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Application Number:	21/00165/FUL
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Application Type:	Planning FULL
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Proposal Description:	Variation of condition 3 (Delivery Times) of planning application 13/00181/WCC granted 28/03/2013.
At:	Aldi Barnsley Road Scawsby

For:	Aldi Stores Ltd
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Third Party Reps:	6 Objections	Parish:	Brodsworth Parish Council
		Ward:	Roman Ridge

Author of Report:	Jessica Duffield
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SUMMARY

The application relates to the variation of a condition which restricts the times in which delivery vehicles can access the site. Condition 3 of planning reference 13/00181/WCC states:

No vehicles may arrive, depart, be loaded or unloaded, within the general site except between the hours of 0700 and 1800 Monday to Saturdays and 0900 and 1600 on Sundays and Bank Holidays. Vehicle engines (including those powering refrigeration units shall not be running outside the above times.

REASON

In the interests of the aural amenities of the occupants of nearby dwellings.

The applicant wishes to vary the wording of this condition to allow a temporary 'trial' period to extend the opening hours to 0700 – 2300 Monday to Saturday, and 0800 – 2000 on Sundays; as well as removing the wording relating to Bank Holidays. The temporary wording will be for a 12 month period.

Following the 12 month period the delivery hours would revert to: *Monday - Saturday 07:00 - 21:00 and 09:00 - 18:00 Sundays and Bank Holidays.*

The amended wording is in line with the delivery condition attached to the permission for another Aldi store within the borough.

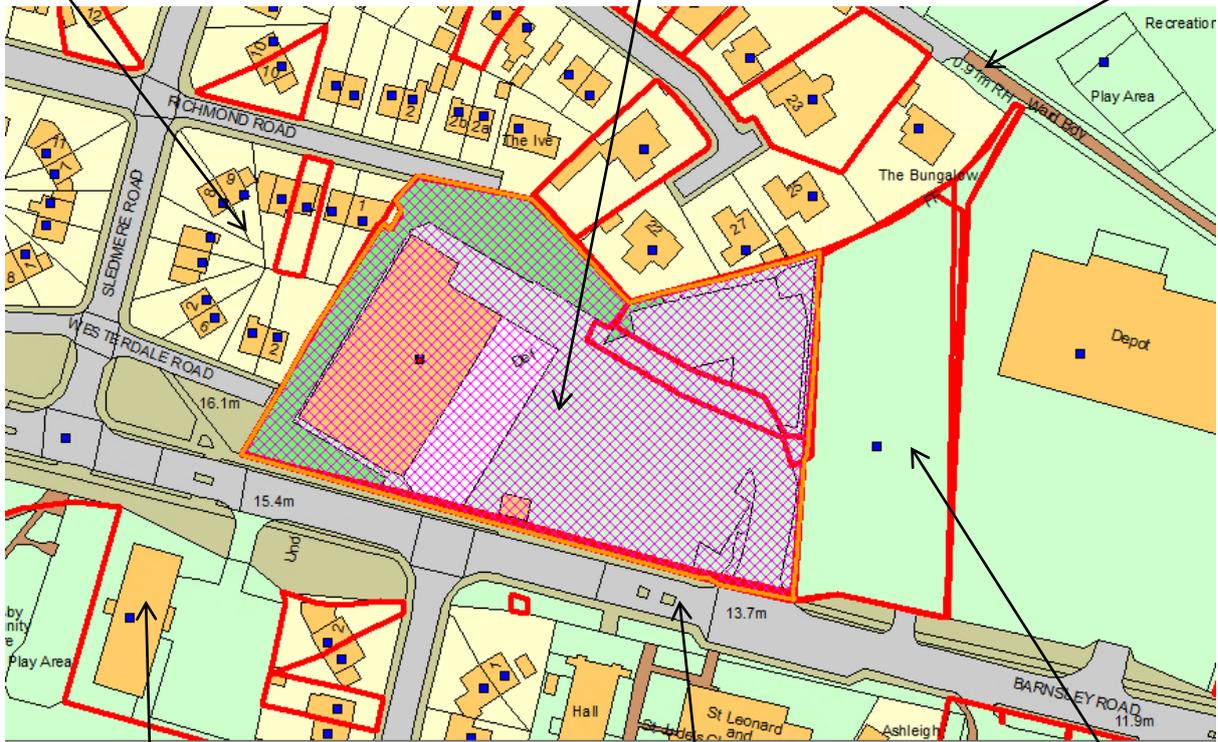
The application is being presented due to public interest.

RECCOMENDATION: GRANT planning permission subject to conditions

Residential Area

Application Site

Roman Ridge



Community Centre

Barnsley Road

Vacant Land

1.0 Reason for Report

- 1.1 This application is being presented to planning committee due to public interest. The application has received 6 neighbour objections.

2.0 Proposal

- 2.1 The proposal relates to the variation of the condition which refers to restricting delivery times. The delivery times were restricted by condition for planning ref: 13/00181/WCC.
- 2.2 The larger delivery window will allow the store to provide better service and improve the supply of fresh produce and other goods throughout the trading day.
- 2.3 The applicant states that given the age of this store (first granted in early 1990s) the delivery hour's condition is particularly restrictive in comparison to newer/more recent Aldi Store permissions.
- 2.4 The proposal looks to extend the hours in which deliveries can be made. The condition will include both times for a temporary 1 year period and then requiring the store to reduce the delivery hours after that period has lapsed. The proposed changes are as follows:

For a temporary period of 1 year, with a cut-off date of 1st July 2022, the hours of delivery shall be limited to:

- Extend Monday to Saturday delivery hours to allow these to take place between 0700 – 2300 (five additional hours in the evening)
- Extend Sunday delivery hours to allow these to take place between 0800 – 2000 (additional one hour in the morning and four hours in the evening)
- Remove the reference to Bank Holidays.

Following the 1 year period the delivery times will revert to:

- Monday to Saturday 0700- 2100 (three additional hours in the evening)
- Sundays and Bank Holidays 0900 – 1800 (two additional hours in the evening).

- 2.5 The alterations to the delivery times were originally proposed to be amended on a permanent basis. However following discussions with the Case Officer and the submission of an up to date Noise Impact Assessment (NIA) this has been altered to a temporary 'trial' basis to safeguard residential amenity and ensure consistency with other Aldi stores within the borough. This will allow the Local Planning Authority the ability to monitor the situation over the next 12 months to determine if the proposed changes significantly harm the amenity of neighbouring properties. The NIA supports the proposed hours from a technical perspective as addressed in the appraisal below.

- 2.6 The hours proposed on the permanent basis following the 12 month period are considered to be a small/low risk amendment to the delivery hours. There will be no change to the morning hours; bank holiday times will be retained and only a limited alteration to the evening. This is considered to be appropriate.
- 2.7 The same condition has been attached to another Aldi store within the borough which has residential properties within a similar distance to the application site.
- 2.8 The applicant would be required to submit another Section 73 application (application to vary or remove a condition) if they wish to make the temporary deliveries hours permanent after the 12 month period. Should such a scenario occur, the application would be advertised and neighbours invited to submit comments in relation to the application.
- 2.9 The site has a complex planning history, with various amendments and removal of conditions relating to the original consent having taken place previously. This is set out in more detail in Section 4.

3.0 Site Description

- 3.1 The site consists of an existing Aldi supermarket. The building is located on the western part of the site while the car park is to the east. The vehicle delivery bay is located on the northern elevation of the building. A 2m close boarded fence wraps around the loading bay as a form of existing physical mitigation.
- 3.2 Barnsley Road runs along the southern boundary of the site. Both the main vehicular and pedestrian access is via Barnsley Road.
- 3.3 The building itself and the car park have historically been extended to increase the capacity of the store.
- 3.4 Residential dwellings surround the site to the west and the north, with garden boundaries abutting the red line boundary of the site. Established trees wrap around the shop building and delivery bay area to form an additional buffer between the commercial use and the residential properties.
- 3.5 An undeveloped area of land is located to the immediate east of the site. Further to the south of the application site is a Jewson store and yard.

4.0 Relevant Planning History

Planning Reference	Description	Decision
15/01783/FUL	Erection of retail foodstore and associated parking facilities (without compliance with condition 3 of planning application 13/00181/WCC granted 28.03.13 - extension of loading and unloading hours to be 0600-1800 Mon-Sat, and 0900-1600 Sun and BH)	WITHDRAWN (LPA advised that the application would be refused) 9/11/2015
15/00441/ADV	Erection of 4 internally-illuminated signs, comprising of 1 no fascia sign, 2 no post mounted signs and 1 no free standing post frame sign	GRANTED 21/4/2015
14/02760/FUL	Erection of extension (6.52 m x 45.18m) to supermarket including new canopy	GRANTED 27/2/2015
14/00199/FUL	Extension of existing car park for an additional 29 spaces including 4 additional disability spaces	GRANTED 27/3/2014
13/00181/WCC	Erection of retail foodstore and associated parking facilities - Being amendment to Condition 4 and 6 of application 92/74/3610/01 granted on 06.04.93 (Trading and delivery hours) (without compliance with condition 3 of planning application 08/02119/FUL granted on 20.10.2008 - extension of loading and unloading hours 0700-1800 Mon-Fri, 0800-1300 Sat and 0900-1600 Sun and BH) (without compliance with condition 3 of planning application 12/01383/WCC granted on 24.08.2012 - extension of loading and unloading hours 0700-1800 Mon-Fri, 0700-1800 on Saturdays and 0900-1600 on Sundays and Bank Holidays).	GRANTED 28/3/2013
12/01383/WCC	Erection of retail foodstore and associated parking facilities - Being amendment to Condition 4 and 6 of application 92/74/3610/01 granted on 06.04.93 (Trading and delivery hours) (without compliance with condition 3 of planning application 08/02119/FUL granted on 20.10.2008 - extension of loading and unloading hours 0700-1800 Mon-Fri, 0800-1300 Sat and 0900-1600 Sun and BH).	GRANTED 24/8/2012

08/02548/FUL	Erection of extension to front elevation (45.2m x 4.5m)	GRANTED 17/10/2008
08/02541/ADV	Display of internally illuminated fascia sign (2.4m x 2.0m) to replace existing and internally illuminated double sided gantry sign (2.4m x 2.1m)	GRANTED 20/10/2008
08/02119/FUL	Erection of retail foodstore and associated parking facilities - Being amendment to Condition 4 and 6 of application 92/74/3610/01 granted on 06.04.93 (Trading and delivery hours)	GRANTED 20/10/2008
06/01352/FUL	Erection of extension (16.3m x 22.2m) overall	REFUSED 5/12/2006
05/0981/P	Continuation of use of supermarket without compliance with Condition 2 of application 92/74/3610/01 granted on 06/04/93 (Variation of opening hours to allow trading between 10.00 - 16.00 hours on Sundays)	GRANTED 26/4/2005
94/0509/P	Continuation of use of supermarket without compliance with condition 06 of application 92/74/3610/01 granted on 06.04.93 (variation in times for vehicles arriving/ departing/loading/unloading to 07.00-20.00 mon-fri 07.00-19.00 sat and not at all on sun & bank holidays)	REFUSED 18/2/1994
93/1884/P	Display of two internally illuminated fascia signs (1 x 2.01m x 2.41m and 1 x 1.52m x 1.83m) and one internally illuminated freestanding post sign (2.01m x 2.41m)	GRANTED 9/8/1993
92/3610/P0	Erection of retail foodstore and associated parking facilities	GRANTED 5/4/1993

5.0 Site Allocation

5.1 The site is allocated as Commercial Policy Area as defined by the Doncaster Unitary Development Plan (Proposals Map) 1998. The following policies are applicable:

5.2 National Planning Policy Framework (NPPF 2019)

5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:

- 5.4 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.5 Paragraphs 54-56 state that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The tests are:
- a) Necessary to make the development acceptable in terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 5.6 Paragraph 80 states that planning policies and decisions should allow businesses to invest, expand and adapt. Decisions should take into account local business needs and wider opportunities for development.
- 5.7 Paragraph 82 states that planning decisions should recognise and address the specific locational requirements of different sectors.
- 5.8 Core Strategy 2011 – 2028**
- 5.9 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 5.10 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:
- 5.11 Policy CS1 relates to the quality of accommodation and development within Doncaster. It makes it clear that development must protect local amenity.

5.12 Saved Unitary Development Plan Policies (Adopted 1998)

- 5.13 Policy SH1 states that within commercial policy areas permission will normally be granted for shops except where it is likely to create amenity or traffic problems.

5.14 Local Plan

- 5.15 The Local Plan was formally submitted for examination on 4th March 2020 and an Inspector was appointed to undertake the examination in public (Regulation 24 stage). The Local Plan has now advanced to the latter stages of the examination: the consultation period on the proposed Main Modifications, identified as part of the examination, concluded on the 21st March 2021; and the Council is now awaiting receipt of the Inspector's final Rreport. The Council is looking to adopt the Local Plan by Autumn 2021.
- 5.16 Paragraph 48 of the NPPF states that the LPA may give weight to relevant policies in emerging plans, such as the Local Plan, depending on the stage of the Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). When the Local Plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections:
- Substantial
 - Moderate
 - Limited
- 5.17 The following emerging policies are considered appropriate in assessing this proposal and consideration has been given to the level of outstanding objections resulting in appropriate weight attributed to each policy:5.18 In the Emerging Local Plan the site is designated within the Scawsby Local Centre boundary.
- 5.19 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is afforded limited weight as there are outstanding unresolved objections.
- 5.20 Policy 23 refers to Development within Town District and Local Centres. It states that development in town, district and local centres will be acceptable in principle for a wider range of Main Town Centre Uses.

5.21 Other Material Planning Considerations

- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- National Planning Policy Guidance

6.0 Representations

6.1 This application has been advertised in accordance with The Town and Country Planning (Development Management Procedure (England)) Order 2015 by way of site notice, and direct neighbour notification letters.

6.2 Six representations have been received in response to the application publicity, all in objection. All the responses received were in relation to the permanent change to the condition wording rather than 12 month trial period.

A summary of the comments is provided below:

- Unacceptable for the residents to the rear of the supermarket.
- Hours at the weekend should be retained;
- Deliveries already taking place at 6am;
- Staff working during the deliveries are noisy; noise created when fixtures are being moved to the front of the store; noise from metal plant shelving.
- If earlier hours allowed then moving of store fixtures will begin earlier also;
- Noisy staff after shop closing hours;
- Noisy customer queuing outside the store;
- Object to any earlier in a morning;
- Already woken at early hours and in evening, deliveries already being recorded at 11:30pm;
- Proposal shows complete disregard to residents living nearby;
- The store is in a residential area and not a retail setting;
- 'Tatty' appearance of the rear of the store shows further disregard to residents;
- Little foliage left between the store and houses which dies off in the winter months and forms no noise cancelling effects;
- Rolling of the containers off of the ramp makes the most noise;
- Lorries reversing beepers cause noise disturbance;
- Noise from lorry engines and refrigeration units;
- Waste removal vehicles empty the bins at 5am;
- Feels like deliveries in front of residential windows;
- Vehicles arrive between 5-5:30am already;
- Bushes have been ripped out which helped mitigate the noise level;
- Proposal would only allow a 7hr period free of deliveries which does not allow for 8hr sleep time;
- Until completely noise free, unable to agree to extended delivery times.

6.3 The applicant has acknowledged that Aldi have been working with the Council's Noise team in relation to a recent investigation with regards to the application store receiving deliveries outside of the existing permitted delivery

hours. The applicant confirms that Aldi Stores Ltd have followed this up and are aware of a small number of isolated incidents in the middle to end of February 2021.

- 6.4 These concerns/breaches have been addressed internally and the LPA has been assured that the store now only receives deliveries within the permitted hours as attached to the most recent decision notice (13/00181/WCC).
- 6.5 Aldi has also put in place a bespoke delivery process which minimises 'the more noise generating' elements of commercial deliveries. This is addressed further below.
- 6.6 The applicant has also stated at complaints relating to poor practise/staff shouting etc. has been communicated with the Store Manager and staff have been briefed.

7.0 Parish Council

- 7.1 The site is within the Brodsworth Parish Council area.

8.0 Relevant Consultations

- 8.1 **Environmental Health/ Noise Team** – a noise assessment has been provided by the agent, as requested by the Environmental Health Officer. The noise survey concluded that the proposed additional delivery hours do not represent a significant increase in the severity or duration of impact over that presently permitted. No objection to proposed amendment to the wording.
- 8.2 **Noise Team** - As per comments above.
- 8.3 **Highways** – Extended delivery hours not expected to impact traffic flows. Thus no objection.
- 8.4 **Area Manager**- No response.
- 8.5 **Parish Council**- objection to the original proposal. Parish Council recognised that commercial concerns are important however they are opposed to any extension in hours of delivery on the grounds of disturbance of the peace certain hours of the day. The applicant/agent has provided a response to the Parish Council and residents to address the concerns raised.

9.0 Assessment

9.1 The principal issues for consideration under this application are as follows:

- Principle of Development
- Impact upon Neighbouring Properties
- Noise
- Highways

9.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- *Substantial*
- *Considerable*
- *Significant*
- *Moderate*
- *Modest*
- *Limited*
- *Little or no*

Principle of Development

9.3 The application site is allocated as Commercial Policy Area as defined in the adopted Unitary Development Plan 1998.

9.4 Policy SH1 states that with commercial policy areas of small town and district centres permission will normally be granted for shop uses, except where development is likely to create amenity or traffic problems.

9.5 The proposal is in relation to an existing and long established retail/supermarket use at the site. The proposed variation to the condition is therefore acceptable in principle and is in accordance with the site's allocation.

9.6 The main planning consideration to be assessed relates to the proposed extension to the permitted delivery hours and its impact upon residential amenity, neighbouring land uses and the environment.

Sustainability

9.7 The National Planning Policy Framework (NPPF, 2019) sets out at Paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

9.8 There are three strands to sustainability, social, environmental and economic. Paragraph 10 of the NPPF states that in order that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

9.9 SOCIAL SUSTAINABILITY

9.10 Impact Upon Residential Amenity

- 9.11 As referred to above Policy SH1 refers to potential amenity problems with developments in commercial areas. Given the site's proximity to existing housing and the contentious nature of the application site the case officer has worked with the agent to ensure that the proposal will have no impact upon residential amenity.
- 9.12 Concerns have been raised by local neighbours in relation to disturbance caused by noise at the site. Some residents have made reference to deliveries already occurring outside permitted hours. The agent has confirmed that these reports in relation to an isolated instance have been investigated in conjunction with the Council's noise team, and the LPA has been assured that the deliveries do not take place outside the permitted hours.
- 9.13 In addition to this, the applicant has provided a detailed noise assessment which concludes that the additional delivery hours will cause no further impact upon the residents. However in order to ensure this, the case officer has worked with the agents and has amended the wording of the proposed condition to include a 1 year 'trial' period.
- 9.14 The same condition has been attached to another Aldi store within the borough in which there is a similar proximity to housing.
- 9.15 If the applicant wishes to extend the delivery hours on a permanent basis then a new application would need to be sought following the 1 year period on the basis that during the trial there has been no impact/complaints made by local residents.
- 9.16 Along with the 12 month temporary period, an additional condition is to be imposed which relates to a Delivery Management Plan. This will implement that further mitigation measures to what is currently permitted and covers many of the issues raised in the public representations. The addition of this condition will therefore demonstrate a betterment in terms of regularity and enforcement. This is detailed further in paragraph 9.31.
- 9.17 The proposed hours are supported by the Environmental Health Officer and are considered to be appropriate. Anything outside of the proposed times would go against industry standards for night time hours. It is considered that the increased time span will be an improvement in terms of delivery hours, which is consistent with other Aldi stores within the borough, but still remain within accepted hours in terms of residential amenity.
- 9.18 Based on this it is not considered that the proposal will harmfully impact residential amenity and the amendment to the condition is supported.

9.19 Conclusion on Social Impacts.

- 9.20 Paragraph 8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to support strong, vibrant and healthy communities, by ensuring well-designed and safe built environments, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 9.21 In conclusion the proposal will not harmfully impact residential amenity. Whilst the delivery opening hours will be extended this will still be within the industry standards and has been supported with a noise impact assessment, thus is acceptable. The addition of the Delivery Management Plan will also protect residential amenity further.
- 9.22 The amended wording of the condition allows for a temporary 12 month period to enable any impact to be further assessed if necessary, and is in line with conditions attached at other Aldi stores within the borough. This weights significantly in favour of the application.

9.23 ENVIRONMENTAL SUSTAINABILITY

9.24 Noise

- 9.25 Given the potential noise disturbance which could be caused by the extended delivery hours a detailed and up to date noise impact assessment has been submitted with the application, which supports the proposed hours from a technical perspective. This has been reviewed by Environmental Health.
- 9.26 The purpose of the noise survey was to assess existing ambient noise levels at locations representative of the identified noise sensitive areas. The nearest noise sensitive properties were highlighted as being those dwellings at Lower Moulton Road- NSA 1 (approx. 7m from site boundary) and Richmond Road – NSA 2 (approx. 11m from site boundary). This is shown on the image plan.



- 9.27 The noise survey was undertaken over 4 periods at various times and days of the week to cover both a sample of the existing delivery periods and the proposed extended periods.
- 9.28 The submitted report states that during each of the periods assessed the noise climate was predominately controlled by noise emissions from road traffic on Barnsley Road, as well as distant road traffic to the west and east. Noise was also observed from customers parking and manoeuvring around the existing car park, as well as operational noise from the adjacent Jewsons yard.
- 9.29 One of the main factors which was considered as part of the assessment was the fact the site is a long established existing supermarket and the character of the noise generated by delivery vehicles accessing the site and unloading is not incongruous.
- 9.30 The noise emissions from the delivery operations has been calculated using 3-dimensional computer modelling. Based on the assessment/modelling undertaken, the survey concludes that it is reasonable to suggest that the proposed additional delivery hours do not represent a significant increase in impact over that presently permitted given the background noise environment and mitigation in place.
- 9.31 In addition to this a Delivery Management Plan has been provided which sets out further mitigation measures. This includes:
- No reversing beepers outside of the store opening hours;
 - No use of refrigeration units whilst in the site;
 - Vehicle engines not left running whilst stationary;
 - All unloading to take place internally within the building whereby the vehicles reverse up to a level dock and goods are wheeled directly into the warehouse area.
- 9.32 An additional condition is to be added to the permission in relation to this plan to ensure that further mitigation is put in place and no impact upon residents.
- 9.33 Based on all the information provided it is not considered that the development will harmfully impact noise levels upon the environment or neighbouring land uses.
- 9.34 Highways**
- 9.35 As set out in the Highways DC Consultation response it not expected that the increased delivery hours will impact the highways network. The applicant has not stated that the number of delivery vehicles serving the store will change/alter and simply only the hours in which deliveries will be made to the store is to be amended. The extended hours will not result in an increased number of traffic movements associated with the store, thus no impact in terms of highways.

9.36 Conclusion on Environmental Issues

- 9.37 Paragraph 8 (c) of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.61 A detailed noise impact assessment has been provided which sets out that overall the extended delivery hours will cause no impact upon the severity or duration in comparison to the existing scenario, and that the proposal is acoustically viable.
- 9.62 In addition to this, a delivery management plan has been provided which will be conditioned and adds further restriction/mitigation to ensure the protection from noise. Based on the above there is considered to be no impact upon the environment in terms of noise. In terms of highways there is not considered to be any impact on the existing network or the creation of additional movements. This weights moderately in favour of the application.

9.63 ECONOMIC SUSTAINABILITY

- 9.64 The economic impact will be isolated to the Aldi store itself. The applicant wishes to amend the current delivery hours so that the application store is in line with other stores within the borough. The larger delivery window will help the store provide better service to the existing customer base and improve the store's ability to supply fresh produce and other goods throughout the trading day.
- 9.65 Other Aldi stores within the borough have similar delivery hours to what is being proposed and consistency is sought to allow efficient deliveries across the stores.

9.64 Conclusion on Economy Issues

- 9.65 Paragraph 8 (a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 9.66 The proposal would result in some economic benefit though this is limited to the Aldi store/applicant only. As such the proposal carries limited weight in favour of the application in terms of economic impact.

10.0 PLANNING BALANCE & CONCLUSION

10.1 In accordance with Paragraph 11 of the NPPF (2019) the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh the benefits identified when considered against the policies in the Framework taken as a whole. The proposal is compliant with the adopted development plan and adopted policies and there are no material considerations which indicate the application should be refused.

11.0 RECOMMENDATION

11.1 GRANT planning permission subject to conditions:

1. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans and specifications.
REASON
To ensure that the development is carried out in accordance with the application as approved.
2. The hours of opening shall be limited to:
0800 to 2200 hrs Monday to Saturday and
1000 to 1600 hrs on Sundays.
REASON
To ensure that the development does not prejudice the amenities of the locality.
3. *Amended Condition –*
Unless otherwise agreed in writing, for a temporary period of 1 year only from the date of the decision (and no later than 1st July 2022) the hours of delivery shall be limited to;
Monday - Saturday 07:00 - 23:00 and 08:00 - 20:00 Sundays.

Following that period the hours of delivery shall revert to the following;
Monday - Saturday 07:00 - 21:00 and 09:00 - 18:00 Sundays and Bank Holidays.
REASON
To ensure that the development does not prejudice the local amenity.
4. Noise levels, however produced, shall not, at any time, exceed the prevailing background level of the site as measured at any point on the site boundary.
REASON
To safeguard the aural amenities of the occupants of nearby dwellings.

5. Best practicable means shall be used to restrict the emission of vibration, smoke, fumes, dust, grit or noise including noise from any equipment arising from the development hereby permitted.

REASON

To ensure that the development does not prejudice the amenities of the locality.

6. *Additional Condition-*

All deliveries for the lifetime of the development must be carried out in accordance with the following mitigation requirements as set out in the Delivery Management Plan:

- No reversing beepers outside of the store opening hours;
- No use of refrigeration units whilst in the site;
- Vehicle engines not left running whilst stationary;
- All unloading to take place internally within the building whereby the vehicles reverse up to a level dock and goods are wheeled directly into the warehouse area.

The Delivery Management Plan shall not be amended without prior written approval from the Local Planning Authority,

REASON

To ensure that the development does not prejudice the local amenity.

APPENDIX 1- Location Plan

