

**Reference:** 06/13/0422/F

**Officer:** Mr G Clarke

**Expiry Date:** 09-09-2013

**Applicant:** Lidl

**Proposal:** Variation of condition 4 of pp 06/04/0317/F to permit deliveries on Sundays and Bank Holidays during the hours 8am -6pm

**Site:** Lidl

Pasteur Road

Great Yarmouth

## **REPORT**

### **1 Background / History :-**

- 1.1 The Lidl store is sited between Pasteur Road to the north west and Station Road to the south east, to the south west of the site is the B & M store and to the north east is the Thurlow Nunn car dealership. There is a housing to the north east at Plevna Terrace and the main residential area of Southtown is on the opposite side of Station Road to the south east.
- 1.2 When the original planning application for the store was approved in 2004 (ref: 06/04/0317/F) a condition was imposed restricting the opening hours of the store and limiting deliveries to 7.30am to 21.30pm Monday to Saturday with no deliveries on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 1.3 In 2007 a planning application was submitted (ref: 06/07/0899/F) to vary condition 4 to allow deliveries on Sundays and Bank Holidays during trading hours (10am to 4pm). This application was refused on the basis that the extended delivery times would cause disturbance to nearby residents on days when they would not normally experience such activity.

### **2 Consultations :-**

- 2.1 Highways – No objection
- 2.2 Environmental Health – There have been no formal complaints received by Environmental Health regarding vehicle movements. I therefore believe that activities at the current development do not subject nearby residents to

unreasonable levels of noise. I also note that the hours of use will be restricted to between 08.00 and 18.00 and that the development is adjacent to the main road serving Southtown and Great Yarmouth from the north bound A12. Accordingly I would expect that the use of the development would coincide with elevated background noise from the use of what is already a busy main road.

- 2.3 Neighbours – two objections have been received copies of which are attached. The objections are on the grounds of noise and disturbance caused by delivery vehicles.

### **3 Assessment :-**

- 3.1 The loading bay for the store is on the side of the building nearest to the dwellings on Station Road, when the original application was considered concerns were raised by the nearby residents regarding potential noise and disturbance from vehicles delivering to the site. When the application was approved it was with a condition limiting the opening hours of the store to 8am to 9pm Monday to Saturday and 9am to 6pm on Sundays and Bank Holidays. The condition also restricted deliveries to 7.30am to 9.30pm Monday to Saturday with no deliveries on Sundays or Bank Holidays.
- 3.2 The applicant now wishes to vary the condition to allow deliveries to take place on Sundays and Bank Holidays during the hours of 8am to 6pm. In 2007 an application to vary the condition to allow deliveries on Sundays and Bank Holidays during the hours of 10am to 4pm was refused. This was on the grounds that the condition had been imposed to protect the nearby residents from noise and disturbance caused by deliveries outside the permitted hours and particularly on Sundays and Bank Holidays. The relaxation of the condition would be contrary to the intentions of the original permission and would result in activity and disturbance on days when residents could reasonably expect the peaceful enjoyment of their homes.
- 3.3 This previous refusal was for shorter hours than are now proposed and deliveries would have been made during the opening hours of the store when residents would expect there to be some activity at the site from customers of the store. The start time now proposed would be before the store is open in the morning and therefore noise from deliveries would be more noticeable.
- 3.4 Since the store has been open, complaints have been made to the planning department in 2007, 2011 and 2012 regarding deliveries being made to the store outside the permitted hours. The breaches alleged included Sunday deliveries, deliveries early in the morning and late at night. In 2007 a Breach of Condition Notice was served on Lidl requiring compliance with the condition.
- 3.5 Lidl have submitted with the application a copy of their Service Yard Management Plan (copy attached) which sets out the way that the service yard should operate. However from the two letters of objection that have been

received it seems that the Management Plan has either not been complied with or is ineffective in preventing disturbance to the nearby residents.

- 3.6 Although the Council has some sympathy with Lidl's efforts to have more efficient deliveries this should not be at the expense of the amenities of the occupiers of nearby dwellings. In this case the delivery area to the store is sited close to the residential area and over the years that the store has been open the planning department has received complaints regarding breach of the existing conditions. The applicant has suggested the construction of an acoustic fence along the Station Road frontage and this may help to restrict noise from within the site. However complaints have mainly been made about delivery vehicles arriving early and parking on the road outside the site and the fence will not help with these situations.
- 3.7 When the application was originally approved the condition was imposed so that residents would have some break from activities at the site, when the application to vary the condition was refused in 2007 it was for the same reasons. The present application is for longer hours than the 2007 application and as circumstances do not appear to have changed since then, there is no reason to approve the current application.

#### **4 RECOMMENDATION :-**

Refuse – the extended delivery hours will be likely to result in increased noise and disturbance to the occupiers of nearby dwellings.

ACK 29/8/13

5  
Jackie Schneider  
11, station road  
Great Yarmouth  
NR31 0HB

25<sup>th</sup> August 2013



Dear Sir,

Application: 06/13/04422/F

Planning permission to permit deliveries on Sundays and Bank Holidays  
at LIDL, Pasteur Road, Great Yarmouth

With regards to the above planning application, I would like to raise objections to the above proposal

When LIDL first sought consent to build their outlet on Pasteur Road it was with the implicit agreement that deliveries did not take place on either Sunday or Bank Holidays, I assume out of consideration for those residents, such as my family, who live in close proximity (approx 7 metres away) and who would be disturbed by off-loading on what are predominantly days of rest

Initial plans for the store showed a much higher wall between the residents opposite and the delivery bay than currently exists, this may have prevented some noise exchange. However this did not occur and despite requests for additional screening only some fencing around the ugly and very noisy compactor was provided.

While actual unloading of deliveries to LIDL generally take place within stated timeframes, this does not prevent Trucks from arriving earlier and leaving engines running, dropping tail-gates, opening roller doors and moving pallets around outside of agreed times.

I wish LIDL well and can see the benefits of the store to our local community, however I feel if the existing limitations were deemed appropriate in the first instance and again when the request was raised more recently, the limitations should be upheld as nothing has changed. I strongly believe we are entitled to some respite on Sundays and Bank Holidays and therefore request that you give this consideration when reviewing this application

Yours sincerely

[Redacted signature]

Jackie Schneider



**From:** Stuart Robertson [<mailto:smrobertson73@ntlworld.com>]  
**Sent:** 27 August 2013 19:45  
**To:** Penny S. Linden  
**Cc:** Gemma M. Manthorpe  
**Subject:** application 06/13/0422/F proposal to change delivery times

Dear Mrs. Manthorpe,

Reason for contact: Lidl Store on Station road, Southtown & Curfew operating Hours.

We've recently been away on holiday to come home and find Lidl's have requested a proposal to amend their operating Hours for deliveries- Now to include Sundays and Bank Holidays.

I gather this was originally rejected when they first applied for planning permission to build and operate the store, **Are you able to confirm what the objections were then and what has changed now?**

I write in connection with the above planning application. I have examined the plans and I know the site well. I wish to object strongly to the change in the permitted Delivery times proposed (application 06/13/0422/F)

Lidl's have continually failed to operate within the guideline set out in the original agreed Planning application allowing Lidl's to build and operate from this residential location.

They have failed numerous times to adhere to verbal and written warnings to operate within the parameters of the agreed Planning application and continue to do so (Admittedly not as frequently)

I will be sending this to the appropriate department to voice my objection before the date set out in the letter, read on the 28<sup>th</sup> of August 2013.

I do look forward to hearing from you regarding the highlighted question above.

Yours sincerely,  
Stuart Robertson.

**Service Yard Management Plan**  
**Lidl UK GmbH**  
**Pasteur Road**  
**Great Yarmouth**

06/13 / 0422 / F

## **Introduction**

This document sets out Lidl's Service Management Plan (LSMP) for their foodstore in Great Yarmouth.

## **Service Management Objective**

The objective will be to ensure that the service yard operates efficiently and effectively; thereby minimising any incidence of potential disruption on the highway and noise disturbance to local residents.

## **Service Yard Management Strategies**

A combination of strategies will contribute to the operation of the LSMP. These are:

- The Revised Delivery Process;
- Delivery Vehicle Manoeuvres;
- Delivery Schedules for Lidl's Vehicles; and
- Direct Delivery Strategy.



## **Revised Delivery Process**

Lidl has recently introduced a revised method of service yard operation; this is known as 'The Revised Delivery Process'. The underlying basis of the process is to increase and improve availability of products to the customer. This is achieved by the introduction or increased emphasis on the following key targets:

- Improvements to, or reductions in the number of processes;
- 24-hour ordering of stock, this is basically 'just in time' deliveries, which are designed to reduce the amount of stock being carried over;
- All deliveries to be worked twice in each 24-hour period, resulting in stock being transferred to shelves quickly;
- Processes in place to return empty pallets and TK Boxes;
- Stores targeted on delivery vehicle turnaround; and

- Depots also targeted on delivery vehicle turnaround.

The introduction of the above processes delivers faster, more effective operations in the store service yard, reduces time and congestion in those yards and improves product availability to customers.

### **Delivery Schedule for Lidl's Vehicles**

The envisaged typical daily delivery programme for a Lidl store is for the mixture of perishables, non-perishables, frozen and kitchen-line goods to be delivered once a day. The process sets targets that aim to minimise the time taken for vehicle turnaround, reducing potential for noise in the yard.

### **Direct Delivery Strategy**

In line with Lidl's policy, all transport contractors will be issued with a brief, detailing a map indicating the correct route (avoiding any restricted highways) and vehicle manoeuvre on site.

### **Store Operations**

There are also a number of management and operations measures to reduce noise levels within the service yard which include:

#### ***The Journey***

- During the final approach to the store, refrigeration units within vehicles will be switched off (during the hours of darkness) and remain switched off during unloading; and
- When within the service yard, vehicles will switch off their engines (during the hours of darkness); and
- Access into the service yard should be unrestricted. However, if entry is restricted, vehicles should stop; switch off engines, radios and headlights, and contact store staff.

#### ***Within the Service Yard***

- Vehicle radios will be switched off;
- Vehicle headlights will be switched off when stationary and vehicle lights will be used for vehicle manoeuvring only, to aid safe movement;

- The use of external alarms or speakers will be prohibited within the service yard;
- The internal alarm will be muffled to reduce potential for disturbance;
- Drivers will be advised to use signage within and outside the yard, reminding staff and drivers to be quiet at all times;
- Noise generation from vehicle manoeuvring into loadings to be kept to a minimum;
- Vehicle reversing 'audible warning' to be switched off during night-time periods (ie when dark), without compromising safety;
- At all times drivers will be advised to:
  - engage gears within minimal noise;
  - keep engine revs to a minimum;
  - apply brakes gently; and
  - close doors with minimal noise.

### ***Unloading/Re-loading***

- Drivers should ensure that engine and refrigeration units are switched off once the vehicle is stationary and in the unloading position;
- Drivers should seek to:
  - lower loading plates into the correct position with minimal noise;
  - avoid making contact with trailer walls, lift guardrails and other obstructions; and
  - maintain conversation to a minimum.

### ***The Return Journey***

- All vehicle doors will be closed with minimal noise;
- Drivers should refrain from starting up vehicle refrigeration units (if required) until the vehicle is a reasonable distance from the store and neighbouring dwellings;
- Drivers should seek to:
  - engage gears within minimal noise;
  - keep engine revs to a minimum;
  - apply brakes gently; and
  - accelerate gently until the vehicle is a reasonable distance from the store.



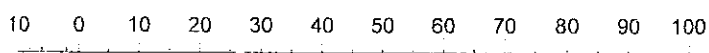
## **Conclusion**

It is concluded that the LSMP will help to improve the overall operation of the delivery strategy at the Great Yarmouth store, removing issues relating to vehicles causing noise disturbance to local residents.



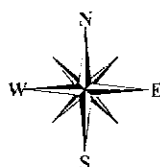
**GREAT YARMOUTH**  
**BOROUGH COUNCIL**

Planning and Business Services,  
Town Hall, Great Yarmouth,  
Norfolk. NR30 2QF



Metres

Scale = 1:1250 @ A4



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