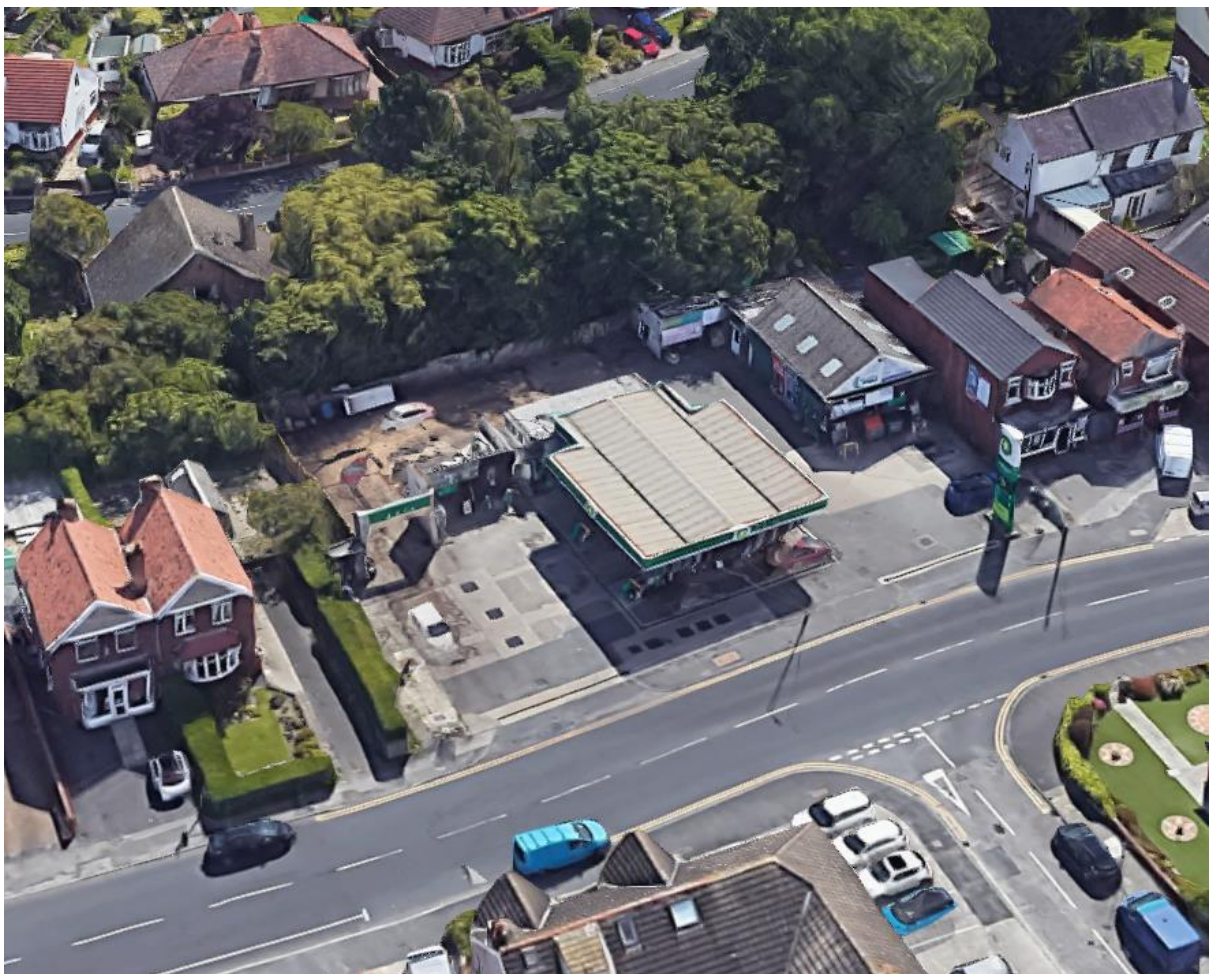




Woodland Service Station, Fleetwood Road North, Thornton, FY5 4BL.

Demolition of existing petrol filling station and car wash, and, construction of a replacement petrol filling station, including external alteration, extension, and conversion of a car repair garage to a kiosk, drive thru car wash, 2 no. jet wash bays, landscaping and car parking arrangements.

Planning and Retail Statement (ref: 001)



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1.0 Introduction:

- 1.1 This Planning Statement (PS) is submitted in support of a full planning application for the replacement of an existing fuel filling station, at Woodland Service Station, Fleetwood Road North, Thornton. The development includes demolition of the filling station kiosk and car wash, extension and conversion of a car repair garage to a kiosk, retention of the 4 pump islands covered by a replacement forecourt canopy, a drive thru car wash, landscape and car parking arrangements.
- 1.2 The remainder of this PS will consider reasoning in support of the proposal, in light of the relevant policies of the Development Plan and material planning considerations.

2.0 Site Description:

- 2.1 The application site measures approximately 0.34 acres and is located to the east of the urban area of Thornton, immediately east of the junction of Fleetwood Road North and Langdale Close.
- 2.2 The site is presently occupied by a petrol filling station that includes a kiosk building, 4 fuel pump islands, forecourt canopy and remnants of a drive thru car wash, as well as a car repair business. The kiosk and drive thru car wash are located to the rear of the site, behind the forecourt area, being of single storey scale, constructed of brown brick and having a flat roof form. The car repair building is similarly set back from the main road, within close proximity to the side elevation of its neighbour, constructed also of brown brick and having a dual pitched roof constructed of corrugated fibre board.
- 2.3 The site is devoid of any landscaping being dominated by hard surfacing, which forms part of the filling station forecourt and parking area for the repair garage. The site is accessed via 2 drop kerb entrances from Fleetwood Road North, providing an in/out arrangement for the filling station and car repair business. There is a footway that flanks the western boundary of the site with Fleetwood Road North though no pedestrian safe routes exist to buildings on the site.
- 2.4 The site is located within a mixed commercial and residential area, with housing adjoining the site to the north, a beauty salon and housing to the west, and a hair and beauty salon to the south that forms part of a larger row of commercial properties along Fleetwood Road North.

2.5 Properties sharing a boundary with the application site to the north and south are 2 storey in scale, constructed of red brick, and there are also single storey dwellings in the locality with some also of rendered appearance.

3.0 Proposed Development

3.1 The application seeks full planning consent a replacement filling station which will include extension and alteration of the car repair building to an ancillary kiosk, drive thru car wash, 15 car parking spaces (including 1 disabled, 1 electric charging bay and 8 pump island spaces), cycle parking and 2 no. jet wash bays.

3.2 The submitted layout drawing indicates that all buildings, other than the car repair business, will be demolished, with the location of the existing pump islands and canopy retained within its central location adjacent to Fleetwood Road North. The car repair business, located to the south eastern corner of the site, will be extended and converted to form the new kiosk for the filling station, having an L-shaped footprint (224.75sqm) and side facing aspect to Fleetwood Road North that aligns with the frontage of the neighbouring property. The existing building will be overclad by dark grey horizontal ship lad boards, as will the extension, with a glazed shop front to its northern elevation opposing the forecourt area. The dual pitched roof form will be retained, forming part of the extension also, and constructed of grey corrugated metal sheet.

3.3 The drive thru car wash will be located adjacent to the northern boundary in the approximate location of the former facility.

3.4 The vehicular access points will remain as existing, and a safe pedestrian route from the existing footpath network to the front door of the premises is provided.

3.5 Landscaping will be introduced along the northern margin of the application site. Boundary treatment includes a 1.6m high close boarded fence and hedge to the north, stepping up to 2m where adjacent to the car wash, and a 1.2m timber post and rail fence to the east.

4.0 Background - The Modern Roadside Services

4.1 To aid assessment of the current proposal, it is useful to understand the role of modern roadside facilities, how this has evolved and the ancillary nature of associated retail and food/drink that they offer.

- 4.2 The traditional purpose of roadside services has altered considerably. The traditional model was based primarily around the sale of fuel, with a very small ancillary kiosk that sold sweets, drinks, cigarettes and car related products. The current filling station on the application site is exemplary of this traditional format, and it is noticeable that few of these petrol stations now exist, having been redeveloped for alternative uses, modern roadside services or are left vacant. Profitability relative to fuel sales alone is poor, and as a consequence petrol stations have had to diversify into the modern-day roadside facility that are now commonplace on the road networks in the UK.
- 4.3 Bearing the above in mind, modern roadside services are not now simply used as a means to refuel, they also provide invaluable place of respite for drivers, with some including food to go and convenience retail offers. M&S, Spar, Sainsburys, Asda, Costa, Starbucks are all common household brand names that are now synonymous with the petrol station.
- 4.4 Annex B of the Department for Transport Circular 2/2013 'The Strategic Road Network and the Delivery of Sustainable Development' relates to Roadside Facilities and confirms their importance in terms of the safety and welfare of road users. Modern service stations are designed to suit requirements of the DfT Circular as well as motorist expectation by providing a place to stop, rest and relax during the course of a journey. This includes having availability to food and drink as well as toilets, and in some instances shower facilities. Modern petrol filling stations now have an ancillary retail offer to provide basic top up items, encouraging linked trips between refuelling and more general retailing. This is not unique to the current planning application and reflects current industry norm in response to the DfT Circular, as well as motorist expectation.
- 4.5 The majority of trade will be attracted from passing motorists. The proposed retail space will therefore be ancillary to the main fuel sales function of the site, with linked trips for fuel and shopping being made. As such the kiosk will not operate as a stand alone retail unit and would not be in direct competition with any other local shopping facility. Ancillary retail floorspace of this size is a common feature within all modern service stations across the country. A larger format kiosk enables a greater convenience retail offer, encouraging top up shopping to be undertaken on the commute home from work or lunch break and to residents in the area. The range of goods and pricing strategies are such that it would not be possible to do a full weekly shop nor are prices comparable to the larger supermarkets.

5.0 Planning History:

5.1 The below planning history is considered of relevance to the current planning application:

08/00146/ADV	erection of 1 internally illuminated, double sided, pole mounted, advertisement display unit.	Approved – 03/04/2008
99/00241/FUL	petrol filling station and foodstore.	Approved – 08/07/1999
96/00662	erection of illuminated pole sign, fascia sign and free standing board signs.	Approved – 31/10/1996
91/00098	erection of illuminated pole sign, fascia sign, free standing board signs and canopy.	Approved – 27/03/1991
88/01547	illuminated sign supported on poles.	Approved – 11/11/1988
85/00692	display of used cars for sale on forecourt.	Approved – 26/06/1985
84/01673	installation of paraffin dispenser on forecourt adjacent to car wash.	Withdrawn
81/01709/AAA	use of garage as joiners shop.	Approved - 10/12/1981

6.0 The Development Plan – Relevant Planning Policy

6.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise, namely the recently revised National Planning Policy Framework 2023 (NPPF23) and any adopted supplementary planning documents.

6.2 The application site is located within the administrative area of Wyre Council (WC). The statutory Development Plan for WC comprises of the Wyre Local Plan 2011-2031 (Incorporating Partial Update of 2022) (adopted 26/01/2023).

6.3 The application site is located within the urban boundary of Thornton, and has no other land allocation within the Wyre Local Plan (WLP), as per the WLP Proposals Map (image below):



Source: Wyre Local Plan 2011-2031 Proposals Map.

6.4 The following policies of the WLP are pertinent in the assessment of this planning application:

SP1 Development Strategy:

The overarching aim of this policy is to meet the housing needs of all sections of the community, raise economic performance, average wage levels and GVA generation. It encourages new development within settlement boundaries where it complies with other policies of the WLP.

SP2 Sustainable Development:

Encourages all development within Wyre to be sustainable, positively contributing toward the physical, environmental and economic character of the area in which the development is located.

CDMP1 Environmental Protection:

Supports development that is compatible with adjacent land uses and would not lead to significant adverse effects on amenity or the operation of surrounding uses.

CDMP2: Flood Risk and Surface Water Management:

Requires that new development must demonstrate that it will not be at an unacceptable risk of flooding, increase flooding elsewhere or affect the integrity of tidal and fluvial defences or

access for maintenance or emergency reasons. Use of SUDS is encouraged, subject to a specified hierarchy of drainage options, so as to achieve greenfield run off rates where possible.

CDMP3 Design:

Encourages all new development to be of a high standard of design and appropriate to its end use. 6 criteria are specified relating to character of the area, including a positive contribution to an attractive and coherent townscape, no adverse impact on the amenity of nearby properties, safe and secure environments, adequate provision for commercial waste.

CDMP6 Accessibility and Transport:

Supports development that provides for ensures the safe, efficient and convenient movement of all highway users, and appropriate provision of made for vehicular access, off street servicing and parking in accordance with adopted standards, including provision of EV spaces.

EP4 Town, District, Local and Neighbourhood Centres:

Focusses retail (and other main town centre uses) towards the Boroughs existing Centres.

EP5 (Main Town Centre Uses):

New retail development outside of existing Centres will only be granted if supported by another policy of the WLP, or, it is demonstrated that there are no sequentially preferable site available within a reasonable timescale to accommodate the development. Where Edge of Centre sites are justified, preference will be given to accessible sites that are well connected to an existing town centre.

Impact assessment will be required for proposals that are greater than 500sqm of retail floorspace.

EP7 Local Convenience Stores:

Within defined settlement boundaries, convenience retail development will be supported which are not within defined Centres provided the proposal:

- Caters for a local need and does not exceed 280sqm.
- No available existing units in Class A within reasonable walking distance (500m) capable of accommodating the development and serving an area not currently being served.

- The development is within or immediately adjacent to an existing group of shops, or there are no other shopping facilities providing for local need within reasonable walking distance (500m).

6.5 National Planning Policy Framework (NPPF23):

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development – ‘meeting the needs of the present without compromising the ability of future generations to meet their own needs’.

To achieve this aim, the NPPF23 specifies 3 overarching objectives:

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types 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;

b) 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 and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The presumption in favour of sustainable development is at the heart of NPPF23 (para. 10), for decision taking this means approving development proposals that accord with an up to date development plan without delay (para. 11c).

The following paragraphs of the NPPF23 of relevant to the planning application assessment:

Chapter 4. Decision Making

Paragraph 38 – Local planning authorities should approach decision making in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.

Paragraph 47 – Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. These decisions should be made as quickly as possible and within statutory timescales unless a longer period is agreed by the applicant.

Paragraph 55 – encourages Local planning authorities to consider use of conditions planning conditions to make development acceptable.

Paragraph 56 – Planning conditions should be kept to a minimum and only imposed where necessary, relevant, enforceable, precise and reasonable in all other respects. Pre-commencement conditions should be avoided unless there is clear justification.

Chapter 6. Building a strong, competitive economy.

Paragraph 81 – Encourages planning policies and decisions to create the conditions in 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 wider opportunities for development.

Paragraph 83 – states that planning policies and decisions should recognise and address the specific locational requirements of different sectors.

Chapter 7. Ensuring the Vitality of town centres.

Paragraph 87 – advocates a sequential test approach for main town centre uses outside of existing centres.

Paragraph 90 – Impact assessment will be required for retail development of 2500sqm or more, unless a locally set threshold has been set.

Chapter 9. Promoting sustainable transport.

Paragraph 110 – promotes the provision of sustainable transport modes within new development (110a), safe and suitable access can be achieved for all users (110b) and any significant impacts from the development on the highway network or highway safety can be cost effectively mitigated to an acceptable degree (110c)

Paragraph 111 – states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 112 – development should address the needs of people with disabilities (112a), create places that minimise the conflict between the pedestrian, cyclists and vehicles (112b), allow for the efficient delivery of goods, and access by service and emergency vehicles (112c), and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Chapter 12. Achieving well designed places.

Paragraph 126 – states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 – provides several criteria of good design including improving the overall quality of the area, sympathetic to local character, sense of place, the creation of places that are safe, inclusive and accessible.

Paragraph 134 – development that is not well designed should be refused.

Chapter 14. Meeting the challenge of climate change, flooding and coastal change.

Paragraph 152 – provides support for renewable and low carbon energy.

Paragraph 167 – seeks to direct new development away from areas at risk of flooding, and states that flood risk should not be increased elsewhere, requiring sequential and exception testing for specific types of development. Footnote 56 confirms that sequential testing is not required for change of use or small (<250sqm) non-residential extensions. Development should incorporate SUDS unless there is clear evidence that this would be inappropriate.

7.0 Main Planning Considerations:

7.1 This section deals with the key planning issues relevant to the proposal, which are considered to be:

1. The principle of development, including retail sequential test.
2. Design.
3. The amenity of neighbours.
4. Highway safety.
5. Drainage and flood risk.

Taking each matter in turn:

7.2 The Principle of Development

7.3 Policy SP1 outlines the spatial strategy for new development within the Wyre Council area, importantly criteria 4) states that this will be within settlement boundaries as defined on the adopted Policies Map. The site lies within the settlement boundary of Thornton, as per the WLP Proposals Map, and the proposal is therefore considered to accord with the spatial strategy advocated by Policy SP1.

7.4 Criteria 4 e) seeks to maximise the use of previously developed land (PDL), and in this respect the site constitutes (PDL) by virtue of the existing buildings and hardstanding's present. It is located within a sustainable location with immediate access to a main road network, and is therefore highly accessible to vehicles, as well as more sustainable forms of transport such as the bus, bicycle and walking. The development will also regenerate a site that presently detracts from its surroundings. These factors form a strong position in support of the development proposed that accord with the WLP and are discussed in more detail below, in addition to all other relevant policies of the WLP.

7.5 Policies EP4 and EP5 are also of relevance to the principle of development, together they provide the Councils locational retail strategy. Policy EP4 seeks to ensure that new retail development does not undermine the Borough's existing Centres by encouraging new development toward those Centres in the first instance. In this regard, the application site is located circa 220m walking distance from the closest Centre - Marsh Mill, Thornton District Centre:



Source: Google Maps & WLP Proposals Map

The application site is therefore located out of Centre and contrary to Policy EP4, though is considered to be Edge of Centre, being less than 300m from Marsh Mill District Centre, as per definition of Annex 2 (Glossary) of the NPPF23. Notwithstanding, criteria 3 (Sequential Test) of Policy EP5 is supportive of out of Centre retail development, subject to two tests, relating to support by other policies of the WLP, or demonstration that there are no sequentially preferable alternative sites available to accommodate the proposal. These two tests are discussed below.

7.6 Policy EP5 requires Impact testing for retail development that are not in a town or district centre, that are in excess of 500 sqm. The gross external area of the building is confirmed to be 224.75sqm, thus the proposal does not exceed the thresholds within EP5 that require retail impact testing.

7.7 Retail Sequential Test (RST)

The applicant contends that sequential testing is not required in the particular circumstances of this application. Importantly, roadside services require site specific locations that are dependent upon a number of factors which dictate that they cannot be located within or on the Edge of a Centre, but also ensure that any impact they have on Centres is negligible.

7.8 The site's location adjacent to the main road has been purposefully selected to take advantage of the high number of vehicular trips on the network. Visibility and prominence of the site to the road is key in order to raise awareness of the facility to passing motorists.

7.9 The traditional purpose of roadside services has altered considerably as a consequence of the Department for Transport Circular 2/2013, and they are not now simply used as a means to refuel. The majority of trade will be attracted from passing motorists. The proposed retail space will be ancillary to the main fuel sales function of the site, with linked trips for fuel and shopping being made. As such the kiosk will not operate as a stand alone retail unit and would not be in direct competition with any other local shopping facility. The ancillary retail floorspace proposed is similar in scale to that of modern service stations across the country. This kiosk will provide for a small convenience retail offer, hot/ cold drinks and snacks, a limited range of household goods, as well as vehicle related products such as oil, screen wash and cleaning products.

7.10 Moreover, fuel filling stations are reliant upon high levels of passing vehicles and as a consequence, locationally they are mostly found outside of designated Centres. Indeed, designated Centres traditionally have much lower levels of vehicular movements affording further reason for an out of centre location. This matter has been considered at appeal, whereby the Inspector for the appeal at Baynards Green (ref: APP/C3105/W/16/3151655) concluded that a roadside facility **'by definition is unlikely to be within a town centre.'** (emphasis added). In addition, the Inspector concluded:

*'...the purpose of the sequential test is to demonstrate that there are no alternative sites within a town centre or edge of centre location. Given that the purpose of this development is to provide **roadside facilities for motorists** on the A43, which by definition is **unlikely to be within a town centre**, I consider the sequential test to be of little relevance to the appeal and this was confirmed by the Council at the Hearing.'* (emphasis added).

7.11 Due to the ancillary floor space proposed and resultant lack of impact to existing Centres, retail sequential testing is not considered necessary and of little relevance to the assessment of this application, having particular regard to the locational requirements of roadside services. In the circumstances of the current planning application, the aforementioned case law provides strong justification that retail sequential assessment is not reasonable or necessary. Notwithstanding, for completeness and so as to avoid unnecessary delay in the assessment of the planning application, consideration has been given to the availability of sequentially preferable alternative sites.

7.12 *Sequential Test - Relevant Case Law:*

The requirement for sequential testing by local authorities must have due consideration of precedence formed by appeal case law. Key cases are outlined below:

7.13 The Supreme Court case law of Tesco Stores Limited v Dundee City Council provides clear guidance to LPA's in their application of the sequential test. Whilst this was a Scottish case the Supreme Court's decision is still applicable in England. The decision requires LPA's to consider commercial realty when requesting sequential assessments, determining that the question of suitability of alternative sites in the context of the sequential approach is whether a site is suitable for the development proposed, not whether the development can be altered or reduced to fit an alternative site.

In Paragraph 38, Lord Hope provided important guidance as to the application of the sequential test.

*“Here too the context indicates that **the issue of suitability is directed to the developer’s proposals, not some alternative scheme which might be suggested by the planning authority.** (emphasis added). I do not think that this is in the least surprising, as developments of this kind are generated by the developer’s assessment of the market that he seeks to serve. If they do not meet the sequential approach criteria, bearing in mind the need for flexibility and realism to which Lord Reed refers in para 28, above, they will be rejected. But these criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest doing so.”*

- 7.14 The Threadneedle v North Lincolnshire Council (20 December 2012) clarified the requirement for LPA’s to assess the sequential test within the boundary of commercial realities *“It is also important to mark that developers, and planning authorities, work in the real world.* (emphasis added). *Marks & Spencer had assessed the only available town centre alternative to the site, and had concluded that a development that was smaller than that proposed, or one with a more restricted range of goods, was neither commercially viable nor suitable for their requirements.”*
- 7.15 The Rushden Lakes decision added weight to the Tesco v Dundee and Threadneedle v North Lincolnshire cases confirming that the sequential test must relate to the application proposed and whether that development could be wholly accommodated on an alternative site in a sequentially preferable location. There is no obligation on the applicant to disaggregate elements of the proposal in a bid to find smaller sequentially preferable sites.
- 7.16 The Scotch Corner decision provides further clarification on disaggregation, confirming that applicants must demonstrate flexibility on matters relating to format and scale. However this did not include disaggregation of the development as stated by the Inspector *‘the sequential test seeks to see if an application, i.e. what is proposed, can be accommodated on a town centre or sequentially preferable site.’* (emphasis added).
- 7.17 The above case law demonstrates that there is no requirement within the NPPF23 to disaggregate a development for the purposes of sequential testing.

7.18 In the context of this current planning application, the Council cannot insist that the retail element of the scheme or indeed the drive thru car wash, are disaggregated from the proposal so as to incorporate it into a vacant building within or on the edge of a Centre. The assessment must be relative to the development applied for in its entirety.

7.19 *Scope of the Retail Sequential Test:*

Alternative site availability within or on the edge of Marsh Mill, Thornton District Centre has been considered. This Centre being chosen due to the close proximity of the application site, and resultant catchment of the convenience element of the proposal, which is considered to be limited to those dwellings adjacent.

7.20 Taking the above case law into consideration, the RST must only consider sites that are both suitable and similar in scale to the scheme proposal. In that respect the development makes provision for a 224.75sqm kiosk building, 4 island fuel forecourt, drive thru car wash, 2 no. car wash bays, as well as car parking that includes disabled bays and a electric vehicle charging space. In addition, for highway safety reasons, a segregated in/ out access arrangement is required, as well as sufficient space on site to safely manoeuvre cars and service vehicles. Furthermore, there is an operational requirement for a prominent roadside location that is accessible by car directly from the main road, with high vehicle numbers in order to attract passing trade.

7.21 With regards to search criteria, the RST will assess buildings with a floor area equal to the that proposed (224.75sqm) and a site area of the application site (0.4 acres). Paragraph 88 requires applicants to demonstrate flexibility on issues such as format and scale and on this basis, the RST will also apply a +/- 10% buffer to these thresholds. Accordingly the RSA will consider buildings in the range of 202sqm – 247sqm, and site size of between 0.36 acres - 0.44 acres.

7.22 The availability, suitability and viability of all sites and buildings within and on the edge (300m of the primary shopping area as defined by Annex 2 of the NPPF23) of Marsh Mill District Centre have been considered, and a variety of resources referred to in this process, as confirmed below:

- Site allocations, as per the WLP proposal map.

- Commercial agent websites – including local estate agents (Unique, Susan Eve, Mapleleaf, The Square Room, Farrell Heyworth, Entwistle Green and Independent Estate Agent) Right Move, Zoopla, Prime Location and the Estates Gazette.

7.23 If a site or building fails to be available, suitable or viable then that particular site or building is not considered to be sequentially preferable.

7.24 *Assessment of Sites*

A search of the WLP proposal map has confirmed that there are no retail allocations within or on the edge of the Marsh Mill District Centre.

A search of all local and national commercial estate agents has also confirmed that there is no site or building availability within or on the edge of Marsh Mill District Centre.

7.25 *Conclusion - Retail Sequential Test*

It is therefore apparent that there are no sequentially preferable sites that are available, suitable or viable within or on the edge of Marsh Mill District Centre, which could accommodate the proposed development. The application site is however located some 220m from this Centre, and is therefore itself categorised as being within an Edge of Centre location. The proposal, due to this Edge of Centre location and lack of sequentially preferable alternative sites within the District Centre, passes the retail sequential test and is in accordance with Policy EP5 of the WLP and NPPF23.

7.26 Further to the requirements of Policy EP5, Policy EP7 recognises the important role that small convenience stores have in meeting the day to day needs of residents, but requires that this type of development is of an appropriate scale so that they do not impinge on designated Centres. The convenience retail offer proposed equates to 148.67sqm and is ancillary to the main use as a petrol filling station, it does not constitute a Local Convenience Store, thus Policy EP7 is not strictly relevant to the assessment. Nevertheless, residents that live in proximity of the application site could use the proposal for top up shopping, which could fulfil a convenience store role. Consideration has therefore been given to the requirements of Policy EP7.

7.27 Policy EP7 supports new convenience retail development which are not within existing Centres, subject to 3 criteria:

- a) The proposal must cater for local needs and should not exceed 280sqm.
- b) There are no available existing units in Class A within walking distance (500m) of the proposal which could accommodate the development and serve an area not currently served.
- c) Either, the development is within, or immediately adjacent to, an existing group of shops.

7.28 With regards to criteria a), the convenience element of the proposal is small scale (190.79sqm gross internal area, with 148.76sqm allotted to retail) and is less than the 280sqm threshold advocated within Policy EP7. It would primarily meet the top up shop needs of the motorist, though could also serve a similar function to local residents. A weekly shop from the premises would not be possible due to the nature and restricted range of goods to be sold. The convenience element would therefore serve a localised catchment, drawn strictly from the surrounding area and would not entice custom from further afield. The proposal is therefore consistent with criteria a) of EP7.

7.29 The above RST has considered alternative sites within and on the edge of Marsh Mill District Centre. This assessment has demonstrated that there are no sequentially preferable alternative sites within 300m of that Centre. A similar site search has been undertaken with regards to criteria b) of EP7. The initial search area of the RST has been broadened to account for the 500m distance of Policy EP7, and it has been found that there are no available existing sites or buildings within 500m of the application site.

7.30 Lastly, with regards to Criteria c) the application site forms part of an existing group of shops. It is located to the end of a continual row of commercial properties located to the eastern side of Fleetwood Road North, which extends 140m in a southerly direction from the application site to an Indian Restaurant (Michaels Indian). Other commercial properties exist within close proximity of the application site to the north and west on Fleetwood Road North. The application site is therefore located within an existing group of shops, in accordance with criteria c).

7.31 Conclusion on Principle

The existing commercial use on the site forms a strong fall-back position that supports the proposed roadside services. The proposed retail floor space is ancillary to the main sui

generis use of fuel sales, drawings its trade primarily from vehicles on the main road and therefore justifying an Edge of Centre location that would not undermine the Councils locational retail policies. Moreover, it has been demonstrated that there are no alternative sites in more sequentially preferable locations available, the development therefore also passes the Retail Sequential Test as required by the development plan and NPPF23. In addition, whilst the convenience retail is ancillary, potential use as a local convenience store by local residents would not undermine the Marsh Mill District Centre.

- 7.32 The principle of development in this urban location is therefore considered acceptable, and in accordance with policies SP1, EP5 and EP7 of the WLP, and NPPF23.
- 7.33 High Standard of Design:
- 7.34 Policy CDMP3 requires all development to be of a high standard of design and appropriate to the end use. Development will be expected to make a positive contribution to the local area, being assessed against a number of criteria, those relevant to the current proposal include:
- a) All development must be designed to respect or enhance the character of the area and minimise energy consumption having regard to issues, including density, siting, layout, height, scale, massing, orientation, landscaping and use of materials. Where possible and appropriate recycled materials should be used.
 - b) Development will be required to create or make a positive contribution to an attractive and coherent townscape.
 - e) Adequate provision for effective and efficient management and removal of waste.
- 7.35 Paragraph 126 of the NPPF23 states that good design is a key aspect of sustainable development, and this is also reflected in SP2 criteria j) of the WLP. Paragraph 130 provides a number of good design principles including improving the overall quality of the area, sympathetic to local character, sense of place, the creation of places that are safe, inclusive and accessible.
- 7.36 The site is in a highly prominent location, being situated on a main thoroughfare through Thornton, and is therefore highly visible within the street scene. The site is occupied by an ageing roadside services which includes a filling station and remnants of a drive thru car wash, as well as a car repair garage. These existing structures are dated and of no

architectural merit, having a variety of scale and roof design, and construction materials that contrast with the adjacent vernacular. The site looks visually tired, with buildings showing signs of degradation, and currently detract from the visual appearance of the street scene on a prominent and heavily trafficked route in Thornton.

- 7.37 The site is located in a mixed residential/ commercial area. Buildings are not of any architectural merit, with double and single storey traditional styled properties that are constructed of red brick or render, set beneath grey slate, red or grey tiled roofs. The site is not within a designated Conservation Area nor are there any Listed Buildings close by.
- 7.38 The proposal involves demolition of all existing buildings associated to the petrol filling station, extension, external alteration and conversion of the car repair garage into a kiosk. The pump islands will be retained beneath an upgraded forecourt canopy, and provision is made for a replacement drive thru car wash.
- 7.39 External alteration of the car repair building includes the addition of glazing to the front elevation overlooking the forecourt area, dark grey cladding and similar coloured roof. The extension replicates the enhanced appearance of the existing structure through use of identical cladding materials and roof design. The large expanses of glazing to the front elevation softens the structural appearance, allowing external views into the building whilst also providing an active frontage to the main road.
- 7.40 The forecourt canopy is simple in appearance, hidden behind a branded fascia board and mounted on painted structural supports. It is a low key feature in the scheme, its design provides transparency allowing views through the structure of the kiosk and trees to the rear of the plot.
- 7.41 The car wash is located to the northern boundary of the site, in the approximate location of the existing facility. It will be open ended to the main street, with its sides constructed of a similar coloured cladding. The jet wash bays will be contained by glazed screens. Landscaping to this northern boundary and about the drive thru lane will soften the presence of these structures and assimilate them into the street scene.
- 7.42 The existing timber fence boundaries to the north and south are retained and will be repaired where necessary, and a 2m acoustic fence is proposed to a section of the northern boundary shared with 140 Fleetwood Road North. The eastern boundary will be formed by a

1.2m timber post and rail fence line, enabling views through the boundary treatment of mature trees beyond.

- 7.43 The development will remove unsightly buildings and structures that presently bear no relationship to the street or surrounding context and have a negative visual impact on the locality. The scheme proposal has considered the local context and site constraints and has been designed accordingly to be a harmonious addition to the local area. The buildings proposed reflect the scale and character of existing built form adjacent and would sit comfortably on the site whilst enhancing the street scene appearance, opening up views over the site of trees to the east. Redevelopment will therefore provide significant regeneration benefit for the site and surrounds. For these reasons it is considered that the proposal accords with the design requirements of Policy CDMP3 and the NPPF23.
- 7.44 Amenity:
- 7.45 Policy CDMP1 states that development will be permitted provided that it is compatible with adjacent existing uses and would not lead to significant adverse effects on amenity. CDMP3 requires high standards of design, subject to specific criteria. With regards to amenity, criteria c) is relevant and requires that development must not have an unacceptably adverse impact on the amenity and users of nearby properties.
- 7.46 It should be noted that the close relationship between service stations and dwellings is not unusual, with filling stations commonly being found within the urban area adjacent to housing. Indeed, the existing site has operated as a petrol filling station with car wash, and a car repair garage, for a prolonged period without complaint from neighbours, demonstrating that such uses can operate successfully alongside each other.
- 7.47 The closest of residential neighbours that could potentially be affected by the proposal is 140 Fleetwood Road North, which shares the northern boundary with the application site and would be in close proximity of the drive thru car wash. This neighbour has a front facing aspect to Fleetwood Road North, with its main entrance located to the side of the property opposing the application site. A bedroom window is positioned above the front door.
- 7.48 Given the existing use of the application site, it is only necessary to consider the impact of change that the proposal would have to this neighbour. In that respect, when compared to the existing layout there is a marginal re-siting of the car wash facility. The existing car wash

lies adjacent to the front door and bedroom window, as does the proposed car wash. In this respect the outlook from this neighbour will not alter significantly as a result of the development. Noise disturbance is also a possibility from use of the car wash, though the operation is contained within a structure and a 2m acoustic fence line is also proposed to mitigate possible disturbance. Moreover, it is also considered that a car wash use has been in existence adjacent to this boundary for a prolonged period of time, originally in the form of a drive thru facility, and more recently, a hand car wash. Demonstrating that the uses are compatible with each other. The below Google Maps images demonstrate the historic relationship of the car wash facility to this neighbour:



7.49 For the above reasons, the proposal would not undermine the amenity of the area or neighbouring properties and incorporates measures within its design to minimise disturbance. The development is not therefore considered to undermine local amenity in accordance with Policies CDMP1 and CDMP3.

7.50 Highway Safety:

7.51 Policy CDMP6 supports development subject to certain criteria. Those of relevance to the proposal are:

- b) provides for the safe, efficient and convenient movement of all highway users.
- c) safe and adequate vehicular, cycle and pedestrian access.
- d) appropriate provision is made for vehicular access , off street servicing and car parking.

- f) measures are included to encourage access on foot, bike and public transport.
- 7.52 Car parking standards are contained within Appendix B of the WLP and confirms that a fuel filling station should provide 1 parking space per pump plus the standard requirement for any retail area associated to the garage (1 per 14sqm).
- 7.53 NPPF23 is clear that development should only be refused if there would be an unacceptable impact on highway safety (para. 111). Paragraphs 110 and 112 provide detailed guidance on development including sustainable transport modes (110a), safe and suitable access (110b), cost effective mitigation of impact (110c), disabled needs (112a), minimise conflict between vehicles and pedestrians (112b), access for all (112c) and provision of electric charging (112d).
- 7.54 Vehicular access to the proposal will be via the existing entry and exit points from Fleetwood Road North. 14 parking spaces are provided including 8 pump spaces, 1 disabled bay, 1 electric charging bay and bicycle parking. This amount of provision accords with the adopted standard based upon the GIA of the building (191sqm), though based on the operators experience of other roadside services, the amount of parking proposed is considered sufficient to meet the demands of this service station in any event. The layout has carefully considered manoeuvrability requirements to ensure access is feasible for the largest of vehicles, whilst minimising the conflict between vehicles and pedestrians, as demonstrated by the vehicle swept path drawings submitted with the Transport Statement (Appendix 2). Pedestrian connectivity is supported by the inclusion of a safe route that links the front door of the kiosk to the existing footpath network on Fleetwood Road North.
- 7.55 The existing filling station has 4 pump islands, and these are to be retained within the development. The amount of retail floor space will increase in comparison to that existing, though this element of the scheme is not expected to become a destination in its own right. The increased retail floor space may act to encourage additional residents to access the development, however these will be localised trips that would be made on foot or bicycle. The amount of trips to/ from the application site are not therefore expected to alter significantly as a consequence of the development.
- 7.56 The planning application is accompanied by a Transport Statement (DTP, 3708623, September 2023) which conclude:

- There no pre-existing patterns or trends of accidents that could be affected by the redevelopment proposals.
- The accessibility and location of the site would allow for some journeys by alternative modes to be undertaken, particularly by staff.
- The development will generate a maximum of 143 two-way peak hour vehicle trips, equating to just over two vehicle trips per minute, during the busiest peak hour period, and is not expected to lead to any material impact on the operation of the local highway network.

7.57 On this basis the proposal would result in minimal impact to the highway network and road safety, and encourages alternative modes of transport where possible. The development is therefore considered to be compliant with Policy CDMP6 of the WLP and NPPF23.

7.58 Flood Risk and Drainage

7.59 Policy CDMP2 states that proposals will be supported that are not subject to unacceptable levels of flood risk, do not increase flood risk elsewhere, adversely affect the integrity of tidal and fluvial defences or access for maintenance or emergency purposes. Where development is proposed in areas at risk of flooding, it must be demonstrated that the sequential test has been applied and that there are no alternative sites available at lower risk. With regards to surface water drainage, CDMP2 also states that all development will need to achieve greenfield run off rates where possible and should comply with the nationally recognised drainage hierarchy.

7.60 Paragraph 167 of NPPF23 replicates this position, adding that vulnerable development should be located to areas of lowest risk on site, development should be resistant and resilient such that it could be quickly brought back into use, any residual risk is managed, and safe access and escape routes are included as part of an agreed emergency plan.

7.61 A surface water drainage strategy (Goodson Associates, P15701, 22/09/2023) accompanies the planning application, confirming that the petrol station has separate foul and surface water systems. Underground tanks will store surface water below ground and allow discharge into an adjacent watercourse (Hillylaid Pool). This replicates the existing surface water drainage regime on site, though will be attenuated at a significantly restricted rate of 5 l/s – a 74% reduction from the existing brownfield run off rate. The drainage strategy is

appropriate and justifies an alternative solution to SUDS given that opportunity exists to utilise existing outfalls and an attenuated rate, in accordance with Policy CDMP2.

7.62 The site is located within Flood Zone 3 as per below:



Source: www.gov.uk – Flood Zone Map

7.63 Due to this FZ3 location, a Flood Risk Assessment (Nicola Sugg, NS_0147_01 V1.0) has also been undertaken. The main findings of the FRA are summarised below:

- The only significant source of flooding that the application site may be subject to is tidal.
- The application site and wider Thornton-Cleveleys area benefit from flood defences.
- Due to the presence of flood defences, the risk of tidal flooding to the site is very low.
- The unlikely event of a breach of the flood defences would result in very limited, low depth flooding to the SE and SW corners of the site only.
- No flooding of any buildings or infrastructure is predicted. The FFL of the converted building remains above the peak 0.1% annual probability flood water level and predicted breach flood water level.
- The proposal is classified as ‘less vulnerable’ development and is appropriate and sustainable with regards to flood risk.
- Recommended mitigation – A flood Warning and Evacuation Plan be prepared, construction of the surface water drainage strategy which provides for a 74% reduction in surface flows from the site.

- 7.64 The FRA demonstrates that buildings and infrastructure proposed will not be affected by flooding, thereby ensuring that the more vulnerable elements of the development are located to the lower flood risk areas of the site. Any residual risk remaining can be dealt through the applicants commitment to a Flood Warning and Evacuation Plan, which will include signing up to the Environment Agency early warning system. The applicant would support use of a suitably worded condition to require this Plan if deemed necessary by WC.
- 7.65 Policy CDMP2, as well as the NPPF23 and Planning Practice Guidance (PPG) require consideration of flood risk sequential testing in certain circumstance, in order to ensure that new development is steered toward low risk flood areas. Footnote 56 of the NPPF23 refers to circumstances where sequential testing is not necessary and includes change of use and small non-residential extensions (with a footprint of less than 250sqm) within FZ3 areas.
- 7.66 The development proposed involves the demolition of an existing building, as well as a change of use and small extension of a retained building that is less than 250sqm. Moreover, the proposal minimises the extent of flood risk by reducing the number of properties and businesses that could be affected by a flood event. The nature of development proposed is therefore considered to be exempt from the flood risk sequential test as per footnote 56 of the NPPF23.
- 7.67 Subject to the required mitigation referred to in the FRA, the site would not be at any greater risk from, nor would the development increase the possibility of flood risk off site, in accordance with Policy CDMP2 and NPPF23.
- 8.0 Sustainable Development
- 8.1 Policy SP2 requires that all development should be sustainable and contribute positively to the overall physical, social, environmental and economic character of the area in which the development is located.
- 8.2 Paragraph 7 of NPPF23 states that the purpose of the planning system is to contribute to the achievement of sustainable development and specifies 3 overarching objectives (Environmental, Social and Economic) to meet this aim. In the context of this current application:
- 8.3 Environmental:

- 8.4 The above assessment provides justification that the proposal will have a positive environmental impact. Indeed the scheme will result in significant regeneration benefit of a brownfield site through the removal of existing poor quality buildings and replacement with a high quality development, that will enhance the visual quality of the site and surroundings. The surface water design provides for significant betterment when compared to the existing drainage regime.
- 8.5 The development provides for renewable energy technologies including electric vehicle charging. It would not directly contribute toward congestion or air pollution since it is reliant upon pass by trips from vehicles that are already present on the road network and would not encourage increased vehicular trips to the site.
- 8.6 The scheme will minimise environmental pollution such as noise, and safeguard measures will be put in place to control environmental disturbance during the construction process including dust suppression and wheel cleaning.
- 8.7 The development promotes the use of alternative modes of transport through connection to existing pedestrian routes, proximity to bus stops in the locality and provision of cycle parking on the site.
- 8.8 Social:
- 8.9 The close relationship of the site to existing housing and businesses results in the development being highly accessible to those who live and work within the area. The development has been designed to encourage pedestrian access through on-site connections to the existing footpath network. In this regard the proposal will act to enhance services available to the motorist, residents and employees, whether this be as a place for lunch, or top up shopping offer.
- 8.10 Economic:
- 8.11 The principle of the development proposed is supported by the WLP. The majority of trade will be drawn from passing motorists and the scheme does not constitute a destination in its own right. Associated retailing is an ancillary element to the main petrol station function of refuelling. As such, the proposed development will not impact upon the vitality or viability of any existing centres.

- 8.12 Construction of the development will result in a significant financial investment into the site and Wyre Borough, providing an uplift of business rate income for the Council, as well as enhanced facilities to the motorist and local population alike.
- 8.13 Construction of the development will be undertaken by local contractors where feasible, making use of local supply chains, up to 40 jobs could be created throughout the construction period. The proposal therefore makes a positive contribution towards local employment provision.
- 8.14 On this basis it is considered that the development achieves the three overarching objectives of sustainable development advocated within the NPPF23 and Policy SP2 of the WLP.
- 9.0 Conclusion:
- 9.1 This proposed planning application accords with the statutory development plan adopted by Wyre Council, demonstrating support for the development of this existing fuel filling station.
- 9.2 The development therefore constitutes sustainable development, and in accordance with paragraph 11(c) of the NPPF23, it is therefore clear that planning permission should be granted without delay.