

**DONCASTER METROPOLITAN BOROUGH COUNCIL**

**PLANNING COMMITTEE – 6 March 2018**

<b>Application</b>	<b>4</b>
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<b>Application Number:</b>	17/02947/FUL	<b>Application Expiry Date:</b>	31st January 2018
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<b>Application Type:</b>	Full Application
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<b>Proposal Description:</b>	Redevelopment of the existing petrol station; including proposed rear extension to existing petrol filling station building for a food to go offering, as well as various alterations including new shop front, canopy, parking, bin store, jet washes, air and water machine, and retention of ATM.
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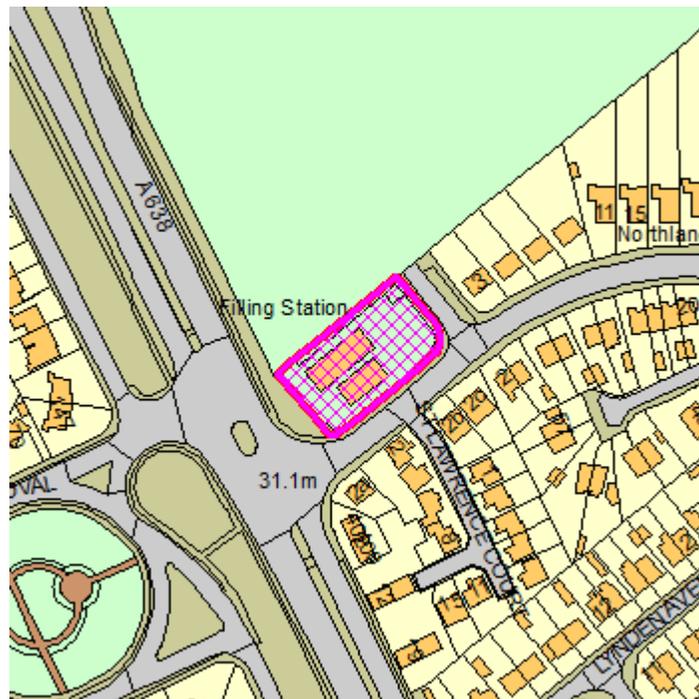
<b>At:</b>	Adwick Le Street, Lutterworth Drive, Doncaster, DN6 7BX
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<b>For:</b>	Motor Fuel Group Ltd
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<b>Third Party Reps:</b>	7 representations and a 29 signature petition.	<b>Parish:</b>	N/A
		<b>Ward:</b>	Adwick Le Street And Carcroft

<b>Author of Report</b>	Alicia Murray
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<b>MAIN RECOMMENDATION:</b>	Approval.
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## **1.0 Reason for Report**

- 1.1 This application is presented to Planning Committee given the number of representations received against the application and at the requests of Councillor David Hughes and Councillor John Mounsey.

## **2.0 Proposal and Background**

- 2.1 The applicant is seeking consent for the redevelopment of the existing petrol station; the works include a single storey rear extension; removal of existing automatic car wash; various alterations including new shop front, canopy, bin store, jet washes, air & water machine; re-configuration of car parking with 1 additional space; and retention of the ATM.
- 2.2 The proposed extension would be located to the rear elevation and would equate to an additional 42 square metres of retail space. The food to go offering exists within the shop unit but the extension would make this a larger facility; however it will remain ancillary to the main retail function. The proposed extension would lead to the loss of the automatic car wash, as the entrance route will be closed off by this extension. The alterations to the shop and forecourt will modernise the existing operation with no proposed increase in the number of pumps.
- 2.3 The existing petrol station and shop operates 24 hours. The petrol station has a centralised canopy with 6 pumps, parking to the front and side boundaries, an automatic car wash, jet wash facilities, retail unit, and air and water machines.
- 2.4 The site is located off the A638 and is close to the junction for the A1 motorway. The site is situated adjacent to several residential properties and is located at the top of a residential estate.

## **3.0 Relevant Site History**

- 3.1 17/01426/FUL: Continuation of use of petrol station without compliance of condition 1 of Application Reference Number: 04/2367/P/WCC granted on 21/07/2004 (restricted opening hours) to allow 24 hour opening. Approved 24.07.2017.

## **4.0 Representations**

- 4.1 This application has been advertised by site notice and neighbour notification letters; in accordance with the Development Management Procedure Order 2015.

4.2 7 local residents have submitted objections to the proposal, along with a 29 signature petition; the objections outline the following:

- The garage is in close proximity to residents' homes and the 24 hour opening has already had serious effects on the quality of life enjoyed.
- The garage has constantly flaunted the conditions of the 24 hour opening planning permission
- This will increase congestion on Lutterworth Drive/St Lawrence Court; which is already a dangerous junction with several accidents.
- Petrol tanker deliveries will increase
- Noise levels will increase with refrigerator Lorries, along with vehicles visiting the petrol station and using the car wash.
- Litter will increase
- Anti-social behaviour will increase
- Air pollution will increase due to increase in traffic
- Already significant fast food outlets in the vicinity and the shop already has a food to go facility.

## **5.0 Relevant consultations**

5.1 Highways – Further to information provided within the Transport Statement, it is worth noting that the applicant seeks to extend the premises by an additional 42m<sup>2</sup> GFA showing an anticipated maximum increase of 8 vehicles within a weekday peak. The filling station benefits from a number of additional parking spaces to accommodate customers not wishing to fill up and stacking space for vehicles using the existing 2 pumps on the site. Taking this into account, the highways officer has no objections to the application.

5.2 Environmental Health – No objections subject to a series of conditions, controlling the hours of use on the ancillary apparatus.

5.3 Area Manager – No comments have been received.

5.4 Drainage – No comments have been received.

5.5 Contaminated Land - No objection subject to a condition and informative.

## **6.0 Relevant Policy and Strategic Context.**

6.1 The site is allocated as Residential Policy Area, as defined by the Doncaster Unitary Development Plan 1998. Planning policy relevant to the consideration of this application includes:

6.2 National Planning Policy Framework

- Section 1: Building a strong, competitive economy
- Section 7: Requiring good design

### 6.3 Doncaster Council's Core Strategy:

CS1: Quality of Life  
CS2: Growth and Regeneration Strategy  
CS14: Design and Sustainable Construction

### 6.4 Saved Doncaster Unitary Development Plan:

PH12: Non-residential uses in Residential Policy Areas  
ENV54: Alterations and Extensions

## **7.0 Planning Issues and discussion**

### Principle of the Development

- 7.1 The proposal is to erect a small extension to the existing petrol station and retail space. The proposal fits in with the day to day operations of the petrol station. The increase to sales area will also improve customer experience at the petrol station and improves the facilities available to local residents. Finally, the approval of this proposal will support the growth of the existing business and as such it meets national planning policy regarding the promotion of sustainable economic development.
- 7.2 The Doncaster UDP 1998 is the most up to date adopted plan for the Borough. The land allocation in the UDP is Residential Policy Area. Policy PH12 is the most relevant which states that 'within the residential policy areas the establishment or extension of non-residential uses of appropriate scale will be permitted provided the use would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness.'
- 7.3 The extension and alterations to the petrol station would not result in a significant increase in intensification of the existing use. The extension is small in scale and would be part of an existing retail unit, with an existing food to go offering. The specific impact to residential amenity and highways will be discussed in more detail below.

### Character and Appearance

- 7.4 Saved Policy ENV54 of the Doncaster Unitary Development Plan 1998 states, 'Alterations and extensions to existing buildings should be sympathetic in scale, materials, layout and general design to the existing building. All features which contribute to the character of the building or surrounding area should be retained'. Policy CS14 of the Core Strategy is also relevant as this refers to design considerations for new development.
- 7.5 The proposed extension to the retail unit would not be significantly visible from the wider area, especially the neighbouring residential properties; given it is to the rear of the building. It is considered that the extension would be of a similar design to the existing sales building and would only equate to an additional 41 square metres.

7.6 The proposed alterations to the garage forecourt, including the new shop front and canopy etc are all considered to improve the visual impact this garage currently has on the character of the area. The proposed materials would be reflective of those existing on site; as such it is in accordance with policies ENV54 and CS14.

#### Impact to Surrounding Land

7.7 There has been significant representation from local residents and comments received from the ward councillors with regards to this proposal. The comments received, relate to the impact the approval of 24 hour operations and the existing nuisance this site causes to the neighbouring residential properties. Complaints are under investigation with the planning enforcement team regarding the opening of the shop contrary to planning conditions and the operation of the jet wash, which is a separate matter to this planning application.

7.8 The proposed single storey extension would be to the rear of the existing shop unit, and would be located at the furthest point away from any neighbouring residential properties. There would be no openings to the side elevation facing onto the boundary towards the neighbouring dwellings. The extension would form part of an existing retail unit which offers a food-to-go service, this is now considered commonplace within petrol stations; the proposal would be an extension of this service, with the main use still being a convenience store and petrol station.

7.9 The proposed alterations to the shop front, ATM and canopy would improve the aesthetics of the application site; given that this station is already alien in this residential location. The proposed alterations are considered to not cause any greater impact on surrounding land.

7.10 The new jet washes and air and water machines will clearly generate noise; however, these machines are replacements of existing systems. The previous application for 24 hour operations saw the addition of hours of operation conditions added for these machines; these conditions will be added onto this consent for the new machines, with the addition that they should be turned off electronically outside the hours stated. This should reduce the amount of outside hours use reported to the council, as it must be turned off at the mains rather than just stopping the sale of tokens/codes outside the hours (as people are using pre-bought tokens outside the hours).

7.11 The proposed bin store would be located within the space next to the proposed extension, to the rear of the site. This would be outside the main view of the neighbouring properties, given the site is slightly lower than the neighbouring properties to the eastern boundary. It is considered that the bin store would have minimal impact on the surrounding land.

7.12 The Council's Environmental Health Officers have been consulted on this application; and does not wish to make any objections to the proposals. They are aware of the complaints being raised by the neighbouring properties; therefore the department have requested a series of conditions which restrict the usage of the equipment and for additional acoustic fencing. These conditions are not fully complete at the time of writing the report, so they will be added onto pre-committee amendments.

## Highway, Parking and Traffic Considerations

7.13 The proposed extension and alterations would not result in the alterations of either the access or egress at the site. The proposed extension would increase the floor area of the sales space but there is existing non-petrol use parking on site, which is proposed to increase by 1 space, and most of the users would also use the petrol facilities too. Thus, it is considered that the extension would not increase the intensity of use significantly enough to warrant the need for additional parking. Highways Development Management have considered the proposal and raised no objections. It is considered that the proposal would be in accordance with Core Strategy Policy CS14.

## **8.0 Summary and Conclusion**

8.1 The proposed extension and alterations are not considered to have a significantly detrimental impact to either the character of the area, the amenity of the adjacent neighbours; neither would the proposal have a detrimental impact to the highway. The proposed development is considered to be in accordance with both national and local policy and is recommended for approval.

## **9.0 Recommendation**

9.1 GRANT Full planning permission subject to the following conditions.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON

Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the details shown on the amended plans referenced and dated as follows proposed plan 7A dated 12.01.18; and 1, 4a, 5, 8, received 29.11.18.

REASON

To ensure that the development is carried out in accordance with the application as approved.

3. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

4. The jet washing facility, air and water machines shall only operate between the hours of 0600 to 2300 Monday to Friday, and 0800 to 2200 Saturday and Sunday the machine shall be fitted with a cut off timing device reflecting the permitted hours, and retained for the lifetime of the development. Unless otherwise agreed in writing by the Local Planning Authority.

REASON

To protect the amenity of the neighbouring occupiers, in accordance with ENV54 of UDP and Policy CS14 of the Core Strategy.

5. The external render colour shall be RAL7016 (anthracite grey).

REASON

To ensure the satisfactory appearance of the development in accordance with policy ENV54 of the Doncaster Unitary Development Plan.

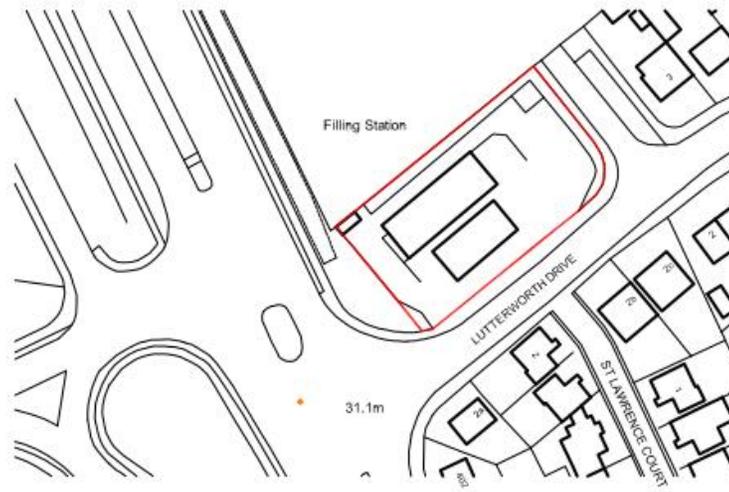
### **Informatives**

1. Regulatory and best practice guidance relating to vehicle washing and cleaning is available at:

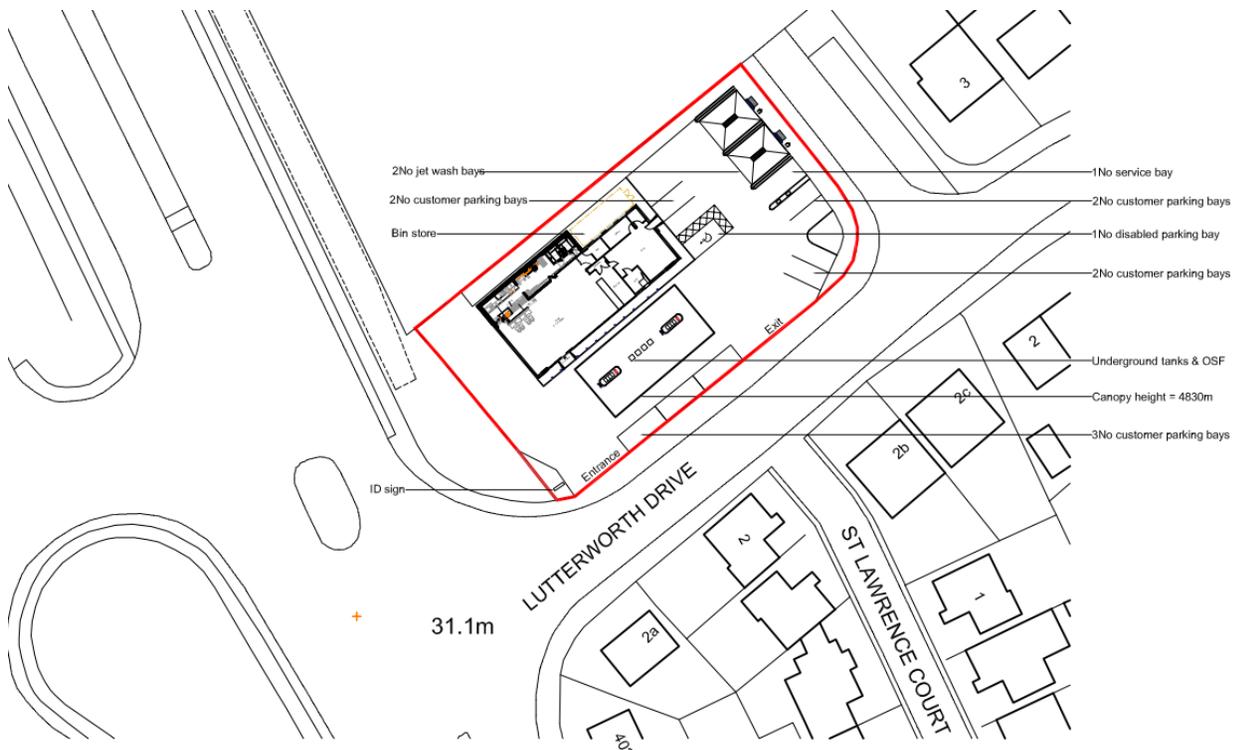
[www.Environment-agency.gov.uk/business/topics/pollution](http://www.Environment-agency.gov.uk/business/topics/pollution)

**The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.**

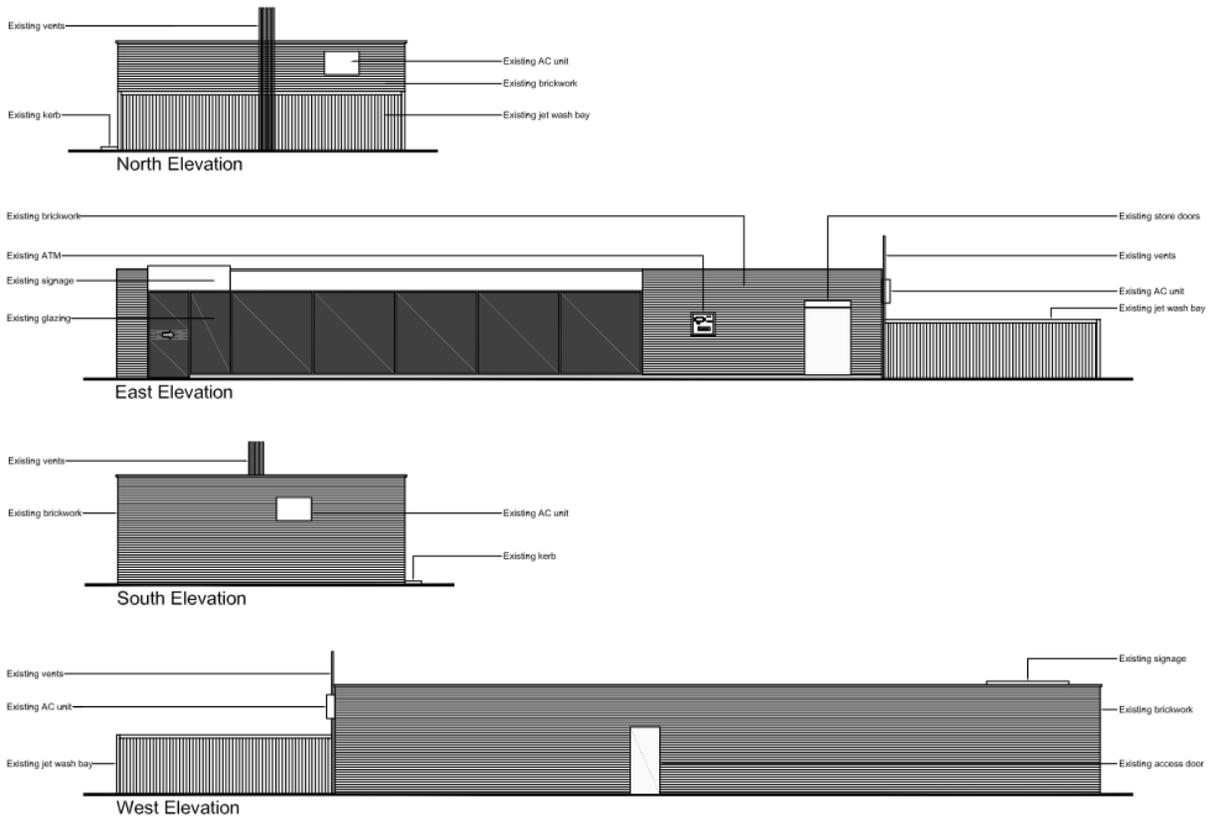
Appendix 1 Location Plan



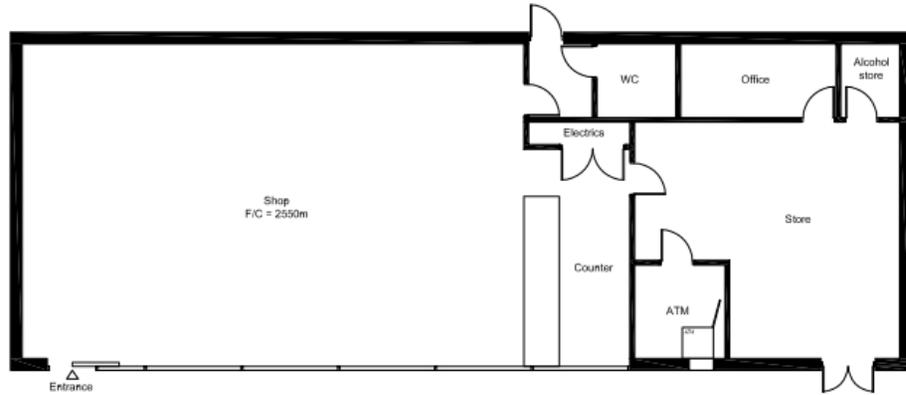
## Appendix 2 Site Plan



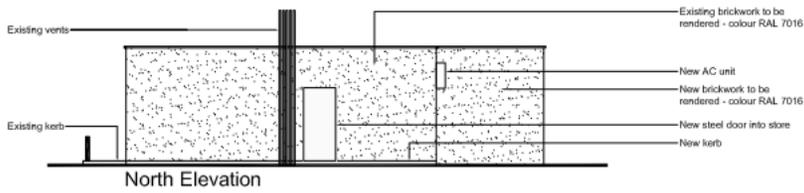
## Appendix 3 Existing Elevation Plans



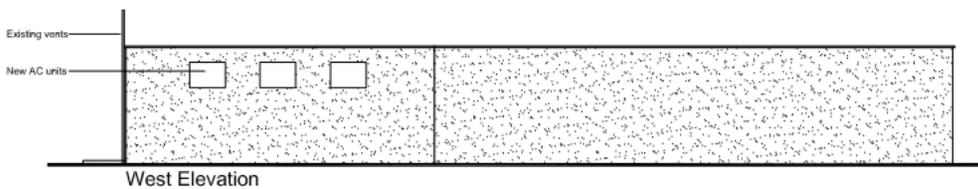
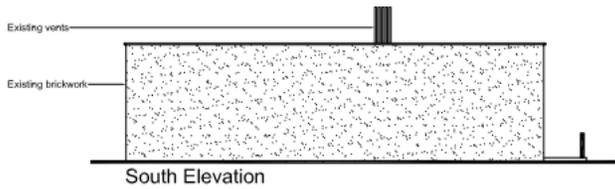
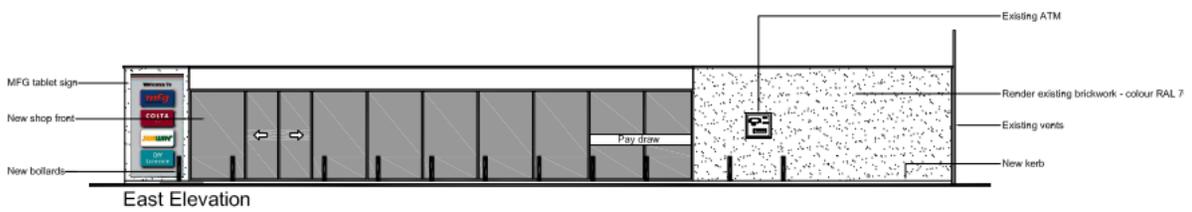
## Appendix 4 Existing Floor Plans



## Appendix 5 Proposed Elevation Plan



**AMENDED PLANS**  
12.01.18



# Appendix 6 Proposed Floor Plan

New external wall construction to be built into the existing structure using traditional methods or by using an approved connector system. Wall ties to be provided 225mm long to span across the cavities to tie both leaves together at 450 vertical & 750 horizontal centres & 225 vertical centres around openings. Damp proof courses to be provided to all walls, a minimum of 150mm above the external ground level, and to the heads, cills and reveals of all new door and window openings. Cavities to be built closed at the eaves and be filled with weak mix concrete below the ground level to terminate 225mm below the damp proof course. Damp proof membranes to be taken up the cavity and be placed into the block work inner wall to form a water tight construction. 12mm plasterboard (dot & dab fixing) complete with plaster skim to be applied to the face of the new internal block work walls. All calculations prepared by the structural engineer to be submitted for the approval of the building control officer prior to commencement on site. Reveals, heads and cills to receive insulated closers or insulated damp proof courses as approved by the Building Control Officer. All automatic doors and door fastenings to be in accordance with Approved Doc B Vol 2, paragraph 5.11, 5.12 & 5.18

