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Eastleigh Borough Council
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26 January 2023

Our Ref: 23/5620D

Dear Sir/Madam,

Aldi Foodstore, Hedge End Retail Park, Hedge End, Southampton, SO30 4RT
Application under Section 73 of the Town and Country Planning Act 1990 to Extend Delivery Hours

On behalf of my Client, Aldi Stores Limited, please find enclosed a planning application, which seeks the removal of Condition 17 of planning permission ref. F/21/91821, to allow extended delivery hours at the existing Aldi foodstore at Hedge End Retail Park, Hedge End, Southampton, SO30 4RT. Accordingly, please find enclosed the following documentation:

- Completed application forms and certificates.
- Site Location Plan.
- Noise Assessment (Prepared by Sharps Redmore); and
- Decision Notice (ref: F/21/91821).

A credit card payment for the application fee of £357.00 has been made online via the Planning Portal, and the reference number is ref. PP-12755440.

Planning History

The relevant planning history for the site, in terms of delivery hours, is summarised below:

- Planning permission ref. F/21/91821 was granted in September 2022 for the *'Use of existing retail unit as foodstore (Use Class E) with external building and layout alterations to include changes to car park.'*
- A Non-material amendment to permission ref. F/21/91821 was granted in April 2023 for the following:
 - Adjustment to proposed elevation to depict as-installed position
 - Adjustment to the external positions and associated shopfront glazing
 - Adjustment to parent/child parking

Managing Director
Helen Cuthbert

Directors
Stuart Slatter | Claire Temple | Alastair Close
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- Adjustment to plant compound area

Application Proposals

Planning permission (ref. F/21/91821) includes a delivery hours restriction. Condition 17 of planning permission ref. F/21/91821 reads:

"No deliveries to or from the retail units the subject of this permission shall be undertaken except between the hours of 0700 and 2200 Mondays to Saturdays or 0900 and 1700 Sundays or Bank Holidays.

Reason: To protect the amenity of occupiers of nearby residential properties."

In response to demand for greater operational flexibility in the delivery hours at the store to meet the needs of customers and thus restocking shelves in a safe and efficient manner, and the flexibility to deliver outside of peak hours to avoid traffic and congestion, this application seeks permission for the removal of Condition 17 of planning permission ref. F/21/91821.

Relevant Planning Policy

National and Local Planning Policy that we consider relevant to the application is set out below:

National Policy

The National Planning Policy Framework (NPPF), December 2023, sets out the Government's planning policies for England. In respect of noise, Paragraph 191 of the NPPF states the following:

"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."*

Local Policy

Eastleigh Borough Local Plan 2016-2036

Policy DM8 relates to pollution and states that development will not be permitted if it is likely to cause loss of amenity or impact on public health or other unacceptable environmental impacts through:

- a. air pollution (including odours or particulate emissions);
- b. pollution of surface, underground, coastal waters or other watercourses;
- c. noise or vibration;
- d. light intrusion, both generally and with respect to the South Downs National Park's status as an International Dark Night Skies reserve; or

- e. land contamination

The justification for this policy states that any proposals likely to generate noise (including demolition and construction noise) will be expected to take account of the impact of this on any noise sensitive population, including those using recreational areas.

Similarly, in assessing proposals for noise sensitive development, the Council will expect the developer to take into account existing noise levels and foreseeable changes to these. In doing so, developers must avoid significant adverse noise impacts to residential amenities. Development proposals should ensure that they mitigate and minimise adverse noise impacts and, where possible, contribute to the improvement of health and quality of life.

Context

The Aldi store was granted planning permission in 2022, and is currently open and trading well. In a competitive marketplace, Aldi must have the flexibility to meet consumer needs and demands for fresh produce with maximum product life. As such, a flexible system of stock management and distribution is required.

The sheer volume of stock that the store handles means that Aldi needs to be as efficient and safe as possible at restocking when the store is at its quietest. This is to enable the store to provide the best service and safest shopping environment to its customers. Aldi also prefers to deliver earlier in the morning and later in the evenings when the store and the roads are at their quietest, which reduces any impact, and avoids any unnecessary delays. It is worth noting that the proposed extension of delivery hours would not result in an increase in number of deliveries to the store, instead, existing deliveries would be spread out over a longer period.

From experience with delivery times and operational needs with other Aldi stores across the country, it is apparent that this store does not have the level of flexibility for the successful operation of the store to meet customer demand, and therefore, extended delivery hours are required.

Aldi Delivery Operation

Aldi stores receive only one or two deliveries a day from its HGVs, with additional smaller vehicles being used to bring in locally sourced goods, such as dairy produce. It is important for Aldi that deliveries are able to arrive in time for the fresh produce to be on the shelves before the store opens, and while the store and roads are at their quietest (i.e., before and after the store is open). This has benefits for customers and the local road network. All deliveries to the store are carried out by vehicles controlled by the Aldi logistics team, with the exception of milk deliveries, which are carried out by a contractor.

Aldi's store model adopts a number of techniques to ensure noise can be effectively mitigated during times of delivery. When HGVs arrive at the store, the rear of the lorry docks onto the side of the building to create a seal, meaning no noise should escape from the vehicle or building. Once the lorry is docked, all elements of the delivery take place internally, with no noisy cages being pushed around outside of the building or the car park.

In addition, delivery unloading on average takes only 45-60 minutes and refuse collections take around 15 minutes. Vehicles seek to travel directly from the main road to the service yard, and no vehicles should wait within close proximity to the site if they arrive outside of the delivery hour restrictions, although this issue should not occur if this proposal is permitted.

Impact on Residential Amenity

This application proposal raises one key issue, that is, the effect that the proposed variation of delivery hours through the removal of Condition 17 will have on the amenity of nearby residential properties, and whether any effect would be that adverse so as to outweigh the benefit of the proposal.

In order to assess the impact of the proposals on nearby residents, an up-to-date noise impact assessment has been undertaken by Sharps Redmore Acoustic Consultants, which details the results of a noise survey undertaken at the site.

The service yard at Aldi, Hedge End is located on the west side of the store. The Aldi delivery loading bay is located on the southern side of the store, as part of a larger shared service yard. To the west is Upper Northam Road, which is elevated on an embankment past the site, and beyond the M27 motorway. The closest residential properties are in Goodlands Vale to the south of the retail park.

The noise assessment utilises noise levels of the different components of service activity that have been measured at other Aldi stores and has used the maximum recorded levels to demonstrate a worst-case scenario.

A summary of the noise assessment findings are set out below:

- Sharps Redmore (SR) has undertaken an environmental noise assessment to consider whether the consented delivery hours could be extended at the Aldi store, at Hedge End Retail Park, Southampton to allow deliveries to the loading bay at night.
- This assessment has objectively demonstrated in the context of nationally recognised standards and planning guidance that predicted (and measured) delivery activity noise levels (based on measured delivery activity noise at the Hedge End store) from the Aldi loading bay at any time would not give rise to significant adverse impact and hence would comply with the requirements of the NPPF.

Based on the findings of the noise assessment undertaken by Sharps Redmore Acoustic Consultants, the proposed extended delivery hours will not give rise to any significant adverse impact to the nearest noise sensitive buildings. It is, therefore, considered that the proposal will not have a detrimental impact on the amenity of surrounding residents.

To further ensure that extended deliveries will not lead to a significant adverse impact on nearby residential properties, a Quiet Delivery Scheme has been submitted alongside the application. The Quiet Delivery Scheme includes specific measures to ensure that the deliveries will be carried out in a quiet manner, and do not result in any detriment to public amenity, with particular regard to neighbouring properties. These include drivers arriving on site without excessive engine breaking noise, with the throttle and break only being used when necessary.

Aldi also utilise the latest delivery vehicles that minimise engine noise and gear change noise when vehicles are in use, and Aldi vehicles are not fitted with a tail lift, therefore, no goods can be moved outside of the noise containing dock system. When departing drivers will avoid over revving and seek to accelerate gently until the vehicle is a reasonable distance from the store, minimising excessive air brake noise. Where possible, the Quiet Delivery Scheme also refrains drivers from starting up vehicle refrigeration units until the vehicle is away from the store and residential properties.

On the above basis, it is, therefore, considered that noise relating to the extension of restricted delivery hours will not present a material constraint to the granting of planning permission to remove Condition 17 relating to permitted delivery hours at the Aldi store at hedge End Retail Park, Southampton.

Additionally, the planning balance needs to be taken into consideration when assessing the proposal. Paragraphs 85 and 86 of the NPPF explicitly state that businesses should be supported in adapting to conditions, and to support economic growth.

There are also other positive impacts to the local context of the proposal, including sustainability benefits from more efficient route planning, and highways benefits by lowering day-time traffic levels.

Conclusion

In conclusion:

- i. The Aldi store will provide for the needs of local residents and the surrounding area.
- ii. Permitting Aldi to have extended delivery hours will bring benefits to customers, by allowing a greater operational flexibility for receiving deliveries, and thus restocking shelves in a safe and efficient manner.
- iii. The proposal would not see an increase in the number of proposed deliveries to the store, rather deliveries would be spread out over a longer period.
- iv. A Quiet Delivery Scheme will help to ensure that deliveries are undertaken from arrival to departure will be carried out in a quiet manner, and do not result in any detriment to public amenity, with particular regard to neighbouring properties.
- v. The extended delivery hours restrictions will not have a significant impact in terms of noise and will not impact on existing nearby residents of the store.

I trust that the application is in order and that it can be processed accordingly. Please do not hesitate to contact me should you wish to discuss the above or require any additional information, but in the meantime, I look forward to receiving confirmation that the application has been registered and validated.

Yours faithfully,

A black rectangular box redacting the signature of Jack McLean.

Jack McLean

Assistant Planner

Planning Potential

Bristol

Enc.