

Our Ref – PD14680

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1 September 2023

Dear Sir / Madam,

**BOUNDS GREEN – BOUNDS GREEN SERVICE STATION, 2 BOUNDS GREEN RD, LONDON N11 2QH
FULL PLANNING PERMISSION TO ALLOW FOR 24-HOUR OPERATION
PLANNING PORTAL REF – PP-12428684**

On behalf of our client, Petrogas Group UK Ltd (t/a Applegreen) (“the Applicant”), we submit a planning application seeking full planning permission to allow for 24-hour PFS operation at Bounds Green Service Station, 2 Bounds Green Road, London (“the Site”).

The application is accompanied by the following:

- Completed Application Forms;
- Certificate A;
- Site Location Plan;
- Planning Statement dated 1 September 2023 (this letter); and
- Noise Assessment.

The requisite planning application fee of £234 has been paid via the Planning Portal.

THE APPLICATION SITE

The Site comprises Bounds Green Service Station, 2 Bounds Green Road. It is currently occupied and operated by the Applicant as a petrol filling station (PFS) and linked kiosk store.

The Site is typical of a PFS operation. It is located to the immediate north of Bounds Green Road. The kiosk store is located at the northern end of the Site with parking behind. The pumps are located centrally and the car wash to the east of the kiosk store.

Though the primary use of the Site is linked to servicing passing vehicles, it is in a sustainable location. Bounds Green Underground Station is located 200 meters to the north with Bowes Park railway station 200 meters to the northeast. Bus stops on Bounds Green Road are adjacent to it.

As per online EA Flood Mapping (extract below), the Site is within Flood Zone 1 and therefore not at risk from flooding for the purposes of achieving a planning permission.

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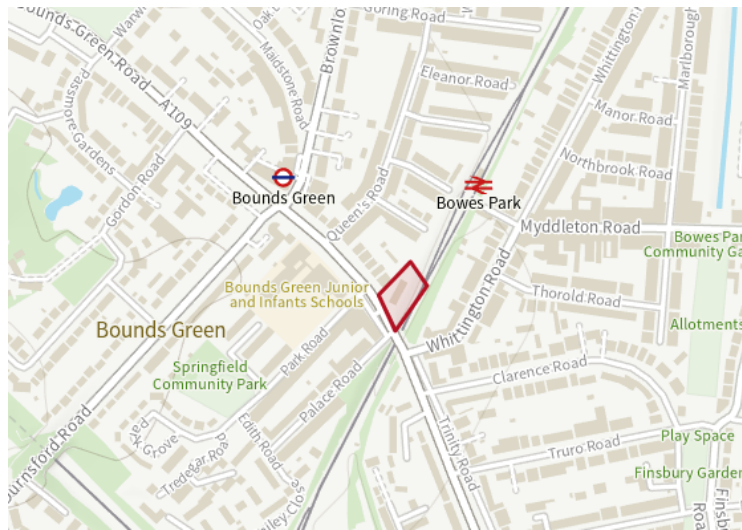


Figure 1 – EA Flood Mapping Extract

The Site is not listed or within a Conservation Area. The below extract from Historic England online mapping identifies that the closest heritage asset comprises Bounds Green Underground Station which is 200 meters from the Site:

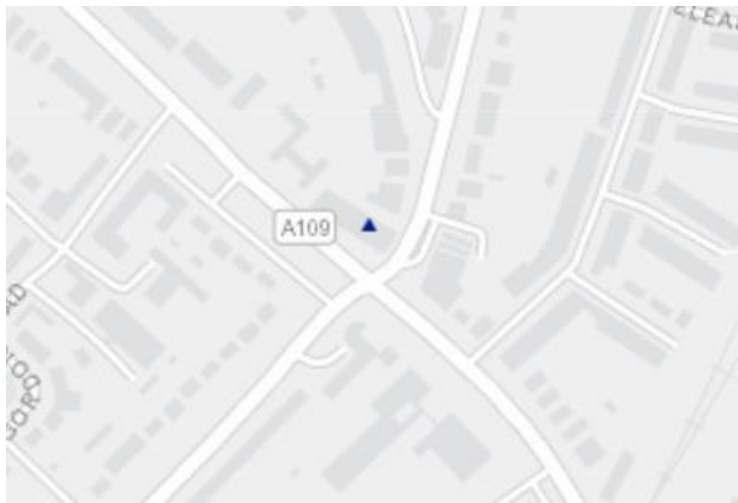


Figure 2 – Historic England Mapping Extract

Surrounding development in the immediate vicinity comprise a mixture of commercial and residential uses. Bowes Park Footpath separates the Site from neighbouring residential development to the west with the railway line to the east. To the south is Bounds Green Road with undeveloped land to the north.

RELEVANT PLANNING HISTORY

A Planning History search has been undertaken via the Council's website. The following key applications have been identified:

- Erection of a petrol filling station – Approved 13/08/1969
- Erection of a petrol filling station – Approved 28/02/1973
- Erection of a petrol filling station – Approved 10/05/1973

The application files for the above do not include documents on the Council website. Due to the lack of information, it is not clear which of the three permissions was implemented and comprises the prevailing permission for the Site.

In March 2005, a Certificate of Lawfulness seeking to confirm 24 hour use of the Site was refused as part of application LPA Ref. HGY/2003/0315. The decision notice identified that the Council were not satisfied evidence had been submitted to conclusively evidence 24 hour operation over the preceding 10 year period.

PROPOSED DEVELOPMENT

It is the intention for the Applicant to operate the PFS on a 24-hour basis. The additional hours of operation are sought due to a need to provide a 24 hour facility on the A109, customer demand and security concerns when the existing operation is closed.

On the basis that the prevailing planning permission is unclear, we have submitted the application seeking full planning permission for the operational amendment in order to comprise a fresh chapter in the planning history of the Site.

No physical works are proposed by way of the application. It relates to the ability to operate the PFS on beyond the current hours of operation (07:00- 22:00) daily.

The proposed development will result in economic benefits by way of the creation of in effect 2 FTE jobs in order to enable the operation of the facility throughout the night.

PLANNING POLICY

We consider national policy contained in the National Planning Policy Framework (July 2021) (NPPF) and the accompanying guidance contained in the Planning Practice Guidance (PPG) relevant to this application. At a regional level, the London Plan (2021) is also relevant. At a local level, we consider the statutory Development Plan to include the Haringey Council, Development Management Policies (2017) and Site Allocations (2017) to comprise the policy base against which the application is to be assessed.

National Planning Guidance

The National Planning Policy Framework (the “NPPF” / “the Framework”) was published in July 2021 and supersedes previous versions of the NPPF, notably that first published in 2012 and revised in February 2019. The NPPF sets out the Government’s approach to planning matters and is a material consideration in the determination of planning applications. At the heart of the NPPF is a presumption in favour of sustainable development (Paragraph 11). This means approving development proposals that accord with an up-to-date development plan without delay.

Paragraphs 81-83 state that 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 wider opportunities for development. Planning decisions should also recognise the specific locational requirement of different sectors.

Paragraph 149 of the NPPF confirms that the planning system should support the transition to a low carbon future in a changing climate, including encouraging the re-use of existing resources, such as the conversion of existing buildings.

In March 2014, the Government published the National Planning Practice Guidance (“NPPG”) which is a material consideration in relation to planning applications. The NPPG replaces a number of previous circulars and guidance to provide a simplified single source of guidance at the national level. The NPPG is a material consideration in the determination of applications.

London Plan

The London Plan (March 2021) comprises a material consideration in the determination of the application. The Plan promotes the vitality and viability of Town Centres by encouraging strong, resilient, accessible and inclusive hubs and identifying locations for mixed-use development.

Relevant policies in the context of the proposed development comprise:

Policy GG1 relates to building strong and inclusive communities including providing access to good quality community spaces, services, amenities and infrastructure that accommodate, encourage and strengthen communities.

Policy S1 is in respect of London’s social infrastructure. It identifies redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered unless this loss is part of a wider public service transformation plan.

Policy SI1 identifies that proposals should not result in a decrease in air quality and be at least air quality neutral.

Policy T7 relates to deliveries and servicing. It states, development proposals should facilitate safe, clean, and efficient deliveries and servicing.

Local Planning Policy

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The statutory Development Plan comprises the Haringey Council, Development Management Policies (2017) and Site Allocations (2017).

The Site comprises unallocated white land within the Settlement Boundary as per the Proposals Map (extract below):

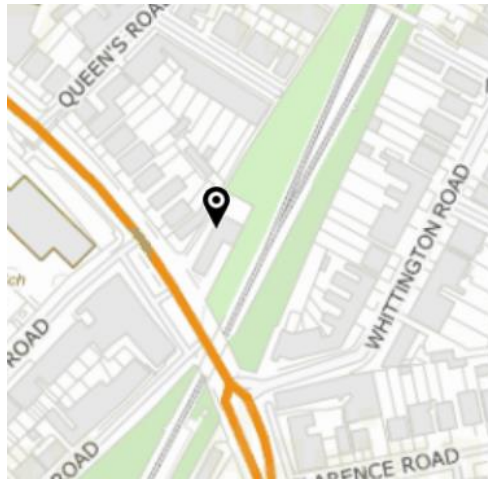


Figure 3 – Proposals Map Extract

Relevant policies in the context of the proposed development comprise:

Local Plan Strategic Policies (2017)

Policy SP0 sets out a presumption in favour of sustainable development.

Policy SP8 relates to employment. It identifies that the Council will support local employment and support small and medium sized businesses that need employment land and space.

Development Management DPD (2007)

Policy DM1 relates to design but in respect of amenity, it identifies:

“Development proposals must ensure a high standard of privacy and amenity for the development’s users and neighbours. The Council will support proposals that:

Address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development.”

Policy DM23 is key. It relates to environmental protection and states the following:

“The Council will seek to ensure that new noise sensitive development is located away from existing or planned sources of noise pollution. Proposals for potentially noisy development must suitably demonstrate that measures will be implemented to mitigate its impact.

A noise assessment will be required to be submitted if the proposed development is a noise sensitive development, or an activity with the potential to generate noise.”

Policy DM49 relates to managing the quality of community infrastructure. It further emphasises that development should not result in detrimental impact on neighbouring properties in respect of amenity.

In respect of emerging policy, the First Steps Engagement alongside a Draft Local Plan for further consultation is expected summer 2023. Given the relevant infancy of the forthcoming plan, it does not comprise a material consideration in the application to which this submission relates.

PLANNING CONSIDERATIONS

The application proposes the use of the PFS on a 24hr basis. No physical works are proposed or alterations to the appearance of the Site.

The rationale behind the application is that Applegreen, a leading operator of roadside developments throughout the UK and Ireland has identified a shortfall in 24hr petrol filling stations in proximity to the Site on the Strategic Network in addition to security concerns during current out of hours times (i.e. 22:00-07:00AM).

A Certificate of Lawfulness application seeking confirmation of 24 hour use was refused by the Council in 2003 (LPA Ref. HGY/2003/0315). It is notable that the application did not relate to the principle of a 24 hour use of the PFS, rather a lack of evidence that it had operated on a 24 hour basis over the preceding 10 year period.

The application subject of this Statement is therefore materially different in planning terms to the refused Certificate application owing to:

- It relates to 24 hour use of the PFS in isolation.
- The PFS will only operate on a hatch only basis during the additional hours of operation sought (i.e. 22:00 – 07:00 AM).
- A detailed Noise Impact Assessment accompanies the submission.

Given its function as a PFS, the Site and operation within it comprises roadside infrastructure. The prevailing use of it will not be altered as a result of the proposals – merely it will provide an improved service to passing motorists.

Applegreen comprise a leading provider of roadside services. The company operates in excess of 475 sites within the UK. A 24 hour operation of PFS' within urban locations and in close proximity to residential neighbours in commonplace in their experience.

Using the Fuel Store and Fuel Genie search engines, we have identified the following petrol filling stations within a reasonable proximity of the Site:

Fuel Station Name	Address	Hours of Operation
Shell, Palmers Green	148-150 Green Lanes, London N13 5UN	24 hr
Tesco Colney	Coppetts Centre, N Circular Rd., London N12 0SH	6AM – 12AM
MFG, Lordship Lane	575 Lordship Ln, London N22 5LE	24 hr
Shell, Hornsey Park	93-113 Park Rd, London N8 8JN	24 hr

It is notable that none of the above facilities benefit from a frontage onto the A109. We therefore consider that while there is 24 hour provision on other elements of the Strategic Network within Harringey, there is a need to provide comparative 24 hour provision of the element of the network the application Site serves (i.e. the A109) between 07:00-22:00.

Further to the above, the existing provision, much of which operates on a 24 hour basis, provided clear evidence that PFS facilities can operate harmoniously with neighbouring residential uses without issue in respect of the amenity within Harringey. The below photographs of the stations highlight the proximity of residential dwellings to the 24 hr PFS sites:

Site 1 – Shell, Palmers Green



The above image identifies residential uses to the immediate east and opposite the PFS.

Site 2 – MFG, Lordship Lane



Residential units immediately about the PFS.