



## Report of the Chief Planning Officer

### SOUTH AND WEST PLANS PANEL

Date: 16<sup>th</sup> June 2017

**Subject: Application 16/05575/FU – redevelopment of petrol filling station, comprising new sales building and canopy, new underground fuel storage tank and replacement underground petrol interceptor tank, and five metre high tank vent stack, replacement refueling forecourt, islands and dispensers, replacement resurfacing, retention of existing fuel storage tanks, and application 16/05576/ADV - two illuminated signs at Pool Bridge Filling Station, Pool Road, Pool in Wharfedale LS21 1EQ.**

#### APPLICANT

Shell

#### DATE VALID

16<sup>th</sup> September 2016

#### TARGET DATE

11<sup>th</sup> November 2016

#### Electoral Wards Affected:

Adel & Wharfedale

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**16/05575/FU - GRANT PERMISSION subject to the specified conditions:**

**16/05576/ADV – GRANT EXPRESS CONSENT subject to the specified conditions:**

#### 16/05575/FU:

1. Standard time limit 3 years
2. Build in accordance with the approved plans
3. Details of materials to be submitted
4. Hours of construction 08:00 – 18:30 Monday to Saturday
5. Hours of opening / deliveries / illumination 07:00-22:00 Monday to Saturday and 08:00-22:00 Sunday
6. Car park and servicing management plan
7. Statement of construction practice
8. External lighting details
9. Sound insulation specified plant and machinery
10. Surface water drainage details

11. Remediation statement required in the event of unexpected contamination
12. Any soil brought to the site to be tested for contamination
13. Details of in/out signage to be approved and signage to be provided and retained

#### **16/05576/ADV:**

1. Standard advertisement time condition 5 years
2. Signage in accordance with the approved plans
3. Standard advertisement conditions

#### **1. INTRODUCTION:**

- 1.1 These applications are brought to Plans Panel at the request of Councillor B Anderson who cites highway safety concerns. The Councillor has objected to the application for reasons summarised in paragraph 6.2 below. The applicant seeks both planning permission and advertisement consent for the works.
- 1.2 The proposals were previously considered by Panel Members at their meeting of 24<sup>th</sup> November 2016. At that meeting Members agreed to defer consideration of the applications in order to allow further discussions with the applicant, Ward Members and Pool Parish Council. These discussions have now taken place and the outcomes of these discussions are set out in section 5 of this report.
- 1.3 The applications propose the redevelopment of an existing petrol filling station. As it is an existing use the works are considered acceptable in principle. The impacts of the proposals have been carefully considered, and overall it is considered that they would not raise issues of material harm.

#### **2. PROPOSAL:**

- 2.1 Planning permission and advertisement consent is sought for the redevelopment of an existing petrol filling station. The proposed filling station is described at 10.2 and 10.3 of this report and the proposed advertisements at 10.10.

#### **3. SITE AND SURROUNDINGS:**

- 3.1 The site is a petrol filling station. It is located to a triangle of land formed by a fork in the A659 Pool Road where it connects with the A658 Main Street. The existing development comprises the station forecourt and dispensers, forecourt shop, forecourt canopy and a car wash.
- 3.2 The site occupies a relatively prominent location to the North West edge of the built up area of Pool. It is therefore an important gateway location when entering the village from the north and west.
- 3.3 The site is a self-contained triangle of land formed by the surrounding road network. The nearest dwellings are those on the south side of Pool Road, and those on either side of Main Street, just to the south of the site. To the east there is a children's playground, while to the West and North there is open agricultural land and the River Wharfe respectively.
- 3.3 The site lies within the Pool in Wharfedale Conservation Area. The adopted Conservation Area Appraisal identifies the site as lying within 'character area 4',

which is made up of suburban 20<sup>th</sup> century housing. A little to the north of the site there is the Grade 2 listed Pool Bridge which dates from the 18<sup>th</sup> century.

#### **4. RELEVANT PLANNING HISTORY:**

- 4.1 The planning history of the site includes applications dating from 1977 onwards which refer to the use of the site as a petrol filling station. The current layout of the site appears to date from an approval granted in 1988, reference H29/7/88, for the sales kiosk, canopy etc. In 1997 the car wash was granted consent, reference 29/91/97/FU, as well as an illuminated signage scheme, reference 29/92/97/SI. The latter approval included conditions limiting the hours of illumination.
- 4.2 More recently in 2000 approval was granted under 29/53/00/FU for 4 four metre high floodlights. A subsequent approval in 2003, reference 29/220/03, allows for hours of floodlighting until 22.00 and hours of delivery 08:00 – 22.00 Monday – Saturday and 08:00 – 22:00 on Sundays.

#### **5. HISTORY OF NEGOTIATIONS:**

- 5.1 Following the deferral of the application at the November Panel, a site meeting and follow up office meeting have been held with the applicant. This was attended both by Planning and Highways officers, as well as Councillor Anderson and representatives of Pool Parish Council.
- 5.2 Revised plans have been submitted in response to discussions regarding the issues raised by the proposals which make minor changes to parking arrangements and provision for deliveries to the shop. In addition to these the applicant has submitted tracking plans for various different types of vehicles including HGV's to demonstrate that the site can be safely accessed. The revised plan now also shows an improved appearance to the shop building which is now principally of stone construction.

#### **6. PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been publicised by means of site notices, neighbour notification letters and an advertisement in the Yorkshire Evening Post in respect of the original submission. The revised proposals were also publicised by means of notification letters to all contributors.
- 6.2 Pool Parish Council have objected to the scheme on the following grounds:
- Road traffic safety, congestion and forecourt safety;
  - Excessive signage and illumination
  - Excessive opening hours
  - Potential threat to the village shop and post office caused by the proposed increase in shop size.
- 6.3 Since the Panel meeting of 24<sup>th</sup> November 2016 a further eight objections have been received to the most recent third set of revised plans. These are in addition to a total of 20 previous representations in objection, 13 of which refer to the plans as originally submitted and six of which refer to the second set of revised plans.
- 6.4 The principal points of objection can be summarised as concerns relating to:

- The potential effect upon highway safety caused by the reorganised vehicle accesses to the site and/or by the perceived increase in vehicle traffic that the proposals would cause;
- Negative impact upon the street scene and/or character of the Pool Conservation Area caused by the unsympathetic nature of the alterations;
- Loss of residential amenity caused by the intrusive nature of the signage and/or signage illumination, and by excessive opening hours;
- Potential impact upon the viability of existing facilities such as the village shop and post office caused by the proposed enlarged forecourt shop.

6.6 Two representations in support have been received, which can be summarised as:

- The expanded shop and forecourt facilities would enhance local provision and would not affect existing local shops.

## 7. CONSULTATIONS RESPONSES:

The following consultation responses have been received:

Highways – no objections subject to conditions regarding a parking and servicing management plan

Environmental Health – no objection subject to conditions

Flood Risk Management – no objection subject to a condition regarding surface water drainage

Contaminated Land Team – no objection subject to conditions regarding unexpected contamination and importation of soil

Local Plans/Policy – no objection on retail policy grounds

## 8. PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Local Plan. Relevant supplementary planning guidance and documents and any guidance contained in the emerging Local Development Framework (LDF) represent material considerations.

8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area.

### Local Planning Policies

8.3 The following policies contained within the Core Strategy are considered to be of relevance to this development proposal:

P10 – Design

P11 – Conservation  
P12 – Landscape  
T2 – accessibility requirements  
P3 – designated local centres  
P4 – small scale convenience stores

8.4 The most relevant saved policies from the Leeds Unitary Development Plan are outlined below:

GP5: Proposals should resolve detailed planning considerations.

N19: Conservation areas new buildings

BD5: new buildings should be designed with consideration given to both their own amenity and that of their surroundings including usable space, privacy and daylight

BC7: Development in conservation areas

LD1: Landscaping scheme

BD8: signage schemes must relate to the street scene

BD9: projecting and illuminated signs in conservation areas

### National Planning Policy

8.5 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The following paragraphs from the NPPF are considered to be of particular relevance:

Paragraph 14 – Presumption in favour of sustainable development

Paragraph 17 – Twelve planning principles

Paragraph 56 – Good design

Paragraph 61 – Securing high quality design

Paragraph 64 – Poor design

Paragraph 126 - heritage assets are an irreplaceable resource

Paragraph 131 - the desirability of sustaining and enhancing the significance of heritage assets

## **9. MAIN ISSUES:**

1. Impact on the street scene and character of the Pool Conservation Area
2. Impact upon highway safety
3. Impact upon residential amenity
4. Impact of the advertisements on amenity and public safety
5. Impact upon existing retail facilities

## **10. APPRAISAL:**

10.1 This application seeks to refurbish an existing facility. As identified above, the site has operated as a petrol filling station since at least the late 1970's. The facility in its current form seems to date from the late 1990's. The principal building on the site is the forecourt shop located to the approximate centre of the site, and the canopy which covers the refuelling forecourt to the front of this. In addition there is a car wash structure close to the northern boundary with Pool Road.

### Impact upon the street scene and character of the Pool Conservation Area

- 10.2 The proposal seeks to clear the existing site and to redevelop the facility with an enlarged shop. This would be set to the northern side of the site, with the canopy of refuelling forecourt located approximately centrally. The canopy would be similar in appearance to the existing one although it would be longer – approximately 37.5m as opposed to 25m in length now, and slightly higher – clearance of 5m is shown whereas at the moment the equivalent figure is 4.5m.
- 10.3 The proposed forecourt shop would be a flat roofed single storey structure clad in stone, with glazing to the front elevation. Additionally seven parking spaces would be sited around the shop, and landscaping is shown to the corners of the site.
- 10.4 While a modern petrol filling station is not sympathetic to the special character of a conservation area, it must be acknowledged that this is an established site for such a use, and that the proposal represents a relatively modest refurbishment of an existing use. The application does of course represent an opportunity to refresh a development that appears a little dated, and would remove entirely from the site the car wash. Some small modifications to soften the appearance of the site in long range views, such as a softer colour scheme and the addition of planting, have been incorporated into the revised scheme. The applicant has agreed to develop a more detailed landscaping scheme, and in this regard it is proposed that this could be addressed via an appropriately worded condition.
- 10.5 On balance it is considered that the proposals represent a relatively modest redevelopment of the site which would successfully sustain the current character of the street scene and of this part of the Pool Conservation Area.

### Impact upon highway safety

- 10.6 The revised proposal would retain the four vehicular access points to the site, which would offer flexibility for access and egress to the site. The plan also shows seven car parking spaces, and cycle parking, which would accord with the parking SPD. Additionally a safe pedestrian route to the shop which keeps pedestrians away from the forecourt has also been identified.
- 10.7 The village of Pool experiences high levels of vehicular traffic on the local road network, much of which is through traffic. Further discussions have been held with the developer and with Ward Members and Pool Parish Council with a view to addressing the highway impacts of the proposal. The current submission includes tracking analyses for several vehicle types in order to establish that the site can be safely accessed and serviced. However the proposal to refurbish this site is not considered likely to cause an increase in such traffic, nor would it increase the amount of vehicles accessing the site. The proposal does not represent a significant increase in the size or capacity of either the petrol forecourt or forecourt shop and overall therefore it is not considered to be an intensification of use of the site. In this regard the proposed access and vehicle circulation arrangements are considered acceptable and are not considered to cause a loss of highway safety.
- 10.8 The current submission establishes that vehicles visiting the site can safely navigate their way in/out and around the site, as they do at present. In order to ensure that the car parking and forecourt are safely managed at all times, a condition requiring the submission of a comprehensive car park and servicing management plan would be required. This would show how deliveries of goods to the retail shop and the

deliveries of fuel would be managed to prevent the potential for conflict within the site and at all access/exit points.

- 10.9 Pool Parish Councillors have requested that the applicants be required to contribute towards a feasibility study for a gyratory system and pedestrian crossing point to the site. Parish Councillors consider this would be necessary to ensure the safety of drivers and pedestrians around the site. However the applicant has not agreed to make such a contribution.
- 10.10 While it is acknowledged that there are local concerns related to traffic and pedestrian movements around the triangle junction and in the village in general, there is no planning basis to require a financial contribution for a traffic study. While this may be desirable, it would be essentially unrelated to the current application which is a reconfiguration of an existing petrol filling station. Given the foregoing, on balance it is not considered that the lack of a financial contribution would represent a justifiable reason to refuse the application.

#### Impact upon residential amenity

- 10.11 For reasons identified in paragraph 10.7 the proposal is not considered to represent a material intensification of use of the site, and therefore it is not considered that it would cause a loss of amenity for nearby residents by virtue of comings and goings of visitors. However further discussions with Environmental Health officers have been undertaken in order to more fully understand how the amenity of nearby noise sensitive properties can be protected. In this regard conditions requiring details of construction practice, sound insulation of plant and machinery, as well as hours of construction and subsequent hours of opening and delivery are recommended.
- 10.12 The signage scheme would replace the existing signage in respect of the forecourt shop and canopy, but would retain the existing totem sign and floodlighting. The hours of illumination of the signage and floodlighting is presently limited by condition, and the current proposals would be subject to the same condition. The nearest residential properties are located approximately 30 metres to the south. In view of the above on balance the proposals are not considered harmful to residential amenity.

#### Impact of the advertisements upon amenity and public safety

- 10.13 Applications made under the Control of Advertisements Regulations must be considered against two issues only – the interests of amenity and public safety. Although not strictly defined, this is usually taken to mean the impact upon visual amenity, and upon traffic and highway safety.
- 10.14 The signage scheme proposed is similar to that existing, principally comprising an illuminated fascia sign to the shop and an illuminated signage scheme to the canopy. The extent of illumination would be limited. In respect of the shop fascia only the logo would be illuminated, and in respect of the canopy, only the logo's and red bar, with the latter shining back onto the fascia rather than externally.
- 10.15 The most recent approval for a signage scheme, referred to in paragraph 4.2 above, included a condition limiting hours of lighting 07:00 – 22:00 Monday to Saturday, and 08:00 – 22:00 on Sundays. The applicant has agreed to accept a condition on any consent with the same limitations.

- 10.16 On balance the signage scheme is considered appropriate and proportionate to the requirements of the site. It is considered that it would adequately sustain the current character of the street scene and would not cause a loss of visual or residential amenity. Nor is it considered that it would cause a loss of highway safety.

Impact upon existing retail facilities

- 10.17 The proposal includes an increase in the gross floorspace of the proposed forecourt shop, from approximately 100 square metres to approximately 175 square metres. There is no objection to this proposed increase on impact grounds. Being less than 200 square metres the scheme is too small to require a Retail Impact Assessment, and Policy P4 of the Core Strategy which permits small scale convenience stores would be broadly supportive of the proposal. Additionally the small amount of services in Pool don't amount to a local or neighbourhood centre and therefore do not benefit from protection under Policy P3. While concern regarding the potential impact upon the local post office is understandable, as it is an out of centre post office it does not benefit from any protection under national retail policy.
- 10.18 Overall it is considered that the proposal would not cause material harm to any interests of acknowledged importance which would outweigh the presumption in favour of development.

**11.0 CONCLUSION**

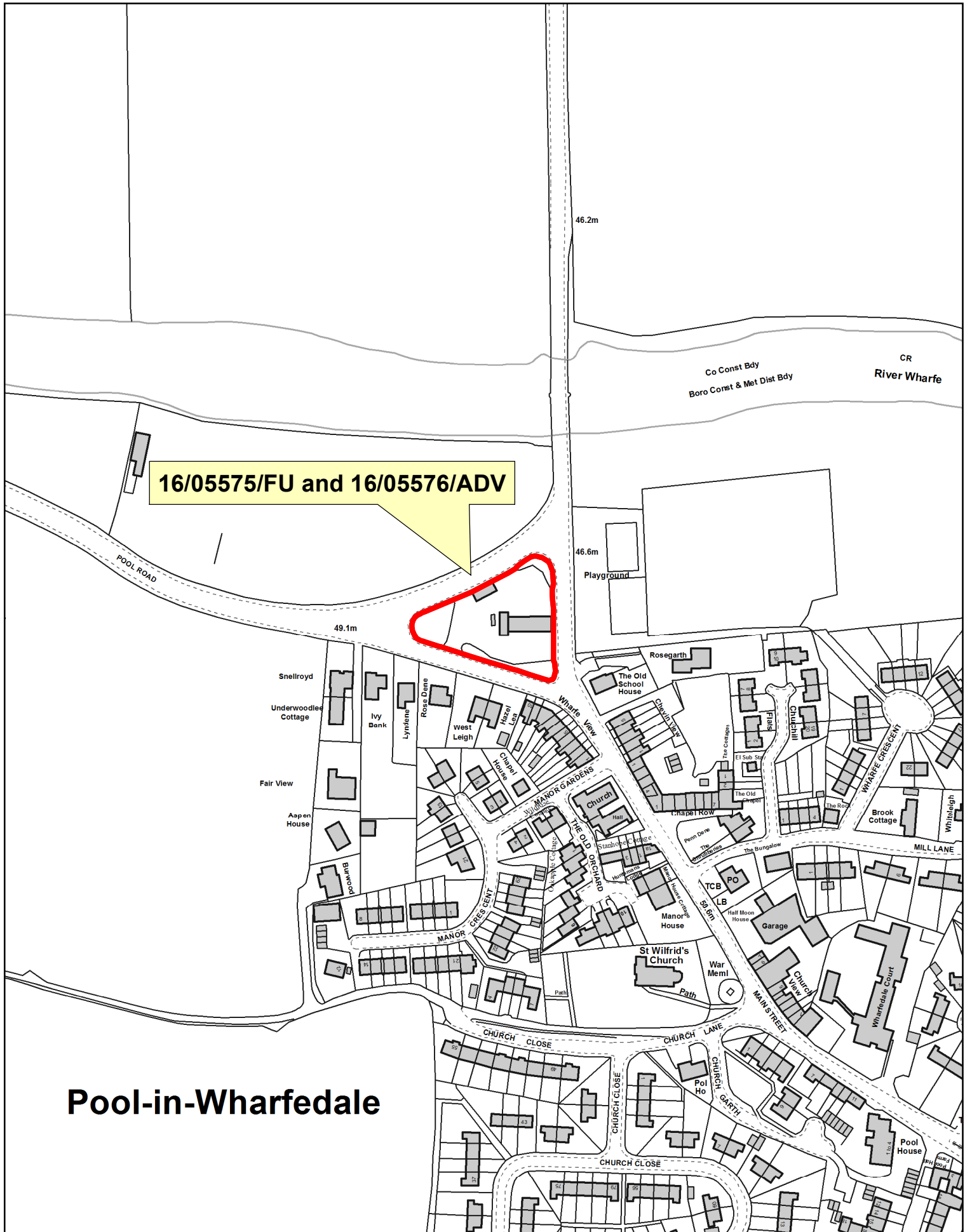
- 11.1 When considered against local and national planning policy the proposal is considered acceptable.

**Background Papers:**

Application files: 16/04153/FU

Certificate of Ownership: Signed by the applicant.





**16/05575/FU and 16/05576/ADV**

**Pool-in-Wharfedale**

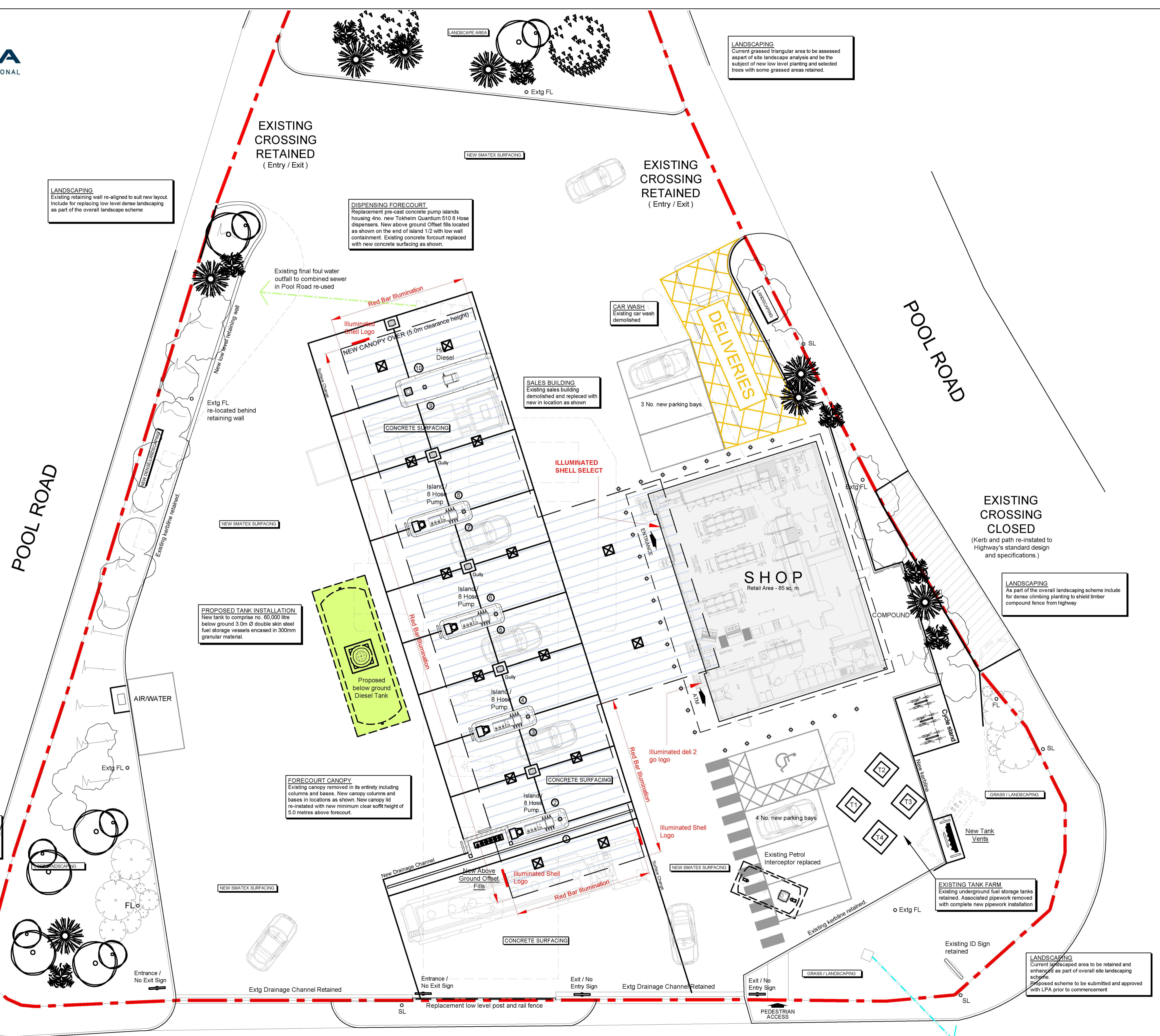
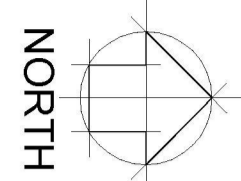
# SOUTH AND WEST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/2500





**GENERAL NOTES**

THIS DRAWING HAS BEEN PREPARED FOR PLANNING PURPOSES ONLY.  
DO NOT SCALE OFF THIS DRAWING.

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE FOLLOWING:

POOL BRIDGE - 10019338 PLNG1 16 - Existing Layout  
POOL BRIDGE - 10019338 PLNG2 16 - Existing Elevations  
POOL BRIDGE - 10019338 PLNG3 16 - Proposed Layout  
POOL BRIDGE - 10019338 PLNG4 16 - Proposed Elevations  
POOL BRIDGE - 10019338 PLNG5 16 - Proposed Building Elevations  
POOL BRIDGE - 10019338 PLNG6 16 - Tracking Plan

**DESIGN AND ACCESS STATEMENT**

**PROPOSAL**  
Proposed re-development. New Shell standard sales building, canopy, 1 no. underground fuel storage tank with existing retained for re-use. New forecourt.

**DEMOLITION**  
Existing sales building and car wash to be demolished.  
Existing forecourt demolished comprising of; canopy, pumps and islands.

**NEW TANK INSTALLATION**  
Existing tanks retained for re-use. Installation of 1 no. new below ground 3.0m Ø double skin steel fuel storage vessel encased in 300mm granular material and continuously monitored via the site wet stock management system located in the sales building.

**FORECOURT CANOPY**  
Existing canopy over forecourt to be demolished. New canopy to comprise a steel framed 'traditional' forecourt canopy on steel columns in a star/gale arrangement as shown incorporating HGV re-fuelling and canopy link. 250w HQL recessed lights to soffit. Canopy soffit to be set at 5.0m minimum above forecourt level.

**LIGHTING**  
Canopy lighting to comprise 14 no. 100 Watt fully recessed energy saving LED canopy lights

**DRAINAGE**  
The on site drainage is to be replaced with design reviewed at construction stage. All existing final outfalls to be re-used with all surface water around refuelling areas and tanker offloading zone taken through the existing retained Class 1 10,000 litre Petrol Interceptor.  
New concrete forecourt to be drained by gullies as shown.

**PETROL INTERCEPTOR**  
New 10,000 Litre Class 1 Petrol Interceptor, 7,600 Litre safe working capacity to replace existing.

**PROPOSED OFFSET FILLS**  
New above ground offset fills to be installed in proposed location as shown on the approach to pump island 1/2 and in accordance with 'Design, Construction, Modification, Maintenance & Decommissioning of Filling Stations' 2nd Edition, pg.24. Tanker stand to consist of minimum 15 x 5m concrete platform laid to falls back to fill point to ACO drainage channel.

**FLOODLIGHTS**  
New 24w LED heads on new 5 metre columns

**CROSSINGS**  
Two of the five existing crossings to be closed to allow for implementation of the new layout and improve traffic management.

**BOUNDARY TREATMENTS**  
All existing boundaries to remain open plan as existing, albeit low level post and rail fence replaced to A658.

**SYMBOL KEY**

- ☒ - Recessed canopy soffit light
- Hatch denotes extents of canopy structure
- 230mm Max Projection
- Outline of projecting illuminated shell logo
- Outline of non-illuminated acrylic fascia
- illuminated led red bar

**TYPICAL SECTION THRU CANOPY FASCIA**  
SCALE: 1:25


**PLANNING DRAWING**

**JENNINGS DESIGN LIMITED**  
York House, Valley Court Canal Road,  
Bradford West Yorkshire B01 4SP  
TEL. No 01274 395422  
FAX. No 01274 395427  
E-mail office@jen305.com

REV	DATE	BY	
D	10/02/2017	Shop internal footprint amended. Car parking / shop deliveries amended	DS
B	20/10/2016	Amendments in line with LPA comments dated 18/10/2016	PS
A	14/10/2016	Amendments in line with Highways comments dated 07/10/2016	DS

**PROJECT : SHELL POOL BRIDGE  
POOL-WHARFEDALE, OTLEY  
LEEDS. LS21 1EQ**

**TITLE : PROPOSED LAYOUT**

 Shell U.K. Limited  
Shell Centre  
London  
SE1 7NA  
UNITED KINGDOM

DRAWN BY :	DS	SCALE :	1:125 @ A1
DATE :	25/08/16	PLOT DATE :	25/08/16
CAD FILE :	E:\ARCHIVE\DRAWINGS\POOL BRIDGE-10019338-PLNG		
DWG No :	10019338	PLNG-3	2016 D

**A1**  
ORIGINAL  
PLOT SIZE