

Recommendation Report for Planning Permission

REF NO: LU/314/18/PL

LOCATION: Shell Eastfield
Worthing Road
Littlehampton
BN17 6LE

PROPOSAL: Demolition of sales building & plant room, LPG compound/dispenser & canopy link removed, erection of new sales building, plant room, bin store, delivery bay, front of store customer parking & Adblue facility to the HGV forecourt, block pavements to car forecourt replaced with liquid tight concrete & fuel dispensers replaced to main forecourt & HGV.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The application proposes an enlarged single storey replacement sales building with a flat roof, front-of-store customer parking, a delivery bay, canopy link removal, and new bin stores positioned at the rear of the sales building. A replacement carwash plant room is required to serve the existing carwash. A Adblue facility is proposed to serve the HGV forecourt and the block pavements on the car forecourt are to be replaced with liquid tight concrete. There are no works proposed to the main fuel infrastructure.
SITE AREA	3500 sqm
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development. 4 small trees on site boundary are to be removed.
BOUNDARY TREATMENT	A mixture of planting and fencing.
SITE CHARACTERISTICS	Established petrol filling station with single storey kiosk building with existing signage.
CHARACTER OF LOCALITY	The site is part of a service station providing accommodation and refreshments. It is located adjacent to a roundabout and the A259. The site has shared vehicular access with the Hotel.

RELEVANT SITE HISTORY

LU/162/01/	L.P.G. Vessels in compound. L.P.G. dispenser on forecourt (Resubmission of LU/305/00)	ApproveConditionally 17-06-02
LU/303/99/	Small extension to house an Automatic Teller Machine	ApproveConditionally

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Littlehampton Town Council

No Objection - Proposals should be subject to the inclusion of appropriate drainage provision in line with the comments from the District Council's Drainage Engineering Team and a satisfactory response to the request for further information from the Highways Authority following their initial assessment of the application.

COMMENTS ON REPRESENTATIONS RECEIVED:

The drainage engineer and county highways have no objection to the proposal and the requested drainage conditions have been imposed.

CONSULTATIONS

WSCC Strategic Planning

Environmental Health

Engineering Services Manager

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

Drainage Engineer - No Objection

As a result of the pollutants associated with the use conditions are requested.

County Highways - No Objection

No changes to the existing vehicular access points from the A259 and from Worthing Road (B2187) are proposed and no additional changes to the forecourt layout or petrol pumps are proposed. The new layout will not affect the existing HGV forecourt accessed via the A259. Whilst there are slight modifications to the HGV route through and out of the site, the plans demonstrate the workability of this and also indicate a delivery bay to the south of the building, clear of the public parking area. The slight increase in floor area of the sales building is not anticipated to result in increased vehicular trips considering the type of use as a petrol station and the drop in custom that would be anticipated as a result of this. The proposals are therefore in line with paragraph 109 of the National Planning Policy Framework in that a 'severe' impact on the operation of the Highway network is not anticipated and there are no transport grounds to resist the proposal.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted. Requested conditions have been imposed.

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area Boundary
Adjacent to 'A' class classified road

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies in Littlehampton Neighbourhood Plan have been considered.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that there would be no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site lies within the Built-Up Area where any re-development is acceptable in principle. The site is an existing petrol garage and there is an existing kiosk building which is being replaced. Policy 1: The Presumption in Favour of Sustainable Development of Littlehampton Neighbourhood Plan supports applications which accord with the policies in the Neighbourhood Plan, unless material considerations indicate otherwise.

PROPOSAL

The site is an established petrol filling station and road side service area. The proposal will not alter the current access or exit arrangements, but will provide an enlarged kiosk building with altered parking layout retaining parking in front of the kiosk building. The floor area of the kiosk is increasing from approx. 31m² to 73m². The building and access road way will effectively be extended closer to the southwest boundary which adjoins the roundabout.

VISUAL AMENITY

The existing site is set back from the road and accessed from an existing access way that also serves the hotel and restaurant. The site is partially screened by some existing trees. 4 are to be removed, but several outside of the site on the verge are being retained. The proposed upgrading and expansion of the kiosk will have a limited impact on the visual amenity of the area. The kiosk building will still be single storey, albeit that it will be doubled in floor area and 5.6m closer to the south west boundary, 1m closer to the southern boundary and 2m closer to the northern boundary. The width of the building is increasing from 4.8m to 7m and the length by from 6.6m to 10.4m. Although the length and width of the building have increased, and it is closer to road frontages, given that the building has a flat roof with limited profile, it is not considered that the proposal is unduly prominent. The bulk of the building would not be significantly increased.

The external appearance of the sales building has been designed following a review of design and construction details to improve insulation and reduce the building carbon footprint. The sales building flat roof will comprise a flat coated metal cladding panels with an aluminium framed glazed shop front providing a modern appearance. The design is in keeping with the appearance of the petrol filling station buildings and would accord with policy DDM1 of Arun Local Plan.

NEIGHBOUR AMENITY

It is considered that the proposal will not have a materially adverse effect on the residential amenities of neighbouring properties. The extensions are single storey and located within the forecourt area. The kiosk building would retain the existing gap which exceeds 30m to the hotel and is more than 80m from the nearest residential properties to the east on the opposite side of the access road. It would not therefore result in any materially adverse impact on residential amenity.

It is not anticipated that the proposal will materially increase the use of the kiosk so that it causes an unacceptable impact on neighbouring residential amenity by way of noise and disturbance.

The proposal is therefore compliant with policies DDM1 and QESP1 of Arun Local Plan.

TRANSPORT CONSIDERATIONS

The convenience formatted shop proposed is specifically targeted to meet the needs of busy, working drivers giving quality goods. The shop will offer a range of traditional impulse goods similar to that in the existing shop. Internal storage facilities will be improved. Front-of-shop parking will make safe access for customers. The sales building will also be accessible to those using alternative modes of transport.

Car & van vehicular, and pedestrian movement through the site will remain unaltered by this proposal except for the additional provision of front-of-store customer parking and of a dedicated delivery bay. County Highways have no objection to the proposal.

The proposal incorporates improved facilities for motorists in accordance with policy T SP1 of the Arun Local Plan.

SUMMARY

It is recommended that the application is approved subject to the following conditions

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following

approved plans:

Location, Block Plan as proposed PLG-07, Site Layout Plan PLG-04, Site Layout Plan as Proposed PLG-05 and Elevations as Proposed PLG-06.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 The development shall not commence until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1 and W DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.