# ASDA STORE, NORTH ROAD, BOLDON COLLIERY NEWCASTLE UPON TYNE NE35 9AR

## PROPOSED DIVE-THRU RESTAURANT

# PLANNING STATEMENT

### Incorporating Sequential Test Assessment

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# 1 INTRODUCTION

1.1 This Planning and Sequential Test Statement has been prepared by RPS Group Limited on behalf of Euro Garages Limited ("the applicant") and owner of Asda Stores Ltd in support of a full planning application being submitted to South Tyneside Council relating to land which currently comprises part of the store car park at North Road, Boldon Colliery Newcastle upon Tyne NE35 9AR (the application site).

1.2 Euro Garages Limited is part of the EG Group which was founded in 2001 by brothers Mohsin and Zuber Issa with the acquisition of a single petrol filling station in Bury, Greater Manchester. In October 2017 the company rebranded its Europe Wide operations to the EG Group since establishing itself as one of Europe's fastest growing and most recognisable forecourt operators, with an expanding portfolio of 341 freehold-owned petrol stations located throughout mainland UK and a large number of separate roadside welfare facilities (roadside restaurants and motorway service areas). The company operates approximately 2,500 sites across Europe (including the UK) and employs approximately 12,500 people. EG Group has forged high-profile relationships with nationally and globally recognised retail and convenience brands and, in June 2021, completed the purchase of Asda Stores Ltd.

1.3 EG Group make sustainability a key consideration. To that end, in 2014 they invested £2.6m in providing solar panels for over 20% of the EG sites. In May 2017, it was announced that they would be providing an additional £6m into reducing their carbon footprint. Additionally, six motorway service stations feature rainwater harvesting systems, collecting rainwater which is then filtered to be used on site.

1.4 As a responsible developer, EG Group have investigated and implemented a series of core sustainable design principles within their project design, delivery and operation that align with a number of the UN Sustainable Development Goals (2015. Our developments also reduce potable water consumption through high quality water saving technologies within WC and Shower areas, where possible looking for opportunities to recycle / reuse water. This includes providing additional facilities for passing motorists badged as 'Food to Go' which form a vital element of the business operation and a key element of ensuring the viability of sites.

1.5 The application proposes the erection of a single storey building for mixed restaurant and hot food takeaway, incorporating a dedicated 'drive-thru' facility and the associated reconfiguration of the existing car park layout. The restaurant will cater for sit down diners, take away and delivery meals.

1.6 This statement details the nature of the application site and the surrounding area, the site history, and relevant development plan policies and associated guidance, followed by an assessment of the proposals against those policies, guidance and any other material planning considerations. It should be read in conjunction with the application drawings and other technical reports which make up the submission as listed in the covering letter.

# 2 SITE AND SURROUNDINGS

2.1 The application site currently comprises part of the car park of an Asda retail store (Use Class E). It is situated within the ancillary car park, adjacent to the decked car park, in the north-western corner of the site. The application site is currently in use for ancillary car parking comprising 41 car parking spaces and the recycling area. The site area and extends to 879 sq.m. The location of the application site is shown in Figure 2.1 below.




*Figure 2.1: Site Location*

2.2 The Asda store fronts the B1298 Henley Way which runs to the north of the store. This road links to the A184, running about 600m south of the site, which in turn connects with the A19 trunk road to the west and Sunderland to the south-east.

2.3 To the north of the site, on the other side of Henley Way, the primary land use is residential. Immediately north of the application site lies Henley House, a purpose built complex of single-storey retirement housing. The remaining housing lies to the north and west of this complex and primarily comprises two-storey detached dwellings. To the east of Henley House lies a large area of public open space, providing informal recreation and a children's play area.

2.4 To the west of the store lies a leisure park occupied by a Cineworld multi-screen cinema and a range of restaurants including Nando's, Gourmet 4 Food Hall and Bar and drive-thru McDonalds and Tim Hortons restaurants. The McDonalds trades 24 hours whilst the other restaurants trade over a period between 07:00-00:00 daily. The leisure park is supported by a large surface car park of approximately 407 spaces. The leisure park is connected to the Asda car park by a two-way vehicular link with adjacent footpath.

2.4 To the south of the store and decked car park runs a service road which provides a secondary customer access through the ground floor of the decked car park and access to the store service yard. At its western end, it also provides access to the leisure park, the Asda petrol filling station and adjacent IMO car wash, and the Story Book pub/diner with children's soft play area to the rear. Beyond the service road there is a large area of allotments.

2.5 Immediately east of the store lies the rear of the commercial buildings fronting Store Buildings/East View. These are predominantly two storey properties with retail at ground floor and residential over although the larger British Legion Club and former chapel, now converted to 3unit shops, lie immediately next to the Asda store. Properties fronting the east side of this road are predominantly terraced residential as is the area to the rear of this buildings.

2.6 Bus routes run along Henley Way with the closest eastbound stop being about 35m due north of the application site and adjacent to a signal-controlled crossing over the road. There is a pedestrian route from the crossing direct to the store entrance which passes the application site. The closest westbound stop is about 150m to the east on the other side of the Asda entrance on Henley Way and is accessible via segregated footway either alongside Henley Way or through the Asda car park.

2.7 The Asda Store trades 24 hours except on Monday (6.00am – midnight), Saturday (closure at 10.00pm) and Sunday (10.00am – 4.00pm). The store also provides a range of other goods and services including pharmacy, opticians, café (providing both eat in and takeaway food) and a travel money bureau. The Petrol Filling Station, which occupies a satellite site to the rear of the store, trades 24 hours.

2.8 Figure 2.2 shows the location of the proposed restaurant in the context of the Asda site and adjacent land uses. There is no secondary school within 400m.



*Figure 2.2: Aerial View of the Application Site*

# 3 PLANNING HISTORY

3.1 The application site forms part of a larger retail development comprising an Asda foodstore and associated petrol filling station and car wash. We attach at Appendix 1 the planning history for this store.

3.2 Outline planning permission was granted for the erection of the superstore, district centre, public house, community building and petrol filling station in 1986.

3.3 In 1996, permission was approved for a revised car park layout, glazed entrance canopy, new trolley bays and for the creation of vehicular/pedestrian links to adjacent leisure development site.

3.4 In 2000, planning permission was granted for an extension to the store, the erection of a decked car park and a bus turning facility.

3.5 In 2002, permission was granted for the installation of trolley shelters within the car park.

3.6 In 2004 planning permission was granted for amendments to the positioning of the car park deck and for the construction of a new vehicular linkage between warehouse and sales area and alterations to car parking facilities together with alterations to the store including the provision of an ATM pod, improvements to the store entrance, the opening of an additional secondary entrance and provision of lifts in a new lift tower.

3.7 Also in 2004, permission was granted for the construction of a new automated petrol filling station with alterations to highway to provide access and additional construction of Asda staff car park.

3.8 In 2006, planning permission was granted for the erection of a conveyor car park to the rear of the petrol filling station.

3.9 In 2087, permission was granted for a two-storey extension to south elevation, single storey front/side extension, entrance alterations and car park deck/car park alterations and screening of roof level plant.

3.10 In 2010, permission was granted for alterations to the car park comprising an increase in trolley shelter provisions.

3.11 In 2012, planning permission was approved for alteration and extension to the warehouse loading dock.

3.12 In 2013, planning permission was granted for the erection of a car canopy for 4no. cars for ‘Click and Collect’ grocery collection.

3.13 In 2015, planning permission was granted for amendments to the store servicing through the conversion of a lorry dock to a recessed doc in order to accommodate double decker lorries.

3.14 In 2015, permission was granted for the Erection of a 'Click & Collect' canopy within the store's customer car park just north pf the petrol filling station. In 2021, permission was granted for a larger replacement 'Click & Collect' canopy which increased the capacity from 2 to 6 customer cars. The new canopy is situated beside that previously approved and occupies 12 car parking bays. The removal of the first canopy will release 8 bays, meaning there will be a net reduction of 4 bays.

# 4 PROPOSED DEVELOPMENT

4.1 The proposed development comprises the redevelopment of part of the Asda car park, including the recycling area, to provide a single storey building to be used as both a restaurant and hot food takeaway/delivery, incorporating a 'drive-thru' facility, associated car and cycle parking, refuse storage. Restaurants fall within Use Class E whilst a hot food takeaway for the sale of hot food where the consumption of that food is mostly off the premises is a sui generis use. We consider the proposed use, comprising a mix of these two planning uses, is a sui generis use falling outside of any Use Class.

4.2 The proposed restaurant building is single storey (5.0m height) with a gross internal area of 129 sq m GIA providing a sit-down diner, a kitchen and external yard area. It is situated in the north-west corner of the car park which is currently used for customer car parking and recycling. The proposed layout is shown in Figure 4.1 below.

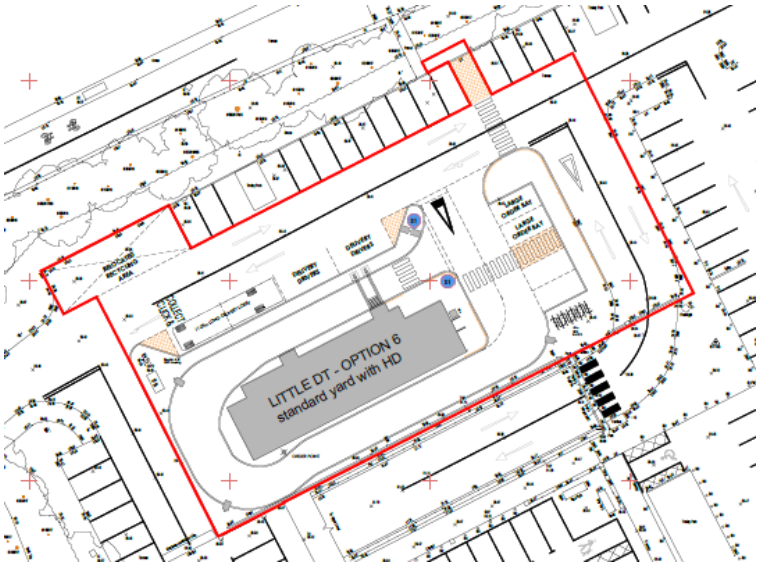



*Figure 4.1: Proposed Site Layout*

4.3 The recycling centre will be relocated within the car park to the opposite side of the circulation route.

4.4 Customers to the Asda store and/or the restaurant will be able to use any parking space in the car park. There is already extensive DDA car parking to the south of the application site, around the store entrance.

4.5 A ‘drive-thru’ lane encircles the proposed building in a clockwise direction, with drivers placing their orders shortly after entering the ‘drive-thru’ lane by way of a speaker post and then collecting their orders from a ‘pick-up’ window to the northern elevation of the building. Vehicular access is through the Asda car park, using existing junction and internal circulation arrangements.

4.6 The existing pedestrian route from the light-controlled crossing over Henley Way has been incorporated into the proposals to provide pedestrian access to the proposed restaurant and an enhanced access to the Asda store.

4.6 A total of 8 cycle parking spaces for use by customers and staff are provided. These are all situated on the forecourt in front of the restaurant, close to the customer entrance.

4.7 All plant will be accommodated on the roof of the unit. This plant will be screened by the enclosing parapet wall.

4.8 All servicing and deliveries will take place off the public highway, from within a designated service bay. The delivery lorry parking is situated north of the proposed restaurant, on the other side of the drive-thru lane. Goods will be trolleyed to the restaurant from the delivery area to the goods entrance also located at the western end of the proposed building. Lorries will use the existing internal circulation routes through the car park and will be able to enter and exit in forward gear. The servicing arrangement has been subject to swept path analysis to ensure that service and refuse vehicles can enter/egress the site and circulate within it safely.

4.9 Waste and cycling storage is provided in the external yard and will be collected by private contractor as frequently as required but expected to be 3 or 4 times a week. The service yard will accommodate 4x 820 litre bins for general waste and 2x 820 litre bins recycling storage plus 3x 240 litre bins for food waste.

4.10 A full assessment of the transport and highways impacts of the proposed development is contained within the Transport Statement prepared by Mode Transport Planning which forms part of this planning application submission. The submission also includes a Delivery and Servicing Plan and Framework Travel Plan, both of which have also been prepared by Mode Transport Planning.

# 5 PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

5.2 The Local Planning Authority is South Tyneside Council, and the relevant Development Plan for the subject site consists of:

- Core Strategy (June 2007)
- Development Management Policies (December 2011)
- Site Specific Allocations (April 2012)

5.3 There is no neighbourhood plan relating to this location.

5.4 The Council has also Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPGs) to provide more detailed information and guidance on specific policy aspects and which can be a material consideration in determining planning applications.

5.5 The revised National Planning Policy Framework (2021) (NPPF) is a material consideration in the determination of planning applications. It states that planning decisions should apply a presumption in favour of sustainable development and for decision taking this means, approving development proposals that accord with an up-to-date development plan without delay.

## 5.1 National Planning Policy

5.6 The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has subsequently been revised. The latest edition was published in July 2021 and sets out the Government's planning policies for England and how these are expected to be applied. The document is a material consideration that is afforded significant weight in the determination of planning applications. It is supported by National Planning Practice Guidance which provides more detailed advice on the application of the policy.

5.7 The key element running through the NPPF is the presumption in favour of sustainable development, of which there are three interdependent dimensions which should be sought jointly and simultaneously through the planning system: economic, social and environmental.

5.8 Paragraph 11 is very clear in saying that proposals that accord with the development plan should be approved without delay. Permission should also be granted where there are no relevant development plan policies or the policies most important for determining the application are out of date unless specific policies in the NPPF indicate development should be restricted or there are adverse impacts which outweigh its benefits.

### Building a strong, competitive economy

5.9 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.

### Ensuring the vitality of town centres

5.10 Planning decisions should support the role of town centres and take a positive approach to their growth, management and adaptation (paragraph 86). Local policies should define the extent of town

centres and make clear the range of uses permitted in such locations. They should also allocate a range of suitable sites to meet the scale of development likely to be needed.

5.11 The PPG indicates that the sequential test supports the Government's 'town centre first' policy but recognises that as promoting new development on town centre locations can be more expensive and complicated than building elsewhere, local planning authorities need to be realistic and flexible in applying the test (Paragraph: 013 Reference ID: 2b-013-20190722 Revision date: 22/07/2019).

5.12 A sequential test should be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered (paragraph 87). When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre (paragraph 88). Main town centre uses are defined in the Glossary and include retail and recreation uses, the latter including restaurants and drive-through restaurants but not takeaway/delivery facilities.

5.13 The PPG makes clear that the onus is on the applicant to demonstrate compliance with the sequential test and that wherever possible the local planning authority is to support the applicant to undertake the test. (Paragraph: 011 Reference ID: 2b-011-20190722 Revision date: 22/07/2019).

5.14 The PPG also Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification Paragraph: 012 Reference ID: 2b-012-20190722 Revision date: 22/07/2019).

### Impact Test

5.15 Retail and leisure developments in excess of 2,500 sq m which are on sites lying outside of a town centre or which are not in accordance with an up to date local plan should be supported by an impact assessment.

5.16 Planning policies and decisions should also aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and which enable and support healthy lifestyles (paragraph 92).

### Promoting Healthy Communities

5.17 Planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling (paragraph 92).

5.18 To provide the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments (paragraph 93).

### Promoting Sustainable Transport

5.19 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).

#### Making Effective Use of Land

5.20 Planning should promote an effective use of land in meeting the need for homes and other uses. Substantial weight should be given to the use of brownfield land and the development of under-utilised land and buildings should be promoted and supported (paragraphs 119 and 120).

#### Achieving Well Designed Places

5.21 Good design is a key aspect of sustainable development (paragraph 126). New development should, inter alia, function well and add to the overall quality of the area; be sympathetic to local character the surrounding built environment and landscape setting (paragraph 130).

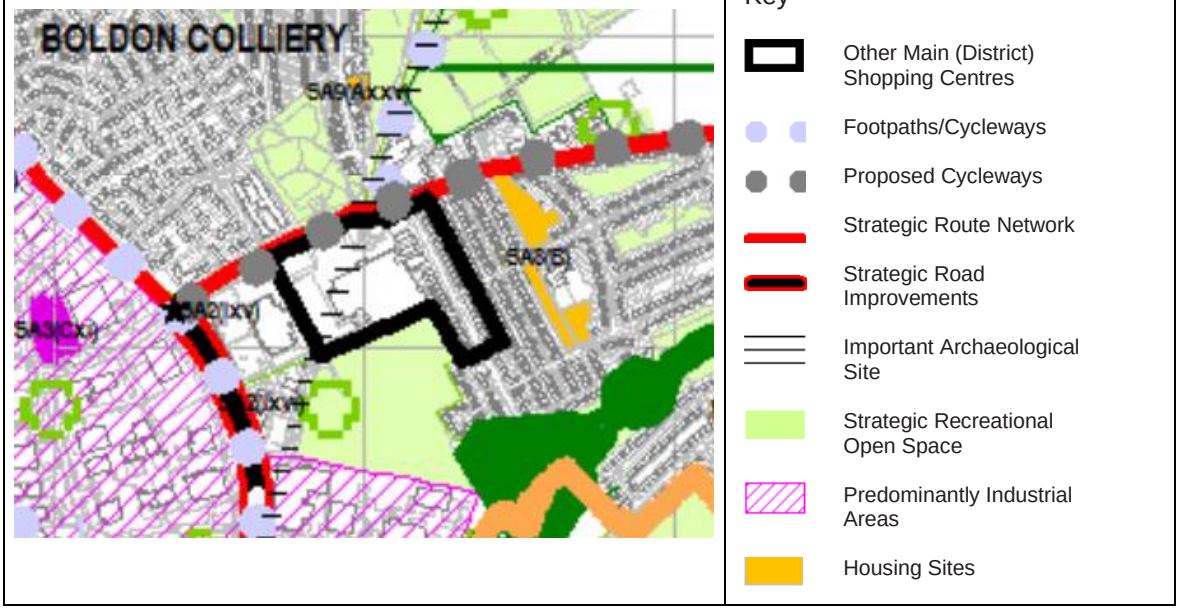
5.22 Development should also optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks (paragraph 130).

## 5.2 Adopted Planning Policy

### 5.2.1 Site Designation

5.23 As shown in the extract of the adopted Policies Map at Figure 5.1, the is allocated as part of a district centre. There are b=no other policies which are directly applicable to the development area.

Figure 5.1: Extract from Policies Map




### 5.2.2 Core Strategy and Urban Core Plan

5.24 **Policy ST1 (Spatial Strategy for South Tyneside)** applies the spatial strategy shown on the Key Diagram. The Key Diagram identifies the designated town centres, including Bolden Colliery as an 'Other Main (District) Shopping Centre'. It also supports the maximisation of the re-use of previously developed land, in the built-up areas.

5.25 **Policy SC1 (Creating Sustainable Urban Areas)** promotes development within the built up areas in accordance with the sequential test where they, inter alia, revitalise the other main shopping centres.

5.26 **Policy SC2 (Reviving our town centres and other shopping centres)** indicates that developments within the designated other main (district) shopping centres will be promoted and supported, provided that they complement but do not adversely impact upon the regeneration of the three town centres of South Shields, Jarrow and Hebburn.

### 5.2.3 Development Management Policies

5.27 **Policy DM1 (Management of development)** identifies the matters which will be taken into consideration in respect of the determination of all applications, including:

- Design;
- Impact on residential amenity;
- Impact on soft landscaping;
- Well designed external spaces;
- Impact on highway safety and capacity;
- Provide safe pedestrian routes;
- The needs of all users of a building are considered;
- Is designed to be energy efficient;
- Is designed to mitigate and minimise localised flood risk;
- Does not adversely impact air quality in the designated AQMA;
- Any risks of contamination have been fully assessed;
- The development takes into account the legacy of mineral workings.

5.28 **Policy DM3 (Hot Food Uses in Shopping Centres)** states that applications for cafés, restaurants and hot food takeaways will be assessed with regard to their impact on the vitality and viability of the centre and the borough's shopping centre hierarchy, residential amenity, highway safety and any existing crime and antisocial behaviour.

5.29 Such proposals should avoid an over concentration of hot food uses in a district shopping centre and permission for the change of use of ground floor properties will only be granted within district shopping centres where it would not:

a) result in the loss of a prominent retail unit(s); or

b) result in more than two hot food outlets (Use Classes A3 or A5) adjacent to each other; or

c) lead to more than two hot food outlets (Use Classes A3 or A5) in any continuous frontage of 10 retail units or less.

In addition, the potential overall impact of the proposal on the vitality and viability of the district shopping centre will be assessed.

### 5.2.4 Site Allocations Policies

5.30 **Policy SA5 (Retailing Opportunities)** states that the Council will promote and encourage proposals that broaden the range of shopping facilities, to improve the vitality and viability of the Borough's district and other local neighbourhood shopping centres.

5.31 Future development of the district and local neighbourhood centres will be managed to consolidate the pattern and distribution of shopping facilities across the Borough by allocating sites for new retail-based development.

## 5.3 Supplementary Planning Policy

### 5.3.1 Hot Food Takeaways & Health SPD 22

5.32 This Supplementary Planning Document' was issued in November 2017 and sets out the Council's approach in relation to planning control of hot food takeaways.

5.33 Paragraph 2.9 states that in order to prevent the SPD contradicting the adopted Development Plan Policies, it is proposed that applications for A5 uses which fall within this identified area in Policy SS8 or on a site identified as acceptable for A5 Uses; it will be considered against Policy DM3 but will be exempt from the considerations set out in this SPD, with the exception of the amenity issues set out in HFT 3.

## 5.4 Emerging Planning Policy

5.34 South Tyneside Council are currently preparing a new local plan but is at a very early stage. Regulation 18 consultation took place in 2019 and the responses are still being considered. The plan has very little weight at this stage.

# 6 SEQUENTIAL TEST ASSESSMENT

6.1 Planning policy adopts a town centre first approach through the application of the sequential test. This approach requires main town centre uses to be located in town centres, then in edge of centre locations; and only if suitable sites are not available, or not expected to become available within a reasonable period, out of centre. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Local planning authorities, however, need to be realistic and flexible in applying the test. It is recognised that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations.

6.2 Main town centre uses are defined in the NPPF as retail, leisure, entertainment, more intensive sport and recreation uses such as cinemas, restaurants – including drive-through restaurants - bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls), offices, and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

6.3 The objective of the sequential test is to locate appropriate town centre uses within central locations which are accessible by a range of means of transport. It is not a tool to simply justify refusing planning permission for developers seeking to develop sites in non-town centre locations. Alternative sites within central areas must be suitable, viable and available for the proposed development to be considered sequentially preferable.

6.4 The application site is located out of centre, about 500m east of Gosforth District centre.

## 6.1 Legal Precedent

6.5 The seminal and established Supreme Court case law example of Tesco Stores Limited v Dundee City Council provides clear guidance to LPA's in respect of the application of the sequential test. It is important to highlight at this point that whilst the Dundee case was a Scottish case the Supreme Court's decision applies in England. This has been confirmed in the recent Secretary of State's 'Rushden Lakes' decision.

6.6 The decision is helpful in understanding the realism with which Local Authorities should consider sequential assessments. It is also useful in discussing the application of planning policy by LPA's.

6.7 The court held that interpretation of policy was a matter of law, not a matter of judgment, professional or otherwise. Previously the position was that, in effect, provided that the interpretation put on a policy by the decision-maker was not unreasonable, the court would not second guess that approach.

6.8 In Paragraph 38, Lord Hope provided important guidance as to the interpretation and indeed application of the sequential test:

> *"Here too the context indicates that the issue of suitability is directed to the developer's proposals, not some alternative scheme which might be suggested by the planning authority. I do not think that this is in the least surprising, as developments of this kind are generated by the developer's assessment of the market that he seeks to serve. If they do not meet the sequential approach criteria, bearing in mind the need for flexibility and realism to which Lord Reed refers in para 28, above, they will be rejected. But these criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest doing so."*

6.9 The Tesco v Dundee decision has been reinforced by the Zurich Assurance Limited v North Lincolnshire Council (20 December 2012). The focus of the Appeal was the requirement for LPA's to assess the sequential test within the boundaries of commercial realities. To that end, the decision states:

> *"It is also important to mark that developers, and planning authorities, work in the real world. Marks & Spencer had assessed the only available town centre alternative to the site, and had concluded that a development that was smaller than that proposed, or one with a more restricted range of goods, was neither commercially viable nor suitable for their requirements."*

6.10 The Scunthorpe judgement is also helpful in respect of viability. Indeed, para 60 of the decision states:

> *"In my judgment, it is simply incorrect to say that there was no evidence before the officer and committee that (i) the T J Hughes unit was too small to create an economically viable Marks & Spencer food and non-food store, or (ii) it was not economically viable to split the operation into two parts, one of which might be housed in the T J Hughes unit. The evidence was that Marks & Spencer had considered the T J Hughes unit, and in their opinion, they could not use that unit (or, indeed, any unit in Scunthorpe town centre) for an economically viable operation. For that reason, they had no interest in any available site other than the Site, as the representative at the hearing made clear. That was evidence that the committee could properly take into account. It is unrealistic to expect a commercial operator to reveal its precise commercially sensitive and valuable calculations as to why it considers possible alternatives to the development proposal not to be commercially viable; and it is unnecessary for them to do so to enable a planning authority to come to a view on viability."*

6.11 A further notable decision in the context of the sequential test comprises a Sectary of State decision to uphold and Inspector's recommendation to allow the erection of a mixed use scheme at Rushden Lakes (ref. APP/G2815/V/12/2190175). Paragraph 2.64 is key in respect of the level of flexibility which must be shown as part of the sequential test:

> *"…in terms of the size of the alternative site, provided that the Applicant has demonstrated flexibility with regards to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site."*

6.12 Paragraph 2.68 identifies that the consideration of disaggregation of specific elements of schemes as part of a sequential assessment is not reasonable:

> *"There is no longer any such requirement stated in the NPPF…Had the Government intended to retain disaggregation as a requirement it would and should have explicitly stated this in the NPPF. It is too large a point to rest on implication. If it had been intended to carry on with the requirement then all that would have been required is the addition of the word "disaggregation" at the end of NPPF [24]."*

6.13 Finally, at paragraph 8.55, the Rushden decision also provides guidance on when a site can be considered "available":

> *"In terms of availability, NPPF [24] simply asks whether town centre or edge of centre sites are "available". It does not ask whether such sites are likely to become available during the remainder of the plan period or over a period of some years. NBC has previously adopted the same interpretation of "available" as LXB do. Mr Lewin accepted that in the Committee report (24 July 2012) in relation to an application to redevelop the Royal Mail site at Barrack Road for a 5,000+ sq m Tesco superstore, the Council rejected Legal & General's objection that availability should have been looked at over a longer time frame. The site was not currently available and that was what was required by the sequential test."*

6.14 Accordingly, any sequential assessment must be undertaken on a flexible basis, both on the side of the LPA and the developer and mindful of relevant case law examples.

6.15 It is unrealistic to suggest that the need for the proposed development could be met by disaggregating elements of the scheme across several sites. All that would result, were it ever to be commercially viable (which in our professional experience it would not), is a series of small-scale developments at various locations, both inside and out of centre that poorly relate to each other and the overall planning strategy for the regeneration of the town centres. This view is reinforced by relevant case law examples.

6.16 In addition, clarity on what enables a site to be considered available is also provided.

## 6.2 Drive Thru Appeal Decisions

6.17 Of relevance to the proposed development, Appeal Case - APP/00830/A/05/1182303 discusses the suitability of drive thru facilities within City Centre locations. In his concluding comments, the Inspector confirmed:

> *"It is difficult to envisage how a developer could be flexible in respect of the format of a drive thru restaurant. Unlike a conventional restaurant, which could be easily accommodated on any of the identified sites, a drive thru, by definition, requires vehicular access and circulation through and around the building."*

6.18 In addition, Appeal decision APP/Q1255/A/08/2061585 clearly reinforces the findings of the above Appeal in respect of the limited flexibility which can be shown by drive thru operations as part of a sequential assessment.

## 6.3 The Nature of the Proposed Development

6.19 Drive Thru restaurants are specifically identified as a 'main town centre use' in the Glossary to the NPPF and so are subject to the sequential test when they are proposed outside of a defined town centre. The location of the proposed development is already, however, an established retailing location.

6.20 The primary function of the proposed development will be to provide refreshments and hot food for customers either passing by (or nearby) the site by car on the surrounding route network or visiting the other nearby retail and commercial businesses, or employed by those businesses, with a significant proportion of customers utilising the proposed 'drive-thru' facility.

6.21 The specific site requirements in order to accommodate the proposed development are;

- A broadly level site with a minimum size of 0.3 hectares, configured in such a way as to allow for the erection of a single storey building, as well as a 'drive-thru' lane, car parking provision and associated vehicular circulation.
- Safe and efficient access onto the strategic road network.
- Sufficient prominence from the nearest road to ensure visibility to passing custom.

## 6.4 Location of Application Site

6.22 The application site is located in a district centre designated in the development plan, the extent of which is shown in Figure 5.1 above. District centres are one of the preferred locations for all forms of town centre uses, including drive-thru restaurants.

6.23 Current planning policy is set out Development Management Policy DM3 'Hot Food Uses in Shopping Centres'. DM3 outlines how applications are assessed for Hot Food Takeaways (Use Class A5) and cafes and restaurants (Use Class A3), with the intention of guarding against over concentrations of hot food uses in district shopping centres. The proposed development accords with these criteria.

## 6.5 Conclusion on the Sequential Test

6.24 The proposed development is situated on an existing district centre which is a preferred location for such development and so accords with the sequential test.

# 7 PLANNING ANALYSIS

7.1 We turn now to assess the proposed development in the site and policy context, drawing on the supporting technical information provided by others where relevant. We have identified the following issues:

## 7.1 The Suitability of the Site for the Proposed Development

7.2 The application site forms part of a designated district centre. It is a preferred location for the type of development proposed. Policy DM3 'Hot Food Uses in Shopping Centres' applies to takeaways, cafes and restaurants with regard to managing their impact upon the vitality and viability of a shopping centre and the borough's shopping centre hierarchy, residential amenity, highway safety and any existing crime and anti-social behaviour. These matters have been assessed and it has been demonstrated that there are no harmful impacts arising from the proposed development.

7.3 We have reviewed the application of the Supplementary Planning Document 22: Hot Food Takeaways & Health but note that to prevent contradiction with the Development Plan policies, applications for A5 uses which fall on a site identified as acceptable for A5 Uses will be considered against Policy DM3 but will be exempt from the considerations set out in the SPD, with the exception of the amenity issues. The proposal lies in a site identified as suitable for such uses and it has been demonstrated there is no harm to amenity.

## 7.2 The Design and Appearance of the Proposed Building

7.4 We note that one of the overriding objectives of the local policy framework is to deliver high quality development which improves the quality and distinctive identity of places and contributes to their success and the area's popularity as somewhere to live, work and stay.

7.5 It is considered that the form and scale of the proposed building is appropriate for the location. The single-story construction ensures that the building has a small scale and the quality of the design and materials ensures it will provide a high quality appearance which complements the material palette and colour scheme of the Asda store and other nearby development.

## 7.3 Sustainable Design and Construction

7.6 The materials used in the construction of the proposed building, including aluminium cladding panels and concrete foundations, are suitable for recycling. It is also intended to use recycled aggregates in the concrete used in the construction of the external sub-base and the foundations.

7.7 The materials palette has been selected to provide a high-quality appearance combined with durability and robustness to both maintain that appearance and minimise the need for replacement over time. It is consequently envisaged that the requirement for replacement, maintenance and repair will be minimal during the building lifecycles, thus providing a low level of energy input over the lifecycle of the building.

7.8 It is considered that the design of the proposed restaurant is responsive to the context provided by existing nearby buildings and the proposed contemporary style materials and window fenestration patterns are appropriate within the context of the surrounding area. The proposed development overall is considered to represent a visual improvement to the site and would also have no detrimental visual impact on the site or the surrounding area in terms of its height, scale or massing.

## 7.4 Transport and Highway Impact

7.9 The planning application is supported by a Transport Statement, a Framework Travel Plan and a Delivery and Servicing Plan which together form the transport strategy for the proposed development.

### 7.4.1 Transport Impact

7.10 The Transport Statement demonstrates the site is capable of accommodating the development proposed taking into account sustainable access and traffic impact.

7.11 The site benefits from access to a well-established network of pedestrian and cycle routes along key highway links which provide good connectivity to bus stops. Brockley Whins metro station is located to the north of the site, accessible within a 20-minute walk from the site. These facilities provide a realistic opportunity for staff and customers to access the restaurant by a choice of sustainable transport modes.

7.12 It is proposed that 8 cycle spaces will be provided for customers and staff close to the customer entrance to the restaurant which adheres to local standards.

7.13 A Framework Travel Plan is submitted in support of the application. Its purpose is to set out short and long-term strategies for reducing dependence on travel by private car and encourage sustainable travel choices, primarily for staff. It proposes the identification of a Travel Plan Coordinator and the strategy for disseminating information to employees including travel information, the promotion of walking, cycling and public transport.

7.14 The restaurant shares its access with the Asda foodstore and is accessed via a 4-arm roundabout on Henley Way. There have been no Personal Injury Collisions (PIC) at this roundabout or within the Asda car park. There have been five ‘slight’ (minor) incidents in the vicinity of the North Road/Hubert Street signal junction, which were primarily due to vehicles turning into the path of oncoming vehicles and rear end shunts; and one ‘slight’ (minor) incident took place at the Henley Way / Abingdon Way roundabout to the west of the site involving a rear end collision between a van and pedal cyclist. There is, however, no significant pattern or trend observable and it is considered the proposed development will have no adverse impact on highway safety.

7.15 The proposed development will lead to the net loss of 39 car parking bays within the Asda car park, reducing total car parking from 728 spaces to 689. All existing Blue Badge holder and parent and child spaces will be unaffected by the development and are conveniently situated to serve it. The TRICS database indicates the proposed unit has the potential to generate 15 two-way trips during the weekday PM peak period. During the weekend peak period, the proposed unit could generate 69 two-way vehicle movements. A high proportion of these trips will be ‘linked trips’ whereby the vehicles would already be on the highway and it is estimated that 20% of trips will be ‘new’ trips which is equivalent to 3 two-way trips in the weekday PM peak, and 28 two-way trips during the weekend PM peak. The impact of these new trips on the highway network and within the Asda car park would be negligible.

7.16 The TRICS database also indicates the daily trip rate profile for food superstores from which the car parking demand can be assessed. The database indicates that the maximum car parking demand for the existing Asda store is 260 vehicles during a typical weekday peak and 471 vehicles during a typical weekend peak. A similar exercise for a drive-thru restaurant indicates a maximum parking demand for 4 vehicles during a typical weekday and 11 vehicles during a typical weekend. When combined, there is a peak parking demand of 263 spaces (due to the peak hours for the two uses being slightly offset) on a weekday and 482 spaces on a weekend. This level of demand can be compared with the total provision of 689 spaces serving the store and restaurant, indicating a substantial spare capacity of parking during both the weekday and weekend peaks.

### 7.4.2 Delivery and Servicing

7.17 The Delivery and Servicing Plan was created in accordance with the Department of Transport's "Quiet Deliveries Good Practice Guidance – Key Principles and Processes for Retailers" guidance. It applies to all delivery vehicles servicing the proposed unit.

7.18 All servicing and deliveries will take place off the public highway, from the designated delivery bay immediately north of the proposed unit and accessed via the existing internal circulation routes. Lorries will be able to enter and exit in forward gear. Goods will be trolleyed to the restaurant across the drive-thru lane to the delivery entrance at the western end of the proposed building.

7.19 There will be 3 deliveries per week, undertaken by a recognised logistics provider utilising multi-temperature vehicles, typically comprising rigid vehicles up to 11.5m, which allow frozen, ambient and chilled products to be delivered at the same time. The deliveries will take place in the morning, before opening but outside the AM peak. The logistics provider will use a delivery planning tool to plan the most efficient and effective routes. A two-hour delivery slot will be notified in advance. It is anticipated that delivery vehicles would travel west along Henley Way to Abingdon Way to join the A19 via the A184.

### 7.4.3 Waste Management

7.20 The delivery operation would likely be combined with an integrated waste management service, allowing cardboard and plastic waste to be collected for return after delivery. Other refuse and recycling collection will be provided by private contractor using a 10m trade waste collection vehicle which will visit the site 3-4 times a week. The refuse vehicle would also utilise the designated delivery bay within an agreed servicing window, which will ensure there is no conflict with deliveries being undertaken to the store.

7.21 The bin store is situated in the service yard at the western end of the building and a level access is provided to the service area. The service yard will accommodate 4x 1,100 litre bins for general waste and recycling storage plus 2x 240 litre bins for food waste.

7.22 Cooking oil will be collected 3 times a year by a private contractor for recycling into biofuel. Again, times of collection would be managed to ensure no conflict with other waste collections or deliveries.

## 7.5 Potential Impact on Neighbour Amenity

7.23 The application site is situated in a retail car park, adjacent to a petrol filling station and close to a strategic highway route.

7.24 It is intended that It is proposed that CCTV will be installed to discourage anti-social behaviour in the vicinity of the restaurant. Furthermore, the restaurant operational procedures will require regular litter picking patrols to be undertaken 3 times a day to maintain the quality of the local environment. Litter bins will be provided outside the restaurant and will carry anti-littering symbols to encourage customers to dispose of litter responsibly. A contact point for email and mail contact will be established to allow the local community to contact the restaurant to express concerns about discarded litter or related issues.

7.25 It is also intended that the restaurant will trade 24 hours a day which is again considered appropriate in this location. We invite the trading hours to be addressed through condition.

## 7.6 Odour Risk

7.26 A Commercial Kitchen Odour Risk Assessment is submitted in support of the planning application. The study provides a commercial kitchen risk assessment and review of the odour associated with the proposed development, in accordance with established guidance. As any cuisine could be

prepared within the unit, a worst-case cuisine type of fried fast food has been assessed to provide a worse case assessment.

7.27 The EMAQ+ guidance includes a risk assessment methodology for odour associated with commercial kitchens, the outcome of which determines the level of odour control required. The risk assessment works on a scoring system based on the sum of the contributions from dispersion, the proximity of receptors, size of kitchen and cooking type.

7.28 The closest sensitive receptors are located between 20 and 100 m from the proposed new building. The kitchen ventilation flue will discharge at the façade of the building, resulting in a 'Poor' dispersion. Mitigation to ensure a very high level of odour control has consequently been selected.

7.29 The risk assessment concludes that a very high level of odour control is required for this type of food preparation and so a very high level of odour control is necessary and should include the implementation of one of the following methods:

- Fine filtration or ESP followed by carbon filtration (carbon filters rated with 0.4-0.8 seconds residence time);

  or

- Fine filtration or ESP followed by counteractant/neutralising system to achieve the same level of control as bullet point 1 above.

  or

- Fine filtration or ESP followed by UV ozone system to achieve the same level of control as bullet point 1 above.

7.30 The proposed development will include two electrostatic preceptors followed by three ultraviolet injector units. The implementation of this mitigation equipment will ensure odour is controlled and mitigated to a very high risk rating, as per the requirements of the EMAQ+ Guidance. The system has been overdesigned (i.e. more than 1 of each unit) to ensure a very high level of odour control beyond the requirements of the guidance; to ensure no adverse odour effects occur during the operational phase.

7.31 With the implementation of this level of mitigation, it is concluded there is no reason for this application to be refused on the grounds of odour.

## 7.7 Flood Risk

7.32 The site lies in Flood Zone 1 which means it has a 'Low Probability' of flooding by rivers or sea, defined as less than a 1 in 1,000 annual probability. Such locations are considered suitable for all forms of development, including those categorised in Planning Practice Guidance as 'less vulnerable' such as restaurants, cafes and hot food takeaways. As the application area is also less than 1ha, a Flood Risk Assessment is not required.

## 7.8 Sustainable Drainage

7.33 A separate Drainage Strategy Report accompanies the application. This demonstrates that the application site is relatively flat and is connected into the surface water drainage system serving the Asda store car park. There are no natural drainage features in the vicinity of the proposed development. Previous site investigations have revealed the site is underlain by Made Ground overlying Clay and that infiltration is not possible.

7.34 Discharges from the proposed development will be to separate surface water and foul systems. The foul wastewater will discharge directly to the foul system serving the Asda store.

7.35 The SuDS hierarchy has been used for the surface water drainage system design. Infiltration is not viable for the site due to the underlying impermeable stratum. Consequently, restricted discharge is

proposed for surface water, with on-site attenuation provided as part of the overall larger site area development. The existing flow has been assessed for an area of 875m$^2$ giving 12.2l/s. A 30% reduction gives a discharge of 8.85/s.

7.36 Attenuation storage of 25m$^3$ in underground storage crates is proposed with further storage in the pipe system and manholes. The proposed surface water system has been analysed by use of Causeway Flow software and selected results are attached for reference. The storage volume is based on no surface water flooding for a 1 in 100-year return period plus 30% Climate Change allowance.

# 8 CONCLUSIONS

8.1 This Planning Statement has been prepared on behalf of Euro Garages Ltd, the site owner and operator, in respect of the development of a sui generis drive thru restaurant situated within the Asda store car park at North Road, Boldon Colliery Newcastle upon Tyne NE35 9AR. The restaurant is intended to provide a complementary facility and will help optimise the use of this brownfield location.

8.2 The high-quality design and layout of the proposal is appropriate in the area. Natural and neutral colours and materials will be used on the building and throughout the scheme to ensure the site integrates easily with the surrounding retail park.

8.3 The site lies in a designated district centre which is the preferred location for such development. A sequential assessment has been undertaken and it has been demonstrated that the proposal is in accordance with it.

8.4 The development will add to the vitality and viability of the shopping centre and the scale is in accordance with its function and position in the retail hierarchy. There are no harmful impacts on residential amenity, highway safety and there is no existing crime or anti-social behaviour issues. The proposal is consequently in accordance with policy DM3.

8.5 We are familiar with the but this is no9t relevant to these proposals as this site is identified as acceptable for such uses and so is solely considered against Policy DM3.

8.6 There are no residential properties in close proximity to the proposed development, the nearest being c.60m away on the other side of Henley Way. A Commercial Kitchen Odour Risk Assessment has demonstrated that there is no reason for the application to be refused on the grounds of odour.

8.7 The site lies in an accessible location and can be accessed through a range of means of transport. The Asda store benefits from an excess in car parking space, the development of an element of the car park as proposed will have no impact on the day-to-day operation of the supermarket.

8.6 The proposal will result in significant economic benefits in the form of up to 40 new jobs (30 FTE positions) suitable for a range of skill sets and working hours. This is a significant material consideration in the determination of the application.

8.7 This Statement has demonstrated that the development, as proposed, is compliant with relevant national and local planning policies.

8.8 In light of the above, we conclude the development will provide a high-quality addition to an existing district centre which accords with planning policy and addresses other material considerations and accordingly it is respectfully requested that permission is granted for the proposed development.

# APPENDIX 1

# PLANNING HISTORY SCHEDULE

| Application Reference | Validation Date | Description of Development | Date of Decision | Decision | Comments |
|---|---|---|---|---|---|
| ST/1142/14/FUL | 03/12/2014 | Conversion of existing lorry dock within service yard to a recessed dock (to allow double decker lorries to unload goods) | 09/03/2015 | Conditional Permission | |
| ST/0657/13/FUL | 17/06/2013 | Proposed car canopy structure for 4no. cars within the existing car park. Canopy is proposed as part of the 'Click & Collect' grocery collection scheme. | 30/07/2013 | Conditional Permission | |
| ST/0649/13/ADV | 17/06/2013 | Advertisement Consent for 4no fascia, 1no. hoarding and 10no. other signs in relation to the 'Click & Collect' grocery scheme. | 29/07/2013 | Advertisement Consent | |
| ST/0175/13/ADV | 08/02/2013 | Advertisement Consent for new car park signage and glazed graphics on front and side elevation of store. | 04/04/2013 | Advertisement Consent | |
| ST/1381/12/FUL | 18/09/2012 | Proposed alteration and small extension to warehouse loading dock | 13/11/2012 | Conditional Permission | |
| ST/1994/10/ADV | 07/10/2011 | Advertisement consent for the installation of 2no. floor standing barrier frames. | 23/02/2011 | Advertisement Consent | |
| ST/1859/10/FUL | 04/11/2010 | Proposed alterations to existing car park with new 1no. single trolley shelter and replacement of an existing trolley coral with 1no. double trolley shelter. | 23/12/2010 | Conditional Permission | |
| ST/1059/03/10/DM | 18/11/2004 | Submission of condition 9: Street lighting units. | 15/07/2010 | Discharge of Condition | |
| ST/0523/09/FUL | 20/04/2009 | Proposed relocation of existing trolley shelter adjacent to main entrance | 15/06/2009 | Conditional Permission | |
| ST/1958/08/VC | 13/10/2008 | Variation of wording of condition 7 of previously approved planning application ST/3142/07/FUL to extend the time period by 6 months within which the following works: Pedestrian Crossings and Bus Shelter Relocation, Bus Lay-by Extension, Resident's | 09/01/2009 | S73 Conditional Permission | |

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| | | Car Parking Scheme Lay-by, Car Park Management Scheme and Signage, and Store Car Park Phasing Plan are to be completed. | | | |
| ST/1648/08/COND | 14/08/2008 | Submission of condition 3 & 4 of approved planning application Ref ST/3142/07/FUL: Landscape schemes and landscape maintenance. | 06/10/2008 | Discharge of Condition | |
| ST/1292/08/FUL | 24/07/2008 | Retrospective consent for the relocation of existing ATM adjacent to main entrance to supermarket. | 18/09/2008 | Permission | |
| ST/1252/08/COND | 11/06/2008 | Submission of condition 10 of approved planning application Ref ST/3142/07/FUL: Draft travel plan. | 01/09/2008 | Discharge of Condition | |
| ST/1002/08/COND | 20/05/2008 | Submission of condition 3 & 4 of approved planning application Ref ST/3142/07/FUL: Landscaping scheme and landscape maintenance. | 11/08/2008 | Refused | Requested revisions to landscaping scheme were not made; thus, the proposals were not policy compliant with Policies ENV5 and S2 of the South Tyneside Unitary Development Plan. |
| ST/1400/08/COND | 04/07/2008 | Submission of condition 2 of approved planning application Ref ST/3142/07/FUL: Materials. | 30/07/2008 | Discharge of Condition | |
| ST/1004/08/COND | 20/05/2008 | Submission of condition 5, 6 & 7 of previously approved planning application Ref ST/3142/07/FUL: Street furniture, roof top plant screening and cycle parking. | 14/07/2008 | Discharge of Condition | |
| ST/1276/08/COND | 19/06/2008 | Submission of condition 7 of approved planning application Ref ST/3142/07/FUL: Off site highway works. | 25/06/2008 | Discharge of Condition | |
| ST/3142/07/FUL | 21/12/2007 | Proposed two storey extension to south elevation. Single storey front/side extension to entrance, alterations to car park deck/car park and servicing bay, and screening of rooftop plant. New sprinkler tank. Resubmission of | 20/03/2008 | Conditional Permission | |

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| | | previously withdrawn planning application Ref ST/2062/07/FUL. | | | |
| ST/3457/05/ADV | 29/11/2005 | Proposed advertisement consent to include: 3 illuminated disc's, 1 non-illuminated vinyl sign, 1 illuminated disc fixed to existing sign and panel and vinyl fixed to existing signage. Re-submission of previously refused planning application Ref: ST/2980/05/ADV. | 24/01/2008 | Advertisement Consent | |
| ST/2062/07/FUL | 02/08/2007 | Proposed two storey extension to south elevation, single storey front/side extension, entrance alterations and car park deck/car park alterations and screening of roof level plant. | 10/10/2007 | Withdrawn | |
| ST/2722/06/COND | 15/08/2006 | Submission of condition 2 of approved planning application Ref ST/0017/06/FUL: Landscaping. | 20/09/2006 | Discharge of Condition | |
| ST/2326/06/COND | 30/06/2006 | Submission of condition 3: external materials. (Application no ST/17/06/FUL). | 20/09/2006 | Discharge of Condition | |
| ST/2253/06/ADV | 28/06/2006 | Advertisement consent for erection of 3no double sided poster signs non illuminated, 3no fascia signs non illuminated, 2 wall mounted poster signs,1no 4.2m totem sign internally illuminated and 1no large wash menu non illuminated. | 23/08/2006 | Advertisement Consent | |
| ST/0017/06/FUL | 05/01/2006 | Erection of conveyor car wash on land to the rear of the Asda petrol filling station and adjacent to the Storybook Public House car park. | 01/03/2006 | Conditional Permission | |
| ST/2980/05/ADV | 05/10/2005 | Advertisement consent for 3no internally illuminated disc signage, 2no externally illuminated disc signage and 5no non-illuminated vinyl panels to existing signage at various locations on the site. | 23/11/2005 | Refused | Visual amenity harm and contrary to Policy ENV5 (c) in the South Tyneside Unitary Development Plan |
| ST/1631/04//AD | 12/01/2005 | Proposed erection of free-standing illuminated petrol price sign. | 07/03/2005 | Advertisement Consent | |

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|---|---|---|---|---|---|
| ST/0015/05//AD | 06/01/2005 | Application for advertisement consent for 10000mm x 3582mm internally illuminated 'ASDA' lettering and externally illuminated 'WAL*MART SUPERCENTRE' lettering to North elevation and 5084mm x 2497mm internally illuminated 'ASDA' lettering and externally illuminated 'WAL*MART SUPERCENTRE' lettering to West elevation. | 28/02/2005 | Advertisement Consent | |
| ST/1059/03/06/DM | 28/06/2004 | Submission of condition 9: Street lighting units. | 11/01/2005 | Discharge of Condition | |
| ST/0837/04/DM | 16/06/2004 | Proposed construction of new automated petrol filling station with alterations to highway to provide access and additional construction of Asda staff car park. | 11/08/2004 | Conditional Permission | |
| ST/0412/04/AD | | Application for advertisement consent for the replacement of existing signage and erection of 33 no new signs, comprising: fascia signage, free standing signage and directional signage. | | | |
| ST/0996/04/AD | | Application for advertisement consent for the erection of 30no new signs comprising: fascia, canopy, directional and ancillary forecourt signage. | | | |
| ST/1059/03/09/DM | 28/06/2004 | Submission of condition 12: Green transport plan. | 30/11/2004 | Discharge of Condition | |
| ST/1059/03/01/DM | 28/06/2004 | Submission of condition 3: Details of the materials to be used for the external surfaces. | 15/10/2004 | Discharge of Condition | |
| ST/1112/04/DM | 02/08/2004 | Proposed variation of condition no16 relating to previously approved application (ref: ST/183/04/DM), to allow construction works to be carried out on a 24-hour basis, 7 days a week. | 05/10/2004 | Refused | |
| ST/1059/03/08/DM | 28/06/2004 | Submission of condition 11: Phasing programme. | 27/08/2004 | Discharge of Condition | |

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|---|---|---|---|---|---|
| ST/1059/03/05/DM | 28/06/2004 | Submission of condition 8: Details of bollards, seats, litter bins, trolley stores, direction signage, pedestrian barriers and ATM pod. | 28/08/2004 | Discharge of Condition | |
| ST/1059/03/04/DM | 28/06/2004 | Submission of condition 7: Detailed drawings or other specification: glazed walkway, glazed stair tower and glazed deck level entrance canopy. | 27/08/2004 | Discharge of Condition | |
| ST/1059/03/03/DM | 28/06/2004 | Submission of condition 6: Details of cycle parking, disabled parking provision, taxi dropping off point and associated signage. | 28/08/2004 | Discharge of Condition | |
| ST/1059/03/07/DM | 28/06/2004 | Submission of condition 10: Details of pedestrian crossing, connecting footpaths links, barriers and bus shelters. | 27/08/2004 | Discharge of Condition | |
| ST/0183/04//DM | 12/02/2004 | Proposed amendments to previously approved scheme (Ref no : ST/1059/03/DM) consisting of : repositioning of car park deck to rear of site, new vehicular linkage between warehouse and sales area and alterations to car parking facilities. Provision of ATM pod, improvements to existing store entrance, additional secondary entrance with revolving doors and provision of new lifts, incorporation of a new lift tower. | 08/04/2004 | Conditional Permission | |
| ST/1059/03//DM | 07/08/2003 | Alterations to internal car parking facilities, relocation of hammerhead turning area and erection of canopy over loading bay to create enclosure. | 03/11/2003 | Conditional Permission | |
| ST/0401/03//DM | 01/04/2003 | Proposed alterations to car parking facilities, relocate hammerhead turning area and erect canopy over loading bay to create enclosure. | 08/08/2003 | Withdrawn | |
| ST/1003/02//DM | 18/09/2002 | Proposed installation of trolley shelters within car park. | 06/11/2002 | Conditional Permission | |
| ST/0536/02//DM | 13/05/2002 | Installation of additional ATM. | 20/06/2002 | Conditional Permission | |

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|---|---|---|---|---|---|
| ST/0755/01//AD | 30/07/2001 | Proposed display of 1no. illuminated main entrance feature sign | | Advertisement Consent | |
| ST/1041/00//DM | 13/12/2000 | Proposed installation of two new roof mounted plant units and over cladding existing unit. | 28/02/2001 | Conditional Permission | |
| ST/0992/99//DM | 24/11/1999 | Proposed extension to existing store, decked car park and bus turning facility. | 24/03/2000 | Conditional Permission | |
| ST/0402/96/01/DM | 14/10/1996 | Submission of conditions 3 and 4: details of external materials and landscaping. | 19/11/1996 | Discharge of Condition | |
| ST/0402/96//DM | 04/06/1996 | Revised car park layout, glazed entrance canopy, new trolley bays and vehicular/pedestrian links to adjacent leisure development site. | 18/07/1996 | Conditional Permission | |
| ST/0909/95//DM | 11/12/1995 | Proposed extension to cafe kitchen and increase in sales area. | 09/01/1996 | Conditional Permission | |
| ST/0384/96//AD | 06/06/1996 | Display of various fascia signs and various free-standing signs. | | Advertisement Consent | |
| ST/0912/93//DM | 14/10/1993 | Proposed extensions to existing canopy to form covered trolley parks. | 31/12/1993 | Conditional Permission | |
| ST/0773/90//AD | 22/08/1990 | Proposed display of advertisement hoarding. | | Advertisement Refusal | |
| ST/1084/08/COND | 02/06/2008 | Submission of Condition 7 of approved planning application Ref ST/3142/07/FUL: Car Park Management Plan, Phasing and Signage. | 30/07/2008 | Discharge of Condition | |
| ST/0251/86/04/DM | 13/02/1987 | Condition 5: details of security fence; Condition 7: details of screen wall; Condition 8: details of landscaping; Condition 10: carparking layout. | 20/10/1988 | Discharge of Condition | |
| ST/0251/86/03/DM | 04/12/1986 | Submission of details pursuant to Conditional 11 for Asda superstore (details of sound attenuation and odour suppression). | 19/03/1987 | Conditional Permission | |
| ST/0033/87//DM | 26/01/1987 | Proposed erection of a dry-cleaning unit. | 26/02/1987 | Conditional Permission | |

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| ST/0251/86/01/DM | 07/08/1986 | Details pursuant to Condition 6 – details of layout and design of petrol filling station and canopy kiosk. | 16/10/1986 | Discharge of Condition | |
| ST/0724/86//AD | 05/09/1986 | Display of illuminated signs for superstore, extension car park and petrol filling station. | | Advertisement Consent | |
| ST/0251/86/02/DM | 22/08/1986 | Details pursuant to Part 4 Condition 4 (external materials). | 22/08/1986 | Discharge of Condition | |
| ST/0251/86//DM | 26/03/1986 | Proposed new superstore, district centre, public house, community building, petrol filling station and car parking. | 24/07/1986 | Conditional Permission | |
| ST/0602/84//DM | 06/07/1984 | Kitchen and dining room extension to dwelling house. | 28/07/1984 | Conditional Permission | |