
APPLICATION NO.	22/01800/VARS
APPLICATION TYPE	VARIATION OF CONDITIONS - SOUTH
REGISTERED	12.07.2022
APPLICANT	Waitrose Ltd
SITE	Waitrose, 32 Alma Road, Romsey, SO51 8AS, ROMSEY TOWN
PROPOSAL	Variation of condition no. 14 of 05/00494/VARS (following granting of planning permission TVS.07802/14- Demolition of Council depots, Orchard House, SCATS, 32 & 36 Alma Road, existing club buildings, and erection of retail supermarket and new SCATS retail unit with formation of car park, access roads and associated development, retail units, new club for Royal British Legion with access and car parking, relocation of site) - to allow a wider delivery window for HGVs and Ecomm deliveries (home delivery service)
AMENDMENTS	None
CASE OFFICER	Sarah Barter

Background paper (Local Government Act 1972 Section 100D)

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1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee at the request of two local members because the application raises issues of more than local public interest.
- 1.2 Application 21/03052/VARS (see paragraph 4.1 below) was recently considered at Southern Area Planning Committee. The committee agreed the recommendation of permission subject to conditions and notes but it has since been found that the incorrect application was submitted for variation. This current application replaces application 21/03052/VARS with the correct application reference number and condition to be varied.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 Waitrose supermarket is located to the east of Romsey Conservation Area within a large site including the supermarket building, delivery yard and car park. The site is accessed from Alma Road to the east and for deliveries from Station Road to the north. The supermarket is also used as a base for ecommerce home deliveries to serve the wider local community.

3.0 **PROPOSAL**

3.1 The proposal is for the variation of condition no. 14 of 05/00494/VARS (following granting of planning permission TVS.07802/14- Demolition of Council depots, Orchard House, SCATS, 32 & 36 Alma Road, existing club buildings, and erection of retail supermarket and new SCATS retail unit with formation of car park, access roads and associated development, retail units, new club for Royal British Legion with access and car parking, relocation of site) - to allow a wider delivery window for HGVs and Ecomm deliveries (home delivery service).

3.2 Condition 14 currently reads as follows:

No deliveries shall be taken at or despatched from the site except between the hours of 07:00 to 20:00 Monday to Saturday, 09:00 to 17:00 on Sundays or 08:00 - 17:00 hours on Bank and Public Holidays.

Reason: To maintain the character and amenities of the surrounding local area in accordance with Policy D1.3 of the Test Valley Borough Local Plan.

To confirm the current and proposed hours are as follows:

HGV Delivery Hours

The current permitted delivery hours for the store, restrict deliveries as follows:

- 07:00 to 20:00 - Mondays to Saturdays
- 09:00 to 17:00 - Sundays
- 08:00 to 17:00 - Bank and Public Holidays.

The information as submitted under application 21/03052/VARS (information on this application below at para 4.1) sought to extend the HGV permitted hours to:

- 07:00 and 22:00 - Monday to Saturday (an extension of 2 hours)
- 09:00 and 22:00 - Sundays (an extension of 5 hours)
- 08:00 and 22:00 - Bank and Public Holidays (an extension of 5 hours)

Following discussion with the applicant the hours have been amended and reduced to the following times:

- 07:00 to 21:00 - Mondays to Saturdays (an extension of 1 hour, and only 1 HGV allowed during 17:00 – 21:00)
- 09:00 to 20:00 - Sundays (an extension of 3 hours, only 1 HGV allowed during 17:00 – 20:00)
- 08:00 to 20:00 - Bank and Public Holidays (an extension of 3 hours, only 1 HGV allowed during 17:00 – 20:00).

E- commerce Delivery hours

Monday – Saturday (including bank and public holidays)

- 0600 - 0800hrs - Front of store
- 0800 - 2100hrs – Loading bay
- 2100 - 2300hrs - Front of store

Sunday

- 0600 - 0930hrs - Front of store
- 0930 - 1630hrs - Loading bay
- 1630 - 2300hrs - Front of Store

4.0 **HISTORY**

- 4.1 21/03052/VARS - Variation of condition 18 of approved application 08/00911/FULLS (Extension to food store and associated works) to allow a wider delivery window for HGVs and Ecomm deliveries (home delivery service) – Closed as Invalid.

This application was recently considered at Southern Area Planning Committee. The committee agreed the recommendation of permission subject to conditions and notes but it has since been found that the incorrect application was submitted for variation. This current application replaces this application with the correct application reference number and condition to be varied.

- 4.2 18/01629/FULLS - Extension to provide larger customer toilet facilities, provision of ram raid bollards, trolley shelters and LED re-lamping to car park – Permission - 15.08.2018
- 4.3 18/01518/ADVS - New and replacement building letters, a replacement totem and new and replacement car park signs – Permission - 08.08.2018
- 4.4 13/02814/FULLS - Removal of 1 car parking bay – Permission - 20.06.2014
- 4.5 08/00911/FULLS - Extension to food store and associated works – Permission - 03.04.2013
- 4.6 06/03351/FULLS - Erection of replacement gate to service yard accessed from Orchard Lane – Permission – 07.02.2007
- 4.7 05/00494/VARS - Variation of condition no. 5 on TVS.07802/24 for the siting of two storage containers within the Service Yard between September to January each year to accommodate dry Christmas goods, with one container to be replaced with a chilled container unit from mid-December to January – Permission - 21.12.2005

- 4.8 05/00323/VARS - Variation of condition 12 on planning permission TVS.07802/24 to allow the store to open to customers between the hours of 08:00 to 22:00 on the 21st, 22nd and 23rd December, except where any of these dates fall on a Sunday – Permission - 10.11.2005
- 4.9 TVS.07802/25 - Variation of condition 13 on planning permission TVS.07802/24 to vary the store delivery hours on public holidays and bank holidays from 0900 - 1700 to 0800 – 1700 – Refuse – 09.09.2005 – Allowed at appeal
- 4.10 TVS.07802/24 - Variation of condition 12 on planning permission TVS.07802/23 to vary the store opening hours on public holidays from 0900 - 1700 to 0830 – 2000 – Permission – 18.08.2004
- 4.11 TVS.A.00380/1 - Erection of 1 no. internally illuminated totem sign and 4 no. non-illuminated signs – Consent – 07.11.2003
- 4.12 TVS.A.00380 - Installation of 2 non-illuminated signs and 3 illuminated signs all with individually mounted green lettering – Consent - 12.08.2003
- 4.13 TVS.07802/18 - Amendments to planning permission TVS.07802/14 to include reconfiguration of the car park, amendments to some of the site boundary treatment and landscaping and provision of close boarded fence to the boundary with Pembroke Close – Permission – 24.07.2003
- 4.14 TVS.07802/14 - Demolition of Council depots, Orchard House, SCATS, 32 & 36 Alma Road, existing club buildings, and erection of retail supermarket and new SCATS retail unit with formation of car park, access roads and associated development, retail units, new club for Royal British Legion with access and car parking, relocation of site – Permission - 27.07.2001

5.0 **CONSULTATIONS**

5.1 Environmental Protection – Comment

It appears from the public comments I have seen that concerns remain around the management of the deliveries and the delivery yard and the applicant should be aware that if complaints are received they will be expected to be operating in accordance with the permitted times and their own Quiet Delivery Procedure Servicing and Delivery Management Plan.

When this application was considered previously I asked for an understanding of where vehicles are likely to wait outside of Romsey if instructed to do so. This is still outstanding and would be appreciated.

Also as advised when we visited the site consideration should be given in the longer term to the suitability of the loading bay itself given that the height limitation and resultant positioning of the scissor lift has rendered it inaccessible to vehicles.

5.2 Highways – No Objection (Taken from previous application which was closed as invalid)

6.0 **REPRESENTATIONS** Expired 12.08.2022

6.1 Romsey Town Council – Objection

Strongly objects to this application in respect of the noise generated by loading and unloading and the impact on amenity of neighbours and adjacent dwellings. Current home delivery timings are more than generous.

6.2 1 Orchard Road, 15 and 47 Station Road – Objection

- Affects our wellbeing
- Waitrose have introduced larger double deck HGV trailers which project more noise and vibration over the service yard wall.
- Have to completely close windows during the peak noise times.
- Lorries frequently arrive when the yard is already occupied. Some lorries offload and reload in Orchard Lane even when the yard is empty.
- There are no rubber wheeled dollies present for the e-commerce vans to use.
- Gate is often part open or wide open
- Permission should be withheld until Waitrose yard is adequate for the type of deliveries being received.
- A designated staff member on each shift should monitor and ensure compliance with these mitigation measures
- Complaints direct to Waitrose aren't dealt with – tree cutting / noisy drain covers reported 5.11.2021 nothing has been done.
- Air pollution
- Light pollution

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

E8 – Pollution

LHW4 (Amenity)

T1 – Managing Movement

7.3 Supplementary Planning Documents (SPD)

Romsey Town Design Statement –Area 9 Romsey Town Centre Outer Core

8.0 **PLANNING CONSIDERATIONS**

8.1 Section 73 of the Town and Country Planning Act 1990 allows for the variation of a condition associated with a planning permission. The main considerations in respect of the variation proposed in this instance is the effect of the amendments on amenity/pollution and the highway network, and whether the proposals accord with policies E8, LHW4 and T1 of the RLP.

8.2 **Impact on amenity and pollution**

Policy E8 of the RLP states that development will be permitted provided that it does not result in pollution which would cause unacceptable risks to human health, the natural environment or general amenity. Development that would or could potentially generate pollution will only be permitted if it can be demonstrated that there would not be any adverse impact on human health, the natural environment or general amenity. For the purposes of this policy, pollution includes noise, which is the most relevant consideration in respect of this current application.

8.3 The requirement for condition 14 of the original planning permission was to safeguard the amenities of local residents from noise at more sensitive times.

The current application is accompanied by a Delivery Noise Impact Assessment, which assesses:

- Predictions of noise levels due to HGV deliveries to the store and a review based upon a weekend noise survey carried out on site; and
- Presentation of the potential noise impact based on an extension of the current permitted delivery times

And a Ecomm delivery arrangement noise impact assessment which assesses:

- The potential noise impact from the expanded operation based on ecomm vehicle operations

8.4 The delivery access into the yard is on Orchard Lane which is accessed from Station Road to the north. Neighbouring properties in close proximity include 15 Station Road (Grade 2 listed Building) and Masons Yard on Station Road which are located either side of the junction with Orchard Lane, and 1 Orchard Lane which is located immediately adjacent the delivery yard. To the west is 45 Latimer Street (The Topsy Pig PH) which bounds the delivery yard with Myrtle Mews also located adjacent the delivery yard boundary. It would appear from the comments submitted by properties neighbouring the site that there is some disturbance from the existing operations. The Environmental Health Officer (EHO) and Case Officer have visited the delivery yard in the company of the applicant, agent and noise specialist to understand how the yard operates on a daily basis and the relationship with these neighbours. As a result of further discussions with the applicant concerning neighbouring amenity the applicant has reduced the amount of time requested in terms of deliver hours.

8.5 To confirm the hours permitted, previously proposed and now under consideration are:

The current permitted delivery hours for the store, restrict deliveries as follows:

- 07:00 to 20:00 - Mondays to Saturdays
- 09:00 to 17:00 - Sundays
- 08:00 to 17:00 - Bank and Public Holidays.

The application that was submitted in October 2021 sought to extend the HGV permitted hours to:

- 07:00 and 22:00 - Monday to Saturday (an extension of 2 hours)
- 09:00 and 22:00 - Sundays (an extension of 5 hours)
- 08:00 and 22:00 - Bank and Public Holidays (an extension of 5 hours)

Following discussion with the applicant the hours have been amended and reduced to the following times:

- 07:00 to 21:00 - Mondays to Saturdays (an extension of 1 hour, and only 1 HGV allowed during 17:00 – 21:00)
- 09:00 to 20:00 - Sundays (an extension of 3 hours, only 1 HGV allowed during 17:00 – 20:00)
- 08:00 to 20:00 - Bank and Public Holidays (an extension of 3 hours, only 1 HGV allowed during 1700 – 2000).

- 8.6 In respect of E- commerce Delivery hours the proposal has been confirmed as a split location with the front of the store being used during early and late hours and the loading bay during daytime hours.

Monday – Saturday (including bank and public holidays)

- 06:00 – 08:00hrs - Front of store
- 08:00 – 21:00hrs – Loading bay
- 21:00 – 23:00hrs - Front of store

Sunday

- 06:00 – 09:30hrs - Front of store
- 09:30 – 16:30hrs - Loading bay
- 16:30 – 23:00hrs - Front of Store

- 8.7 An updated quiet delivery procedure plan dated March 2022 has also been submitted detailing how deliveries will be implemented to reduce noise from the yard. Following receipt of this information, which includes reassurance in respect of the closing of the service yard gate at more sensitive times of day and ensuring the gate is closed once a vehicle has entered the service yard and not reopened until the vehicle is ready to exit. This document also lists information in respect of the maintenance of equipment, engines and refrigeration units switched off as soon as practicable, radios to be muted and speaking in hushed tones, to reduce noise impact. This document also sets out information in respect of no deliveries unloading directly on Orchard Lane, delivery vehicles being driven around in a considerate manner and in exceptional circumstances drivers being contacted to instruct them to wait outside of the built up area of Romsey.

- 8.8 The noise assessments submitted have been carried out in accordance with current British Standard and World Health Organisation guidance for community noise. The HGV noise assessment results set out that the properties most affected by noise from the delivery operation are the dwellings closest to the service yard (Myrtle Mews and 1 Orchard Lane). The next closest affected and pre-existing receivers are the rear windows of properties on Station Road, slightly further north. Whilst predictions have shown that following the procedures of a BS 4142 assessment, noise from deliveries occurring during the proposed extended delivery period could be considered to have the potential to lead to some adverse impact, when considered in the context of other relevant metrics, but the impact is expected to be very much mitigated. Assessments were carried out demonstrating the typical noise levels from a single Waitrose HGV delivery and would satisfy guidance for daytime sleeping and resting as defined under BS 8233/WHO. On the basis of this additional assessment adding context to the noise impact and considering that the noise source and character is established and familiar, the assessment sets out potential for significant adverse impact from the proposed extension to the delivery window is expected to be adequately mitigated.
- 8.9 In respect of the e commerce noise impact- The potential for the introduction of new eComm activities to cause impact is considered to be very much mitigated by the proposed location at the front of the store, which benefits from being more remote from noise sensitive properties and also alleviates any cumulative effects of existing activities associated with the service yard. The submitted assessment sets out it is expected that only two vans would operate at any one time. The standard operation would be for the vans to be loaded up in the morning and make all their deliveries and then come back and reload during the day. It is therefore proposed that the two vans will be loaded up at the front of the store with subsequent operations during the daytime occurring in the service yard until the evening time after the store has closed. Typically the last delivery from the store will leave, at the latest by 2130hrs, after that time there would only be the eComm vehicles returning and unloading the empty crates ready for use the next day, therefore there will be no noise from the loading operation. The document advises that the final unloading operation will therefore be relatively quiet. Predictions have shown that, following the procedures BS 4142, the noise level from the loading of the vans which include the operation of the refrigeration condenser and the manoeuvring of the stock and van will generally be of low impact.
- 8.10 The operation of the gate has been viewed buy (which was well maintained and not a high volume sound emitter), the presence of a high boundary wall around the site and a loading bay. A lorry unloaded in the yard while Officers were present. It was noted that the lorry was unable to reverse into the loading bay fully as the loading bay roof was too low to accommodate the height of the lorry. The lorry bay was also being utilised for product storage.

- 8.11 Following the site visit the EHO has recognised that either through physical measures or behavioural alterations the revised information has addressed the previous concerns. The EHO has requested that the longer term suitability of the loading bay itself in respect of the height limitation should be highlighted to the applicant.
- 8.12 Further comments have been received from third parties highlighting the alleged continuing disturbance of lorries outside of the current agreed times. Despite the receipt of these comments no formal complaints have been received in respect of Waitrose with the Environmental Protection team or the Planning team.
- 8.13 In light of the amended detail received and the confirmation from the EHO that the outstanding concerns have been addressed it is considered that the extension of delivery hours can be implemented without significant harm on human health, the natural environment or general amenity in accordance with policy E8 & LHW4 of the Revised Borough Local Plan.
- 8.14 **Impact on the highway network**
Policy T1 of the RLP requires development to minimise its impact on the highway network, including in respect of its safety and function. It is considered that the proposal would not result in any undue harm to the safety and efficiency of the local highway network. The Highways Authority has raised no objections to the proposal. It is considered that the proposal complies with policy T1 of the RLP.
- 8.15 **Economic benefits**
The submitted covering letter sets out that at both a national and local level, logistics and distribution chains are under extreme pressure. Most recently, this has been evident with fuel shortages at filling stations, but similar factors are at play in the food retail sector, and this has the potential to undermine Waitrose's ability to ensure that its stores can remain stocked over the course of a day and trading week. The Government has recognised the threat posed to food retailers by interrupted logistic chains. A Written Ministerial Statement concerning the Delivery of Food and Essential Goods was updated on 15th July 2021, setting out how the food sector is facing a new, exceptional challenge resulting from the acute shortage of HGV drivers across the distribution network, and how local authorities should assist food retailers' requests for flexible delivery windows. This application seeks both to respond to these challenging industry wide circumstances, and to meet customer demand for the home delivery service.
- 8.16 Section 6 of the NPPF relates to building a strong, competitive economy. In terms of economic development, Paragraph 81 sets out that: "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future...". It is recognised that Waitrose should not be so restricted by existing planning conditions or

obligations, such that its ability to trade effectively and meet the reasonable needs of its customers is undermined. It is considered that improving the efficiency of the store in this way will ensure that it remains attractive to customers and can continue to play an important role in supporting the vitality and viability of town centres in accordance with the objectives of the NPPF.

8.17 **Other planning considerations**

The proposed amendment to condition 14 of the original planning permission (as set out at Section 3.0 of this report) would not give rise to any additional considerations with regards to the following, which were considerations of the original planning application:

- The principle of development
- Design
- Impact on public space
- Highways and parking
- Residential amenities

9.0 **CONCLUSION**

9.1 The proposal is considered acceptable and in accordance with the development plan.

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The proposed ground levels of the development, the boundaries of the site and the height of the ground floor slab and damp proof course shall be carried out in accordance with the details contained in the following drawings, as submitted and approved in relation to TVS.07802/14:**
 - **Drawing 98/044/P18 rev A 'Site Levels'**
 - **Drawing W7833 PL01 E 'Drainage & Levels'.****Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Policy LHW4 and E2 of the Test Valley Borough Local Plan.**
2. **The materials to be used in the construction of all external surfaces shall be in accordance with the following details, as submitted and approved in relation to TVS.07802/14:**
 - **Draft 5 of the 'Schedule of External Materials'**
 - **External Materials Photographic Samples Board rev A.****Development shall be carried out in accordance with the approved details.**
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Policy E1 of the Test Valley Borough Local Plan.
3. **Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the use commences or prior to its installation. Development shall be carried out in accordance with the approved details.**

Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Policy E1 and E2 of the Test Valley Borough Local Plan.

- 4. No goods, plant or materials (other than the storage containers hereby permitted between the periods as stated within Condition 24), shall be deposited or stored in the open (or displayed for sale in the open) on the site (including within the service yard).**

Reason: In order to protect the amenities of the area, and/or to maintain adequate parking areas in accordance with Policy E1 of the Test Valley Borough Local Plan.

- 5. The hard and soft landscaping works shall be carried out in accordance with the details shown on the following drawings and documents, as submitted and approved in relation to TVS.07802/18:**

- **Drawing 412/08 Urban tree soil pit**
 - **Drawing 412/09 (rev O) Landscape Hard Works**
 - **Drawing 412/15 (rev A) Tree Pit Detail**
 - **Drawing 412/16 (rev A) Tree Planter**
 - **Drawing 412/18 (rev A) Tree Planter Type B**
 - **Drawing 412/19 Paving Sections**
 - **Drawing 412/24 Raised Planter Detail**
 - **Drawing 412/25 (rev B) Raised Planter Detail**
 - **Drawing 412/26 (rev E) Detail Planting Plan**
 - **Drawing 412/27 Studs Demarcation Detail**
 - **Drawing W7833 PLO1 (rev J) Drainage and levels**
 - **Drawing W7833 PLO2 (rev G) External finishes**
 - **Drawing 98.044 P002 (rev L) Site Plan**
 - **Drawing 98.044 P304 Location Plan**
 - **Drawing 5895-EZ-001 (rev C) Car Park Electrical Requirements**
- or as otherwise agreed in writing by the Local Planning Authority. The landscape works shall be carried out in accordance with the implementation programme.**

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policies E1 and E2 of the Test Valley Borough Local Plan.

- 6. The management of the landscaped areas shall be carried out in accordance with the details contained in the following drawings and documents, as submitted and approved in relation to TVS.07802/14:**

- **Drawing 412/17 'Maintenance responsibility zones' received 1.7.02**
- **'Landscape Maintenance & Management Plan - January 2002 - revision A' received 25.2.02**

Planting and works shall be carried out in accordance with the approved schedule.

Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policy E1 of the Test Valley Borough Local Plan.

7. The positions, design, materials and type of boundary treatment including gates (where appropriate) to be erected shall be carried out in accordance with the details contained in the following drawings and documents, as submitted and approved in relation to TVS.07802/14:

- **98/044/13.1003 rev C 'Site boundary wall external elevations sheet 1 of 2' - except in relation to access to 11 Albany Road**
- **98/044/13.1004 rev C 'Site boundary wall external elevations sheet 2 of 2' - except in relation to access to 20 Alma Road**
- **Drawing 98/044/12.1009 rev A 'Site boundary wall sections'**
- **Drawing 98044/SK59 rev E 'Boundary walls'**
- **Drawing 98.044 SK154 rev B 'Vehicular crossover and boundary wall to no. 11 Albany Road'**
- **Drawing 98.044 SK161 rev B 'Vehicular crossover and boundary wall to no. 20 Alma Road'**
- **Draft 5 of the 'Schedule of External Materials'**
- **External Materials Photographic Samples Board rev A.**

The boundary treatment shall be carried out in accordance with the approved details and completed before the store opens to the public.

Reason: To ensure that the works undertaken maintain the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Policy E1 of the Test Valley Borough Local Plan.

8. The boundary wall to the retail service yard shall be a minimum height of 3.5m.

Reason: In the interest of residential amenity in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

9. All fixed refrigeration plant, ventilation plant or other permanently located noise emitting plant or machinery shall be so designed, constructed or enclosed as to ensure that at the boundary of the development site there is an increase of no more than 5dB(A) Leq as measured in accordance with BS4142:1997, fully controlling tonal or impulsive character noise. Where the equipment is likely to be in use when background noise levels fall below 30dB(A) specific details of the noise control should be agreed in writing with the local planning authority prior to the installation or commissioning of the plant or equipment.

Reason: In the interest of residential amenity in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

10. All work in relation to the development hereby approved, including works of demolition or preparation prior to operations, shall only take place between the hours of 07:30 and 20:00 Monday to Friday and 07:30 and 13:00 Saturdays and at no time on Sundays or Public Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of the adjoining occupiers during the construction period in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

- 11. The retail store premises shall be used for Class A1 (convenience goods) and for no other purpose, including any purpose in Class A1 of the Schedule of the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

Reason: In the interest of the local amenities and the character of the area in accordance with Policies E1 and LHW4 of the Test Valley Borough Local Plan.

- 12. The retail use hereby permitted shall not open to customers except between the following times 08:00 and 20:00 Monday to Saturday, including public holidays, but allowing Friday to trade between the times of 08:00 and 21:00, and between 09:00 to 17:00 on Sundays other than on the 21st, 22nd and 23rd of December where the retail use shall not be open to customers except between 08:00 and 22:00 hours except where these dates fall on a Sunday.**

Reason: In the interest of the local amenities and the character of the area in accordance with Policies E1 and LHW4 of the Test Valley Borough Local Plan.

- 13. No deliveries by HGVS shall be taken at or despatched from the site except between the hours of:**

- 0700 to 2100 - Mondays to Saturdays (only 1 HGV allowed during 1700 - 2100),
- 0900 to 2000 - Sundays (only 1 HGV allowed during 1700 - 2000),
- 0800 to 2000 - Bank and Public Holidays (an extension of 3 hours, only 1 HGV allowed during 1700 - 2000).

No deliveries by ecommerce vehicles shall be taken at or despatched from the site except between the hours of and at the following locations:

Monday - Saturday (including bank and public holidays)

- 0600 - 0800hrs - Front of store
- 0800 - 2100hrs - Loading bay
- 2100 - 2300hrs - Front of store

Sunday

- 0600 - 0930hrs - Front of store
- 0930 - 1630hrs - Loading bay
- 1630 - 2300hrs - Front of Store

Reason: To maintain the character and amenities of the surrounding local area in accordance with Policy LHW4 of the Test Valley Revised Borough Local Plan 2016.

- 14. The parking and manoeuvring onsite of contractor's delivery vehicles during the construction period shall be in accordance with the details contained in the following documents, as submitted and approved in relation to TVS.07802/14:**

- **Statement by Kier Regional 'Details of contractors manoeuvring/routing statement' revision A, dated 25 July 2002 received 26.7.02**

The approved scheme shall be implemented for the duration of the construction period.

Reason: In the interest of highway safety in accordance with Policy T1 of the Test Valley Borough Local Plan.

15. The archaeological work shall be carried out in accordance with the details in the following documents as submitted and approved in relation to TVS.07802/14:

- Specification for Archaeological Evaluation Works by LP Archaeology
- Report on Archaeological Evaluation dated March 2002 by Wessex Archaeology

In addition the watching brief final report shall be submitted and approved by the Local Planning Authority, prior to the occupation of the building.

Reason: The site is potentially of archaeological significance in accordance with Policy E9 of the Test Valley Borough Local Plan.

16. No work on site (including site clearance) shall take place until a detailed design and method statement for the extent and design of all foundation and groundwork has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme agreed pursuant to this condition.

Reason: The site is potentially of archaeological significance and to ensure landscape works can be satisfactorily accommodated in accordance with Policy E9 of the Test Valley Borough Local Plan.

17. Provision shall be made for all groups of people (including disabled, parents and children) to gain access to the building(s) in accordance with the details in the following drawing, as submitted and approved in relation to TVS.07802/14:

- Drawing 98044/PO17 rev A, as amended by letter dated 25.7.02 from LSH Architects

The agreed scheme shall be implemented before the development hereby permitted is brought into use.

Reason: To ensure suitable access to buildings is provided in accordance with Policy T1 of the Test Valley Borough Local Plan.

18. Measures to control trolley's leaving the site shall be provided in accordance with the details contained in the following drawings and documents, as submitted and approved in relation to TVS.07802/14:

- Drawing 98.044 SK57 revision A
- Radford 'Radlock' brochure details

The measures shall be installed and in operation before the store opens for trading. When installing the control measures the structures to be located immediately to the west of SCATS shall be positioned so as to restrict the width of the passageway leading onto the path to the rear of the properties on Station Road. In restricting the width of this passageway, a clear passage of 2.5m in width should be maintained. All such measures shall be retained at all times.

Reason: To ensure store equipment is retained within the site and in the interest of visual amenity in accordance with Policy T1 of the Test Valley Borough Local Plan.

- 19. The scheme for extract ventilation (including details of the external appearance of equipment) as approved on 30th March 2005 under TVS.07802/20 and detailed in drawings:**

- **D6/61605/M/1000 (rev B) Ground Floor Ventilation Layout**
- **D6/61605/M/1001 Mezzanine Level Ventilation Layout**
- **D6/61605/M/4000 Ventilation Schematic**

shall be installed as approved and shall be in full working order prior to the commencement of the use; as long as the use continues it shall be operated and maintained in such a manner as to effectively suppress the emission of fumes and smells; and shall include such equipment (including grease filters and odour neutralising plant) as may be specified to meet this requirement.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

- 20. Any external compactor shall only be used between the hours of 09:00 and 18:00 Monday to Saturday and 09:00 and 17:00 Sundays and Public Holidays.**

Reason: In the interest of residential amenity in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

- 21. The scheme for air quality shall be carried out in accordance with the details contained in the following documents, as submitted and approved in relation to TVS.07802/14:**

- **Fax from Stranger Sciences & Environment to GL Hearn dated 5.11.01, which accompanied a fax from John Lewis Partnership to TVBC Environment & Health dated 30.1.02**
- **Letter from LSH to TVBC dated 4.7.02**

The monitoring shall be undertaken in accordance with the approved scheme, including regular reports.

Reason: In the interest of local amenities in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

- 22. The proposals for the sustainable disposal of foul and surface water and any trade effluent shall be provided in accordance with the details contained in the following drawings and documents, as submitted and approved in relation to TVS.07802/14:**

- **Written Statement for Planning Condition 30 - revision A - by D.L. Friend of Jubb Consulting Engineers Limited dated 20 June 2002**
- **Letter from Ray Stibbs, Jubb Consulting Engineers Ltd to Laura Edmunds of Lyons+Sleeman+hoare dated 1.8.02**
- **W7833 H111 revision A 'Phase 1. Sections 111-01 to 03'**
- **W7833 H112 revision A 'Phase 1. Section 112- 01 to 03'**
- **ML200784/500 revision D 'Development Access Road General Arrangement'.**

and the following plan submitted and approved under TVS.07802/18:

- **W7833 PL01 revision J 'Drainage & Levels'**

The agreed details shall be fully implemented before the use commences/occupation of the building.

Reason: To ensure a satisfactory form of development and in the interest of local amenities in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

23. The staff cycle parking shall be provided in a secure, covered, lockable enclosure, details of which shall be submitted to and approved in writing by Local Planning Authority.
Reason: To encourage use of modes of transport other than the private car in accordance with Policy T1 of the Test Valley Borough Local Plan.
24. The containers hereby permitted shall only be sited within the service yard between 01 September and 31st January, with the siting of the chilled container not to occur before December 1st unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the amenities of the neighbouring residential properties in accordance with Policy LHW4 of the Borough Local Plan.
25. Notwithstanding the details shown on the submitted plan of drawing number J01547/2, within one month of the date of this permission, an amended plan shall be submitted to and approved in writing by the Local Planning Authority to illustrate the positioning of Container A whereby no part of the unit shall project forward of the boundary wall of the service yard into the vehicular opening of that yard. Development shall be carried out in accordance with the approved plan.
Reason: In the interests of the character and appearance of the area in accordance with Policy LHW4 of the Test Valley Borough Local Plan.
26. No movements to and from the containers using the caged trolleys shall occur outside of the hours of 07:00 to 20:00 Monday to Saturday, 09:00 to 17:00 on Sundays or 08:00 to 17:00 hours on Bank Holidays.
Reason: To maintain the amenities of the local area in accordance with Policy LHW4 of the Test Valley Borough Local Plan.

Note to applicant:

1. The decision to grant planning permission has been taken because the proposed extension of opening hours is considered to be acceptable as it would not significantly add to the general level of disturbance to local amenities that is already anticipated from the scheme as a whole, due to the limited number of public holidays in the year. This informative is only intended as a summary of the reason for grant of planning permission. For further details on the decision please see the application report which is available from the Planning Service.
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