



Planning & Development Ltd

JMS Planning & Development

Planning and Design and Access Statement

In Support of a Planning Application by

Motor Fuel Limited

**In Respect of Planning Permission for the Erection of
Coffee Shop with Drive-Thru and Associated Works**

at

Main Road Service Station

Wisbech Road

Long Sutton

Lincolnshire

PE12 9AG

Proposal: New Coffee Shop with Drive-Thru, Main Road Service Station

Client: Motor Fuel Limited

Date: March 2019

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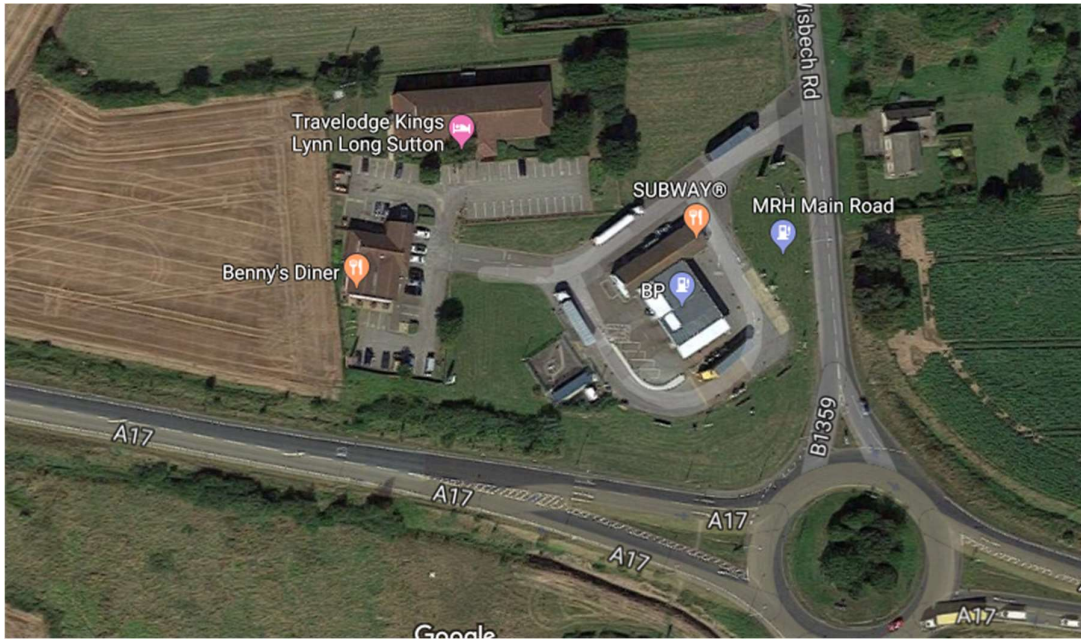
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SECTION 1: INTRODUCTION

- 1.1 This Planning Statement also incorporating the Design and Access Statement, has been prepared on behalf of Motor Fuel Limited and is submitted in support of an application for full planning permission for the erection of a coffee shop with drive-thru and associated works at Main Road Service Station, Wisbech Road, Long Sutton, Lincolnshire PE12 9AG.
- 1.2 It is considered that the submitted application is of significant merit. Namely;
- The application represents new inward investment into the district;
 - The application will provide important new roadside infrastructure for rest and refreshment and provides additional consumer choice for users of the A17 as part of an established existing roadside facility;
 - It will provide additional diversification on site to meet an existing customer demand;
 - The application proposal will create approximately 11 new jobs; and
 - Consideration has been given to the site's location and landscaping on the wider site has been retained and enhanced.
- 1.3 This document should be read in conjunction with the other application supporting documentation including:
- Existing and proposed plans and elevations, including location and block plans;
 - Flood Risk Assessment prepared by Evans River and Coastal and dated March 2019 and Flood Sequential Assessment prepared by JMS Planning dated March 2019; and
 - Transport Statement prepared by DW Transportation dated March 2019.
- 1.4 This report continues in Section 2 by providing a summary of the site's location and its context, with a 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. A detailed summary of the planning policy position at national and local level is contained within Section 5. Section 6 sets out the justification for the proposal in the context of the national requirements, local need and the policy position. A Statement on Design and Access matters is provided within Section 7, with the conclusions finally drawn in Section 8.

SECTION 2: SITE AND SURROUNDING AREA

- 2.1 Main Road Service Station is located on A17 which provides access to Newark-on-Trent to the northwest, via Leasingham/Sleaford, and to King's Lynn in the east. The A17 bypasses Long Sutton and the application proposal at Main Road Service Station is located to the southeast of Long Sutton on the A17/ B1359/Wisbech Road roundabout.
- 2.2 The application site is positioned within a wider motorist service area also providing a petrol filling station, diner and Travelodge. The petrol filling station is located immediately to the east of the application site and comprises a four square arrangement forecourt (with eight refuelling points) and a sales building along with HGV refuelling adjacent to the roundabout. In addition customer car parking for the petrol station is also provided on the site including disabled parking. An above ground (AG) tank (diesel tank) with associated structures is located adjacent to the forecourt abutting the roundabout.
- 2.3 To the northwest of the application site is Benny's Diner including associated car parking with a Travelodge motel located to the north, also including associated parking.
- 2.4 The existing petrol station, diner and Travelodge share the access road from Wisbech Road, which skirts behind the existing sales building and provides access to the diner and hotel.
- 2.5 Diagonally opposite the motorists service area is a site known as 'Car Corner' with a MacDonald's restaurant located on the southern side of the A17 opposite Car Corner.
- 2.6 On Wisbech Road to the north are a number of scattered residential properties leading to the main village of Long Sutton. Long Sutton is provided with a number of facilities including a selection of convenience outlets and restaurants/café's.
- 2.7 The application site is currently grassed and broadly level and includes an underground LPG tank on the eastern corner adjacent to the diesel tank.



Photograph 1: Aerial View of Main Road Service Station



Photograph 2: Main Road Service Station as viewed from the A17



Photograph 3: Application Site viewed from Access Road to the Travelodge and Diner

SECTION 3: PLANNING HISTORY

- 3.1 A review of the site's planning history has been undertaken using the South Holland District Council's online database.

- 3.2 There is limited planning history associated with the operation of the petrol filling station at this site. An extension to the shop, new kerbing to form an HGV lane, parking and new refuse compound approved on 13 August 2013 (Ref. HII-0536-13). An application for the installation of an above ground fuel storage tank was made later that year, but subsequently withdrawn. A revised application was submitted in 2014 and approved on 17 March 2014 (Ref. HII-0053-14). The landscaping condition associated with this permission was approved on 20 February 2015 (Ref. HII-0076-15).

- 3.3 There is no relevant planning history available for the Travelodge (bar a signage application in 2005) nor the adjacent Benny's Diner.

- 3.4 The MacDonald's on the opposite side of the A17 is an established roadside facility and has evolved to meet the needs of the motorists over time with extended opening hours (24-hours) and upgraded facilities, thus confirming the principle of this type of use in this location.

SECTION 4: THE APPLICATION PROPOSAL

- 4.1 The application proposes the development of a new coffee shop (Use Class A1/A3) including drive-thru facility with associated car parking, cycle parking and landscaping at Main Road Service Station. The proposed coffee shop building will extend to 139 sqm (gross external area). Twelve customer parking spaces are provided including one disabled space plus one motorcycle bay. Five bicycle racks are also provided upon the site. A drive-thru lane wraps around the rear of the building and includes a waiting bay for large orders adjacent to the delivery bay.
- 4.2 The site's inclusion within Flood Zone 3 is acknowledged and the application is submitted with support from a Flood Risk Assessment and Flood Sequential Assessment.
- 4.3 The proposal utilises the existing access points from Wisbech Road into the petrol filling station and roadside facilities site with access and egress into the drive-thru site from the road leading to the Travelodge and Benny's Diner. Pedestrian routes within the site are clearly defined.
- 4.4 The coffee shop building is modern in design and includes a glazed front elevation, providing a light and spacious seating area. Internally, there will be washroom facilities, including changing and disabled facilities, a servery and the required back of house space. The fabric of the building includes cladding panels and various feature elements including distinctive signage blade.
- 4.5 The coffee shop is provided to be a 'drive-thru' operation to allow visitors to the site to pick up a coffee or pastry etc on the go. In addition, the unit will include an indoor seating area for customers who wish to stay and enjoy their coffee. As a consequence of the indoor tables the proposal incorporates an A3 element.
- 4.6 A typical outlet will provide for 18 full/part time jobs with flexible shifts. It is typically the equivalent of 11 full time jobs. It is proposed that the coffee shop will open 24 hours a day, seven days a week.

Role, Function and Location of Petrol Filling Stations

- 4.7 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.
- 4.8 The Experian Catalist UK database released November 2018, confirms that the number of petrol forecourts in the UK had fallen to just 8,418 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.
- 4.9 Conversely, the number of registered UK vehicles once again broke records, rising from 33.98 million in the first quarter of 2009 to reach 37.9 million at the end of March 2018, with each forecourt supplying an average of 4,502 vehicles.
- 4.10 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.
- 4.11 Petrol filling stations generally offer a range of services. These include the provision of fuels, 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.
- 4.12 In this respect enhanced on-site food and beverage facilities and 'coffee to go' 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: PLANNING POLICY FRAMEWORK

- 5.1 This section of the supporting statement sets out the relevant national and local planning policy framework relevant to the proposed planning application, including policies relevant to design and access matters.

National Planning Policy

- 5.2 The revised National Planning Policy Framework (NPPF) was published on 24 July 2018 and updated in February 2019 (with very minor changes) and now constitutes guidance for local planning authorities and decision-takers and is a material consideration in the determination of planning applications (paragraph 2).
- 5.3 The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7).
- 5.4 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 and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing;

- An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making efficient 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.

5.5 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).

5.6 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).

5.7 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).

- 5.8 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).
- 5.9 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).
- 5.10 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 80).
- 5.11 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 81).
- 5.12 Planning policies and decisions should recognise and address the specific locational requirements of different sectors (paragraph 82).
- 5.13 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 85).

- 5.14 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 86).
- 5.15 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 87).
- 5.16 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 89).

- 5.17 Paragraph 104 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).
- 5.18 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 117).
- 5.19 The creation of high quality 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 124).
- 5.20 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 127).
- 5.21 Design quality should be considered throughout the evolution and assessment of individual proposals (paragraph 128) and permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (paragraph 130).

Development Plan Policy

- 5.22 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).
- 5.23 The Development Plan relevant to the application site comprises of the South East Lincolnshire Local Plan 2011 – 2036 which was adopted on 8 March 2019. This document was prepared in partnership with Boston Borough Council, South Holland District Council and Lincolnshire County Council to create a single Local Plan for the area of South Holland and Boston Borough.
- 5.24 On the adopted Proposals Map the site falls outside the settlement boundary and is located within the countryside.
- 5.25 Policy 1 (Spatial Strategy) provides guidance as to where development will be directed and identifies Long Sutton as a main service centre. Within the settlement boundary of such centres development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. With respect to the countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.
- 5.26 Policy 2 (Development Management) advises that proposals requiring planning permission for development will be permitted providing that sustainable development considerations are met, specifically in relation to:
- (i) Size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
 - (ii) Quality of design and orientation;
 - (iii) Maximising the use of sustainable materials and resources;

- (iv) Access and vehicle generation levels;
- (v) The capacity of existing community services and infrastructure;
- (vi) The impact upon neighbouring land uses by reason noise, odour, disturbance or visual intrusion;
- (vii) Sustainable drainage and flood risk;
- (viii) The impact or enhancement for areas of natural habitats and historic buildings and heritage assets;
- (ix) The impact of potential loss of sand and gravel mineral resources.

5.27 Policy 3 (Design of New Development) requires that all development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. A design which is inappropriate to the local area or which fails to maximise opportunities for improving the character and quality of an area will not be acceptable. The Policy continues by setting out a number of criteria which require consideration including the creation of a sense of place, distinguishing between private and public space, landscape character of the location, accessibility, provision of facilities for the storage of refuse/recycling bins and parking and cycle parking, lighting of public places, crime prevention and community safety, renewable energy, creation of appropriate frontages, residential amenity, mitigation of flooding, use of sustainably sourced materials and the incorporation of existing hedgerows and trees.

5.28 In acknowledging that much of the land within the Local Plan area is at significant risk of flooding, Policy 4 sets out the approach to flood risk. Development proposals in an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's Flood Map) or at risk during a breach or overtopping scenario will be permitted where:

- (i) It can be demonstrated that there are no other sites available at a lower risk of flooding, ie that the Sequential Test is passed;
- (ii) It can be demonstrated that essential infrastructure in flood risk zones provides wider sustainability benefits to the community that outweigh the flood risk;
- (iii) The application is supported with a site specific Flood Risk Assessment covering risks from all sources of flooding including the impact of climate change and addressing a number of listed criteria.

- 5.29 Guidance in relation to the retail hierarchy is set out in Policy 24 (The Retail Hierarchy) and advises that retail and other main town centre uses should be located in accordance with the defined hierarchy. Long Sutton is noted as being a local centre. Criterion C addresses development outside the retail hierarchy but does not provide guidance in relation to motorist service areas or petrol filling stations. It does suggest that retail floorspace of greater than 250 sq m outside Spalding Town Centre or district and local centres including Long Sutton would be required to provide an impact assessment on the nearby town centre.
- 5.30 Policy 25 (Supporting the Vitality and Viability of Boston and Spalding Town Centres) confirms that Boston and Spalding town centres will continue to be the prime destinations for retail, entertainment, market and events while their rich environmental qualities can be promoted, enhanced and appreciated.
- 5.31 Additional retail provision with definitive floor areas is set out within Policy 27.
- 5.32 Guidance in relation to pollution is set out within Policy 30 (Pollution) which states that development proposals will not be permitted where, taking into account any proposed mitigation measures, they would lead to unacceptable adverse impacts upon health and safety to the public, the amenity of the area or the natural, historic and built environment. This Policy requires consideration to air quality including fumes and odours; noise including vibrations; light levels; land quality and condition; or surface and ground water quality.
- 5.33 Policy 31 (Climate Change and Renewable and Low Carbon Energy) requires that all development proposals will need to demonstrate that the consequences of current climate change have been addressed, minimised and mitigated by employing a high quality design; the adoption of the sequential approach and exception test to flood risk and the incorporation of flood mitigation measures; the protection of the quality, quantity and availability of water resources; reducing the need to travel through locational decisions; and incorporating measures which promote and enhance green infrastructure. The Policy also requires consideration to renewable energy.

- 5.34 Community, health and well being is addressed in Policy 32 which requires all developments to contribute to the creation of socially cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well being.
- 5.35 Policy 33 (Delivering a More Sustainable Transport Network) advises that Local Planning Authorities will work with partners to make the best use of and seek improvements to existing transport infrastructure and services within and connected to South East Lincolnshire having considered first solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of transport. Most relevance to the proposal - the Policy requires that new developments provide for walking and cycling routes and/or links to existing networks and to key transport corridors and transport interchanges.
- 5.36 Vehicular and cycle parking advice is contained within Policy 36 which requires all new development to provide vehicle and cycle parking in accordance with the minimum parking standards adopted by the Local Planning Authority.

SECTION 6: PLANNING ISSUES

6.1 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:

- Qualitative need & benefits of improved provision;
- Countryside considerations and landscaping;
- Job creation benefits;
- Sequential Assessment/Impact;
- Amenity;
- Highways
- Litter; and
- Flooding.

Qualitative Need and Benefits of Site Improvements

6.2 As detailed in Section 4 there is an acknowledged national requirement (or need) for petrol filling stations across the country as the number of vehicles on the road continues to grow whilst the number of petrol stations continue to fall, meaning existing facilities become increasingly busier meeting an evidenced need. The investment into this site will buck national trends and ensure it continues to serve the increasing needs of motorists.

6.3 This site provides an important role servicing vehicles travelling on the A17 strategic highway network. It is important that adequate facilities are provided for road users to ensure that their basic needs are met and enable them to comfortably and safely continue their journeys. The provision of additional facilities will better meet the needs of those travelling on the strategic highway network and provide them with the break and nourishment required. The proposal also includes adequate car parking, including one disabled bay, motorcycle parking provision and cycle parking provision.

6.4 As noted the provision of coffee shops are becoming a more and more important part of service stations meeting the needs and expectations of road users. The submission of this

application follows informal customer feedback at the existing service station in respect of demand for an enhanced coffee and *'food to go'* offer.

- 6.5 There has been a marked growth in coffee shops across the UK with an estimated total of 22,845 outlets in 2016, including the UK's leading chains and also small and independent boutique chains and independents. There continues to be a growth in both outlets and turnover which is expected to continue over the coming years.
- 6.6 The UK has become a nation of coffee drinkers with coffee shop visitors purchasing an estimated 2.3 billion cups of coffee per year in stores. Consumers are becoming more knowledgeable and empowered with choice than ever before and the rise of artisan coffee has driven the desire for premium quality coffee. The leading chains continue to respond to this trend with improved store experiences and products.
- 6.7 The overall coffee shop market in the UK recorded a 6.4% increase in sales in 2013 and there were 16,501 coffee shops across the country by the end of 2013. However, whilst the coffee shop market has continued to grow, coffee consumption per head has not. Indeed, consumption levels are now lower than they were in 2006. Britain is currently consuming approximately 2.8 kg per head, just a fraction of the 7 kg consumed in Germany, 7.1 kg in Sweden and 5.5 kg in France. As a result, the growth of coffee shops has not increased the UK's consumption of coffee; rather, it is the way in which coffee is being consumed that has changed with people now visiting coffee shops where they had previously consumed instant coffee at home or in the workplace.
- 6.8 The coffee shop market has also been boosted by the decline in the British public house industry and the coffee shop has increased as a social venue. Coffee shops have also been boosted by people shopping more online, and instead of spending their weekends trawling the shops, Britons are meeting up with friends at their local coffee shop/Café. Indeed, it is now widely acknowledged that coffee shops are very much part of the fabric of our society now (Daily Telegraph – 9 September 2014).
- 6.9 Other research into the benefits of coffee shops is equally illuminating. Allegra Strategies is one of the world's leading consultancies across the European and global food service sector and is the undisputed authority on global coffee trends. The Company produces an annual

study of the UK coffee market, the 2015 report being published on 15 December 2014. In summary, the report confirms, inter alia:-

- Coffee shops boost the local economy;
- 35% of the population use coffee shops;
- Coffee shops are a focal point for social interaction, as they have been for 350 years; and
- Coffee shops bring people together and provide a safe and comfortable place to meet.

6.10 For these reasons, it is considered the application for the coffee shop with drive-thru will bring the site in line with motorists' expectations and requirements and represent much needed investment into this long established petrol filling station and motorist roadside facility.

Countryside Considerations

6.11 As detailed in the Planning History section, the site forms part of a wider motorist roadside facility primarily concentrated around the petrol filling station, diner and hotel, but with the MacDonald's restaurant on the opposite side of the road.

6.12 Whilst the site falls within the countryside, the proposal makes best use of a small parcel of land with a motorist roadside facility which is not directly connected to the open countryside, but bordered by roadside uses to the east (petrol filling station), west (diner), north (hotel) and the A17 to the south. Consideration has been given to Development Plan Policy 1 and it is considered the proposal is in an appropriate location given the surrounding uses and the development of the site will have not adverse impact on the openness of the countryside.

6.13 Accordingly, it is considered that the site's location within the countryside has been given due consideration and the proposals will have no adverse impact on the character of the wider area. Suitable landscaping has been retained and is proposed across the site to ensure that the site blends with its immediate neighbours and uses.

- 6.14 Additional tree planting is proposed to the south of the site adjacent to the existing AG tank. It is proposed that the detail of this landscaping is subject to a condition. The landscaping on the remainder of the wider site is unaffected by the proposals.

Job Creation Benefits

- 6.15 The proposal will provide a valuable source of jobs, creating further job opportunities on site. Many of these jobs will be suitable for residents in the local area, 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 (2019) and the adopted Development Plan.
- 6.16 Additional staffing on site is likely to comprise one manager and two shifts of three or five persons each shift, to provide for 11 full time equivalent jobs created overall. This is a significant contribution to the job opportunities within the local area and will assist in providing additional job opportunities locally.
- 6.17 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.

Sequential Assessment

- 6.18 Paragraph 86 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. This is also reflected in the Local Plan Policy (Policy 24 and 25). 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.

6.19 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).

6.20 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.

6.21 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.

6.22 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*’.

- 6.23 This principle 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 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".

- 6.24 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 to see whether the application i.e. 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).

- 6.25 More recently and with specific reference to the sequential test as it relates to a petrol filling station, an appeal decision dated 3 January 2017 concerning a freestanding single storey restaurant with an associated drive thru located adjacent to an Esso Petrol filling station in Maynard's Green, Oxfordshire, is relevant. In this appeal it was confirmed that the purpose of the development was to provide a roadside facility for motorists, in this case on the A43, which by definition is unlikely to be in a town centre. The Inspector concluded that 'the

sequential assessment was of little relevance to this appeal' which was agreed by the Council at the appeal (PINS ref: APPC31052/W/16/3151655).

Sequential Review

- 6.26 The proposed site is an established petrol filling station and motorist facility on the A17 and the proposal seeks to enhance the offer for motorists with the provision of a coffee shop with a gross external floor area of 139 sqm. This is small in terms of total floorspace when combined with the existing services on the site.
- 6.27 Accordingly, the proposed application is for a coffee shop to provide coffee and food to go. By its very nature and purpose, the proposed coffee shop cannot be located at any other location other than the application site given that its purpose is to provide facilities to users of the A17, supplementing the facilities already on offer at the roadside service area.
- 6.28 Notwithstanding the above, a review of sequential sites has been undertaken. The applicant must define the relevant catchment area of the proposal in order to assess any sequentially preferable sites. Given the existing use of the site, the role which it serves and the fact that this proposal is focused on improving the service for motorists on the A17, the defined catchment of the proposal is the A17. The location of the existing or proposed facility in other location other than upon the A17 would mean the intended customers would not be serviced. Therefore, there is no alternative location for the facility other than on the A17.
- 6.29 Based on the above and the definition of the catchment area as being the A17, our assessment of potentially sequentially preferable sites seeks a site of circa 0.2 hectares, which would accommodate the whole development in its entirety, ie the petrol filling station and coffee shop element. Given the size of the site and the requirement to be situated on or immediately adjacent to the A17, this therefore significantly restricts the number of development sites that can be considered. There are no sequentially preferable sites which could accommodate the development given the nature of the A17 and the wider area.
- 6.30 Accordingly, in undertaking this assessment of sequentially preferable sites, we have been unable to find any obvious sites which would sequentially preferable whilst meeting the needs of the motorists on the A17.

Impact

- 6.31 The National Planning Policy Framework (NPPF 2109) requires an impact assessment only for developments involving an additional 2,500 sqm gross or more floorspace. This is echoed within the adopted development plan (Policy 24), albeit with a smaller threshold of 250 sq m. The proposal, in this case, falls considerably well below this threshold and therefore an impact assessment is not required.
- 6.32 Notwithstanding this, in light of the very limited scale of the proposal, its focus entirely on traffic on the A17, and its distance from the nearest centre at Long Sutton, 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. Accordingly, it is not considered that there will be any adverse impact arising from the proposal. On this basis it is considered that the proposal accords with the relevant national policy in this regard.

Amenity

- 6.33 The environment of the application site is characterised by motorists' roadside facilities with high levels of background noise associated with the very busy A17 and traffic accessing the existing facilities on site. The nearest residential properties are beyond the Travelodge hotel and are effectively screened by this building with an additional property opposite the motorist area entrance, which is some distance from the application site. Accordingly, there are no amenity issues arising from the proposal and the proposal accords with Development Plan Policy 2.

Highways

- 6.34 As detailed on the application drawings the proposal makes use of the existing access from the A17 via the Wisbech Road/B1359, meaning that the existing highway situation will remain unchanged. The coffee shop will be accessed from the internal access road.

- 6.35 The number of car parking spaces proposed equates to 12 customer spaces, including one disabled space and one motorcycle bay plus bicycle parking. The parking spaces are in line with the required standards.
- 6.36 The application has been submitted with a Transport Assessment prepared by DW Transportation which addresses highway matters including relevant development plan policies.

Litter

- 6.37 Due to the nature of the proposed use on the site, it is relevant to consider the issue of litter in the context of the application proposals.
- 6.38 The Applicant is committed to tackling litter in as many different ways as possible; this will include daily litter patrols. Litter bins are to be provided for the proposed sales building and packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. In addition, anti-littering signage will be displayed.

Flooding

- 6.39 The application site is located in Flood Zone 3 based on the Environment Agency's Planning Flood Maps. As required by Development Plan Policy 4 the application is submitted with a Flood Risk Assessment prepared by Evans Rivers and Coastal, which demonstrates that the building will be of the appropriate construction and a warning and evacuation strategy has been devised. A Flood Sequential Assessment Report also accompanies the application. There is nothing in terms of flooding to prevent development occurring on the site subject to the conditions of the FRA being followed.
- 6.40 A Flooding Sequential Test Report also accompanies this application which demonstrates that no sequentially preferable sites have been identified for the proposal. Accordingly, Policy 4 has been addressed.

SECTION 7: DESIGN AND ACCESS STATEMENT

- 7.1 This Design and Access Statement has been prepared on behalf of the Applicant, Motor Fuel Limited, and has been prepared to support a full planning application for the erection of a coffee shop with drive-thru and associated works at Main Road Service Station, Wisbech Road, Long Sutton, Spalding, PE12 9AE.
- 7.2 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, and advice from specialist consultants in their preparation of supporting documentation for this application.
- 7.3 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.
- 7.4 The Design and Access Statement should be read in context with the planning application supporting reports, drawings and accompanying material.

Site Evaluation

- 7.5 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 respects the site's location, achieves high quality design, is sustainable, is economically viable and enhances the established locality.
- 7.6 The principal constraints can be identified as:
- The need to respect the site's location on the A17/Wisbech Road forming part of the wider roadside facility and within the countryside;
 - The need to utilise the existing access from Wisbech Road to the roadside facility;

- The need to improve the offer of the site to meet the expectations of motorists;
- The need to address the site's location in Flood Zone 3 in the building design;
- The need to ensure appropriate levels of parking; and
- The need to retain as much landscaping and enhance provision where possible.

7.7 There are a number of opportunities afforded by the potential development 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 strategic A17 highway network; and
- The opportunity to provide enhanced facilities which will benefit users of the site and motorists on the A17 and in the wider area; and
- The opportunity to make the best use of this under utilised site within a motorists' area.

Planning Policy

7.8 A detailed evaluation of the planning policies relevant to this planning application is provided in Section 5 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, 124, 127, 128, 130, 143, 144, 145 and 146 of the National Planning Policy Framework (NPPF 2019)
- South East Lincolnshire Local Plan 2011-2036 (March 2019) Policies 1, 2, 3, 4, 31, 32 and 33

Design Considerations

Use

7.9 The proposed development comprises of development of a coffee shop with drive-thru and associated works at Main Road Service Station.

Layout

- 7.10 The proposed layout of the scheme is shown on the accompanying planning application drawings – particularly the '*Proposed Site Plan*'.
- 7.11 The site comprises the development of a coffee shop with drive thru and associated car parking and landscaping. The car parking spaces are located in proximity to the entrance doors.
- 7.12 The layout of the scheme has been carefully assessed taking into consideration the site boundaries, existing landscaping and the site's general location and proximity to the A17.

Scale

- 7.13 The proposed coffee shop has a gross external area of 139 sqm. The scale of the proposal is in keeping with the site and wider area.

Appearance

- 7.14 The design of the coffee shop reflects the adjacent petrol station, Travelodge and Diner, adopting a simple uncluttered design. The proposed unit will be of a high quality with an inviting interior. A large glass window will allow activity to be seen inside thereby creating visual interest within the development.

Materials

- 7.15 A pallet of modern materials is proposed which is considered to be in keeping with the existing building. The proposed materials are shown on the Proposed Site Elevations and include:

- Kingspan (or alternative) composite cladding with feature panels;
- Aluminium profiled verge fascia panels;
- Renolit alkorsmart single style ply grey colour laminated membrane roof; and
- Aluminium powder coated window and shop front.

Community Safety

- 7.16 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 whole site and protects the safety of users of the site and wider community.

Landscaping

- 7.17 The retention and provision of landscaping on the site has been a key consideration given the site's location.

Refuse Management

- 7.18 Waste from the coffee shop will be collected by a private contractor.

Accessibility

- 7.19 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.
- 7.20 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.

Inclusive Access

- 7.21 In respect to inclusive access, all coffee shop operators agree that it is not merely physical barriers that can cause difficulties for customers. Employees of all the major national chains will 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.
- 7.22 Designated disabled car parking spaces are proposed to be located immediately adjacent to the proposed building thus enabling easy access to the sales building.
- 7.23 For operational and design reasons the site will remain level, with level access provided to the coffee shop and within the 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.

Servicing

- 7.24 In respect to servicing, deliveries can be made without adversely affecting the car parking or operation of the site utilising a dedicated delivery bay, thereby ensuring all vehicles enter and exit the site in forward gears.

Conclusion

- 7.25 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.

SECTION 8: CONCLUSIONS

- 8.1 The site, Main Road Service Station, is an existing petrol station forming part of a larger roadside facility serving the A17 strategic road. It is a long established site which has been meeting the needs of motorists for many years. However, with the rise of coffee shops nationwide and on similar sites countrywide, the existing roadside facility does not meet the modern standards or motorists' expectations, and the proposed coffee shop will assist in meeting motorists' needs providing consumer choice and the opportunity for nourishment and rest.
- 8.2 The application has been submitted with supporting information with respect to transport, which demonstrates these issues are not constraints to development. The proposal is supported by a Flood Risk Assessment and Flood Sequential Test Report showing that appropriate measures have been taken to ensure customers and staff remain safe and alternative sites have been considered.
- 8.3 Whilst the application is located in the countryside, the site is an existing and established petrol filling station and roadside facility. This proposal seeks to make best use of the site, enhancing the provision upon it for motorists.
- 8.4 It is respectfully requested planning permission is forthcoming for the proposal.