

Application No: 12/4584C

Location: BOOSEYS GARDEN CENTRE, NEWTON BANK, MIDDLEWICH, CW10 9EX

Proposal: Redevelopment of former Boosey's Garden Centre to provide Class A1 retail building, car park and service yard (Revisions to previous scheme 11/2164C)

Applicant: Optimisation Developments Ltd

Expiry Date: 26-Feb-2013

SUMMARY RECOMMENDATION - Grant Permission subject to conditions and the prior signing of a S106 Agreement

MAIN ISSUES

Principle of Development
Retail Impact and Town Centre Considerations
Design
Residential Amenity
Highway Safety and Accessibility
Trees and Landscape

REASON FOR REPORT

The application proposes a small-scale major development in excess of 1000m² floorspace.

DESCRIPTION OF SITE AND CONTEXT

The application site originally extended to include three separate parcels of land comprising Booseys Garden Centre, Middlewich Auto's and a residential dwelling at no 65 Chester Road known as 'The Bungalow'. In total the site amounts to approximately 1ha comprising for the most part, previously developed land with the exception of curtilage associated with the Bungalow.

In terms of built form, the site contained a broad mix of building types. In the case of Booseys, buildings principally comprised large commercial greenhouses and canvas awning structures but also extended to include a number of small brick built units as well as a large conservatory extension. Middlewich Autos meanwhile comprised a range of brick built commercial buildings that served to provide a showroom area, vehicle service area and small valet bay; there was also a large outdoor display sales area. 65 Chester Road was a small post-war bungalow set within a sloping plot that contained a number of trees including a large TPO Beech.

In the wider context, the site frontage faces northeast adjoining both Chester Road and Newton Bank which in turn form part of the larger gyratory system controlling traffic entering the town from Winsford off the A54 and both Northwich and Crewe off the A530. Properties adjacent to site frontage comprise two storey terraced housing, two and three storey Victorian Villas and the three storey 'Golden Lion' public house.

The sites southeastern boundary directly adjoins the side garden boundary of 29 Newton Bank and the rear garden boundaries of residential properties within The Crescent; two-storey post-war semi detached properties that directly overlook the site.

The southwestern boundary of the directly adjoins the side garden boundary of 5 Buckfast Way and rear garden boundaries of properties within Lindisfarne Close (no's 4, 6, 8 & 10). Similarly, the sites northwestern boundary directly adjoins the side boundary of Acer House, 67a Chester Road and rear garden boundary of Culver House, 67 Chester Road.

DETAILS OF PROPOSAL

The application seeks permission for redevelopment of the site to erect one A1 retail unit with mezzanine level and associated engineering works, car parking, landscaping and Service Yard Area. Approval was granted in 2011 for an almost identical proposal; however development was commenced without all necessary conditions being discharged. The conditions relating to highway improvements were unable to be implemented and as such this application seeks to regularise this situation.

In overall terms, the scheme comprises a single, two-storey retail unit approximately 60m wide (across the site frontage), 42m deep with a roof height 12m in height on the corner features and 9.6m along the majority of the roof.

The design is such that the new building comprises two glazed corner features interspersed with red terracotta rain screen cladding with the main body of the building in between comprising red brick walls, smooth, flat grey panels and aluminium framed windows. A simple glazed cantilever canopy is also attached to the building to create a covered walkway around ground floor level. The building has a flat roof hidden behind raised eaves around the outer perimeter of the building.

Internally, the store provides a Gross Internal Area (or GIA) of 2489sqm comprising the sales floor, warehouse area, customer facilities along with element of ancillary staff accommodation on a first floor mezzanine level. In retail floorspace terms, the store provides a Net Sales Area (or NSA) of 1390sqm that would be split/disaggregated to provide 1110sqm for the sale of convenience goods (food and drink etc) and 280sqm for the sale of comparison goods (clothes and footwear etc).

Access to the store for both customers and delivery vehicles is gained from Newton Bank utilising the previous garden centre access. This leads into a 166-space car park area, which wraps around the northern and western elevations of the store, and the service yard road that runs along the eastern elevation and into the service yard area at the rear, or southeast, of the building. A further pedestrian access is also proposed via a staircase leading from the site down onto Chester Road

The redevelopment of the site has also seen the original site levels substantially altered in order to create a level development platform across the site. As a result, levels have been reduced at the rear of the site, through the construction of a service yard area 1.8–2m below Buckfast Way and Lindisfarne Drive, but raised substantially along the Newton Bank and Chester Road site frontage (by 4m at the highest point) thereby necessitating erection of a large brick retaining structure with integral landscaping.

RELEVANT HISTORY

Whilst the site has an extensive history, the following planning applications are relevant to the determination of this application:-

11/2164C (2011) Redevelopment to provide a Class A1 retail building, car park and service yard.

APPROVED 21st December 2011

29830/1 (1998) Booseys Garden Centre - Construction of Retail Foodstore - WITHDRAWN

08/0071/FUL – Booseys / Middlewich Autos / The Bungalow, Booseys Garden Centre, Newton Bank, Middlewich. Redevelopment to provide a terrace of class A1 retail units and a stand-alone unit suitable for A class uses. APPROVED 20th August 2010.

10/3951C – Booseys / Middlewich Autos / The Bungalow, Booseys Garden Centre, Newton Bank, Middlewich. Redevelopment of site to erect one A1 retail unit with mezzanine level and associated engineering works, car parking, landscaping and Service Yard Area. WITHDRAWN.

Also, for reference due to its retail nature: -

11/3737C Pace Centre, Wheelock Street, Middlewich - Proposed foodstore development with associated parking, servicing and landscaping, and additional A1, A2 and A3 units (including demolition of existing buildings).

APPROVED 15th October 2012

POLICIES

National Policy

National Planning Policy Framework (March 2012)

Regional Spatial Strategy

DP1 'Spatial Principles'

DP2 'Promote Sustainable Communities'

DP3 'Promote Sustainable Economic Development'

DP4 'Make the Best Use of Existing Resources and Infrastructure'

DP5 'Manage Travel Demand; Reduce the Need to Travel, and increase accessibility'

DP6 'Marry Opportunity and Need'

DP7 'Promote Environmental Quality'

DP9 'Reduce Emissions and Adapt to Climate Change'

RDF1 'Spatial Priorities'

W5 'Retail Development'

RT2 'Managing Travel Demand'
RT9 'Walking and Cycling'
EM1 'Integrated Enhancement & Protection of the Regions Environmental Assets'
EM2 'Remediation Contaminated Land'
EM5 'Integrated Water Management'
EM11 'Waste Management Principles'
EM16 'Energy Conservation and Efficiency'
EM18 'Decentralised Energy Supply'
MCR4 'South Cheshire'

Local Plan Policy

PS4 'Towns'
GR1 'New Development'
GR2 'Design'
GR4 'Landscaping'
GR6 'Amenity and Health'
GR7 'Amenity and Health'
GR8 'Amenity and Health'
GR9 'Accessibility, Servicing and Parking Provision'
GR10 'Accessibility, Servicing and Parking Provision'
GR14 'Cycling Measures'
GR15 'Pedestrian Measures'
GR17 'Car Parking'
GR18 'Traffic Measures'
GR19 'Infrastructure'
GR20 'Public Utilities'
GR21 'Flood Prevention'
NR1 'Trees and Woodlands'
NR4 'Non-statutory Sites'
NR5 'Enhance Nature Conservation'
S1 'Shopping Hierarchy'
S2 'Shopping and Commercial Development Outside Town Centres'
S11 'Shop Fronts'
S12 'Security Shutters – Solid Lath'
S13 'Security Shutters – Lattice/Mesh Grilles'
S16 'Environmental Improvements and Traffic Management Measures'
DP4 Retail Sites 'Middlewich M1 - Wheelock Street / Darlington Street'

CONSULTATIONS (External to Planning)

Environment Agency:

No objection to the proposed development subject to conditions relating to drainage.

United Utilities:

No objection

Highways:

This site has had three previous applications for retail development, the third of which: 11/2164C is the subject of revision under this current application. This revision is necessary on the following grounds:

In the first instance the permission 11/2164C was rendered invalid by the developer due to the fact that the onsite work commenced prior to the necessary discharge of a number of planning conditions which were required prior to commencement of the scheme. In specific relation to highway issues there were two conditions which required 'prior to commencement' discharge and they were: conditions 15 & 16:

15.No development shall commence until such time as a detailed scheme for the part signalisation of the Newton Bank gyratory system, which shall include the provision of a pedestrian crossing system, as shown on SBA drawing number N71212-008 'Proposed Site Access' has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented in strict accordance details prior to first occupation of the hereby-approved food store.

Reason: In order to improve, enhance and provide safe pedestrian links across the A54 Chester Road and maximise the potential linked trips between the site and Middlewich Town Centre having regard to the impact tests identified under EC10.2, EC16 and EC17 of PPS4 and the requirements of policies GR1, GR2, GR9 and S2 (b), (c) and (e) of the adopted Congleton Borough Local Plan First Review January 2005.

16.No development shall commence until such time as a detailed scheme for pedestrian improvements to the Newton Bank Gyratory comprising dropped kerbs, pavement widening and tactile paving has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall extend to include further details in respect of the Croft Transport Solutions Drawing 0042_01 Rev A 'Potential Improvements to pedestrian facilities'. The approved scheme shall then be fully implemented in strict accordance details prior to first occupation of the hereby-approved food store.

Reason: In order to improve and enhance the pedestrian links and encourage and maximise the potential linked trips between the site and Middlewich Town Centre having regard to the impact tests identified under EC10.2, EC16 and EC17 of PPS4 and the requirements of policies GR1, GR2, GR9 and S2 (b), (c) and (e) of the adopted Congleton Borough Local Plan First Review January 2005.

In relation to Condition 15, there have been ongoing negotiations with the Strategic Highways Manager regarding the design solution for the part signalisation of the Newton Bank gyratory which is required for this specific development.

These negotiations take place under the related Section 278 legal agreement under the Highways Act which falls under the control of the Highway Authority rather than the Planning Authority and which is completed beyond the granting of a planning permission.

In the instance of Condition 15, the safety audit check carried out under the S278 required some minor changes to the proposed traffic management scheme for this retail development and as a result of the negotiations amendments were agreed with the developer and are shown on the Bryan G Hall Drawing No. 11/370/DE/100/001 Rev D.

In relation to Condition 16, The Strategic Highways Manager and the developer's consultants have in this current application agreed pedestrian accessibility improvements in relation to the pedestrian desire lines and routes around the gyratory system under the auspices of the S278 agreement and these are documented in the related Bryon G Hall drawing numbers: 11/370/DE/600/001 Rev D (earthworks), 11/370/DE/700/001 Rev D (pavement), 11/370/DE/600/002 Rev C (cross sections), 11/370/DE/1100/001 Rev D (kerbing), 11/370/DE/1200/002 Rev D (pedestrian signing). Constraints from the agreed traffic management

The Strategic Highways Manager would inform Members that some of the works related to the above related works have already been completed and that where necessary the conditions recommended below will align with outstanding requirements.

It should also be noted that the provision of some of these improvements are being scheduled to be completed beyond the Christmas embargo and are being co-ordinated with necessary utility works providers under the same road closure order.

These arrangements will see the satisfactory implementation of all agreed works and the recommended planning conditions attached below will seek to control provision prior to the opening of the new food retail store and provide improved pedestrian linkages to the town centre. Furthermore, these works have been designed to ensure that they tie in as effectively as possible with any future proposals to upgrade the gyratory.

Middlewich Town Council considerations.

Dialogue with Cllr McGrory representing Middlewich Town Council has raised some enquiries regarding aspects of the development and its relationship to other planning approvals and this is discussed below.

The Town Council are interested that the predicted traffic generation from the proposed Tesco store be considered in the final design solution for the redevelopment of the Boosey's site.

Highways are aware of the need to correlate the two developments – and have worked to provide a solution that will offer synergy for both sets of highway improvements. As this application is not materially any different from the previous approved application the scale of works and apportionment needs to be consistent.

Since the previous application a planning approval for a Tesco store off St Ann's road has been approved. The highway improvements associated with this scheme call for the signalisation of the gyratory, along with the maintenance of two traffic lanes around the gyratory. There is insufficient space to widen the footway on Newton Bank without compromising the ability to provide for this. However, the new crossing facilities of Newton Bank will provide a suitable pedestrian link to the town centre - which will be signed as such.

The final detailed solution for managing the Tesco traffic will be detailed through their S278 agreement. Highways are working with Tesco's to optimise these proposals.

The Town Council have asked what consideration is being made against the proposed residential developments on Warmingham Lane with regard to the A54 corridor.

The S.H.M. can inform members that the two development sites on Warmingham Lane included improvements at both Leadsmithy Street and the junction with King Street and the transport assessment for these two sites accounted for traffic growth in Middlewich, including an allowance for committed developments.

The Town Council have particular concern regarding the provision of necessary pedestrian links between the Boosey's redevelopment site and the town centre.

The S.H.M. would advise members that the agreed designs quoted above and related to Condition 16 of 11/2164C provide the of the best option for the pedestrian links to the town centre and will provide for safe crossing of the A54 via a new PUFFIN crossing and in accordance with current specifications will provide: drop kerbs, tactile paving and pedestrian signing for these routes.

However, a material change from the previous application is the approval of the Tesco store on the opposite side of Nantwich Road across the Gyratory. It is considered that to maximise linked trips, improved pedestrian crossing facilities of this road are required. The S.H.M. will be seeking a contribution to the provision of the PUFFIN crossing on Nantwich Road itself. This will be included in the recommended conditions.

The Town Council also asked a question related to the full signalisation of the gyratory at this time.

The S.H.M. would advise members that developers can only be expected to provide mitigation on a scale which matches development impact – and this is as recommended in the conditions attached to this application. Additionally, a material consideration must be the conditions attached to the previous application.

General Considerations

This application is the same scale as 11/2164C. The only highway issues that must be considered are why this new application provides an acceptable solution to the requirements of Conditions 15 and 16 attached to the previous and now invalid 11/2164C.

In relation to Condition 15 of 11/2164C it is the view of the SHM that the negotiated design on Bryan G Hall Drawing No. 11/370/DE/100/001 Rev D does provide for an acceptable solution to the original Condition 15 requirement.

In relation to Condition 16 of 11/2164C it is the view of the S.H.T manager that the negotiated design on Bryon G Hall drawing numbers: 11/370/DE/600/001 Rev D (earthworks), 11/370/DE/700/001 Rev D (pavement), 11/370/DE/600/002 Rev C (cross sections), 11/370/DE/1100/001 Rev D (kerbing), 11/370/DE/1200/002 Rev D (pedestrian signing), does provide for an acceptable solution to the original Condition 16 requirement.

Members are asked to note that the control available to the Highway Authority under the S278 legal agreement has allowed the negotiation of some changes to the proposed traffic management scheme in accordance with the Road Safety Audit process.

Conclusion

The Strategic Highways Manager recommends that the negotiated solution to the provision of traffic and pedestrian management solutions for the A54 gyratory and related to this application are satisfactory and provide an acceptable position to meet the previous requirements of conditions 15 & 16 related to 11/2164C.

However, the S.H.M. recommends that the following conditions are attached to any planning permission which may be granted for this development proposal:

Condition 1:- Prior to first opening, the developer will provide the agreed improvements to the traffic management on the A54 gyratory in accordance with the negotiated traffic management scheme under the related S278 agreement as shown on the Bryan G Hall Drawing No. 11/370/DE/100/001 Rev D in this application.

Condition 2:- Prior to first opening, the developer will provide the agreed improvements to the pedestrian route management on the A54 gyratory in accordance with the negotiated traffic management scheme under the related S278 agreement as shown on Bryon G Hall drawing numbers: 11/370/DE/600/001 Rev D (earthworks), 11/370/DE/700/001 Rev D (pavement), 11/370/DE/600/002 Rev C (cross sections), 11/370/DE/1100/001 Rev D (kerbing), 11/370/DE/1200/002 Rev D (pedestrian signing) in this application.

Condition 3:- In relation to the provision of safe crossing of the Nantwich Road area and in the interest of maximising sustainable links between the town centre / other developments the developer will enter into a Section 106 agreement for the provision of £60,000 for the provision of a PUFFIN crossing for Nantwich Road and/ or general improvements to the pedestrian environment in this area.

Environmental Health:

No objection subject to conditions relating to contaminated land, air quality, lighting and noise by way of acoustic mitigation and restrictions on the hours of operation.

VIEWS OF MIDDLEWICH TOWN COUNCIL

None received at the time of report writing.

OTHER REPRESENTATIONS

At the time of report writing, a total of 8 representations have been received, 7 objections and 1 supporting the proposal.

The objectors raise concerns relating to noise and light pollution, inadequate pedestrian access, working outside the approved hours and the imposing building dominating the skyline which is almost completed without complying with the original approval, and the lack of enforcement action.

The supporter urges the Council not to delay the approval of the store as it will bring much needed jobs and prosperity to the town.

OFFICER APPRAISAL

Principle of Development

The principle of developing a supermarket on this site was established when Southern Planning Committee resolved to approve application number 11/2164C, subject to the completion of a Section 106 Agreement and several conditions. The Agreement was completed in 2011 and the decision notice issued in December 2011.

Subsequently, information was submitted to the Council in order that the conditions on the planning permission could be discharged. At this point it came to light that conditions 15 and 16, relating to the Newton Bank Gyratory could not be implemented in accordance with the approval. Unfortunately development had been begun at this point and as these conditions were considered to go 'to the heart' of the permission and development had commenced without compliance with the conditions, the development could no longer be implemented in accordance with the approved scheme. In addition, the details of acoustic attenuation submitted were not considered to be acceptable. As such the developers have submitted this application in order that the situation can be regularised.

Retail Issues

When the original application was put before Committee in 2011, the relevant Government Policy was Planning Policy Statement 4 (Planning for Sustainable Economic Growth). The scheme was thoroughly assessed using the requirements of this policy in terms of retail impact. In addition the Councils' retail expert assessed this information and agreed with the conclusions reached.

The current Government Guidance comprises the National Planning Policy Framework (NPPF) and this requires that a sequential test should be applied to planning applications for main town centre uses, not in an existing centre. The previous scheme, received a resolution from the Committee of approval for a scheme very similar to that put forward in this application, thereby indicating that the sequential assessment had been satisfied by the previous application. Since the determination of the previous scheme, the 'Tesco' site has received planning permission for a food store development with associated parking, servicing and landscaping and additional A1, A2 and A3 units (including demolition of existing buildings) ref: 11/3737C. Accordingly, it is clear that this site is no longer available.

Since the resolution of the Council to approve the previous scheme (ref: 11/2164C), with the exception of the approval of the Tesco scheme (ref: 11/3737C), which confirms that this site is not available, there has been no material change in circumstances that would result in any additional sites or the previously considered sites being sequentially preferable. With the above in mind, it is clear that the application site meets the requirements of the sequential test as required by Paragraph 24 of the NPPF (March 2012).

Design and Layout

The design of the store and associated development is almost identical to that approved under the previous application, with two glazed corner features and glazing and brickwork to the elevations. A retaining wall, landscaped and containing public art (tiled mosaics of Middlewich Roman history) including pedestrian access is proposed facing Newton Bank.

There are some minor amendments to the design of the approved scheme including the provision of an enclosed loading dock, and two additional windows to the south west elevation.

Given that the design and layout are almost identical to that which Committee deemed to be acceptable when the previous application was approved, it is considered that the proposal is acceptable in terms of its design and layout.

Residential Amenity

The main concern in terms of impact on amenity relates to the potential for noise from the service yard area and the impact this could have on the amenity of nearby residents, particularly dwellings at 5 Buckfast Way and 8 & 10 The Crescent.

In dealing with this matter, it is important to note that the previous 2008 permission (08/0071/FUL), related principally to the sale of comparison goods which would have been less intense and would require less deliveries than a solely convenience goods store. In addition, the service doors on the extant 2008 scheme were spread across the rear elevation at regular intervals thereby avoiding a concentration of activities in any one spot.

In the case of this scheme, it is considered the store will require more deliveries of fresh produce such as bread, milk and vegetables on a daily basis. In dealing with this issue, the applicant asserts that a restriction on delivery times (between 7am & 10pm). It is considered that provided that the development is carried out in accordance with the submitted report relating to acoustic attenuation, residential amenity will be protected.

It is considered; however that the hours restriction needs to be more tightly controlled if amenity is preserved having specific regard to intensification, the single delivery point and potential for significant noise from the steel cage pallets more commonly used for the delivery of frozen and refrigerated foods.

Taking all these factors into consideration, it is considered that the delivery hours should be controlled and restricted to 7am – 8pm.

Details of lighting to be used on the site have been submitted with the application and a condition should be imposed requiring the development to be carried out and retained in accordance with these details, should be imposed.

In terms of the car park area, it is considered that the scheme will have an acceptable relationship with adjoining properties, particularly in terms of its relationship with No.67a Chester Road. The car park will be separated from the curtilage of No.67 by a band of retained trees with the car park area itself being set back on a higher level and, for the most part, screened by a decorative balustrade.

Highway Safety and Accessibility

The previous application (11/2164C) was approved subject to several conditions relating to highway works; however following further examination by the Strategic Highways Manager, it became clear that it would not be possible to comply with the detail of these conditions. Following extensive discussions with the developers, acceptable alternatives have been developed and these are now deemed to be acceptable to the Strategic Highways Manager as can be seen from the extensive response detailed in the Consultations section of this report. They include the replacement of proposed signals with a Give Way sign and the reduction of part of the eastbound approach to the signals to a single lane.

In reaching his conclusions, the Strategic Highways Manager has undertaken a detailed assessment of the impact of this development, the approved Tesco town centre scheme and the approved developments on Warmingham Lane and has concluded that the development is acceptable in terms of highway safety and linkages to the town centre. It is therefore considered that the proposed development would satisfy the requirements of Local Plan policies GR1, GR9 and GR18.

The request for £60,000 for a Puffin crossing does not meet the CIL Regulations and never formed part of the previous agreement. As such it is not possible to make this a requirement should the application be approved as it would not fairly and reasonably related in scale and kind to the development.

Trees and Landscaping

Full details of landscaping of the site and tree protection have been submitted with the application and these are in line with the conditions imposed on application 11/2164C. The submitted details are considered to be acceptable and a condition should be imposed requiring compliance with the submitted details.

It is considered that the proposed development meets the requirements of Local Plan policies.

Archaeology

Under the previous application a condition was imposed to allow for the sites' archaeological remains (an ice house on the western boundary) to be fully investigated and recorded prior to its destruction. This requirement has been complied with therefore no further action is required.

CONCLUSION AND REASON FOR THE DECISION

The principle of the development has previously been agreed. However, difficulties arose such that the development has been constructed without fully discharging the conditions for the development. The Council therefore required the development to be regularised through the submission of this application. The circumstances around the principle of the scheme have largely remained unchanged.

The proposed development will meet the identified need for Middlewich and its catchment area and will serve to increase competition and choice for residents of Middlewich. The proposed development can be accommodated alongside the approved town centre scheme on site allocation DP4 M1 and it is not therefore considered that the scheme would undermine the delivery of the planned private investment into the town centre or the vitality and viability of the town centre.

At the time the previous application was approved there was considered to be a risk that approving this scheme may jeopardise the delivery of the town centre site; however that site now has an approval which will deliver the increased choice and competition that the town needs.

The layout and design of the scheme is considered to offer an acceptable design solution which is appropriate to the character of the area and which is likely to offer greater opportunity for access the town centre.

In terms of residential amenity, potentially adverse impacts associated with the scheme in terms of noise and external lighting can be addressed by the measures put forward in this application.

Matters relating to highway safety / accessibility and archaeology have been adequately addressed by the applicants and the scheme therefore satisfies the relevant policies of the adopted Local Plan, RSS and National Planning Policy Framework.

Recommendation

That planning permission is granted subject to the prior signing of S106 Legal Agreement and subject to the following conditions:

S106 Agreement Heads of Terms

- Secures a financial contribution of £25,000 (prior to the commencement of development) towards local bus services;
- Secures the submission and implementation of a travel plan and an associated financial contribution of £5000 towards a monitoring

Conditions

Standard

1. Approved Plans.
2. Materials as detailed in the application.

Landscaping and Public Realm

3. Compliance with submitted landscape plan.
4. Compliance with submitted Tree and Hedgerow Protection Measures.
5. Compliance with submitted for external lighting scheme.
6. Town Centre Signage Scheme.

Retail Restrictions

7. Restriction of net retail floorspace.
8. Restriction on convenience and comparison split. (No more than 280sqm for comparison goods)
9. No subdivision of units.
10. Local Labour Agreement. (In accordance with the letter from jobcentreplus dated 5th November 2012)

Highways

11. Prior to first opening, the developer will provide the agreed improvements to the traffic management on the A54 gyratory in accordance with the negotiated traffic management scheme under the related S278 agreement as shown on the Bryan G Hall Drawing No. 11/370/DE/100/001 Rev D in this application.

12. Prior to first opening, the developer will provide the agreed improvements to the pedestrian route management on the A54 gyratory in accordance with the negotiated traffic management scheme under the related S278 agreement as shown on Bryon G Hall drawing numbers: 11/370/DE/600/001 Rev D (earthworks), 11/370/DE/700/001 Rev D (pavement),

11/370/DE/600/002 Rev C (cross sections), 11/370/DE/1100/001 Rev D (kerbing), 11/370/DE/1200/002 Rev D (pedestrian signing) in this application.

13. Detailed scheme for public realm enhancements between the application site and Middlewich Town Centre (along Newton Bank and Chester Road) extending to include pavement surfaces, new trees and street furniture, enhanced lighting and new directional signage. Details agreed within 2 months of the store opening and implemented within 3 months of the details being agreed.

14. Site access fully constructed prior to first occupation.

15. Pedestrian access fully constructed prior to first occupation.

16. Car park surfaced, laid out and available for use prior to first occupation.

17. Cycle hoops to be fully installed and available for use prior to occupation.

18. Service yard to be surfaced and available for use prior to occupation.

Environmental Health

19. Restriction on deliveries:

0700 and 2100 Monday to Saturday, 0800 and 1700 on Sundays, Bank or Public Holidays.

20. Compliance with the details contained within the submitted Acoustic Matters Report by Belair Research Limited.

21. Implementation of the acoustic screening around the site perimeter prior to first occupation.

22. Proposed Store Opening Hours

07.00 – 22.00 Monday to Saturday

10.00 – 17.00 on Sundays and Bank Holidays.

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