks a wide range of products.

**Hilltop Garden Centre, Weeley** : The site is located 5 miles to the northwest of Clacton. The site is 1.7ha and has a large retail unit with ancillary café which stocks a wide range of products.

**Parkers Garden Company, Frinton** : The site is located to the northeast of Clacton; close to the 'Gates' to the north of Frinton. The site is 1.1ha and has a large retail unit with ancillary café which stocks a wide range of products.

The fourth site is St. John's Nursery which, as mentioned above, is to be redeveloped for housing.

As indicated garden centres need/have larger plots than typical retail outlets. This is primary as a consequence of the need for external sales areas and parking (typically to assist in an easy purchase of large plants and/or heavy items such as compost).

- 5.5 Paragraph: 005 Reference ID: 2b-005-20190722 of the Planning Guidance (PG) states that it may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. This should ensure that any proposed main town centre uses which are not in an existing town centre are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise.
- 5.6 PG Paragraph: 009 Reference ID: 2b-009-20190722 describes the approach to follow in regard to the preferred location of retail development; this approach is referred to as 'the sequential test'. The test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre).
- 5.7 PG Paragraph: 010 Reference ID: 2b-010-20190722 sets out the considerations that should be taken into account in determining whether a proposal complies with the sequential test:
- with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.
  - is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
  - if there are no suitable sequentially preferable locations, the sequential test is passed.

5.8 An internet search of all retail premises which are currently for sale within a 20-mile radius of Clacton reveals that, of the 48 premises available

- 7 buildings were of insufficient size/had no parking and inside Tendring District
- 36 buildings were of insufficient size/had no parking but outside Tendring District
- 2 buildings are of sufficient size but are outside Tendring District
- 2 buildings are of sufficient size, not in retail use and inside Tendring District

5.9 An internet search of all land which is currently for sale within a 20-mile radius of Clacton reveals that, of the 96 plots available

- 53 sites have permission for or are already residential
- 20 sites are undeveloped/open farmland/forest but are outside Tendring District
- 7 sites have mixed commercial use but are outside Tendring District
- 3 sites are too small but inside Tendring District
- 2 sites have permission for other uses and inside Tendring District
- 3 sites have development potential but would be subject to significant site constraints (Listed Building, Conservation area) and inside Tendring District
- 8 sites are too small and are outside Tendring District

5.10 Bus routes 76 (serving Jaywick, Little Clacton, Weeley, Frating, Elmstead and Colchester) route 99 (serving Walton on the Naze) and route 136/137 (serving the whole of urban Clacton/Great Clacton) are located immediately adjacent the existing vehicular access on London Road.

5.11 Turning back to the evidence provided in paragraphs 5.8 and 5.9 above; for buildings - once the 7 sites with existing retail use were discounted because of their inadequate size and having no parking and then the 2 sites which are of sufficient size but not in retail use no other viable options exist. For sites; once the 3 sites which are too small, the 2 sites which have planning permission for a use other than retail and the 3 sites which *do* have development potential but would be subject to significant development constraints (e.g. (Listed Building, Conservation area) there are no other sites of adequate size, adequate footprint or relevant use anywhere within existing town centres. For these reasons there



are no suitable sequentially preferable locations and it is considered that the sequential test is passed.

### The Rural Landscape

- 5.12 As a largely rural area, Tendring District's countryside is one of its main assets and maintaining an attractive rural environment is important to the quality of life experienced by both residents and visitors. It can also be an important consideration for the location of some businesses.
- 5.13 Whilst the location is not defined as edge-of-centre (Local Plan paragraph 6.3.2) there are dwellings and farm buildings to the east, south and west along London Road. At the junction of London Road/Centenary Way to the west the site has planning permission for Storage and Distribution. To the north-west of the site T & M Motors occupies a large corner plot and, albeit around 700m east of the London Road/Centenary Way roundabout is the recently-rebuilt Morrisons Supermarket. The area could certainly be described as having commercial elements within key landmark points in the locale.
- 5.14 The application is in outline form with all matters reserved except access; notwithstanding this it is likely that the Garden Centre would be of single-storey form and not extend northwards any further than the dwelling known as 'White Lodge' to the east. Indicative plans indicate the retention of all existing trees (including those at the London Road boundary) and new planting within a landscaped car park. For these reasons there is ample opportunity for the verdant nature of the site to be entirely retained. Further, the proposal would inevitably result in the complete cessation of all the activity associated with the car-boot sales.
- 5.15 The Tendring Landscape Character Assessment establishes that the site lies within the Clacton and the Sokens Clay Plateau Landscape Character Type.
- 5.16 In terms of the impact of the development on the landscape character of the wider area it is considered that the site is relatively well contained and the views of it limited to those from viewpoints close to the application site. From the more distant viewpoints the application site is either: barely visible or not visible at all and therefore from these viewpoints the development proposal would not have an adverse impact on local landscape character. With regard to the internal site layout, the benefit of a

comprehensive soft landscaping scheme would provide a significant level of screening and softening of the appearance of the development, masking views from Centenary Way.

#### Biodiversity And Geodiversity

- 5.17 The overall site contains a Local Wildlife Site (LWS) and Burcart's Meadow (Te92). The site for a large part consists of semi-improved grassland. It comprises a large meadow, two small horse paddocks and a section of adjacent road verge. The wider site was designated in 2008 primarily for its large population of Corky-fruited Water-dropwort (*Oenanthe pimpinelloides*), a rare Essex Red Data listed plant. Notwithstanding this designation, Burcart's Meadow remains heavily trampled due to its frequent use as a car boot sale site.
- 5.18 Appendix AJC/1 contains a drawing which indicates the location of the Corky-fruited Water-dropwort; it is entirely evident that the dropwort exists entirely outside of the proposed development area.

#### Strategic Green Gaps

- 5.19 Strategic Green Gaps have been identified in the local plan in specific locations between settlements. The Strategic Green Gaps are valued for the role they will play in preventing the coalescence of settlements and retaining the distinct identity of settlements. The areas identified have the following characteristics
- the open and undeveloped character of the land
  - they form a visual break between settlements
  - their boundaries follow physical features on the ground floor
  - and/or only land required to secure the objectives of the Strategic Green Gaps has been included.
- Policy PPL6 requires that any development permitted must be consistent with other policies in the plan and must not (individually or cumulatively) lead to the coalescence of settlements. It is imperative to note here that that the wording of the policy does not prohibit all development.
- 5.20 As identified above in paragraph 5.14, the illustration shows that a single storey building could be sited so as not to extend any further northwards than 'White Lodge' to the west. The buildings associated with Woodville Farm London Road are approximately 61m further northwards in to the Green Gap than the proposed building. Whilst the proposal would bring Little Clacton and Clacton on Sea closer together, the proposed substantial

landscape buffering along the northern edge of the site would ensure that they remain and appear as separate settlements. It would also partly retain the undeveloped character along Centenary Way and safeguard views from Little Clacton towards Clacton on Sea, with additional and existing trees and planting limiting views of the development and separating it from the road. Policy PPL6 states “Any development permitted must be consistent with other policies in the plan and must not (individually or cumulatively) lead to the coalescence of settlements.” For the reasons given, the resultant development cannot be considered, of itself, to cause a coalescence of settlements.

5.21 Referring to drawing 3520 GC OP-10 (Proposed Site Plan) the land in between the north of the red outline and Centenary Way is in single ownership. It is intended to offer this land on a freehold basis to the Parish Council of Little Clacton for a nominal sum – this would be secured by an appropriately worded Section 106 legal agreement. The effect of the Parish Council being the future owners of this land means that it would be secured as open space in perpetuity. The proposed Site Plan indicates a scheme of landscaping for public space – this is purely for illustrative purposes only and simply indicates an example of what could be achieved with the land.

## 6.0 Conclusion

6.1 In conclusion, it is considered that the proposed development will:-

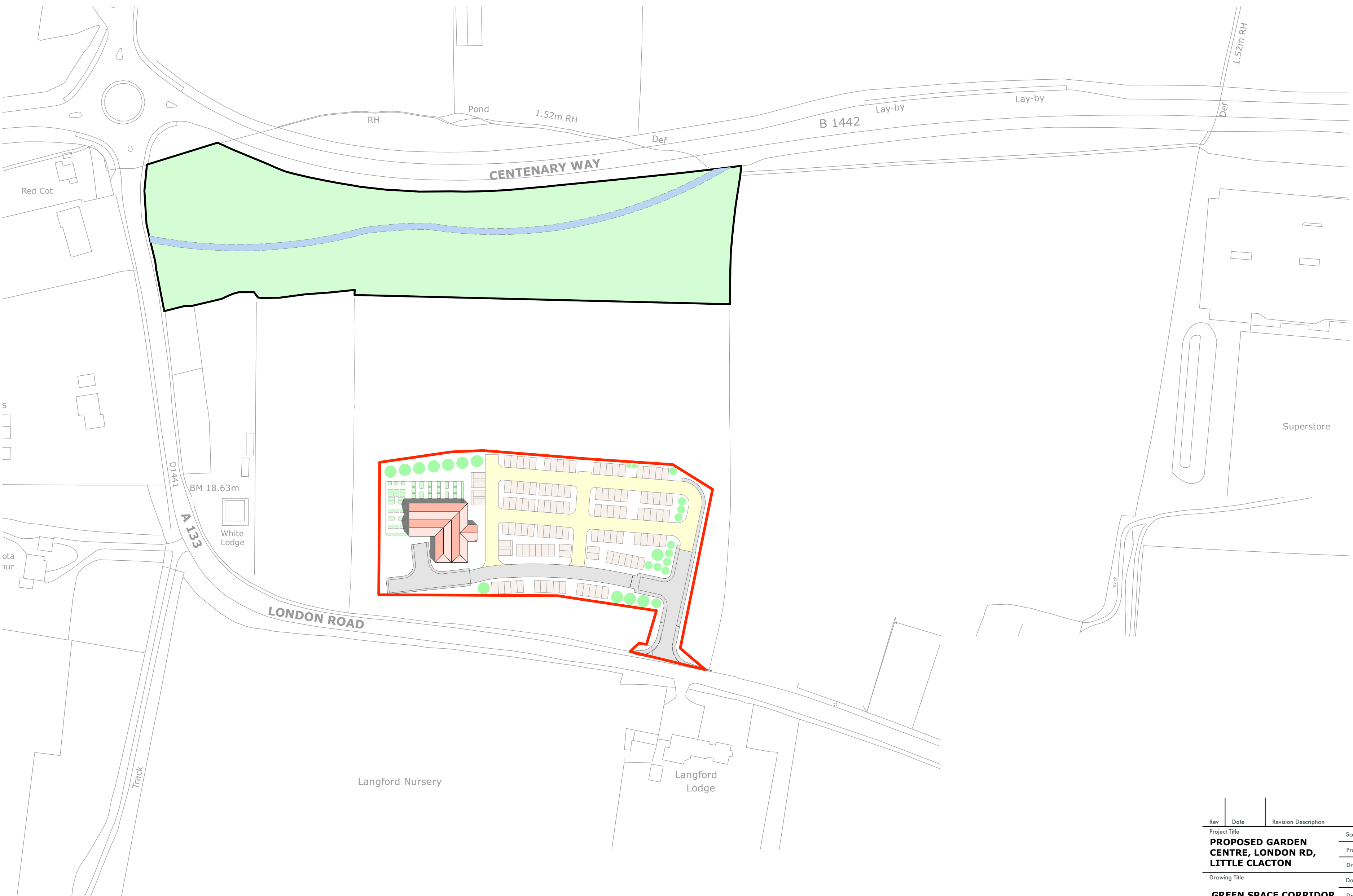
- pass the sequential test for the proposed siting of the development
- its single storey nature will not conflict with any landscape protection policies identified by the Council through its sensitive siting
- will cause less harm to protected species (Corky-fruited Water-dropwort) than the existing use of the wider site as a venue for car-boot sales
- will not cause or result in the coalescence of settlements
- will not affect the amenities of neighbouring occupants through loss of light, aspect, overlooking, noise and disturbance;

As such, the development should be embraced by the Council in accordance with its adopted policies.



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Appendix AJC01



Rev	Date	Revision Description
Project Title		Scale 1:1250 @ A2
<b>PROPOSED GARDEN CENTRE, LONDON RD, LITTLE CLACTON</b>		Project Ref. 3520 GC
		Drawing Ref. OP-11
Drawing Title		Date Drawn OCTOBER 2023
<b>GREEN SPACE CORRIDOR PROPOSED</b>		Drawn By CR
		Checked By CR

**DUNCAN CLARK & BECKETT LTD**

12A William's Walk, Colchester, Essex, CO1 1TS  
 T: 01206 578732  
 E: mail@dcbaarchitects.co.uk  
 W: www.dcbarchitects.co.uk

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