

July 2026



Planning Statement including Sequential Assessment (Retail) and Design & Access Statement

Demolition of existing petrol filling station and associated kiosk building / retail unit to facilitate redevelopment of existing petrol filling station to provide new 24hr petrol filling station comprising erection of replacement sales building (total 392sqm GIA) including store, office, wc and convenience store with ancillary food counter and ATM, parking (54 spaces including staff, Electric Vehicle and disabled [to serve PFS and retained Starbucks Coffee Shop), electric vehicle charging stations (3 no), landscaping and re-route existing right of way.

Sudden Service Station, Manchester Road, Rochdale, OL11 3PT

On behalf of



Prepared by



CONTENTS

1	Introduction	3
2	Site Description & Proposed Development	6
3	Planning Policy	9
4	Planning Assessment (including summary of Retail Sequential Assessment – see Appendix 1)	14
5	Design & Access Statement	20
6	Summary	23

Appendix 1

Sequential Assessment (July 2026) – Sudden Local Centre

1.0 Introduction

- 1.1 This Planning Statement supports the submission of scheme for the redevelopment of Sudden Service Station, Manchester Road, Rochdale. The proposal involves demolition of existing petrol station, retail unit and kiosk to facilitate redevelopment of the petrol filling station. The existing Starbucks coffee shop is to remain unchanged.
- 1.2 Part of the site is owned by the Council and as such the relevant notice has been served on the Estates Department.

Planning History – pre-application discussion

- 1.3 The only relevant planning history relating to the petrol filling station is a 2005 consent for an extension to the kiosk. The consent for the adjacent Starbucks is also noted together with associated signage.

Pre-application submission – PREAPP/00066/22

- 1.4 The proposal was subject to pre-application discussions in 2022 (LPA ref PREAPP/00066/22). Following submission of plans to the LPA a virtual meeting took place with Majid Mir on 30 August 2022. The meeting discussed matters relating to principle, highways, trees, ecology and the existing right of way. The meeting confirmed the right of way is not a dedicated public right of way but noted the proposed scheme retains a route through the site.
- 1.5 The principle was considered acceptable given the proposal represents redevelopment of an existing PFS. A request was made for a Sequential Assessment to be undertaken (in accordance with Core Strategy Policy E1) with the study area identified comprising the adjacent Sudden Local Centre to the north west of the site – this study (on site and on line) has been completed (July 2026 update) and findings set out within this Planning Statement.
- 1.6 No formal pre-app response or consultation comments have been received from the LPA following the meeting in August 2022. The application is submitted based on discussions with reports addressing issues relating to ecology, trees and highways with the proposed layout retaining a footpath link through the site. This Planning Statement includes the Sequential Assessment as requested.

EuroGarages and the provision of a modern roadside facility

- 1.7 Before the Planning Statement goes on to assess relevant planning policies, it is useful to understand the role of modern roadside facilities and the ancillary nature of associated retail and food / drink offer (Class E UCO 2020). This is key to the understanding of the proposal and how it should be assessed in planning terms.
- 1.8 A good starting point is the guidance set out in the DfT Circular 2/2013 entitled 'The Strategic Road Network and the Delivery of Sustainable Development'. Annex B of the Circular deals with Roadside Facilities and gives clear guidance on their importance in terms of the safety and welfare of road users. Para 111 of the NPPF (criteria e, footnote 46) reiterates the role of roadside facilities advising that:

'the primary function of roadside facilities for motorists should be to support the safety and welfare of the road user'

- 1.9 In addition to understanding the role of modern roadside facilities it is useful to set out how modern roadside facilities operate. This is not unique to the applicant but reflects current industry, and indeed customer / motorist, standards and expectations. As set out above, the importance of the safety and welfare of motorists is addressed through provision of modern facilities that provide opportunities to stop and take a break in the course of their journey.
- 1.10 Key to modern roadside facilities are opportunities for motorists to rest and have access to facilities, food and drink (a common misconception is that roadside services are simply for the sale of fuel). As such modern petrol filling stations now have an ancillary retail offer to provide basic top up items, the range of goods is such that it would not be possible to do a full weekly shop. In addition, food and drink outlets (falling under Class Use E [2020]) are also provided as part of the retail offer within the kiosk. These Class E uses are also ancillary to the main petrol sales function.

Who are EG on the Move?

- 1.11 EG On the Move Limited (Founded 2023) are an operator of PFS's, convenience stores and food service providers, with significant presence across the United Kingdom.
- 1.12 EG On the Move Limited is committed to investing in its people, local communities, infrastructure and systems to deliver value to shareholders and other stakeholders. By incorporating these elements into their investment decisions, they believe that they can continue to drive sustainable value in the business. The company strives to be a good corporate citizen and an environmentally responsible group with robust procedures, systems and controls in place to manage and monitor statutory compliance. This helps build the foundations of a sustainable business model.
- 1.13 EG On the Move Limited are committed to being an environmentally responsible group and aim to positively manage their impact on the environment. They closely monitor electricity and water consumption, which are the two highest consumers of energy on their sites, and the volume and disposal of waste materials which they seek to minimise.

The Planning Application

- 1.14 This Planning Statement has been prepared on behalf of EuroGarages to support a planning application for redevelopment of the existing Sudden Service Station, Rochdale.
- 1.15 This Statement describes the application site and Proposed Development before identifying and examining the issues relevant to the application. The Planning Statement also includes a Sequential Assessment looking at any available sites in the adjacent Sudden Local Centre and a Design & Access Statement. In seeking to establish whether the proposed use is appropriate, particular regard has been had to the statutory development plan and the National Planning Policy Framework (NPPF).
- 1.16 Chapters are also included addressing requirement for a Design & Access Statement (Chapter 5) whilst retail matters are addressed in Chapter 4.
- 1.17 The application is supported by the following:

-  1809-1 Site Location Plan
-  1809-9 Planning
-  1809-10 PFS Building Plans & Elevations
-  1809-11 Petrol Canopy
-  1809-12 Site Elevations
-  1809-13 Substation Details
-  1809-14 Feeder Pillar to Substation
-  1809-15 Bin Store Details
-  1809-16 EV Charger
-  1809-EV Canopy Details

- Planning Statement including Sequential Assessment and Design & Access Statement;
- Extended Phase 1 Habitat Survey, Daytime Bat Survey and BNG Metric (Rachel Hacking Ecology);
- Transport Statement (June 2026) (DTP);
- Ground Report (EPS);
- Tree Survey (DEP);
- Landscape Scheme (DEP); and
- Drainage Strategy and plans (June 2026)(Goodsons).

2.0 Site Description and Proposed Development

The Site

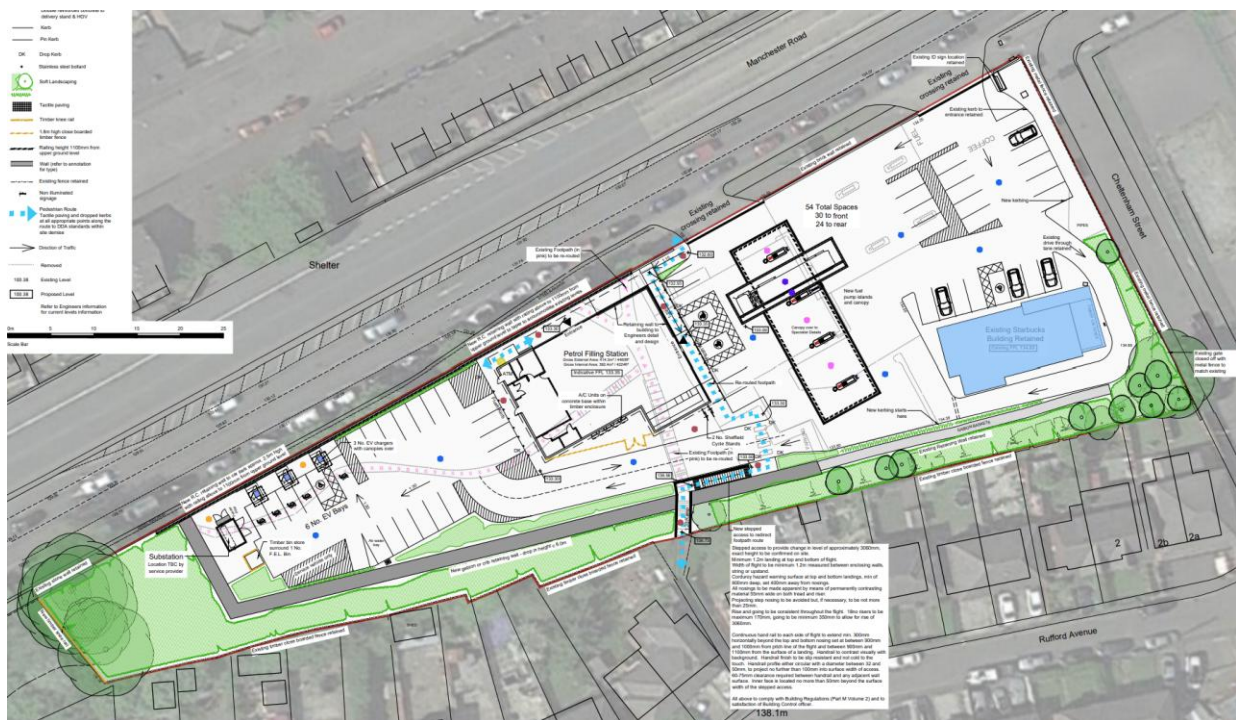
- 2.1 The service station is an established petrol station business located off Manchester Road (A58), Rochdale to the north east of its junction with Rochdale Bypass / Edinburgh Way.
- 2.2 The forecourt sits to adjacent to Manchester Road with the petrol station kiosk / convenience store located towards the western end of the site. The existing kiosk building is flat roof and constructed in brick and contains an existing Spar. The pumps (4 starter gate) sit below an existing canopy to the eastern half of the site. To the rear is a Starbucks (this is unaffected by the proposal). The existing buildings have a floor area of c300sqm GEA and is served by 18 spaces.
- 2.3 The current site is dated and of little architectural merit. The current site does not offer a modern roadside facility in terms of both the forecourt / canopy and the associated kiosk / retail offer.
- 2.4 Access to the petrol forecourt is taken from Manchester Road with a left in, left out arrangement. This access serves the Starbucks as well although existing internal site markings are informal.
- 2.5 The surrounding area is a mix of uses including commercial along Manchester Road (with Sudden Local Centre and Tesco to the west) with residential to the rear (south). The site includes the wooded area to the west of the site which also includes an unmade path running from Manchester Road to housing on Rufford Avenue to the south. The land to the south is at a higher level than the Manchester Road frontage. The woodland area is owned by Rochdale Council.
- 2.6 The site is circa 0.6ha in size and is not subject to any specific designations or allocations. The site sits in Flood Zone 1.

The Proposed Development

- 2.7 The proposal comprises demolition of the existing petrol filling station kiosk and forecourt / canopy then redevelop using existing access points to create a new, modern 24 hour petrol filling station. Full details of the proposal are set out below.
- 2.8 The Proposed Development is illustrated on ADS Design drawing no. 1809-9 (proposed layout) and comprises:
 - Demolition of the existing forecourt, sales building (circa 300sqm GEA) and canopy and replacement with a new monopitch modern sales unit and ATM (392sqm GIA). This will be located to the western boundary of the site (where the trees are currently);
 - The proposed kiosk building will have a footprint of 25m x 19m to north and east elevations with shorter elevation of 15m to the west and a slight build out on the south elevation. The kiosk building has a monopitch roof (5.4m front facing Manchester Road sloping to 3.9m to rear). The GEA is 414sqm. The kiosk building will have 2 entrance points – one to Manchester Road and the other to the forecourt.

- Within the sales building will be a convenience store, ancillary food / drink counter together with store office and W.C;
- New petrol forecourt will utilise the eastern half of the site to the side of new kiosk building with 4 starter gates;
- Compound area (for goods / bins) located to rear (south elevation) of the building;
- Improved internal layout to deliver total of 54 spaces – 30 to the front and 24 to the rear. Internal layout will use existing access / egress points but with improved signage to 'fuel' and 'coffee'.
- Within the 54 spaces, there are 6 EV charging bays and 4 disabled together with cycle parking;
- Provision of soft and hard landscaping (including engineering works to access rear parking area); and
- Improvements to footpath creating a safer, more direct route between Manchester Road and Rufford Avenue.

The proposed site layout is copied below:



2.9 The proposed kiosk will be a monopitch design and be constructed in flat composite panels (colour Hamlet RAL 9002) and vertical woodgrain effect wall cladding (colour Chocolate) with Umbria Grey (RAL7022) coloured fascias.

Proposed elevations are copied below (over page):



- 2.10 The existing access points will be retained and enhanced with new parking bays in front of the proposed kiosk building as well as to the rear of the building. Existing footpath route will be revised and improved (in terms of surfacing and lighting).
- 2.11 The proposed layout will enable the site to operate more efficiently and provide an improved layout. The proposed sales building will sit centrally within the site and will provide an opportunity for an improved sales format. The new building has been designed in accordance with EG on the Move (EG-otm) corporate design, with mono pitch roof design and material including vertical woodgrain effect panels, flat composite panels and grey coloured fascias with full height glazing to the front and facing forecourt.
- 2.12 The proposed sales building is ancillary to sale of petrol and will sell a very limited range of groceries (such as chilled-dairy, limited frozen meals, fruit), tinned and packaged products, confectionery, snacks and drinks, non-food items (such as household products, toiletries, newspapers, magazines, BBQ fuels and fuel goods): cigarettes (and other tobacco products) and car care items. EG-otm have a policy of not selling alcohol at any of their sites. The sales building will also include customer wc, store room and office area for staff.
- 2.13 The new forecourt will include underground storage tanks, 4 x starter gate pump islands and canopy (5.2m to underside).
- 2.14 The proposal will take the opportunity to formalise and set out car parking spaces, with a total of 54 spaces provided on site (including 4 disabled and 6 EVC) resulting in a net gain of 36 on site to serve the petrol station and coffee shop.
- 2.15 The main petrol station and shop will operate 24hours a day.

3.0 Planning Policy

- 3.1 This section sets out the relevant national and local planning policies to be considered in assessing the proposal. Key material considerations include the National Planning Policy Framework (NPPF 2024) and the associated national planning practice guidance (PPG) whilst at a local level consideration should be given to policies set out in the adopted Rochdale Core Strategy (2016).

National Planning Policy - NPPF Dec 2024

- 3.2 The National Planning Policy Framework (Dec 2024) sets out the government's planning policies for England and how these are expected to be applied. The National Planning Policy Framework must be taken in to account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 3.3 Set out below is a summary and assessment of the relevant sections of the NPPF.
- 3.4 The National Planning Policy Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. The guidance advises that the policies in paragraphs 1-230 taken as a whole constitute the government's view on what sustainable development in England means in practice for the planning system.

Achieving Sustainable Development

- 3.5 Paragraphs 7, 8, 10 and 11 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 3.6 Paragraph 11 sets up the presumption in favour of sustainable development stating:

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Building a strong Competitive Economy

- 3.7 Chapter 6 of the NPPF relates to the economy with Paragraph 85 advising 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.

- 3.8 Paragraph 87 goes on to advise that planning policies and decisions should recognise and address the specific locational requirements of different sectors. This is particularly relevant to the effective operation of modern roadside services where access to fuel and associated food / drink offer is essential and is driven by need to be located on busy highways with a high volume of passing traffic.

Ensuring the Vitality of town centres

- 3.9 Chapter 7 of the NPPF deals with the role and importance of town centres. Paragraphs 90 to 95.
- 3.10 In dealing with town centre uses the most relevant parts of the NPPF are provided by paragraphs 90-95. The weight afforded to retail policy is limited in light of appeal decision in Essex (PINs ref APP/W1525/W/14/3001905 – letter dated 25 Oct 2015) where the Inspector advised that in light of guidance at para 31 of the NPPF (now para 111 in NPPF 2024 – see below) there is no need to consider ‘need’ for roadside services.
- 3.11 Paragraph 91 indicates that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Applications for main town centre uses should be located in town centres, then in edge of centre locations and only where suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.
- 3.12 It is noted however that the site already includes a retail convenience store. This will be replaced as part of the proposal. However, during pre-application discussions, the LPA requested a Sequential Assessment be undertaken for the proposal in respect of the Sudden Local Centre to the north west of the site – this has been undertaken and is set out later in this Planning Statement.
- 3.13 Under paragraph 94, impact assessments are required for retail, leisure and office development outside town centres which are not in accordance with an up to date Local Plan and for developments over a threshold of 2,500sqm unless there is a locally set threshold. Under paragraph 94 where such assessments are required they should include an assessment of the impact on existing, committed and planned public/private sector investments in existing centres and impact on town centre vitality and viability, and consumer choice.
- 3.14 In this instance, the Core Strategy advises at para 7.15 that the threshold will be 500sqm on sites close to Local Centres. The proposed kiosk is 392 sqm GIA and so sits well below the 500sqm threshold set out. As such it is considered unlikely the retail offer at the redeveloped service station will impact on the vitality and viability of any retail centres.

Promoting Sustainable Transport

- 3.15 Chapter 9 of the NPPF refers to highways matters. Paragraph 111 (criterion ‘e’, footnote 46) of the NPPF makes reference to roadside services confirming that the primary function of roadside facilities for motorists should be to support the safety and welfare of the road user. Paragraph 116 advises that 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. The proposal utilises exiting access arrangements and will enhance layout and parking within the site and will not give rise to any severe impacts on highway capacity or safety. Further details are set out in the Transport Statement (June 2026) submitted with the planning application.

Achieving well-designed places

3.16 Chapter 12 of the NPPF refers to Design and advises that good design is a key aspect of sustainable development (para 131). Paragraph 131 goes on to advise the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

3.17 Paragraph 135 sets out a number of design criteria to be considered in terms of design of development stating:

Planning policies and decisions should ensure that developments:

- a) 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;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

3.18 The proposed development comprises a well-designed scheme to create a modern roadside facility with benefits to visual amenity of the site through high quality design. The Design & Access Statement that accompanies the development proposals clearly sets out how the development meets all of the objectives set out above and represents high quality design.

Meeting the challenge of climate change, flooding and coastal change

3.19 Paragraph 170 of Chapter 14 confirms that development should be directed to areas with the lowest probability of flooding. The site lies within Flood Zone 1 and is therefore at low risk from flooding. The application is also supported by A Drainage Strategy Report (Goodsons June 2026).

Conserving and enhancing the natural environment

- 3.20 Paragraph 187 of Chapter 15 advises that the planning system should contribute to and enhance the natural and local environment by: -
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*
- 3.21 The site is an existing, established petrol filling station with convenience store. It does not have any landscape, heritage or ecology designations. Trees to the rear (west) of the existing petrol station will be removed to facilitate the improvements. A Tree Survey and Preliminary Ecological Appraisal (PEA) are submitted with the application confirming the trees are of little value and the ecological value is on site is low.
- 3.22 Paragraphs 192/193 relates to ecology and biodiversity considerations when determining planning applications. There are no known protected species or ecology designations on site, the site is therefore of low wildlife value (see submitted PEA). The proposal does include planting areas within the site which will bring about visual amenity and biodiversity benefits. The application is accompanied by the requisite BNG metric to advise on enhancements that can be achieved.
- 3.23 Paragraph 196 refers to ground conditions advising that when making decisions, consideration must be given to whether a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. The application includes a Phase 1 Geo-Environmental Report which sets out the current situation and how the redevelopment will take place to improve the current facility. As such the site is not subject to any issues of contamination or instability.

Statutory Development Plan Policies

- 3.24 The site sits in the administrative boundaries of Rochdale Council. With respect to the proposed development, the 'Development Plan' currently comprises the adopted Rochdale Core Strategy (2016). The UDP (2006) is used for identifying site allocations and designations – the site is not subject to either. It is noted that there are no saved UDP policies relating to retail / principle (S/7 & S/8 both deleted by Core Strategy Policy E1) or design. As such this assessment focusses on policies set out in the Core Strategy.
- 3.25 The site is not subject to any specific allocations or designations. The relevant Core Strategy policies are set out below.

Rochdale Core Strategy (2016)

- 3.26 The policies listed below are considered relevant to this application:
- Policy E1 – Retail – Establishing thriving town, district and local centres
 - Policy P3 – Design – Improving Design of new development
 - Policy T1 – Highways – Delivering Sustainable Transport
 - Policy G6 & G7 – Environment – Enhancing Green Infrastructure & Increasing the value of Biodiversity and Geodiversity
 - Policy DM1 – General Development Requirements
- 3.27 The proposal is assessed against the aforementioned planning policies in Section 4.

4.0 The Case in support of the Proposed Development

Principle of Petrol Station Use

- 4.1 The Proposed Development comprises the redevelopment of an existing petrol station and convenience store. As such it is considered the principle of this form of development is established in this location.
- 4.2 This is a previously developed site in an accessible roadside location which also provides a local shopping offer.
- 4.3 The Core Strategy sets out 5 Strategic Objectives for Rochdale which reflect wider aspirations of achieving sustainable development. In this case the proposal will enhance an existing roadside facility with a more modern design and landscaping resulting in visual improvements as well as increased employment opportunities. From a social perspective, the local shopping facility will be retained on site as well.
- 4.4 In terms of economic benefits, the proposed redevelopment of the existing service station will result in enhancement of an established roadside service on a previously developed site with improved retail offer to serve customers.
- 4.5 The NPPF also requires that significant weight should be placed on the need to support economic growth through the planning system. The Government is committed to securing economic growth. The Proposed Development would deliver economic growth (investment and creation of new jobs) and this should therefore be given significant weight.
- 4.6 In respect of environmental matters, the site is not subject to any landscape or ecological designations. The trees removed from site are mix of category B and C and opportunities exist for replacement planting within the proposal. From an ecological perspective, the site is of low ecological value, again new planting may provide opportunities for enhancement.
- 4.7 In addition, the proposed scheme will enhance this roadside facility in accordance with para 111 of the NPPF (thus enhancing safety and welfare of roadusers). These improvements will bring with it associated economic benefits in terms of jobs creation and increased spend locally.
- 4.8 The redevelopment will include an improved convenience offer for motorists together with food counters as part of the internal layout of the main sales building. The food counters are Class E use (UCO 2020) and operate within the retail area of the building. These elements are inextricably linked and form part of the modern petrol station offer.
- 4.9 The forecourt and sales building are used in conjunction, principally by the motoring public, relying largely on the interception of pass-by trade, but also in this locality by local motorists / residents.
- 4.10 The Proposed Development will be used by motorists using the highway network as well as local motorists seeking a modern and efficient facility within an easy reach of their home or workplace. Based on the nature and operation of such facilities, together with the limited retail floor area (circa 308sqm of the total 392 sqm GIA), the proposal will not undermine the vitality and viability of any existing identified centre, as trade will be drawn from a wide geographical area with, to a lesser extent, local concentration in the immediate locality. As such, the Proposed Development is unlikely to result in any significant increase

in the number and length of car journeys to the site at present, due to the combined use of forecourt and sales buildings.

- 4.11 In light of the above, we consider that the operation and trading characteristics of the Proposed Development will be entirely acceptable. Further, on the basis that the use is established on the site, together with employment opportunities arising from the proposal, this current scheme should be considered acceptable in principle.

Retail Considerations – Sequential Assessment

- 4.12 The Proposed Development comprises a new (replacement) sales building, which will sell the type of goods that a modern day motorist expects to find in a Petrol Station. The quantum of floorspace (circa 308sqm retail with food to go counter together with non retail uses comprising office / store / customer wc – total 392sqm GIA) is entirely appropriate for a site of this size and location, and in these terms, it is considered acceptable as an inextricably linked element of the petrol station.
- 4.13 The proposed shop associated with the Petrol Filling Station replaces the existing Spar and is designed to meet the needs of passing traffic and those working / living locally. It would therefore make no sense in 'location' terms to provide the shop anywhere else. Such facilities are common place nowadays on modern petrol filling stations.
- 4.14 In dealing with location issues specific recognition is given in national planning practice guidance to the relative priorities and needs of different types of uses which may be regarded as town centre uses. Relevant guidance highlights the need to recognise differing operational and market requirements of different uses.
- 4.15 In this case the Proposed Development seeks to complement the sales of petrol with the associated shop / food counter meeting the needs of the passing motorist and providing a basic range of day to day goods (as currently exists with Spar).

Sequential Assessment – Sudden Local Centre

- 4.16 During pre-application discussions, a request was made to consider whether there were any available sites for the retail element within the adjacent Sudden Local Centre.
- 4.17 Core Strategy Policy E1, together with the associated explanatory text (paras 7.5-7.15) relates to retail policy and refers to the requirement for sequential assessment where retail proposals are outside existing centres.
- 4.18 The Sequential Assessment for the proposed development is set out at Appendix 1 of this Planning Statement.
- 4.19 The Sequential Assessment concludes there are no suitable sites within the Sudden Local Centre.

- 4.20 In summary, the proposals will not have any adverse impact on the vitality or viability of the nearby Sudden Local Centre. As such the redevelopment of the site is consistent with guidance set out in the NPPF and Core Strategy Policy E1.

Design

- 4.21 The Proposed Development seeks to create a modern roadside facility. The demolition of the existing forecourt / canopy, kiosk building and convenience store enables the site to be laid out in a more efficient manner. The proposed building will have a monopitch roof with glazed frontage overlooking both Manchester Road and the enhanced forecourt and canopy. Full details are set out on the submitted plans.
- 4.22 The new building has been designed in accordance with EG-otm corporate design, including material such as wall cladding and composite panels with full height glazing on active frontages.
- 4.23 The new building is located centrally within the site and is designed to be light weight and airy with a glazed frontage to the forecourt and Manchester Road. The roof will be monopitch sloping down from front (Manchester Road) to rear (5.4m front to 3.9m rear). In terms of materials, this will include flat composite panels (colour hamlet RAL 9002), vertical wood grain textured composite wall cladding (colour chocolate) together with umbria grey (RAL 7022) cladding / fascias to give a clean modern aesthetic. The colours of the materials should assist the building to blend into the back ground, which in this case comprises rising land to the south. The canopy and forecourt will be redeveloped to occupy the eastern part of the site whilst trees removed from the west will facilitate parking (including EVC points). The proposed layout provides on site parking for 54 cars (including disabled and EVC – these spaces are split with 30 to the east of the kiosk [serving PFS and coffee shop] and 24 to the rear / west. Engineering works are required along the southern boundary and the existing footpath is relocated to the front of the kiosk building. Opportunities for landscaping existing to the east, south and west of the site.
- 4.24 It is considered the proposed design will sit comfortably in the streetscene next to the existing uses and represents a significant enhancement on the current dated petrol station offer.
- 4.25 In terms of design, Policy P3 requires all new developments, including associated landscaping, regardless of location in the borough, to adhere to high standards of design. The following design principles should be adhered to wherever relevant. The policy sets out a number of criteria for design to ensure proposals have considered their existing context. In light of the criteria relevant to this proposed redevelopment, it is considered the proposal will:
- Enhance the borough's identity and sense of place, by redeveloping an existing dated patrol filling station with a modern roadside facility;
 - contribute positively to the townscape and the Manchester Road streetscene;

- Incorporate design measures that design out crime and ensure developments and spaces are safe to use and access (including lighting as appropriate). In particular, the re-routed right of way is a significant improvement on the existing which is unlit and is routed through trees;
- Result in a development that is easy to move through and get around for car-borne customers, pedestrians, cyclists and disabled people;
- Result in a building and site layout that is easily understood with the entrances appropriately located (to forecourt and Manchester Road) and visible;
- Be built so that the quality and appearance can be maintained over time; and
- Splits parking provision within the site so as to minimise its visual impact and dominance. Landscaping is proposed to the east, south and west site boundaries to improve the setting of the proposal.

4.26 As such, it is considered that the proposal is well designed, resulting in a modern roadside development that will contribute to improving the appearance of the site and wider streetscene. The inclusion of additional land to the west of the existing PFS building enables the site to be better laid out for customers and increase parking. The Proposed Development will therefore deliver a high quality of design consistent with guidance set out in the NPPF and Core Strategy Policies P3 and DM1.

Amenity Considerations

- 4.27 The nearest sensitive uses (dwellings) sit to the south of the site at a higher level. The location of the proposed kiosk centrally within the site is similar to the existing building albeit the proposed building is slightly larger. The proposed building retains openings into forecourt (as existing) and also onto Manchester Road (which will not affect residents to the south).
- 4.28 Core Strategy Policy DM1 refers to residential amenity and seek to ensure development proposals do not have a detrimental impact. The relationship between PFS / convenience store and the dwellings is existing. Existing operation is 24-hour as well.
- 4.29 The proposed development is located on the footprint of existing albeit the monopitch roof falls from north to south so the building is at its lowest (3.9m) on the south facing elevation to residents. Again, it is noted that residents sit at a high level and so will in effect look over the top of the site. As such it is considered the proposed site layout will ensure residential amenity is not adversely affected.
- 4.30 In terms of lighting, modern petrol stations use LED systems that minimise light spill / glare and can be dimmed at night when the forecourt is not in use. The unrestricted use of the site is critical to the operation of the petrol station business.
- 4.31 In light of the above, it is not considered that there will be any significant detrimental impact on residential amenity and thus it is considered there is no reasonable justification to place any restrictions on the operation of the

Proposed Development. The proposal is therefore consistent with guidance set out in Core Strategy Policy DM1.

Highways

- 4.32 Access to and from the service road remains as existing albeit with improvements to layout proposing a dedicated parking for the retained coffee shop and PFS together with clear signage / circulation routes for petrol and coffee.
- 4.33 In terms of parking, 54 dedicated spaces are proposed (30 to the front serving the PFS and coffee shop with 24 to the rear), including four disabled and 6 EVC spaces. Cycle parking is also proposed on site.
- 4.34 The proposed development results in an improved site layout in terms of circulation and management. Overall, it is considered that adequate servicing, parking and access arrangements are included and laid out to allow the safe movement of pedestrians and vehicles.
- 4.35 The scheme also involves relocating the existing right of way. Trees to the west are to be removed to make space for parking with the right of way routed to the front of the sales building and up a new set of steps to link to the ginnel on Rufford Road to the south. The new route will be lit within the site and benefit from a greater degree of surveillance thus delivering a safer and more attractive route for pedestrians seeking access to Manchester Road from housing to the south of the site. An alternative route without steps remains along Rufford Road and Cheltenham Street to Manchester Road.
- 4.36 Further details on highways matters are set out in the submitted Transport Statement (DTP June 2026).
- 4.37 The redevelopment of this existing petrol station is considered to represent an improvement on the current situation through improved internal site layout and parking provision. In terms of the NPPF (para 116) it is considered the proposal will not result in an unacceptable impact on highway safety or severe residual cumulative impacts on the road network.
- 4.33 Core Strategy Policies T1 and DM1 refers to highways with DM1 being most relevant in this case given reference to provision of safe means of access, accessibility and parking. The existing site is poorly laid out and served by 18 spaces. The proposal delivers increased parking and an improved site layout for vehicles and pedestrians. As shown on the submitted site layout plan, the forecourt and parking can be safely accessed with clear access / egress point onto local highway network whilst a dedicated footway is also proposed to create safe access to the ATM / kiosk and housing to the south. The compound to the south of the kiosk will be used for storage, bins and access to store within the kiosk.
- 4.34 In light of the above, it is considered that the Proposed Development would not have an unacceptable effect on traffic flow and safety and as such will not detract from the character or appearance of the area. The proposal therefore complies with Core Strategy Policies T1 and DM1.

Flood Risk

- 4.35 The site sits within Flood Zone 1 and as such is not at risk from flooding. Drainage solutions within the site will ensure the Proposed Development is adequately drained and does not give rise to increase risk of flooding elsewhere. Further details are set out in the Drainage Strategy Report and associated Drainage dwg (P15673-500 A) both prepared by Goodsons Engineers (June 2026).

Ground Conditions

- 4.36 The site is already in use as a petrol station. As such the Proposed Development will not give rise to any new issues in terms of pollution or contamination.

Ecology and Landscape

- 4.37 Core Strategy Policies G6 & G7 refer to Enhancing Green Infrastructure & Increasing the value of Biodiversity and Geodiversity respectively. The proposal results in the loss of trees from the west of the site to facilitate the proposal. The Tree Survey submitted with the application confirms the trees are category U, C and B. In terms of ecology, the submitted PEA advises the site is of low ecological value and there is no evidence of protected species on site. The proposal includes opportunities for new native tree and shrub planting on site with associated landscape and biodiversity benefits. A BNG Metric has also been prepared for the site addressing the requirements for 10% BNG enhancements.

Summary

- 4.38 The principle of a petrol filling station with convenience food offer (i.e., existing Spar) is established. The forecourt shop, used in conjunction and association with the petrol station use, is confirmed as being justified in terms of planning terms. There will be no demonstrable harm to neighbouring amenities, visual amenity or highway safety. In addition, the Proposed Development will also result in significant planning benefits in terms of job creation, visual amenity, enhanced roadside facilities for motorists and improvements to operational efficiency of the site and traffic circulation.
- 4.39 The Proposed Development complies with the relevant national and local planning policies and as such there are no grounds to refuse this planning application.

5.0 Design and Access Statement

- 5.1 This Design and Access Statement has been prepared to support the full planning application for the redevelopment of existing petrol station at Sudden Service Station, Rochdale to create an updated facility. The Design and Access Statement should be read in conjunction with the existing and proposed plans prepared by ADS Design on behalf of EG-otm.
- 5.2 This statement takes into account the advice set out in the CABE publication, "Design and Access Statements – How to Write, Read and Use Them." It also takes into account the Order amending the rules on the information which must be submitted with an English planning application (31 January 2013).
- 5.3 The document indicates the issues that need to be addressed as part of any Design and Access Statement, these being the amount of development, layout of buildings, routes and spaces, scale of buildings, landscaping and appearance.

The Proposed Development

- 5.4 The proposal comprises demolition of the existing petrol filling station kiosk and forecourt / canopy then redevelop using existing access points to create a new, modern 24 hour petrol filling station. Full details of the proposal are set out below.
- 5.5 The Proposed Development is illustrated on ADS Design drawing no. 1809-9 (proposed layout) and comprises:
- Demolition of the existing forecourt, sales building (circa 300sqm GEA) and canopy and replacement with a new monopitch modern sales unit and ATM (392sqm GIA). This will be located to the western boundary of the site (where the trees are currently);
 - The proposed kiosk building will have a footprint of 25m x 19m to north and east elevations with shorter elevation of 15m to the west and a slight build out on the south elevation. The kiosk building has a monopitch roof (5.4m front facing Manchester Road sloping to 3.9m to rear). The GEA is 414sqm. The kiosk building will have 2 entrance points – one to Manchester Road and the other to the forecourt.
 - Within the sales building will be a convenience store, ancillary food / drink counter together with store office and W.C;
 - New petrol forecourt will utilise the eastern half of the site to the side of new kiosk building with 4 starter gates;
 - Compound area (for goods / bins) located to rear (south elevation) of the building;
 - Improved internal layout to deliver total of 54 spaces – 30 to the front and 24 to the rear. Internal layout will use existing access / egress points but with improved signage to 'fuel' and 'coffee'.
 - Within the 54 spaces, there are 6 EV charging bays and 4 disabled together with cycle parking;
 - Provision of soft and hard landscaping (including engineering works to access rear parking area); and
 - Improvements to footpath creating a safer, more direct route between Manchester Road and Rufford Avenue.

Amount

- 5.6 The proposal includes a replacement sales building with an internal floor area of 392sqm. Of this 392sqm, circa 308sqm is laid out for sales with remainder used as store, office and toilets.

Layout

- 5.7 The proposal is supported by a proposed site layout plan. The existing access points are retained and improved to create clear access / egress to, and within, the site. Existing forecourt / canopy are demolished with new forecourt / canopy occupying the eastern half of the site with frontage to Manchester Road. The dated kiosk and retail building will be demolished (existing 300sqm GEA) with the proposed replacement kiosk building (414sqm GEA) located to the centrally within the site. Parking to proposed to the west / rear of the sales building with new access along the southern boundary. The existing right of way is also relocated from within existing trees to a position in front of the new sales building with steps to south onto Rufford Road.

Routes

- 5.8 The layout plan shows how routes to and around the site will be maintained. Existing access points (left in / left out) will be used / improved to provide vehicular and pedestrian access. Additional parking is proposed within the site to serve the retained coffee shop and the PFS (54 spaces including 4 disabled and 6 EVC). These will be provided on site whilst layout allows for clear routes through the site.

Scale

- 5.9 The proposed sales building has a footprint of 25m x 19m with a monopitch sloping roof (sloping down from Manchester Road frontage [5.4m] to rear [3.9m]). The canopy will be 5.2m to underside.

Landscaping

- 5.10 There is currently trees to the west of the site. These will be removed. The proposed layout provides planting areas to the east, south and west boundaries of the site.

Appearance

- 5.11 The new building design is a light weight and open and airy with glazing to both the Manchester Road frontage and the forecourt. The material lends itself to a quick assembly by using cladding panels. The colours of the materials should make it blend into the back ground with the use of grey, light olive and brown (wood effect) colours.
- 5.12 As you enter the building you are met with the steel supports holding up the roof, this give a more spacious feel inside. The steel work is painted out in a dark colour so that is blends into the roof. The stores and back of house are positioned on the west side with counter on the south side.

Access

- 5.13 Access to the site will be as existing with necessary improvements to parking and internal circulation to provide safe access for vehicles and pedestrians. The layout also improves circulation for the retained coffee shop use. Provision

will be made within the site for vehicle and cycle parking (54 spaces including 4 disabled and 6 EVC) – this is a gain of 36 spaces on existing.

- 5.14 It will be our client's intentions to provide facilities that conform to the DDA and part M of the Building Regulations. Level access shall be achieved by raising the forecourt locally around the entrance. The automatic doors will have a clear width of 1800mm. Thresholds and sills will be no more than 10mm and will be in contrasting colours to the floor finished as will be all architraves and switches.
- 5.15 At the entrances to the shop we have a level access and a path, edges of the pavement and footpaths will be defined by incorporating a kerb. There will be a visible contrast in colour between the path and the forecourt so that visually impaired people can distinguish between the two.
- 5.16 The counter within the shop shall be at a height no greater than 1000mm and will have a toned contrast for visual impaired people. All shelving shall be designed straight and not randomly placed causing obstruction. A disabled toilet shall be provided with the cubical meeting part M of the Building Regulations.
- 5.17 Disabled parking will be positioned as close to the door as possible. The bay will be 4.8 x 2.4m long with a 1.2m buffer zone to the driver side and to the rear of the spaces. One of the EVC spaces is also suitable for disabled driver use.

Conclusions

- 5.18 The Proposed Development has been subject to careful consideration in order to ensure the application represents a suitable scheme in-keeping with the site and its surroundings.

6.0 Conclusions

- 6.1 This Planning Statement supports the submission of a proposal for the redevelopment of Sudden Service Station, Manchester Road, Rochdale. The proposal was subject to pre-application discussions with the LPA (August 2022) which advised on the need for a Retail Sequential Assessment looking at Sudden Local Centre – please see Appendix 1. The application is lodged by EG-otm but part of the site is also owned by the Council (treed area to the west).

Site Location

- 6.2 The service station is an established petrol station business located on Manchester Road to the east of Sudden Local Centre and Tesco, just to the west of its junction with Cheltenham Street. Access is taken from Manchester Road (left in / left out).
- 6.3 The forecourt and kiosk / store (Spar) sit adjacent to Manchester Road. The existing buildings are flat roof, constructed in brick and of little architectural merit. The pumps sit below an existing canopy to the east of the sales building. There is an existing Starbucks Coffee drive thru to the south east corner of the site. The existing buildings have a floor area of 300sqm GEA and site is served by 18 spaces. The surrounding area is a mix of uses including commercial and residential. There are trees to the west with an unmade right of way linking Manchester Road with Rufford Avenue to the south. Houses on Rufford Avenue sit at a higher level than the site.
- 6.4 The site is circa 0.6ha in size and is not subject to any specific designations or allocations. The site sits in Flood Zone 1.

The Proposed Development

- 6.5 The proposal comprises demolition of the existing petrol filling station kiosk and forecourt / canopy then redevelop using existing access points to create a new, modern 24 hour petrol filling station. Full details of the proposal are set out below.
- 6.6 The Proposed Development is illustrated on ADS Design drawing no. 1809-9 (proposed layout) and comprises:
- Demolition of the existing forecourt, sales building (circa 300sqm GEA) and canopy and replacement with a new monopitch modern sales unit and ATM (392sqm GIA). This will be located to the western boundary of the site (where the trees are currently);
 - The proposed kiosk building will have a footprint of 25m x 19m to north and east elevations with shorter elevation of 15m to the west and a slight build out on the south elevation. The kiosk building has a monopitch roof (5.4m front facing Manchester Road sloping to 3.9m to rear). The GEA is 414sqm. The kiosk building will have 2 entrance points – one to Manchester Road and the other to the forecourt.
 - Within the sales building will be a convenience store, ancillary food / drink counter together with store office and W.C;

- New petrol forecourt will utilise the eastern half of the site to the side of new kiosk building with 4 starter gates;
- Compound area (for goods / bins) located to rear (south elevation) of the building;
- Improved internal layout to deliver total of 54 spaces – 30 to the front and 24 to the rear. Internal layout will use existing access / egress points but with improved signage to 'fuel' and 'coffee'.
- Within the 54 spaces, there are 6 EV charging bays and 4 disabled together with cycle parking;
- Provision of soft and hard landscaping (including engineering works to access rear parking area); and
- Improvements to footpath creating a safer, more direct route between Manchester Road and Rufford Avenue.

6.7 The proposed kiosk will be a monopitch design and be constructed in flat composite panels (colour Hamlet RAL 9002) and vertical woodgrain effect wall cladding (colour Chocolate) with Umbria Grey (RAL7022) coloured fascias. The existing access points will be retained and enhanced with new internal site layout and parking bays in front and rear of the proposed kiosk building (54 spaces serving coffee shop and PFS). The new forecourt will include underground storage tanks, 4 x starter gate pump islands and canopy (5.2m to underside). The proposal will take the opportunity to formalise and set out car parking spaces, with a total of 54 spaces provided on site (including 4 disabled and 6 EVC) resulting in a net gain of 36 on site.

6.8 Technical drawings and reports submitted as part of this application demonstrate how the Proposed Development can be accommodated on the site.

Assessment

6.9 The principle of redeveloping this established petrol filling station site for a modern 24 hour facility is considered acceptable given its existing use and its location adjacent to busy main roads.

6.10 The quantum of retail floorspace proposed (circa 308 sqm GIA) will not impact on the viability or vitality of any nearby town centre (see Sequential Assessment at Appendix 1).

6.11 The replacement building and canopy represents a significant visual improvement over the existing dated PFS with clear benefits along the Manchester Road frontage.

6.12 The forecourt building, used in conjunction and association with the petrol station use, is confirmed as being justified in terms of planning terms. There will be no demonstrable harm to neighbouring amenities, visual amenity or highway safety. In addition, the Proposed Development will also result in significant planning benefits in terms of job creation, visual amenity, enhanced roadside facilities for motorists and improvements to operational efficiency of the site and traffic circulation.

- 6.13 The Proposed Development complies with the relevant national and local planning policies and as such there are no grounds to refuse this planning application.
- 6.14 In view of the above, it is considered the scheme satisfies national and local policy and represents a suitable development proposal for the site that addresses all the relevant and material considerations. In this context, the proposal satisfies Section 38(6) of the Planning and Compulsory Purchase Act 2004 and it is considered that planning permission should be granted.

Appendix 1

Sequential Assessment (July 2026 update) – Sudden Local Centre

July 2026 update

Sequential Assessment

(to be read in conjunction with submitted Planning Statement)

Sites in Sudden Local Centre

(as requested by LPA in TEAMS meeting 30 August 2022)

Demolition of existing petrol filling station and associated kiosk building / retail unit to facilitate redevelopment of existing petrol filling station to provide new 24hr petrol filling station comprising erection of replacement sales building (total 392sqm GIA) including store, office, wc and convenience store with ancillary food counter and ATM, parking (54 spaces including staff, Electric Vehicle and disabled [to serve PFS and retained Starbucks Coffee Shop), electric vehicle charging stations (3 no), landscaping and re-route existing right of way.

Sudden Service Station, Manchester Road, Rochdale, OL11 3PT

Prepared by



1.0 Introduction

- 1.1 This Sequential Assessment has been prepared following email request by the case officer on 30 August 2022 to look at potential sites for the proposed retail element of the redevelopment in Sudden Local Centre.
- 1.2 The Proposed Development comprises the demolition of existing petrol filling station and associated kiosk building / retail unit (c300 sqm) to facilitate redevelopment of existing petrol filling station to provide new 24hr petrol filling station comprising erection of replacement sales building (total 392sqm GIA) including store, office, wc and convenience store with ancillary food counter and ATM. The quantum of floorspace currently proposed for retail use will be around 308sqm GIA is entirely appropriate for a site of this size and location, and in these terms, it is considered acceptable as an inextricably linked element of the petrol station.
- 1.3 Core Strategy E1 refers to sequential and impact tests for town centre uses with reference to a 500 sqm threshold in respect of need to undertake impact assessments. The proposed retail space and as such it will not harm the vitality or viability of the town centre. As such it is considered the proposed development will not impact on existing identified retail centres.
- 1.4 However, notwithstanding the above, a Sequential Assessment has been requested and the locations identified by the Council. This Sequential Assessment should be read in conjunction with the Planning Statement submitted with the planning application. This Sequential Assessment sets out the search area below before setting out a summary of the planning policy position and methodology for the sequential assessment. The findings of the Sequential Assessment are then set out.

The Proposed Development

- 1.5 The proposal comprises demolition of the existing petrol filling station with shop to be replaced by a newer, more modern facility. The new kiosk building will be slightly larger in floor area.
- 1.6 The site area for the proposal is 0.6ha. The new building is 414sqm (GEA) replacing the existing 300sqm building. The retail floor area within the new building will be 308sqm.
- 1.7 The Proposal includes 54 allocated parking spaces to serve the existing coffee shop and the petrol station – 23 of these are laid out to serve the coffee shop. The proposed building design reflects current branding for modern roadside facility with monopitch roof design with composite panels and timber effect cladding together with large glazed frontage.

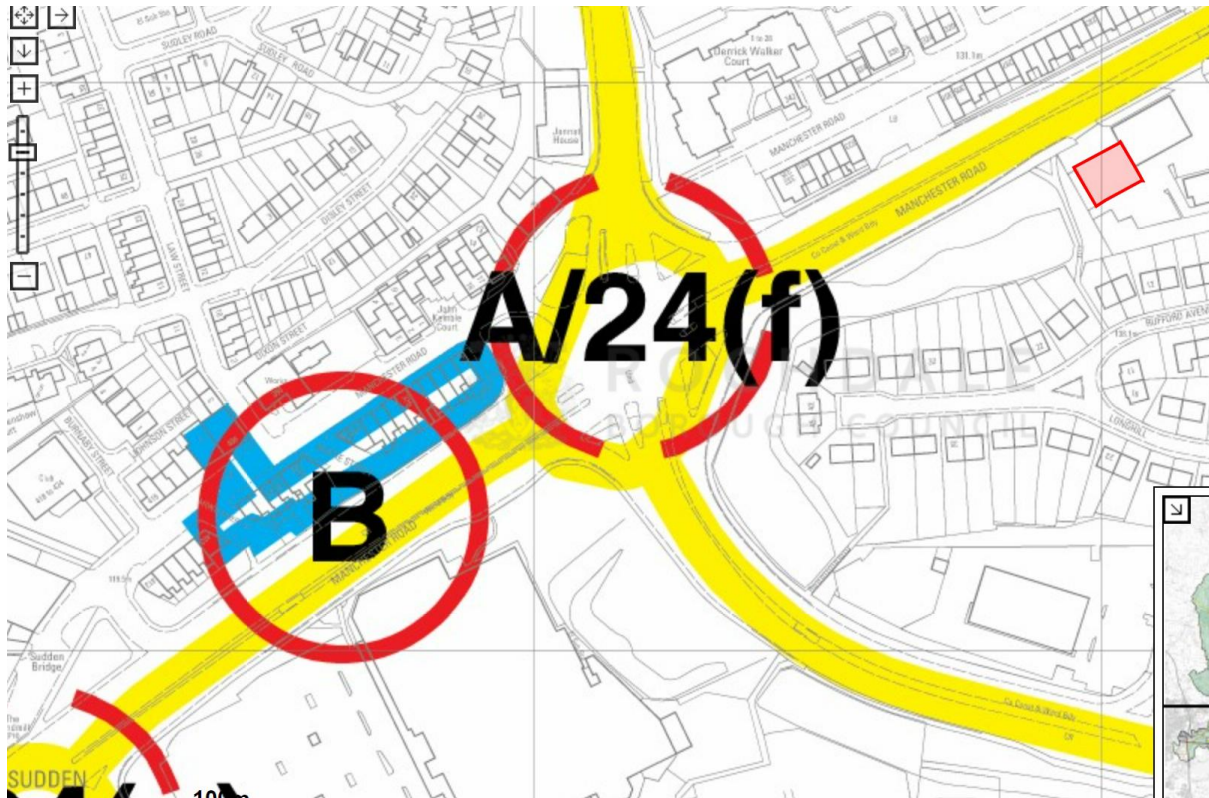
Methodology

- 1.8 The methodology for undertaking the Sequential Assessment comprised a site walkover (undertaken April 2023) and an online review of websites Zoopla, Rightmove and PrimeLocation (July 2026). The web based search related to commercial land / buildings for sale and was wide ranging with no restrictions on price with location set as the relevant local centre.

Search Area

- 1.9 The area searched was identified by the Council in the meeting of 30 August 2022 – namely Sudden Local Centre located to the north west of the site
- 1.10 The extract below shows the location of Sudden Local Centre relative to the site

Sudden Local Centre



Retail Considerations – Sequential Assessment

- 1.11 The Proposed Development comprises a replacement sales building with (total 392sqm GIA) including store, office, wc and convenience store with ancillary food counter (c308sqm). The proposal will be served via existing access points and will provide 54 parking spaces on site, of which 23 will serve the retained coffee shop. The PFS is established with an existing Spar retail unit and operates tithe the adjacent coffee shop with drive thru as part of a comprehensive roadside service area. The site area is 0.6ha, of which circa 0.4ha relates to the petrol station.
- 1.12 Para 91 of the NPPF refers to Sequential Tests. The NPPF is supplemented by the **Planning Practice Guidance (PPG)**, an online resource which provides some guidance on sequential assessments and sets out how the tests should be applied. The guidance indicates the application of the test should be 'proportionate and appropriate' for the given proposal and that where appropriate suitability of alternative sites should be discussed with the LPA. In applying the sequential test, it is relevant in this case that the guidance highlights that:

"Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean they may only be accommodated in specific locations. Robust justification must be provided where this is the case, and land ownership does not provide such a justification."

- 1.13 The online guidance clearly recognises there are instances where main town centre uses have particular locational requirements. That is the case in this instance where the applicant, in association with EG-otm, operate a roadside form of development incorporating a petrol filling station with ancillary convenience store and detached coffee shop with drive thru and associated facilities.
- 1.14 As set out in the submitted Planning Statement, the proposal is aimed primarily at motorists using the petrol filling station and therefore designed to serve road users. Notwithstanding this the site will be accessible by public transport as well as nearby residents and employees of adjacent businesses. Petrol filling stations with ancillary convenience and a drive thru offer are not an unusual feature.
- 1.15 The provision of the petrol filling station along with drive thru unit provides a synergy between the activities and provides an overall offer primarily for motorists passing the site and/or regularly using this route. In this case those working and living nearby are also likely to use the facility. As a consequence, the location of the proposal is specifically aimed at a particular roadside market and therefore has a particular locational requirement. On this basis and for reasons set out above and in the submitted Planning Statement, we consider the application site to be an appropriate location for such a development.
- 1.16 A Sequential Test has been undertaken in the form of a site visit and web based search (April 2023 and July 2026) for any available commercial sites in the centres listed above. The site visit focussed on the Sudden Local centre boundary as set out above whilst the web based review used Rightmove, Primelocation and Zoopla websites.

Suitability

- 1.17 The question of 'suitability' has been the subject of much debate through the courts and decisions by Inspectors and the Secretary of State. An important issue in setting the parameters for the site search exercise under the sequential test is whether 'suitability' relates to a potential alternative site being suitable for the 'proposed development' or some other scheme.
- 1.18 The question of suitability was considered in the context of the Supreme Court Judgement (*Tesco Stores Ltd v Dundee City Council*, 21st March 2012, UKSC13) and other High Court judgements since then. In the Dundee judgement Lord Reed (paragraph 29) concluded that for a site to be considered 'suitable' should be based on:

"...whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site".
- 1.19 Later in the judgement, Lord Hope concurred with this approach. stating at paragraph 38 that:

"...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 find this 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 flexibility and realism to which Lord Reed refers, in paragraph 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 of doing so."

- 1.20 An early Secretary of State Call In decision after the Dundee judgement relating to the application of the sequential test was in the context of an application (APP/G2815NI12/2190175) at "Rushden Lakes" with permission granted in June 2014. The site was out of centre and in applying the sequential test and what suitability related to the Inspector concluded (paragraph 8.43 of IR) that *"the answer to this question of law is suitable for the development proposed by the Applicant"*. Although the question is to be considered in its context, which involves the consideration of the question of flexibility, the Inspector found:

"...that the terms are to be construed (and therefore applied) in the real world of real development is beyond argument. The real world is the context".

- 1.21 The Inspector made reference to the Dundee ruling and concluded that it expressly rejected the notion that "suitable" means that one should alter or reduce the proposal so as to fit on to an alternative site. At paragraph 8.46 the Inspector concluded that:

"...what the sequential test seeks is to see whether the application i.e. what is proposed, can be accommodated on a town centre site. There is no suggestion here that the sequential test means to refer to anything other than the application proposal..."

- 1.22 The findings of the Dundee judgement, accepted by the Secretary of State when determining the Rushden Lakes proposal, emphasised the need for the application of commercial reality when considering the sequential test having regard to the need for flexibility, and that prime regard has to be had to the development proposed.

- 1.23 A further relevant Secretary of State decision in the context of how the sequential test should be applied is the grant of planning permission for an out of centre factory outlet centre (FOC) at Scotch Corner issued in December 2016 (APP/V2723/V/15/3132873 & APP/V2723/V/16/3143678). In this case the SoS endorsed his Inspector's conclusions on the sequential approach as follows:

"In carrying out the sequential test it is acknowledged that whilst Framework paragraph 24 indicates that applicants should demonstrate flexibility on issues such as format and scale, it does not require the applicant to disaggregate the scheme. The sequential test seeks to see if the application, i.e. what is proposed, can be accommodated on a town centre site or on sequentially preferable sites."

Flexibility

- 1.24 When dealing with flexibility the Inspector in the Rushden Lakes decision (agreed by the Secretary of State – paragraph 16 of DL) also made clear that there was no requirement to disaggregate. The Inspector highlighted that if it had been intended to require consideration be given to disaggregation, it would have been explicitly included in the wording of the NPPF and it was not.
- 1.25 The PPG checklist (paragraph 010) indicates that when carrying out a sequential test it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development proposed but rather to consider what contribution more central sites are able to make individually to accommodate the ‘proposal’.
- 1.26 To summarise, the NPPF (paragraph 91) makes clear that local planning authorities should require applications for main town centre uses to be located in town centres and then follow the sequential sequence. The sequential test seeks to see whether the application (i.e. what is proposed) can be accommodated on a sequentially preferable site. There is no suggestion in the NPPF that the sequential test means to refer to anything other than the application proposals. It is clear from decisions by the Secretary of State that disaggregation is not required.
- 1.27 However, the NPPF goes on to state that applicants and local planning authorities should demonstrate **flexibility** on issues such as format and scale. Neither the NPPF nor the PPG offers any detailed guidance on the degree of flexibility that should be demonstrated and this is where various decisions/judgements have interpreted how the sequential test should be applied.
- 1.28 It is widely accepted when considering flexibility is that an applicant is not required to disaggregate a proposed development (i.e. Rushden Lakes). In the Honiton Road, Exeter Secretary of State Call In decision, paragraph 11.32 of the Inspector’s Report states that:
- “..... the purpose of flexibility is not to require the application to be transformed into something significantly different.....”*
- 1.29 Taking account of all the above it is clear that the application of the sequential test applies to the “proposed development”. However, the NPPF and relevant guidance requires that applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, but not disaggregation, of a proposed development.
- 1.30 In this case the proposal essentially comprises a replacement petrol filling station (PFS) with slightly larger sales building than the one it replaces (414 sqm GEA). The GIA for the retail floor element is 308sqm (existing building is 300sqm). The site for the petrol filling station measures .6ha and will be served by 54 parking spaces. However, the proposal utilises existing means of access as part of the synergy between uses at the wider PFS site which includes a coffee shop with drive thru. If the coffee shop element is removed, a site area of 0.4ha would be required in this instance. Furthermore, the PFS and coffee shop are inextricably linked. However, in order to demonstrate flexibility, we have adopted a site search criteria simply focussing on the 308sqm for the retail element of the kiosk building.

Availability

- 1.31 Whilst this sets the search criteria for any potentially "suitable" sites in terms of size, other factors such as the viability of development on identified sites and their "availability" are also relevant considerations. The interpretation of "availability" was also considered by the Inspector and Secretary of State in the Rushden Lakes Call-In decision. In this instance the Inspector summarised the NPPF requirement as follows:

"...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...." (Paragraph 8.55 of IR)

- 1.32 On this basis the test is whether a site is "available" now, not whether it might become available during some undefined future time period.
- 1.33 In this case the 'development proposed' is a replacement PFS with sales building including retail floorarea for convenience / top-up shopping. The proposal is inextricably linked to the primary function which is sale of petrol. Furthermore, the co-location with existing coffee shop is an important consideration so as to benefit from linked trips and provide an enhanced roadside offer for motorists, local residents and those employed in nearby businesses. In order to accommodate this development a site area of 0.4ha is required or a floor area of just 308sqm. The above therefore sets out the requirements / characteristics of the proposed development and formed the basis of the Sequential Assessment.

Results from the Sequential Assessment

On-line search

- 1.34 A review of commercial sites available on line (search criteria for land to buy or rent with no parameters on price) identified no suitable sites within the Sudden Local Centre subject to this Sequential Assessment.

Site Walkover

- 1.35 The Sudden Local Centre has been visited and assessed to determine whether there are any potential sites and if so, if any sites are potentially suitable alternative sites to accommodate the proposed broad form and scale of development.
- 1.36 The units within the local centre are much smaller than required and located within existing terrace buildings. During the time of the visit, a number of units had shutters down so it was unclear if they were empty or in use.
- 1.37 However, it was clear that there are no units suitable for the proposed development due to size.

Conclusion

- 1.38 The proposed development comprises a replacement roadside service development with new PFS forecourt and associated sales building. The proposal replaces an existing established PFS with Spar shop.

- 1.39 The proposal would provide a form and scale of development which, as demonstrated within this assessment and the submitted Planning Statement, cannot be suitably accommodated in or on the edge of Sudden Local Centre.
- 1.40 As required by the NPPF and Core Strategy Policy E1, the proposed development has been assessed in the context of the sequential test.
- 1.41 Our assessment concludes there are no sequentially preferable sites within or on the edge of the Sudden Local Centres that are suitable and available for the proposed development.
- 1.42 In light of the above, we consider the proposal passes the sequential test and as such the proposals will not have any adverse impact on the vitality or viability of the identified centre. The redevelopment of the site is consistent with guidance set out in the NPPF and Core Strategy Policy E1 and as such planning permission should be granted.