

PLANNING COMMITTEE

2ND FEBRUARY 2021

AMENDMENT SHEET 2 – CLARIFICATION / CORRECTIONS

<u>APPLICATION NO:</u> P2019/5304	<u>DATE:</u> 30/10/2019
PROPOSAL:	Erection of a Class A1 foodstore (1,899 sqm gross floor area) with associated access, car parking and landscaping (amended red line to facilitate improved access and visibility splays)
LOCATION:	Land Adjacent To CSN Precision Engineering, Neath Abbey Road, Neath SA10 7BR
APPLICANT:	ALDI Stores Ltd
TYPE:	Full Plans
WARD:	Bryncoch South

Report Clarifications / Corrections

In advance of consideration of the report by Members at Committee, and following review of the report, the following clarifications / corrections are issued to ensure that Members' decision at Committee is legally robust: -

Qualitative Retail Need

In considering qualitative need, the report notes a number of accepted benefits, including (inter alia) that it would contribute to a reduction in car journeys / mileage, particularly those associated with expenditure 'leaking' from the Neath area.

The report clearly advises that reliance should not be placed upon the identity of a particular occupier (e.g. Aldi) when giving weight to retail planning policy, and in this regard the overall conclusions reached rely on the type of development as opposed to the identity of the occupier. Nevertheless, one part of the assessment – and the submissions made on behalf of the applicant – do refer to the reduction in shopping journeys (a factor in PPW para 4.3.16), being in part due to the fact that this development would address an existing deficiency in Aldi store provision in the Neath area. In this respect the report does note (at page 28) that "it is entirely possible, and reasonable to conclude that it will help to address the deficiency in Aldi store provision in the Neath area" which could reduce the number of food shopping trips which are 'leaking' away from the Neath area to Swansea.

It is thus emphasised that a reduction in trips is only one part of the overall conclusion on qualitative need, and that the overall conclusion has not been reached *because* it is an Aldi – which should not be relied upon in such land use planning decisions - but because the leakage of expenditure away from the Neath area needs to be prevented, and in this regard a new development of the type proposed has a role to play.

However, the fact that the applicant is Aldi which is under-represented means that the conclusions reached over reduction in car trips is more likely to occur. Accordingly, while reliance is not placed on the occupier there are sound planning reasons for considering such benefits when reaching such a conclusion.

Retail Impact

On page 27 and page 33 of the report, reference is made to “*the January 2020 information*” and “*the recent (January 2020) submissions*”. Such references should actually refer to submissions made in January **2021**.

It is also emphasised for the retail assessment that the advice received from the Council’s retail consultant is available online, and forms part of the background papers/file for the application, which also include representations received on the application (including those from nearby retailers) (albeit such public comments are available to view as part of the background file on request).

Flooding

The report (on page 57) currently states that “...development at this location would meet tests set out in criteria (i) to (iii)”.

It is clarified that the development would not strictly meet test (i) – as it is not referred to within the Local development Plan for example – but would meet test (ii) given the accepted contribution of the development to key employment objectives. The initial amendment sheet has also clarified that there would be no unacceptable loss of employment land when considered against the Local Development Plan Policy EC4. Furthermore, under criterion (iii) it is accepted that the proposal would constitute ‘previously developed land’, notably as the site forms part of the wider forecourt / curtilage of the existing site occupier.

In terms of third party flood risk the report currently notes (at page 57) that the increase in flood risk elsewhere has been accepted in writing by the affected owner (CSN), noting that this approach has been agreed by the Authority on other sites where the additional risk to third party land is minor. Notwithstanding that this remains the case, it is emphasised that the slight risk of flooding elsewhere is technically contrary to the requirements of Appendix 1 to TAN 15, however, the increase in risk of flooding elsewhere is very minor, and the neighbouring land use is not in a vulnerable category, such that this minor breach is considered acceptable.