

## Planning Committee

10 August 2010

**Reference:**  
**APP/09/06430**

**Area Team:**  
**Deeside**

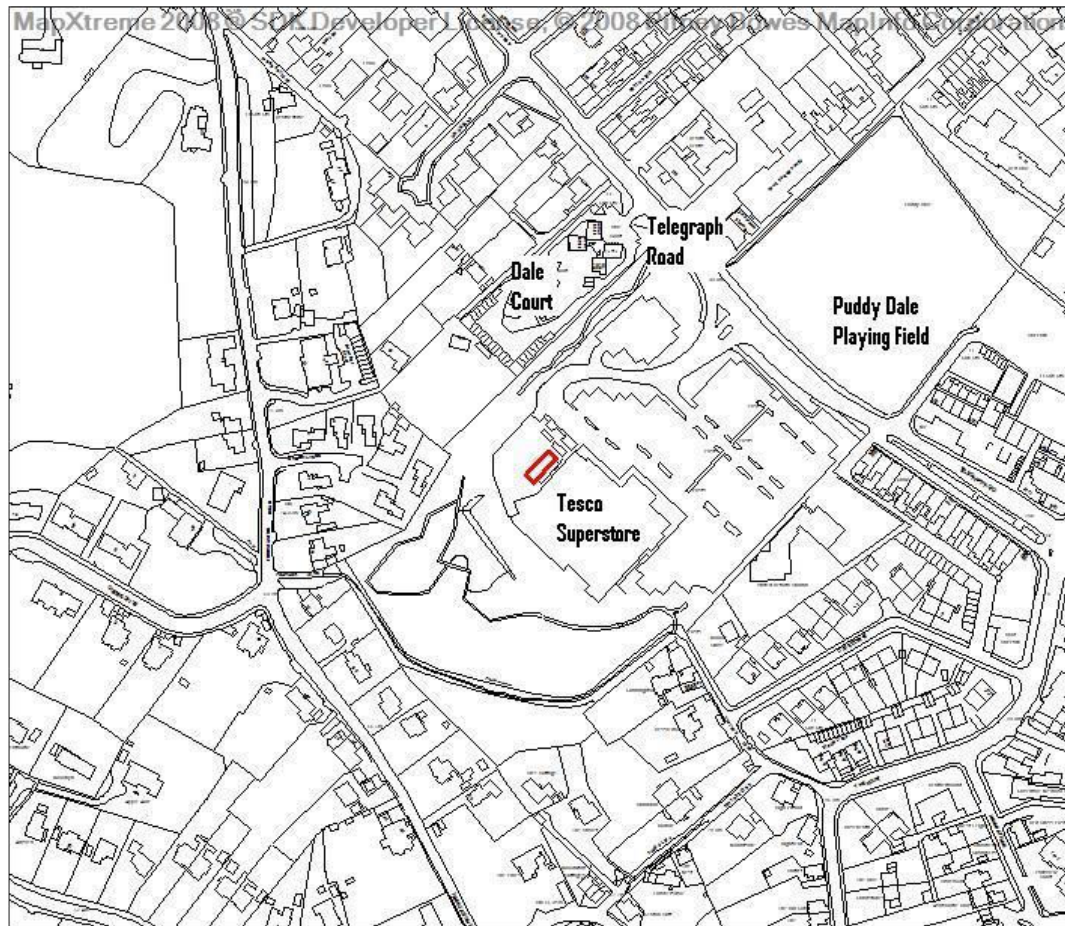
**Case Officer:**  
**Miss A McDougall**

**Ward:**  
**Heswall**

**Location:** Tesco Superstore, Telegraph Road, Heswall, Wirral, CH60 7SE  
**Proposal:** Installation of Combined Heat & Power (CHP) Unit and relocation of two existing containers (amended description)

**Applicant:** Tesco Stores Limited  
**Agent :** Duncan Allen

### Site Plan:



### Development Plan allocation and policies:

Key Town Centre  
Major Highway Scheme  
SH1

### Planning History:

APP/2008/6790 - Variation of Condition 8 of APP/2002/6748 to limit deliveries to between 7am-11pm Monday - Saturday and between 8am -9pm Sunday and Bank holidays. Only 1 delivery shall take place between 5-11pm Monday-Saturday and 1 between 5-9pm on Sunday - Refused

**APP/2002/6748** - Extension of existing class A1 retail store, additional car parking and changes to existing car park area, changes to landscaping and associated works (Alternative to 2000/6727/D) - Approved

### **Summary Of Representations and Consultations Received:**

#### **Representations:**

A site notice was displayed. A total of 41 letters of notification were sent to properties in the immediate area. At the time of writing this report a qualifying petition of objection has been submitted listing signatures from 36 separate households on the following grounds:

- noise nuisance

After reconsultation regarding the relocation of the container, 5 letters of objection were received on the following grounds;

- noise
- cumulation of noise from the store as a whole

The Heswall Society has raised concerns and objections due to the potential for noise nuisance to neighbouring residential dwellings.

#### **Consultations:**

Director of Law, HR & Asset Management – Environmental Protection Division: No objection provided that the noise levels as shown on the Sound Pressure Levels Congenco Sheet is as stated.

Director of Technical Services – Trees/landscaping: No objection

#### **Director's Comments:**

The application was deferred from Planning Committee to request further information regarding service vehicles turning on site and further details of a noise survey. The information has been received and considered and the report updated accordingly.

#### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

A qualifying petition of objection has been submitted listing signatures from 28 separate households.

#### **INTRODUCTION**

The proposal is for the installation of a heating (CHP) unit to the side of the existing Tesco Superstore in Heswall. The proposal includes a housing unit for the heater which measures 6.6m by 3m and measures a height of 2.9m. There is also a flue chimney proposed which would be 0.8m high from the top of the housing unit.

#### **PRINCIPLE OF DEVELOPMENT**

The site is an existing retail unit within a key town centre. The proposal is for a heating unit within the site next to the existing store. As such a development of this scale that relates to the store is acceptable in principle.

#### **SITE AND SURROUNDINGS**

The site comprises of a large retail superstore accessed via Telegraph Road to the south. A large customer car park is also located south of the store. Whilst the premises is located within the designated Key Town Centre for Heswall, the boundary of the site adjoins a strip of land that abuts residential dwellings to the north and east. There is also a large residential flatted development (known as Dale Court) and detached houses adjoining the site to the north east.

The proposed heating unit will be located within the existing service yard to the east facing (side) elevation of the existing store. It is proposed to site the unit east of an existing freezer unit and west of two existing containers, and would be screened behind an armco barrier that would be approximately 0.5m in height.

## **POLICY CONTEXT**

Although the site is located within Heswall's Key Town Centre, in terms of SH1 and PPS4, the proposal as applied for would have a very limited impact on the key town centre, having regard to the fact that the units proposed would be subordinate to the existing building.

## **APPEARANCE AND AMENITY ISSUES**

It should be noted that there are residential dwellings located to the eastern boundary of the site. However, the nearest residential property (Dale Court) is located some 60 metres away from the proposed heating (CHP) unit.

The proposed unit would be located within the existing service yard and is sufficiently distant from any residential property or public vantage spot to have no visual impact on the locality.

Although such units do generate some noise, the levels that would emanate from these units have been assessed by the Director of Law, HR & Asset Management (Environmental Protection) who are satisfied that the overall noise pressure of 65 dB(a) would be acceptable, given the distance between the unit and the nearest dwelling and as such, would not give rise to any unacceptable intrusion on local residents' amenity.

Planning Committee requested further information of noise levels from the CHP unit. A further survey has been carried out and the findings have been accepted by the Director of Law, HR & Asset Management and therefore has no objection to the proposal.

## **SEPARATION DISTANCES**

There are no separation distance implications relating to this proposal as the nearest properties that could potentially be affected by the proposed development are some 60 metres away.

## **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal. Further information regarding lorry turning within the site has been received to assess whether the location of the CHP unit would impede turning. It is considered that the CHP unit will not impact on the ability of an articulated lorry to enter and exit the service area in a forward gear. There are two loading bays in the servicing area and if one of the bays was already in use, a second lorry would be unlikely to be able to turn around and would have to reverse, this would be the case regardless of the CHP proposal.

## **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no Environmental/Sustainability issues relating to these proposals.

## **CONCLUSION**

The proposal is acceptable in terms of siting and noise output. The proposal is therefore acceptable in terms of UDP Policy SH1 and PPG24 *Noise*.

## **Summary of Decision:**

Having regard to the individual merits of this application the decision to grant Planning Permission has been taken having regard to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is acceptable by reason of siting and noise output, the proposal is therefore acceptable in terms of Wirral's UDP Policy SH1 and PPG24 *Noise*.

## **Recommended Decision: Approve**

## **Recommended Conditions and Reasons:**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To comply with Section 91 (as amended) of the Town and Country Planning Act

1990.

2. The Combined Heat and Power (CHP) unit hereby approved shall be operated in accordance with the Congenco PUREnergy statement submitted on 20 November, 2009 unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interest of amenity, having regard to Policy HS15 of the adopted Wirral Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By:** 07/01/2010 10:55:53

**Expiry Date:** 15/01/2010