

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **6TH FEBRUARY 2019**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL PLANNING – DEMOLITION OF EXISTING OUTBUILDING, INSTALLATION OF NEW FUEL TANKS, 45,000 LITRE (PETROL) 30,000 LITRE (DIESEL), NEW CANOPY, EXTENSION TO SALES BUILDING, NEW FREESTANDING ATM WITH ASSOCIATED PARKING, CYCLE PARKING AND OTHER ASSOCIATED WORKS AT FORMER JONES MOTOR SERVICES, CHESTER ROAD, OAKENHOLT**

APPLICATION NUMBER: **058957**

SITE: **FORMER JONES MOTOR SERVICES, CHESTER ROAD, OAKENHOLT, FLINT**

APPLICATION VALID DATE: **25.09.18**

LOCAL MEMBERS: **COUNCILLOR MS R JOHNSON**

TOWN/COMMUNITY COUNCIL: **FLINT TOWN COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

1.01 This is a full planning application for the demolition of an existing outbuilding, extension and refurbishment of existing sales building, installation of new fuel tanks, 45,000 litre (Petrol), 30,000 litre (diesel), new canopy, freestanding ATM, parking, cycling parking and other associated works on land at Jones Motor Services, Chester Road, Oakenholt Flint.

The petrol filling station constitutes a form of infrastructure which

supports economic activity and productivity, helping to sustain economic growth.

The proposal will lead to the refurbishment of an existing and well established local facility within the community, ensuring its retention as a local service and employer and creating further employment opportunities. The proposed development would be of an appropriate commercial design and scale, and is considered to result in a betterment in comparison to what currently exists.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time commencement
 2. In accordance with plans
 3. Materials (external)
 4. Hard Landscaping (hard and paved surfacing including boundary treatments)
 5. Archaeological Watching Brief
 6. Land Contamination Assessment
 7. Drainage – Foul, Surface Water and Land Drainage
 8. Piling Method
 9. Scheme for the Installation of Underground Tanks
 10. Parking
 11. Scheme for Security CCTV
 12. Lighting

3.00 CONSULTATIONS

- 3.01 Local Member
Councillor Ms R Johnson
No response at time of writing.

Flint Town Council
No objection to the proposal.

Highways Development Control
Confirm that there is no objection the proposal and recommends that any permission should include the imposition of a condition for the onsite provision of parking, turning, loading and unloading facilities.

Community and Business Protection
Support the proposal for reasons of job retention at the premise.

Welsh Water/Dwr Cymru
Welsh Water have reviewed the proposal and note that the developer proposes to dispose of both foul flows and surface water runoff from the proposed development via the public sewer. Whilst we do not object to the proposal, we require further information and consider the

imposition of a standard condition requiring the submission of a drainage scheme and attached advisory notes to be appropriate.

Natural Resources Wales

Natural Resource Wales do not object to the proposal subject to the imposition of appropriate conditions concerning land contamination and piling method.

Clwyd-Powys Archaeological Trust (CPAT)

The proposed development lies immediately north of, or possibly includes, the former alignment of the coastal Roman road between the fortresses at Chester and Caernarfon. Works to insert new petrol tanks near the road frontage may reveal evidence of this road or possible roadside settlement. CPAT therefore recommend the imposition of a planning condition requesting an archaeological watching brief.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

The application was advertised by way of press and site notice.

No representations have been made in respect of the application.

5.00 SITE HISTORY

5.01 050526 Extension of existing retail space on rear of property –
Approved 27.03.13

3/FL/257/71 Extension of vehicle testing garage Permit 09.06.78

3/FL/183/82 Extension to kiosk ,new tank and pumps Permit 18.05.82

246/85 Change of use from showroom to shop Permit 11.09.85

272/95 Display illuminated petrol sign Permit 09.06.95

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 - New Development

STR2 - Transport and Communications

STR3 - Employment

STR5 - Shopping Centres and Commercial Development

STR10 - Resources

GEN1 - General Requirements for New Development

GEN2 - Development Inside Settlement Boundaries

D1 - Design Quality, Location and Layout

D2 - Design

D4 - Outdoor Lighting

D5 - Crime Prevention

WB2 - Sites of International Importance

AC1 - Facilities for the Disabled
AC3 - Cycling Provision
AC13 - Access and Traffic Impact
AC18 - Parking Provision and New Development
S4 - Small Scale Shopping Within Settlement
S11 - Retention of Local Facilities
CF1 - Retention of Existing Facilities
EWP12 - Pollution
EWP13 - Nuisance
EWP14 - Derelict and Contaminated Land

SPGN 11 – Parking Standards
SPGN 12 – Access for All
SPGN 24 – Retention of Local Facilities
SPGN 29 – Management of Surface Water for New Development

Planning Policy Wales Edition 10 (December 2018)
Technical Advice Note 4 – Retail and Commercial Development
Technical Advice Note 18 – Transport
Technical Advice Note 21 – Waste
Technical Advice Note 23 – Economic Development

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the demolition of an existing outbuilding, extension and refurbishment of existing sales building, installation of new fuel tanks, 45,000 litre (Petrol), 30,000 litre (diesel), new canopy, freestanding ATM, parking, cycling parking and other associated works on land at Jones Motor Services, Chester Road, Oakenholt Flint.

7.02 Site Description

The application site comprises an existing petrol filling station and shop located on the northern side of Chester Road opposite the junction with Maes Gwyn and Albert Avenue. The application site extends for 0.18ha and comprises a retail unit and forecourt comprising a SPAR convenience store (use class A1) with a post office and vacant residential accommodation to the first floor. To the south east of the site is a Travel Agents, beyond which is a row of terraced cottages. On the southern side of Chester Road, opposite the site are residential properties. There is a bus stop located directly adjacent to the site with the railway line traveling along the rear boundary of the site.

7.03 The existing buildings are of poor quality and have a dated appearance, comprising brickwork and facing render. The existing onsite shop has a limited retail sales area, 100sqm, with signage to the frontage of the building and existing canopy. The site includes a

significant area of hardstanding and a large brick outbuilding located to the north west of the site.

7.04 Proposed Development

The proposed scheme comprises the refurbishment of an existing local facility to provide an enhanced and improved petrol filling station and local needs convenience store (use class A1), installation of new underground fuel tanks, car parking, cycle parking, replacement canopy and associated works.

7.05 In order to facilitate the scheme, the proposal includes the demolition of the existing outbuilding in the north western corner of the site and the small single storey elements to the rear of the sales building. The existing sales building is to be extended to the rear and side, increasing the floor area from 137m² to a total operational floor area of 288m². The associated residential accommodation on the first floor of the premise is of poor quality, and therefore is to cease with the stairs located externally to be removed. Access to the top floor following the refurbishment will not be possible, and will otherwise become redundant.

7.06 The forecourt arrangement will remain comprising of two pump islands with multi-product pump providing four dispensing positions. The driver controlled delivery (DCD) unit will also be located in the central forecourt area allowing fuel deliveries to occur when the site is closed. New air, water and vacuum car care facilities are proposed on the south eastern side of the site.

7.07 Two Sheffield style cycle loops are proposed adjacent to the sales building to provide cycle parking. In addition, a freestanding ATM will be included upon the site with a secure anti-ram bollard surrounding.

7.08 In respect of access, vehicles will continue to enter and exit the site from Chester Road in the same arrangement as currently seen. All fuel and servicing deliveries to the site can enter and exit in a forward gear.

7.09 Underground storage tanks will be provided which are designed with a double skin and leakage detection system. The tanks are designed to prevent ground contamination. The associated underground pipework will also be designed to the latest standards and will include the provision of vapour recovery systems at the point of delivery of fuel and for its dispensing at the pump. These measures are designed to eliminate the dissipation of fuel into the atmosphere. This has the effect of preventing any odour of petrol fumes emanating from the site. This will protect the amenity of the surrounding residential areas and the wider environment.

7.10 The proposal includes the provision of 19 no parking spaces for customers, to include 2 disabled/accessible spaces. In addition, 3

staff parking places are provided to the west of the site. As a means of meeting the customer, 2 of the customer spaces will be served by an electric car charging point.

- 7.11 A new 1.8m close boarded timber fence will follow the rear and south eastern sides of the site. The existing outer wall of the outbuilding proposed to be demolished, forms part of the site's north western boundary, this is to be redesigned into a retaining structure with a height of 2.2 at the far end of the site, dropping down to 1.1m as it moves towards Chester Road.

Planning History

- 7.12 It is evident from the planning history that the site has been used as a petrol filling station and shop for some time. It has therefore become a very well established local facility providing a vital service to the immediate and surrounding area. It should also be recognised as a small scale employer to the local community.

- 7.13 More recent developments concerning the site is an application ref:050526 for the extension of the existing retail space to the rear of the facility. The approved 2013 scheme would result in an increase of 78.4m², increasing the building footprint by 43%. Whilst smaller in scale than the current proposal, the extension is similarly proposed to the rear with a flat roof and single storey appearance. Whilst it is understood that some works in relation to this scheme have commenced, it remains largely unimplemented. The approved extension would be a modest attachment to an already confused building design, offering little aesthetic enhancement or contribution to the street scene. In comparison, the current proposal is considered to meet the needs of an existing concern, through an appropriately designed refurbishment and extension that secures the future of the local facility. The design approach is one that encompasses the whole building, resulting in a more uniform appearance, and one that is reflective of modern retail units catering for more diverse needs and requirements.

Principle of Development

- 7.14 The site is situated outside the core retail area but within the Flint settlement boundary as defined by the Adopted Flintshire Unitary Development Plan. The site is approximately 485m north-west of Flint Town Centre and approximately 750m from the Core Retail Area boundary at Church Street.

Policy S4 of the UDP Small Scale Shopping within Settlements deals with proposals of this nature. It states:

New small scale shopping development will be permitted provided that outside town and district centres:-

- i. it is below 300sqm gross or, in exceptional circumstances, up*

- to 500sqm;*
- ii. it is to meet local everyday needs and relates to the role, scale and character of the centre and the community it is intended to serve; and*
 - iii. it is located within or adjacent to a local or village centre or, if no sites are available within the nearest centre, it is within the settlement boundary and accessible by a variety of means of transport.*

7.15 In accordance with policy S4, the proposal would see the refurbishment of an existing site within the settlement boundary; a sustainable location which is supported by both national and local policies. The proposed development will remain committed to its current end user, maintaining the usual presence on site. The proposed refurbishment should be recognised as a valuable new investment within the local area, securing the retention of a local facility, employment and the creation of an additional 10 staff vacancies; as well as bringing an underused site back into beneficial use; continuing to meet the everyday needs of the local and wider community. Local and national planning policy guidance is supportive of retail proposals within sustainable locations and therefore there is no objection in policy terms to the proposed development.

External Appearance

7.16 In terms of the scale, the petrol filling station will consist of two pump islands covered by a flat canopy, providing four separate pumps. The existing building is to be refurbished and extended to the side and rear to provide a kiosk and an improved local needs convenience store (use class A1). The facility would also offer air and water with fuel infrastructure and piping being installed below ground to maintain the site's clean approach. This is not considered to be a large Petrol Filling Station by local standards.

7.17 The canopy, forecourt and kiosk are all considered proportionate in scale to the plot available and would certainly not over dominate the site and its surroundings. In respect to the design, the overall development is of a conventional design which will be largely screened from the north through the retention of existing boundary features and physical constraint (railway line). Whilst the building is to be extended, the works are proposed to the rear and side avoiding significant changes being made to the principle elevation and linear built pattern seen along Chester Road. It is considered that the size increase of the existing building is commensurate with the site capacity and the changing economic demands.

7.18 The flat roof and increased canopy height is not considered to appear harmful when viewed in association with the range of other buildings and frontages along Chester Road. The existing building, which is set back within the site, also possesses a flat roof appearance, with the existing canopy positioned below the finished ridge height, in order to

safeguard the amenity of the residential accommodation on the first floor. As a result of the proposed refurbishment, the residential accommodation has become redundant, and there is no longer a requirement to safeguard this use when considering the new proposal. The new canopy is set higher and in this case detached from the building. It will not exceed the ridge height of the building which is to remain as existing. It is considered that the changes proposed will not be detrimental to the character and appearance of the surrounding area.

Residential Amenity

7.19 With reference to the close proximity of residential properties to the development, namely properties immediately opposite the site fronting Chester Road, there is potential for new external lighting for the development to cause a nuisance to local residents. Despite no third party responses being received, the petrol filling station is likely to benefit from some form of lighting to illuminate the forecourt at night. The risk of any disturbance is heavily dependent on whether the proposed lighting is sensitively directed into the site or would spill into and be visible from these nearby properties. I therefore consider it reasonable to impose a condition for a detailed lighting scheme to be provided.

7.20 Reinforced boundary treatments will strengthen the existing confines to the north east and north west of the site creating an enhanced buffer between the petrol filling station and the nearest adjacent residences to the north west. Given that the fundamental change to the site relates to the physical appearance and layout, the established operation of the site predominantly remains the same. It is therefore considered that the proposal would not in itself result in any significant adverse impact on the living conditions of adjoining occupiers

Highways & Parking

7.21 Vehicular access to the site will remain consistent to the current arrangement, with vehicles entering and existing the site from Chester Road. The access arrangements will again remain the same for vehicles delivering fuel and services to the site, ensuring they can enter and exit in a forward gear onto the highway.

7.22 The proposal includes the provision of 19 no parking spaces for customers, to include 2 disabled/accessible spaces. In addition, 3 staff parking places are provided to the west of the site. As a means of meeting the customer, 2 of the customer spaces will be served by an electric car charging point.

7.23 The Highway Development Control Manager has been consulted as part of this application to ensure that the site is capable of accommodating the potential increased parking capacity. They have advised that they have no objection to the proposal subject to the imposition of a standard planning condition to secure the provision of

parking, turning, loading and unloading facilities onsite.

Contamination

7.24 A Site Investigation Interpretative Report has been submitted with the application, undertaken by G&J Geoenvironmental Consultants Ltd. dated December 2017. The intrusive ground investigation concludes that no contaminants have been identified that would otherwise represent as a significant risk to human health or controlled waters, based on the site continuing to be used as a filling station and convenience store.

7.25 The report refers to evidence of hydrocarbon contamination being recorded in the form of odours in the locations tested. These observations were consistent with the locations that recorded the highest concentrations of volatile hydrocarbon compounds in soil. However, the concentrations of these contaminants in both soil and ground water were low, and not representative of contamination that would represent a significant potential liability.

7.26 Worthy to note from the study undertaken, is the potential for more significant contamination to exist around the fuel tanks and infrastructure as a result of historic accumulation of leaks and spills. The report considers that the low levels of contamination recorded within the survey area has originated from a source closer to the fuel infrastructure, and has migrated via the groundwater to these locations. It is considered that this is common on fuel sites and would only be of concern if there was evidence of potentially significant impacts to on or off site receptors, which in this case have not been identified. Therefore, no further site investigations or remediation is considered to be necessary.

7.27 Despite the conclusions of the submitted report, NRW express their concern regarding the potential for unidentified areas of contamination to exist at the site, which could pose a risk to controlled waters if they are not remediated. Given that the proposed works comprises the decommissioning of the existing fuel tanks which are to remain in situ, the installation of new fuel tanks below the water table, and evidence that the contaminants recorded during the study are likely to have originated from the existing fuel infrastructure over a period of time, there is a possibility of further contamination being evident that has not already been recorded. I therefore propose a suitably worded condition for the reporting of unexpected contamination, a scheme for the installation of the new fuel tanks and piling methods respectively.

Drainage

7.28 Dwr Cymru/Welsh Water have been consulted upon the drainage aspects of the proposal. They advise that a condition is imposed requiring the submission of a foul and surface water drainage scheme for the site.

8.00 CONCLUSION

The proposal would see the refurbishment of an existing site within the settlement boundary of Flint; a sustainable location which is supported by both national and local policies. The proposed refurbishment should be recognised as a valuable new investment within the local area, securing the retention of a local facility, employment and the creation of further employment opportunities; as well as bringing an underused site back into beneficial use; continuing to meet the everyday needs of the community and supporting local economic growth.

It is considered that the current site layout fails to maximise the best use of the site, with an existing building that possesses a mismatch of built elements that are tired and somewhat dated in character. The proposed design approach is one that encompasses the site as a whole, resulting in a more orderly and uniform appearance, and one that is reflective of modern retail units catering for more diverse needs and requirements. The proposed development would therefore result in an immediate enhancement to the site and the wider streetscape.

It is considered that the proposal complies with planning policy. Accordingly, I recommend that planning permission is granted subject to conditions as set out within paragraph 2.01 of this report.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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