



## Report of the Chief Planning Officer

### NORTH & EAST PLANS PANEL

Date: 19<sup>th</sup> June 2014

**Subject: 14/00946/FU: Erection of a food store with associated access, car parking and landscaping at Former Vauxhall car dealership, Sandbeck Lane, Wetherby LS22 7DG**

### POSITION STATEMENT

**APPLICANT**

Aldi Stores Ltd

**DATE VALID**

28.2.2014

**TARGET DATE**

01.08.2014

**Electoral Wards Affected:**

Wetherby

Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: For Members to note the content of the report and to provide feedback on the questions raised at section 10 of this report.**

### 1.0 INTRODUCTION:

1.1 This application is brought to North and East Plans Panel for information. Officers will present the current position reached in respect of this application to allow Members to consider the principle of the development, its design and the impact upon neighbouring residential amenity as well as the impact upon highway safety. It is also considered that Members will benefit from a site visit.

### 2.0 PROPOSAL:

2.1 The proposal is for the construction of a detached retail food store of 1, 418sqm (gross) of which 990 sqm is proposed to be dedicated for nett sales. 70 car parking spaces are proposed (59 standard, 4 accessible bays and 7 parent and child). Areas of landscaping are proposed around the perimeter of the car park. A new pelican crossing and a mini roundabout are proposed as part of the package of off-site works.

- 2.2 The proposed store will be a single storey structure with the customer entrance orientated towards Deighton Road and the loading area positioned to the rear (northeast elevation). The vehicle access for customers and deliveries vehicle is proposed off Sandbeck Lane. The proposed building will be set back approximately 15m from Deighton Road and approximately 20m from Sandbeck Lane. The building will measure approximately 30m by 27m and will be 6m in height.
- 2.3 The opening hours are proposed between 08:00hr to 22:00hr Monday to Saturday and between 10:00hr to 18:00hr on Sundays and Bank Holidays. It is envisaged that 2 HGV deliveries and two small bread and milk deliveries will be made within a 24hour day, with each deliveries completed within 20 minutes. The store will provide employment for 30 staff. Deliveries would however, need to be restricted by condition.
- 2.4 A package of off-site works are proposed as part of the development. The off-site highway works will include;
- The introduction of a signal controlled pedestrian crossing on Deighton Road,
  - A new mini-roundabout at the junction of Sandbeck Lane with Deighton Road
  - Closure of an existing vehicle access onto Deighton Road and the footway reinstated including full height kerbs.
  - The footway along the full length of the Sandbeck Lane site frontage widened to 2m where necessary and reinstated with full height kerbs construction.
  - To carry out any necessary alterations to Traffic Regulation Orders surrounding the site and to any signage or carriageway markings.

### **3.0 SITE AND SURROUNDINGS**

- 3.1 The application relates to an existing car dealership which is now vacant and occupied by a different retailer which is located on the corner where Deighton Road meets Sandbeck Lane. The site features a large detached sales building with car parking and hard standing to the front and side. The site is bounded by residential dwellings to the north and south and business and industry to the east.
- 3.2 The application site is located 600m from the S2 Wetherby centre boundary. Morrisons in the town centre is the only main supermarket in the area. Recently applications for an Asda and Sainsbury's within Wetherby have been refused. Both stores were proposed out of centre.

### **4.0 RELEVANT PLANNING HISTORY**

- 4.1 The site history shows that there have been a number of applications submitted proposing various signage and extensions to the existing car dealership, none of which are particularly relevant to this application.
- 4.2 In 2013 an application for an Asda store was refused on Sandbeck Lane (12/01715/FU). The application was refused for its potential adverse impact on the vitality and viability of Wetherby Town Centre, for its poor accessibility and the Travel Plan was deemed unacceptable.

4.3 In 2012 an application for the erection of a Sainsbury's Store on Leeds Road on the site of the Mercure Hotel was refused for its potential impact on the vitality and viability of the local town centre and for its impact on the character of the area (12/00113/FU).

## **5.0 HISTORY OF NEGOTIATIONS**

5.1 Pre-application discussions took place in 2013 relating to the principle, design, siting and layout of the proposed store as well as the highways implications. The applicant was given the following advise;

- The store is in an out-of centre location therefore is contrary to retail policy. A sequential test to assess the impact of the store is not required as the proposal is below the threshold of 2,500 sqm. However, it was advised that that it would be good practice to submit an impact assessment.
- Access is acceptable but car parking numbers were low.
- Scale and design considered acceptable.
- Due to the close proximity to neighbouring dwellings the proposed store may appear dominant.
- Need to carry out community consultation.

5.2 The application is the subject of a Planning Performance Agreement (PPA) which sets out a timeframe for the consideration and assessment of the planning application, including schedule dates for progress meetings. In compliance with the PPA the Pre-app meeting took place in 25 October 2013. Following further discussions the PPA was revised so that the determination date can be extended to 1<sup>st</sup> August 2014.

5.3 A key concern with the application is the close proximity of the proposed store to the dwellings to the north and northwest of the site. The applicant was advised of the concerns and as such has revised the scheme to show the store moved away from the residential dwellings. Section plans have been submitted that show the hedging along the boundary with No.17 Briar Gates will be retained and that the effectively hedges screen the closest elements of the proposed store.

## **6.0 PUBLIC/LOCAL RESPONSE**

7.1 The application was publicised by site notices which were posted adjacent to the site on 14th March 2014. An advert was also placed in the local press on 27th March 2014.

7.2 Wetherby Town Council has raised no objection to the scheme.

7.2 To date 169 letters of support were received. The majority of the support comments raise the following points;

- Increased shopping choice
- Competition is good, Aldi is value for money
- The proposal will create job opportunities

7.4 13 objections have been received and 1 letter of general comment has been submitted. The letters raise the following issues;

- The proposal will have an adverse impact on dwellings that adjoin the site form dominance, overshadowing, noise, lighting and air pollution.
- Noise omitted from refrigeration plant will harm residential amenity.
- The number of parking spaces proposed is low and will not satisfy the likely parking demands.
- The proposal will cause highway safety issues at this busy junction.
- The road safety networks cannot sustain the large delivery vehicles coming and going from the site.
- The proposal will have an adverse impact on the character of the area.
- The proposal will harm the vitality and the visibility of the town centre.
- The number of jobs proposed to be created is exaggerated.
- The proposal will set a precedent for granting other out of centre retail development.
- Contrary to the claim made by the applicant Aldi is a supermarket not a convenience store.
- There will be no link trips to the town centre nor will the proposal be integrated to the town centre.
- The redline boundary is inaccurate.
- The proposal will raise the risk of flooding.
- The height of the building shown on the plans is inaccurate and does not take into account the difference in ground levels.
- The Sandbeck Lane needs to be widened.
- The Sainsbury's and Asda sites where more suitable.

## 8.0 CONSULTATION RESPONSES

### Statutory:

8.1 None

### Non-statutory:

8.2 Public Right of Way- No objection

8.4 Architectural Liaison Officer- recommends a number of measures that will reduce the potential for crime and antisocial behaviour. The measures relate to the type of windows, doors, glazing, locks and fencing that should be installed.

8.5 Public Transport (Project Team)- comments that the proposal will generate large number of trips a portion of which will be via public transport. Therefore, it is requested that a financial contribution of £67,354 should be sought towards the cost of transport enhancement which are needed to accommodate the additional trips.

8.6 Yorkshire Water- No objection, subject to conditions

8.7 Travelwise' (Travel Plan Officer)- comments that a full travel plan should be submitted and that a draft is not acceptable and that a monitoring fee of £2500 is should be secured thereafter.

8.9 Contaminated Land Officer- No objections to the proposal subject to conditions.

8.10 Environmental Health- Environmental Health Raise no objections provided conditions are imposed including a condition that restricts the hours of delivery.

- 8.11 Mains Drainage- No objections, subject to conditions.
- 8.12 Metro- Comments that a Metro new live bus information display should be erected at one of the bus stops at a cost of £10,000, and that a good pedestrian access to and from the site to the bus stops should be provided.
- 8.13 Highways- raise concerns relating to the level of car parking being proposed.
- 8.14 Forward Planning and Implementation- comments that, in this specific instance, it has been demonstrated to our satisfaction that the development could not be located within a town centre and that it would not have a significant adverse impact upon town centres or planned investment within them.

## **9.0 PLANNING POLICIES:**

- 9.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

### Development Plan

- 9.2 The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan (Review 2006) which is supplemented by supplementary planning guidance and documents. The Development Plan also includes the Natural Resources and Waste Development Plan Document (2013): Developments should consider the location of redundant mine shafts and the extract of coal prior to construction.
- 9.3 The application site itself is not covered by a particular designation within the Unitary Development Plan Review.
- 9.4 The following UDP policies are relevant to the consideration of the application:
- SP6 – Distribution of land for employment uses
  - SP7 - Priority to be given to enhancement of the City Centre and town centres
  - GP5 – General planning considerations;
  - GP11 – Sustainable Design Principles
  - E7 – Loss of Employment Land to other uses
  - N12 – Urban design principles;
  - N13 – Design of new buildings;
  - N19 – New buildings within or adjacent to conservation areas
  - N24 – Development abutting green belt, green corridors or other open land
  - N25 – Boundaries of sites to be designed in a positive manner
  - T2 – New development and highway safety;
  - T5 – Access for pedestrians and cyclists;
  - T6 – Provision for disabled people;
  - S5 - Criteria for out-of-centre major retail development (above 2,500 sq.m gross)
  - BD5 – New buildings, design and amenity;
  - LD1 – Landscape schemes

- 9.5 Emerging Policy – Draft Core Strategy  
The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26<sup>th</sup> April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of

State for examination and an Inspector has been appointed and examination has taken place.

- 8.5 Further examination sessions also took place in May 2014 on a limited number of housing issues. The modifications required will be the subject of further consultation and formal adoption is anticipated later this year. Therefore, some weight can now be attached to the document and its policies. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. It recognises Wetherby as a Major Settlement. Relevant policies are:

- P2 - Sets out acceptable uses within and on the edge of town centres, and includes supermarkets and is subject to a sequential assessment.
- P5- Sets out the approach to accommodating new food stores across Leeds and directs such stores towards town and local centres.
- P8 - Sets out the approach for sequential and impact assessments for town centre uses. It requires proposals which have a total gross floor area of 1,500m<sup>2</sup> to be accompanied by sequential and impact assessments.
- P10- Relates to good design.
- T2- Requires new development to be located in accessible locations.
- EN1- Relates to climate change.

#### Supplementary Planning Guidance/Documents

- 9.6 Public Transport Improvements and Developer Contributions SPD.
- 9.7 Travel Plans SPD
- 9.8 Sustainable Design & Construction SPD “Building for Tomorrow Today”
- 9.9 Neighbourhoods for Living – General design principles and minimum separation distances.

#### National Planning Policy Framework

- 9.10 From 27 March 2012 The National Planning Policy Framework (NPPF) took the place of the PPS’s and PPG’s and is now a material consideration when making planning decisions. The NPPF sets out the range of the Government’s planning policies and sets out the requirements for the planning system but only to the extent that it is relevant, proportionate and necessary to do so. In particular there is an emphasis on decision making at a local level where communities and their accountable Council’s can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of communities through up to date development plans to achieve the economic, environmental and social aspects of sustainable development. These dimensions give rise to the need for planning system to perform a number of roles:
- The economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

- The social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;
- The environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

9.11 Paragraph 14 sets out the presumption in favour of sustainable development, which means:

*“where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:*

*- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this (NPPF) framework taken as a whole; or*

*- specific policies in this framework indicate development should be restricted.”*

9.12 Section 2 sets out the approach towards ensuring the vitality of town centres. It stipulates that local planning authorities should apply a sequential test to planning applications for town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

9.13 Paragraph 26 requires that *“when assessing applications for retail development outside of town centres, which are not in accordance with an up-to-date Local Plan, LPA’s should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:*

- *The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
- *The impact of the proposal on town centre vitality and viability, including local customer choice and trade in the town centre and wider area....”*

9.11 At paragraph 27 the NPPF advises that:

*“Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.”*

9.12 The NPPF acknowledges that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It advises that planning decisions should address the

connections between people and places and the integration of new development into the natural, built and historic environment. At paragraph 64 it states:

*Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

## 10.0 MAIN ISSUES

- Principle of Development
- Design
- Highways
- Impact on Neighbouring Residential Amenity

### Principle of the Development

- 10.1 The proposal seeks permission for an out of centre retail store on this unallocated site situated some 600m away from the edge of Wetherby Town Centre. It is considered that the proposal is contrary to the NPPF and the Leeds City Council Unitary Development Plan (Review 2006) and the emerging Core Strategy, which both seek to direct town centre uses to town centre locations. This therefore means that in line with paragraphs 24 and 26 the application is required to undertake a Sequential Assessment and potentially an Impact Assessment.
- 10.2 The emerging Core Strategy adopts the same town centres first approach endorsed by the NPPF. The Core Strategy has now been through the Examination in Public and whilst there are still matters to be resolved (Gypsy and Travellers and Affordable Housing) the Inspector has indicated that he only wishes to see minor amendments to the policies relevant to this application. It is therefore the formal, legal position of Leeds City Council that the relevant Core Strategy policies should be given significant material weight.
- 10.3 Policy P1 identifies Wetherby as a Town Centre, the highest order of centre below the city centre. Policy P5 states:

(I) Food stores will be directed towards the town and local centres identified in Policy P1.

(II) Sites on the edge of town and local centres will be considered where there are no available, viable or suitable sites within centres.

(III) A number of town centre could perform more successfully as major locations for weekly shopping needs if they included investment in new food store provision and/or redevelopment of existing facilities to expand their retail offer or expand their function. Appropriate provision within centre or on edge of centre will be encouraged, and will be supported where sites can be identified in the following locations:

- Armley
- Chapel Allerton
- Cross gates
- Dewsbury Road
- Farsley
- Headingley
- Holt Park
- Horsforth Town Street
- A new centre at Richmond Hill
- Holbeck



- 10.4 It is important to note that Wetherby is not included and is therefore has not been identified within the Core Strategy as a centre that is in need of new convenience provision.
- 10.5 Policy P8 sets out the scope for the sequential tests for edge of centre and out of centre developments. In this case for an A1 Retail proposal, out of centre, within a residential area and of a size between 373-1,499 sqm, the catchment for a sequential assessment is 5 minute inbound off peak drive time. There is no requirement for an impact assessment.
- 10.6 Although a sequential test is not required, the applicant was advised at the pre-app stage that the completion of one would fully explain the impact the scheme would have on Wetherby Town Centre, which is a major concern for the people in the area. The applicant has duly submitted an impact assessment. Having, considered the information presented by the applicant, the Forward Planning and Implementation Team agrees with the applicant that there are no sequentially preferable sites which would be capable of accommodating the proposal.
- 10.7 The assessment submitted suggests that the proposed Aldi will have a trade diversion impact of 4.9% on Wetherby Town Centre and specifically 5.3% on Morrisons.
- 10.8 Officers disagree with the trade diversion figures given by the applicant which states that 15% of the store's turnover would be derived from inflow, when it was deemed by England & Lyle when considering the larger Asda and Sainsbury's proposals in the town would only account for 10% clawback. In addition, the proposed extended Morrisons in Wetherby would generate its own degree of clawback which appears not to have been accounted for by the applicant. It is also considered overly optimistic to expect that 31% of turnover would be generated from clawback when England & Lyle estimated clawback for the Sainsbury's proposal in Wetherby was highly unlikely to rise above 20%. In response to the issues raised by officers, the applicants have stated that the Asda/Sainsbury's cases cannot be compared to this proposal, simply because of the lack of an Aldi within the Wetherby/Harrogate area. Whilst there are large Asda and Sainsbury's foodstores in Harrogate which would have reduced inflow, this is not the case with this proposal and therefore the inflow and clawback is likely to be higher.
- 10.9 Although the figures given by the applicant is questionable, it is considered that these figures as minor over-estimates, in order to ensure that any potential adverse impact is not masked. In any case, if the estimated level of clawback and inflow are brought down to more realistic levels for the proposed Aldi store (20% and 10% respectively) the trade diversion is still only likely to be between 6-7% impact upon Wetherby Town Centre. It is therefore clear that the impact of the Aldi is a significant order of magnitude lower than that of the refused Sainsbury's and Asda proposals. This is to be expected as the proposed Aldi is significantly smaller and Aldi's tend to generate roughly half as much revenue per square metre as the 'Big Four' supermarkets.
- 10.10 Wetherby is a strong and successful town centre and a development of this size and nature is unlikely to have a significant adverse impact upon the vitality and vibrancy of Wetherby, nor is likely to affect Morrison's expansion plans owing to the small amount of trade proposed to be diverted from the existing Morrisons.
- 10.11 The Council does not seek to encourage out of centre retailing and always in cases such as these are of the opinion that the development would be far better located within existing centres. However, in this specific instance it has been demonstrated that the development could not be located within a town centre and that it would not

have a significant adverse impact upon town centres or planned investment within them. It has therefore passed the Sequential and Impact Tests and there is no objection to the proposal from a retail policy perspective.

**Are Members comfortable with the principle of this proposal to provide a discount foodstore on this out of centre site and are Members satisfied that the proposal will not harm the vitality and the viability of the Wetherby Town Centre?**

### Design

- 10.12 The scheme proposes a larger single storey building located towards the centre of the site and running close to the boundary with the adjacent residential properties to the north western boundary with car parking areas fronting Sandbeck Lane and Deighton Road. The proposal replaces a large commercial building with no particular architectural merit, with another large commercial building. The proposal will be a simple flat roof structure which is deigned to appear as a typical supermarket. The white render and glazing are hall marks of the newer Aldi buildings built across the country.
- 10.13 Whilst the location of the proposed building is set away from the Sandbeck Way and Deighton Road frontages, there is an argument to suggest that this results in a lost opportunity for a proposal which responds more positively to its surroundings. The current proposal provides the car parking to the front of the store with some landscaping to help soften its impact. If the building were to be relocated further towards the road frontages, this may result in a more appropriate form of urban design and result in the prominence of large areas of hardstanding. However, such a proposal would need to be undertaken in a way which does not harm the living conditions of the neighbouring residential property to the north which fronts onto Deighton Road. Members views of the siting of the proposed building and therefore specifically sought.
- 10.14 In terms of materials, white render is not a common feature on the building along Deighton Road with buildings that are generally constructed of simple stone and brick. Therefore, it is considered that the white render may result in the building appearing overwhelmingly striking from the street on its approach which will have a negative impact on the character of this area. It is considered that a more muted colour should be proposed or perhaps the use of brickwork.

**Do Members have concerns relating to the design, materials and layout of the development including whether the building should be positioned closer towards the road frontage?**

### Highways

- 10.15 Highways DC has raised concerns relating to the level of car parking provisions for the proposed development. Based on UDP guidelines an A1 food retail store of 1,410m<sup>2</sup> would require 101 car parking spaces whereas only 70 spaces are indicated on the submitted plans. As such, the current scheme is some 31 spaces short of the maximum provision as set out in the UDP. It is recommended that the scheme should be revised to accommodate the additional parking provisions.
- 10.16 It is envisaged that 2 HGV deliveries and two small bread and milk deliveries will be made with a 24hour period, with each delivery completed within 20 minutes. Service

vehicles visiting the site will use the same access as the customer car park. The supporting Transport Statement indicates that the main deliveries would be carried out by articulated HGVs whilst the store would be operational. As such, it is considered that there would be potential for conflict between reversing lorries and customers using the access/parking area at delivery times. In order to overcome this issue it has suggested that HGV visits should preferably take place outside the opening hours of the store (as per the bread/milk deliveries) and if this cannot be achieved (e.g. for planning/amenity reasons) then a Servicing Management Plan should be introduced to minimise any potential difficulties associated with the delivery process. The Service Management Plan should apply to all commercial vehicles visiting the site (i.e. both delivery and refuse/waste collection).

10.17 In response to the concerns raised by Highways the applicant submitted further evidence that attempts to demonstrate that the level of parking proposed is adequate to meet the needs of the store of this size. The Highways Officer has as yet to comment on the additional information.

10.18 A package of off-site works is proposed as part of the proposed development, which is shown in an indicative form on the submitted Highways Plan. It is considered that the off-site works are acceptable in principle. The off-site highway works will include;

- The introduction of a signal controlled pedestrian crossing on Deighton Road,
- A new mini-roundabout at the junction of Sandbeck Lane with Deighton Road
- Closure of an existing vehicle access onto Deighton Road and the footway reinstated including full height kerbs.
- The footway along the full length of the Sandbeck Lane site frontage widened to 2m where necessary and reinstated with full height kerbs construction.
- Any necessary alterations to Traffic Regulation Orders surrounding the site and any required signage or carriageway markings.

**Do Members feel that the parking, access and delivery provisions are acceptable?**

**Are Members satisfied with the package of off-site works proposed?**

#### Impact on Neighbouring Residential Amenity

10.19 A number of the residents raised serious concerns over the impact of the building on the living conditions of the residents that occupy the dwellings to the north western boundary. Whilst the shadow studies plan show that there will no significant overshadowing resulting from the development when compared to the current situation, concerns still remain in terms of dominance and the overbearing sense of enclosure that residents would feel. The proposed building would span the entire length of one back garden and would span the entire rear boundary of another.

10.20 The applicant in attempt to reduce the impact of the structure has revised the drawings to show the proposal set back approximately 2.7m from the adjoining residential dwellings and has proposed to retain the existing soft landscaping along the north-western boundary. The applicant has submitted a tree surveys showing the

root protection area (RPA) and an impact assessment in order to demonstrate that the landscaping can be retained.

- 10.21 Having analysed the additional information submitted the Landscape Officer still holds strong concerns that the hedges, given their close proximity to the retail store, will be difficult to retain and that there is a strong possibility that the hedges will be harmed or removed. A gap of only 0.6m will be retained between the side elevation of the food store and the RPA zone of the hedges, the Landscape Officer feels that this will not provide sufficient space for the laying of foundations or for general construction works to take place. Although, the landscape plans show that a protection fence will be erected, due to the lack of space, parts of the fence will be erected within the RPA zone and will therefore mean that hedge roots will not be fully protected during the construction period. This further suggests that there is a strong possibility of the hedges being harmed. Given the strong possibility that the hedges cannot be retained, it is considered that the proposal will have an overbearing impact on neighbouring residential properties to the extent that it will harm their quality of life.
- 10.22 A noise impact assessment has been submitted in support of this application, the scope of the report was to assess noise from the fixed plant (external compressors for refrigeration equipment) and the possible noise impact from the deliveries on the nearby residents. Environmental Health is satisfied with the noise assessment for the fixed plant (which would be operated day and night) and comments that the recommendations of the report should be implemented i.e. erection of solid timber fence around the refrigeration equipment. However, there are some concerns about the noise from deliveries during the night.
- 10.23 Environmental Health has no objection to the deliveries being made during the day-time but are concerned that night time deliveries will result in noise nuisance and complaints from the nearby residents. When deliveries are made, it is highly likely that there will be some incidents when the noise levels significantly exceed the background noise levels due to banging and clanking noises. The Environmental Health Officer is therefore recommended that night-time deliveries be restricted via condition.

**Do Members have concerns relating to the impact of the development on the dwellings that adjoin the north-western boundary of the site?**

**Are Members satisfied that the noise emitted from the refrigeration unit will not harm the living conditions of neighbouring residents?**

**Do Members have concerns relating to the potential noise from delivery vehicles operating at night?**

## **11.0 CONCLUSION**

- 11.1 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback on the questions summarised below:

- **Are Members comfortable with the principle of this proposal to provide a discount foodstore on this out of centre site and are Members satisfied that the proposal will not harm the vitality and the viability of the Wetherby Town Centre?**

- **Do Members have concerns relating to the design, materials and layout of the development including whether the building should be positioned closer towards the road frontage ?**
- **Do Members feel that the parking, access and delivery provisions are acceptable?**
- **Are Members satisfied with the package of off-site works proposed?**
- **Do Members have concerns relating to the impact of the development on the dwellings that adjoin the northwestern boundary of the site?**
- **Are Members satisfied that the noise emitted from the refrigeration unit will not harm the living conditions of neighbouring residents?**
- **Do Members have concerns relating to the potential noise from delivery vehicles operating at night?**

**Background Papers:**

Application and history files.

Certificate of Ownership: Certificate B signed and notice served on Nidd Vale Motors Limited; Betty Ann Tomlinson; and Michael Rowlands.



Revisions

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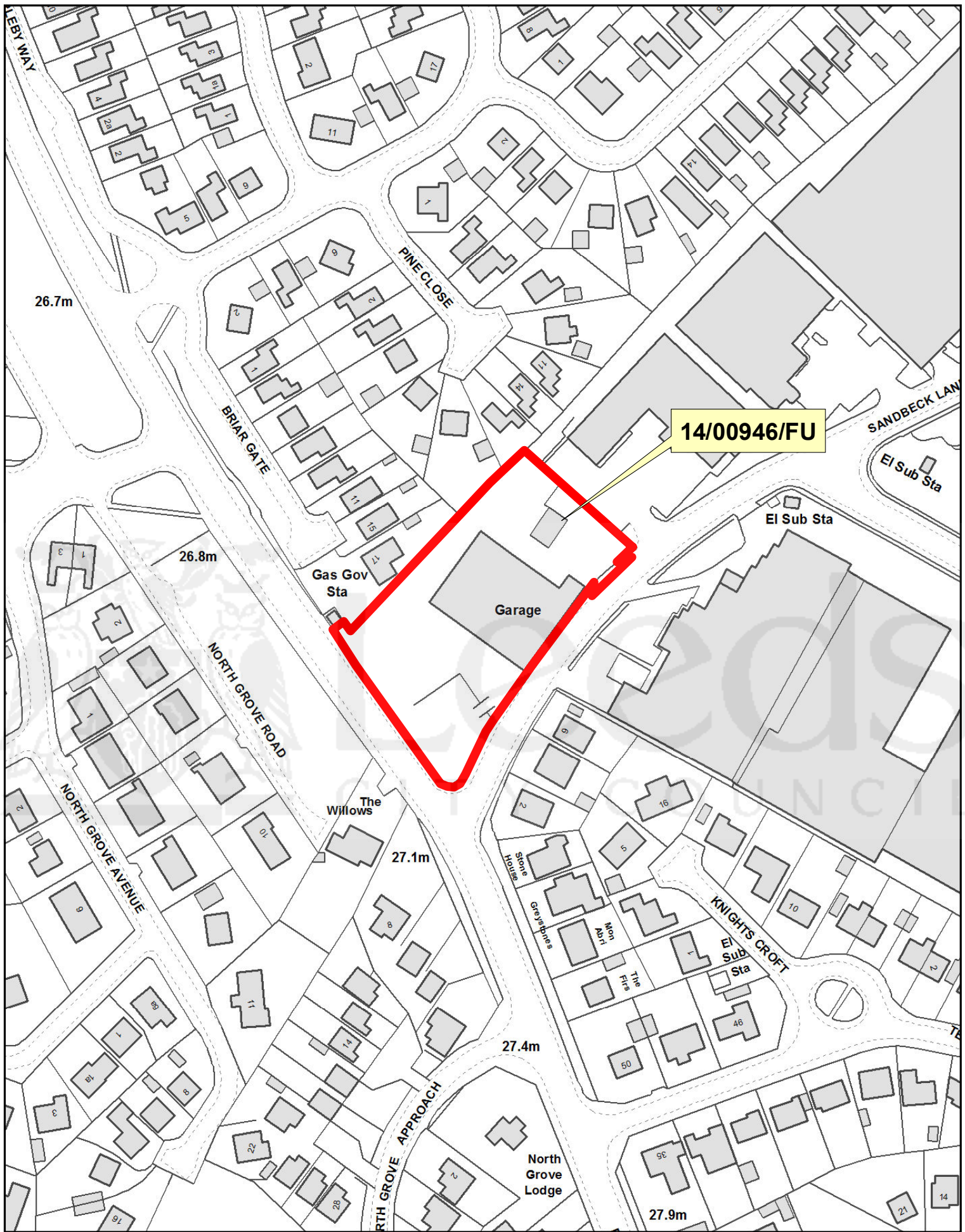
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Client	Aldi Stores Ltd	Project	Aldi - Wetherby
Project Address	Sandbeck Lane, Wetherby	Drawing Title	Proposed Site Plan
Drawn	JWC	Checked by	
Date	13.02.14	Scale	1:250 @ A1
		Drawing Number	0141 - AL(0)04
		Revision	

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Projekt



# NORTH AND EAST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500

