

Mr Lloyd Collins  
Planning Potential Ltd  
13-14 Orchard Street  
Bristol  
BS1 5EH

**TOWN & COUNTRY PLANNING ACT 1990**

**GRANT OF PLANNING PERMISSION**

**Proposal:** Extension at roof level to house new staircase and 2 passenger lifts and external alterations on ground and first floors including new shop front glazing, refurbishment of existing canopies, alterations to windows/doors, raised platform, plant area, louvres, air-conditioning units and re-configuration of roof car park.

**Applicant:** ALDI Stores Ltd.

**Location:** 1 - 3 Bridge Street Walton-On-Thames Surrey KT12 1BP

The decision of Elmbridge Borough Council on the application registered as valid by the Council on 18/01/2019 and described above is to **Grant Permission** subject to the conditions (if any) set out below:

Conditions/Reasons

**1 TIME LIMIT (FULL APPLICATION)**

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

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

**2 LIST OF APPROVED PLANS**

The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: 1100 Rev 4, 1400 - Rev P3, 1450 - Rev P3, 1451 - Rev P4, 1452 - Rev P3 received on 18 January 2019 1500 Rev P2 received on 13 March 2019.

Reason: To ensure that the development is carried out in a satisfactory manner.

**3 MATERIALS TO MATCH**

The brickwork to be used in the construction of the external surfaces of the extension shall match as nearly as is practically possible those of the existing building to which it is attached, in colour, type, finish and profile.

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Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

**4 HOURS OF OPENING**

The use hereby permitted shall not be open to customers outside the following times: Monday to Saturday 08.00hrs to 22.00hrs and Sundays and Bank Holidays 10.00hrs to 17.00hrs.

Reason: To safeguard the amenities of the locality in accordance with Policy DM5 of the Elmbridge Development Management Plan 2015.

**5 DELIVERIES OF GOODS**

Deliveries and collections of goods from the premises shall only be carried out between the following hours: Monday to Saturday 07.00hrs to 23.00hrs with the last delivery vehicle arriving by 22.00hrs and the delivery vehicle departing the premises no later than 23.00hrs and between the hours of 09.00hrs to 17.00hrs on Sundays and Bank Holidays.

Reason: In order to protect the amenities of the locality in accordance with Policies DM2 and DM5 of the Elmbridge Development Management Plan 2015.

**6 NOISE FROM PLANT OR EQUIPMENT**

The measured or calculated 5 minute LAeq of the cumulative effect of the noise emitted from the air cooling units, shall be below the existing background level by at least 5 dB(A), or 10 dB(A) if there is a particular tonal or discrete component to the noise, at all times when the plant is in operation. The level shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises. The background level shall be LA90,T where T = 15 minutes nighttime (23:00 hrs to 7:00 hrs) and 1 hour daytime (7:00 hrs to 23:00 hrs).

Reason: In order to safeguard against the emission of noise and protect the amenities of the locality in accordance with Policy DM5 of the Elmbridge Development Management Plan 2015.

**7 PARKING AND TURNING**

The development hereby approved shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plans (car park roof plan numbered 1452 Rev P3 received on 18 January 2019 and unnumbered swept path diagram received on 04 April 2019) for vehicles (including delivery vehicles) to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

**8 QUIET DELIVERY SCHEME**

The Quiet Delivery Scheme hereby approved shall be adhered throughout the lifetime of the development.

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Type: Full Application

Reason: To protect neighbouring amenity in accordance with policy DM2 of the Elmbridge Development Management Plan 2015.

Informative(s): (if applicable)

- 1 **CONSTRUCTION PHASE ONLY - NOISE AND POLLUTION**

To control noise and pollution during the construction phase where sensitive premises are nearby it is advised that:

  - (a) Work which is audible beyond the site boundary should only be carried out between the following hours:  
Monday to Friday 08:00 hrs to 18:00 hrs  
Saturday 08:00 hrs to 13:00 hrs  
and not at all on Sundays or Bank Holidays.
  - (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.
  - (c) Deliveries and collections should only be received within the hours detailed above.
  - (d) Adequate steps should be taken to prevent dust causing nuisance beyond the site boundary. These could include the use of hoses to damp down stockpiles of materials which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes.
  - (e) There should be no burning on site that causes nuisance to local residents.
  - (f) Only minimal security lighting shall be used outside the hours stated above.
- 2 **SCAFFOLDING LICENCES**

The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- 3 **MATERIALS DEPOSITED ON THE HIGHWAY**

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 4 **CHARGE FOR DAMAGE TO HIGHWAY**

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.



Kim Tagliarini  
Head of Planning Services

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Date: 17 April 2019

**N.B. THE ATTENTION OF THE APPLICANT AND AGENT IS DRAWN TO THE FOLLOWING INFORMATIVES WHICH PROVIDE IMPORTANT INFORMATION.**

**STANDARD INFORMATIVES – GUIDANCE FOR APPLICANTS**

**1 APPEALS TO THE SECRETARY OF STATE**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If you want to appeal against your local planning authority's decision and it doesn't fall into any of the above categories, then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: **[gov.uk/planning-inspectorate](http://gov.uk/planning-inspectorate)**.  
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the

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proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

## **2 APPROVAL OF DETAILS RESERVED BY CONDITIONS**

Attention is drawn to the conditions that have been attached to the planning permission together with the reason for their imposition. Particular attention is drawn to those conditions that require the submission of further information to the Local Planning Authority and its approval of such further information before building works commence. In the case of a reserved matters approval you must also take account of the conditions imposed on the outline permission.

The above decision makes reference to the Core Strategy and the Development Management Plan. Should you wish to read the wording and content of any of these policies, the documents can be viewed online at [elmbridge.gov.uk/planning/local-plan](http://elmbridge.gov.uk/planning/local-plan) or in our reception at the Civic Centre, High Street, Esher, Surrey, KT10 9SD

## **3 VARIATIONS IN APPROVED PLANS**

The Local Planning Authority's decision relates strictly to the development described in the application and shown on the approved drawings as listed in the conditions above. This decision is based on the reasonable assumption that those details are correct and indicate accurately not only the size and appearance of the works and/or buildings (if relevant) but also their siting in relation to the boundaries of the land, and to any other features shown on the drawings such as existing trees and neighbouring buildings.

You are strongly advised to make a careful check of the approved drawings before proceeding with any works to ensure that all the details are correctly shown. Any discrepancies should be notified at once to the Town Planning Division (01372 474474). In addition, should you wish to vary the development in any way you should send revised drawings to the Town Planning Division and await a written response before starting work since this may require a fresh planning application. Only in this way is it possible to avoid a situation in which unlawful work takes place, leading to the possibility of enforcement action by the Council.

## **4 BUILDING REGULATION APPROVAL**

If the proposal, as detailed in the Decision Notice, involves the erection of a new building, or the extension or material alteration of an existing building or the putting of an existing building to a different use then the BUILDING REGULATIONS 2000 (as amended) will apply, and an application will be required. If you are unsure of the requirements of the Regulations and require any advice, you are strongly recommended to contact the Building Control Division.

## **5 ACCESS AND EGRESS FOR THE DISABLED**

Your attention is drawn to the Chronically Sick and Disabled Persons Acts, 1970 and 1976 together with the Disability and Discrimination Act of 1995 and the Code of Practice for Access for the Disabled to Buildings (British Standard 8300:2004) regarding the provision of means of access, parking facilities and sanitary conveniences for the needs of persons visiting, using or employed at the buildings or premises who are disabled and to The Building Regulations, Part M - Access and Facilities for Disabled People. For further assistance; Tel: 01372 474779.

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### **6 ACCESS BY THE FIRE BRIGADE**

Notice of the provisions of Section 20 of the Surrey County Council Act 1985 is hereby endorsed on this planning permission. Copies of the Section may be obtained from the Council Offices or from County Hall. Section 20 of this Act requires that when a building is erected or extended proper provision must be made for the Fire Brigade to have means of access to the building or to any neighbouring buildings. There are also requirements relating to access and facilities for the fire service contained in Part B of the Building Regulations 2000 (as amended).

### **7 CLIMATE NEUTRAL DEVELOPMENT**

The Council is keen to encourage sustainable development and would strongly commend attention to the following measures (as appropriate to the scale of the development) in addition to the mandatory requirements of the Building Regulations:

#### Transport

- New development should include facilities to support the use of low or zero carbon fuelled vehicles, such as the charging of electric vehicles from green electricity sources and the provision of bicycle storage

#### Site Layout and Building Design (see also BREEAM and EcoHomes Standards)

- The development should maximise the potential for passive solar gain
- Landform and landscaping should be used to optimise the benefits of shelter (such as shading of car parks and summer shade generally) but avoid overshadowing of buildings
- Buildings should be specified to maximise the capture and use of passive solar energy, whilst avoiding excessive solar gain in summer
- Buildings should be specified to optimise thermal comfort in summer without needing air conditioning through techniques such as window design and location, shutters and sun screens

#### Energy Reduction

- Buildings should be specified to be less dependent on grid distributed energy and fossil carbon fuels
- A greater proportion of the energy requirements of new development should be from renewable sources (minimum 10%) or from on-site sustainable generation
- Schemes should use combined heat and power or similar technology (mandatory on developments in excess of 5000 sqm floorspace)

#### Waste Recycling

- The development should provide adequate space for storing and servicing recycling collection bins
- The development should maximize the potential for home composting facilities

#### Sustainable Drainage to Cope with Increased Rainfall

- New development should include sustainable drainage systems (SUDS) for the disposal of surface water
- Opportunities should be taken to develop SUDS that provide multi-use benefits such as public amenity and wildlife improvements, and are combined with water conservation measures

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### Water Conservation/Recycling

- Developments should include measures to reduce water consumption and provide facilities for rainwater collection and recycling of grey water
- There should be an integrated approach linking water demand and rainwater disposal

### Building Materials

- Developments should include a greater proportion of building materials from renewable sources
- Re-use of building materials should occur where opportunities arise
- Demolition of buildings should be preceded by a method statement identifying opportunities for the re-use of materials and the sustainable disposal of those not re-used

## **8 CONTROL OF POLLUTION AND NOISE DURING CONSTRUCTION**

The Environmental Health team would offer the following advice to control noise and pollution during the construction phase where sensitive premises are nearby:

- (a) Work which is audible beyond the site boundary should only be carried out between the following hours:  
Monday to Friday 08:00 hrs to 18:00 hrs  
Saturday 08:00 hrs to 13:00 hrs  
and not at all on Sundays or Bank Holidays.
- (b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.
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- (e) There should be no burning on site that causes nuisance to local residents.
- (f) Only minimal security lighting shall be used outside the hours stated above.

Further advice is available on our website [elmsbridge.gov.uk/pollution](http://elmsbridge.gov.uk/pollution)

## **9 BUILDING MATERIALS, MACHINERY & CONTRACTORS' VEHICLES**

The Council is keen to ensure that developments do not cause obstruction or block visibility on the highway. As such, it is advised that building materials and machinery shall not be stored on the highway and contractors' vehicles shall be parked with care so as not to cause an obstruction or block visibility on the highway.

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### **10 SITE SECURITY**

In furtherance of its responsibilities under Section 17 of the 1998 Crime and Disorder Act, the Borough Council will expect measures to be taken to ensure that your construction site is safe and secure and deters crime at all times. Further details and advice can be obtained from Surrey Police Crime Prevention Design Advisor (Tel: 101 or 01483 571212).

### **11 SITE NOTICES**

In the interests of protecting the character of the environment, you are requested to remove any Planning Notice that may have been posted outside your site.

### **12 POSITIVE AND PROACTIVE ENGAGEMENT**

The National Planning Policy Framework requires local planning authorities to work with the applicant in a positive and proactive manner to resolve problems before the application is submitted and to foster the delivery of sustainable development. This requirement is met within Elmbridge through the availability of pre-application advice.

### **13 PURCHASE NOTICES**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council requiring them to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.