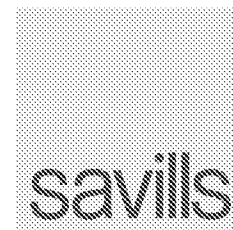


18 May 2018
L180518 - SAV Cover Letter



Arun District Council
Head of Planning
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

SUBMITTED VIA PLANNING PORTAL REF: PP-06987179

Dear Sir/ Madam,

**SECTION 62 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING APPLICATION FOR THE INSTALLATION OF A SIX PUMP (12 FILLING POSITION)
AUTOMATED PETROL FILLING STATION AND ASSOCIATED WORKS INCLUDING AIR / WATER
SERVICES AND VACUUM EQUIPMENT
LAND AT ASDA FERRING SUPERSTORE, LITTLEHAMPTON ROAD, FERRING BN12 6PN
ASDA STORES LIMITED**

Introduction

On behalf of our client, ASDA Stores Limited ('**ASDA**'), please find enclosed an application for planning permission relating to the development of a six-pump (12 filling position) automated petrol filling station ('**PFS**') and associated works, on land within the curtilage of the existing ASDA superstore on Littlehampton Road, in Ferring.

This application is a resubmission of an earlier proposal which was refused at the Council's Planning Committee meeting of 09 May 2018 (Ref: FG/206/17/PL) (the '**2017 Application**'). The 2017 Application was refused for a single reason, relating to impact upon residential amenity caused by the operation of the then-proposed jet washing facility. As the revised proposal no longer includes a jet wash, we anticipate that the application should now be regarded to be acceptable, having responded to the Council's concerns.

Application Documents

In accordance with the Town and Country Planning (General Development Procedure) Order 2015 (as amended), the application comprises the following documents:

- This covering letter;
- The completed application forms and certificates;
- Drainage Strategy, undertaken by Adept Civil and Structural Engineers;
- Updated Drainage Information, including Risk Assessment and Tank Installation details, undertaken by C&A Design;
- Phase 1 Risk Assessment & Geo-Environmental Appraisal, undertaken by DTS Raeburn;
- Noise Impact Assessment, undertaken by Acoustic Consultancy Partnership Ltd;
- Transport Statement, undertaken by Systra;
- Lighting Assessment, undertaken by DDA Consultant Engineers,
- The following drawings:
 - Drawing Ref: A-1731-FW-100_01-E – 'Site Location Plan';
 - Drawing Ref: A-1731-FW-200_01-C – 'Existing Site Plan';

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East..

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ARUN DISTRICT COUNCIL FG/105/18/PL



- Drawing Ref: A-1731-FW-200_02-D – ‘Proposed Site Plan’;
- Drawing Ref: A-1731-FW-200_03-C – ‘Existing PFS Plan’
- Drawing Ref: A-1731-FW-200_04-D – ‘Proposed PFS Plan’;
- Drawing Ref: A-1731-FW-200_06-D – ‘Landscape Plan’;
- Drawing Ref: A-1731-FW-200_07-D – ‘Fuel Tanker Tracking’
- Drawing Ref: A-1731-FW-200_08-C – ‘Site Sensitivity Information’
- Drawing Ref: A-1731-FW-300_01-C – ‘Proposed Site Elevations’
- Drawing Ref: A-1731-FW-400_01-D – ‘Proposed Forecourt Sections’;
- Drawing Ref: A-1731-FW-400_02-C – ‘Geo-Environmental Appraisal’
- Drawing Ref: A-1731-FW-500_01-C – ‘PFS Standard Details’; and
- Drawing Ref: A-1731-FW-500_02-B – ‘Control Room Details’.

The application has been submitted electronically via the Planning Portal website (**PP-06987179**). Under Regulation 9 of The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended) there is no fee payable as; this application is the first resubmission of a proposal made following the refusal of planning permission by the Council, for the same development.

The Proposed Development

The application seeks planning permission to redevelop the northern boundary of the site, which is currently vacant, to provide a new six-pump (twelve filling position) automated PFS and associated works.

The PFS will be located to the north of the existing ASDA store and access to it is proposed via the existing access to the site. The PFS facility also includes the fuel storage tanks, associated pipework, overhead canopy, forecourt surfacing and an Air & Water unit.

The PFS specification is based upon sales volumes of the existing adjacent store and from experience of recorded data on similar stores with Petrol Stations in operation. Existing and projected volumes determine that an ASDA standard model six island forecourt would be capable of meeting customer demand.

Assessment of the Proposal

The site is allocated in the adopted *Arun District Local Plan 2003* under Policy Area 10 as a Strategic Gap. The policy states that proposals for development within a Strategic Gap area will be subject to the most rigorous examination.

However, Policies Map 4 in the forthcoming *Arun District Local Plan 2011 – 2031*¹ shows that the site of the Asda superstore has been removed from this strategic policy area. The site is therefore anticipated to be unallocated in the forthcoming Local Plan.

The following saved policies of the adopted Local Plan are relevant to the determination of this application:

- Policy GEN4: Location and Travel Demand
- Policy GEN9: Foul & Surface Water Drainage
- Policy GEN27: Landscape Diversity
- Policy GEN32: Noise Pollution
- Policy GEN33: Light Pollution
- Policy GEN34: Air Pollution

In addition to the above, we have also assessed the proposal against the following policies of the submitted draft *Arun District Local Plan 2011 – 2031*:

¹ Currently under examination by Planning Inspector (Report expected in July 2018)

- Policy SD SP1: Sustainable Development
- Policy D SP1: Design
- Policy D DM1: Aspects of Form and Design Quality
- Policy T SP1: Transport and Development
- Policy W SP1: Water
- Policy QE DM1: Noise Pollution
- Policy QE DM2: Light Pollution

We assess the proposal against the above policies below, along with the relevant national policies in the National Planning Policy Framework ('NPPF').

Highways Considerations

The supporting Transport Statement, prepared by Systra, identifies that the proposed development will not significantly increase the number of dedicated trips to and from the site. The proposed PFS facility will largely serve the existing ASDA customers, and therefore will have a minimal impact on the existing road networks.

The design of the PFS has been carefully considered to ensure that vehicle stacking capacity can be contained within the PFS forecourt without impacting on the operations of the site access junction.

National Transport Policy is contained in the National Planning Policy Framework ('NPPF') (March 2012). Paragraph 32 requires all development that generates significant amounts of movement to be supported by a Transport Statement. The NPPF states:

“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

The analysis undertaken and reported in the Transport Statement demonstrates that the minimal impact of the proposed development will not impact on the highway network and not cause stacking onto Littlehampton Road. The proposed development should not therefore be prevented or refused on transport grounds.

Furthermore, as the proposal is inextricably linked with the operation of the Asda superstore, it accords with the provisions of Policy GEN4 to minimise the demand for travel by locating complementary facilities within one site.

Accordingly the proposal accords with highway policy matters in the NPPF, as well as Policy GEN4 & GEN34 of the adopted Local Plan and Policy T SP1 of the draft *Arun District Local Plan 2011 – 2031*.

Amenity Considerations

The Noise Impact Assessment (**NIA**) submitted as part of this application assesses the development's impact upon surrounding land uses in noise terms. It demonstrates that the operation of the PFS will not impact on the amenity of any of the surrounding residential dwellings. We propose that the PFS is permitted to trade 24 hours a day, in accordance with the nearby store – thus allowing customers to purchase fuel upon arriving and exiting the store.

This operating position is consistent with Council's decision to permit unrestricted operating hours for other PFS locations in the area, including the Esso PFS on Arundel Road (A27), Esso PFS on Heene Road and Findon Road Service Station.

The NIA recommends that mitigation measures be put in place at the site to reduce the noise impact of the jet wash facility and servicing to the site. These measures include the installation of an acoustic fence around the jet wash facility and a restriction imposed on servicing.

The NIA demonstrates that the application accords with the NPPF, Noise Policy Statement for England 2010 (NPSE) and Planning Practice Guidance – Noise 2014 (NPPG). All three documents require Local Planning Authorities to support sustainable growth whilst firstly avoiding noise from giving rise to significant adverse impacts on health and quality of life as a result of the new development and secondly aiming to mitigate and minimise adverse impacts. The NIA also accords with the World Health Organisation's (WHO) recommended internal noise criteria for sleep disturbance.

The negligible impact identified in the NIA is acceptable and in full accordance with guidance contained in the latest noise policy documents. The application is supported by the NPPF which states in Paragraph 123:

“Planning Decisions should recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them.”

The application therefore accords with amenity policy matters in the NPPF and Policies GEN32 & Policy QE DM1: Noise Pollution.

Landscaping Considerations

The application supported by a Landscape Plan, produced by C&A Design Ltd, which details the proposed landscaping at the site.

Accordingly, the proposal accords with the biodiversity and landscaping matters in the NPPF, as well as Policy GEN27: Landscape Diversity & Policy D DM1: Aspects of Form and Design Quality.

Drainage Considerations

The proposed development is located within an area identified by the Environment Agency as being in Flood Zone 1 indicating that the site has a low risk of flooding and the site area measures approximately 0.29 hectares. Therefore, an assessment of flood risk is not required to accompany this application.

This application includes the submission of the following documents that outline the proposed drainage strategy:

- Drainage Strategy, prepared by Adept;
- Drainage Strategy Plan (Ref: PSK 101 Rev P1).

The Drainage Strategy outlines the existing conditions at the site, as well as the proposals for both surface and foul water drainage. The methods by which the site will be drained are shown on Drawing Reference: PSK 101 Rev P1.

In addition to the above, during the course of the previous application, both the Environmental Agency ('EA') and the Council's flood engineer requested the submission of additional information relating to drainage and land contamination. The documents submitted in response to those comments have been included as part of the revised application, and updated to reflect the revisions to the proposal. Accordingly, it follows that both the EA and the Council should have no objections to the proposed development in this regard.

The proposed development therefore accords with Policy GEN9: Foul & Surface Water Drainage & Policy W SP1: Water, and national planning requirements with regard to drainage and flood risk management.

Lighting Considerations

Given the proposed development is designed to operate 24 hours a day, seven days a week, a Lighting Assessment has been included as part of this submission to summarise the design philosophy for the provision

of external lighting at the site. The scheme has been prepared to provide safe and secure lighting whilst minimising the impact on local adjoining properties.

The proposed development therefore accords with Policies GEN33 & QE DM2 with regard to Light Pollution, and national planning requirements with regard to lighting design.

Economic Considerations

ASDA's clear petrol pricing policy states ASDA will not trade below cost or offer discounts via either a loyalty scheme or to food customers who spend over a certain amount as offered by other supermarkets. The effects of an ASDA PFS is to drive down prices in the local catchment to the benefit of the residents.

A report by the Office of Fair Trading (OFT) commented on the effect of ASDA Petrol Stations in a local area and the wider benefit it can have on petrol prices for customers, they stated:

"Our econometric analysis indicates that, controlling for all other factors, the presence of at least one ASDA forecourt in a local market is associated with pump prices that are 0.7p per litre lower of diesel and 0.8p per litre for petrol as compared to areas without an ASDA forecourt. To be clear these results aim to capture the effect that the presence of an ASDA forecourt has on pushing down other retailers' prices."

The proposal therefore supports the principles for securing sustainable economic growth outlined in the NPPF and accords with the principles for economic growth outlined at Policy SD SP1.

Conclusion

The application is supported by a full suite of architectural drawings, a Noise Impact Assessment, Transport Statement, Lighting Strategy, Landscaping Plan, Phase 1 Risk Assessment & Geo-Environmental Appraisal, and a Drainage Strategy.

As stated above, the revised proposals respond to the reason for refusal of the 2017 Application; namely to eliminate any potential for the proposed development to impact on residential amenity by removing the jet wash facility. As all other matters have previously been assessed by the Council and found to be acceptable, it follows that the current proposal is acceptable.

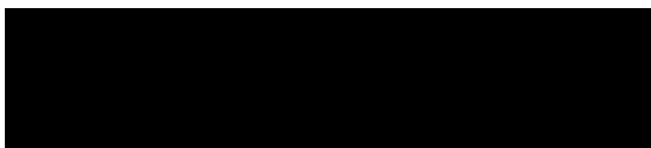
This letter summarises the findings of the above documents and provides an appraisal of the application against relevant policy considerations. It demonstrates that:

1. The application complies with relevant national and local planning policies, especially with regard to the NPPF and Arun District Council Local Plan.
2. The proposed development will not have an adverse impact on the surrounding highways network.
3. The proposed development would not adversely impact upon residential amenity.

As the proposal accords with the development plan and material considerations, planning permission should be granted in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The presumption in favour of sustainable development set out in the NPPF applies.

We will contact you shortly to confirm details of the Council's timescales for determining the application. In the meantime, if you have any questions please contact Matthew Sobic or Brad Wiseman at these offices.

Yours sincerely



Savills (UK) Limited
Planning

cc. Steven Roberts - ASDA