

DELEGATED REPORT

Application No:	P/21/0225
Site Address:	Aldi Foodstore Ltd And Simon Jones Cars Plymouth Street Merthyr Tydfil CF47 0TP
Development:	Proposed extension to Aldi Stores, demolition of the existing car sales building, boundary wall, and forecourt to facilitate extension, re-configuration of the existing car park and other external works
Case Officer:	David Cross
Site Visit:	6th July 2021
Application Expiry Date:	17th August 2021
Consultation reply date expired:	21st July 2021

APPLICATION SITE

The application site, which measures approximately 0.56 of a hectare, includes the Aldi Foodstore and Simon Jones Cars, located on the southern edge of the town centre. The Aldi store is adjacent to the south-west boundary of the site, which lies adjacent to the River Taff, with the remaining areas largely comprising a carpark. Along the north-east boundary of the site is the car sales forecourt with a small sales office that adjoins the main highway (Plymouth Road) serving the site.

To the north-west, the site is bound by a roundabout that provides a link to the surrounding area, including the town centre to the north and the A470 trunk road to the south. To the south-east is a bowls club and associated carpark, which shares the same access off Plymouth Road as the Aldi store. It is also noted that there is a retaining wall that separates the car sales area from the Aldi store and there are a number of trees planted within the carpark with a planted verge along the north-west boundary.

PROPOSED DEVELOPMENT

Full planning permission is sought for the demolition of the car sales building, along with the removal of a retaining wall and the sales forecourt in order to facilitate an extension to the Aldi store and the reconfiguration of the existing carpark.

The proposed extension would be on the north-east side of the building and would measure 58.4m wide by 6.8m deep and 4.5m high with a flat roof. In front of the existing entrance to the store a new lobby area would also be provided measuring 6.2m wide by 2.8m deep and 3.7m high. This would be integrated into a glazed cantilevered canopy measuring 24m wide by 3m deep and 4m high.

The proposed elevations of the extension would largely appear the same as the existing elevations with matching external material finishes, comprising a mixture of render and brickwork columns.

Given that the extension would encroach on the existing car park (80 parking bays), it is proposed to reconfigure the parking arrangements to maintain the same level of parking provision (82 parking bays), which will include 2 click and collect bays and 4 bays with electric charging points. The alterations to the existing layout of the car park involve the reposition of the retaining wall along the north-east boundary closer to the main highway and extending the bays on to land that was used as part of the car sales forecourt. The main access into and out of the car park would be retained as existing. The stepped walkway adjacent to the main store entrance would be position further north along the boundary.

The submitted plans indicate the existing trees alongside the retaining wall would be removed, as well as two trees at the centre of the car park. The proposed landscaping plan indicates 4 trees would be planted at the centre of the car park, along with 2 rain gardens to aid in surface water drainage. A planted verge would also be provided in the eastern corner of the site. A grassed area would replace the hardstanding in the car sale area, along with the planting of 3 trees adjacent to the north-east boundary.

In support of this application the following reports have been submitted:

- Arboricultural Impact Assessment
- Ecological Assessment
- Planning & Retail Statement
- Transport Statement
- Design & Access Statement
- Ground Report
- Flood Consequence Statement & Drainage Strategy

PLANNING HISTORY

P/16/0069 - External alterations to existing store, including alterations to elevational treatment and glazed shopfront and minor repairs to external areas (including re-surfacing of car park etc).

Permission GRANTED on 26.04.2016

P/06/0671 - External changes to building and erection of glass canopy.

Permission GRANTED on 05.02.2007

P/05/0495 - Extension (to provide 320 sq. m. of retail and storage floorspace)

Permission GRANTED on 21.12.2005

CONSULTATION

Head of Engineering - No objection

Planning Division's Ecologist	-	No objection subject to a condition relating to the implementation of the mitigation, compensation and enhancement measures
Landscape Architect	-	No response
Natural Resources Wales	-	No objection subject to the conditions relating to flood risk mitigation
Welsh Water	-	No objection subject to a condition relating to surface water drainage.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and a site notice was displayed within the vicinity of the site.

No representations have been received as a result of this publicity exercise.

POLICY CONTEXT

National planning policy

The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Policy 6 – Town Centre First, states: *‘To breathe new life into town centres, the Welsh Government has adopted a ‘Town Centre First’ approach. This puts the health and vibrancy of town centres as the starting point of locational decision-making. It also directs facilities and services to where intended users can easily walk, cycle and/or use public transport to access them.’*

This policy considers town centres are the most accessible parts of our towns and should be the focus of growth and regeneration. Such areas remain a focal point for communities and provide a hub for a variety of uses alongside retail.

Whilst policy 6 applies to development of a significant scale (defined broadly, where a facility will serve a town, city or region-wide catchment), it is also recognised that planning authorities are encouraged to take a similar approach for smaller developments.

Planning Policy Wales (PPW), Edition 11, February 2021:

Para 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.55 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development.

Para 4.1.43 – 4.1.56 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance on cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Section 4.3.3 acknowledges that in order to ensure maximum contribution to the well-being goals the planning system must promote viable urban and rural retail and commercial centres. It must sustain and enhance the vibrancy, viability and attractiveness of retail and commercial centres. It must also improve access to and within the retail and commercial centres by all modes of transport.

Section 4.3.8 – 4.3.23 notes that where a need for additional retail has been identified, planning authorities should consider the most appropriate form, scale and location of this provision to best meet the need. It emphasises a town centre first to the sequential approach for the location of new retail development, before consideration is given to edge of centre and then out of town sites. New out of town retail developments or extensions should not be of a scale, type or location likely to undermine the vibrancy, attractiveness and viability of those retail and commercial centres that would otherwise serve the community.

Sections 4.3.26 – 4.3.29 consider the potential retail implications a new retail development may have on designated retail centres, which may impact on their viability and vibrancy. Where appropriate retail impact assessments may be required and the use of conditions may be necessary to limit any changes over time i.e. loss of existing provisions, changes to the range of goods or the sub-division of units etc.

Para 6.4.21 – 6.4.23 note that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to any potential impacts on protected species which may result in disturbance or harm to the species or its habitat.

Technical Advice Notes (TAN):

- TAN 4 Retail and Commercial Development, November 2016
- TAN 5 Nature Conservation and Planning, September 2009
- TAN 12 Design, March 2016
- TAN 15 Development and Flood Risk, July 2004
- TAN 18, Transport, March 2007

Local planning policy

Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031:

- Policy SW4 - Settlement Boundaries
- Policy SW11 - Sustainable Design and Placemaking
- Policy EnW1 - Nature Conservation and Ecosystem Resilience
- Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species.

- Policy EnW4 - Environmental Protection
- Policy EnW5 - Landscape Protection
- Policy EcW3 - Retail Hierarchy – Supporting Retailing Provision
- Policy EcW4 - Retail Allocation
- Policy EcW6 - Out-of-Town Retailing Areas

Supplementary Planning Guidance (SPG):

- SPG 2 Planning Obligations, March 2012
- SPG 4 Sustainable Design, July 2013
- SPG 5 Nature and Development, May 2015

PLANNING CONSIDERATIONS

Land use

The application site lies within the settlement limits where the majority of new development is generally encouraged and supported by policy SW4 of the LDP. The proposal also relates to previously developed land that forms part of a well established retail store and car sales area on the edge of the town centre. Therefore, the principal of the proposed development is acceptable, subject to compliance with other relevant LDP policies.

Retail implications

In accordance with policy EcW3 of the LDP, which defines the retail hierarchy, with the town centre being the favoured location for retail uses, it is necessary to undertake an assessment of need and apply a sequential approach to the location of the development. Additionally, policy EcW6 indicates retail development in out of town locations should demonstrate that there is an additional need for the proposal, which cannot be provided in the town centre and that the proposal would not either individually or cumulatively have an unacceptable impact on trade, turnover, vitality and viability of the town centre. In this instance, it is important to note that the application site adjoins the southern edge of the town centre boundary as defined in the LDP.

The Aldi store currently has an internal retail floorspace of 979sqm and the proposed extension to the store would provide an additional 392sqm of net retail floorspace. It is intended that the extension will provide more spacious sales areas to improve the shopping experience and improve the servicing facilities, as well as provide an additional isle to display goods. The proposal would not significantly increase the range of goods that can already be sold from the premises. The applicant has indicated that the extension would also bring the store size in line with other Aldi stores in the region.

A retail statement has been submitted in support of the application, which considers the need for the development, the potential impact on the town centre and a review of other vacant units in the area. It is identified in policy EcW4 of the LDP that there is some capacity for an additional 6,281sqm of retail floorspace over the period of the plan, comprising 409sqm for convenience goods, 3,736sqm for comparison goods and 2,136 for food and beverage. As such, there is a small identified need for the proposed development.

A sequential test has been undertaken based on Lichfield's retail study in 2017, which considers both the town centre and other local centres. The applicant has identified that there are 48 vacant commercial properties within the town centre, the majority of which are small retail units with a floorspace of less than 150sqm. It is acknowledged that the Lichfield's retail study may not be up-to-date and a more accurate survey is not currently available due to the pandemic. Similarly, present retail trends are likely to be skewed by the Covid restrictions. However, it is also noted by the applicant that the town centre already has a good selection of convenience shops with Tesco, Iceland and Farmfoods, which are complimented by a number of smaller convenience stores.

Notwithstanding this, it has been noted in the retail statement that the main purpose of the proposed extension is to improve the operation of the store for existing customers and that the extension presents a modest increase in the gross internal floorspace. As such, it would not be appropriate to disaggregate the proposed floorspace from the existing store, as both elements must be together to function correctly i.e. it would not be possible to create a new Aldi store on another site with just 413sqm of floorspace.

Notwithstanding the out of town location, the applicant considers the site to be well placed for linked trips between the Aldi store and the town centre, which is within walking distance of the primary shopping area. The Aldi store is also in a sustainable location with the main bus and train stations in walking distance of the site, as well as there being nearby pedestrian and cycle routes in the vicinity. Additionally, the site is in close proximity to residential properties allowing for walk-in customers. Given that the proposal is for an extension rather than an entirely new store, the applicant does not anticipate the development would divert trade from other retail areas. Given the size of the extension and its close proximity to the town centre, being within walking distance of other retail premises, services and facilities, it is considered that the development would not have a significant impact on the viability or vitality of the town centre. Therefore, the proposal complies with policies EcW3, EcW4 and EcW6 of the LDP.

Design approach

The proposed extension has been designed to largely reflect the appearance of the existing elevations of the building by extending the glazed areas on the north-west side, which fronts toward the main road. The north-east elevation would also maintain the same appearance with rendered walls and brickwork piers, along with a new glazed lobby area. The provision of a pitched roof above the extension would have been more consistent with the character of the existing store. However, due to the scale and elongated nature of the extension, it would be difficult to integrate such a roof profile sympathetically as this would likely lead to a bulky form that may appear far more imposing on the surrounding area. As such, the approach of incorporating a flat roof is appropriate and would minimise the potential impact of the development in terms of its scale and mass. Overall, the extension would be of an appropriate design and would not have a significant impact on the character or appearance of the surrounding area.

The proposed extension would encroach into the existing carpark and in order to maintain a similar level of parking provision, the carpark would be extended closer to Plymouth Road, which would involve the removal of the existing car sales building and forecourt. To accommodate this, the existing high concrete boundary wall, which separates the car sales area and the Aldi carpark, would also be removed. A new retaining wall would then be construction (approx. 0.9m high) where the land steps down into the site with 1m high railings above. The removal of the car sales forecourt and boundary wall would help to

provide a more open environment that integrates well with the streetscene and would improve the character and appearance of the area.

An Arboricultural report has been submitted, which reviews the current condition of the existing trees along the boundaries of the site and within the carpark. The existing vegetation along the south-west and north-west boundaries would largely be unaffected by the development. However, some of the trees within the carpark and adjacent to the north-east boundary would be lost as a result of the proposed rearrangements to the carpark. The report notes that the affected trees are typically of low quality, although a small group of trees were deemed to be of moderate quality. To compensate for the loss of these trees, it is proposed that 7 extra heavy standard trees would be planted at the centre of the carpark and along the north-east boundary, 3 large specimen shrubs would be planted in the north-east corner of the site and 514 new shrubs would be planted within large planting beds. The proposed landscaping scheme is deemed to be acceptable and would provide an attractive environment that appropriately responds to the urban environment. Therefore, the general design and layout of the develop is acceptable and complies with policies SW11 and EnW5 of the LDP.

Ecological impacts

Given the location of the development adjacent to the Afon Taf Site of Importance for Nature Conservation, an Ecological Assessment has been undertaken, which includes an extended habitat survey and an inspection of the existing buildings.

The report notes that the car sales building, retaining wall and a number of trees would be lost as a result of the development. However, it is concluded that there are no features within the site of significant ecological importance. The existing buildings were also assessed as having negligible potential to support roosting bats. It is noted that there is general need to avoid the bird nesting season or ensure a qualified ecologist is present to ensure no nests are disturbed prior to any construction works commencing on site. Overall the report considered the development would not have adverse impact on any protected species or habitats. Mitigations and enhancement measures have been set out in the report, which includes additional ornamental planting, the planting of general purpose meadow mix grassed areas, the avoidance of lighting along the river corridor and the provision of 2 bird boxes and 2 bat boxes within the site. It is acknowledged that the Planning Division's Ecologist is satisfied with the survey work undertaken and the conclusions reached. Therefore, the proposal complies with policies EnW1 and EnW3 of the LDP.

Highway safety

The existing access serving the Aldi store would be maintained with no alterations required to the junction on to Plymouth Road. The proposed alterations of the carpark layout would also continue to incorporate one-way traffic movements. There would be no significant changes in the number of parking bays provided within the carpark. However, it is noted that the proposal would also include the provision of four bays with electric vehicle charging points. Furthermore, there would be no changes to the access for the service delivery area situated to the south-east of the store.

A Transport Statement has been submitted in support of the application, which considers the potential for any increases in traffic generation as a result of the proposed extension to the store. The statement notes that an extension to a store primarily increases the period

of time a customer might dwell in the store and does not necessarily mean that there would be a significant increase in the number of visitors. Using TRICS data to assess the potential increase in new trips to the store, the statement indicates the development might result in 2 or 3 additional customers arriving at the site during peak times. This suggests that the proposal would likely result in a negligible increase in traffic movements with an imperceptible impact on the local highway.

The proposed access, traffic circulation and parking provision within the carpark is deemed to be sufficient to accommodate the extension to the store. The development would also not result in a significant change to the traffic movements in the area. In this regard, it is acknowledged that the Head of Engineering has not raised any highway safety concerns. Therefore, the proposal complies with policy SW11 of the LDP.

Flood risk

A Flood Consequence Assessment (FCA) has been submitted in support of the application, given that the development lies entirely within a C2 Flood Zone, as identified by Natural Resources Wales (NRW) on their Development Advice Maps (DAM), which are considered to be areas without significant flood defence infrastructure. It is noted in TAN15 that employment, commercial and retail development falls into the category of 'less vulnerable development'. The FCA justifies the location of the development, noting the close proximity of the site to the town centre, which can assist in sustaining the settlement and its contribution to the viability/vitality of the town centre. It also acknowledged the development would be situated on previously developed land.

In the absence of hydraulic modelling data being available from NRW, the necessary data was obtained from Wallingford HydroSolutions Ltd, who have prepared a flood model on behalf of the Council, which considers principally the flood risks associated with the Nant Morlais and River Taff. Based on this information an addendum to the FCA has been submitted (separate letter dated 02.11.2021). The addendum notes that the existing levels of the Aldi store and the proposed extension would be 162.95mAOD, which is around 288mm above the predicted 1 in 100 year flood level. Taking into consideration the 30% allowance for climate change, the building would remain flood free. When considering the extreme flooding event (1 in 1000 year flood), the flooding levels would be potentially 300mm above the floor level of the store. However, the addendum notes that the proposed extension relates to an existing store and that the development would unlikely significantly alter the current situation. As such, the flood risk and consequences would be materially the same.

It is acknowledged that NRW are satisfied with the flood risk assessment that has been undertaken, which has regard to the most recent flood data. They have noted that the extension would be designed to be flood free during a 1 in 100 year flooding event. It is also noted that the existing carpark is currently at risk of flooding and that this will continue to be the case post development. It has been advised by NRW that they do not object to the development provide the addendum to the FCA (dated 02.11.2021) and amended plans, which illustrate the proposed finish flood levels are appropriately conditioned to overcome their concerns with flood risk. Therefore, the proposal complies with policy EnW4 of the LDP.

CONCLUSIONS

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

For the above reasons, the proposed development is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: **BE APPROVED** subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing No. 1504 P4 - Proposed Site Plan, received 03.09.2021
Drawing No. 1505 P3 - Proposed Floor Plan, received 03.09.2021
Drawing No. 1506 P3 - Proposed Roof Plan, received 22.06.2021
Drawing No. 1507 P4 - Proposed Elevations, received 03.09.2021
Drawing No. 1509 P2 - Proposed Site Sections, received 22.06.2021
Drawing No. 13892_P03 - Soft Landscape Proposals Rev G, received 19.09.2021
Response to NRW Comments by Craddys Ref 11867w0005, dated 02.11.2021
Arboricultural Impact Assessment, received 22.06.2021
Ecological Assessment Rev F, Report ref 13892_RO1, dated 04.09.2021

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **Prior to the construction of the extension** hereby approved details/samples of the proposed brickwork to be used in the construction of the extension hereby approved shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **Prior to construction works commencing on site** details of the railings and the facing material finish of the retaining wall along the north-east boundary of the site shall be submitted to an approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **No development shall commence**, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period.

The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) measures to avoid pollution to nearby water environments during construction

Reason - In the interests of the highway safety and free flow of traffic and to protect the environment and so as to accord with Policies SW11 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. **Prior to construction work commencing on site**, details for the provision of 2 bird boxes and 2 bat boxes to be located on existing trees, in accordance with the Ecological Assessment (Report ref 13892_RO1, dated 04.09.2021), shall be submitted to and approved in writing by the local planning authority. The bird and bat boxes shall be erected in accordance with the approved details, prior the beneficial use of the proposed extension hereby approved.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. All planting, seeding or turfing comprised in the approved details of landscaping (Drawing No. 13892_P03 - Soft Landscape Proposals Rev G), shall be carried out in the first planting and seeding seasons following the beneficial use of the extension hereby approved or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

30/11/21