

APPLICATION NO	PA/2011/0263
APPLICANT	SK Fuel Ltd
DEVELOPMENT	Planning permission to erect new kiosk building and car wash on existing garage site and adjacent residential land
LOCATION	Filling Station, 12 High Street, Belton
PARISH	BELTON
WARD	Axholme Central
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Redfern – highway safety) Objection by Belton Parish Council Significant public interest

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy S10 (Petrol Filling Stations) states that petrol filling stations will be permitted subject to the following criteria being met:

- (i) permission will not be granted within residential areas or the open countryside unless it can be demonstrated that there is no viable alternative site in a non-residential area or within a settlement development boundary;
- (ii) the design of the development should not cause demonstrable harm to the character and appearance of the area. Where appropriate, a condition will be imposed for a scheme of landscaping to be implemented to minimise the visual impact of the development;
- (iii) the development will not result in highway safety problems; and
- (iv) where necessary, a condition will be imposed limiting the hours of deliveries, equipment maintenance and the operation of car wash facilities so as to avoid any adverse effects on nearby residential properties.

Policy T2 (Access to Development) states that all development must be provided with a satisfactory access. In larger developments it should be served adequately by:

- (i) being readily accessible by a choice of transport modes; and
- (ii) existing public transport services and infrastructure; or
- (iii) additions or extensions to such services linked directly to the development; and

- (iv) the existing highway network.

Policy T19 (Car Parking Provision and Standards) states that provision will be made for car parking where it would:

- (i) meet the operational needs of businesses; or
- (ii) be essential to the viability of a new development; or
- (iii) improve the environment or safety of streets; or
- (iv) meet the needs of people with disabilities; or
- (v) be needed by visitors to the countryside.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire) states that the spatial vision and future development requirements will be delivered through the spatial strategy for North Lincolnshire as outlined below:

- (a) delivering an urban renaissance in Scunthorpe and supporting its role as a major sub-regional town
- (b) supporting the market towns of Barton, Brigg, Crowle, Epworth, Kirton and Winterton as thriving places to live, work and visit, and as important service centres serving the needs of local communities across North Lincolnshire
- (c) supporting thriving rural communities and a vibrant countryside through the protection and enhancement of local services, creating opportunities for rural economic diversification and the promotion of tourism
- (d) supporting development of key strategic employment sites at the South Humber Bank, Humberside Airport and Sandtoft Airfield
- (e) supporting the protection and enhancement of North Lincolnshire's world class natural and built environment to ensure the continued attractiveness of the area as a place to live, work and visit.

All future growth, regardless of location, should contribute to sustainable development, in particular in respect of those criteria set out in policy C2 as well as the other policies of the plan.

Policy CS2 (Delivering More Sustainable Development) states that in supporting the delivery of the spatial strategy set out in policy CS1, as well as determining how future development needs will be met in North Lincolnshire, a sequential approach will be adopted. Development should be focused on:

- (1) previously developed land and buildings within the Scunthorpe urban area, followed by other suitable infill opportunities within the town, then by appropriate greenfield urban extensions;
- (2) previously developed land and buildings within the defined development limits of North Lincolnshire's market towns, followed by other suitable infill opportunities then appropriate small-scale greenfield extensions to meet identified local needs;
- (3) small-scale developments within the defined development limits of rural settlements to meet identified local needs.

Any development that takes place outside of defined development limits will be restricted and only development essential to the functioning of the countryside will be allowed. A sequential approach will also be applied to ensure that development is, where possible, directed to areas that have the lowest possibility of flooding.

Proposals should comply with the overall spatial strategy together with the following sustainable development principles:

- be located to minimise the need to travel and to encourage any journeys that remain necessary to be possible by walking, cycling and public transport
- be located where it can make the best use of existing transport infrastructure and capacity
- where large freight movements are involved, the use of rail and water transport should be maximised
- contribute towards to the creation of locally distinctive, sustainable, inclusive, healthy and vibrant communities
- contribute to achieving sustainable economic development to support a competitive business and industrial sector
- ensure that everyone has access to health, education, jobs, shops, leisure and other community and cultural facilities that they need for their daily lives
- ensure the appropriate provision of services, facilities and infrastructure to meet the needs of the development
- to be constructed and operated using a minimum amount of non-renewable resources including increasing the use of renewable energy in construction and operation

- take account of local environmental capacity and to improve air, water and soil quality and minimise the risk and hazards associated with flooding
- be designed to a high standard, consistent with policy CS5, and use sustainable construction and design techniques.

Policy CS22 (Community Facilities and Services) states that the provision of new community facilities, or the improvement of existing community facilities, which meet the needs of local residents, will be supported in principle.

Good quality services and facilities will be provided that meet the needs of local communities and are accessible by public transport, cycling or on foot. The provision of new facilities should be focused in the following locations:

- (a) sites allocated for such purposes, or as part of a mixed use allocation
- (b) in town centres, market town centres, district centres or local centres subject to policies in the local development documents
- (c) in market towns, rural settlements and rural settlements in the countryside where the facility is needed to serve the immediate local area and could not be provided elsewhere
- (d) in residential areas where there is no adverse effect on the amenities of neighbouring properties.

The provision of services and facilities will be of a scale appropriate to the type and size of the settlement.

The loss of community facilities or land allocated for such purposes will be resisted, unless there is no longer a need for the land or building in any form of community use, or there is an acceptable alternative means of meeting such need.

Developers will be expected to make an appropriate contribution towards necessary improvements or additional provision for community services and facilities arising from their development proposals.

CONSULTATIONS

Highways: Recommend conditions (4 to 6).

Severn Trent Water Ltd: No objections subject to conditions.

Yorkshire Water: No objections.

PARISH COUNCIL

Object to the application on the following grounds:

- The proposed kiosk building is too big for the site, being nearly four times the size of the existing kiosk building on site.
- The proposed development will have insufficient parking provision for extra customers.

- The proposed development would constitute an over-development of the site.
- The water from the car wash will be discharged into the mains drainage system, this is unsuitable.
- There is a risk of flooding on the site as the adjoining house has flooded in the past.
- The increase in traffic that will result from the proposed development will cause a danger to children attending the adjacent school.
- The proposed development will have an impact on the other shop in the village and could result in the loss of the post office.

PUBLICITY

Neighbouring properties have been notified by letter and a site notice posted. Letters of objection have been received on the following grounds:

- The increase in customers generated by the development and the reduction of car parking spaces on site will lead to queuing and tailbacks on High Street.
- The proposed exit from the site will be nearer to the bend on the highway and will be harmful to highway safety in the area.
- The proposed development will constitute over-development of a tight site.
- The redevelopment of the site and additional traffic that it will attract will pose a danger to children attending the adjacent school.
- The size and cost of the redevelopment could not be justified by an additional 100 movements per day and it is more likely that the number of visitors and movements will double.
- The proposed development and new kiosk building will reduce visibility whilst exiting the site and be dangerous.
- The proposed kiosk building is of two-storey height and will result in loss of light to the neighbouring bungalow to the north.
- The new kiosk building, being on the northern boundary and close to the highway, will reduce visibility for the neighbour to the north when exiting their property.
- The redevelopment of the site will result in an increase in noise at unsocial hours.
- The applicant has made no provision for the drainage of surface water from the site.
- The car wash will discharge trade effluent into the sewerage system in the area.
- The proposed development would have a detrimental impact on visual amenity in the area.
- The loss of the rented house on the site will have a negative impact on the housing stock in Belton.

- How will the one-way system be enforced to prevent lights shining into properties across the road when vehicles enter the site via the exit?
- The proposed development of the business will result in a loss of customers to the other shop in the village.

One letter of support has been received on the grounds that the development will decrease the amount of traffic queuing on the main road.

A 1,020 name petition has also been received in support of the application.

ASSESSMENT

The application site is the existing petrol filling station on High Street, Belton and the adjacent two-storey detached house immediately to the north of the garage. It consists of an existing canopy with three self-service pumps at the front of the site, a small kiosk building behind the canopy, a detached workshop to the rear of the kiosk and a two-storey house at the northern end of the site. There is a mix of different uses in the area, with residential properties to the north and east of the site, the primary school to the rear, the access to the school, a playground area and the Methodist Church to the south. The garage site as existing is very tight and has the appearance of being cramped and cluttered as the workshop, the dwelling and its garden take up a large proportion of the application site and the garage kiosk and canopy are restricted to the south-eastern end of the site.

This application seeks planning permission to demolish the existing structures on site, including the dwelling at the north end, and to replace them with a new, larger petrol filling station. This redevelopment will include a much larger kiosk building and shop along the northern boundary, a larger forecourt with more pumps in the centre of the site and a new automated car wash building along the south-western boundary. A separate access to and exit from the site will remain from High Street.

The main issue to consider in the determination of this application is whether the proposed redevelopment of the site will have a harmful impact on highway safety in the area or on the amenities of neighbouring residential properties.

The council's Highways department have been consulted on this application and, following receipt of additional information requested from the applicants, have raised no objections or concerns with regard to highway safety. The site is already used as a petrol filling station and is well used by local residents and passers-by. The applicants have anticipated that the improved site will generate up to 100 additional movements per day, an increase of 25 per cent. These anticipated increases are a generous estimation considering the size and nature of the business and its location (a local petrol station in a small village). Highways consider that the amended layout and arrangement of the site will be an improvement and that it will be capable of catering for these additional visitors without having a harmful impact on highway safety. In particular the servicing arrangements for the filling station are greatly improved due to the larger, central forecourt area, unhindered by buildings. This allows for a larger area for tankers to stand whilst delivering petrol, preventing the need for them to stand on High Street, as sometimes happens at present. There will also be more space on the forecourt for vehicles filling up which will prevent queuing of cars out onto High Street. The additional vehicular movements proposed to and from the garage are not excessive, especially as High Street is the main road through the village and the Highways

department have not raised concerns regarding the ability of the road to cope with the extra vehicles.

The existing site is quite cramped as a large proportion of the site is taken up by the two-storey dwelling to the north and the existing workshop to the rear of the kiosk. The proposed re-development includes the demolition of all existing structures on site and the erection of new structures with a much amended layout to existing. The removal of the dwelling, its garden space and the workshop means that the whole of the site can be dedicated to the petrol filling station and that the layout of the site is much less restricted. The proposed site layout will have a much less cramped and cluttered appearance as the main buildings are pushed to the boundaries and the centre of the site is given over to a much larger, less restricted forecourt area. The proposed arrangement will allow for 5 parking spaces in front of the kiosk (one is a disabled space) and 12 vehicles will be able to stand at, or next to the pumps. The existing informal one-way in and out arrangement will be formalised and made clearer for customers by signage and clear markings on the floor.

Although the proposed kiosk building is much larger than the one it replaces and there is a new car wash building, the actual area of the site to be covered by buildings is reduced by 7.5 square metres. The proposal does not therefore represent an over-development of the site but rather makes a more efficient use of space on the site to deliver a more viable and less cramped development. As previously stated, the site is used as a petrol filling station at present and has been used as such for decades. The re-development of the site will have no detrimental impact on the area above and beyond what is experienced as a result of the existing petrol filling station and will in fact improve the situation by making a better use of the space available. Any increase in visitors to this small village petrol station, as a result of the larger retail area, will be accommodated by the improved site layout.

The new kiosk building is single-storey in nature with a small office in the roof space, however it is 6.5 metres in height which is higher than a traditional single-storey building and is more akin to the height of a dormer bungalow (1½ storeys). The building will be located along the northern boundary of the site, close to the neighbouring bungalow and as such there is a potential for loss of light to this property. However the neighbouring bungalow to the north does not have any habitable room windows in its southern (side) elevation and it has a detached timber garage to the rear that will prevent loss of light to its rear windows. Therefore the proposal will not result in unacceptable loss of light to the neighbour to the north. Additionally it should be noted that the kiosk building is replacing a two-storey dwelling, which is taller and has its gable facing onto the bungalow to the north. The kiosk building is lower in height, a large proportion of which is made up of a roof which slopes away from the bungalow and is hipped at the ends. Therefore the proposed building will have less of an impact on the bungalow than the existing dwelling.

The site already operates as an unrestricted petrol filling station and associated convenience shop. The use and operation of the site will be unaltered as a result of the proposed development. Therefore there will be no significant increase in noise and disturbance as a result of the proposal, above and beyond what could be expected at present. Additionally the new kiosk building along the northern boundary of the site will act as a physical barrier between the adjacent residential property and the petrol station forecourt, and thus will mitigate any disturbance to this property.

As previously stated, the existing site is very cramped and cluttered and comprises of several buildings which have been added at different times. None of the buildings on site, and in particular the kiosk and workshop buildings, are of any particular architectural or

aesthetic merit. The proposed development will result in a modern petrol station, with a less cluttered layout, which will improve the appearance of the site and have a positive contribution to the area. The site has been used as a petrol filling station for decades and as such a redeveloped, modernised filling station on the site will not impact on the character of the area.

The loss of one rented property from the site will not have a significant impact on the housing stock for Belton and the improvements that the development will bring in terms of the appearance of the site and its improved economic viability, securing the future of an important local facility, more than outweigh the loss of the dwelling.

Both Yorkshire Water and Severn Trent Water have been consulted on the application with regard to drainage and have raised no objections or concerns with the proposed development. A condition has been recommended at the request of Severn Trent Water requiring the applicants to agree a drainage scheme for the disposal of surface water and foul sewage before development commences. This condition will ensure that adequate drainage will be provided on site.

Competition is not a material planning consideration and as such is not a valid reason for the refusal of planning permission. However, due to the distance between the petrol station and the other retail outlet in Belton (500 metres), and the nature of the proposed retail function (a small convenience store ancillary to the petrol station), it is unlikely that there will be an unacceptable impact on the other shop within the village. The small convenience shop associated with the garage is of an appropriate size and scale for its location.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: S7388, 10103D-10-P01, 10103D-05-P03 and 10103D-05-P04.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until details have been submitted to and approved in writing by the local planning authority of the make, type and colour of all external facing materials for the development and only the approved materials shall be used.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

5.

The proposed new unit shall not be brought into use until the vehicle access to it and the vehicle parking, turning and servicing areas serving it have been completed in accordance with the approved details. Once complete the vehicle parking, turning and servicing areas shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

The vehicular accesses shall be set out and established in accordance with the submitted details, including the provision of visibility splays. Once provided, the visibility splays shall be retained.

Reason

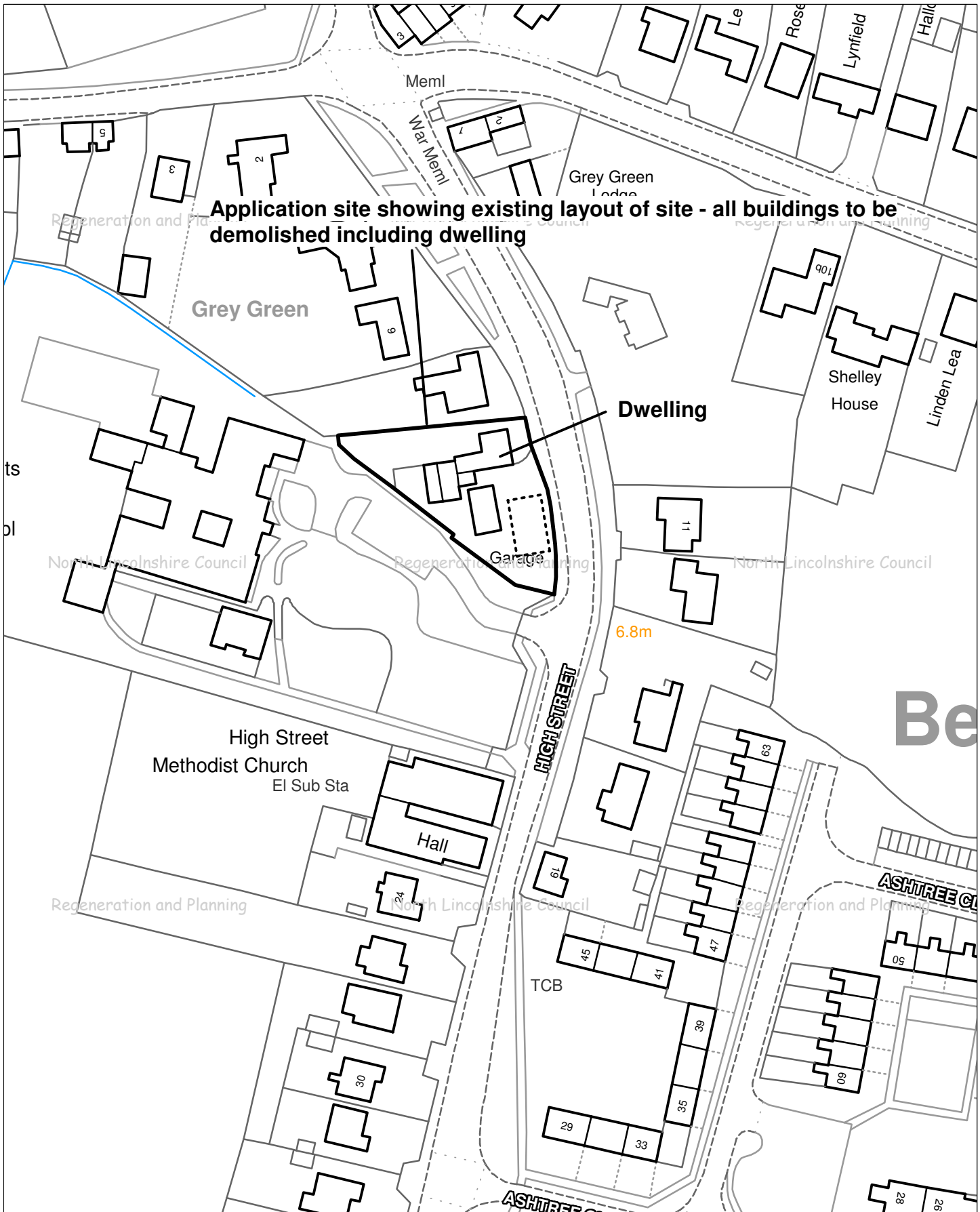
In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

7.

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.




Drawing Title: 2011/0263


OS Grid Ref: SE78540719

Drawn by: KC

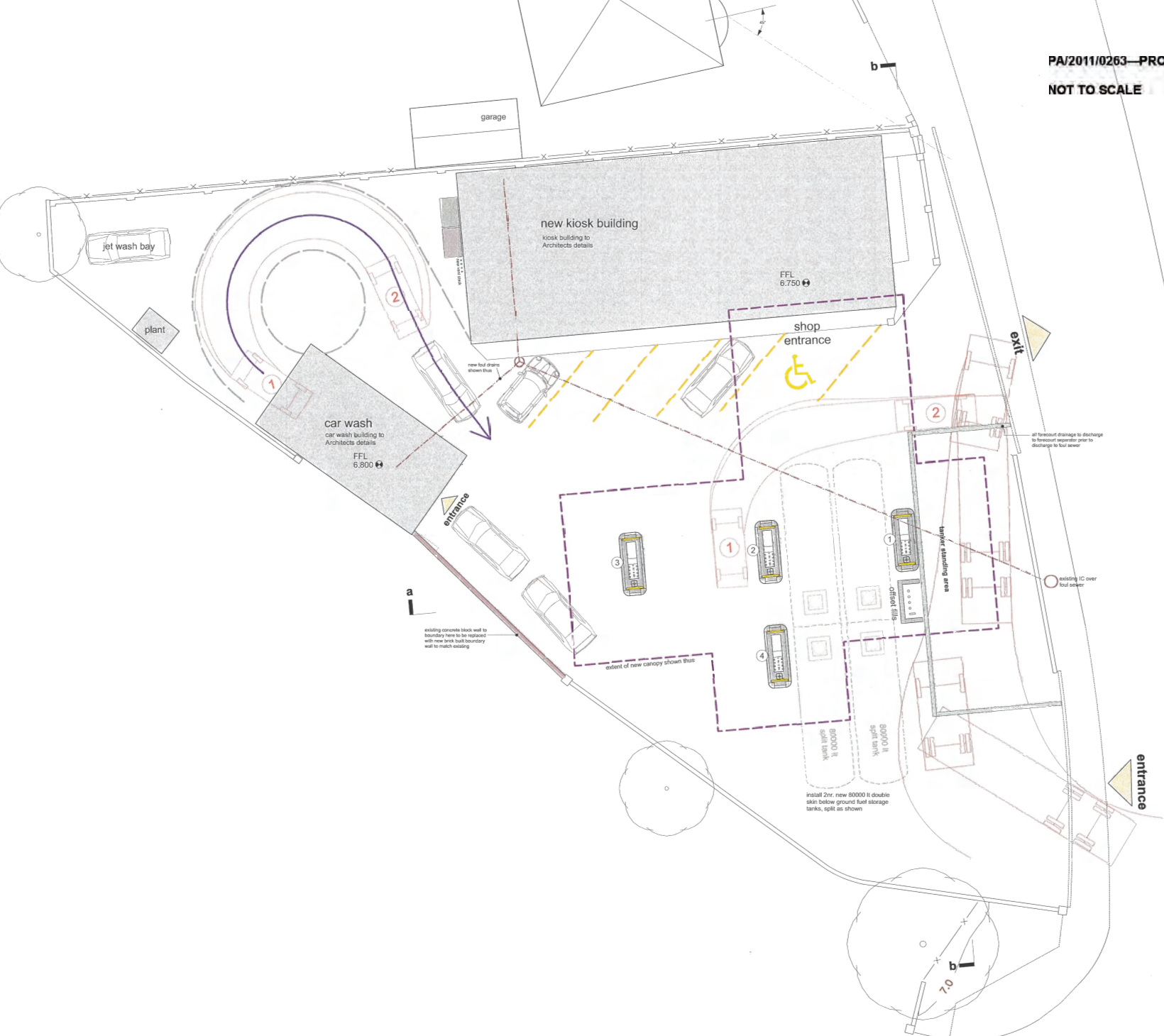
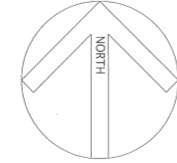
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A1 sheet

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P04	simplified forecourt plan	14.04.11	AS	AS
P03	site sections added	17.02.11	AS	AS
P02	new tank configuration amended	13.01.11	AS	AS
P01	Drawing originated	08.12.10	AS	AS
status	description	date	drawn by	app by

A+DP
ARCHITECTURE
AND DESIGN
PARTNERSHIP

DEVELOPMENT CONTROL SECTION
- 7 JUL 2011
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PROJECT DETAILS
proposed redevelopment

Leyland Central Garage, High Street, Belton, DN9 1LR
for
SK Fuel

DRAWING TITLE

forecourt plan
as proposed

SCALE	DATE	DRAWING NR
1:100	08 Dec '10	10103D-05-P04