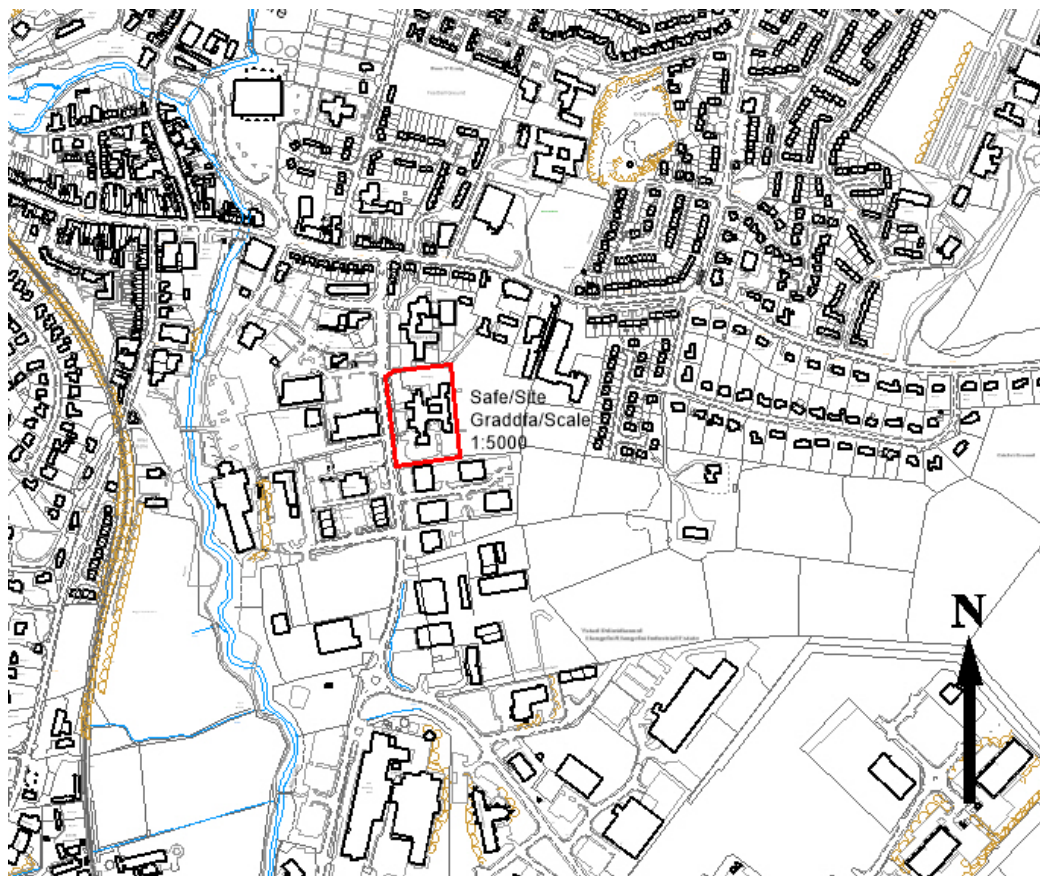


Rhif y Cais: **34C705/ECON** Application Number

Ymgeisydd Applicant

**Lidl UK GmbH**

**Cais llawn i dymchwel yr ysgol presennol, codi archfarchnad newydd, gwelliannau i'r mynedfa presennol ynghyd a gwaith cysylltiedig ar safle cyn / Full application for the demolition of the existing school, erection of a new supermarket, improvements to the existing access together with associated works at former**

**Ysgol y Graig, Llangefni**

**Planning Committee: 26/04/2017**

**Report of Head of Regulation and Economic Development Service (MTD)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

Development involving Council owned land.

**1. Proposal and Site**

This application relates to the relocation of the current supermarket to a site which lies directly adjacent. The application site is occupied by the former Ysgol y Graig and has been vacant for approximately seven years. It extends to approximately 0.8ha

The application site lies within the development boundary for Llangefni in the Ynys Môn Local Plan (1996), Stopped Unitary Development Plan (2005) and emerging Anglesey and Gwynedd Joint Local Development Plan.

The site is located outside the shopping centre/town centre boundary for all of the relevant Plans.

It is proposed to construct a two-storey building with 138 parking spaces providing 2,468m<sup>2</sup> floorspace. The building will have a glazed frontage and monopitched roof design additional planting is proposed.

All existing 11 members of staff will be retained, with the replacement store being expected to create 15-25 new jobs. These will be both full and part time.

**2. Key Issue(s)**

Can the proposals be supported in terms of policy?

**3. Main Policies**

**Gwynedd Structure Plan**

Policy B1 - Employment  
Policy D4 - Siting and design  
Policy E1 - Retailing  
Policy E3 - Retailing out of centres

**Ynys Mon Local Plan**

Policy 1 - General Policy  
Policy 19 - Shopping  
Policy 26 - Parking  
Policy 42 - Design

**Ynys Mon Unitary Development Plan (Stopped)**

Policy GP1 - Development Control Guidance  
Policy GP2 - Design  
Policy EP9 - Retailing Outside existing centres  
Policy TR10 - Parking standards

**Emerging Joint Local Development Plan**

Policy MAN 3 - Retailing outside defined town centres but within development boundaries  
Policy CYF1 - Safeguarding allocating and reserving land and units for employment use  
Policy CYF4 - Alternative uses of existing employment sites.

## **Planning Policy Wales 9th Edition**

**Technical Advice Note 4 - Retailing and commercial development (2016)**

**Technical Advice Note 12 - Design (2016)**

**Technical Advice note 23 - Economic Development (2014)**

**Supplementary Planning Guidance Design Guide for the Urban and Rural Environment (2008)**

### **4. Response to Consultation and Publicity**

**Local Members:** No response

**Town Council:** No response

**Highways:** Conditions

**NRW:** Conditions

**Welsh Water:** Conditions

1 letter has been received commenting on access from the scouts hut and through the new sheltered home development Hafan Cefni,

### **5. Relevant Planning History**

None.

### **6. Main Planning Considerations**

#### **Can the application be supported in terms of policy?**

National policy guidance relating to retailing is provided in section 10.3 of Planning Policy Wales (PPW) (Edition 9, Nov 2016). Paragraph 10.3.1 states that "When determining a planning application for retail, leisure or other uses best located in a town centre, including redevelopment, extensions or the variation of conditions, local planning authorities should take into account:

- i) compatibility with any community strategy or up-to-date development plan strategy
- ii) need for the development/extension, unless the proposal is for a site within a defined centre or one allocated in an up-to-date development plan;
- iii) the sequential approach to site selection;
- iv) impact on existing centres;
- v) net gains in floorspace where redevelopment is involved, and whether or not it is like-for-like in terms of comparison or convenience;
- vi) rate of take-up of allocations in any adopted development plan;
- vii) accessibility by a variety of modes of travel;
- viii) improvements to public transport;
- ix) impact on overall travel patterns; and
- x) best use of land close to any transport hub, in terms of density and mixed use.

Paragraph 10.3.2 notes that "This approach reinforces the role of centres as the best location for most retail/leisure activities. In contrast to the way in which locations outside existing centres are dealt with, consideration of the need for additional provision is not a matter that should be taken into account when proposals for uses best located in centres come forward."

PPW establishes the principle of a sequential test in relation to town centre uses which have direct relevance to economic land uses. Paragraph 10.3.4 of PPW states that “Developers should be able to demonstrate that all potential town centre options, and then edge of centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered for key town centre uses. The onus of proof that more central sites have been thoroughly assessed rests with the developer and, in the case of appeal Welsh Ministers will need to be convinced that this assessment has been undertaken. This approach also requires flexibility and realism from local planning authorities, developers and retailers.”

The principle of the sequential test approach is further supported within Technical Advice Note (TAN) 4.

Policy 19 of the Ynys Môn Local Plan states that:

Applications for retailing outside existing shopping centres will be permitted where they:

- Are incapable, due to the scale and nature of their activities, of being built on land within existing centres.
- Do not harm the vitality or viability of existing centres as a whole.
- Are in locations convenient for public transport, delivery vehicles and private cars.
- Are within or adjoining existing settlements.

Paragraph 11.43 of the Stopped Ynys Mon UDP, states that the focus will be on “protecting, maintaining and enhancing the existing centres in order to ensure that all sections of the community as well as tourists are provided with a wide range of shops, services and other activities accessible by a choice of means of transport.”

Consequently Policy EP8 of the Stopped Ynys Mon UDP aims to maintain and enhance the vitality, viability and attractiveness of the centres identified within the Plan by ensuring that established centres remain the primary focus for a wide range of retail (A1, A2 and A3), commercial and public offices (B1), community facilities and institutions (D1) and entertainment and leisure (D2).

Of specific relevance to the application in question is Policy EP 9 (Retailing Outside Existing Centres) which states that:

“Permission for retail units outside the established centres will only be permitted where:

The development cannot reasonably be located within established centres and;  
The scale and nature of the development would not affect the vitality and viability of the established centres and;  
The applicant has demonstrated realistic flexibility in considering sequential alternatives and;  
There would be no adverse impact upon the future vitality and viability of established centres identified in the plan and;  
The development complies with the sequential test and is justified by a quantitative or qualitative need.”

Within the JLDP the relevant policy is Policy MAN3: ‘Retailing Outside Defined Town Centres but Within Development Boundaries’. This policy states that major retail developments located outside the town centre boundaries should only be approved where they don’t undermine the retail hierarchy, that the development would not undermine the vitality and viability of the defined town centre and further evidence of the additional need is required.

Furthermore, within the JLDP the former Ysgol y Graig site is a safeguarded employment site in accordance with Policy CYF1 – ‘Safeguarding, Allocating and Reserving Land and Units for Employment Use’. This means that the land is safeguarded for uses in B1, B2 and B8 use class. The proposal for an A1 retail development should be considered in accordance with Policy CYF4 – ‘Alternative uses of Existing Employment sites’. Considering alternative uses on safeguarded employment sites needs to comply with either one or more of the criteria which has been listed in Policy CYF4. The policy reads as follows:

#### "POLICY CYF 4: ALTERNATIVE USES OF EXISTING EMPLOYMENT SITES

Proposals to release employment land on **existing employment sites** safeguarded or allocated for Use Classes B1, B2 or B8 in accordance with Policy CYF1 for alternative uses will be granted only in special circumstances, provided they conform to **one or more** of the following criteria:

1. *If the site is vacant, that it is unlikely to be used in the short and medium term for the original use or the safeguarded use and there isn't a viable business or industrial use for the site, **or**;*
2. *There is an over provision of employment sites within the vicinity, **or**;*
3. *The current employment use is having a detrimental effect on amenity and the environment, **or**;*
4. *The proposal would not have a detrimental effect on employment uses at adjacent sites, **or**;*
5. *There is no other suitable alternative site for the proposed use, **or**;*
6. *If the site is used in the short term (on a temporary basis) it should be assured that there are appropriate restoration measures in place to the satisfaction of the Local Planning Authority."*

The 2013 Gwynedd and Anglesey Retail Study provides an assessment of the potential capacity to support new retail floorspace in Llangefni in order to inform the plan-making process.

Table 30 of Volume 4 of the Retail Study indicates that residents in Zone 3 (Llangefni Menai) generate approximately £38m of convenience goods expenditure in 2012, rising to £40m in 2026 (excluding tourism expenditure inflow). However, the Retail Study indicates that just £20m of this expenditure is captured by existing stores in Llangefni in 2012, rising to £22m in 2026 (excluding tourism inflow). Accordingly, approximately £20m of locally generated convenience expenditure is being spent elsewhere. Table 44 indicates that £14m of convenience expenditure generated within Zone 3 is spent at centres and stores in Bangor (in 2012), with £2.1m spent in Benllech, £1.5m spent in Holyhead and £1.4m in Beaumaris.

This suggests that existing convenience stores in Zone 3 are not meeting the convenience shopping needs of 43% of local residents. Accordingly, many residents are travelling to stores outside the local area to meet their shopping needs. As such in terms of capacity it is considered that the proposals would not harm the vitality or viability of existing stores.

As indicated a sequential approach to site location is required in both plan policy and PPW. The applicants have submitted the findings of the test carried out and state in respect of the existing store:

"The Applicant has, therefore, considered the option to demolish the exiting store and build a replacement store within the confines of the existing site. This exercise has confirmed that the existing site arrangement is the optimal layout and that delivering a larger store on a different footprint would not be suitable. Indeed, positioning the store on a north-south axis along Industrial Estate Road would occupy the full width of the site and render any residual areas unsuitable for car parking and servicing due to inaccessibility. The scale of the store would have to be reduced to a scale very similar to the existing store, with car parking and servicing located at the rear of the building, which is not commercially viable. Accordingly, the ability to redevelop the site is limited. Furthermore, it would not be viable for Lidl to demolish the existing store only to rebuild a replacement store of a similar scale to that proposed, but with less parking spaces, on the same site. The required qualitative enhancements would not be delivered.

The only option available to Lidl is, therefore, to deliver the replacement store on a different site that enables the quantitative and qualitative enhancements to be delivered. In the absence of a suitable and available site located within or closer to the town centre, the application site is the sequentially preferable location to deliver the replacement store. In addition, being located opposite the existing store, the application site is ideal in terms of limiting impacts on existing shopping patterns".

Other sites have also been considered but none which are available meet the required criteria for their business model.

Whilst the site is located outside of the retail core it is located within the settlement boundary alongside other mixed uses such as retail outlets, post office, police station and sheltered housing. It is within the commercial area of the settlement with good access routes and only a short walk to the town centre.

In accordance with the above policy requirements a sequential test has been carried out and indeed the suitability of the existing store assessed. Furthermore, an assessment has been made in respect of the impact of the additional retail floor space on the town centre.

With these matters in mind it is considered that the requirements of Local Plan Policy 19 and UDP Policy EP9 have been met.

In respect of the emerging plan policy, whilst the listed policies may be subject to change, it is considered that the proposals satisfy MAN3. Whilst the site is not protected for B1-B8 employment uses in the current development plan it is protected for such under the terms of emerging plan policy CYF1.

However, POLICY CYF 4: ALTERNATIVE USES OF EXISTING EMPLOYMENT SITES sets out criteria whereby an alternative use would be permitted. In respect of this, it is considered that the proposals can be supported by satisfying criterion 1 and 5.

Consideration should also be given to the site which is to be vacated. Upon moving the business to the new site Lidl will be marketing the site as a non-food retail premises where no planning change of use will be required.

## **7. Conclusion**

It has been shown in the contents of this report that there is policy support in current Development plan and emerging plan policies for the proposed development.

Furthermore, there are no technical such as highways or drainage objections to the scheme. The design is likewise considered acceptable.

## **8. Recommendation**

### **Permit**

**(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.**

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

**(02) No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details, subject of the 'Flood Consequence Assessment with Detailed Drainage Strategy' prepared by Beam Consulting. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.**

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.

**(03) Surface water flows from the development shall only communicate with the public surface water sewer through an attenuation device that discharges at a rate not exceeding 5 l/s.**

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

**(04) Full design and construction details relating to the Section 278 works shall be submitted to the local planning authority for its written approval prior to commencement of development.**

Reason: To ensure that the necessary highway alterations are in accordance with the highway authority's requirements in the interests of highway safety.

**(05) Prior to the commencement of any works the written approval of the local planning authority shall be obtained for a construction environment management plan and construction transport management plan the development shall be carried out in accordance with the details contained therein.**

Reason - to ensure that the construction of the proposed development is carried out in a safe and acceptable manner without detriment to the highways in the vicinity of the site, in the interests of highway safety.

**(06) The implementation and continued maintenance / monitoring of the Travel Plan.**

Reason: In the interests of highway safety and to encourage sustainable travel by means other than single occupancy car journeys.

**(07) Prior to the commencement of works the written approval from the local planning authority of detailed design and construction details relating to the proposed surface water drainage scheme shall be received.**

Reason: In the interests of highway safety to ensure that there is no detrimental effect on the highway as a result of the proposed development.

**(08) Full details of any lighting to be included as part of the scheme including light spillage details shall be submitted to the local planning authority for its written approval prior to the commencement of those works the development shall thereafter be carried out in accordance with those details.**

Reason: In the interests of amenity and any protected species present on the site.

**(09) The prior agreement of the local planning authority in writing shall be obtained before any trees or hedges on the site or on the boundaries of the site are lopped, topped or felled, and if any such trees or hedges are felled they shall be replaced to the satisfaction of the local planning authority.**

Reason: In the interests of amenity.

**(10) The site shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority before any development work is commenced on the site. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.**

Reason: In the interests of amenity.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.