

Planning & Building Control
Liverpool City Council
PO Box 88
Municipal Building
Dale Street
Liverpool
L69 1JB

24 May 2013
Our ref: DRE/EP/C-0223979
Submitted Via Planning Portal

Dear Sir / Madam

Application for the Variation of Condition 5 of Planning Permission 92P/718 under Section 73 of the Town and Country Planning Act to allow for the variation of delivery hours at the ASDA Store, St Marys Road, Garston

On behalf of our client, ASDA Stores Limited, please find enclosed an application for the variation of Condition 5 of Planning Permission 92P/718 to allow for the extension of delivery hours at the ASDA Store on St Mary's Road, Garston. The description of development is as follows:

“Variation of Condition 5 of 92P/718 under Section 73 of the Town and Country Planning Act to allow for the variation of delivery hours”.

Background

The current restrictions on the hours within which the ASDA Garston store is permitted to trade are set out within Condition 5 of Planning Permission reference 92P/718 (19 June 1992), which is set out below:

5. *The premises shall not be open for business outside the hours of 07.00 and 22.00 hours each day and for the avoidance of doubt there shall be no loading or unloading, or shopping trolley collecting outside these stated times.*

For operational reasons, our client wishes to extend the permitted delivery hours. This application provides a justification, and documentation in support of these proposals.

The Application Proposal

A Section 73 Application is submitted to extend the currently permitted delivery hours at the ASDA Garston store. It is proposed to replace to existing Condition 5, which relates to both trading hours and

delivery arrangements at the store to be replaced by two separate planning conditions as follows:

The proposed condition in relation to trading hours (which would be unchanged) would be as follows:

“The premises shall not be open for business outside the hours of 07.00 and 22.00 hours each day”

The proposed condition in relation to the amended delivery hours would be as follows:

“There shall be no loading or unloading of delivery vehicles at the premises, or shopping trolley collecting outside the hours of 06.00 and 00.00 hours (midnight) Monday to Saturday, and 07.00 and 22.00 hours Sunday”

This application does not seek to vary the permitted trading hours of the store, nor does it seek to vary to delivery hours on a Sunday.

The ASDA Garston store currently accepts deliveries to the store from 07.00, 7 days a week. These deliveries typically finish unloading produce by 09.00.

The ASDA Garston store currently trades from 08.00 from Monday to Saturday. It is not always achievable for the required deliveries to be unloaded within the one hour period before the store opens for trading.

It would therefore be preferable if all of the deliveries could be completed ahead of the current store opening at 08.00 and after the store has finished trading at 22.00, so as to avoid any potential conflict between car park users and delivery vehicles.

The additional proposed delivery hours in the morning (06.00 to 07.00) would allow for the fresh produce to be unloaded ahead of the store opening. The additional evening delivery hours (22.00 to midnight) would allow for the ambient goods (i.e. the non-perishable produce) to be delivered after the store has finished trading and help avoid any congestion during the morning period when the delivery of fresh produce is a priority.

Residential Amenity

A Noise Impact Assessment of the proposed delivery arrangements has been undertaken by the Acoustic Consultancy Partnership Ltd (ACP), and is submitted in support of the application. The Assessment concludes that the increased delivery hours would result in a negligible to marginal noise impact at the nearest residential properties, and are therefore acceptable.

The Application Submission

This application comprises this letter and the following documents:

- Planning Application Forms and Certificates;
- Noise Impact Assessment by ACP Ltd;
- Planning application fee (£195).

The proposed amendments to the servicing arrangements at the ASDA store will ensure that the ASDA store is serviced effectively and efficiently, are fully compliant with Planning Policy, and will have no additional impact upon the amenity of nearby residents.

We look forward to receiving confirmation of receipt and registration of this application and seek to engage further with the Council. In the meantime, should you require any further information, please contact me on the details above.

Yours sincerely

Ellen Philcox
for Deloitte LLP