

PLANNING COMMITTEE	DATE: 09/12/2019
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

**Number: 2**

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

**Registration Date: 03/05/2019**

**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 Recommendation: TO APPROVE WITH CONDITIONS**

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## 1 Description:

- 1.1 The application was deferred from the committee on the 21/10/19 following receipt of comments submitted by the agent in response to the committee report. Given that the issues raised were in relation to the assessment of the need for the development, it was considered prudent to defer the application to allow proper consideration of the points raised. Following this the agent submitted a statement to further clarify the qualitative need for the development. In addition, a sustainability report was submitted, additional comments concerning the language statement and an amended site plan showing the provision of two bus shelters. The application has been re-assessed in light of this and the report amended accordingly.
- 1.2 The application seeks to demolish an existing building that was formerly 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.
  - Provision of two bus shelters.
  - Alterations to the service access.
- 1.3 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).
- 1.4 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.
  - Sustainability Statement

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1.5 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.

1.6 The proposed development does not fall within the description and criteria set out in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. Given that the proposal is an urban development project it falls under column 1, part 10(b) of Schedule 2. The site area exceeds the threshold of column 2 which means that the scheme should be screened to determine if the proposal is EIA Development. The proposed development has been screened and assessed in accordance with the development criteria under Schedule 3 and it is considered that the proposed development is unlikely to have significant effects on the environment and the submission of an environmental impact assessment need not be submitted with the planning application.

## 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 Local Development Plan. Although the Anglesey and Gwynedd Joint Local Development Plan (JLDP) now pre-dates the most recent version of Planning Policy Wales (PPW), it is considered that the policies relevant to this application within the JLDP remain consistent with PPW.

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

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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

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

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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 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,

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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 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.

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### 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 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.

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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.
- 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.

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## 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 formerly 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 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.

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### **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 since 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. Paragraph 6.3.109 of the JLDP acknowledges that schemes of less than 2500 sq. m gross floor space, can have a significant adverse impact on the vitality and viability of existing centres. It was therefore considered reasonable to request the assessment to assess the potential impacts of the proposal.
- 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. The competition between retailers is likely to continue 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 inhibit 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 due to its location and car park, 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 be likely to use the various other services and facilities such as banks, public houses and cafés 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.
- 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.
- 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. This is for convenience goods and is not considered 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 cumulative impacts upon the town centre.

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- 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 relocation of Aldi. It is considered that the Planning and Retail Statement demonstrates that there will be no material conflict with policies 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 these different categories of 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 undertaking 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 TAN 4 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

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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. Some of this leakage will be clawed back to the catchment area as a result of the enlarged and modernised Aldi. It is also expected that further trade will be diverted to Aldi from existing convenience stores within 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 if it were to remain as existing. This additional turnover needs to be compared with the estimated increased expenditure capacity calculated as being £5.31m in 2021 and £5.76m in 2024. The applicant has estimated that this expenditure increase will be sufficient to meet the uplift in turnover from an enlarged Aldi. .
- 5.23 Of relevance to the question of need is the “Gwynedd and Anglesey Retail Study Volume 1: Main Centres” (February 2012) 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 paragraph 4.32 of this study, it concludes that once Asda in Bangor became operational there was a surplus (in 2012) 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 2012 due to closures or new development, nor has the population substantially increased in Bangor or the wider catchment area. However, shopping patterns have changed, and discount supermarkets have become more popular with consumers. The 2012 study remains of some relevance today within the context 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 2012 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. On this basis by 2021 there will be more available expenditure of £6.96m within the catchment area than was forecast in 2012. They also state that the 2012 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.
- The above explains some of the disparity in the retail findings and the increased

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available expenditure in the catchment area and the clawback of expenditure leakage from outside does provide a shopping need. 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.

5.25 Taking all the above in to account it has been demonstrated by the applicant that there is a quantitative need for the additional floorspace contained in an enlarged Aldi.

5.26 **Qualitative Need**

5.27 Since the 1980's most of the new retail development in Bangor in comparison goods has concentrated on either side of Caernarfon Road due to the limited space available within the city centre to accommodate larger stores and associated car parking. Most of city's retail floorspace is now located in this area and shoppers will expect a range of goods and services to be available offering a choice of goods in terms of both price and quality. Although this area is outside the city centre it remains within the city's development boundary and alongside one of the main arterial routes in and out of the city. It is therefore important to the overall attraction of Bangor as a regional shopping destination for north west Wales.

5.28 The improvement of existing retail sites and the co-location of facilities will add to the diversity of the retail offer and enhance the position of Bangor as sub-regional centre. The proposed application site has been vacant for a number of years and is in need of re-development. It is not surprising therefore that a retail trader wishes to re-locate to an existing commercial area frequented by shoppers and close to existing residential areas within easy walking distance. The store will offer more diversity of discounted convenience and comparison goods to existing residential areas and to those proposed in the development plan. As stated in paragraph 5.62 of the report the applicant has agreed to provide new bus shelters which will make the proposed store and nearby retailers more accessible to non car users.

5.29 There is an extensive choice of comparison retail facilities on the western side of the city alongside Caernarfon Road. This is not the case with convenience goods as only one other major supermarket is located close by. The re-location of Aldi will therefore provide a greater choice of primarily convenience goods in a prime retail area on a brownfield site and there are no other designated sites or unimplemented permissions that would meet this deficiency. It is now the reality that the retail diversity of Bangor is located in the immediate area of the application site. In support of their proposal the applicant states the shopping experience will be improved with a new modern store offering a wider range goods at discounted prices.

5.30 In conclusion therefore it is considered that the proposal will improve the overall qualitative choice within the immediate area and the wider catchment area serving Bangor enhancing its position as a regional shopping centre. .

**Sequential Site Assessment**

5.31 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.

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- 5.32 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.
- 5.33 The pre-application discussions have 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**

- 5.34 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.
- 5.35 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.
- 5.36 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.
- 5.37 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 measures where possible, to reduce surface water run-off and minimise the contribution to flood risk elsewhere.
- 5.38 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

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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.

- 5.39 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 secure the detailed scheme. With a condition it is considered that the scheme complies with policy PCYFF 6.

### **Linguistic Impacts**

- 5.40 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.
- 5.41 The applicant has responded to the Language Units comments and has confirmed that all new Aldi stores in Wales have bilingual internal and external signage. They provided pictures from stores in Llangollen and Llangefni as evidence. It was confirmed that the in-store tannoy announcements for till openings are made in Welsh and English.
- 5.42 With regard to job opportunities, Aldi confirmed they typically recruit from the local area with the majority of staff living locally. On average, two thirds of staff live within 5 miles of the stores and around 90% within 10 miles. In terms of pay, Aldi offers one of the highest rates of pay in the supermarket sector, with the majority of Aldi staff now receiving a minimum rate of £9.10 per hour, regardless of their age, as of February 2019. They also provided information on their graduate and apprenticeship schemes.
- 5.43 The additional information was passed onto the Council’s Language Unit but no further comment was received. Nevertheless based on the information to hand, the Language Units initial agreement that the impact is neutral 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**

- 5.44 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.

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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’.

- 5.45 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 but given there is uncertainty regarding the future use of Aldi’s current store only very limited weight could be given to this factor. 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**

- 5.46 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**

- 5.47 As previously discussed the application site is located in a mixed used area. The site is currently occupied by a large warehouse of no particular architectural quality or merit. Due to vacancy it is now falling into a state of disrepair and 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.
- 5.48 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.
- 5.49 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.
- 5.50 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.

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5.51 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.

5.52 Due to the scale of the development, creating a new floor area of over 1,000m<sup>2</sup>, policy PCYFF 5 requires that a detailed assessment should be submitted concerning carbon management. Initially insufficient information had been submitted to fully assess the scheme under this policy. However, upon request the agent submitted a detailed sustainability statement. The statement has assessed both the construction and operational phases of the development. Having assessed the information submitted, it is considered that the development complies with the requirements of policy PCYFF 5.

### **Residential and General Amenity**

5.53 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.

5.54 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 trollies.

5.55 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.

5.56 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.

5.57 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

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the imposition of conditions it is considered that the amenity impacts can be managed to a satisfactory level in accordance with policy PCYFF 2.

### Highway Impacts

- 5.58 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 bus 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.
- 5.59 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.
- 5.60 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. Having taken into consideration the evidence submitted and the comments from the statutory consultees and despite the objection received from the City Council, it is not considered that the proposal would have an unacceptable impact on the highway network,
- 5.61 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. They have, however acknowledged that the commercial bus service provider has expressed an interest in increasing the bus service along Caernarfon Road should the development be approved. Given this, it is not considered necessary to secure additional provision through the current planning application.
- 5.62 The Integrated Transportation Unit has however requested that the applicant provides bus shelters as part of the improvements to the highway. Even if the frequency of the bus service is not increased, it is likely that the use of the bus stops will increase with the existing service as a direct result of the development. Therefore securing the provision of the bus shelters is considered a reasonable request as they will positively contribute to the use of sustainable modes of transport in accordance with policy ISA 1, PS 4 and TRA 1.
- 5.63 Following receipt of the comments, the applicant has confirmed that they are willing to provide the bus shelters and have submitted an amended site plan and details of the shelters. The Transportation unit has confirmed that the detail is acceptable subject to detailed consideration as part of the section 278 highway works. 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.

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## 6. Conclusions

- 6.1 The main issue raised by the proposal is whether there is a need for more retail convenience shopping in Bangor and any impact on the existing centre. 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 indicates there is available expenditure to meet the needs of an enlarged Aldi and its relocation will not have an unacceptable impact on the town centre.
- 6.2 The 2012 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 2012 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. As a result they emphasise there is sufficient spending capacity available to meet the increased turnover of an enlarged Aldi.. Further evidence from the applicant seeks to justify that a proportion of expenditure leakage from outside the catchment area will return as a result of an improved and enlarged Aldi.
- 6.3 The above should also be considered on the basis that Aldi is already successfully trading in the city and the additional net increase in sales floor space of 496 sq. metres is relatively modest in comparison with the existing convenience floorspace in the catchment. Had it been possible, the company could have extended their 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. The site does not contribute positively to 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. On this basis, and having given full consideration to all material planning considerations, it is considered that the 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