

<b>APPLICATION NUMBER</b>	<b>MB/09/00448/FULL</b>
<b>LOCATION</b>	<b>ASTWICK SERVICE STATION, GREAT NORTH ROAD, STOTFOLD, HITCHIN, SG5 4BL</b>
<b>PROPOSAL</b>	<b>FULL: REDEVELOPMENT OF PETROL FILLING STATION (PFS) INCLUDING THE ERECTION OF A NEW CANOPY, UNDERGROUND STEEL STORAGE TANKS, SALES BUILDING AND FORECOURT LAYOUT FOLLOWING DEMOLITION OF EXISTING PFS AND RESTAURANT FACILITY (FORMERLY LITTLE CHEF)</b>
<b>PARISH</b>	Stotfold
<b>CASE OFFICER</b>	Godwin Eweka
<b>DATE REGISTERED</b>	13 March 2009
<b>EXPIRY DATE</b>	08 May 2009
<b>APPLICANT</b>	BP Oil (UK) Ltd
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>WARD CLLR CHRISTINA TURNER REQUESTED ON GROUNDS OF HIGHWAY AND TRAFFIC SAFETY</b>
<b>RECOMMENDED DECISION</b>	<b>FULL CONDITIONAL APPROVAL</b>

**Site Location:**

The application site is Astwick Service Station, which lies on the Great North Road A1 northbound by Stotfold. The site is currently occupied by an existing BP filling station and a vacant catering unit previously used as the Little Chef with car parking to the rear. The site is bounded to the north by an open field with Tudor Oak Lodge located immediately to the north of Taylor's Road. The site is bounded by open fields to the south and western part of the site with agricultural farmland beyond. The eastern side is characterised by the Great North Road (A1) and on the opposite side of the road with another BP petrol filling station, which is unrelated to this application, together with a Travelodge, Little Chef restaurant and some residential properties.

**The Application:**

This application seeks permission for the demolition of the existing filling station and Little Chef and the construction of a replacement filling station.

This is a revised application to that previously approved under planning ref: 07/01512/FULL dated 03.12.2007 for the same development. That permission relates to the same site, however this current proposal features an associated sales building with a reduced floor space and improved in-site vehicular circulation, which would have less impact and improve the current situation. The access and egress to serve the petrol filling station on the A1 has not significantly change from that was

approved under ref: 07/01512/FULL.

## **RELEVANT POLICIES:**

### **National Policies (PPG & PPS)**

- PPS 1 Delivering Sustainable Development (2005)
- PPG 4 Industrial & Commercial Development and Small Firms (1992)
- PPS 25 Development and Flood Risk (2006)

### **Regional Spatial Strategy**

- East of England Plan (May 2008)
- Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

### **Bedfordshire Structure Plan 2011**

N/A

### **Mid Bedfordshire Local Plan First Review 2005 Policies**

- CS19 Development in the Countryside.
- DPS5 Protection of Amenity.
- DPS11 Landscaping of New Developments.
- DPS17 Surface Water Drainage.
- EMP6A Commercial use in the Countryside.

### **Supplementary Planning Guidance**

N/A

### **Planning History**

- MB/87/01001 Full: Derv tank and pump island - Approved 22.10.1987
- MB/87/01002 Advertisement Consent: Application to display advert - Gantry Sign - DC Reg 4 Refused 28.09.1987
- MB/88/01693 Full: Petrol Station and pump island - Approved 17.11.1988
- MB/06/00729 Full: Erection of filling station after demolition of existing - Withdrawn 15.08.2006
- MB/07/01512 Full: Demolition of existing filling station & Little Chef and erection of replacement filling station - Approved 03.12.2007

### **Representations: (Parish & Neighbours)**

- Stotfold TC Strongly object on highway and traffic safety grounds including:
  - poor visibility for vehicles coming over the brow of the hill on the A1 particularly large vehicles;

- accident spot due to speed of vehicles assuming its still a motorway;
- concerns with tightness of the bends when entering and leaving the service station, particularly for larger vehicles

Adj Occ

One letter of objection received on grounds of:  
highway safety concerns along this stretch of the A1 due to speed and volume of traffic;

### **Consultations/Publicity responses**

Highways Dept	No comments
Highways Agency	No objection, subject to conditions. The applicant is required to enter into a Section 278 Agreement with the Secretary of State for all works to be carried out within the highway boundary.
Environment Agency	Advice received from the Environment Agency website regarding flood mitigation measures. This advice coincides with the Internal Drainage Board's comments and has been incorporated in the Flood Risk Assessment
Internal Drainage Board	No objection in principle subject to two conditions being attached to any consent granted with regards to finished ground floor levels and surface water drainage
North Herts District Council	No objections subject to suitably worded condition being attached to any consent granted for further landscaping details
Site Notice Posted	20.03.2009
Newspaper Advert	20.03.2009

### **Determining Issues**

The main considerations of the application are;

1. Principle of Development
2. The effect on the character of the area
3. The impact that the proposal will have on the Adjoining Neighbours
4. Highway Safety

### **Considerations**

#### **1. Principle of Development**

This development is assessed against Policies EMP6A and DPS5 of the Mid Bedfordshire Adopted Local Plan 2005 in particular.

Policy EMP6A allows for the extension of existing commercial uses located in the countryside (land falling outside the settlement envelopes) and possibly beyond their existing curtilage. This development therefore extends beyond the curtilage.

Policy DPS5 of the Local Plan expects new development where relevant, to make appropriate and safe provision for access, parking and landscaping.

This proposal is a redevelopment of the application site as a petrol filling station. Although the footprint of the new development is different from the existing station, the use as a petrol station has not changed.

This proposal is for a reduced floor space to the sales building, revised in-site vehicular layout to accommodate for a 4 pump starter gate format with additional HGV filling pump. The previous scheme that was approved was for a larger sales building situated towards the western boundary of the site with a 5 pump starter gate format in front of it.

In light of the above, it is considered that the revised proposed redevelopment by nature of its scale and design is acceptable within the context of the site.

## **2. Effect on the Character and Appearance of the Area**

This redevelopment, by nature of its scale and design, is likely to have a significant enhancement on the character and appearance of the area.

The siting of the building has been revised to maximise the use of the site and is now positioned towards the northern side of the site so as to have a much enlarged forecourt for the activities of the station. It is considered that the massing of the new sales building, as the dominant feature of the site, is acceptable within the site constraints. The revised layout has also demonstrated good soft landscaping to soften its impact on the immediate surroundings. It is considered the new building respects the immediate surroundings and has been designed sympathetically to accord with the character of the area.

## **3. Impact of the Proposal on the Residential Amenity of Neighbouring Properties**

This proposal does not have a direct impact on the adjoining neighbour and owners of Springtime Nursery and The Willow, given its location and the extent of the site.

## **4. Highway Safety**

This revised scheme has not significantly altered the detail of the access to and from the A1 from that which was approved under ref: 07/01512/FULL, however the revised Road Safety Audit Stage 1 (dated 27.02.2009) demonstrates that this scheme addresses the revised schemes impact on the highway.

In the event of the Local Planning Authority granting planning permission, the Highways Agency would require the highway works indicated on the drawing no. 206489 07 E dated 09.02.2009 to be carried out. A suitably worded condition can be attached to any consent granted to that effect.

Furthermore, the Highways Agency has advised that all works within the highway boundary are to be carried out under a Section 278 Agreement with the Secretary of State. The applicant is requested to contact them as soon as possible.

## Reasons for Granting

The scheme, by reason of its site, design and location, is in conformity with Policies CS19, DPS5, DPS11, DPS17 and EMP6A of the Mid Bedfordshire Adopted Local Plan 2005; Planning Policy Statement 1 (2005), Planning Policy Guidance (1992) and Planning Policy Guidance 25 (2006).

## RECOMMENDATION

APPROVE Planning Permission for the application set out above subject to the following condition(s):

- 1 DG01 The development hereby approved shall be commenced within three years of the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 which is designed to ensure that a planning permission does not continue in existence indefinitely if the development to which it relates is not carried out.

- 2 TL02 **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:-**

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- minor structures (e.g. furniture, signs, etc);
- proposed and existing functional services above and below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

**Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.**

3 U **Prior to the commencement of any development, a scheme for the provision and implementation of pollution control of the water environment, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and implemented in accordance with the approved plans.**

**Reason: To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.**

4 TL01 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

5 U If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: In order to protect the health of occupants of the proposed development.

6 U The finished ground floor levels of the buildings shall be 600mm above the 1 in 100 year flood level of 43.96m AOD; that is at or above 44.53m AOD.

Reason: To provide protection against flood.

7 U Given an impermeable site area of 0.83ha, provision shall be made for 491 cubic metre of surface water to be attenuated on site prior to discharging at a rate not exceeding 2.5 l/s to the existing drainage.

Reason: To ensure that there is no increase in surface water runoff from the development which may affect other properties.

- 8 U No part of the development shall be brought into its intended use unless and until the highway works as shown on the drawings listed in the Stage 1 Road Safety Audit drawing no. 206489 07 Rev E have been implemented to the satisfaction of the Local Planning Authority in consultation with the Highways Agency on behalf of the Secretary of State for Transport.

Reason: In the interest of highway safety and for the avoidance of doubt.

**Notes to Applicant**

- 1 The new service station will require a Permit under the Environmental Permitting (England and Wales) Regulations 2007. Further information may be obtained from Claire Bell, Technical Officer, Public Protection North (0300 300 4496). Please see [www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/notes/pgnotes/pdf/pg1-14.pdf](http://www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/notes/pgnotes/pdf/pg1-14.pdf).
- 2 All works within the highway boundary are to be carried out under a Section 278 Agreement with the Secretary of State. The applicant is to contact Mr John Hornsby (01234 796130) at the Highways Agency regarding the Section 278 Agreement. Please be aware the process takes time and I would urge the applicant to get started on the process as soon as practicable. The applicant is to contact the Route Performance Manager, Keith Hutchinson (01234 796510) prior to commence on site to agree traffic management during the works.

**DECISION**

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