

Planning Committee

15 October 2020

**Reference:
APP/20/00437**

**Area Team:
Development
Management Team**

**Case Officer:
Mr M Wood**

**Ward:
Oxton**

Location: ALDI PRENTON, 374 WOODCHURCH ROAD, PRENTON, CH42 8PG
Proposal: Demolition of existing commercial buildings and erection of a food store (Use Class A1), car park, access and landscaping.

Applicant: Aldi Stores Limited
Agent: JLL

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Primarily Residential Area
Urban Greenspace
Key Town Centre

Planning History:

Location: Aldi, 374 Woodchurch Road, Prenton, Wirral, CH42 8PG
Application Type: Advertisement Consent
Proposal: Erection of an illuminated high-level totem sign.
Application No: ADV/08/05507
Decision Date: 07/05/2008
Decision Type: Approve

Location: Aldi Store, 374 Woodchurch Road, Prenton, Wirral, CH42 8PG
Application Type: Full Planning Permission
Proposal: Erection of fence (retrospective)
Application No: APP/08/05622
Decision Date: 04/06/2008
Decision Type: Approve

Location: Land west of Kwik Save Supermarket, Woodchurch Road, Prenton. L42
8PG
Application Type: Full Planning Permission
Proposal: Erection of an electricity sub-station.
Application No: APP/88/05542
Decision Date: 09/06/1988
Decision Type: Approve

Summary of Representations and Consultations Received:**1.0 WARD MEMBER COMMENTS**

1.1 No comments received.

2.0 SUMMARY OF REPRESENTATIONS**REPRESENTATIONS**

Having regard to the Councils Guidance on Publicity for Applications, notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report, 14 individual letters of support have been received in favour of this application and 194 objections.

The objections can be summarised as follows: -

1. A significant majority of objection relate to the loss of Home Bargains and to a lesser extent the loss of Vets for Pets,
2. The amount of traffic will increase and have a detrimental impact on nearby residential properties.
3. Noise pollution will go up
4. The value of my property will be affected

Letters of support can be summarised as follows: -

1. Proposal would generate jobs
2. Current building is dated
3. Good location
4. New building much better designed than the existing eye sores

CONSULTATIONS

LLFA - No objection subject to conditions

Highways - No objection

Environmental Health - No objection

3.1 Reason for referral to Planning Committee

The application has been subject to 194 letters of objection and therefore is above the threshold to be taken out of delegation.

3.2 Site and Surroundings

3.2.1 The application site comprises three adjoining retail units; an existing Aldi foodstore, a Home Bargains store and a veterinary surgery facility ('Vets4Pets'). The site extends to approximately 0.8ha (2.1 acres) and comprises the retail building and associated car parking. Located within Prenton Key Town Centre the site has a main access via Duck Pond Lane, adjacent to a Sainsbury's supermarket.

3.2.2 The site is bounded to the north by Duck Pond Lane Park and a footpath which links Duck Pond Lane with Holm Lane further to the north. To the west of the site there are residential properties along Cumberland Venue and Woodchurch Road. Along the southern boundary of the site there are number of local retail outlets, including four cafes, two charity shops, a travel agent, a dog grooming parlour and an optician. The site is bounded to the east by Duck Pond Lane, which provides vehicular and pedestrian access to the site and to Sainsbury's superstore and its associated petrol filling station. To the south of the site is the A552 Woodchurch Road, a main arterial route running east-west and from which servicing access is provided.

3.3 Proposed Development

3.3.1 The proposal comprises the following elements:

- Demolition of the existing buildings;
- Erection of a new foodstore (1,880 sq. m Gross External Area);
- Associated car parking facilities comprising 125 dedicated spaces for the proposed foodstore. The car park will include 8no. disabled spaces, 7no. parent and child spaces, 5no. Motorcycle spaces and 8no. cycle spaces;
- Amendments to access, servicing and landscaping with customer vehicular access now proposed from Woodchurch Road in addition to Duckpond Lane.

3.4 Development Plan

3.4.1 Wirral UDP

Policy SH1	Development within Key Town Centres
Policy GR5	Landscaping and New Development
Policy TRT1	Provision for Public Transport
Policy TRT3	Transport and the Environment
Policy TR8	Criteria for the Design of Highway Schemes
Policy GR5	Landscaping and New Development
Policy TR9	Requirements for Off-Street Parking
Policy TR11	Provision for Cyclists in Highway and Development Schemes
Policy WA1	Development and Flood Risk
Policy WA2	Development and Land Drainage

Policy PO4: Noise Sensitive Development

Relevant Policies in the Joint Waste Local Plan (adopted 18 July 2013) include:

Policy WM8 – Waste Prevention and Resource Management

Policy WM 9 – Sustainable Waste Management Design and Layout for New Development,

3.5 Other Material Planning Considerations

3.5.1 The National Planning Policy Framework 2018 (NPPF)

Section 2: Achieving sustainable development

Section 4: Decision Making

Section 7: Ensuring the vitality of town centres

Section 11: Making effective use of land

Section 12: Achieving well-designed places

3.6 Assessment

3.6.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development;
- Design;
- Highways and PROW; and
- Amenity

3.7 Principle of Development:

3.7.1 The proposal seeks to replace a trio of existing retail units with one new purpose-built food store and associated parking. The site is located within Prenton Key Town Centre where the proposed development is acceptable in principle and subject to assessment in line with the above policies.

3.8 Design:

3.8.1 The new store will be positioned to the northern boundary of the site with the main frontage facing Woodchurch Road and a secondary frontage toward Duck Pond Lane. The store entrance is also located along the principal elevation, by way of an external lobby arrangement beneath the feature canopy, which will offer a focal point when travelling along Woodchurch Road as opposed to the current arrangement which offers little in terms of aesthetics and sense of place due to its juxtaposition with surrounding buildings.

3.8.2 The proposed scheme utilises a reconfigured access point from Duck Pond Lane. This access point will provide the customer access with a new junction proposed off Woodchurch road which will also act as a customer access/ egress point as well as an access point for service vehicles.

3.8.3 The proposed palette of materials will comprise of anthracite grey and metallic silver cladding as primary materials. The store will have large elements of shop front glazing along the eastern elevation, and high level glazing along the southern elevation, together with a contemporary pressed metal entrance canopy in anthracite grey covering the trolley bay area and entrance to provide a feature for the principal elevation facing Woodchurch Road. This contemporary mix of cladding and glazing is considered to promote high quality design, active retail frontages and comply with policies SH1 of the UDP and section 12 of the NPPF which focus upon achieving well designed places.

3.9 Highways:

3.9.1 Following lengthy discussions between the Local Highway Authority and the applicant which resulted in a stage 1 road traffic audit and the subsequent designing out of highway

concerns raised. After further compromises were made by the applicant including altering the geometry of the amended access off Woodchurch Road the application is now deemed acceptable from a Highways perspective subject to conditions.

3.10 Ecology:

3.10.1 Information has been submitted as part of the application that has required assessment by MEAS with the following conclusion drawn, The Ecological Appraisal found the site to comprise habitats of low ecological value which were unlikely to support protected and / or notable species. On this occasion, I advise that further ecological surveys are not necessary and ecological mitigation measures are not required. As such from an ecology standpoint the proposal is considered to be acceptable.

3.11 Amenity:

3.11.1 The proposal is a retail use within a key town centre area with neighbouring residential uses. It is considered that there will be an increase in vehicular activity from the revised Woodchurch Road access, however this is a busy arterial route within Wirral and is considered that this level of increased traffic turning onto the car park will have an acceptable level of impact on the amenity of those properties closest.

3.12 Conclusion:

3.12.1 The location of the application site is within Prenton Key Town Centre and involves the regeneration of a dated retail unit that offers little in terms of design quality and is not considered to relate well to surrounding buildings. The new foodstore will create a high-quality modern design creating a dual frontage outward looking development that increases the design quality of the area.

3.12.2 It is considered that the main obstacle to address was the highways impact of the proposal with the increase in vehicular traffic following allowing customers to now access and egress from Woodchurch Road. Following considerable discussions with the applicant a series of suitable design solutions were agreed whereby the application is now deemed acceptable from a highways perspective and the development is subsequently recommended for approval.

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 policy advice. In reaching this decision the Local Planning Authority has considered the following: -

The proposal has been considered with regards to the design, siting and impact upon surrounding occupiers and is considered suitable for the site and is not considered detrimental to the character of the area. The proposal is not considered to have an adverse impact on the amenities which the occupiers of neighbouring properties can reasonably expect to enjoy. The proposed food store would remove the current commercial units from the site which are dated and not considered to relate well to the area. The application constitutes a purpose-built redevelopment that would regenerate this part of Prenton key town centre promoting high quality design. The proposal therefore accords with the provisions of both the National Planning Policy Framework and Wirral's Local Plan Policies and is recommended for approval.

Recommended Decision: Approve

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority (unless otherwise stated) on 19 March 2020:

1944NES-110 Location Plan

1944NES-114 Demolition Plan

1944NES-116 Proposed GA Plan

1944NES-117 Proposed Elevations

1944NES-118 Proposed Roof Plan

Received 16 September 2020:

1944NES-115D Proposed Site Plan (prepared by the THP)

200915-GA-02 Woodchurch Road Access and Egress (prepared by Cameron Rose)

Aldi, Prenton Management Plan (prepared by JLL)

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

3. Before any above ground 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 SH1 of the Wirral Unitary Development Plan.

4. No above ground new construction shall take place until a full scheme of works and timetable for the construction of the following is submitted to and agreed in writing with the Local Planning Authority;

i). The formation of the new vehicular accesses to the development from Duck Pond Lane and Woodchurch Road and the provision of a turning facility to the existing alleyway parallel to Woodchurch Road.

ii). The provision of dropped kerbs and tactile paving at all new access points

iii). The provision of a minimum 2m wide footway along the development boundary to Duck Pond Lane

iv). Any necessary amendments to the existing traffic regulation orders on Woodchurch Road and Duck Pond Lane to facilitate the highway works.

v). Any new or repositioned street lighting columns or highway drainage works necessary to facilitate the above highway works.

Reason: In the interest of highway safety and to comply with UDP Policy SH1.

5. No development shall commence until the 'Confirmed/ Final' Sustainable Drainage Strategy¹ and method of implementation satisfying the Terms of Condition below and in accordance with the submitted surface water drainage assessment (29 September 2020/ Aldi Prenton/ Drainage Assessment / Final Report V1.3/ Weetwood) is submitted and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority. The surface water discharge rate for the development is limited to 15 l/s.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 163 and 165 of the National Planning Policy Framework,

and House of Commons Written Statement 161 for Sustainable Drainage Systems.

6. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the approved final Sustainable Drainage Strategy, including any phasing embodied within, and maintained in perpetuity in accordance with an agreed Operation and Maintenance Plan, approved by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The approved drainage scheme shall be **fully constructed prior to occupation** in accordance with the approved details, and timetable embodied within the approved final Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority. 'As built' drainage design/layout drawings and a final Operation and Maintenance Plan, confirming asset details and maintenance arrangements, shall be submitted to the Lead Local Flood Authority, prior to occupation.

Reason To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraph 163 and 165 of the National Planning Policy Framework, and House of Commons Written Statement 161 for Sustainable Drainage Systems.

7. No above ground construction works shall take place until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

8. All boundary treatment to be erected, including the positions, design and materials, shall be carried out in accordance with the details shown on the approved plan. The boundary treatment as approved shall be completed before the building hereby approved is first brought into use.

Reason: To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties and to accord with Policies of the Wirral Unitary Development Plan.

9. The hard and soft landscaping scheme hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing 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 be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to comply with Policy DQ3 of the Wirral Unitary Development Plan.

10. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policies of the Wirral Unitary Development Plan.

11. No development shall take place until a Site Waste Management Plan, confirming how

demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Joint Merseyside Waste Local Plan.

12. The supermarket shall be closed for trade between 22.00- and 08.00-hours Monday to Saturday and between 18.00 and 10.00 hours on Sundays and Bank Holidays.

Reason: In the interests of amenity having regard to Policy SH1 of the Wirral Unitary Development Plan.

13. Servicing and deliveries shall not take place between the hours of 22.00 hours and 06.00 hours Monday to Saturday and 18.00 hours and 10.00 hours on Sundays and Bank Holidays. No vehicle shall arrive before the start time or leave after the finish time.

Reason: In the interest of amenity having regard to Policy SH1 of the Wirral Unitary Development Plan

14. Notwithstanding the provisions of Class E of the Schedule to the Town and Country Planning (Use Classes Order) 1987 (or any Order revising, revoking or re-enacting that Order) the premises shall only be used for the sale of convenience goods, cold food and drink for consumption off the premises other than ancillary to the principal retail use of the premises. For the purposes of this condition, "ancillary" is defined as not exceeding 20% of net retail floor space for the building hereby approved.

Reason: For the avoidance of doubt and because an alternative format could have the potential to harm the vitality and viability of Prenton 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 SH1 and the National Planning Policy Framework.

15. Foul and surface water drainage shall be drained on separate systems.

Reason: To ensure proper drainage and to manage the risk of flooding and pollution.

16. No above ground construction until details of the level and intensity of lighting within the development, including inside the store hereby approved, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To satisfactorily protect the residential amenities of nearby occupiers.

17. No removal of any trees, shrubs or hedges or any ground clearance or building work shall be carried out on site between 1 March and 31 August inclusive in any year unless otherwise approved in writing by the Local Planning Authority. If it is necessary to undertake works during the bird breeding season then all trees, shrubs and hedges shall first be checked by an appropriately qualified/experienced ecologist, as agreed with the Local Planning Authority, to ensure no breeding birds are present. In the event of breeding birds being present, full details of mitigation and protection measures shall be submitted to and approved in writing by the Local Planning Authority before any such works commence.

Reason: To ensure that nesting opportunities for breeding birds are protected.

18. Prior to occupation of the foodstore the following is to be submitted to and agreed in writing with the Local Planning Authority;

A servicing management plan– controlling the west arrival, and east departure of service vehicles on Woodchurch Road.

- i). The formation of the new vehicular accesses to the development from Duck Pond Lane and Woodchurch Road and the provision of a turning facility to the existing alleyway parallel to Woodchurch Road.
- ii). The provision of dropped kerbs and tactile paving at all new access points
- iii). The provision of a minimum 2m wide footway along the development boundary to Duck Pond Lane
- iv). Any necessary amendments to the existing traffic regulation orders on Woodchurch Road and Duck Pond Lane to facilitate the highway works.
- v). Any new or repositioned street lighting columns or highway drainage works necessary to facilitate the above highway works.

Reason: In the interest of highway safety and to comply with UDP Policy SH1.

19. Following completion of the off-site highway works and prior to the first opening of the amended store access off Woodchurch Road a Stage 3 Road Safety Audit shall be provided for assessment by the Local Highway Authority.

Reason: In the interest of highway safety and to comply with UDP Policy SH1.

Further Notes for Committee:

Last Comments By: 20/05/2020
Expiry Date: 18/06/2020