TURLEYASSOCIATES

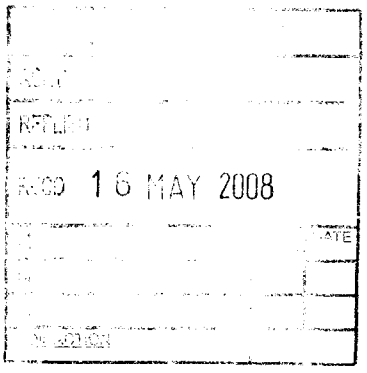
The Chancery
58 Spring Gardens
Manchester
M2 1EW

T: 0161 831 1300
F: 0161 831 1301

www.turleyassociates.co.uk

16 May 2008

Ms J Wilson
Manchester City Council
Planning Department
PO Box 463
Manchester
M60 3NY



Our ref: LE/ALDM1291

E : levans@turleyassociates.co.uk

Dear Ms Wilson

SECTION 73 TOWN & COUNTRY PLANNING ACT 1990
ALDI, ASHTON NEW ROAD, CLAYTON, MANCHESTER

I am pleased to enclose, on behalf of my client Aldi Stores Ltd, an application made under Section 73 of the Town and Country Planning Act 1990 to carry out the erection of one Class A1 foodstore unit and one Class A1 retail unit and associated works without compliance with condition no.s 8,19 and 25 of planning permission ref. 084018/FO/2007/N2 granted on 29th October 2007.

The application comprises 4 copies of the requisite forms, certificates and a site location plan (drawing ref. ALDM1291). A cheque payable in respect of the application fee of £170 is also enclosed.

The application seeks consent to vary condition no.s 8 and 19 and remove condition no. 25 imposed on the permission which respectively refer to: delivery, servicing and collection hours; the provision of security bollards; and a requirement for the provision of supervision for servicing and delivery vehicles. In accordance with good practice for the submission of applications made under Section 73 of the Town & Country Planning Act 1990, I set out the proposed suggested wording relating to the revised conditions on the attached schedule.

Condition No. 25

In order to allow the removal of condition no. 25 which requires all service and delivery vehicles to be supervised by a banksman whilst within the car park and servicing areas, it is proposed that HGV deliveries to the store will take place outside of the store opening hours. This will ensure that the car-park is likely to contain few/no customer or staff vehicles and thus eliminate the need for a supervisory banksman.

Condition No. 8

Condition no. 8 currently limits the servicing and delivery hours to take place only between 0700 and 2200 hours Monday to Friday, between 0730 and 2200 hours on Saturdays, and between 0900 and 2000 hours on Sundays and Bank Holidays. An amendment to these hours to allow HGV deliveries to take place between 2000 hours until midnight on Monday to Saturday and from 1700 to 2200 hours Sunday and Bank Holidays is now requested.

Turley Associates Limited is registered in England, No. 2235387. Registered office: The Chancery, 58 Spring Gardens, Manchester, M2 1EW

As previously highlighted, Aldi operates a closely managed servicing arrangement for each of its stores with a maximum of 1-2 daily HGV deliveries. The rear of the delivery vehicle remains level with the loading bay to ensure that the driver can unload the pre-packed goods quickly with delivery periods lasting only between 20-30 minutes at a time. Stores are constructed with a delivery ramp, sheltered canopy and dock leveller system which means that products can be unloaded without any external activity and subsequently limited noise impact. This delivery system is unique to Aldi and ensures that any noise generated is minimal. Aldi also employs its own delivery personnel (such that the operation is not sub-contracted), therefore, the delivery regime is undertaken in such a way so as to ensure that the Company's best interests are maintained. In order to minimise impact of store deliveries a number of operational measures will be put in place and adhered to at all times as follows:

- service and delivery vehicles to turn off engines when parked;
- delivery vehicle refrigeration unit to be turned off before the vehicle arrives on site; and
- turn off the vehicle reversing signal.

As such, the impact of HGV delivery vehicles on the residential amenity of properties in the vicinity of the store is considered to be acceptable, in line with the adopted UDP policies H2.2 and DC26.

It is important to note that the foodstore will receive daily deliveries of fresh bread and milk, however, as these are in small vans and will have no outstanding noise impact these should accordingly be excluded from the provisions of amended Conditions no. 8.

The condition of the waste collection services should also be excluded from the Condition no. 8 as the applicant has limited control over this Council-run operation.

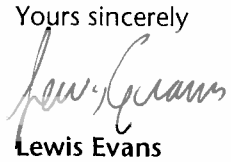
Condition No. 19

In order to ensure that access to the store for HGV delivery vehicles is possible during these varied hours, it is also proposed that Condition no. 19, which requires security bollards to be raised outside of the specified hours is amended to comply with the new delivery hours. As such, we request that the security bollards are fully raised outside the hours of 0630 to 0030 Monday to Saturday and 0800 to 2230 on Sundays and Bank Holidays.

Initial discussions with Manchester City Council's Environmental Health Officer (Mr Peter McMillan) and the planning case officer (Ms Jeni Wilson) have indicated that the measures outlined above are unlikely to have a detrimental impact on residential amenity. Aldi would be willing to accept the imposition of an additional amended condition which requires the store to operate in accordance with the measures set out above.

I trust you have everything you need to validate the application and progress it to a favourable conclusion, however, if you require any further information, please do not hesitate to contact me.

Yours sincerely



Lewis Evans
Planner

Enc.

cc. Aldi Stores Ltd
The Harris Partnership