

**Planning Committee**

31 October 2013

**Reference:**  
**APP/13/00843**

**Area Team:**  
**North Team**

**Case Officer:**  
**Ms J Storey**

**Ward:**  
**Hoylake and Meols**

**Location:** Nursery and Garden Centre, Carr Farm, BIRKENHEAD ROAD, MEOLS, CH47 9RE

**Proposal:** Partial redevelopment of existing garden centre:demolition of 1,982m<sup>2</sup> of buildings and structures and erection of 1,474m<sup>2</sup> replacement buildings and structures, comprising: proposed relocated restaurant (543m<sup>2</sup>), proposed replacement toilets (75m<sup>2</sup>), proposed replacement wildlife, pets and aquatics building (292m<sup>2</sup>) proposed atrium building (106m<sup>2</sup>), proposed open-sided canopy (327m<sup>2</sup>), proposed walkway (122m<sup>2</sup>), proposed bird hide (9m<sup>2</sup>) alterations to elevations of an existing structure, removal of areas of hard-surfacing, net reduction 230m<sup>2</sup>; alterations to open sales area alterations to car parking layout, provision of cycle parking (15 no.), provision of a petrol interceptor, alterations to service road and service area; creation of a kitchen garden and display gardens; creation of a surface water attenuation pond (708m<sup>2</sup>); replacement sewage treatment plant; installation of photovoltaic cells; landscaping (AMENDED DESCRIPTION)

**Applicant:** J Jones and Partners  
**Agent :** Malcolm Scott Consultants Ltd

**Site Plan:**



**Development Plan:**

Green Belt

**Planning History:**

Location: Carr Farm, BIRKENHEAD ROAD, MEOLS  
Application Type: Full Planning Permission  
Proposal: Change of use to hand car wash and temporary siting of a container for use as an office and storage for materials for hand car wash business  
Application No: APP/11/00191  
Decision Date: 25/10/2011  
Decision Type: Refuse

Location: Carr Farm, BIRKENHEAD ROAD, MEOLS  
Application Type: Full Planning Permission  
Proposal: Retention of Polytunnel (212m<sup>2</sup>) and covered walkway  
Application No: APP/12/00566  
Decision Date: 24/04/2013  
Decision Type: Approve

Location: Carr Farm, BIRKENHEAD ROAD, MEOLS  
Application Type: Lawful Development Certificate Existing  
Proposal: Lawful development certificate for existing retail uses and buildings  
Application No: LDC/12/00567  
Decision Date: 2012  
Decision Type: Lawful Development

Location: Carr Farm, BIRKENHEAD ROAD, MEOLS, CH47 9RE  
Application Type: Full Planning Permission  
Proposal: Change of use of hard standing from delivery area to a hand car wash area only.  
Application No: APP/12/01429  
Decision Date: 24/01/2013  
Decision Type: Refuse

Location: Nursery and Garden Centre, Carr Farm, BIRKENHEAD ROAD, MEOLS, CH47 9RE  
Application Type: Advertisement Consent  
Proposal: Road side signage  
Application No: ADV/12/01306  
Decision Date: 21/12/2012  
Decision Type: Approve

Location: Carr Farm, Nursery & Garden Centre, Birkenhead Road, Meols , Wirral L47 9RE  
Application Type: Full Planning Permission  
Proposal: Change of use to Workshop & Office and new access  
Application No: APP/97/06577  
Decision Date: 12/12/1997  
Decision Type: Approve

Location: Carr Farm Nursery, & Garden Centre, Birkenhead Road, Meols, Wirral L47 9RE  
Application Type: Lawful Development Certificate Existing  
Proposal: Retention of use of garden centre.  
Application No: LDC/98/05840  
Decision Date: 20/01/1999  
Decision Type: Approve

Location: Garden Centre, Carr Farm, Birkenhead Road, Meols, Wirral, CH47 9RE  
Application Type: Prior Approval of Telecommunications PD  
Proposal: Erection of three additional antennas on a 6 antenna replacement headframe to existing telecommunications column  
Application No: ANT/05/05214  
Decision Date: 11/03/2005  
Decision Type: Approve

Location: Nursery and Garden Centre, Carr Farm, Birkenhead Road, Meols, Wirral, CH47 9RE,  
Application Type: Prior Approval of Telecommunications PD  
Proposal: Installation of 1no T UK telecommunications monopole, 1no T UK 0.3m diameter transmission dish, 3no T UK antennas, and all associated ancillary development.  
Application No: ANT/03/07012  
Decision Date: 05/11/2003  
Decision Type: Approve

Location: Carr Farm, Nursery & Garden Centre, Birkenhead Road, Meols, Wirral, CH47 9RE,  
Application Type: Ground based Telecommunications Mast de  
Proposal: Erection of a 15 metre monopole telecommunications mast.  
Application No: TGM/01/05920  
Decision Date: 20/06/2001  
Decision Type: Refuse

Location: Carr Farm Garden Centre Birkenhead Road Meols  
Application Type: Full Planning Permission  
Proposal: Retention of 15.5m x 19.8m glasshouse 2 and the erection of 7.3m x 19.8m glasshouse 12 for use as a garden centre.  
Application No: APP/99/06465  
Decision Date: 11/03/2003  
Decision Type: Approve

Location: Carr Farm, Nursery & Garden Centre, Birkenhead Road, Meols, Wirral L47 9RE  
Application Type: Full Planning Permission  
Proposal: Retention of 15.5m x 19.8m horticultural glasshouse and retention of a 15.5m x 19.8m glasshouse for garden centre purposes. Erection of a 10.1m x 17.5m glasshouse for garden centre purposes & erection of 7.3m x 22.3m glasshouse for garden centre purposes  
Application No: APP/98/06781  
Decision Date: 06/01/1999  
Decision Type: Withdrawn

Location: Carr Farm Entrance, Birkenhead Road, Meols  
Application Type: Full Planning Permission  
Proposal: Erection of single storey building to be used as a horticultural and produce centre  
Application No: APP/80/15398  
Decision Date: 22/09/1980  
Decision Type: Refuse

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

##### **REPRESENTATIONS**

Having regard to the adopted guidance for publicity on planning applications, 124 letters of Neighbour Notification were issued to adjoining neighbours. A site notice was also displayed at the site and a press notice posted in the Wirral Globe in the week commencing 18th July 2013. At the time of writing, no representations have been received from individual householders.

A response has been received, however from the Campaign for the Protection of Rural England (CPRE), which can be summarised as follows:

Support appropriate, active use of the Green Belt, rather than it becoming a target for inappropriate development, whether a housing estate or golf resort. Concern that the refused car wash is still trading. Proposal to rationalise the site and improve it is to be welcomed given the proposed reduction of covered space, however the history must give cause for concern as to what would ultimately be built. If minded to approve, may we request that there are effective clauses to ensure compliance and to protect the tax payer from funding any infrastructure developments that may become needed.

## **CONSULTATIONS**

Head of Environment and Regulation (Traffic and Transport Division) - No objection

Head of Environment and Regulation (Pollution Control Division) - No objection

Merseyside Environmental Advisory Service - Confirm that the development does not need to be screened in respect of the Habitats Regulation because of its existing use and footprint and lack of suitable habitat within the proposed development. Conditions are recommended to ensure a sensitive approach to lighting to avoid sensitive ecological and other receptors, site waste management during construction including waste audit matters and grey water harvesting, SuDS and energy.

Environment Agency - No objections in principle subject to the application of conditions relating to the submission prior to development of a scheme for the provision and implementation of a surface water scheme. In addition a scheme for the management of overland flow from surcharging of the sites surface water drainage shall be submitted to and approved by the Local Planning Authority.

## **Director's Comments:**

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

The application is defined as Major Development (over 1000 square metres) and the requirement to refer to the Secretary of State under the Town & Country Planning (Consultation) Direction 2009, paragraph 4 and is therefore required to be considered by the Planning Committee under the provisions set out by the Council's adopted Scheme of Delegation for Determining Planning Applications.

### **INTRODUCTION**

The submitted documentation states that the Garden Centre was established in 1982, developing out of a dairy farm and a subsequent farm shop and small nursery.

A Lawful Development Certificate was issued in 2012 for the majority of the application site to be used for retail in association with the Garden Centre. The Certificate also concluded that a number of buildings used in association with the centre were also lawful and included a significant amount of retail use.

There are currently various types of building on the site. These include glass houses, the original stone farmhouse, green and white polythene clad canopies, brick farm buildings which have been constructed in a fairly ad hoc fashion over the years. The applicants have advised that the existing buildings and the way the garden centre operates are outdated and a number of structures are not fit for purpose. The proposal comprises of the partial demolition of the existing garden centre including the demolition of 2,278m<sup>2</sup> of buildings and structures and the erection of 1,474m<sup>2</sup> of replacement buildings and structures, alterations to the car parking layout, service road and service area, the creation of an outdoor events area, creation of a kitchen garden and display gardens, the creation of a surface water attenuation pond, installation of replacement sewerage treatment plant and landscape improvements. The main areas identified by the applicant as part of these proposals that are in need of upgrading and/or replacing are summarised as follows -:

- Existing customer toilets are too small to meet customer demand and are only accessible through the coffee shop eating area.
- Servicing the site, heavy goods vehicles currently drive through the main car park and pedestrian

area, a route is required to loop them around the outside of the site.

- The existing stone barns are currently vacant and partially obscured by plant canopies and lean-to and could be brought into a viable use.
- The open plant sales area is currently split into two areas.
- The restaurant kitchen and storage areas are inadequate.
- A dedicated customer drop off/pick up area at the entrance is required.
- Staff room is located within a portakabin
- Garden centre storage is within sheds and containers which is not secure
- The coffee shop area and seating is insufficient and the roof leaks.
- No display gardens in the garden centre to show displays of plants, shrubs, features and how to design gardens
- The refurbishment of the access road
- Provision of an area for gardening presentations
- Removal old canopies and mezzanine floor
- Replacement of a steel clad barn
- Expansion of the outdoor plant area by 485m<sup>2</sup>
- Wildlife and Aquatic Centre - including a bird hide, attenuation pond

### **PRINCIPLE OF DEVELOPMENT**

The application site is located within Wirral's Green Belt and the application has been assessed against the National Planning Policy Framework and Unitary Development Plan Policies GB4, GB5, GB6 and GB9 (in terms of Green Belt location) and SH01, SH9 and SH10 (in relation to the retail elements of the proposal).

### **SITE AND SURROUNDINGS**

The application site is located on the South side of Birkenhead Road. The site area covers approximately 3.3 ha and comprises of the original farm buildings which are currently used for retail purposes, garden centre buildings, canopies, and an open sales area. The site is split into three distinct areas, the car park and access road which occupy 11,000m<sup>2</sup>, the garden centre retail area 12,000m<sup>2</sup> and the grass and planted areas cover 6,500m<sup>2</sup>.

The garden centre sells a wide range of garden plants, garden sundries and leisure goods. In addition, the applicants have advised that the centre has provided a venue for the annual Historic Vehicle Rally, annual art exhibitions and provides links with local schools who visit the garden centre to learn about horticulture and landscaping

### **POLICY CONTEXT**

#### **Green Belt**

Unless there are very special circumstances, Wirral's UDP Policy GB2 limits development in the Green Belt to -

- agriculture and forestry
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the green belt and do not conflict with the purposes of including land within it,
- the limited extensions, alterations or replacement of existing dwellings, subject to Policy GB4 and Policy GB6, including limited affordable housing subject to local community needs;
- the limited infilling or redevelopment of major developed sites identified under proposals GB9

UDP Policy GB2 is consistent with paragraph 89 in the National Planning Policy Framework in that the construction of new buildings within the Green Belt is inappropriate except for specific uses, but adds that exceptions also include the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

This application is for the partial redevelopment of a previously developed site that has a lawful use as a garden centre (sui generis) and buildings containing a mix of plants and other goods for sale (A1). The Lawful Use Certificate relates to all existing uses within the boundary line shown on the

approved plan including car parking and landscaped areas. In practical terms the overall garden centre site area has increased by 1,458m<sup>2</sup> but there is a reduction in retail floor space (offset by an increase in the car parking area). In terms of structures, the total floor area of existing structures is 5,916m<sup>2</sup> of which 2,278m<sup>2</sup> will be demolished and an additional 1,474m<sup>2</sup> will be constructed. This will result in a decrease of approximately 800m<sup>2</sup> of built development.

In addition, a number of dilapidated and unattractive buildings that have been constructed in a fairly ad hoc fashion across the site would be removed and their replaced with more modern, lighter structures constructed from sympathetic materials and located adjacent to existing structures. While this may result in a more permanent features, it could be contented that the development could result in visual improvement in this Green Belt location.

### **Retail provision**

The Lawful Development Certificate identifies that the existing buildings do have a lawful retail use. The applicants have provided a schedule of businesses that identify the amount of floor space proposed for the various uses including the retail elements operating on the site and how this compares with the proposed.

The proposed development would facilitate a number of town centre uses including a large extension for a coffee shop/restaurant. This would normally be subject to the town centre tests under NPPF Part 2, which have not been undertaken. However, the existing Lawful Development Certificate provides a fallback situation and the applicant claims that that the garden centre business model is one that is difficult to disaggregate without adversely affecting the financial viability of the business.

The proposed application provides the Local Authority with an opportunity to regulate and control the different uses on the site through planning conditions with the intention of avoiding a further impact on existing centres. In which case it could be accepted that national sequential and impact assessment should not be applied in these particular circumstances as it would be difficult for the applicant to find a new location for the garden centre sales area and cafe as these are intended to support the existing permitted use of the site.

### **Economic Development and Rural Diversification**

- The National Planning Policy Framework advises that in other rural areas planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This should include the support and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.
- promote the development and diversification of agricultural and other land-based rural businesses
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

The applicants have advised that the proposed development is required in connection with the existing garden centre, which supports economic growth. The proposed development is required in order to allow the garden centre to maintain and enhance its role as job provider and to help assist rural diversification and economic prosperity.

### **APPEARANCE AND AMENITY ISSUES**

The existing site contains a number of buildings of varying styles and materials. There appears to be very little visual unity which reflects the way that the site has evolved over time. The Garden centre itself is set in a flat landscape bounded by hedging and small clumps of trees.

This application proposes to provide new structures to form the coffee shop, a glazed atrium linking the garden centre to the farm courtyard, new visitors toilets, a replacement aquatic wildlife centre, the re cladding of the steel barn and the relocation of the canopy and walkway.

The glazed atrium will link the garden centre shop and courtyard and will allow light to enter this part of the site, The new building will be an improvement on the existing buildings in terms of their, design, location and use of materials and will include the removal of unsightly buildings with suitable

replacements and expose the courtyard complex which contains attractive sandstone buildings which formed part of the original Farm.

The applicants have advised that as part of their proposal, they intend to plant 1,000 whips within the garden centre boundary.

#### **SEPARATION DISTANCES**

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

#### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no highway implications relating to this proposal.

#### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

The proposal is for a redevelopment and expansion of the existing garden centre and associated businesses but contained within the existing site boundary, albeit with an increase in overflow part parking area. The site is not within or immediately adjacent to the WEBS core count area – the nearest (Gilroy Pond and Hoylake Langfields) being some 2010 metres to the south west. Whilst some of the adjacent fields may contain some limited bird interest during winter under certain conditions, the advice from MEAS is that this development does not need to be screened for Habitats Regulations Assessment because of its existing use and footprint and lack of suitable habitat within the proposed development.

A flood risk assessment accompanies this application and concludes that the development proposals will not be liable to flooding nor will it increase the risk of flooding elsewhere. The proposals will include a large scale rainwater harvesting system which will reduce the rate and volume of discharge to the water course. The proposal includes for a large scale rainwater harvesting system which will reduce the rate and volume of discharge to the water courses. The Environment Agency has noted that the site is within Flood Zone 1 which is considered to be low risk of fluvial and tidal flooding and have raised no objection to the proposal.

The applicants have submitted a habitats survey that subject to the attached conditions should ensure that there will be no adverse impact of this proposal on the ecology on the site

The proposal will include the following measures, a small biomass plant to provide heating, surface water recycling, green waste/ kitchen waste recycling, sorting and recycling for packaging waste, wild flower meadow and tree planting, building orientation and materials.

#### **HEALTH ISSUES**

There are no health implications relating to this application.

#### **CONCLUSION**

The partial demolition of the existing garden centre and the construction of replacement buildings and structures on previously developed land are considered to provide appropriate facilities for the continuation of this existing garden centre and as such would not harm the character or detract from the openness of this Green Belt Location.

#### **Summary of Decision:**

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards 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 partial demolition of the existing garden centre and the construction of replacement buildings and structures is considered to provide appropriate facilities for the continuation of this existing garden centre and as such would not harm the character or detract from the openness of this Green Belt Location. It is considered that the applicant has satisfactorily demonstrated the very special circumstances required that outweigh any harm, by virtue of inappropriateness, to the openness of the Green Belt.

**Recommended  
Decision:**

**Approve Subject to referral to the Secretary of State under the Town and  
Country Planning (Consultation) Direction 2009**

**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 development hereby permitted shall not be commenced until such time as a scheme for the provision and implementation of a surface water scheme has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reason:** To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

3. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed building Finished Floor Levels.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants.

4. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy GB2 of the Wirral Unitary Development Plan.

5. No trees or hedges to be retained shall be cut down, uprooted or destroyed, or have surgery undertaken, without the written approval of the Local Planning Authority within 5 years from the completion of the development. Any such tree to be removed or dying shall be replaced with trees of a size and species to be agreed with the Local Planning Authority, in writing.

**Reason:** In the interest of visual amenity.

6. Before the development is commenced, a landscaping scheme covering the land subject of this application shall be submitted to and approved in writing by the Local Planning Authority, including

- existing and proposed levels or contours
- proposed and existing services above and below ground
- details of boundary treatment and hard surfaces
- the location, size and species of all trees to be planted
- the location, size, species and density of all shrub and ground cover planting



- a schedule of implementation

**Reason:** In the interest of visual amenity

7. All hard and soft landscaping works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

**Reason:** In the interest of visual amenity

8. Before the development is commenced a scheme of mitigation measures contained within the submitted Phase 1 Habitat Survey, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in full in an agreed time scale.

**Reason:** To ensure compliance with The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010

9. Prior to the commencement of development, details of any external lighting shall be submitted to and agreed in writing with the Local Planning Authority.

**Reason:** To ensure that light spill is reduced and does not disturb habitats foraging.

10. No trees are to be removed between March and August inclusively, if this is not possible, an appointed ecologist must be present to oversee all vegetation removal.

**Reason:** To ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended)

11. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town & Country Planning (General Permitted Development Order 1995, (or any order revoking and re-enacting those Orders with or without modification), the development hereby approved shall only be used as Garden Centre including ancillary café and retail facilities in association with Carr Farm, as shown on plan ref: G1106-81A and for no other purpose within Uses Classes A1, A2, or A3.

**Reason:** For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of existing town centres. This enables the local planning authority to consider the implications of other formats as and when they may be put forward having regard to Wirral Unitary Development Plan Policy SH9 and the National Planning Policy Framework.

12. The maximum Garden Centre sales area including any mezzanine floor space shall be no more than a 6,914m<sup>2</sup> comprising:

1. 3,447m<sup>2</sup> in the covered, enclosed area (shown in orange on drawing number G1106-81A) for the sales only of;
  - a) Composts, peats, chemicals and other goods associated with plant/garden care, tools, watering equipment and garden machinery up to the maximum floor area of 3,447m<sup>2</sup>

- b) Plants and houseplants, dried, artificial and cut flowers and goods associated with their care and maintenance up to the maximum floor area of 3,447m<sup>2</sup>
- c) Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories, Christmas trees, decorations, lighting and gifts up to a maximum floor area of 1,000m<sup>2</sup>
- d) Garden clothing and footwear up to the maximum floor area 150m<sup>2</sup>
- e) Pets, pet foods, pet cages, fish and accessories including ponds, pet care advice and care products, bird care and feed up to a maximum floor area of 500m<sup>2</sup>
- f) Other goods falling within Use Class A1, including an exhibition area for crafts up to a maximum floor area of 800m<sup>2</sup>
- g) Seasonal products up to a maximum floor area of 100m<sup>2</sup>
- h) Ancillary café up to a maximum floor area of 543m<sup>2</sup>. Notwithstanding the provisions of Use Class A of Part 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, the cafe hereby permitted shall not be utilised for purposes within Use Classes A1 or A2.

2. 1,230m<sup>2</sup> in the covered, open-sided accommodation (shown in blue on drawing number G1106-81A) for the sales only of:

- a) Trees and plants of all kinds, rockery and statuary, ponds, pools, fountains and accessories including cold water fish, compost, peat and other garden care products. Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories up to a maximum floor area of 1,230m<sup>2</sup>
- b) Pets, birds, fish and accessories including aviaries, cages and ponds up to a maximum floor area of 200m<sup>2</sup>
- c) Garden buildings, greenhouses, conservatories, gazebos, summerhouses, swimming pools, spas with all accessories, landscape and building materials, fencing and timber products up to a maximum floor area of 1,000m<sup>2</sup>

3. 2,237m<sup>2</sup> in the external open areas (shown blue on drawing number G1106-81A): for the sales only of:

- a) Trees and plants of all kinds, rockery and statuary, ponds, pools, fountains and accessories including cold water fish, compost, peat and other garden care products. Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories up to a maximum floor area of 2,237m<sup>2</sup>
- b) Pets, birds, fish and accessories including aviaries, cages and ponds up to a maximum floor area of 200m<sup>2</sup>
- c) Garden buildings, greenhouses, conservatories, gazebos, summerhouses, swimming pools, spas with all accessories, landscape and building materials, fencing and timber products up to a maximum floor area of 1,000m<sup>2</sup>

- 4) The enclosed courtyard buildings (shown pink on drawing number G1106-81): shall only be used for the sale ancillary goods in association with the Garden centre use falling within Use Class A1. The maximum amount of Use Class A1 retail floor space in each building as identified on drawing number G1106-72D shall not exceed;
- a) Building annotated no 3 - 117m2
  - b) Building annotated no 4 - 51m2
  - c) Building annotated no 10 - 100m2
  - d) Building annotated no 28 - 55m2
  - e) Building annotated no 29 - 138m2
  - f) Building annotated no 34 - 57m2

**Reason:** For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of existing town centres. This enables the local planning authority to consider the implications of other formats as and when they may be put forward having regard to Wirral Unitary Development Plan Policy SH9 and the National Planning Policy Framework.

13. Notwithstanding the above in Conditions 11 and 12, no part of the site shall be used for the sale of the following goods or services: carpets, vinyl and floor tiles, electrical goods (other than electric garden tools and machinery, and electrical products for garden features and small items of kitchenware), equestrian products, chemists, medical products, newspapers and magazines, (other than gardening magazines), caravans, vehicles and cycles and parts and accessories, photographic goods, musical instruments, DIY goods and decorators supplies and hardware (other than products for garden construction, improvement and maintenance) and Post Office services.

**Reason:** For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of existing town centres. This enables the local planning authority to consider the implications of other formats as and when they may be put forward having regard to Wirral Unitary Development Plan Policy SH9 and the National Planning Policy Framework.

**Last Comments By:** 17/08/2013 10:59:18  
**Expiry Date:** 30/09/2013