

TWC/2018/0433

Site of Walkers Clock Service Station, School Road, Muxton, Telford, Shropshire
Erection of coffee shop and restaurant with drive thru and associated parking
following the demolition of existing car wash facilities ***Amended Site Layout,
Transport Statement, Arboricultural Impact Assessment, Amended Elevations***

APPLICANT

Motor Fuels Limited

RECEIVED

18/05/2018

PARISH

Donnington and Muxton

WARD

Muxton

DONNINGTON & MUXTON PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

1.0 SUMMARY RECOMMENDATION

1.1 Grant Full Planning Permission subject to Condition(s) and Informative(s).

2.0 APPLICATION SITE

2.1 Walkers Clock Service Station is located on the south of New Trench Road (A518) in the Donnington area of Telford.

2.2 Immediately to the south of the site are further roadside facilities including a McDonalds with drive-thru facility, Premier Inn and Brewers Fayre restaurant. To the rear of this area is parkland.

2.3 To the east of the roundabout is a residential area which extends to the south. There are also residential uses to the west with employment uses beyond.

2.4 The existing site comprises a Petrol Filling Station (PFS) with shop with canopy over, car wash, jet wash and air/screen wash bays. The north, east and west boundary is grassed. The site is level and located in Flood Zone 1.

3.0 APPLICATION DETAILS

3.1 The application proposes a new coffee shop (Use Class A1/A3) including drive-thru facility with associated car parking, cycle parking and landscaping to be situated on the eastern side of Walkers Clock Service Station. To facilitate the new coffee shop the application proposes the removal of an existing jet wash and carwash on site and removal of an existing HGV pump facility, coupled with the relocation of the car care facilities to an alternative location on the western side of the site. The applicant asserts in the Planning Statement that neither the jet wash, or carwash, or HGV facilities on site are well used and that, conversely, the site has received many requests from existing customers for an enhanced 'coffee/food to go' offer.

- 3.2 The proposed coffee shop building is modern in design and includes a glazed front elevation to create a light and spacious seating area. Internally, there will be a washroom, including changing and disabled facilities, a servery and the required back of house space. The coffee shop will extend to 185 sq. metres gross floor area. The fabric of the building takes its lead from the surrounding commercial properties and includes elements of timber boarding and insulated wall panels. A feature '*blade*' above the roof line has been removed from the design since the application was originally submitted.
- 3.3 Staffing on site will comprise 1No. manager and there will be 2No. shifts with 4No. persons on each shift, therefore 9No. jobs are created overall. It is proposed that the coffee shop will be open seven days a week 0700-2200 hours seven days a week and will be operated by the applicant.
- 3.4 The height of the building extends to some 6 metres to the front and 3.5 metres to the rear.

4.0 PLANNING HISTORY

- 4.1 W2004/0181 - Replacement of Existing Fuel Tanks and Dispensers - Full Granted 25 May 2011

5.0 RELEVANT PLANNING POLICIES

- 5.1 The National Planning Policy Framework (NPPF)
- 5.2 Telford & Wrekin Local Plan 2011-2031
- 5.3 Donnington & Muxton Neighbourhood Plan (Draft Plan)

6.0 NEIGHBOUR REPRESENTATIONS

- 6.1 20 objections were originally received from 16 addresses, which are available in full on the planning file, but key points have been summarised as follows:

- Lack of Need
- Highways and Pedestrian Safety
- Design and Layout
- Pollution and Impact upon Amenity

A number of letters raise issues which are not material planning considerations.

A number of letters have been received in support of the proposal.

- 6.2 Amended plans have been received to address concerns raised by the LPA and 6 letters of representation from 4 addresses were subsequently received expanding on the comments previously received.

7.0 STATUTORY REPRESENTATIONS

7.1 Donnington and Muxton Parish Council: **Object:**

- The volume of traffic at this location is already an issue. Residents trying to access School Road from Kingsley Drive etc., already have issues and the small roundabout struggles to cope with the number of vehicles which use McDonalds and the Clock Tower Inn. Adding another facility at the Service Station will only exacerbate the problem;
- Litter is already an issue at this location and the additional coffee shop and restaurant will only add to the problem;
- There is no requirement for another coffee shop/restaurant here as there are two in very close proximity to the proposed site. McDonalds provides take away coffee and there is the Clock Tower Restaurant/bar immediately behind the Service Station. Wyevale Garden Centre also has a restaurant which provides food and drink;
- The application constitutes an overdevelopment of site.

7.2 Highways Engineer: **Support:** subject to Condition(s).

7.3 TWC Healthy Spaces: **Comment:**

Requests conditions requiring the submission of landscaping details and a long term Landscape Management Plan.

7.4 Arboricultural Officer: **Support:** subject to Condition(s).

7.5 Drainage: **Support:** subject to Condition(s).

7.6 Pollution Control (Local Petroleum Authority): **Support:** subject to Condition(s).

7.7 Pollution Control (Contaminated Land): **Object:** subject to Condition(s).

8.0 PLANNING CONSIDERATIONS

8.1 Having regard to the development plan policies and other material planning considerations, including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Design and Layout
- Highways Safety and Access
- Petroleum Safety
- Residential Amenity, Pollution and Litter
- Impact upon Arboriculture and Landscaping Issues
- Drainage
- Other Matters

8.2 Principle of Development

8.2.1 The site lies within the urban boundary of Telford and comprises part of an existing Petrol Filling Station forecourt. The proposed location of the coffee shop and drive-thru is currently occupied by a car wash that would be removed to make room for the proposed development. The application site is therefore considered to constitute Previously Developed Land (PDL) and the principle of development is acceptable.

8.2.2 The area has been designated as a Neighbourhood Plan area and the Parish Council are currently working on a draft version of the Donnington & Muxton Neighbourhood Plan. Given its early stages of preparation only limited weight can be given.

8.3 Design and Layout

8.3.1 Policy BE1(i) of the Local Plan states the Council will support development which respects and responds positively to its context and enhances the quality of the local built and natural environment.

8.3.2 The proposed building would be accommodated on site by removing the existing car wash facility, HGV fuel pump and re-locating the air/water facility. The drive-thru facility would be located on the outer elevation of the building facing School Rd.

8.3.3 The vast majority of buildings that contain service uses, such as retail or food consumption, require a service area that provides access to bins and waste. The elevation facing these waste areas are normally blank and designed for security. It follows, then, that a coffee shop would feature this type of arrangement in its design and such is the case for this proposal.

8.3.4 Good urban design practice encourages new development to show active elevations to public routes and highways. However, this is difficult to achieve given the nature of this site, which is exposed on all sides making the building publicly visible on all elevations. Re-orientation of the building to present an active elevation to School Rd would result in the blank service elevation facing the petrol forecourt and this would produce a less desirable environment in terms of security and natural surveillance. By having the blank elevation facing School Rd, it allows the drive-thru facility to be located on this elevation plus allowing for open views from the pavement which would be less problematic in terms of creating a safe and naturally surveyed environment. Therefore, whilst the orientation of the building is not ideal in urban design terms the Local Planning Authority (LPA) considers that taking all matters into account the proposed design and layout is the best achievable and the benefits of the scheme outweigh the disadvantages.

8.3.5 Policy BE1(v) seeks for new development to maintain and exploit important landmarks, gateways and respect the quality of the skyline. The feature 'blade' has been removed from the design of the building to avoid competing

with the Clock Tower, which is recognised as a local landmark and gateway feature to this route into Telford. It is considered, therefore, that the proposal would not compromise the setting of this local landmark and would comply with Policy BE1(i) and (v) of the Local Plan.

8.3.6 A number of objections have been received commenting that the site is not big enough to accommodate the coffee shop and associated parking. The Council's Highways Engineer and Local Petroleum Authority have assessed the proposal and consider it can safely accommodate the required amount of parking and allow safe movement of petroleum vehicles servicing the PFS forecourt.

8.4 Highway Safety and Access

8.4.1 Policy C3 of the Local Plan refers to the impact of development on highways. The applicant submitted a Transport Statement with the Amended Plans and the Council's Highways Engineer has assessed this to be acceptable.

8.4.2 Objections from the public in terms of the impact upon highways safety remain in spite of the amended plans received. The nature of this proposal is that people are likely to visit the coffee shop and drive-thru facility when already visiting the site to purchase fuel. Therefore, the increase in trip rates is expected to be low in comparison and the cumulative result upon the local highway network to be acceptable in terms of highway safety.

8.4.3 The TRICS Assessment that was undertaken by the applicant is one of the most efficient ways to gauge the impact the proposals are likely to have on the adopted highway network in vicinity of an application site. The exercise looks at establishments of similar size in similar locations and these sites are then outlined within the Transport Statement. Local factors cannot be incorporated into this exercise unless there was an identical establishment in very close proximity of the site. The Local Highways Authority (LHA) are confident that, based on the information submitted within the Transport Statement, the proposals will have a negligible impact on the level of traffic on the adopted highway. This is primarily down to the fact the amount of 'new' trips generated by the site would be small and that the vast majority of vehicles utilising the coffee shop facilities would be a combination of 'Diverted', 'Pass-by' and 'Linked' trips, i.e. vehicles that are already on the network. This, combined with the fact that only one slight accident has been recorded in the vicinity of the site in a three year period, means the LHA are confident that the development would have no significant impact on the safety of road users on the adjacent highway.

8.4.4 The applicant has considered pedestrian safety and amended the scheme to provide improved pedestrian routes across the site, improved parking arrangements and signage to make the site legible and safe to navigate for both vehicles and motorists. On the basis of these points the proposal is

considered to meet the requirements of the Local Plan policy C3.

8.5 Petroleum Safety

8.5.1 Policy BE1(xi) states that Council will support development where it can demonstrate it will not prejudice or undermine existing surrounding uses.

8.5.2 Due to the presence of the PFS, the Council's Pollution Control Officer has assessed the scheme as a representative of the Local Petroleum Authority to ensure there is no conflict between vehicles using the PFS and vehicles accessing the coffee shop and drive-thru. The applicant has amended the site layout in line with guidance from the Local Petroleum Authority to improve circulation of vehicles around the site in a manner that is safely workable and understandable without being overly complex. On this basis the Local Planning Authority considers the proposal meets the requirements of Policy BE1(xi) in terms of its relationship with the existing use on site.

8.6 Residential Amenity, Pollution and Litter

8.6.1 Policy BE1(xi) of the Local Plan states the Council will support development where it can demonstrate there is no significant adverse impact on nearby properties by noise, dust, odour or light pollution.

8.6.2 The applicant has responded to concerns regarding a potential increase in litter by proposing a planning condition to ensure a procedure for collecting litter is in place prior to the coffee shop opening. It should be noted that littering caused by passing cars or existing businesses and premises are not the responsibility of the applicant and are outside the scope of this application.

8.6.3 As the proposal is unlikely to result in a significant increase in additional traffic visiting the site that would not have been visiting the PFS already, the likely increase in air pollution over and above the existing levels is expected to be low.

8.6.4 The applicant is proposing opening hours of 0700 to 2200, seven days a week. Whilst this would result in increased activity and external/internal lighting of the building, it should be remembered that this within the context of the PFS which has permission to open 24-hours a day seven days a week. It is considered by the LPA that the additional lighting and activity resulting from the proposed coffee shop would not create a significant adverse impact over and above the existing levels of noise and artificial light already being created from the existing uses on site and from the adjacent uses. Therefore, the proposal is considered to meet the requirement of Policy BE1(xi) of the Local Plan.

8.7 Impact upon Arboriculture and Landscaping Issues

- 8.7.1 Policy NE2 refers to trees, hedgerows and woodlands and states that proposals for new development will be expected to demonstrate that any proposed removal of trees is outweighed by the wider benefits of the scheme and should provide replacement and enhancement planting which maintains local amenity. The application proposes the removal of 10no. trees across the site with 3no. significant trees being retained.
- 8.7.2 The Council's Arboricultural Officer has assessed the scheme and supports it subject to conditions, including a replacement tree planting scheme.
- 8.7.3 The Council's Healthy Spaces specialist has requested planning conditions to secure the long term maintenance and management of the site, as well as a detailed landscaping conditions. On this basis the proposal is considered to comply with Policies NE2 and NE5 of the Local Plan.

8.8 Drainage

- 8.8.1 The Council's Drainage Engineer has assessed the scheme and supports it subject to conditions securing a detailed scheme for foul and surface water drainage. These conditions would ensure the proposal meets the requirements of Policy ER11 of the Local Plan, which requires new development to demonstrate it will avoid adverse impacts of additional demand on the existing sewerage network, and therefore it is considered policy compliant in terms of drainage.

8.9 Other Matters

- 8.9.1 Pollution Control (Contaminated Land) have requested conditions relating to ground investigations to address any concerns over potential land contamination. This would address any issues in respect of Policy BE10.
- 8.9.2 Comments have been received from members of the public suggesting that the site would be a suitable location for electric vehicle charging points. The applicant is of the view that these would be better suited to the PFS rather than the coffee shop parking area.
- 8.9.3 Comments have been received from members of the public concerning the loss of jobs at the existing car wash facility on site. The applicant has provided no information about how many jobs are currently being provided by the car wash facility and there is no planning history to indicate this facility has ever sought planning permission. The proposed coffee shop would create 9 jobs, which is considered a benefit to the scheme.
- 8.9.4 Letters have also been received stating that developments such as the one proposed contribute to the obesity crisis and its impact upon the NHS. However, this is not would not a material planning consideration that can be considered within the scope of this application.

8.9.5 All drawings provided by the applicant are to scale, allowing dimensions to be measured.

9.0 CONCLUSION

9.1 The site is located within the urban boundary of Telford and currently contains a petrol filling station (PFS) and a car wash facility. The site is considered sustainable and the principle of development is acceptable.

9.2 The proposed coffee shop will create 9 jobs and would not result in significantly adverse changes in levels of air pollution, noise pollution or light pollution currently experienced by residents nearby. The existing PFS creates an existing level of activity and artificial light and noise which sets the context for the proposed coffee shop.

9.3 The applicant has amended the scheme to the satisfaction of the Council's Highways Engineer and the Local Petroleum Authority, thus ensuring the impact upon the highway network and relationship with petroleum tankers and vehicles visiting the PFS are safe for motorists and pedestrians.

9.4 The design and layout of the building makes a positive contribution to the streetscene and has been amended to ensure it does not compete with or detract from Walker's Clock, a local landmark. Whilst the LPA seeks to achieve active frontages facing public spaces and routes, on this occasion it has not proved possible due to the nature of the use proposed for the building and the unique features of the site resulting in its visibility from all directions. However, on balance it is considered that the merits of the scheme outweigh the disadvantages and therefore it is recommended for approval.

10.0 RECOMMENDATION

10.1 Based on the conclusions, it is recommended that **DELEGATED AUTHORITY** be granted to the Delivery Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to:

- a) The following Condition(s) and Informative(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Condition(s)

Time Limit - Full

Development in accordance with Deposited Plans

Drainage Scheme for Surface Water Drainage and Exceedance Flow

Detailed scheme for foul and surface water drainage

Tree Conditions (to be agreed with Council's Arboriculturist)

Construction Environmental Management Plan

Site Investigation Conditions as proposed by Pollution Control

Confirmation of materials
Highways Conditions as proposed by Highways Engineer
Landscaping and Landscaping Management Condition
Details of Litter Collection Regime
Opening hours
Service delivery hours

Informative(s)

I40 Conditions
I32 Fire Authority
I41 Reason for Grant of Full Planning