

Being a resident of Shercroft close, the nearest neighbours (within 300m) to the development I must strongly object to the proposal to erect the 2no. proposed canopies as detailed in Planning Application 19/1519/FUL on the following basis:

Impact on my property and Noise

- Developers Application refers to “This Application is to make minor amendments to the existing layout” – with reference to the location plan the canopies are larger in plan area than the building therefore doubling the plan area size of the above ground structure to approx. 50% of the total site area. This is not a minor amendment!
- Developers Application refers to “purpose of the canopies is to provide shelter from adverse weather conditions for staff handling deliveries.” This is not in accordance with the original planning approval for the distribution building.
 - At the Planning Meeting and Local Parish Council Meeting the Developers confirmed deliveries would only be made to the LIDL side of the building, ie away from Broadclyst Station Residents. Presumably the erection of the canopies will result in a change to the original proposal with deliveries being made to all sides of the building.
 - Planning Approval was given on the basis that all unloading and loading of vehicles would be made through the access doors of the building with noise resulting from this being contained at the sealed doorways as is the case with the LIDL loading and unloading of vehicles.

Construction of the canopies appear to be for vehicles to be loaded and unloaded beneath the canopies outside the building envelope rather than within the building which is what was approved as part of the original building approval. This will significantly increase the noise from the site and disturbance to neighbours.

- EDDC Environmental Health Officer (EHO) confirmed that the “open” recycling area at the LIDL building would never been allowed if they had been aware that it was not enclosed due to the noise issue. The proposed below canopy loading and unloading for the distribution building will create noise which is unacceptable and as such I assume will be rejected by the EDDC Environmental Health Officer.
- It is ludicrous for the Developer to claim the requirement for the canopy was not apparent when the original Planning Application was made and that this is only a minor amendment. The exclusion of the canopies in the original application and subsequent amendment to include the canopies appears to be a tactical decision to circumvent the planning requirements and an attempt to significantly change the original planning approval through a late amendment badged as “minor”. Having attended the original building EDDC planning meeting, approval was only given on the basis that neighbours would not be affected by the noise of loading and unloading and this would be achieved by all unloading and loading of vehicles would be made through the access doors of the building with noise resulting from this being contained at the sealed doorways as is the case with the LIDL loading of vehicles. Given the noise concerns of the attending Councillors and their approval on the basis of guarantees regarding the noise from the Developer and EDDC EHO, I assume the Councillors would no longer approve the application given this significant change.
- Despite the “so called Experts” and the proposing Councillors opinions that the Development is far enough away from the local residents that they will not hear any noise, it has been proven that we do hear noise and LIDL (who are further away than the proposed development) have voluntarily agreed with the EDDC EHO to have a night time curfew on use of the recycling area due to the sleep disturbance it was causing neighbours. Furthermore even when we are indoors with doors and windows closed, we clearly hear the LIDL recycling area being used during the day and are being subjected to continuous construction noise 8am to 6pm 5 days a week from the construction of the original distribution building. Also, despite assurances from EDDC EHO that vehicle reversing beepers will not be used (including during the construction stage), these are clearly audible throughout the day. Loading and unloading of vehicles outside the building 24/7 will create unacceptable noise disturbance to residents and disturb their sleep. Should the Planning Officers or Councillors still doubt that local

residents hear the above detailed noises, I would welcome them to my home to gain 1st hand experience of them.

- East Devon Local Plan 2016 Policy D1 states proposals will only be submitted where they do not adversely affect the Local Community. Approval of this proposal and resultant amendments to the original planning approval will significantly affect the local community in the form of additional noise which will disturb the local residents and their enjoyment of their homes.

Flooding.

As has been pointed out on many occasions, the areas surrounding the Development are flood plains and the replacement of natural draining fields with an impermeable structure such as this massive canopy will significantly increase the risk of flooding to the surrounding areas. Given the flooding issues on numerous newly developed sites despite the “so called experts” views that flooding will not be an issue, the drainage plans should be re-visited to take this amendment in to account.

Conclusion.

Whilst EDDC will once again have failed to carry out their duties and failed to listen to and take in to account the concerns of local residents if they approve this proposal. Given the historical performance of EDDC to approve proposals where they should have clearly been rejected or significant Conditions attached (Approval of Heaver Brothers to use old CO-OP site as a haulage yard - see local press etc!), If construction of the canopies is approved then as a minimum the following Conditions should be attached:

- Original Building logic and Conditions should be enforced including:
 - Deliveries should only be made to the LIDL side of the building
 - unloading and loading of vehicles should be made through the access doors of the building with noise resulting from this being contained at the sealed doorways as is the case with the LIDL loading of vehicles.
 - No vehicles should be loaded or unloaded beneath the canopy.
 - If any noise is generated by the operation of the Distribution Centre, measures should be put in place to stop the noise adversely affecting neighbours such as night time curfews, noise attenuation at source and noise barriers and bunds.
 - No noise should be generated outside the building envelope – If canopied area is to be used for loading and loading this should be a proper fully enclosed and sound attenuated structure.
 - Insurances/warranties should be put in place by the Developer and EDDC to compensate local residents if flooding occurs to their properties as a result of the development.

Whilst writing I would also bring to the Councils attention that the Developers continue to ignore requests to replace the dead trees and shrubs in the landscape/planting area on the Shercroft Close boundary of the development site and despite instruction from Councillors at the Council Planning Meeting to liaise and consult with neighbours regarding any future development, as neighbours we have had no contact from the Developers to date.