



Planning & Development Ltd

JMS PLANNING & DEVELOPMENT LTD

**PLANNING STATEMENT IN SUPPORT OF PLANNING
APPLICATION BY MFG**

AT

**DERBY SERVICE STATION
MANCHESTER ROAD
BURY
BL9 9NS**

Client: MFG

Project: New sales building and EV Centre

Date: August 2021

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SECTION 1: INTRODUCTION

1.1 This Planning Statement has been prepared by JMS Planning on behalf of Motor Fuel Group (MFG) in support of an application for full planning permission for the demolition of sales building, canopy and fuel islands and the removal of fuel tanks. The re-development of the site is proposed for the creation of a new EV charging hub to provide 8 no. new EV chargers with EV canopy and associated EV infrastructure/plant, new sales building, new jet wash facilities, new car care facility and other associated works at Derby Service Station, Manchester Road, Bury, BL9 9NS.

1.2 It is considered that the application is of significant merit. Namely:

- The provision of an electric vehicle charging hub in accordance with National Government policy to implement a rapid charge point network which will assist in increasing the uptake of electric vehicles;
- It provides a low carbon refuelling facility which will help meet the UK's legally binding target to reduce total CO₂ emissions by at least 80% (relative to 1990 levels) by 2050;
- The application proposal represents sustainable development on an existing, established service station in an appropriate location;
- The proposal represents the upgrade and improvement of an established service station to provide an improved customer offer with an enhanced sales building to provide a more comfortable sales environment for the benefit of EV customers; and
- The application proposes a new jet wash centre and car care facilities to the benefit of local residents.

- 1.3 This Report continues in Section 2 by providing an overview of the Applicant. Section 3 provides details of the site's location and its context, with a brief summary of the planning history for the site in Section 4. Details of the application proposal are set out in Section 5. A detailed description of the electric vehicle charging facility and associated benefits is contained within Section 6, with a detailed summary of the planning policy position at national and local level contained within Section 7. Section 8 sets out the justification for the proposal in the context of national requirements, local need and the policy position. Conclusions on all matters are drawn in Section 9.

SECTION 2: MOTOR FUEL GROUP

- 2.1 Motor Fuel Group (MFG) is the largest independent forecourt operator in the UK. The Company currently has around 918 stations operating under the BP, Shell, Esso, Texaco, JET and Murco fuel brands.
- 2.2 MFG is backed by committed investors and is focused on growing and developing the business into one of the most dynamic and profitable independent forecourt operators in the UK.
- 2.3 MFG completed the acquisition of the retail assets of Murco Petroleum on 1 October 2014. In April 2015 90 Shell branded stations were acquired and then following this, the Company acquired the north-west based Synergie Holdings with 19 stations and the north-east based Roadside Group with 10 stations. In 2017, MFG acquired four stations each from FW Kerridge and Burns & Co, nine stations from Macclesfield-based Manor Service Stations and 14 stations from the Golden Cross Group.
- 2.4 From 1 April 2015, MFG decided to launch Murco as a dealer brand. The 180 strong dealer network will continue to use this well recognised brand and with its dedicated team Murco intends to grow, develop and strengthen a very flexible dealer offer, building on the great service and delivery standards that Murco has always been known for.
- 2.5 At the end of February 2018, MFG announced the £1.2 billion acquisition of MRH, bringing nearly 500 stations and the Greggs, SPAR and its own Hursts brands into the network.
- 2.6 MFG intends to continue to offer its customers premium fuel brands coupled with an attractive, competitive and expanding forecourt shop offer for today's cost-conscious consumers. The Company's key objective is to make all visits to a MFG forecourt as pleasurable as possible. They aim to provide our customers with high levels of service; good quality, competitively priced fuels and, of course, a convenient and competitive shopping experience.

- 2.7 The Company's intention is to ensure that its shops provide customers with an exceptional product range and '*food to go*' offer from top name brands, ongoing value promotions and a shopping environment to match any of the multiples, whilst the forecourts met the need of motorists.
- 2.8 In July 2020 the Group was ranked 8th in a league table of Britain's one hundred private companies with the largest sales in the 19th annual Sunday Times' HSBC Top Track 100.
- 2.9 As the UK's leading independent roadside fuel operator, MFG is now embarking on an ambitious nationwide programme of electric vehicles (EV) charging infrastructure throughout its existing estate. This will play an important role in the UK's energy transition and support the uptake of EV within the UK.

Proposed Investment in New EV Infrastructure

- 2.10 Over the next decade MFG plans to invest circa £400m in ultra-rapid, 150kW and 350kW EV chargers across its UK network with the intention to install a total of circa 3,000 ultra-rapid 150kW and 350kW EV chargers at over 500 sites by the end of 2030. The proposed application at Derby Service Station, Bury forms part of this investment in EV infrastructure in the UK which is of national significance.

SECTION 3: SITE AND SURROUNDING AREA

- 3.1 The application site comprises Derby Service Station, Manchester Road (A56), Bury, BL9 9NS. Derby Service Station comprises of a petrol filling station forecourt with a small single storey sales building with ATM. The site is rectangular in shape and has an approximate area of 0.08 hectares.
- 3.2 The site is temporarily closed. The site has not, however, been decommissioned and could be reopened for continued petroleum sales as required.
- 3.3 The site extends approximately 50m fronting Manchester Road and is currently laid out with four fuel pumps in 4-square configuration, an existing forecourt sales building and canopy. The single storey sales building is located west of the site with the canopy and pumps located in the centre of the site.
- 3.4 The site has separate access and egress points – access can be gained on a south-north direction south of the site from Manchester Road, egress is north of the site onto Manchester Road. The southern access is for ingress only.
- 3.5 Commercial properties with associated car parking surround the site on the south with industrial and further commercial uses immediately adjacent to the site to the west. North of the site, serviced accommodation and east of the site -across Manchester Road- residential properties with associated gardens.
- 3.6 Overall, the immediate surrounding area is mixed in character, comprising of commercial and industrial premises and residential uses fronting the site across Manchester Road.
- 3.7 The site is located in Flood Zone 1, and therefore has low probability of flooding.

SECTION 4: PLANNING HISTORY

- 4.1 A review of planning history of the application site has been undertaken using the Council's online database. The most relevant applications are as follows:

Application reference	Proposal	Decision/Date
56072	Extension to existing shop and alterations including installation of ATM and new shop front	Granted 02 May 2013
56160	1 No. Internally illuminated sign (retrospective)	Approved 15 May 2013

- 4.2 The planning history for the site is not extensive and Bury Council's database only shows two applications associated for the site dating back to 2013. Notwithstanding, the site has a long-established petrol filling station use which dates back more than 30 years.

SECTION 5: PLANNING PROPOSAL

- 5.1 The application proposes the demolition of the existing sales building, canopy and fuel islands and the removal of the underground fuel tanks. The re-development of the site is proposed for the creation of a new EV charging hub with EV canopy and associated EV infrastructure/plant with new sales building, new jet wash facility, new car care facility and other associated works at Derby Service Station in Bury.
- 5.2 The existing sales buildings on site (71 sqm GIA) will be demolished and replaced with a larger sales building of approximately 164 sqm (GIA) in the same location as the current sales building on site. The increase in size will create an improved shopping environment and better facilities for customers. The existing shop on site is small – the larger shop will also include coffee to go facilities to the benefit of customers of the proposed EV charging hub. The new sales building will be single storey and will comprise a flat roof design to minimise its visual impact.
- 5.3 A new air/water and vac combi unit is proposed to be located north-east of the site, relocated from its current location north-west of the site. An additional air/water and vac combi unit is proposed to be located south-east of the site. In addition, a new jet wash is proposed south-west of the site, adjacent to the sales building.
- 5.4 The proposal includes the provision of eight high speed electric vehicle charging spaces fronting Manchester Road and positioned in a row formation under a canopy which extends over the front third of each space. The associated infrastructure includes a new GRP substation, a new GRP LV enclosure and power packs. These will be appropriately screened by fencing and are proposed to be located north-east of the site, adjacent to the proposed new sales building. More details of the EVCPs are provided in the following Section of this report.
- 5.5 The existing access and egress arrangements will remain as existing, as these work in operational terms. No changes are proposed to the boundary treatment around the remainder of the site, which, will remain as existing.

Role, Function and Location of Petrol Filling Stations

- 5.6 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.
- 5.7 The Experian Catalist UK database, released in 2020, confirms that the number of petrol forecourts in the UK had fallen to just 8,385, 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.
- 5.8 Conversely, the number of registered UK vehicles once again broke records, rising from 33.98 million in the first quarter of 2009 to reach 39.5 million at the end of March 2020, with each forecourt supplying an average of 4,715 vehicles.
- 5.9 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.
- 5.10 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. 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.
- 5.11 In this respect, enhanced on-site food and beverage facilities 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 6: BACKGROUND TO ELECTRIC VEHICLE RECHARGING

- 6.1 Powering more of the cars we drive with electricity is essential to addressing growing CO₂ emissions and air pollution in cities. As more electric car models become available, they will also become a more affordable choice for people and businesses.
- 6.2 There are around one billion cars on the world's roads. Of these around two to three million are pure battery electric and plug-in hybrid electric vehicles, according to the International Energy Agency (IEA). The IEA anticipates there may be three hundred to four hundred million electric vehicles (EVs) on the road out of approximately two billion vehicles by 2040.
- 6.3 Electric vehicles are cars and other forms of mobility that use an electric motor as their main source of propulsion, rather than a conventional engine. They also have their energy stored in batteries.
- 6.4 There are three main types of electric vehicles; battery electric vehicles, hybrid electric vehicles and plug-in hybrid electric vehicles.
- 6.5 Battery electric vehicles are all electric cars that rely on their batteries as the only source of energy. Hybrid and plug-in hybrid electric vehicles combine electric drive with a conventional fuel engine.
- 6.6 Unlike traditional cars, which usually refuel at petrol stations, electric cars have the potential to be recharged at home, at work or on the go. They can also be charged in shared locations such as forecourts, car parks or supermarkets. Speed, availability and the reliability of charging infrastructure are currently the biggest potential deterrents to buying an electric car. MFG believes this could be changed with better access to recharging options, better suited to the needs of customers and their lifestyles. This could include smart, regular chargers, ideal for those charging overnight at their homes or during working hours. It could also include high powered, fast chargers designed for when drivers are between destinations and in need of a quick top-up.

- 6.7 Low carbon energy sources such as wind farms and photovoltaic (PV) systems turn energy from wind or light into electricity needed to meet the needs of commercial, industrial and residential customers.

Energy White Paper (December 2020)

- 6.8 On 14 December 2020 the Government published its long-awaited Energy White Paper which expands on Prime Minister Boris Johnson's recently announced ten point plan for a green industrial revolution and sets out the steps needed to cut emissions from industry, transport and buildings by 230 million metric tonnes as part of the journey to net zero emissions by 2050.
- 6.9 The document sets out how the UK will increase deployment of green energy sources in order to meet the 2050 net zero carbon target. The White Paper confirms the Government will support the roll out of charging and associated grid infrastructure along the strategic road network to support drivers to make the switch to electric vehicles (EV's) ahead of the phase out of the new petrol and diesel cars and vans by 2030 and hybrids with significant zero emission capability by 2035. It is confirmed that the UK will end the sale of new petrol and diesel cars and vans by 2030, ten years earlier than planned. The sale of hybrid cars and vans that can drive a significant distance with no carbon emissions will continue until 2035. The Energy White Paper notes that this accelerated transition requires scaling – up the roll out of EV charge points and, in turn, an associated expansion of electricity generation and network capacity to meet the increase in demand for power. With the necessary investment in new infrastructure and adoption of smart charging the Government is confident the system will cope with the transition. As part of a £2.8bn package announced in the Prime Minister's ten point plan the Government intends to provide funding of £1.3bn to accelerate the roll out of charge points for EV's in homes, workplaces, streets and on motorways across England, so people can more easily and conveniently charge their cars. The Government will invest £950m of this funding in future proofing grid capacity along with the strategic road network to prepare ahead of need for a one hundred percent take up of zero emission cars and vans.
- 6.10 There is therefore acknowledgement at the highest level of Government of the importance of a comprehensive EV network.

The Role of the Applicant

- 6.11 As the UK's largest independent forecourt operator, MFG is exploring how to serve the UK's increasing numbers of electric car drivers on our forecourts and beyond. These initiatives are part of MFG's wider drive to provide more and cleaner energy solutions around the world.
- 6.12 Whilst charging electric cars at home is often the most convenient and cost-effective way to recharge sometimes this option is not either convenient or available. A growing number of MFG forecourts in the UK are offering fast electric vehicle charging. This takes only around 30 minutes to fully charge and also provides electric car drivers with a shorter option to just top-up to get to their destination.
- 6.13 By installing high powered, fast chargers at MFG sites countrywide, MFG is helping electric vehicle drivers to travel long distances confidently and with ease.
- 6.14 The proposal for the provision of EV charging spaces will have the benefit of bringing the energy transition closer to the area and offer increased choice and improved customer experience across the wider site, meeting the needs of customers.

Market Context

- 6.15 Battery electric vehicles accounted for 6.6% of all new car registrations in the UK in 2020, up from 1.6% in 2019. To meet Government targets, 100% of new registrations must be battery electric by 2035.
- 6.16 To achieve full electrification, significant private and public infrastructure investment will be required.

En Route Charging

- 6.17 EV motorists can charge in multiple different settings – at home, on-street, at work, in car parks or on route. Each of these charging segments will be critical to EV adoption and will

give drivers confidence that they can get to and from their destination, alleviating drivers' concerns over range anxiety, which are well documented.

- 6.18 On route charging will be particularly important infrastructure for those drivers who do not have access to '*at home*' charging. In England, over 60% of dwellings in cities and urban areas do not have garages or other off-road parking provisions, and so must rely on electricity from publicly accessible networks.

MFG's Network

- 6.19 MFG has installed EV chargers at 108 of its sites through third parties. This is the highest rollout in the independent forecourt sector. Alongside this existing network, MFG will self-fund, build, and operate its own EV charging hubs, thereby becoming a truly national charge point operator.
- 6.20 MFG hubs will consist of between four and eight Ultra-Rapid 150kW EV Chargers per site. 150kW chargers can add 100 miles range in approximately 10 minutes, subject to the charging capability of individual car batteries. These will be augmented with 350 kW chargers as vehicle battery technology improves to maintain the fastest charging times across the MFG network. While these charging speeds are beyond the capability of most EV models currently on the market, MFG is investing ahead of the curve to build driver's confidence in electricity as a fuel source and supporting the Government's decarbonisation and sustainability agenda and emissions target of being net zero by 2050.
- 6.21 In 2021, MFG will build EV charging hubs at an additional 40 sites, offering over 200 Ultra-Rapid 150kW EV Chargers. The initial focus will be on major trunk roads and urban areas. In London alone, MFG's planned roll-out will treble the current number of open network Ultra-Rapid 150kW EV Chargers.
- 6.22 From 2022 onwards, MFG plans to build at least 50 additional EV charging hubs per year. A significant number of these will be on the strategic road network, thereby materially helping Government to hit the targets it has laid out.

- 6.23 MFG is working with some of the world's leading suppliers to deliver electric power to its forecourts and will continue to invest significant capital in its EV charging capabilities as global EV technology improves. As and when car battery technology allows, MFG intends to upgrade a significant number of Ultra-Rapid 150kW EV Chargers to even more powerful 350kW chargers, which closely match the time taken for a conventional fossil fuel fill-up.
- 6.24 As MFG further establishes itself as a provider of essential infrastructure to enable the UK's mobility revolution on the strategic road network, it intends to actively target other charging segments and expand its EV offering, either organically or through acquisition.

Dual Fuel Strategy

- 6.25 Over the coming decades, MFG will operate a dual fuel strategy. It will continue to provide existing fossil fuel infrastructure whilst rolling out EV charging hubs while continuously upgrading its nationwide network of industry-leading travel retail destinations.
- 6.26 Given the slow churn of the car parc – on average, cars are 14 years old at point of scrappage – millions of motorists will require fossil fuels long after the 2030 ban on the sale of new petrol or diesel cars. MFG is committed to supporting these motorists by providing necessary fossil fuel infrastructure, while enabling their transition to clean fuels.

Industry Leading Retail Offering

- 6.27 MFG is arguably the fifth largest retailer by number of stores in the UK, mostly in high density urban areas. These stores often act as the local convenience store and are vital to communities. Building on this footprint, and alongside its ambitious EV roll out, MFG also plans to invest over £50m in 2021 to improve its retail, food to go, and valeting offer to the consumer. This investment will continue in the years ahead across its UK wide network.

SECTION 7: PLANNING POLICY FRAMEWORK

- 7.1 This Section sets out national and local planning policy framework relevant to the proposed planning application.

National Planning Guidance

- 7.2 The revised National Planning Policy Framework (NPPF) was updated in July 2021 and now constitutes guidance for local planning authorities and decision takers and is a material consideration in the determination of planning applications (paragraph 2).
- 7.3 The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7).
- 7.4 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). For decision takers this means, inter alia, approving development proposals that accord with the development plan without delay.
- 7.5 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).
- 7.6 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).

- 7.7 Planning policies and decisions should help create the conditions in 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).
- 7.8 Planning policies set out a clear economic vision and strategy which positively and practically encourages sustainable economic growth having regard to; the local industrial strategies and other local policies for economic development and regeneration; a 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 enable a rapid response to changes in economic circumstances (paragraph 81).
- 7.9 Planning policies and decisions should recognise and address specific locational requirements of different sectors (paragraph 82).
- 7.10 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).
- 7.11 Transport issues should be considered from the early stage of plan making in development proposals so that potential impacts of development and transport networks can be addressed, opportunities from existing or proposed transport infrastructure and changing transport technology and usage are realised – for example in relation to the scale, location or density of development that can be accommodated; opportunities to promote walking, cycling or public transport are identified and pursued; the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects and for net environmental gains; and patterns of movement, streets, parking and other transport

considerations are integral to the design of schemes and contribute to making high quality places (paragraph 102).

- 7.12 Paragraph 104 confirms that planning policy 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. A footnote to this paragraph notes that such facilities would 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).
- 7.13 Within the context of promoting sustainable transport, paragraph 110 advises that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 7.14 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).
- 7.15 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).
- 7.16 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).

- 7.17 Chapter 14 of the NPPF sets out advice on meeting the challenges of climate change, flooding and coastal change. The opening paragraph to this Section confirms that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, encourage the reuse of existing resources, including the conversion of existing buildings and support renewable and low carbon energy and associated infrastructure (paragraph 148).
- 7.18 To help increase the use and supply of renewable and low carbon energy and heat, the plan should provide a positive strategy for energy from these resources, that maximise the potential for suitable development, whilst ensuring that adverse impacts are addressed satisfactorily; consider and identify suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and identify opportunities for development to draw its energy supply from a decentralised, renewable or low carbon energy supply systems (paragraph 151).
- 7.19 Local Planning Authorities should support community lead initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that have been taken forward through neighbourhood planning (paragraph 152).
- 7.20 When determining planning applications for renewable and low carbon development local planning authorities should not require Applicants to demonstrate the overall need for the renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable (paragraph 154).
- 7.21 Accordingly, the NPPF sets out clear guidance on the environmental role that a low carbon energy can have in the future of planning and offers support to low carbon energy initiatives.

- 7.22 Paragraph 182 states that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the Applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Development Plan Policy

- 7.23 To the extent the Development Plan policies are material to an application for planning permission, the 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 Compulsory Act 2004).
- 7.24 The Development Plan for the application site comprises of the Bury Unitary Development Plan (UDP) adopted in 1997.
- 7.25 In March 2013, the Council assessed the consistency of UDP policies with the National Planning Policy Framework (NPPF), resulting in some UDP policies now being superseded by policies within the NPPF.
- 7.26 On the adopted Policies Map, the application site has no designations.

Bury Unitary Development Plan

- 7.27 UDP Policy EN1/2 (Townscape and Built Design) states that the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Policy sets out a variety of factors considered when assessing proposals, including the external appearance and design of proposals, the relationship of proposals with their surrounding area, landscaping, the use of lighting, amongst others.

- 7.28 UDP Policy EN1/5 (Crime Prevention) confirms that the Council will encourage development proposals which include environmentally sensitive design features aimed at discouraging crime. In particular, the use and creation of defensible space and opportunities for natural surveillance; location and design of street lighting; location of footpaths and access points; location and design of parking facilities; and design of landscaping.
- 7.29 UDP Policy EN1/8 (Shop Fronts) states that the Council will seek to ensure that proposals for new and altered shop fronts properly respects the architectural elements of the building and the character of the surrounding street scene. Proposals which are unsympathetic to the building or its surroundings or which break up a harmonious group of buildings will not be permitted.
- 7.30 UDP Policy S4/1 (Retail Development Outside Town and District Centres) confirms that some retail facilities are considered appropriate to be located outside the main shopping area of the Borough's town and district centres, including petrol filling stations. Policy goes on to say that all development permitted under this policy must also take account of its environmental impact and satisfactorily accord with other relevant policies and proposal of the Plan.
- 7.31 UDP Policy S4/4 (Car Showrooms, Car Sales Areas and Petrol Filling Stations) states that petrol filling stations should be located within or adjoining established shopping areas, along classified roads or within other industrial and commercial areas within the Borough. Policy goes on to say that proposals should take account the potential disruption to the free flow of traffic; the provision of adequate, well laid out car parking and display facilities together with safe and convenient arrangements for access, circulation, and egress; road safety and the safety of pedestrians; and the amenity of nearby residents and businesses.
- 7.32 UDP Policy EC4 (Small and Growing Businesses) confirms that the Council will ensure that the needs of small and growing businesses are met by looking favourably on proposals for such developments, where these do not conflict with other policies and proposals of the Plan.
- 7.33 UDP Policy EC4/1 (Small Businesses) states that proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is

environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan.

- 7.34 UDP Policy EN4 (Energy Conservation) seeks to encourage development which contributes to energy conservation, the use of renewable energy resources and the incorporation of energy efficiency measures in built development and the transport system.
- 7.35 UDP Policy EN4/1 (Renewable Energy) confirms that the Council will encourage proposals for the provision of renewable energy sources, subject to compliance with other policies and proposals of the Plan. In particular, the Council will seek to ensure that proposals do not involve an unacceptable loss of amenity through visual intrusion and noise; would not result in a health or safety risk or nuisance to the public; and generally, would not have an unacceptable adverse impact on the Borough's natural environment.
- 7.36 UDP Policy EN7 (Pollution Control) confirms that the Council will seek to control environmental nuisance and minimise pollution levels associated with development by limiting the environmental impact of pollution, wherever possible, in conformity with current legislation and prescribed standards.
- 7.37 UDP Policy EN7/2 (Noise Pollution) seeks to limit noise pollution in the Borough and confirms that the Council will not permit development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users; and noise sensitive development close to a permanent source of noise.
- 7.38 UDP Policy EN10 (Environmental Improvement) confirms that the Council will seek to improve the environmental quality of the Borough. It confirms that the priority will be to an on-going environmental improvement programme which targets the improvement of untidy and derelict sites throughout the Borough.
- 7.39 UDP Policy H3/2 (Existing Incompatible Uses) encourages established non-residential uses in residential areas to implement measures to safeguard the amenity of neighbouring residents.
- 7.40 UDP Policy HT2 (Highway Network) states that the highway network of roads, footpaths and associated infrastructure will be maintained and selectively improved. Preference will be given to improvement schemes which seek to inter alia, improve or protect the environment.

- 7.41 UDP Policy HT2/4 (Car Parking and New Development) requires all development applications to make adequate provision for car parking and servicing requirements in accordance with the Council's car parking standards.

Greater Manchester's Clean Air Plan (GM CAP)

- 7.42 In 2019, Bury Council declared a climate emergency and set a target for Bury to be carbon neutral by 2038.
- 7.43 Ten Greater Manchester local authorities have worked together to develop the Greater Manchester Clean Air Plan with the aim to reduce nitrogen dioxide (NO₂) exceedances on local roads to reach legal limits by 2024.
- 7.44 The GM CAP was approved on 25 June 2021 and will see the introduction of Clean Air Zone (CAZ) which is anticipated to launch on 30 May 2022. In addition, £120m in government funding has been secured to support local businesses upgrade to cleaner, compliant vehicles to support the plan.
- 7.45 Initially, the CAZ will only apply to the most polluting vehicles including light good vehicles, heavy good vehicles, taxi and private hire vehicles and bus and coaches. As part of the strategy to change the local environment to effectively reduce pollution, one of the Council's priorities to achieve the short-term goals of the action plan is to install EV charging infrastructure to support the taxi trade. The planned provision is for 40 charging points as part of the 'Try Before You Buy' initiative for GM-licensed hackney carriage drivers to test electric vehicles and address uncertainties such as operating costs, range anxiety and availability of charging infrastructure in the Borough.
- 7.46 Although at this point priorities lie on most polluting vehicles, the increase in EV charging facilities for general use should be supported and encouraged as the provision of electrical vehicle charging infrastructure for new vehicle technology with zero carbon dioxide emissions will support the nationwide initiative to reduce carbon dioxide emissions countrywide.

SECTION 8: PLANNING ISSUES

8.1 This Section of the Planning Statement sets out the general planning matters which require consideration in the determination of this application. Accordingly, the following general planning matters are considered below:

- The Principle of Development on Site;
- Qualitative Need and Benefits of the Site Upgrade;
- Job Creation Benefits;
- Retail Impact and Sequential Assessment;
- Amenity;
- Design;
- Parking and Transport;
- Sustainability Credentials;
- Air Quality;
- Flood Risk; and
- Contamination

Principle of Development

8.2 Derby Service Station is an existing long established petrol filling station albeit now closed, that has previously provided an important facility for motorists within the urban area of Bury. The redevelopment of the site to create an electric vehicle charging hub forms part of a nationwide initiative to reduce carbon dioxide emissions which is supported at both national and local level. In addition, the principle of expanding rapid charging for electric vehicles is a key element of the GM CAP.

8.3 The principle of development for petrol filling station uses is established in this location and this has been confirmed by the planning history of the site. The provision of electric vehicle charging hub for new vehicle technology with zero carbon dioxide emissions is supported within Government guidance and this location on a trunk (A) road, is clearly an appropriate location for such a facility.

- 8.4 The proposals will create additional jobs on site as well as enhanced service station to serve the community and local residents of Bury. The proposed development will comply with the NPPF which supports development that make efficient use of land, taking into account the availability and capacity of infrastructure and services.
- 8.5 The existing shop is compact and cramped and is not an ideal environment for customers or those working within it. The enlarged sales building will create an improved sales building to the benefit of customers, creating a more pleasant environment to pay for EV charging and shop, whilst also providing customer toilets.
- 8.6 The redevelopment of the site with further upgrades should be supported as it is in accordance with Local Plan Policy EC4 which supports existing businesses. The NPPF and Local Plan Policy recognise and promote the need to support economic development, including expanding businesses and to ensure that planning policies are flexible enough to support business needs. The importance of supporting services and infrastructure for road users is acknowledged and this proposal assists in this goal.
- 8.7 The proposal also complies with Policies EN10 and EN4/1, which are concerned with improving the environmental quality of the Borough. Moreover, the proposal is in line with Policy HT2 protecting existing infrastructure facilities and supporting the provision of improved infrastructure in appropriate locations.
- 8.8 Accordingly, the principle of the proposed development on the site meets evolving motorist's needs with significant environmental benefits and is acceptable in principle and fully supported by national and local policy.
- 8.9 National Policy highlight the presumption in favour of sustainable development, requiring the Council to take a positive approach to approving such development, while securing development that improves the economic, social and environmental conditions of Bury. The policy requires development to be approved wherever possible. Material considerations are further regarded below; however, it is not considered that there are any reasons as to why the application should not be granted without delay.

Qualitative Need and Benefits of the Site Upgrade

- 8.10 It is important that adequate facilities are provided for road users to ensure that their basic needs are met and to enable them to comfortably and safely continue their journeys. The provision of enhanced facilities will better meet the needs of those travelling on the strategic highway network and provide them with the facilities they would expect from a modern service station facility.
- 8.11 Sales buildings and ancillary facilities are an important part of service stations meeting the needs of road users. The proposal seeks to significantly upgrade, improve and enhance the site and facilities to better meet the needs of customers and staff, in line with customer requirements and expectations. The new car care facilities and car wash facilities adjacent to the sales building will further assist in meeting customer expectations.
- 8.12 The proposal introduces electric vehicle charging facilities to the site and the general area meeting customers' needs in line with the Government's objectives to decrease reliance on fossil fuels and decrease CO₂ emissions. The proposal will contribute to the establishment of countrywide electric vehicle recharging infrastructure which will assist in increasing the uptake of electric vehicles. This should be particularly welcomed in the context of national guidance, the recent Government White Paper and local planning policy, including Policies EN10, HT2 and EN4 which supports development which contributes to Bury's commitment to improving the Borough's environment and being carbon neutral by 2038, adapting to climate change.
- 8.13 The expanded sales building will have further benefits for local residents as it provides essential local community facilities and an enhanced offer for top-up shopping trips. This is in accordance with Policies S4/4 and EC4/1 which supports the provision of petrol filling stations and improved infrastructure where it adds to the range and quality of facilities.
- 8.14 Overall, the proposal will bring significant enhancement to an existing petrol filling station, ideally positioned to serve the motorist as well as local residents. The proposal will ensure that their needs are fully met.

Job Creation Benefits

- 8.15 The enhancement of the site will ensure that valuable job opportunities are created, both through the construction phase and end-use phase. Many of the employees on site will be local residents, 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 and the adopted plan.
- 8.16 In addition to the jobs arising from the ongoing operation of the site, 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.

Retail Impact and Sequential Approach

- 8.17 The National Planning Policy Framework (NPPF) requires an impact assessment only for those developments involving an additional 2,500 sqm gross or more floorspace.
- 8.18 The existing sales building has a GIA of 71 sqm of which approximately 32.5 sqm is the current retail floorspace. The proposed new retail shop will have a GIA of 164 of which 57 sqm will be retail floorspace. A total uplift in floorspace of 24.5 sqm is proposed for the sales building, which is negligible and significantly below the thresholds set out both in national and local planning policy. Given the minimal uplift in floor area, an impact assessment is not required.
- 8.19 Notwithstanding, no new use is introduced to the site. As such, it is not considered that there will be any significant diversion of trade from any existing centre or particular retail or commercial unit. 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 and Local Plan policy in this regard.
- 8.20 There is no requirement to undertake a sequential assessment of the proposal as the petrol filling station use is already authorised and long-established on the site.

Amenity

- 8.21 The nearest residential occupiers are those to the east of the site on the opposite side of Manchester Road, at least 30 metres from the site. There are no residential occupiers to the east or west. To the immediate north is serviced accommodation, Ideal Lodgings.
- 8.22 In relation to the surrounding uses, particularly, serviced accommodation north of the site, the petrol filling station use is well established on this site, therefore the agent of change principle applies in line with NPPF paragraph 182. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.
- 8.23 Notwithstanding, the most affected façade (the south side) is a secondary elevation with two small, obscured glass windows facing onto the site only. Therefore, there will be no impact in terms of overlooking, loss of privacy or outlook.
- 8.24 Similarly, there will be little material impact by way of noise. The proposed EV charging facilities and installation of new jet wash bay will create minimal noise, but this is not expected to result in a material increase compared to the existing situation. Notably, the jet wash is proposed to be located on the south-western corner of the site, away from the residential properties in Manchester Road and the serviced accommodation, north of the site. In addition, the jetwash is proposed to be screened on three sides by 2.6 m high barriers to reduce noise and water spray to the surroundings.
- 8.25 The substation, plant and EV charging cabinets are to be located adjacent to the sales building and housed within enclosures. Having regard to the nearest residential occupiers, these are considered to be sufficiently distanced from the site to ensure there will be no adverse impact by way of overlooking, loss of privacy or outlook, or noise.
- 8.26 A Noise Impact Assessment prepared by Environmental Equipment Corporation Ltd is included as part of the application documents which confirms that the potential worse case noise impact of all services on the nearest receptors will have by low or negligible.

- 8.27 There will be no daylight and sunlight impact on any surrounding occupiers as all potentially affected occupiers are sufficiently distanced from the site. In addition, the proposals are minor in nature and comprise a single storey sales building and EV canopy over EV Chargers which are significantly lower than the existing canopy. Therefore, this will not create any adverse impact.
- 8.28 Overall, there will be no adverse impact by way of loss of daylight/sunlight, loss of privacy, overlooking, noise or disturbance. The proposal has had due regard to amenity considerations and therefore complies with national guidance and the Local Plan, particularly Policies H3/2, EN10 and S4/4.

Design

- 8.29 A Design and Access Statement is submitted in support of the proposal and confirms that consideration has been given to all relevant design matters including accessibility. The re-development of the site will have a modern and practical appearance with an extensively glazed front shop elevation to allow natural light into the building, and natural surveillance into and out of the building across the forecourt. It will comprise high quality materials with a flat roof design to minimise its visual impact. It will be of an appropriate scale and height, complementing that of the existing sales building. Furthermore, the existing canopy will be removed from the streetscene.
- 8.30 The layout of the scheme has been carefully assessed taking into consideration the site boundaries, access to the site and vehicle circulation within it. The proposals are therefore in accordance with the Council's design policies, particularly Policies EN1/2, EN1/5 and EN1/8.

Parking and Transport

- 8.31 The proposal, in terms of the principle of use is supported at all levels from a transport perspective with the introduction of low carbon vehicles meeting the objectives of climate change at a national and local level.

- 8.32 The application proposes an EV charging hub, as such, the proposal will not result in any additional car parking on site. Therefore, it is not considered to raise any issues as experience on site indicates that most customers purchase fuel and utilise the shop, or access the shop by foot.
- 8.33 The EV hub on site will be managed by the site operator to ensure that the spaces will be used for EV charging only. The EV charging bays will be clearly marked as such, and in the same way that shop visitors to PFS sites (for shop only visits) generally do not park on the forecourt at pumps but tend to park on the outskirts either in a dedicated parking bay or on the side of the forecourt somewhere, there is no reason that customers will mistake the EV charging bays for shop parking spaces. The cost of installation of EV charging is significant and as the UK's leading national independent forecourt operator, MFG has a leading role in assisting with the energy transition and providing enhanced EV infrastructure on a nationwide basis. It is not in the Company's social, corporate, or commercial best interests to allow customers to misuse EV charging spaces.
- 8.34 On this basis it is considered that the proposal will meet the requirements of the operator who has extensive experience in operating forecourts countrywide and will not result in any adverse impacts on highway safety, nor give rise to any parking capacity issues on the highway network.
- 8.35 In terms of access and egress and general circulation, the existing arrangements have been retained as these clearly work operationally. Therefore, overall, there will be no impact on the operation of the adjacent highway and the proposal is compliant with Policies HT2 and HT2/4.

Sustainability Credentials

- 8.36 The fundamental principle upon which the National Planning Policy Framework is based is sustainable development. The document confirms that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Specifically, the NPPF advises that applications for development should be designed to facilitate ultra-low emission vehicles in safe, accessible and convenient locations.

- 8.37 The NPPF states that planning has a key role to secure reductions in greenhouse gas emissions and that the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure (paragraph 148). This is essential to the economic, social and environment dimensions of sustainable development. Accordingly, there is clear support from national policy for the use of non-fossil fuels and those with a low or zero carbon generation.
- 8.38 As expanded upon in Section 6, electric vehicles can significantly reduce CO₂ emissions from the transport sector, especially if electricity is generated from renewable technologies. The benefits of electric vehicles are expanded upon elsewhere in the report, but they have the benefit of improving local air quality and providing significant health benefits, helping to address air pollution, whilst offering a comfortable, quiet ride for motorists.
- 8.39 Whilst the number of electric vehicles within the UK is relatively few at the current time, and a lack (or perceived lack) of infrastructure is seen as a major constraint, there are significant environmental benefits to electric vehicles in environmental terms.
- 8.40 Sustainable development objectives are also consistent at the local level Policies EN4 and EN10, and therefore it is considered that the proposal complies with the aims of sustainable development policies through the delivery of eight EV charging bays. This is therefore a material consideration weighing heavily in favour of the development.
- 8.41 Aside from this, the proposal represents sustainable development as it comprises the enhancement of an existing site. As such, the proposals will result in the more efficient use of the site.

Air Quality

- 8.42 It is not considered that the proposal will increase the operation of the site in relation to user numbers or intensity. The provision of EV charging facilities along the strategic road network will support the objectives of reducing CO₂ emissions and assist Government policy in encouraging a shift towards electric cars. Therefore, the proposal will have a

positive impact on air quality on the site and in the wider area. The proposal therefore supports Policy EN7 and the aims of GM CAP.

Flood risk

- 8.43 The application site is located in Flood Zone 1. On this basis, it is not considered that there are any flooding concerns which will arise as a result of the application proposal.

Contamination

- 8.44 The proposal includes the demolition of the existing petrol filling station sales building, canopy and fuel islands as well as the removal of the underground fuel tanks. Accordingly, Phase 1 and Phase 2 Contamination Reports for the site are included as part of the application documents.

SECTION 9: CONCLUSIONS

- 9.1 The application seeks the demolition of the existing petrol filling station and the re-development of the site for the creation of a new EV charging hub and associated EV infrastructure/plant, new sales building, new jet wash facilities, a new car care facility and other associated works at Derby Service Station, Manchester Road, Bury, BL9 9NS.
- 9.2 The National Planning Policy Framework identifies the need for planning positively for community facilities and roadside services that support the safety and welfare of road users. Service Stations are a vital necessity and provide an important role in ensuring that motorists travel safely especially as the number of vehicles on the roads continues to increase and the number of petrol filling stations decreases, thereby increasing demand on existing petrol stations.
- 9.3 The principle of redevelopment of the site should be accepted given that the site is an existing long-established petrol filling station and has a long planning history for the provision of roadside services. The proposal represents a modernisation of the existing facilities on the site to meet changing motorists' and environmental needs. The provision of electric vehicle charging points on site should be viewed positively, showing the site is evolving to meet the changing needs of motorists, and will assist in promoting the use of electric vehicles with associated environmental benefits.
- 9.4 Material considerations, in the form of the National Planning Policy Framework and general climate change policy weigh heavily in favour of the development, supporting the installation of technology for low carbon alternative fuel technologies.
- 9.5 In light of the size of the development and the location of existing established facilities, retail impact is not a consideration which is material to the application. Notwithstanding this, given the small uplift in floorspace it is not considered that the application proposal will have any trade diversion or adverse impact on any designated shopping centre or other retail floorspace of acknowledged importance. Due to the scale of the proposal and its relationship to the existing site, the application of the sequential assessment is not considered to be relevant. However, the role of petrol station shop in supporting the local

community as well as passing motorists and those travelling along Manchester Road (A56) should be acknowledged.

- 9.6 Detailed consideration has been given to the layout of the site to ensure the operation of the site and traffic flows through it are maintained. Access into and out of the site remains as existing, meaning there will be no change or impact on the existing highway network.
- 9.7 Overall, it is considered that the application proposal is of significant benefit to the Council and its aspirations in respect to air quality.
- 9.8 Based on the above, it is respectfully requested that planning permission is forthcoming for this proposal.