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Havant Borough Council
Planning Department
Civic Offices
Havant
Hampshire
P09 2AX

Our ref: ALDA2124
Your ref: PP-02107727
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Dear Sirs

**S73 APPLICATION FOR DEVELOPMENT WITHOUT COMPLIANCE WITH CONDITION 18 OF
PLANNING PERMISSION 04/59412/002 - ALDI FOODSTORE, HAVANT**

On behalf of my client, ALDI Stores Limited, please find enclosed a S73 application for development without compliance with Condition 18 of planning permission 04/59412/002 (a copy of which is enclosed), relating to the existing ALDI foodstore in Havant.

Decision notice 04/59412/002 granted consent for the demolition of existing buildings and construction of 7,793sqm gross of A1 Retail units and 258 square metres gross of A3/A1 drive through restaurant/retail unit with car parking and service facilities associated highway works and revisions to the road layout. Condition 18, the subject of this application, restricts the delivery hours to the site. Condition 18 currently states:

"No deliveries or collections shall be made to the premises in the area to the rear of the retail units (north and west elevations) except between the hours of 0700-2100 on Monday to Saturday and 1000-1700 hours on Sundays and recognised Public Holidays."

Reason: To minimise the disturbance to neighbouring residential properties and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and Policy 7 (Part 2) of the Havant Town Centre Action Area Local Plan 1995.

Accordingly, this application comprises the following documents and drawings:

- Application Forms
- Site Location Plan
- Decision Notice 04/59412/002
- Noise Assessment (ENTRAN Ltd)

A cheque for £195, made payable to Havant Borough Council, will be submitted under separate cover, quoting the relevant Planning Portal reference number.

APPLICATION PROPOSALS

This application seeks permission for development without compliance with Condition 18 of decision notice 04/59412/002. We propose that an alternative condition be imposed as follows:

“With the exception of Units 4 & 5, no deliveries or collections shall be made to the premises in the area to the rear of the retail units (north and west elevations) except between the hours of 0700-2100 on Monday to Saturday and 1000-1700 hours on Sundays and recognised Public Holidays. No deliveries or collections shall be made to or from Units 4 & 5 except between the hours of 0500-2100 on Monday to Saturday and 0900-1700 hours on Sundays and recognised Public Holidays.”

We consider that this alternative condition will continue to provide an appropriate means of restricting the servicing of the store in a manner that will continue to safeguard the amenity of nearby residents.

ALDI operate a central distribution facility to serve each of its regions and operates a fleet of delivery vehicles. This enables servicing to be kept to a minimum. In this instance, however, greater flexibility is required in order to fully service the store at Havant to ensure the store continues to meet customers' requirements for high quality fresh produce.

The application site is located in an area characterised by a mixture of uses. A Noise Assessment is submitted in support of this application. This assessment considers specifically the impact of service vehicles arriving at the foodstore relative to adjacent residential properties, specifically residential dwellings on Cross Way to the north-west of the store. The assessment concludes that in the context of the existing background noise levels in the locality, impact associated with an extension of delivery times will not be excessive or cause materially significant impact to nearby residential uses or properties.

On this basis, we respectfully request that planning permission be granted for an extension of the delivery times currently permitted at the store.

Yours faithfully

Dan Templeton
Director