

PLANNING COMMITTEE	DATE: 21/10/2019
REPORT OF THE SENIOR PLANNING SERVICE AND PUBLIC PROTECTION MANAGER	CAERNARFON

**Number: 2**

**Application Number:** C19/0398/11/LL

**Registration Date:** 03-May-2019

**Application Type:** Full - Planning

**Community:** Bangor

**Ward:** Dewi

**Proposal:** Application to demolish building (Use class B8) and erect supermarket (Use class A1), creation of 113 parking spaces, soft landscaping works, reconfiguration of site access, including the creation of a roundabout and alterations to existing parking arrangements fronting Dunelm Store together with alterations to service access

**Location:** Blakemore Cash and Carry, Ffordd Caernarfon, Bangor, Gwynedd, LL574SU

**Summary of the Recommendation:** TO APPROVE WITH CONDITIONS

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## 1. Description:

- 1.1 The application seeks to demolish an existing building that was formally a cash and carry (Use Class B8) and the erection of a 1801m<sup>2</sup> supermarket (Use Class A1), with 1,254m<sup>2</sup> of sales area floor space. The proposal also includes:
- The creation of 113 parking spaces, to include 6 disabled spaces, 7 parent and child spaces and 7 staff car parking spaces within the service yard.
  - Provision of 14 secure cycle spaces.
  - Soft landscaping works,.
  - Reconfiguration of site access shared with Dunelm, to include the creation of a roundabout and alterations to existing parking arrangements fronting the Dunelm Store.
  - Alterations to the service access.
- 1.2 The existing building/application site is currently vacant and has been since the cash and carry ceased trading. The site is located off Caernarfon Road, which is one of the main thoroughfares into and out of Bangor. The area is characterised with a mix of surrounding land uses. The Dunelm retail store is located adjacent to the site and shares a vehicular access. The land to the rear of the site is predominantly residential with dwellings situated on land higher than the application site. The existing service access to the site is along the first part of the adopted but unclassified Toronnen Road (blocked further up) which also serves the Laura Ashley retail store and another vacant retail unit. Opposite the site there are car sales and distribution uses (B8).
- 1.3 The application is supported by the following documents & assessments:
- Planning & Retail Statement
  - Welsh Language Statement
  - Air Quality Assessment
  - Design & Access Statement.
  - Transport Assessment.
  - Travel Plan.
  - Preliminary Ecological Assessment
  - Flood Consequence Assessment.
  - Noise Impact Assessment.
  - Drainage Strategy Statement.
  - Phase 1 Preliminary Risk Assessment.
  - Phase 2 Ground Investigation Report.
  - Hazardous Ground Gas Risk Assessment Addendum Report.
  - Pre Application Consultation Report.
- 1.4 This application, due to the proposed floor space of the building, is defined as major development. In accordance with the requirements of the Town and Country Planning Order (General Development Procedure) (Wales), a pre-application consultation report was received as part of the application. The report shows that the developer has informed the public and statutory consultees of the proposal prior to submitting a formal planning application. The report concluded that the responses received were taken into consideration and the following amendments have been made:
- Addition of a new pedestrian link into the site from Caernarfon Road.
  - A reduction in height of the fence separating the carpark and service yard to 1.5m
  - Incorporation of flood-resistant measures into the fabric of the building
  - Alterations to the carpark layout to the front of Dunelm.

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## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that decisions should be in accordance with the Development Plan, unless material considerations dictate otherwise. Planning considerations include National Policy and the Unitary Development Plan 2001-2016 and the emerging Anglesey and Gwynedd Joint Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

### 2.3 Anglesey and Gwynedd Joint Local Development Plan (July 2017)

PS 1: Welsh language and culture

PS 2: Infrastructure and developer contributions  
ISA 1: Infrastructure provision

PS 4: Sustainable transport, development and accessibility  
TRA 1: Transport network developments  
TRA 2: Parking standards  
TRA 4: Managing transport impacts

PS 5: Sustainable development

PS 6: Alleviating and adapting to the effects of climate change  
PCYFF 1: Development Boundaries  
PCYFF 2: Development criteria  
PCYFF 3: Design and place shaping  
PCYFF 4: Design and landscaping  
PCYFF 5: Carbon management  
PCYFF 6: Water conservation

PS 15: Town centres and retail developments  
MAN 1: Proposed Town Centre Developments  
MAN 3: Retailing outside defined town centres but within development boundaries

PS 19: Conserving and or enhancing the natural environment  
AMG 5: Local Biodiversity Conservation

SPG - Maintaining and creating distinctive and sustainable communities.

### 2.4 National Policies

Planning Policy Wales, Edition 10, December 2018

TAN 4: Retail & Commercial Development  
TAN 5: Nature Conservation and Planning

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TAN 11: Noise  
TAN 12: Design  
TAN 13: Tourism  
TAN 15: Development and Flood Risk  
TAN 18: Transport  
TAN 20: Planning & the Welsh Language  
TAN 23: Economic Development

### 3 Relevant Planning History:

3.1 C10A/0534/11/LL – Creation of new vehicular access. Approved 08/12/2010

3/11/1288 – Warehouse extension, addition to the car park and yard. Approved 05.03.92

### 4. Consultations:

Community / Town Council: Objection as this development if approved is contrary to section 6.3 of the LDP i.e. “restricting the expansion of out-of-town retailing and leisure development”. There is concern at the current level of traffic movements and congestion in this area. A further large retail outlet would generate an unacceptable increase in traffic flow on Caernarfon Road which is often gridlocked currently. The change of use from storage to retail is contrary to the planning policy for out-of-town developments.

Transportation: No objection. The general design for the new access is acceptable with the Transport Assessment supporting the choice of design. Addition detail is required for the new roundabout before commencing work but this is detail is to be agreed through Section 278 of the Highways Act, for example details of surface water drainage of the highway surface, location of street lamps, construction of the roundabout. Conditions are suggested if permission is given.

Welsh Water: Having assessed the proposed foul drainage strategy, we note foul flows are proposed to be communicated into the 225mm combined public sewer at manhole chamber reference SH56706506. On the basis that foul only flows are proposed to connect into the public sewerage system at this location, we have no objection to the proposal in principle.

Flood and Coastal Erosion Risk Management Unit: As of January 7th 2019, all new developments of more than 1 property or where the construction area with drainage implications is 100m<sup>2</sup> or more, will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance

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with mandatory standards for sustainable drainage published by Welsh Ministers.

These systems must be approved by Gwynedd Council acting in its role as a SuDS Approving Body (SAB), before construction work begins.

Due to the size and nature of the development the developer has submitted an application to the SAB for approval prior to the commencement of construction works. The drainage strategy and plan submitted with the planning application shows that the developer has adopted SuDS principles within the development. Having had the opportunity to discuss the scheme with the developer we are confident that the site layout enables compliance with the national SuDS standards.

Biodiversity Unit: No comments to make.

Environmental Health & Public Protection: Although the site lies within a mixed-use area, a number of residential houses are located close to the development, many of which overlook the development.

The main source of noise in the area is the traffic on the road, and along with other background noise sources in the area, this will be able to conceal some of the noise associated with the transportation of goods. However, the noise from the road can vary - it is generally stronger during the day and quieter during the night and early in the morning. Therefore, any noise associated with the site during the night and early in the morning could be more prominent and therefore it could bring more potential for noise nuisance during these periods.

Following my response to the Pre-application Enquiry, the Applicant has submitted two Noise Assessments, namely Spectrum Planning Noise Impact Assessment for a Proposed Aldi Food Store Report ref. RK2604/18393/Rev 0 dated 21/02/19 and Spectrum Delivery Noise Assessment Technical Document Ref: RK2704/18393 dated 03/04/19.

A Noise Assessment in accordance with Standard BS4142: 2014 has been submitted in relation to the noise from the delivery of goods as well as an assessment of the mechanical equipment serving the development. The proposal in relation to the delivery of goods offers a generous timescale to receive goods between 06:00 and 23:00 every day of the week, including weekends. The Noise Reports propose an acoustics test to support this statement and I accept the assessments as accurate.

The Reports conclude that the delivery of goods would lead to a low impact for nearby neighbours. It must be emphasised that this is not a statement noting that no noise will be created from the delivery of goods and there remains potential for the

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Council to receive noise complaints. Therefore, I recommend a number of conditions should the application be approved.

### **Noise Conditions**

Before any ventilation system is used in the development, it will need to be enclosed and installed in a way that reduces the transmission of noise and vibration from the unit. The ventilation equipment installed will be maintained in accordance with the manufacturer's instructions.

The operation of any plant, machinery or equipment used in connection with the development hereby approved shall be such that any associated noise complies with Noise Rating Curve 25, between the hours of 2300 and 0700 and Noise Rating Curve 35 at all other times; when measured within any nearby residential dwelling.

Noise mitigation measures as noted in the above-mentioned Spectrum noise reports will be implemented and maintained throughout the development's use.

### **Receiving Goods**

Delivery times to be restricted to between 06.00 and 23.00 weekdays (Monday - Friday) and between 06.00 and 23.00 on Saturdays.

It is recommended that further restrictions are imposed on the goods delivery times, due to the nearby residential properties, to between 08:00 and 18:00 on Sundays.

### **Building Site Noise**

As a result of the nearby residential properties, the hours of operation permitted for (construction of the) building, including associated activities such as deliveries (of supplies required/associated with construction), will be restricted to standard hours:

- 8am-6pm (Monday to Friday);
- 8am – 12pm (Saturday);
- Work is prohibited on Sundays, bank holidays or other national holidays

When work is carried out outside these hours, prior permission will be required.

### **Air quality/dust**

A building control plan has been undertaken and mitigation/management measures were suggested in line with industry good practice. If the site receives any complaints during the construction period, the site/environmental

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manager would be expected to inform the local planning authority and monitor the dust boundary maintained. The monitoring to be agreed with the local planning authority prior to the commencement of the demolition/construction work.

Natural Resources  
Wales:

No objection subject to the imposition of a condition regarding finished floor levels and general environmental development advice.

Fire Authority:

No observations. The fire Authority will have the opportunity to comment during the Building Regulations Consultation Process.

Welsh Government  
(Trunk Roads):

The Welsh Government as Highway Authority for the A55 trunk road does not issue a direction in respect of this application.

Economy and  
Community:

Not Received.

Welsh Language  
Services:

Agree with the findings of the assessment in that the risk is neutral in light of the fact that new jobs will be created that will be available to the local population and the development does not represent a risk to individuals using Welsh.

The comments have requested additional information to strengthen the assessment and the agent has agreed to respond to these comments prior to the Committee.

Public Consultations:

A notice was posted in the local press and near the site, nearby residents/properties were also notified. At the time of writing the report the following comments had been received raising concern on the following grounds:

- Having another vacant unit in Bangor Centre is not good.

In addition to the objections, numerous comments in support of the application had also been received which included:

- Site is more accessible.
- New roundabout would slow the traffic and increase safety.
- Will offer much needed visual improvement to the area.
- Improved access is a benefit.
- Will boost the local economy and provide employment opportunities.

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- Being close to the A55 it will attract customers from further afield.
- Local residents are looking forward to this development.
- More space in the shop and more parking would be a bonus.
- A bigger store is definitely needed, car park is often full and not enough aisle space.
- Current store is too small and too cramped.
- More beneficial having large grocery stores on the outskirts.
- I live behind the proposal and welcome this development.

Other comments included:

- Please include trees on the boundary of the site.
- Bus shelters and bins required for the bus stop.

## **5. Assessment of the material planning considerations:**

### **The principle of the development**

- 5.1 As outlined above, the application seeks to demolish an existing building that was formally a cash and carry (Use Class B8) and the erection of a 1801m<sup>2</sup> supermarket (Use Class A1), with 1,254m<sup>2</sup> of sales area floor space. Although the application is for an A1 food retail store the evidence and documentation submitted as part of the application refers specifically to Aldi Stores Ltd. It should however, be acknowledged that any permission would run with the land, and could be implemented by any retailer. That said, it is reasonable to assume that in all likelihood any permission (if given) would be implemented by Aldi.
- 5.2 There are a number of planning policies that relate to the principle of this development due to its location and planning policy considerations. The application site is located within the development boundary of Bangor but does not have any specific land use designations within the JLDP. The site is considered to be previously developed land as defined by PPW and the JLDP.
- 5.3 Strategic policy PS 15 of the JLDP refers to Town Centres and Retail and it contains the retail hierarchy for Anglesey and Gwynedd. Bangor has been identified as the Sub-regional Retail Centre within the JLDP which is at the top of the retail hierarchy. Given that Bangor is at the top of the hierarchy it is expected that the City will be the main focus for retailing and commercial developments but the policy also seeks to protect the vitality and viability of town centres in the plan area.
- 5.4 A Retail Study was carried in 2013 in preparation of the JLDP and concluded that there was a need for additional comparison goods floor space, but there was only a limited need for additional convenience floor space (e.g. grocery products). The findings are reflected in policy PS 15 and identified Caernarfon and Pwllheli as being the only two settlements in need of additional convenience floor space. Bangor was not identified as a settlement to be in need of additional retail comparison floor space. Having said that policy PS 15, MAN 1 and MAN 3 do not preclude new retail developments outside defined town centres and from that point of view it is not considered that the principle



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of development is contrary to the development plan (subject to the detailed requirements of the policy).

- 5.5 Policy MAN 3 is relevant as it deals with retailing outside defined town centres but within development boundaries. The policy states ‘proposals for major retail development ...outside the defined town centre boundaries will only be granted provided they conform to the following criteria:

- The development would not undermine the retail hierarchy set out in policy PS 15 and
- The development either by itself or in combination with other permitted or allocated retail developments would not undermine the vitality and viability of the defined town centre
- Evidence of need for additional provision has been demonstrated;
- The sequential approach set out in PPW.

- 5.6 Policy MAN 1 also requires retail and commercial proposals outside the defined town centres to be supported by evidence of need for additional provision and satisfy the sequential approach set out in PPW and accord with other policies in the Plan.

### **Retail Hierarchy**

- 5.7 Given that Bangor has been identified as the Sub-regional Retail Centre within the JLDP and that it is at the top of the retail hierarchy it is not considered that the proposal would undermine the retail hierarchy as Bangor is expected to be the main focus for retailing and commercial developments in Gwynedd and Anglesey.

### **Vitality and viability of the Town centre**

- 5.8 Although not necessarily required in accordance with the size threshold (2,500sq.metres) of PPW and the JLDP, at the request of the LPA the applicant has carried out a minimum retail impact assessment.
- 5.9 The retail impact assessment submitted with the application acknowledges that Aldi stores generally divert trade from like for like stores such as Lidl and also other Aldi stores and that they are increasingly competing with big supermarkets such as Tesco, Asda and Morrisons. This is likely to continue in Bangor with a larger re-located Aldi. However, the main thrust of retail planning policy is to assess the impact of the proposal on the viability and vitality of the town centre, it is not intended to prohibit competition between specific or similar retailers. The main large supermarkets are already well represented in Bangor but are edge of centre or out of centre.
- 5.10 The current Aldi store is located within Bangor city centre and is currently served by a free car park for up to an hour and a half. As a consequence, it is likely that other shops and services benefit from linked trips made by Aldi shoppers. That said, Aldi argue that the products sold in their shops is limited, with only a small proportion of branded goods sold which encourages linked trips. It is likely that those choosing to shop at the proposed Aldi store would still be likely to make onward trips into the city centre to purchase other types of goods to those offered by Aldi. There are many town centre businesses that have completely different offers to a store such as Aldi and other supermarkets. People would still also use the various other services and facilities such as banks, public houses and caf  s that are not generally provided along Caernarfon Road and there is no evidence to suggest why a relocated Aldi would divert shoppers away from using those other town centre businesses.

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- 5.11 If Aldi were to vacate their existing site, it would remain available for retail use (i.e. the current proposal is not resulting in the loss of retail floor space available in Bangor – it is the current retailer seeking to relocate) as its use right as an unrestricted retail store would remain. Its availability could potentially encourage regeneration and new investment to this area of the city. As the site is owned by Aldi they have stated that it would not be made available to a competitor selling convenience goods. The site is therefore more likely to become occupied by a comparison trade retailer and a new retailer on the site would help mitigate any impacts. That said, it is acknowledged that it could also fall out of retail use altogether or become vacant, but even if the existing unit was to remain vacant there is no compelling evidence before the Local Planning Authority to conclude that this would result in a significant adverse impact on the vitality and viability of the town centre.
- 5.12 The retail report submitted assumes a trade impact of 2% on the viability and vitality of Bangor town centre as a result of the re-location. It is not however clear whether this is for all goods or convenience goods only but either way at 2% it is not considered that it would have a significant adverse impact on the vitality and viability of the town centre. There are no major unimplemented retail consents in Bangor or allocated sites that would potentially contribute towards additional impacts upon the town centre.
- 5.13 The application was extensively advertised which included a notice in the local press. On the whole, the comments received were in support of the scheme but one letter did raise concern about having another vacant unit in Bangor Centre. An expression of interest was made into the progress of the application from one of the main large convenience retailers but at the time of preparing the report no further comments had been received and none have been received from any retailers from the city centre.
- 5.14 The impact of the development on the town centre can also be managed with the imposition of planning conditions to ensure that future use of the proposed store wouldn't undermine the function of the town centre. This would include restricting the use to defined retail floor space and would also prohibit the subdivision of the store into smaller units which would be more likely to compete with units on the High Street.
- 5.15 Overall, it is considered that there will be no significant impact on the vitality and viability of the town centre from the loss of Aldi and there is no compelling reason before the Local Planning Authority to conclude that the Planning and Retail Statement does not accord with policy PS15, MAN 1 and MAN3.

### **Evidence of Need**

- 5.16 Policy MAN 1 and MAN 3 both require proposals for new commercial and retail proposals outside defined town centres to be supported by evidence of need for the additional provision. It should be noted that the policies within the JLDP do not differentiate between qualitative and quantitative need. It is therefore a matter of fact and degree for the LPA to balance the material considerations relating to need taking National Policy (PPW) and Guidance (TAN 4) into consideration.
- 5.17 National retail planning policy is contained in Planning Policy Guidance Wales (PPW) Edition 10 and Technical Advice Note 4 (TAN 4) "Retail and Commercial Development". PPW states that planning authorities should first consider whether there is a need for additional retail provision outside commercial centre boundaries and precedence should be given to establishing quantitative need before qualitative. TAN 4 states that government advice does not prescribe a particular methodology for

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undertaking qualitative need assessments. However, they should be prepared in a “logical and transparent way” and usually include a forecast expenditure of goods to be sold and include sales data for both existing and future retail provision.

- 5.18 It further emphasises it is a matter for the Local Authority to determine and justify the weight given to any qualitative need assessment which is based on meeting the quality provision of shopping for individual communities. Paragraph 6.7 of TAN 4 identifies some of the circumstances, where in combination, improvements to shopping quality could be made. These, amongst others, include meeting the objectives of a retail strategy and locating shopping in a highly accessible site for public transport, walking and cycling.

### **Quantitative Need**

- 5.19 The applicant has submitted an assessment (Planning and Retail Statement) of whether there is sufficient spending capacity (quantitative need) in the study area to justify the new Aldi store which is based on a bespoke household survey of resident shopping patterns and up to date population spending data provided by CACI. The assessment of quantitative need is based on convenience goods only as the proportion of comparison goods sold is ancillary to the convenience sales and can be suitably controlled by planning condition. That said, policy PS 15 has identified that there is a need for 7,913m<sup>2</sup> of additional comparison goods floor space in Bangor.
- 5.20 Table 3 of the Planning and Retail Statement, using population and personal spending trends, demonstrates that the overall convenience spend in the catchment will increase from £71.17m in 2019 to £71.78m in 2024. Taking shopping pattern information from the sample household survey of between 250-300 residents and an estimate of tourism expenditure inflows a total turnover of convenience shopping spending (in the catchment area) is estimated as being £82.54m by 2024 (Table 5 of the Planning and Retail Statement).
- 5.21 Table 6 of the Statement, estimates spare need capacity by increasing growth in spending due to population increase to 2021 and 2024 and adding expenditure leakage from outside the study catchment area. This is £5.31m and £5.76m for the respective years. A substantial amount of this capacity is shopping leakage to other areas outside the catchment area of £4.85m and £4.88m. The study assumes that the expenditure leakage will all be clawed back to Bangor but not does explain why or how this will occur - presumably as a result of the enlarged and modernised Aldi. Significantly, there is no analysis of the total existing convenience floor space available in Bangor and a benchmarked turnover figure of this floor space, which would give an indication of the total current supply of convenience floor space and its turnover. This could then be matched against the demand figures to assess whether there is a need for new additional convenience floor space in the catchment area.
- 5.22 Table 7a of the Statement estimates that the proposed Aldi store by 2021 will increase turnover by £2.13m over and above the likely performance of the existing store. By comparing this figure with the estimated spare capacity of need, £5.31m, the Statement concludes there is spare capacity of quantitative need to justify the new proposal.
- 5.23 Of relevance to the question of need is the “Gwynedd and Anglesey Retail Study Volume 1: Main Centres” (February 2013) prepared by Applied Planning for Gwynedd and Anglesey and which informed the preparation of the now adopted Joint Local Development Plan (2011-2026) by both Councils. Although this study also covers comparison shopping and is becoming outdated, its conclusions remain relevant. In

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paragraph 4.32 of this study, it concludes that once Asda in Bangor became operational there was a surplus (in 2013) of 1,322m<sup>2</sup> of convenience floor space and therefore there was “no need to allocate additional convenience floor space in Bangor during the plan period to 2026”. On this basis no further allocations were made in the Joint Local Development Plan for Anglesey and Gwynedd. The convenience shopping floor space has not fluctuated substantially since 2013 due to closures or new development, nor has the population substantially increased in Bangor or the wider catchment area. The study must therefore remain of considerable relevance today and is the foundation of the current development plan. It is worth noting that the proposed site is brownfield and that the substantial dated warehouse which housed the former cash & carry (B8 use), and which had some proportion of retail sales, remains on site.

- 5.24 The Local Planning Authority requested that the applicant compare their findings with the 2013 Retail Study. The response stated that their figures are more current and are based on an increase in population and on a recent survey based on current local shopping trends. They also state that the 2013 study overestimated the amount of internet shopping which at the time was substantially lower (2%) than the national average figure used in the study (6.5%) and relied on national benchmark expenditure figures which are higher than local estimates. Whilst the above may explain some of the disparity in the retail findings, no clear case has been made for new quantitative convenience shopping need. Despite this, the Authority has no reason to doubt the assessment or what is being claimed and does not hold more up to date evidence in contradiction to the applicants assessment.

### **Qualitative Need**

- 5.25 As stated above the evidence and documentation submitted as part of the application refers specifically to Aldi Stores Ltd. Aldi has operated a store at Garth Road in Bangor since 1997. This site is located in the defined town centre. The store has a gross internal area of 1,310 sq.m. with 758sq.m. of sales floor space and 70 car parking spaces. Aldi state that the store no longer provides shoppers with a high quality shopping experience and is significantly smaller than their current store formats. As a consequence, the store cannot offer a full product range and has narrow, constrained shopping aisles.
- 5.26 It is not surprising that Aldi wish to modernise their existing store as it is 22 years old and is smaller and dated compared to their current new store format. The lack of space in the existing store constrains stock storage and leads to narrower aisles and a more congested feel within the store. This is apparent when visiting the site and is reflected in the comments received following advertisement/consultation on the application.
- 5.27 Additional car parking spaces for up to 100 cars is also required for the larger proposed store, 30 up from the current 70 spaces. The current site is constrained on three sides by highways and the eastern boundary by a two storey public car park. It's accepted that it is not possible to fit the new store layout within the present site.
- 5.28 There is no doubt that a larger and more modern Aldi store would enhance the shopping experience for customers and offer a further choice of convenience goods improving qualitative need in line with current shopping trends. The redevelopment of the proposed site would bring a deteriorating and vacant brownfield site back to use in an area that is already a largely retail/commercial area along Caernarfon Road. Based on the information submitted, comments received by the public and assessment of the site, it's considered that the case for qualitative need has been demonstrated.

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### **Sequential Site Assessment**

- 5.29 The Local Planning Authority has engaged in pre-application discussions with Aldi for some time and accepts that the existing site is physically constrained, preventing the extension or adaption of the existing store to meet their modern store standards. If it had been possible to extend the existing store and given its location within the defined town centre, the need for the additional floor space would not have to be proven as under such circumstances additional comparison and convenience floor space is supported by planning policy.
- 5.30 The applicant has carried out a sequential site search in accordance with Section 7 of PPW and firstly looked for an alternative site within the town centre, secondly for an edge of centre site. No suitable site was found in these locations therefore the search was widened to the proposed site which is an out of centre site but within the settlement limits and development boundary.
- 5.31 The pre-application discussions has also allowed the Authority to have input into the site selection process and officers are satisfied with the conclusions of the sequential assessment and is not aware of any sequentially preferable sites (i.e. firstly within the town centre or edge of centre). In this context, it is considered that the application has complied with the requirements of policy MAN 3, MAN 1 and Section 7 of PPW in terms of sequential site selection.

### **Land Drainage and Flooding**

- 5.32 The application site is located on land classified as a C2 Flood Zone and strategic policy PS6 and policy PCYFF 2 of the JLDP are therefore relevant. However, there are no detailed policies relevant to the assessment of the acceptability of developments at risk from flooding as this is contained within Chapter 13 of PPW and detailed guidance within TAN 15.
- 5.33 TAN 15 categorises C2 flood zones as areas of the floodplain without significant flood defence infrastructure and indicates that only less vulnerable development should be considered subject to the application of justification test, including acceptability of consequences. TAN 15 categorises different development types according to their risk and a retail use is classified as a less vulnerable use. The proposal can therefore be assessed against the justification tests within Chapter 6 of TAN 15.
- 5.34 Given that the application site is located within the development boundary of Bangor and accords with policies regarding the locating of business and employment developments it is considered that the proposal accords with the first two tests. The site is previously developed land and therefore meets the third test. The application was supported by a Flood Consequence Assessment and Natural Resources Wales has confirmed that the potential consequences can be adequately managed on this site subject to the imposition of a condition ensuring the finished floor level of the development is set no lower than 39.0m AOD. It is therefore considered that the fourth test has been met and the proposal accords with the requirements of policy PS6, PCYFF 2 and TAN 15.
- 5.35 Policy PCYFF 6 states that proposals greater than 1000m<sup>2</sup> should be accompanied by a Water Conservation Statement. The policy seeks to ensure that proposals incorporate water conservation measures where practicable, including Sustainable Urban Drainage Systems (SUDS). All proposals should implement flood minimisation or mitigation

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measures where possible, to reduce surface water run-off and minimise the contribution to flood risk elsewhere.

- 5.36 The application as submitted has not been supported by a standalone assessment that specifically deals with water conservation as required by the policy. Nevertheless the application has been supported by a Flood Consequence Assessment, Drainage Strategy Statement and a Planning and Retail Statement. In this context, and taking all of the above into consideration, the cumulative findings/conclusions are considered sufficient to assess the proposal under policy PCYFF 6. The existing site is mainly covered by hard surfaces and surface water is dealt with by attenuation prior to being discharged into the Adda river culvert. Investigations have shown that on site soakaways are not a viable option due to ground conditions. The proposal has incorporated rainwater harvesting to reduce discharge rates and associated volumes of roof water runoff from the development site with the remainder being discharged into the Adda river culvert.
- 5.37 The Flood and Coastal Erosion Risk Management Unit has confirmed that the planning application shows that the developer has adopted SUDS principles within the development and that the site layout enables compliance with the national SUDS standards (developers must gain SUDS approval which is a separate consenting process to planning). Given that the application has been submitted with sufficient information to demonstrate the scheme can comply with national SUDS standards, it is considered that a condition can be imposed to agree the detailed scheme. With a condition it is considered that the scheme complies with policy PCYFF 6.

### **Linguistic Impacts**

- 5.38 In accordance with the requirements of policy PS 1 and the Supplementary Planning Guidance – ‘Maintaining and creating distinctive and sustainable communities’ the application was supported by a Welsh Language Statement. In response, the Council’s Language Unit has requested some additional information to strengthen the statement. However, they concluded that they agree with the findings of the assessment which found the risk to be neutral in light of the fact that new jobs will be created that will be available to the local population and that the development does not represent a risk to individuals using Welsh.
- 5.39 The applicant has been requested to provide a response to the comments provided by the Language Units prior to the date of the Committee. Nevertheless based on the information to hand and the ability to impose planning conditions (e.g. to secure bilingual signage / mitigation measures) it is considered that the application accords with policy PS 1 and the SPG.

### **The Economy**

- 5.40 Technical Advice Note 23 relating to Economic Development states: ‘it is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations. It further states that local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development. Economic growth is worthwhile wherever it is located, and in the interests of economic growth, the planning system should generally aim to provide land where there is demand for it’.

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- 5.41 The application was supported by evidence which identifies that once completed, the proposal is likely to create an additional 10 full time equivalent jobs and secure the future of the existing 27 full time jobs. Future re-use of the existing Aldi site could also contribute to further employment. Whilst it's acknowledged that the proposed figures / benefits are indicative, it is also acknowledged that there are economic benefits to be derived from the proposal and the proposal is likely to make a positive contribution to the economy of the area in accordance with the aims of the JLDP.

### **Biodiversity**

- 5.42 Policy PS 19 and AMG 5 seeks to conserve and (or) enhance the natural environment and protect local biodiversity conservation. The application was supported by a preliminary ecological assessment. The assessment concluded that the site has limited potential for nesting birds and has little habitat and biodiversity value and consequently no specific mitigation is required. The report does however acknowledge that some biodiversity gain could be possible with careful selection of plants and trees as part of the landscaping proposals. The Council's Biodiversity team had no comments to make in response to consultation. With the imposition of a condition to agree landscaping / tree species, it is considered that the proposal accords with policy PS 19 and AMG 5.

### **Design and visual amenity**

- 5.43 As previously discussed the application site is located in a mixed used area. The site is currently occupied by a large warehouse that due to vacancy is now falling into a state of disrepair. Although the existing warehouse is not visually harmful, it does not contribute to the locality in a positive way. Policy PCYFF 3 and policy PCYFF 4 relates to design, place shaping and landscaping. They both seek to promote developments of high quality design which fully takes into account the site and its surroundings.
- 5.44 The siting of the proposed building is in keeping with the building line of the adjacent Dunelm store and is set back further than the Laura Ashley store. The siting will help reduce the prominence of the building and also maintain the sense of openness on this part of Caernarfon Road which provides some visual relief from other developments along this road.
- 5.45 The building has been designed with a mono-pitch roof that is lower to the rear and rises gradually to the front, providing some visual relief to residential properties to the rear. The new building would be less industrial in appearance than the existing building and from the perspective of the dwellings behind the site, it is likely to be an improvement in terms of visual impact. The development will also see a larger gap between the new building and the Dunelm store which will open up views for some residential properties to the rear on Trehwfa Road. It is not considered that the siting and design of the building will have an unacceptable impact on residential amenity.
- 5.46 The materials proposed are mainly a mix of glazing and cladding which is a common feature of commercial buildings in the vicinity. The comments received following the publicity period were positive, with several acknowledging the scheme would secure much needed visual improvement to this part of Bangor.
- 5.47 The application has been supported by a detailed landscaping scheme and will see the preservation and improvement of the green area along the front of the site. With the use of conditions, it is considered that the design and visual appearance is acceptable and in accordance with policies PCYFF 3 and PCYFF 4.

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- 5.48 Due to the scale of the development, creating a new floor area of over 1,000m<sup>2</sup>, policy PCYFF 5 notes that detailed assessments need to be presented concerning carbon management. The Planning and Retail Statement, states that Aldi operates a detailed sustainability plan across all its UK stores and includes measures to reduce energy usage. The building will include a heat recovery system to reduce energy use. They use sustainable materials and construction methods and seek to reduce waste. Despite this, the information submitted does not fully comply with the requirements of policy PCYFF 5, however the agent is aware of this and will submit additional information prior to the Committee. Given that the application documentation has shown commitment to carbon reduction, it is likely that the development can comply fully with the requirements of policy PCYFF 5.

### **Residential and General Amenity**

- 5.49 Policy PCYFF 2 of the JLDP seeks to protect amenities. As discussed the application is within a mixed use area and is off one of the main thoroughfares into and out of Bangor. Consideration should also be given to the unrestricted lawful use of the site as a cash and carry, where goods could be received and dispatched at any time of the day and night.
- 5.50 The proposed building has been sited in a similar position to the existing warehouse with the frontage of the store facing Caernarfon Road. This means the back of the building, which faces residential properties only has two fire escape doors and two windows and is also sited on ground lower than the dwellings. As a result, the rear of the building will reduce the presence of additional activity to the front of the site. Although there is some car parking between the new building and the Dunelm store, the trolley store and the bulk of the car parking is to the front of the building which should help reduce the general noise created by customers and noise associated with the use of trolleys.
- 5.51 The service access and main goods delivery area is to remain on the south west elevation off Toronnen Road. The existing building is served by two openings with roller shutter doors where lorries can reverse up to the building but would otherwise be uncovered. In such circumstances, the lifts on the back of the lorries would have to be used frequently to unload the stock which would have increase noise impacts. The proposal will result in one goods entrance where one lorry will be able to reverse into an enclosed area with a raised platform so the stock can be unloaded undercover on the same level which reduces the noise impacts and time taken to unload the deliveries. In this context, the proposed situation would offer an improvement to the existing situation in terms of deliveries.
- 5.52 The comments received from the Public Protection Department acknowledge that the development will have some impact on surrounding properties and that if approved, the construction phase and the running of the store should be controlled by planning conditions to ensure the impacts are kept to acceptable levels. Such conditions include construction hours, noise conditions for plant & machinery, details of ventilation systems, delivery and store opening times and air quality / dust mitigation measures.
- 5.53 A number of comments from nearby residents has been received showing support for the scheme but none were received raising concern or objection to the scheme. With the imposition of conditions it is considered that the amenity impacts can be managed to a satisfactory level in accordance with policy PCYFF 2.



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## Highway Impacts

- 5.54 The application site is served by an existing access off Caernarfon Road which is one of the main thoroughfares into and out of Bangor. There is also a bust stop on the highway to the front of the site. The proposal includes the reconfiguration of the site access currently shared with Dunelm to include the construction of a new roundabout and alterations to the parking arrangements.
- 5.55 The City Council has objected as there is concern regarding the current level of traffic movements and congestion in this area and that a further large retail outlet would generate an unacceptable increase in traffic flow on Caernarfon Road which is often gridlocked. However comments received from nearby residents welcome the inclusion of the roundabout as it will slow the traffic and improve highway safety.
- 5.56 In accordance with the requirements of policy TRA 1, the application was supported by a Transport Assessment and a Travel Plan. The Transport Assessment concluded that the site is accessible and available by a number of travel modes which will reduce reliance on private car use. The findings also stated that the highway network is able to accommodate the impacts of the development which is considered to be negligible and should not materially worsen any current situation. Following the consultation period the Welsh Government Highway Authority did not wish to make a direction (in terms of impacts on the A55). Gwynedd Council's Transportation Unit has not objected, stating that the design for the new access is acceptable and have recommended conditions and informatives should the application be approved.
- 5.57 Concerns were raised regarding the frequency of bus services along Caernarfon Road and these were forwarded onto the Transportation Unit for comment. They advised that the public bus service along Caernarfon Road is a commercial service, rather than one financed by Gwynedd Council and as a result it operates on a demand basis. Given this, it is not considered necessary to secure additional provision though the current planning application. The Integrated Transportation Unit has however requested that the applicant provides bus shelters as part of the improvements to the highway. They have also acknowledged that the commercial bus service provider has expressed an interest in increasing the bus service along Caernarfon Road should the development be approved.
- 5.58 It is considered that the provision of two bus shelters on the highway outside the site is a reasonable request as it is likely that the use of these bus stops will increase as a direct result of the development. They will also positively contribute to the use of sustainable modes of transport in accordance with policy ISA 1, PS 4 and TRA 1. Given that the shelters would be located on highway land and the Highway Authority is supportive of this, the provision can be satisfactorily secured by the use of a grampian planning condition.
- 5.59 Although the concerns of the City Council has been taken onto consideration, it is considered that the proposal accords with policy PS 4, TRA 1, TRA 2 and TRA 4.

## 6. Conclusions

- 6.1 The main issue raised by the proposal is whether there is a need for more retail convenience shopping in Bangor. The findings of the Planning and Retail Statement are based on an up to date retail assessment based on a shopping questionnaire which forecasts the total retail expenditure in the catchment and how this is likely to be distributed amongst the main retail convenience providers – this is essentially a demand

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forecast of expenditure and its distribution. There appears to be no evidence to establish whether the current available convenience shopping floor space is already sufficient to meet this demand.

- 6.2 The 2013 retail study commissioned by the Council, and on which the adopted Local Development Plan (JLDP) is based, found that no further retail floor space was required until 2026, the end date of the Plan. The applicants have been asked by the Local Planning Authority to explain the difference between their findings and those of the 2013 Retail Study. In reply they point out to a more up to date and larger sample shopping survey and the non-use of national benchmark figures to calculate turnover figures which are different to local figures and therefore less reliable. Whilst this may be true there remains no direct and transparent comparison of the current convenience turnover floor space against the likely demand arising from the catchment and whether this demand is already being fulfilled by the current floor space. The report also does not justify why so much expenditure leakage from outside the catchment area will return. It appears to be an assumption not based on evidence.
- 6.3 However, and having considered the above, Aldi is already successfully trading in the city and the additional net increase in sales floor space of 496 sq.metres is relatively modest. Had it been possible they would have extended the existing store, where it should be acknowledged that the need would not have to be proven given the town centre location. They have followed planning policy in terms of sequential site selection and officers consider the sequential test has been passed. Officers are also satisfied that the qualitative need has been demonstrated and that this is evidenced in the comments received from the public as a result of public consultation. The new store will offer a greater choice of goods and a better shopping experience.
- 6.4 It is considered that the proposal is located in a sustainable location, served by a bus service, and in close proximity to a large residential area. The existing site is brownfield and falling into disrepair having been vacant (and marketed) since 2016. It is detracting from the visual amenity of the local area which is characterised by mixed used development on one of the main thoroughfares into and out of Bangor. It is located wholly within a C2 flood zone rendering it unsuitable for more vulnerable uses such as housing. The investment into the site would contribute positively to the visual amenity of the locality and especially for nearby residents. The new building will perform better in terms of its energy efficiency. The application has demonstrated that with the use of SUDS the site can reduce surface water and the risk of flooding.
- 6.5 Allowing the relocation of the site will secure the future of the Aldi store and its existing workforce of 27 staff in Bangor and should create an additional 10 new jobs. This is considered to be a positive contribution to the local economy.
- 6.6 The public benefit arising from the proposal is both economic and social, but in particular, weight should be given to the importance of developing this vacant site for a beneficial use and the environmental benefits associated with that. In this case, there is no significant objection in terms of retail policy and the proposal has achieved a measure of local support. It is considered that the public benefits associated with the proposal significantly outweighs any potential harm or slight conflict in terms of quantitative need. On this basis, and having given full consideration to all material planning considerations, it is considered that on balance this proposal is acceptable and should be approved.

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## 7. Recommendation

To approve the application subject to the following conditions:

1. Timescales
2. In accordance with approved plans.
3. Materials.
4. Welsh Water / SUDS
5. Retail conditions to restrict floor space, no subdivision into smaller units
6. Store opening times & deliveries.
7. Construction times.
8. Finished floor levels.
9. Highways access conditions and provision of two bus shelters.
10. Landscaping.
11. Welsh Language improvement / mitigation measures
12. Air quality (Construction environment management plan)