



JMS PLANNING & DEVELOPMENT

PLANNING, DESIGN AND ACCESS STATEMENT IN SUPPORT OF PLANNING APPLICATION BY SHELL UK OIL PRODUCTS LIMITED

IN RESPECT OF THE PARTIAL
REDEVELOPMENT OF EXISTING PETROL
FILLING STATION

AT
SHELL SOLIHULL
WARWICK ROAD
SOLIHULL
WEST MIDLANDS
B91 1BB



Client: Shell UK Oil Products Limited
Project: Partial redevelopment of Existing Petrol Filling Station, Solihull
Date: November 2023



CONTENTS

SECTION 1:	INTRODUCTION	1
SECTION 2:	SITE AND SURROUNDING AREA	2
SECTION 3:	PLANNING HISTORY	3
SECTION 4:	THE APPLICATION PROPOSAL	4
SECTION 5:	BACKGROUND TO ELECTRIC VEHICLE RECHARGING	6
SECTION 6:	PLANNING POLICY FRAMEWORK	11
SECTION 7:	PLANNING ISSUES	18
SECTION 8:	DESIGN AND ACCESS STATEMENT	27
SECTION 9:	CONCLUSIONS	32

JMS Planning & Development Ltd

T: 01986 785038

E: julian@jmsplanning.com

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SECTION 1: INTRODUCTION

- 1.1 This Planning Statement, also incorporating the Design and Access Statement, has been prepared on behalf of Shell UK Oil Products Limited and is submitted in support of an application for full planning permission for partial redevelopment of existing petrol filling station; including the demolition of the existing sales building and canopy link and car wash area (retention of forecourt) and erection of a new sales building; provision of car parking spaces; provision of EVC hub; erection of a new bin store; landscaping and associated works at Shell Solihull, Warwick Road, Solihull, West Midlands, B91 1BB.
- 1.2 It is considered that the submitted application is of significant merit. Namely;
 - The application will improve customer offer and experience on site to meet customer demand;
 - Improvement to internal site circulation and formalise car parking arrangements; and
 - Provide facilities for electric vehicle charging on the site to assist in meeting the Government level objectives to reduce CO2 emissions with air quality benefits.
- 1.3 This report continues in Section 2 by providing a summary of the site's location and its context, with a brief summary of the planning history for the site within Section 3. Full details of the proposal are set out in Section 4, including a detailed description of the layout and facilities offered upon the site. Additional information on electric vehicle charging is contained at Section 5. A detailed summary of the planning policy position at national and local level is contained within Section 6. Section 7 sets out the justification for the proposal in the context of national requirements, local need, and the policy position. A Statement on Design and Access matters is provided within Section 8, with the conclusions finally drawn in Section 9.



SECTION 2: SITE AND SURROUNDING AREA

- 2.1 The application site is located on the A41 Warwick Road, which runs from the M42 in the south east, bypassing Solihull Town Centre, joining the A4540 before bypassing around Birmingham City Centre. The site, and Solihull, form part of the urban hinterland of Birmingham located to the south east of Birmingham City Centre.
- 2.2 The application site lies within the urban area of Solihull and is largely surrounded by residential properties on the main thoroughfare between the Town Centre and Birmingham. The application site is accessible and well served by public transport with numerous buses travelling along Warwick Road/A41 serving the wider area.
- 2.3 The application site is accessed directly off the A41 with an 'in/out' arrangement with traffic largely flowing through the site in a one way direction from south to north.
- 2.4 The site currently comprises of four pump islands arranged in a starter gate format providing refuelling positions for eight vehicles. The offset fills are located towards the south east of the site with a tanker stand. An existing LPG compound, which is now surplus to requirements, is positioned in the southernmost corner of the site.
- 2.5 The sales building is positioned centrally on the site with a car wash positioned to its south west and an area of hard standing to its north east comprising of both the car wash exit lane and ad hoc parking area. Air and water facilities are provided to the north east of the sales building.
- 2.6 The eastern part of the site is landscaped and there are a scattering of trees around the south east and southern boundaries some of which are subject to a TPO. Between the application site and the adjacent property to the south of the site is a high boundary wall.
- 2.7 Immediately to the north of the site is the junction of Waddleys Road with the A41. The A41 is positioned largely to the east of the site with 396 Warwick Road to the south east and properties fronting onto Waddleys Road to the south west.
- 2.8 The site is not located within a conservation area. The site lies within Flood Zone 1.



SECTION 3: PLANNING HISTORY

- 3.1 A review of the site's planning history has been undertaken using the Council's online search system.
- 3.2 The site has a very long planning history dating back to the 1940s when it was a traditional garage and workshop with fuel. Since this time the site has evolved into its current form.
- 3.3 The most relevant recent application was in 2015 for *'remove existing below ground fuel storage tanks and installation of 2no. 70,000 litre double skin below ground storage tanks and associated works and resurfacing. Alterations to existing forecourt canopy to extend with a shopfront raise in soffit height and removal of pitched element; reconfiguration of the forecourt to include replacement pumps and replacement offset fills and vent master'* (ref: PL/2015/52497/MINFOT) approved 24 February 2016. The relevant conditions were discharged and the permission implemented.
- 3.4 Also relevant is an application submitted in 2016 (Ref: PL/2016/02891/DIS) approved 26 January 2017 which confirmed the hours of operation as 06:30-23:00 Monday to Saturday and 08:00-22:00 on Sundays and bank holidays, with deliveries between 07:00-20:00 Monday to Saturday and 09:00-18:00 on Sundays and bank holidays.
- 3.5 The above demonstrates the site is a long established use which has evolved to meet the changing needs of the motorist and operator.



SECTION 4: THE APPLICATION PROPOSAL

- 4.1 This Planning Statement, also incorporating the Design and Access Statement, has been prepared on behalf of Shell UK Oil Products Limited and is submitted in support of an application for full planning permission for partial redevelopment of existing petrol filling station; including the demolition of the existing sales building and canopy link and car wash area (retention of forecourt) and erection of a new sales building; provision of car parking spaces; provision of EVC hub; new jet wash; erection of a new bin store; landscaping and associated works at Shell Solihull..
- 4.2 The new sales building will have a total floor area of 300 sqm (GEA) increasing the floor area from the existing sales building by 195 sqm (existing building 105 sqm GEA). The net sales area of the new building will be 143 sqm. The new sales building will create an improved shopping environment and better facilities for customers. Nine car parking bays, including one accessible space adjacent to the store entrance are provided.
- 4.3 The replacement sales building will be modern in design, with a glazed front elevation, providing a light spacious internal environment for customers and those working within it. Internally, there will be toilet facilities including male/female and accessible facilities, the required back of house space and storage space.
- 4.4 The proposal includes a four bay EVC hub (all accessible) with associated infrastructure including substation and LV cabinet. More details on EVC is contained in the following Section.
- 4.5 The access arrangements from Warwick Road will remain unchanged with the entrance to and egress from the site as existing. This will ensure all vehicles flow through the site in a one-way direction, in an efficient manner. Boundary treatments will remain as existing, albeit with some changes to the landscaping including some enhancements.
- 4.6 A compound area is shown on the plans to the south west of the sales building. This area will be enclosed by a 2m high close boarded fence as shown on the application drawings and will accommodate bin storage.
- 4.7 The forecourt will be retained as existing, bar the removal of one pump island, as was recently upgraded and meets the latest environmental standards. Based on Shell's operational knowledge of the site and the change in car ownership from traditional fuelled vehicles to electric vehicles, the site's redevelopment to include EVC will ensure the needs of all motorists are met now and into the future.



Role, Function and Location of Petrol Filling Stations

- 4.8 Prior to the consideration of this application, it is relevant to consider the context in which the application is submitted, both in terms of current trends within the petroleum industry and the specific reference to the role, function and location of petrol filling stations generally, as well as the specific role and function of the application site.
- 4.9 The Experian Catalist UK database released in 2023, confirms that the number of petrol forecourts in the UK had fallen to just 8,365, compared to the 1967's all-time high of 39,958 forecourts. This is representative of a downward trend of petrol filling station sites in the UK.
- 4.10 Conversely, the number of registered UK vehicles once again broke records, rising from 33.98 million in the first quarter of 2009 to reach 40.4 million at the end of March 2022, with each forecourt supplying an average of 4,830 vehicles.
- 4.11 The effect of the above is that fewer service stations are serving more motorists. As a result, those individual service stations which remain and any new facilities are becoming increasingly busier, experiencing a greater volume of visitation rates and a greater throughput of fuel and are, thus, being made to work much more intensively. It is self-evident that the role and function of petrol filling stations are geared towards serving the motorist. Depending upon the location of petrol filling stations, such developments have the potential to intersect traffic from a wide catchment area.
- 4.12 Petrol filling stations generally offer a range of services. These include the provision of fuels, EVC, car care facilities (such as air/water and car washing) and shops. However, the qualitative demands on petrol filling stations are increasing. In particular, existing petrol filling stations have to accommodate a greater variety of facilities and provide a high-quality offer to customers and users who are becoming increasingly demanding for enhanced facilities.
- 4.13 In this respect enhanced on-site sales buildings is a major trend within the roadside market which has evolved in response to accommodate and meet the changing needs and aspirations of consumers.



SECTION 5: BACKGROUND TO ELECTRIC VEHICLE RECHARGING

- 5.1 Powering more of the cars we drive with electricity is essential to addressing growing CO₂ emissions and air pollution in cities. As more electric car models become available, they will also become more affordable choice for people and businesses.
- 5.2 There are around one billion cars on the world's roads. Of these around two to three million are pure battery electric and plug-in hybrid electric vehicles, according to the International Energy Agency (IEA). The IEA anticipates there may be three hundred to four hundred million electric vehicles (EVs) on the road out of approximately two billion vehicles by 2040.
- 5.3 Electric vehicles are cars and other forms of mobility that use an electric motor as their main source of propulsion, rather than a conventional engine. They also have their energy stored in batteries.
- 5.4 There are three main types of electric vehicles; battery electric vehicles, hybrid electric vehicles and plug-in hybrid electric vehicles.
- 5.5 Battery electric vehicles are all electric cars that rely on their batteries as the only source of energy. Hybrid and plug-in hybrid electric vehicles combine electric drive with a conventional fuel engine.
- 5.6 Unlike traditional cars, which usually refuel at petrol stations, electric cars have the potential to be recharged at home, at work or on the go. They can also be charged in shared locations such as forecourts, car parks or supermarkets. Speed, availability and the reliability of charging infrastructure are currently the biggest potential deterrents to buying an electric car. Shell believes this could be changed with better access to recharging options, better suited to the needs of customers and their lifestyles. This could include smart, regular chargers, ideal for those charging overnight at their homes or during working hours. It could also include high powered, fast chargers designed for when drivers are between destinations and in need of a quick top-up.

Taking Charge: The Electric Vehicle Infrastructure Strategy (March 2022)

- 5.7 The Taking Charge: The Electric Vehicle Infrastructure Strategy published in March 2022 and sets out the Government's vision and strategy to enable and accelerate the adoption of electric vehicles (EVs) in the UK.



- 5.8 The Prime Minister's announcement in November 2020 that sales of all new petrol and diesel cars and vans would end in 2030, put the UK on course to be the fastest nation in the G7 to decarbonise road transport. Since then, the report confirms that in 2021, 190,000 battery-powered electric vehicles were sold in the UK. This was more than the five previous years combined, and nearly 1 in 8 of all new cars sold. Notwithstanding the uptake in use of battery electric vehicles, the focus on vehicles is only one part of the overall approach to transition into net zero road transport with a second priority being the provision of adequate charging infrastructure.
- 5.9 In response to the above, the government's vision is to remove charging infrastructure as both a perceived, and a real barrier to the adoption of electric vehicles and have as a minimum 300,000 public charge points by 2030 – equivalent to almost 5 times the number of fuel pumps on our roads today.
- 5.10 To deliver this vision and eliminate '*road anxiety*' the government will focus on the roll out of high-powered chargers on the strategic road network and local on-street parking. The strategy focuses on the delivery of:
- Sufficient charge points ahead of demand to ensure that everyone can find and access reliable public charge points wherever they are;
 - Effortless on and off-street charging for private and commercial drivers;
 - Fairly priced and inclusively designed public charging;
 - Market-led rollout for the majority of charge points;
 - Seamlessly integrated infrastructure into a smart energy system; and
 - Continued innovation to meet driver's needs.
- 5.11 One of the key drivers is to step up the delivery of high-powered chargers on the strategic road network for people making longer journeys. To achieve this, the government has allocated £950 million on a Rapid Charging Fund to support the rollout of at least 6,000 high powered charge points across England's motorways and major A-roads by 2035. In particular, the government highlights the role that service area operators and large fuel retailers have in the delivery of this vision stating, '*We will ensure that every motorway service area has at least six rapid chargers by the end of 2023, with some having more than 12.*'
- 5.12 Moreover, the strategy confirms that government will help to reduce the costs to private sector rollout and businesses by tackling barriers to investment and delivery of public charge points, to speed up private sector delivery of much needed EV charging infrastructure.



- 5.13 One of the key challenges identified in the strategy is the slow pace in which charge point installers can roll out the required infrastructure due to the need of multiple permission, consents and licenses; the lack of plentiful, reliable and fairly priced public charging network, amongst others. Notably, the strategy stresses that there needs to be more local engagement, leadership and planning.
- 5.14 The report concludes that if the UK economy is to achieve net zero emissions by 2050, it has to decarbonise road transport. The recent rapid increase in both the supply of, and the demand for, EVs means that charging infrastructure now stands as the single biggest challenge to that decarbonisation.

Net Zero Strategy: Build Back Greener (October 2021)

- 5.15 The Net Zero Strategy: Build Back Greener was presented to Parliament pursuant to Section 14 of the Climate Change Act 2008 in October 2021. In a drive to avoid catastrophic climate change we need to reduce emissions to as near zero as possible with the small amount remaining absorbed through natural carbon sinks such as forests and new technologies like carbon capture. If this goal is achieved, global emissions of greenhouse gases will be 'net zero'. Delivering this requires urgent global action including ending coal fired power generation, retiring petrol and diesel engines from all cars and halting deforestation. These were the steps the UK called for at COP 26 (UN Climate Change Conference to be held in November 2021).
- 5.16 The UK is seeking to lead the way having, since 1990, almost halved greenhouse gas emissions, with the UK the first major economy to legislate (in 2019) to reach zero emissions by 2050. The end of petrol and diesel engines is part of this process and almost all major car companies are now developing or producing zero emission vehicles as battery technology improves and costs reduce.
- 5.17 The strategy supports new investment in vehicle grants and electric vehicles infrastructure to ensure greener vehicles with big improvements in public charge point provision with funding of £280 million as part of a wider investment in public transport and sustainable travel.
- 5.18 The Government announced an '*Electric Vehicle revolution*' in November 2021, which set out the Government's vision for infrastructure roll out and roles for the public and private sectors in achieving these goals. This document focused on electric charging provision at home and work places with targets for electric vehicle provision, alongside other green energy initiatives.

State of Switch Report Produced by New Automotive (October 2021)

- 5.19 New Automotive is a new independent transport research organisation founded in 2020 with a mission to support the switch to electric vehicles. Based on their research published in October 2021 they estimate that the UK will need



230,000-280,000 public charge points by 2035. However, at the current time, there are 24,000 public charging stations including over 4,000 rapid chargers in the UK.

- 5.20 The report concludes whilst there has been a huge uptake in EV sales over the past 12 months, they believe the targets are only achievable if policy makers commit to the 'electrification' of UK roads and install the necessary infrastructure. They are currently concerned that the most recent trends indicate the popularity of hybrids which may be one of the key issues to overcome in the transition to a complete shift to electric vehicles.
- 5.21 Another key issue is the provision of charging points which will become increasingly important as the ownership of EVs spreads across the wider population. They hope the report published this month becomes an annual publication tracking the delivery and support for electric vehicles over time.

Energy White Paper (December 2020)

- 5.22 On 14 December 2020 the Government published its Energy White Paper which expands on Prime Minister Boris Johnson's announced ten point plan for a green industrial revolution and sets out the steps needed to cut emissions from industry, transport and buildings by 230 million metric tonnes as part of the journey to net zero emissions by 2050.
- 5.23 The document sets out how the UK will increase deployment of green energy sources in order to meet the 2050 net zero carbon target. The White Paper confirms the Government will support the roll out of charging and associated grid infrastructure along the strategic road network to support drivers to make the switch to electric vehicles (EV's). It is confirmed that the UK will end the sale of new petrol and diesel cars and vans by 2030, ten years earlier than previously planned. The sale of hybrid cars and vans that can drive a significant distance with no carbon emissions will continue until 2035. The Energy White Paper notes that this accelerated transition requires scaling - up the roll out of EV charge points and, in turn, an associated expansion of electricity generation and network capacity to meet the increase in demand for power.
- 5.24 With the necessary investment in new infrastructure and adoption of smart charging the Government is confident the system will cope with the transition. As part of a £2.8bn package announced in the Prime Minister's ten point plan the Government intends to provide funding of £1.3bn to accelerate the roll out of charge points for EV's in homes, workplaces, streets and on motorways across England, so people can more easily and conveniently charge their cars. The Government will invest £950m of this funding in future proofing grid capacity along with the strategic road network to prepare ahead to accommodate for a one hundred percent take up of zero emission cars and vans.



5.25 There is, therefore, acknowledgement at the highest level of Government of the importance of a comprehensive EV network.

The Role of the Applicant

5.26 As the UK's number one provider of premier fuels with a network of over 1,000 service stations, Shell is encouraging the take-up of electric vehicles by providing rapid charging points on many of their forecourts. By 2030 Shell UK aims to have 100,000 public EV charging points across the country, of which 11,000 will be rapid charges at locations including forecourts. This means that 90% of all UK drivers will be within a 10 minute drive of a Shell rapid charger.

5.27 Whilst charging electric cars at home is often the most convenient and cost effective way to recharge sometimes this option is not either convenient or available. A growing number of Shell forecourts in the UK are offering fast electric vehicle charging. This takes only around 30 minutes to fully charge and also provides electric car drivers with a shorter option to just top-up to get to their destination.

5.28 By installing high powered, fast chargers at Shell sites countrywide, Shell is helping electric vehicle drivers to travel long distances confidently and with ease.

5.29 The application proposal includes for the provision of four EV charging spaces, including an accessible EVC bay, in the form of a new EV '*hub*' which will have the benefit of improving the energy transition within Solihull and the wider area and will offer increased choice and improved customer experience across the wider site, meeting the needs of customers particularly on this important strategic site.



SECTION 6: PLANNING POLICY FRAMEWORK

- 6.1 This Section of the supporting Statement sets out national and local planning policy framework relevant to the proposed planning application.

National Planning Guidance

- 6.2 The revised National Planning Policy Framework (NPPF) was updated in September 2023 and constitutes guidance for local planning authorities and decision takers and is a material consideration in the determination of planning applications (paragraph 2).
- 6.3 The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). Reference has recently been added to the 17 Global Goals for sustainable development set by the United Nations.
- 6.4 Paragraph 8 confirms that there are three overarching objectives to sustainable development: economic, social, and environmental, which are interdependent and need to be pursued in mutually supportive ways.
- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - A social objective - to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
 - An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making efficient use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.



- 6.5 These objectives should be delivered through the preparation and implementation of plans and application of policies in the framework; they are not criteria against which every decision can or should be judged. It is confirmed that the planning system should play an active role in guiding development to sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area (paragraph 9).
- 6.6 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). For decision taking, this means:
- Approving development proposals that accord with the Development Plan without delay, and
 - Where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless;
 - The application of policies in the framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole (paragraph 11).
- 6.7 The presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making (paragraph 12).
- 6.8 Local Planning Authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible (paragraph 38).
- 6.9 Planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing (paragraph 47). Local Authorities may give weight to relevant policies and emerging plans according to the stage at which they are at and the extent of unresolved objections (paragraph 48).



- 6.10 Planning policies and decisions should help create the conditions which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and where there are opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future (paragraph 81).
- 6.11 Planning policies should set out a clear economic vision and strategy which positively and practically encourages sustainable economic growth having regard to local industrial strategies and other local policies for economic development and regeneration; set criteria to identify strategic sites for local inward investment to match the strategy and meet anticipated needs over the plan period; seek to address potential barriers to investment; and be flexible enough to accommodate the needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances (paragraph 82).
- 6.12 Planning policies and decisions should recognise and address the specific locational requirements of different sectors (paragraph 83).
- 6.13 Planning policies and decisions should support the role that town centres play at the heart of local communities taking a positive approach to their growth management and adaptation. Policies should define a network and hierarchy of town centres and promote their long term vitality and viability; define extent of town centres and primary shopping areas; retain and enhance existing markets and, where appropriate, reintroduce or create new ones; allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed looking at least 10 years ahead; where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well- connected to town centres and if these are not able to be identified, set out policies which should explain how identified needs can be met in other accessible locations that are well- connected to the town centre; and recognise that residential development often plays an important role in ensuring the vitality of centres and encouraging residential development on appropriate sites (paragraph 86).
- 6.14 Local Planning Authorities should apply a Sequential Test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available (or expected to become available within a reasonable period of time) should out of centre sites be considered (paragraph 87).



- 6.15 When considering edge of centre or out of centre proposals, preference should be given to accessible sites which are well-connected to the town centre. Applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centres or edge of centre sites are fully explored (paragraph 88).
- 6.16 When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, Local Authorities should require an Impact Assessment if the development is over a proportionate locally set floorspace threshold and if there is no locally set threshold the default threshold is 2,500 sqm of gross floorspace. This should include assessment of the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (paragraph 90).
- 6.17 Paragraph 106 confirms that planning policies should provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. The footnote to this paragraph notes that such facilities will include roadside services but that the primary purpose of these services should be to support the safety and welfare of the road user (and most such proposals are unlikely to be nationally significant infrastructure projects).
- 6.18 Planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 119).
- 6.19 The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is the effective engagement between applicants, communities, Local Planning Authorities and other interests throughout the process (paragraph 126).
- 6.20 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible and which



promote health and well-being with a high standard of amenity for existing and future users (paragraph 130).

- 6.21 Design quality should be considered throughout the evolution and assessment of individual proposals (paragraph 132). Development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance taking into account local design guides and codes (paragraph 134).

The Development Plan

- 6.22 To the extent the Development Plan policies are material to an application for planning permission, a decision must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 6.23 The Development Plan relevant to the application site comprises the Solihull Local Plan adopted December 2013. A legal challenge to the plan has resulted in the overall housing requirements being deleted which, along with proposals for a high speed rail link, have prompted the Council to undertake a Local Plan Review. The emerging Draft Local Plan was submitted to the Inspectorate in May 2021 but is subject to ongoing hearings were temporarily paused pending updates to the NPPF which have recently been issued. The LPA has not published any recent updates on the timescales for the emerging plan. Due to the significant delay to the Plan it has not been reviewed below. There is no Neighbourhood Plan for the site.

Development Plan

- 6.24 On the adopted Proposals Map the site falls within the Urban Area of Solihull but is unallocated.
- 6.25 National Policy 1 (NPPF - Presumption in Favour of Sustainable Development) reflects the guidance set out in the NPPF to sustainable development and working positively with applicants to find solutions which means that proposals can be approved wherever possible.
- 6.26 Policy P1 (Support Economic Success) provides advice on key economic assets including the National Exhibition Centre and Birmingham Airport, Birmingham Business Park, Blythe Valley Business Park and Jaguar Land Rover. This policy supports the expansion of these businesses, but with particular consideration to ensuring the quality of the environment is not harmed and improving access to employment particularly from parts of the Borough where unemployment persists. Whilst this policy is not relevant directly to the proposal it confirms the Council's positive approach to economic development.



- 6.27 Policy P2 (Maintain Strong Competitive Town Centres) confirms that town centres will be the focus for all new development including retail and other commercial development in line with the Town Centre First approach of the National Planning Policy Framework. The policy sets out specific guidance in relation to Solihull Town Centre, Shirley Town Centre and Chelmsley Wood Town Centre. In relation to town centre uses elsewhere, the plan confirms that it seeks to ensure the vitality of its town centres as the heart of their communities. The policy confirms the application of guidance set out in the NPPF and reiterates that outside town centres there is a presumption against development unless it is promoted by the policies and proposals of the plan.
- 6.28 Accessibility and ease of access is covered by Policy P7 which seeks to encourage new development to be focused in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access.
- 6.29 Further guidance in relation to managing demand for travel and reducing congestion is set out in Policy P8 where it is advised that regard should be had to transport efficiency and highway safety. Sustainable transport is supported but no reference is made to EVC or alternative fuels (due to the age of the Plan).
- 6.30 Policy P9 (Climate Change) supports reducing greenhouse gas emissions and increasing the generation of energy from renewable and low carbon sources, with much focus on renewable energy. Again, no reference is made to EVC but the principles of EVC are generally supported in this policy.
- 6.31 Policy P14 (Amenity) provides guidance on protection and enhancement of amenity of existing and potential occupiers when considering proposals for new development, requiring consideration to existing and proposed occupiers, safeguarding of green infrastructure, makes reference to electric vehicles and supporting their use to improve air quality, minimise impact of noise, protect residents from bad neighbour uses and consider light pollution.
- 6.32 Securing quality design is set out within Policy P15 which advises that all proposed development proposals will be expected to achieve good quality, inclusive and sustainable design which meets a number of key principles. The principles include:
- (i) Conserve and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, materials and landscaping of the development respects the surrounding natural, built and historic environment;
 - (ii) Ensures the new development achieves the highest possible standard of environmental performance through sustainable design and construction;



- (iii) Secures sustainable long term use of the development through flexibility, robust and futureproof design;
- (iv) Makes appropriate space for water within the development using sustainable drainage principles to minimise and adapt the risk of flooding;
- (v) Conserves and enhances biodiversity, landscape quality and considers the impact on the opportunities for green infrastructure at the earliest opportunity in the design process;
- (vi) Maintains the openness of the Green Belt (as shown on the Policies Map); and
- (vii) Creates attractive, safe, active, legible and uncluttered streets in public spaces which are accessible, easily maintained and encourage walking and cycling and reduce crime and the fear of crime.

6.33 Policy P19 (Range and Quality of Local Facilities) acknowledges the role local retail parades and local shops play in meeting the day to day needs of local residents. New development will need to be sensitive to local character and enhance public realm.



SECTION 7: PLANNING ISSUES

7.1 This section of the Planning Statement sets out the general planning matters which should form part of the consideration of the determination of this application. Design and access matters are covered within the following section. Accordingly, the following general planning matters are considered below:

- The principle of development on the site;
- Qualitative needs and benefits of the sales building provision;
- Job creation;
- Retail impact;
- Sequential Assessment
- Trees;
- Amenity;
- Highway/Parking; and
- Contamination .

Principle of Development

7.2 The site is located within the Urban Area of Solihull where the principle of development is acceptable. The site is not in an area of particular sensitivity bar the TPO trees adjacent to the site which is addressed fully below and within the supporting landscape information. The character of the area is predominantly residential albeit dominated by the A41.

7.3 The NPPF and Development Plan Policy recognises and promotes the need to support economic development particularly in Development Plan Policy P1. The importance of supporting services and sustainable transport is acknowledged and this proposal assists in this goal.

7.4 The site is an existing long established petrol filling station on the main route through Solihull and would benefit from modernisation, and has been subject to change and evolution to meet the needs of motorists since the 1940's. Therefore, the principle of development is acceptable as is a continuation of the existing use whilst evolving to meet the needs of modern motorist.

Qualitative Need and Benefits of Improved Sales Building Provision

7.5 It is important that adequate facilities are provided for road users to ensure that their basic needs are met. The provision of updated facilities will better meet the needs of those travelling on the strategic highway network and provide them with the facilities they would expect from a modern Petrol Filling Station facility including EVC facilities which are actively supported at all levels of Governance and will assist in the goals to decrease CO₂ emissions and improving air quality.



- 7.6 As noted above, enhanced sales buildings are becoming a more and more important part of petrol stations meeting the needs of road users. Whilst the offer will continue to broadly as existing, the environment internally will be significantly improved and enhanced in line with customer requirements and expectations including the provision of improved toileting facilities (male, female and accessible).
- 7.7 The partial redevelopment of the site retains the recently upgraded fuel infrastructure but adds EVC to the site, meeting the evolving needs of motorists who are increasingly expecting such facilities on site.

Job Creation Benefits

- 7.8 The petrol filling station currently provides jobs, and the modernisation of the site will ensure the retention of the existing jobs and possibly create further job opportunities on site, which will be suitable for local residents, particularly residents who wish to be flexible in the hours they work. The proposal will therefore bring a wide range of economic benefits and accord with the role and the focus as contained within the NPPF and the adopted plan.
- 7.9 In addition to the actual jobs created by the development, further jobs will be created in the construction phase of the development. There will be other spin off linkages to the benefit of the local area during the construction period itself as, for example, on site construction staff utilise shops and services within the local area during the period of construction.

Retail Impact

- 7.10 The National Planning Policy Framework (NPPF) requires an impact assessment only for those developments involving an additional 2,500 sqm gross or more floorspace. The Development Plan does not set a floorspace threshold referring to the guidance in the NPPF. The new sales building will provide some 300 sqm (GEA) and a net retail area of 143 sqm of floorspace which falls below the aforementioned threshold, therefore an Impact Assessment is not required.
- 7.11 Notwithstanding this, in light of the very limited scale of the proposal, which merely improves the existing sales building facilities, means no new use is introduced to the site and the site will continue trading broadly as existing. It is not considered that there will be any significant diversion of trade from any single centre or particular retail or commercial unit which is protected under retail policy that would cause a significant adverse impact. Indeed, the role of local shops in meeting the day-to-day needs of local residents is acknowledged in Policy P19 and the proposal will continue this role albeit in a more pleasant environment. Accordingly, it is not considered that there will be any adverse impact arising from the proposal.



- 7.12 On the basis of the above, it is considered that the proposal accords with the relevant national and Development Plan policy with regard to retail impact.

The Sequential Approach

- 7.13 The proposal is for the replacement of an existing sales building associated with a service area and relates only to a 176 sqm increase in internal area, which will primarily be used to create a more pleasant shopping environment with the range of goods staying broadly as existing, but with improved toileting facilities, storage and staff areas. It is considered that there is no requirement to undertake a sequential assessment of the proposal as the proposed use is already operating (and authorised) on the site.
- 7.14 As set out in Section 2 of this report the site is located within the urban area of Solihull. It is considered therefore that principle of redevelopment at the site to support its continued use is wholly in accordance with the Development Plan. The petrol filling station is ideally placed to serve vehicles travelling along the A41 through and within Solihull. The proposed sales building could not be located anywhere else to meet the needs of those who will use the facility. Accordingly, the sequential assessment is not relevant to a proposal of this nature.
- 7.15 Notwithstanding the above, paragraph 24 of the NPPF and the associated Planning Practice Guidance (paragraph 009 – Ensuring the Vitality of Town Centres) confirms that, in reviewing alternative sites, careful regard should be given to their suitability, viability and availability. These are defined as follows:-
- Availability – whether sites are available now or are likely to become available for a development within a reasonable period of time (determined on the merits of a particular case, having regard to, amongst other matters, the Applicant’s suitable criteria and timescales).
 - Suitability – with due regard to the requirements to demonstrate flexibility, whether sites are suitable to accommodate the proposal.
 - Viability – whether there is a reasonable prospect that development will occur on the site at a particular point in time. Again, the importance of demonstrating the viability of alternative sites depends in part on the nature of the proposal and the timescale over which the Applicant requires it to be delivered.
- 7.16 Whilst “*Viability*” is not expressly referenced by the NPPF in relation to planning applications, it is cited as a relevant consideration in the allocation of sites. It is argued that viability remains relevant to the consideration of whether sites are



'suitable' (and therefore for completeness we would include viability within our consideration of sequentially preferable sites).

7.17 The above parameters provide a robust and policy compliant basis for assessment. Considering the relevant sites, we have also applied the 'Dundee' principle to our assessment and would emphasise the importance of the meaning of 'suitable' from the perspective of the Applicant, as clearly underlined by this judgment.

7.18 This case is material to the operation of the sequential approach. This is a decision from the Supreme Court (21 March 2012) and as such has currency in England and Wales, although it relates to an appeal by Tesco Stores Limited in Scotland. This appeal was lodged in relation to a planning permission granted to ASDA and MacDonald Estates in Dundee.

7.19 The Supreme Court held in *Tesco Stores Ltd v Dundee City Council* [2012] UKSC13, that the specific construction of a planning policy is a matter in law. This important case clarifies that the sequential test should apply to the specific proposal for which the Applicant seeks permission. Therefore, the relevant question is not whether there is a site suitable for meeting identified deficiencies in retail provision in the area but whether there is a site suitable for the development proposed by the Applicant. Further, the question is '*not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site*'.

7.20 This approach has subsequently been upheld at appeals in England such as the proposed Sainsbury's in Crawley where the Inspector commented that the Dundee case was a material consideration in the application of the sequential test (PINS ref: APP/Q3820/A/11/2158410). Consequently, the legally correct approach to the sequential test, as set out in the NPPF and summarised by Lord Hope in the Dundee case, would be as follows:-

"It is the proposals for which the developer seeks permission that has to be considered when the questions are asked whether no suitable site is available within or on the edge of the town centre".

7.21 The Dundee position has been reiterated in various key Secretary of State decisions most notably, in respect to land adjacent to Skew Bridge Ski Slope, Northampton Road, Rushden (Rushden Lakes) (PINS ref: AAP/G2815/V/12/2190175). This confirms the Sequential Test seeks is to see whether the application ie what is proposed, can be accommodated on the town centre site. Within the decision, the Inspector states: "There is no suggestion here that the Sequential Test means to refer to anything other than the application proposal". The decision also states that the Dundee decision "*Expressly rejected the notion that 'suitable' means that one should alter or*



reduce the proposal so as to fit onto an alternative site." (Inspector's Report, paragraph 8.44). The decision also confirms that *"if a site is not suitable for the commercial requirements of the developer in question then it is not a suitable site for the purposes of the sequential approach."* and that *"The question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site."* [Inspector's emphasis] (Inspector's Report, paragraph 8.45). This appeal decision is dated 11 June 2014. The above position was also reiterated in a decision dated 25 June 2015 regarding a proposed Sainsbury's supermarket, Pods Brook Road, Braintree, (PINS Ref: APP/Z1510/A/14/2219101).

- 7.22 Disaggregation is not part of local or national policy in relation to the sequential test. Rather the relevant test to apply is whether or not reasonable flexibility has been applied on issues of format and scale. Part of that judgement is the extent to which there are functional or meaningful links between the different components of the development. This is confirmed in a recent appeal decision dated 1 March 2022 in respect to Altrincham Retail Park, Unit 1, George Riches Way, Altrincham, WA14 5GR (PINS ref: APP/Q4245/W/21/3267048) which considered the key issue of the sequential test and in particular the issue of disaggregation. The Inspector stated (paragraph 6):

"Disaggregation is not a requirement of the sequential test. However, the PPG is clear that the application of the sequential test will need to be proportionate and appropriate for the given proposals. The Framework is also clear at paragraph 88 that when considering edge and out of centre proposals, applicants and local planning authorities should demonstrate flexibility on issues such as format and scale. It goes on to note that preference should be given to accessible sites which are well connected to the town centre. Disaggregation is a matter of planning judgement to be addressed on a case-by-case basis. As such, it is important to consider the particular circumstances of each case and the flexibility which can realistically be applied to the proposals."

- 7.23 A more recent appeal decision dated 28 March 2023 concerning Land to the East of Kingsway Road, Scunthorpe, DN16 2AE (PINS Ref: APP/Y2003/W/22/3299625) also confirms at paragraph 24 that *"The appellant is not though required to disaggregate the proposal in order to try and find town centre and edge of centre sites, although the framework does require some flexibility to be shown."*
- 7.24 Fundamentally, there is no basis either in national planning guidance (either the NPPF or the NPPG) or indeed in any part of the relevant development plan policy which confirms disaggregation is relevant.



- 7.25 In respect to the establishment of the correct catchment area for the application proposal. National Planning Policy Guidance on “*Ensuring the Vitality of Town Centres*” was published on 3 March 2014. In respect to the sequential test it is confirmed that in respect to how the sequential test should be used in decision/taking it is confirmed that “*use of the Sequential Test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification must be provided where this is the case, and land ownership does not provide such justification*”.
- 7.26 Although it was withdrawn on 7 March 2014, the PPS4: Practice Guidance on Need, Impact and the Sequential Approach provides a more detailed overview of the approach in respect to assessing a Sequential Site Assessment and the issue of the definition of the catchment area. Whilst this document has been withdrawn, and superseded by more condensed guidance in the NPPG, the approach advocated within it remains and therefore the guidance within it is applicable in explaining how, one should undertake a Sequential Site Assessment. This document contained a section entitled “Planning Applications: Area of Search” which confirmed the following:
- “Where LDF’s are up to date and based upon sound evidence, the scale and form of development likely to be appropriate in each centre should have been considered carefully. On this basis, it should be self-evident which centre(s) are likely to be appropriate to include in any sequential search of sites appropriate for development. Difficulties tend to arise where this exercise has not been undertaken, the hierarchy is not clearly defined, and a proposal comes forwards for a scale of development which is not solely related to the needs of an individual centre in its catchment, but to a wider area”.* (Paragraph 6.21).
- 7.27 In particular, the guidance confirmed that when considering applications, LPAs will need to consider the extent and the catchment area likely to be served by the proposal, and to then identify alternative sites located in the existing centres within the catchment area. This would determine whether sites in the other nearby centres may represent more appropriate locations in which to accommodate the scale and former development proposed (Paragraph 6.22).
- 7.28 In determining the appropriate areas to search for sites, including whether it is appropriate to consider sites within or on the edge of established centres, it is relevant to consider the scale and form of development proposed. For example, some proposals will serve a purely localised need (e.g. ‘local’ food stores) whereas others are likely to serve a materially wider catchment area. In these instances, it would be relevant to consider whether the proposal is of an appropriate scale to the location proposed, or whether some of the need could be better met within the existing single ‘higher order’ centre (Paragraph 6.24).



- 7.29 There will be instances where a specific need for a certain type and form of development can only be realistically accommodated in specific locations (Paragraph 6.25).
- 7.30 The application proposal is for a replacement sales building with enhanced facilities and is entirely intended to improve the offer at Shell Solihull providing sustenance to customers and facilities for those using the fuel and new EVC forecourt. In this respect, as customers would expect to find these elements as part of a service stations' offer, the sales building being located to another location would not be appropriate. Effectively therefore the catchment area is the service station itself.
- 7.31 Accordingly, it is considered that the application proposal accords with the sequential approach.

Trees and Landscaping

- 7.32 The presence of TPO'd trees adjacent to the site is acknowledged and this was identified early in the design evolution process. The site was then subject to a Tree Survey and Assessment which led to some design changes including removal of proposed new jet wash, rationalisation of hardstanding and creation of additional opportunities for tree planting/landscaping particularly along Wadleys Road. The net result is a scheme where the TPO'd trees outside the boundary and respected, existing on site landscaping is retained bar three 'C' rated Blue Atlas Cedar and additional planting, in the form of six trees plus other landscaping, provided to enhance the site's appearance with wider amenity benefits.
- 7.33 Further details of trees and landscaping can be found in the supporting documents prepared by Francis Squires Landscape Architecture including a landscaping plan and Landscape Management Plan. An Arboricultural Method Statement is suggested which can be conditioned and will ensure due consideration continues to be given to the trees during the development process.
- 7.34 Landscaping has been a key consideration on the site and was influential on the site layout and design. It is considered that the proposal accords with the NPPF and particularly Policies P14 and P15 which seek to protect amenity and conserve landscaping.

Amenity

- 7.35 The new sales building will be broadly located in the location of the former sales building, car wash, and an area of hardstanding. Accordingly, the situation remains largely unchanged in respect of amenity for adjacent residential



occupiers or possibly improved as the car wash and its access road is to be removed and so vehicular and public activity is removed from the site boundary.

- 7.36 The access and egress arrangements have been retained along with the existing forecourt (bar one pump island) but EVCs have been added along with formal car parking spaces which will have the benefit of ensuring the site operates more efficiently and traffic flows through it more smoothly.
- 7.37 The new sales building has been designed to have a modern and practical appearance with an extensively glazed front elevation to allow natural light into the building, and natural surveillance into and out of the building across the forecourt. It is considered that the bulk and massing are acceptable when considered against the existing arrangement and backdrop of the site, including the trees around the boundaries the majority of which are to be retained and enhanced where possible.
- 7.38 The addition of electric vehicle charging on site brings sustainability credentials to the site with associated air quality benefits and should be welcomed.
- 7.39 It is anticipated that the hours of operation will continue as existing providing further protection to residents. This can be conditioned.
- 7.40 It is therefore considered the proposal accords with the NPPF and Policy P14 in terms of amenity.

Highways and Parking

- 7.41 The application retains the existing access and egress arrangements so there is no change to the site's operation from a highway perspective. The addition of EVC is not expected to change the customer usage to the site as car ownership is expected to transition from traditional fuels to electric over time. The sales building will largely continue operating as existing, albeit providing a more pleasant environment for staff and customers.
- 7.42 At present there is no formalised parking arrangements for the public using the site, albeit there is an area of hardstanding to the north of the site used for informal car parking. These proposals will enable the provision of nine car parking spaces including one accessible space adjacent to the sales building entrance, plus four EVC bays, all DDA compliant. An air/water bay is also provided on site.
- 7.43 It is considered that the parking for the proposal meets the requirements of the operator who has extensive experience in operating forecourts countrywide. It is considered, based on the operator's needs and extensive experience of operating petrol station forecourts, that appropriate parking provision has been made and the proposal accords with Policy P7.



Contamination

- 7.44 The application is submitted with a Preliminary (Phase 1) site assessment report prepared by RSK.



SECTION 8: DESIGN AND ACCESS STATEMENT

- 8.1 This Design and Access Statement has been prepared on behalf of Shell UK Oil Products Limited and is submitted in support of an application for full planning permission for partial redevelopment of existing petrol filling station; including the demolition of the existing sales building and canopy link and car wash area (retention of forecourt) and erection of a new sales building; provision of car parking spaces; provision of EVC hub; erection of a new bin store; landscaping and associated works at Shell Solihull, Warwick Road, Solihull, West Midlands, B91 1BB.
- 8.2 The Design and Access Statement requirements of the site have evolved from an appraisal of the site's context, against the background of its location and proximity to the highway network and developed nature of the site.
- 8.3 In accordance with the requirements to formally state how design and access issues have been considered (under Section 61 of the Planning and Compulsory Purchase Act 2014) this document addresses the design principles and concepts that have been applied to development in relation to location, use, layout, scale, appearance and landscaping in relation to the site's context.
- 8.4 The Design and Access Statement should be read in context with the planning application's supporting reports, drawings and accompanying material.

Site Evaluation

- 8.5 There are a number of key issues which have informed the design solution for the site's development. Effectively, it balances the site's opportunities and constraints arising from the assessment of the site to deliver a development that achieves high quality design, is sustainable, is economically viable and enhances the established locality.
- 8.6 The principal constraints can be identified as:
- The need to retain the existing forecourt as this has recently been subject to refurbishment, whilst improving the sales building to meet customer and operational needs;
 - The need to maintain the existing access arrangements into and out of the site on to Warwick Road; and
 - The need to respect the TPO trees and enhance landscaping where possible.
- 8.7 There are a number of opportunities afforded by the potential redevelopment of the site that are relevant material considerations in the evaluation of the proposals. In summary these are:



- The site offers an excellent location in terms of visibility and accessibility for motorists travelling along the A41 through and around Solihull;
- The opportunity to provide improved sales building facilities which will benefit users of the site and motorists on the highway network; and
- The provision of formal car parking and an EVC hub on the site.

Planning Policy

8.8 A detailed evaluation of the planning policies relevant to this planning application is provided in Section 6 of this Statement. However, in summary the following policies are of particular relevance to the Design and Access Statement and inform this report:

- Paragraphs 7, 8, 10, 11, 119, 126 and 130 of the National Planning Policy Framework (September 2023); and,
- Solihull Local Plan Policies P14 and P15.

Design Considerations

Use

- 8.9 The proposed development is for the partial redevelopment of existing petrol filling station; including the demolition of the existing sales building, canopy; link to car wash (retention of the majority of the forecourt) and erection of a new sales building; provision of car parking spaces; provision of EVC hub; erection of a new bin store; and associated works.
- 8.10 The existing petrol filling station is a sui generis use, and the petrol filling station is a long established use on site. Accordingly, the principle of the proposal is acceptable in planning policy terms considering the wider established use and the context of the site.

Layout

- 8.11 The proposed layout of the scheme is shown on the accompanying planning application drawings.



- 8.12 The forecourt is retained, bar the most southerly pump island, and the sales building will be positioned broadly in the same location as the existing sales building and car wash. The car wash and access land along with the informal parking area will be lost. Formal car parking will be provided to the front of the sales building with a dedicated accessible parking space sited next to the sales building entrance. An EVC hub is provided to the south west of the site (all accessible). The access and egress will remain as existing. It is expected that there will be an improvement in the vehicular circulation across the site as a result of the proposal.
- 8.13 The layout of the scheme has been carefully assessed taking into consideration the site boundaries, the TPO'd trees and landscaping generally (and has evolved since the original redevelopment proposals were tabled), the need for the site to be accessible by domestic vehicles and service/delivery vehicles and to create an attractive and practical environment. The proposed is considered to accord with policies in the adopted Development Plan.

Scale

- 8.14 The replacement sales building is of an appropriate scale to the existing use of the site and therefore appropriate to its location. It is considered the removal of the car wash will improve the appearance of the site and have amenity benefits.

Appearance

- 8.15 The design of the replacement sales building reflects the existing use of the site as a petrol station, whilst creating an attractive shopfront of a high quality with inviting interior. Large glass windows along the front elevation will allow actively to be seen inside thereby creating visual interest within the development and creating a clean, welcoming environment which is modern, attractive and uncluttered.
- 8.16 The proposal includes a dedicated enclosure, which will screen the bins creating a neater and tidier site than existing.
- 8.17 The proposal is considered to accord with the NPPF and Development Plan Policy relating to design quality.

Materials

- 8.18 The proposed materials are shown on the Proposed Building Elevations and reflect the modern and functional requirements of a petrol filling station. The introduction of a glazed frontage creates an attractive modern feel to the building, whilst also making the site and building seem lighter and more airy.



Community Safety

- 8.19 Consideration has been given to creating an attractive safe environment through the development of a high quality public realm with a parking area which is overlooked by the proposed building. The proposed site arrangement ensures natural surveillance across the site and protects the safety of users of the site and wider community. The proposal therefore accords with the Development Plan policy particularly P15.

Landscaping

- 8.20 The site is an existing developed site within the urban area of Solihull. The site comprises of much hardstanding but also trees (some of which are TPO'd) plus landscaping. This has been a key consideration in the design of the site, which has evolved with the input from our landscape consultant to ensure the existing trees are retained where possible and additional landscaping proposed where possible.

Refuse Management

- 8.21 Waste from the sales building will be collected by a private contractor as per the existing arrangements. The development proposals include a dedicated bin store to the rear of the sales building offering an improvement over the existing position.

Accessibility

- 8.22 The applicant is committed to a policy of equality, inclusion and accessibility for those who live and visit the site and has strived to exceed all required standards and achieve a development which promotes inclusion and accessibility.
- 8.23 The provision of an accessible and inclusive environment has been an integral theme throughout the design process, from its initial conception to its current form. The concept of inclusive design seeks to remove barriers which create undue effort, separation or special treatment which enables everyone to participate equally regardless of gender, disability or age. The proposal therefore accords with Policy P15.
- 8.24 The use of the site for roadside facilities is well-established. The current access arrangements are also well-established. The access to the main highway network has been predetermined by the existing arrangements and remains unchanged.



Inclusive Access

- 8.25 In respect to inclusive access, all of the petrol filling station operators agree that it is not merely physical barriers that can cause difficulties for customers. Employees of all the major national chains receive Disability Awareness Sessions as part of their basic training, to understand the challenges customers with disabilities may face, and to ensure that their needs are met.
- 8.26 For operational and design reasons the site will remain level, with level access provided to the facilities, including clearly marked pedestrian area to and from the car parking area. Services are therefore provided with access that meets the needs of those who are less able bodied, as well as those with pushchairs.
- 8.27 The proposal includes the provision of improved WC facilities for males, females and an accessible toilet. All EVC bays are accessible. The proposal therefore accords with the Development Plan.

Conclusion

- 8.28 The proposal responds positively to the site's opportunities and constraints, and consideration has been given to layout, scale, appearance and landscaping. Access to and within the site has been carefully reviewed. It is considered that, based on the above, an appropriate and site sensitive design solution has been found, which accords with planning policy within the Development Plan and at a national level.



SECTION 9: CONCLUSIONS

- 9.1 This Planning Statement, also incorporating the Design and Access Statement, has been prepared on behalf of Shell UK Oil Products Limited and is submitted in support of an application for full planning permission for partial redevelopment of existing petrol filling station; including the demolition of the existing sales building and canopy link and car wash area (retention of forecourt) and erection of a new sales building; provision of car parking spaces; provision of EVC hub; erection of a new bin store; landscaping and associated works at Shell Solihull, Warwick Road, Solihull, West Midlands, B91 1BB.
- 9.2 The National Planning Policy Framework identifies the need for planning positively for community facilities and roadside services that support the safety and welfare of road users. Petrol Station are a vital necessity and provide an important role in ensuring that motorists travel safely especially as the number of vehicles on the roads continues to increase, increasing demand on existing petrol stations.
- 9.3 The principle of redevelopment of the site should be accepted given that the site is an existing long-established petrol filling station on the A41 in the urban area of Solihull. The site is unallocated, albeit TPO'd trees are adjacent to the site but due consideration has been given to this element and the scheme designed to retain as many trees as possible and provide enhancement. The proposal will bring a wide range of economic benefits and accord with the role and the focus as contained within the NPPF and the Development Plan.
- 9.4 At present there is no formalised parking arrangements for the public using the site. These proposals will enable the provision of nine spaces across the site including one DDA space plus an EVC hub including an accessible bay. Detailed consideration has been given to the layout of the site to ensure the operation of the site and traffic flows through it are optimised.
- 9.5 Due to the layout of the proposal it is considered that the amenity of adjoining properties will remain broadly unchanged possibly with positive benefits arising from the removal of the car wash and vehicles from the rear boundary. It is not considered that the impact on surrounding properties as a result of these proposals will be any greater than the impact of the current petrol filling station.
- 9.6 Based on national and Development Plan policies and the size of the development, retail impact is not a consideration which is material to the application. Notwithstanding this, given the small size of the proposal and its function and existing use on the site it is not considered that the application proposal will have any trade diversion or adverse impact on any designated shopping centre or other retail floorspace of acknowledged importance, albeit the site will continue to provide a local shop as it currently does. Due to the scale of the proposal and its relationship to the existing site, the application of the



sequential assessment is not considered to be relevant and this has been explained above..

- 9.7 On the basis of the above, it is respectfully requested that planning permission is forthcoming for this proposal.