

Our Ref: EV02/RS42/01C001022



3 February 2021

Planning Department
Harlow Council,
Civic Centre
The Water Gardens
Harlow,
Essex,
CM20 1WG

Dear Sir or Madam

Full Planning Application for the Installation of External Plant and Support Structures**Lidl Great Britain Limited - Unit 1, Staple Tye Shopping Centre, Southern Way, Harlow, CM18 7PJ**

Avison Young is instructed by Lidl Great Britain Limited ('Lidl') to obtain full planning permission for the installation of external plant associated with its existing food store at Unit 1, Staple Tye Shopping Centre, Southern Way, Harlow, CM18 7PJ.

The application comprises the following:

- this covering letter;
- completed application form and certificates;
- Site Location Plan;
- Proposed Plant Upgrade Site Layout Plan;
- specification document for the new plant - Hauser Refrigeration UK LTD - Survey Guidelines 2019; and
- details of the support brackets for the plant (ref: ST296-02).

We can confirm that the planning application fee has been submitted via the planning portal under the reference PP-09476480 along with an accompanying fee of £462.00.

The Site and Proposal

Lidl is in the process of upgrading its mechanical ventilation at existing trading stores where the systems are dated and no longer meeting Lidl's operational requirements. To this end, Lidl's existing store at Harlow has been identified as one which requires plant upgrades.

The process of upgrading plant systems is referred to as project 'Get Fresh' and all identified stores have been surveyed by Hauser, the refrigeration technology provider, to determine the most appropriate location for the plant. In this instance, it is proposed that a 1 x 152 KW Low Noise Wall Mounted Dry Cooler is mounted to the east facing elevation of the store with the addition of a bracketed steel support framework. This is defined as option 3 within the accompanying 'Hauser Refrigeration UK LTD - Survey Guidelines 2019' document, and details of the support framework are shown on drawing ST296-02.

The location of the proposed plant is shown on the Proposed Plant Upgrade Site Layout Plan.

Planning Policy and Other Material Considerations

The development plan for the site comprises the Harlow Local Development Plan 2033 (adopted December 2020). We discuss the relevant policies in turn below.

Harlow Local Development Plan 2033

Policy SD1 of the Local Development Plan 2033 states that development which accords with the Local Plan will normally be supported, unless material considerations indicate otherwise. It goes on to note that where there are no specific policies relevant to the proposed development, it will normally be supported subject to it not giving rise to any adverse impacts and subject to it aligning with national policies.

Policies PL2 and PL10 are of most relevance to the proposals.

Policy PL2 defines amenity principles for development. It supports proposals which preserve or enhance levels of amenity for existing and future neighbours in the local area. It sets out a number of criteria against which the acceptability of development will be assessed, in the context of protecting amenity. This includes compatibility and sensitivity of adjacent uses.

Policy PL10 seeks to minimise and, where possible, reduce all forms of pollution and contamination. It highlights that when assessing the acceptability of development, a number of criteria will be considered, including noise pollution, and notes that cumulative effects will also be considered.

The National Planning Policy Framework (2019) ('NPPF')

The current version of the National Planning Policy Framework (NPPF) was published in 2019 and sets out the Government's policies for planning and how these are expected to be applied. It forms a material consideration in the determination of planning applications.

The NPPF sets out, in paragraph 80, that planning decisions should place significant weight on the need to support economic growth and productivity.

At paragraph 180, the NPPF states that new development should be appropriate for its location and should seek to reduce the impacts of noise.

Planning Assessment and Summary

The new external plant is proposed to be located externally on the eastern elevation of the existing store. The location of new plant is constrained, to an extent, to the area it needs to serve and the size of the plant is determined by its intended function. In other words, the size of the plant is necessary to achieve the required ventilation. That said, careful consideration has been given to the placement of new plant to ensure that it satisfies operational requirements whilst also having minimal impact on local amenity. It is considered that the new plant is proposed in the most appropriate and least intrusive location, whilst still achieving its necessary functions.

In its location, the new plant will be well screened from public view by existing mature and dense soft landscaping which runs along the wider site boundary between the Lidl store and Parnell Road. There are also no properties overlooking the eastern elevation so that the plant would not be visible from any residential dwellings.

Notwithstanding the above, we note that residential dwellings are located within 60m from the proposed location of the plant. With this in mind, Lidl has commissioned Hoare Lea to undertake a noise impact assessment in order to determine whether noise levels generated from the new plant would create any adverse impacts on local amenity.

A copy of the report is submitted as part of this application. It confirms that the survey was undertaken by Hoare Lea over the period of Thursday the 10th to Tuesday the 15th of December 2020. Noise levels were

recorded continuously in 15-minute samples in order to determine the continuous sound level (L_{Aeq}), the short duration maximum sound level (L_{Amax}) and the background sound level (L_{A90}). The survey device was located near the proposed plant located in order to produce realistic and accurate readings. The results from the survey confirm that, in accordance with assessment criteria BS 4142, the noise emitted from the plant would achieve a 'low impact' condition at the nearest dwelling for all periods of night and day. The report also concludes that the noise emitted from the new plant would fall below the existing background noise levels at all time of the day and night so that any noise generated by the new plant would be masked and therefore not create any adverse impacts on residential amenity. This conclusion was reached without the need for any noise attenuating measures. Further details of the noise assessment are enclosed in the submitted report.

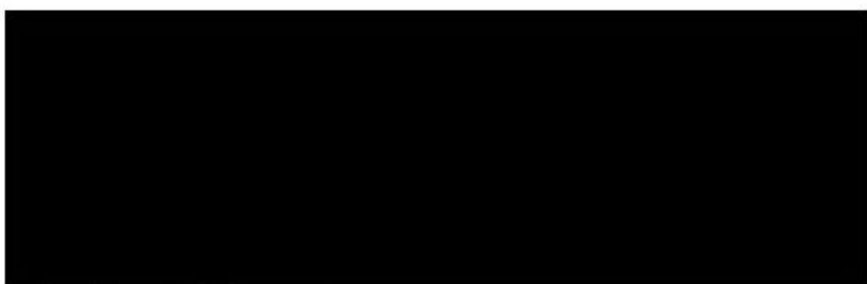
With the above in mind, we conclude that the proposed plant installation at the new store will not result in any noticeable noise impact on the dwellings adjacent to the site and that the proposal is therefore compliant with Local Plan Policies PL2 and PL10 and paragraph 180 of the NPPF.

The external plant proposed is an essential component for the Lidl foodstore. Without this, it would be unable to operate in the most efficient way. The NPPF states that the planning system should support economic growth, and not act as an impediment to it.

In summary, we have reviewed the relevant provisions of the development plan and the NPPF and have identified no policy conflict. We conclude therefore that the proposed external plant and its supporting framework is acceptable in the proposed location and respectfully request that planning permission is approved in order to ensure that Lidl is able to continue operating in line with its required standards.

We trust that the information submitted with this application is sufficient to allow the application to be registered and positively determined. Should you have any queries in respect of the contents of this letter or the other application documents please contact me on the below details.

Yours faithfully



Graduate Planner



For and on behalf of Avison Young (UK) Limited