

Planning Committee

20 January 2015

Reference:
APP/14/01351

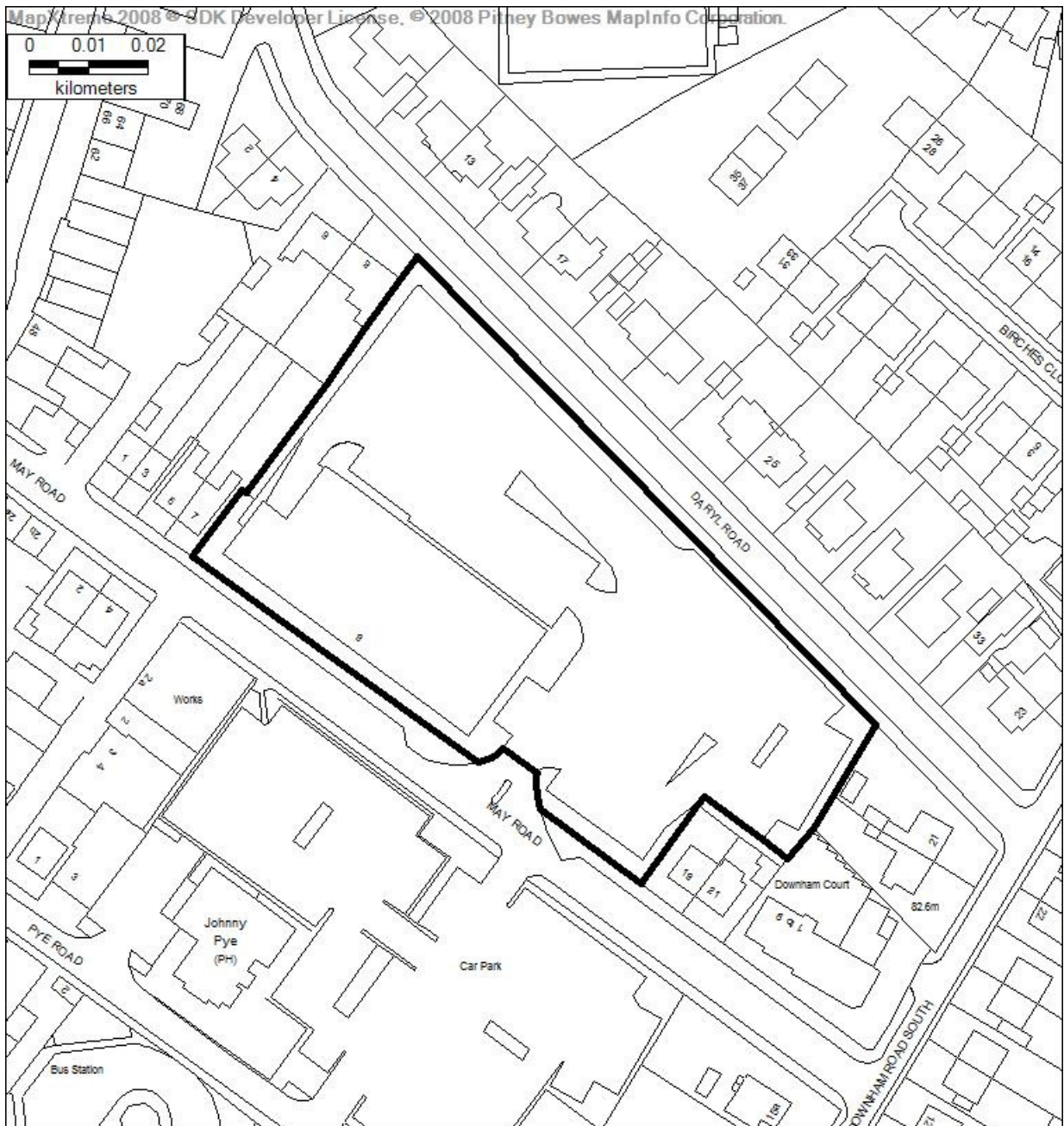
Area Team:
South Team

Case Officer:
Mr K Spilsbury

Ward:
Heswall

Location: Aldi Supermarket, 9 MAY ROAD, HESWALL, CH60 5RA
Proposal: Installation of substation
Applicant: Aldi Ltd
Agent : JLL

Site Plan:



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Development Plan allocation and policies:

Primarily Commercial Area

Primarily Residential Area

Planning History:

Location: Aldi Supermarket, 9 MAY ROAD, HESWALL, CH60 5RA
Application Type: Full Planning Permission
Proposal: Variation of condition 2 on planning permission APP/07/5384 to enable the store to open from 0800 to 2200 hours Monday to Saturday. Sundays and Bank Holidays will remain unaltered (amended description).
Application No: APP/14/01174
Decision Date: 19/12/2014
Decision Type: Approve

Location: Aldi Supermarket, 9 May Road, Heswall, Wirral, CH60 5RA
Application Type: Full Planning Permission
Proposal: Variation of condition 4 on planning permission APP/2004/6279 to extend the permitted delivery hours to include 0800-1800hours on Sundays and Bank Holidays
Application No: APP/07/05385
Decision Date: 25/04/2007
Decision Type: Approve

Location: Aldi Store May Road, Heswall. L60 5S
Application Type: Advertisement Consent
Proposal: 1 pole sign and 1 wall mounted sign in May Road.
Application No: ADV/95/06439
Decision Date: 13/12/1995
Decision Type: Approve

Location: Wits End, 8 DARYL ROAD, HESWALL, CH60 5RD
Application Type: Full Planning Permission
Proposal: Variation of condition 1 on planning permission APP/95/6680 to increase the hours of opening to include 1000-1700hours on Sundays and 0900-1700hours on Bank Holidays
Application No: APP/07/05384
Decision Date: 25/04/2007
Decision Type: Approve

Location: Aldi Supermarket, 9 May Road, Heswall, Wirral, CH60 5RA
Application Type: Advertisement Consent
Proposal: Erection of two shop fascia signs & one post mounted sign.
Application No: ADV/07/07006
Decision Date: 20/11/2007
Decision Type: Approve

Location: Aldi Supermarket, 9 May Road, Heswall, Wirral, CH60 5RA
Application Type: Full Planning Permission
Proposal: Erection of front and side extension, elevation alterations and alterations to car park layout
Application No: APP/07/05333
Decision Date: 02/05/2007
Decision Type: Approve

Location: Land north of May Road, South West of Daryl Road, Heswall. L60 5
Application Type: Full Planning Permission
Proposal: Erection of two retail units (class A1) with access, servicing and parking.
Application No: APP/95/05964
Decision Date: 31/10/1995
Decision Type: Approve

Location: Aldi Supermarket, 9 May Road, Heswall, Wirral, CH60 5RA
Application Type: Full Planning Permission
Proposal: Erection of a rear extension.
Application No: APP/04/06279
Decision Date: 10/08/2004
Decision Type: Approve

Location: Aldi, Land north of May Road, south west of Daryl Road, Heswall. L60 5
Application Type: Full Planning Permission
Proposal: Variation of condition no. 16 on APP/95/5964/D to increase the hours of opening to 0900-1900 Monday to Thursday, 0900-2000 Friday and 0830-1730 Saturday.
Application No: APP/95/06680
Decision Date: 22/03/1996
Decision Type: Approve

Location: Aldi Supermarket, 9 MAY ROAD, HESWALL, CH60 5RA
Application Type: Full Planning Permission
Proposal: Variation of Condition 1 of APP/07/05384 to allow opening of the food store on a Sunday between 1000 hours and 1800 hours for a temporary period between 22 July 2012 and 9 September 2012.
Application No: APP/12/00858
Decision Date: 31/08/2012
Decision Type: Refuse

Location: Aldi, Supermarket, 9 May Road, Heswall, Wirral, L60 5RA,
Application Type: Full Planning Permission
Proposal: Installation of an atm machine within a 3 metre high tubular structure.
Application No: APP/99/05227
Decision Date: 29/03/1999
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 26 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report, 2 letters of objection have been received from the occupiers of 8 Daryl Road and 25 Daryl Road. The objections are summarised as follows:

1. Concern over the location of the substation as this area is currently used by articulated lorries and there is potential for an accident.
2. noise and disturbance during construction and after construction due to lorries struggling to park
3. 24 hour space for access to the building may cause noise and disturbance due to maintenance
4. the development will make the car park busier
5. why does the development need to be in this location adjacent to a residential dwelling?

The application was removed from delegation by Councillor Andrew Hodson on the grounds of potential impact upon residential amenity.

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objections

Head of Environment & Regulation (Pollution Control Division) - No Objections

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The report has been taken out of delegation by Councillor Andrew Hodson on the grounds the potential impact upon residential amenity. Under the current scheme of delegation this application must therefore be reported to planning committee.

INTRODUCTION

The proposal is for the installation of substation on the car park of the Aldi food store adjacent to Daryl Road.

PRINCIPLE OF DEVELOPMENT

As stated above the proposal is for a substation to provide additional power to the established retail unit on May Road/Daryl Road in the commercial area of Heswall. Subject to the policies outlined below the proposal is acceptable in principle.

SITE AND SURROUNDINGS

The Aldi store is situated in the commercial area in between May Road and Daryl Road. Daryl Road is predominantly residential in character with houses on the opposite side of the Aldi car park. The bus station lies to the south of the site as well as a number of warehouse buildings.

The site of the proposed substation is located within a depression as the entire Aldi site is set lower than the adjacent properties on Daryl Road. The adjacent dwelling; 8 Daryl Road is screened from the site by a wall and trees and vegetation that forms the boundary between the two dwellings.

POLICY CONTEXT

The proposal site is located within a Primarily Commercial Area and as such is subject to Policy SH6 - Development Within Primarily Commercial Areas of Wirral's Unitary Development Plan and the National Planning Policy Framework (NPPF).

The applicant states that the development is the result of a nationwide review of the Companies store trading hours to enable the store to meet customer demands of early and late shopping convenience.

As the site is located within a primarily commercial area, UDP policy SH6 is directly relevant. The policy states proposals will be permitted subject to the following criteria as appropriate, in this case it is the following criteria

(iii) the proposal meets highway access and servicing requirements and includes off-street car parking in line with Policy TR9 and cycle parking in line with Policy TR12;

(v) the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, particularly in respect of noise and disturbance, on-street parking or delivery vehicles - where necessary, a suitable condition will be imposed on hours of opening/ operation;

The National Planning Policy Framework (NPPF) is also directly relevant.

APPEARANCE AND AMENITY ISSUES

At the time of writing this report, 2 letters of objection have been received from the occupiers of 8 Daryl Road and 25 Daryl Road. The objections are summarised as follows:

1. Concern over the location of the substation as this area is currently used by articulated lorries and there is potential for an accident.
2. noise and disturbance during construction and after construction due to lorries struggling to park
3. 24 hour space for access to the building may cause noise and disturbance due to maintenance
4. the development will make the car park busier
5. why does the development need to be in this location adjacent to a residential dwelling?

Policy SH6 states that the proposal must not cause nuisance to neighbouring uses, or lead to loss of amenity, particularly in respect of noise and disturbance, on-street parking or delivery vehicles (criterion v).

The Head of Environment & Regulation (Pollution Control Division) has been consulted with regards to the potential impact on residential amenity having regards to noise and disturbance. The scheme and has been reviewed and no objections have been received.

A condition is attached to the original application (APP/07/05384) that states: No deliveries shall take place outside the hours of 08.00 and 18:00 on any day. If members are minded to approve the scheme this condition will remain on the original permission.

The highway issues highlighted in points 1 and 4 above have been taken into consideration. The Head of Environment and Regulation (Traffic and Transportation) have been consulted and have not objected to the scheme. The development will not result in any loss of existing car parking and as such a refusal on this basis could therefore not be sustained.

The proposed building will be 2.5m high, 2.4m wide and 3m long. As the site is lower than Daryl Road there will be minimal impact upon the overall street scene and the adjacent dwelling 8 Daryl Road. There is a relatively large boundary wall running around the site that will partially screen the development. The structure itself has a flat roof and therefore the impact will be minimal as it is not deemed to have a detrimental impact on the character of the area and would not cause an unacceptable level of nuisance to the existing neighbouring residential properties.

The query regarding why the development has to be located within this location is not for the council to determine. The application has been assessed in this location and it is considered to be acceptable.

The proposal is therefore deemed acceptable having regards to policy SH6 of the Wirral UDP and the NPPF and as such is recommended for approval subject to conditions.

SEPARATION DISTANCES

Separation distances do not apply in this instance.

HIGHWAY/TRAFFIC IMPLICATIONS

The Head of Environment & Regulation (Traffic & Transportation) has been consulted as part of the application and has raised no objection to the scheme with regards to highway safety or parking. As such a refusal of the application on these grounds could not be sustained.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

CONCLUSION

It is considered that the erection of a substation in this location is acceptable and will not result in nuisance to neighbouring uses, especially in respect of noise and disturbance. The proposal is therefore deemed acceptable having regards to policy SH6 of the Wirral UDP and the NPPF and as such is recommended for approval subject to conditions.

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:-

It is considered that the erection of a substation in this location is acceptable and will not result in nuisance to neighbouring uses, especially in respect of noise and disturbance. The proposal is therefore deemed acceptable having regards to policy SH6 of the Wirral UDP and the NPPF and as such is recommended for approval subject to conditions.

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 development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 27th October 2014 and listed as follows: SP2022244 Rev 4.0 (Dated 27/03/96) & 1526NES-102 (Dated 10/10/14)

Reason: For the avoidance of doubt and to define the permission.

3. NO DEVELOPMENT SHALL TAKE PLACE UNTIL samples of the facing and roofing 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 SH6 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 03/12/2014 09:03:52

Expiry Date: 22/12/2014