

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>3 November 2020</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/20/0832
Planning proposal:	Erection of single storey building to house reverse vending machines to recycle drinks containers and associated works

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Aldi Stores Ltd
Location:	60 Kirkton Street Carluke ML8 4AD

## 2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached.

### 2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other information

- ◆ Applicant's Agent: Avison Young (UK) Ltd
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**  
Policy 4 Development management and placemaking  
Policy 6 General urban area/settlements  
**Supplementary Guidance 3: Development Management, Placemaking and Design**  
Policy DM13 Development within general urban area/settlement  
**SLLDP2**  
Policy 3 General Urban Areas  
Policy 5 Development Management and Placemaking  
Policy DM13 Development within general urban area/settlement

◆ **Representation(s):**

▶ 2  
▶ 0  
▶ 1  
▶ 1

Objection Letters  
Support Letters  
Comment Letters  
Petition Letter (11 signatures)

◆ **Consultation(s):**

Environmental Services

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site comprises the existing Aldi supermarket premises and an associated car park area, located on the south side of Kirkton Street, Carluke. The supermarket unit was formerly occupied by Somerfield Stores and is close to the town centre, set within a predominantly residential area, with dwellings directly adjoining the supermarket site to the north and west. Kirkton Street bounds the site to the north-east and Orchard Street bounds the site to the south.

### **2 Proposal(s)**

- 2.1 Aldi Stores Ltd, in response to the Scottish Government's introduction of its deposit return scheme, has decided to install self-service reverse vending machines in its stores for customers to return their used drinks containers. The deposit return scheme, which is due to go live in July 2022, requires all retailers that sell drinks in plastic drinks bottles, aluminum and steel cans and glass bottles to allow their customers to return the used containers and recover the 20p deposit they paid when purchasing the drink. All retailers from large supermarkets to small independent retailers will have to put in place a drinks container collection system either manually collecting at the shop counter or till or using automated machines, such as the proposed arrangement at Aldi.
- 2.2 In its supporting planning statement, Aldi has advised that, as they have a high volume of footfall, it would not be viable to accept returns manually. As such, automated reverse vending machines will be installed on all of their premises to allow for automatic self-service returns to take place. They believe this will provide an efficient and user-friendly return point, drive an increased uptake in the scheme from consumers and support the overall success of the deposit return scheme.
- 2.3 The recycling model Aldi have adopted will involve installing stand-alone buildings within each site, placed to the front of their stores within the car parking area for ease of access of their customers. These machines will only operate during the existing store opening hours and the buildings will be closed to the public out with these times. The size of the recycling unit will depend on the size of the store, in this case, they are installing 4 reverse vending machines and these will be housed in a single storey building with a footprint of only 50m<sup>2</sup> with a 1m deep covered canopy and, at only 3m high, the proposed flat roofed structure is about the size of a domestic triple car garage.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 In terms of local plan policy, the application site is an existing supermarket located within the general urban area close to the town centre of Carluke. The relevant policies for the assessment of the application are Policy 4 Development management and placemaking and Policy 6 General urban area/settlements. The Development Management, Place Making and Design Supplementary Guidance Policy DM13 Development within general urban area/settlement is also relevant to the assessment of the application. The content of the above policies and guidance, how they relate to the proposal and an assessment of the proposal against the above policies is contained in Section 6 of this report.

3.1.2 On 17 August 2020, the Directorate for Planning and Environmental Appeals issued its report of the Examination of the proposed South Lanarkshire Local Development Plan 2. A number of amendments to policy have been recommended which will be carried through to adoption stage. For the purposes of determining planning applications, the Council will assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan and those within the proposed South Lanarkshire Local Development Plan 2 alongside the Reporters amendments. Whilst the Reporters amendments have yet to be ratified by South Lanarkshire Council, they are nevertheless a material consideration. In this instance, Policy 3 General Urban Areas, Policy 5 Development Management and Placemaking and Policy DM13 Development within general urban area/settlement are relevant.

### 3.2 **Relevant Government Advice/Policy**

3.2.1 There is no specific relevant advice or policy on this type or scale of development.

### 3.3 **Planning Background**

3.3.1 The site is a long-standing supermarket site that was acquired by Aldi from Somerfield in 2005, who had operated the store from this site since 1998. There have been numerous planning applications relating to store alterations, signage, opening hours and installation of plant over the past 21 years but none are relevant to the assessment of the current application.

## 4 **Consultation(s)**

4.1 **Environmental Services** – have no objections to the proposed development subject to noise conditions and informatives on nuisance being imposed to control noise levels at nearby residential units.

**Response:** Noted. Any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.

## 5 **Representation(s)**

5.1 Statutory neighbour notification procedures were undertaken. Two letters of representation and 1 petition objecting to the development have been received in relation to the application. The petition has 11 signatures from the residents of 5 houses located on Orchard Street and 2 of the signatures have also sent in the 2 letters referred to above. The grounds of objection are summarised below:-

a) **Noise and Disturbance from the operation of the units, especially if open outside store opening hours.**

**Response:-** Environmental Health have studied the plans and noise information provided and have no objections to the proposed development. The noise assessment provided demonstrates that the noise levels at the nearby residential units should be at levels deemed acceptable during its operating hours. Noise conditions will be added to ensure acceptable levels are set and observed by the site operator to ensure amenity is not adversely affected by this development.

b) **Operating hours and collection times of recycled materials could impact on amenity.**

**Response:-** The reverse vending machines will only be open during the normal opening hours of the store and the collection of the recyclable materials will be from the main store as per the existing servicing times

controlled by previous conditions. Conditions will be added to the decision to set these times for this approval to avoid any doubt on what these agreed times are.

- c) **Smell and possible vermin due to the operation of the proposed units.**  
**Response:-** Environmental Health is the Council Service that would control this issue under existing legislation. In its consultation response, they did not raise any issues in the operation of these reverse vending machines in terms of smell or attracting vermin. The applicant has stated that any liquids will be directed to the existing drainage infrastructure for the store while the vast majority of the containers will be empty at the point of collection so there shouldn't be vast amounts of liquid to process. The Council does not envisage any issues relating to the operation of this unit.
- d) **The proposed building will be visually and aesthetically unattractive when viewed from outside the site.**  
**Response:-** The proposed building is only 50m<sup>2</sup> in footprint and at 3m high does not have a significant visual presence when viewed from outside the site. Car parks for supermarkets can typically have similar scaled structures, from covered trolley bays, recycling containers and plant infrastructure buildings. It is considered that the scale and location of the proposed building is both practical and reasonable in this context to serve the store and its customers.
- e) **Additional traffic generated by the recycling units.**  
**Response:-** Aldi is installing these units primarily to service the needs of its customers, however, they envisage that the simplicity of their self-service automated installation could attract non customers to deposit their empty drinks containers to claim their deposits they paid when the drink was purchased. They predict they will take in between 10% and 20% more drinks containers than they sell, however, this won't translate to an equivalent increase in traffic as most of the additional numbers will be by existing customers bringing containers purchased elsewhere. Whilst volume will be more in terms of containers, trips to deposit them would be infrequent. Based on existing shop floor space, the parking requirement for the site is 83 spaces and, even following the installation of the new building, the parking capacity of the site is 86 spaces which, for the reasons outlined above, is deemed sufficient to service the store and the recycling unit. In addition, it is not considered that there will be a significant increase in traffic volume to and from the site that would impact on the amenity of the surrounding area.
- f) **Other recycling facilities are available elsewhere in Carlisle, why should this facility be placed in a residential area, why not have it located at the civic amenity site or at the train station where it is not likely to impact homeowners.**  
**Response:-** Aldi is providing this facility at its store in line with Scottish and British Government policy. The responsibility under the new Deposit Return Scheme is on retailers who sell disposable drinks in plastic and glass bottles or in cans to accept those empty drinks containers returned to them and refund the mandatory deposit of 20p that was paid at the point of purchase. Other existing recycling facilities are not part of the scheme i.e. not retailers or will require their existing collection facilities currently in place replaced with

new arrangements to allow for the return of deposits. It is expected that these machines will be provided in other supermarket sites throughout the country, either inside the store or in the carpark, depending on availability of space and store location.

- g) Aldi do not have a good track record in maintaining the property. Lights not repaired, areas that should be weeded are not, walls in poor disrepair.**

**Response:-** The poor maintenance record of the site owners is not a consideration of the Planning Service in its assessment of this application.

- 5.2 These letters are available for inspection on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 Aldi Stores Ltd has applied to install a modestly sized structure within its existing car park to fulfil its role as retailers in the Governments Deposit Return Scheme which is due to commence in July 2022. It is expected that to deal with the volume of containers that will be collected by larger retailers, the use of reverse vending machines will be a common solution utilised by supermarkets to save time and resources in store at tills or customer service counters if they were to try and accept returns manually and process the deposit refunds.
- 6.2 The Aldi store is located just outside of Carlisle town centre on the A73 which runs through the centre of Carlisle. It is located in a general urban area where Policy 6 General urban area/settlements applies, the policy states that each proposal will be judged on its own merits with particular consideration given to the impact on the amenity of the area. Developments, particularly 'bad neighbour' uses which, by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety, will not be permitted if they are detrimental to the amenity of residents. The site is already occupied by a bad neighbour development in the form of a medium sized supermarket. They have applied to introduce additional infrastructure to help run their onsite activities and, therefore, the assessment in this case is on the additional impact the proposal will have on residential amenity. The proposed building being relatively small in scale in a commercial setting and located in the car park close to the main store is not considered to have any significant visual effect on the amenity of the area. Having reviewed the information provided, Environmental Health Services raised no objections due to expected noise levels and no issues are envisaged with smell. It is, therefore, considered that the development is compliant with this Policy.
- 6.3 Policies 4 Development management and placemaking and DM13 Development within general urban area/settlement are also relevant to the assessment of the proposed structure. These policies require that all development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community or streetscape and relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use, in addition, the character and amenity of the area must not be impaired by reason of traffic generation, parking, visual intrusion, noise or emission of gases or particulates. The development must be adequately serviced in terms of cycle, pedestrian and vehicular access, parking, accessibility and infrastructure for public transport along with no adverse effect on public safety. As stated above, the development proposed

is to supplement the existing use of the site as a supermarket, the proposed structure is relatively small and sits adjacent to the main building within the existing carpark. The design and scale of the building is considered appropriate and the use acceptable for its location. There is not expected to be any significant increase in noise, traffic movements or general activity within the site as a result of the development that would adversely affect amenity, character or public safety. It is considered that the proposal to install the reverse vending machines on this site meets the aims of the above policies.

- 6.4 Following a detailed assessment of this proposal, it is considered that it will have no significant adverse impact upon residential or visual amenity. In this respect, the proposed equipment will be located within a purpose-built building within the existing carpark for easy access to the customers of Aldi. The proposed structure is not of a size, scale or design that would significantly impact upon the amenity of neighbouring residents. The proposed development is required to fulfil an obligation under the Deposit Return Scheme and, in their supporting statement, the applicant has adequately outlined the reasons for their nationwide approach to complying with Government policy that will best serve their customers and the efficient running of their stores. As such, it is considered that the proposal complies with the relevant policies of the adopted South Lanarkshire Local Development Plan.
- 6.5 The proposed development has also been considered against the relevant policies in the proposed South Lanarkshire Local Development Plan 2 and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is considered that the proposal accords with Policies 3, 5 and DM13 in the proposed plan.
- 6.6 Environmental Services were consulted on this application and have offered no objections, subject to the inclusion of a condition related to noise levels. Given the above, it is considered that the proposal will have no significant adverse impact upon amenity and that it complies with the relevant local development plan policies and guidance. The granting of planning consent is, therefore, considered justified.

## **7 Reasons for Decision**

- 7.1 The proposal will have no significant adverse impact on amenity and it complies with the relevant policies of the adopted South Lanarkshire Local Development Plan and Supplementary Guidance (Policies 4, 6 and DM13) and the proposed South Lanarkshire Local Development Plan 2 (Policies 3, 5 and DM1).

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 21 September 2020

## **Previous references**

- ◆ None

## List of background papers

▶	Application form	
▶	Application plans	
▶	South Lanarkshire Local Development Plan 2015 (adopted)	
▶	Proposed South Lanarkshire Development Plan 2	
▶	Neighbour notification letter dated 10 July 2020	
▶	Consultations	
	Environmental Services	20.08.2020
▶	Representations	Dated:
	Miss Louise McKay, 11 Orchard Street, Carluke, ML8 5AJ	31.07.2020
	Louise McGowan, By Email	31.07.2020
	Petition Letter	03.08.2020

## Contact for further information

If you would like to inspect the background papers or want further information, please contact:-

Steven Boertien, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455116

Email: [steven.boertien@southlanarkshire.gov.uk](mailto:steven.boertien@southlanarkshire.gov.uk)



**Conditions and reasons**

01. That the noise levels resulting from the installation of the Reverse Vending Machines hereby approved shall not exceed the following levels to the satisfaction of the Council as Planning Authority.
- (1) Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the premises (LAeq,1hr) shall not exceed the pre-existing background noise level (LA90,30 min) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at the proposed development. Between the hours of 20:00 and 08:00 the noise rating level emitted from the premises (LAeq,15 min) shall not exceed the pre-existing background noise level (LA90,30min) by more than 4dB when measured in accordance with BS4142:2014 at the proposed development.
  - (2) The internal noise levels at any residential property shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows:
    - a) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
    - b) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
    - c) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LA,max of 45dB night-time (23:00 - 07:00).
    - d) The external levels shall not exceed an LAeq,16hr of 50dB daytime in any garden areas, when measured free-field
  - (3) The Internal Noise Rating Values, within any residential property, when assessed with the windows open, and resultant from the development, shall not exceed - NR25 between 23.00hrs and 08.00hrs and NR35 between 08.00hrs and 23.00hrs

Reason:- To minimise noise disturbance to adjacent occupants.

02. That the Reverse Vending Machines hereby approved shall only be open during store opening hours: 8.00 am to 10.00 pm on Mondays to Saturdays, and 9.00 am 8.00 pm on Sundays.

Reason:- To protect local residents from noise disturbance arising from the operation of the store.

03. That the collection of the recyclable material collected and stored in the main building shall be restricted to between 8.00 am and 8.00 pm on Mondays to Saturdays and between 10.00 am and 5.00 pm on Sundays in line with the store operating times for commercial activities and deliveries.

Reason:- To protect local residents from noise disturbance arising from the operation of the store.

04. That prior to the new Reverse Vending Machines becoming operational the alterations to the carpark layout and all new road markings and signage shall be completed and installed as per the approved proposed site plan 0341-24-AL(90)100 REV A.

Reason:- in the interest of public safety

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60 Kirkton Street Carluke



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Scale:  
1:1,250  
Date:  
05/10/2020



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