BE/51/09.

Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004

Proposed Variation to planning condition No.16 to permission BE/138/06 dated 14th March 2007

Regis Service Station, 449 Chichester Road, Bognor Regis
West Sussex PO21 5DS

PLANNING, DESIGN AND ACCESS STATEMENT

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1.0 Introduction and Legislative Background

1.1 This Statement provides additional information relating to planning design and access matters in support of a planning application submitted to vary planning condition 16 of permission BE/138/06 dated 14th March 2007 at Regis Service Station, 449 Chichester Road, Bognor Regis, West Sussex PO21 5DS.

1.2 Historically Regis Service Station has formed part of the nature and character of the area and has been extended, over the years, with the benefit of planning permission. Accordingly, there is no inherent objection to the use and appearance of the site as a fuel forecourt and sales building with a canopy over the forecourt.

1.3 An application for the redevelopment of the site as part of the 'On the Run' format was submitted in 2006. By notice dated 14th March 2007 planning permission was granted for the development subject to conditions. Condition 16 to the permission limits deliveries to between 0730 hours and 2100 hours daily. The reason for the condition is in the interest of amenity by ensuring a reasonable noise level outside the site.

1.4 This application seeks to exclude the delivery of newspapers and magazines from the limitations of condition 16.

1.5 This Statement addresses planning, design and access matters relevant to the variation of newspaper delivery hours. This section sets out the introduction and legislative background, Section two describes the site and its planning context, Section three describes the design principles and concepts, Section four the access requirements of all users and Section five a summary and conclusion.

1.6 As part of this introduction, reference can be made to trends in the petroleum retail industry and in particular to market surveys conducted by the Energy Institute which are published each year.

1.7 The latest UK retail marketing survey conducted by the Energy Institute (December 2007) confirms that in UK forecourt sales in motor fuels was the largest volume ever sold. However, forecourt rationalisation in 2007 continued with some 111 closures averaging over 2 a week.

1.8 The survey confirms that at the end of December 2006 there were 9271 operational filling stations in the United Kingdom. The reduction in petrol filling stations since 2004 represents a decline of nearly 10%. Overall, the number of service stations serving the country's road network has declined by more than 35% over the past 10 years whilst

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at the same time, the number of licensed vehicles on the road network has increased by more than 20%. As a result, average site throughput at 4.05 million litres/year was a new record level.

1.9 To summarise the statistics the number of service stations serving UK motorists has declined by nearly a third since 1999 but the amount of fuel sold has doubled.

1.10 The effect of the above is that fewer and fewer service stations are serving more and more motorists. As a result, individual service stations are becoming increasingly busier experiencing a greater volume of visitation rates and a greater throughput of fuel. It is important therefore that those service stations that remain should be able to deal with their customers clear of the highway, provide the range of fuels needed by motorists, provide a modern top-up sales shop. It is in this context that permission was sought and obtained for the redevelopment of the service station site.

1.11 This Statement has been prepared in accordance with Section 42 of the Planning and Compulsory Purchase Act 2004 and guidance set out within Circular 01/2006, Guidance on Changes to the Development Control System prepared by the Department for Communities and Local Government.

1.12 Paragraph 62 of the Circular confirms that the level of detail required in a Design and Access Statement will depend on the scale and complexity of the individual application and hence the length of the Statement will vary accordingly. It further confirms that statements must be proportionate to the complexities of the application, but need not be long.

1.13 Looked at in its correct context due regard should be given to the former and existing Service Station use which is well established and permitted, and is the starting point in considering the following matters. It should also be noted that prior to the permitted redevelopment newspapers and magazines were delivered to the site without any limitations and, according to the Applicants records were undertaken without detriment to amenity.

2.0 Site Description and Context

2.1 Regis Service Station fronts the west side of Chichester Road the A 29 which runs generally north to south linking Bognor Regis with Chichester.

2.2 The site is located at the junction of Chichester Road and Brazwich Avenue. The frontage to the east side of Chichester Road is generally open northwards and residential in character further south. The area to the south of the site is also residential in character.

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2.3 The permitted forecourt comprises four pump islands in a starting gate configuration with a canopy over the dispensing area. The sales shop is located on the west side of the site and there is defined parking for customers in front of the shop. Access to the forecourt is from Chichester Road and egress is onto Brazwick Avenue.

2.4 Access to the sales shop is through automatic doors which are centrally situated on the east elevation of the building. Newspapers and magazines are delivered to the entrance to the sales building which is permitted to remain open 24 hours a day to serve motorists using pumps 1 to 4 and the parking spaces from that marked for the disabled northwards.

2.5 Looked at in context the delivery of newspapers and magazines has taken place for many years and as far as the Applicants are aware, have taken place without any undue harm to amenity and without limitations prior to the sites redevelopment.

2.6 However upon granting planning permission for the redevelopment of the site on the 14th March 2007 under reference BE/138/06 the Authority limited delivery times to between 0730 hours and 2100 hours daily, as set out in condition 16. This condition applied to newspapers and magazines which are permitted to be sold in the sales shop.

2.7 For reasons set out in subsequent paragraphs the Applicants now seek permission to vary condition 16.

3.0 Proposal and Policy Context

Proposal

3.1 The application seeks to vary condition 16 of permission BE/138/06 granted on the 14th March 2007 to permit the delivery of newspapers and magazines at any time. It is submitted that the proposed wording of condition 16 should read 'no deliveries, with the exception of newspapers and magazines, including tankers shall arrive on site before 0730 hours or after 2100 on the same day'.

3.2 There are a number of reasons to support the variation of the condition. It should be noted that the overall scale, amount and appearance of the development will not change from that which is permitted. Furthermore it should also be noted that the permitted use of the application site includes a convenience sales shop, that can sell newspapers and magazines, as indeed did the sales shop on the site prior to its redevelopment particularly prior to 0730 hours.

3.3 Newspapers and magazines are delivered by van to the shop entrance on the eastern elevation facing the fuel forecourt. Pumps 1 to 4, the front of store parking area and the shop entrance are permitted to be used without limitation. There is nothing within the activity of delivering newspapers and magazines that is significantly different from motorists including van drivers using the permitted use of the site.

3.4 It should also be noted that the delivery of newspapers and magazines takes less than a few minutes and is not harmful to amenity either on or off the site. Furthermore the delivery does not involve the area between pump 5 and 8 nor does it involve the parking spaces nearest to 447 Chichester Road.

3.5 To have regard to the sites permitted use, the Applicants consider it necessary to seek permission to permit more flexible delivery times for newspapers and magazines. Common with all other convenience shops selling newspapers customers will have an expectation to purchase papers before 7.30 hours each morning.

3.6 Accordingly permission is sought to vary condition 16 by excluding newspapers and magazines from the limitations within the condition.

3.7 The Arun Local Plan was adopted in 2003 and the amount, design and layout of the sites redevelopment together with its scale and landscaping was permitted and in accordance with the provisions of the plan following its adoption.

Policy

3.8 The background to the imposition of condition 16 is policy GEN7 and GEN32 of the adopted Arun Local Plan. It should be noted that the delivery of newspapers had not hitherto been an unacceptable operation and had been carried on without harm. This operation is not in itself a source of significant noise pollution nor does it have an unacceptable adverse impact on adjoining occupiers.

3.9 The proposed variation to the condition does not affect the limitation that relates to other site deliveries, nor the limitation upon the use of certain pumps and certain parking spaces.

3.10 To permit the variation sought will not therefore be contrary to adopted policy and will not be harmful to amenity.

4.0 The Planning Application and Access

4.1 The planning application seeks to vary condition 16 of permission BE/138/06 by excluding newspapers and magazines from the limitation imposed by the condition.

4.2 The development that was permitted operates 24 hours a day and the delivery of newspapers would not in reality be seen as anything that is significantly different from that which is permitted. Furthermore the access and egress to and from the site is permitted and its use is also permitted 24 hours a day.

4.3 The application will not therefore alter the nature or character of the permitted development.

5.0 Conclusion

5.1 As required by Section 42 of the Planning and Compensation Act 2004, a design and access statement (DAS) is submitted in support of the planning application for varying the condition at Regis Services Station.

5.2 Full consideration of the relevant saved policies of the adopted Arun Local Plan has been undertaken. The site has been developed in consideration of relevant town planning guidance and the petroleum regulations. The principle of the site for use as a petrol filling station is well established and the current proposals take this as a starting point. As such, in terms of the appearance of the site, following the development its appearance remains that of a petrol filling station and sales shop.

5.3 Overall, it is considered that the proposal to vary the condition is appropriate and the rationale for varying is clearly demonstrated. The proposal represents a sustainable approach to efficient and safe operations on the application site and the variation sought relates directly to the sites permitted use, without being detrimental to amenity.

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