

## **PLANNING & DEVELOPMENT COMMITTEE**

**07 September 2023**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0294/10 (GD)  
**APPLICANT:** Aldi Stores Ltd  
**DEVELOPMENT:** Sub-division, extension, external alterations to retail unit to enable it to trade as part foodstore/part non-food retail unit with ancillary cafe, modifications to garden centre, delivery access arrangements, car parking layout, landscaping, and other associated site works.  
**LOCATION:** **WHAT STORES, ABERAMAN PARK INDUSTRIAL ESTATE, ABERAMAN, ABERDARE, CF44 6DA**  
**DATE REGISTERED:** 16/03/2023  
**ELECTORAL DIVISION:** Aberaman

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**RECOMMENDATION:** Approve

#### **REASONS:**

The principle of the proposed development is deemed acceptable in terms of planning policy and all other material planning considerations, and the proposals present the opportunity to make better use of an underused retail outlet.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

#### **APPLICATION DETAILS**

This application seeks permission for the refurbishment, sub-division to the existing non-food retail unit, currently operating as What! Shop and previously Focus DIY to enable it to trade as part food store and part non-food retail unit with ancillary café, alongside modifications to existing garden centre, delivery and access arrangements, car parking layout landscaping and other associated site works. In summary, the changes are as follows.

- A food store with a net retail floor space of 1380 sq m (1867 sq m gross) within the sub divided eastern part of the existing retail unit. The remaining 2565 sq m remaining non-food retail
- Reconfiguration and extension of the existing car parking area to provide an additional 23no. car parking spaces, resulting in the overall provision of 153no. car parking spaces to serve the whole site, including 7no. disabled bays, 9no. parent and child bays, 4no. electric vehicle charging parking (EVCP) spaces and 20 no. further active EVCP spaces to be designated as demand rises. Of the 153 spaces some 15no. spaces for Aldi staff only are located in the southern half of the proposed Aldi service yard.
- 10 no. Motorcycle parking spaces
- 12no. customer cycle parking spaces, with staff cycle parking proposed within the warehouse
- Direct pedestrian route across the car park
- Potential to introduce a new pelican crossing across the B4275 north of the industrial estate access along with any necessary extension to the existing footways.
- Proposed external refrigeration plant to the north facing elevation
- Proposed 12 pallet scissor lift and lorry deck to eastern facing elevation
- A scheme of soft landscaping predominantly around the site boundaries and car park.
- New lighting columns in all car park areas.
- New stainless steel bollards to be installed around the trolley bay and lobby area
- Existing low-level paladin fencing to be removed and replaced with a timber knee rail fence.
- Replacement signage will be subject of a separate application under the advertisement regulations.

The application is accompanied by the following:

- Pre Application Consultation Report
- Design and Access Statement:
- Transport Assessment and Addendum
- Ecological Impact Assessment
- Arboricultural Impact Assessment
- Planning & Retail Statement
- Flood Consequences Assessment

## **SITE APPRAISAL**

The application site extends to an area measuring approximately 1.2 hectares and includes Unit 1A Aberaman Park Industrial Estate, along with an outdoor retailing area and large surface car park. The site is currently occupied and trades as 'What!' Stores, a discount retailer, selling products including furniture, DIY products and garden wares. The site lies within the wider Aberaman Park Industrial Estate from which a range of industrial/ commercial

uses at varying scales operate. It is clear that the building was originally constructed and operated as a DIY outlet (Do It All) with an associated garden centre being constructed later.

The site is unaffected by Public Rights of Way and the access roads are adopted by the Council as Highway Authority, including the highway verge north of the building subject of this submission. The site is not subject to any Tree Preservation Orders and the adjacent river corridor is designated Cynon River Park. The site sits on potentially contaminated land and it lying within 250m of a former landfill site. The site lies within a low risk development area in respect of past mining activity. The site lies within C2 flood plain.

## PLANNING HISTORY

22/5105	Pre Application Inquiry – variation of conditions to enable food sales	Constitutes development	21/10/2022
21/1666	CLOPUD use of the site for unrestricted Class A1 retail use	Refused	15/03/2022
15/0401/10	Garden centre extension to the side of the store with associated works including new door canopy and boundary fencing.	Granted	03/06/2015
15/1276/10	New Garden Centre Cafe.	Granted	25/05/2016
14/0522/10	Construction of new entrance lobby and remodelling of canopy, associated works to car park, delivery yard enclosure and boundary fence.	Granted	24/06/2014
03/1731/10	Extension to external garden centre	Granted	06/02/2004
99/4075/15	Variation of condition of consent 51/88/0062 to allow the sale of pets, pet food and pet products.	Granted	25/06/99
98/4352	Construction of new garden centre	Granted	28/08/1998
94/0120	Refurbishment including re-roofing of existing offices	Granted	16/05/1994
51/90/0451	Change of use of part of premises to retailing of "white goods" and household furniture.	Granted	05/09/1990
51/88/0062	D.I.Y retail warehouse	Granted	27/04/1988

51/87/0584	Erection of building for retail & D.I.Y. goods together with garden centre (Detail).	Granted	13/12/1987
51/87/0324	Erection of building for retail & D.I.Y. goods together with garden centre (Outline).	Granted	08/09/1987

## **PUBLICITY**

The proposals have been advertised by Press Notice, Site Notices and Neighbour Notification Letters, 153 letters of support for the proposal have been submitted making the following points: -

- A new food store would regenerate a brownfield site, provide new jobs in Aberaman and provide an accessible store for local people.
- The new store would offer locals greater shopping choice
- Good quality and value for money supermarkets are few and far between, the cost of living crisis makes a new store very much needed
- The new store design will blend well with the existing character of the area and provide a much needed new facility for the town
- The development would be good for Aberaman and the local community.
- The new store would create jobs for local people in its construction and operation.

In addition to the above four letters have been received expressing concern or objection to the development, including one submitted on behalf of Asda and one on behalf of Lidl, in the following terms: -

- The cross-valley link has a 30mph speed limit that is regularly exceeded by motorists by up to 20mph.
- The access from the estate on to the B4275 has limited visibility particularly to the right when exiting this presents a danger, particularly to slower moving and heavier vehicles. Additionally, the weight of traffic on the road makes pulling out of the estate difficult and time consuming.
- The proposed pelican crossing will ease access to the site for pedestrians though the excess speed of vehicles on the road will make it a dangerous crossing.
- Vehicles waiting to turn on to the estate would be at risk of being rear ended by speeding traffic on the link road.
- It is suggested that the problems with the existing junction might be resolved if it is replaced with a roundabout or traffic lights and that the proposed pelican crossing be combined with it to enhance pedestrian safety. Otherwise an alternative access should be provided

- Additional signage should be provided along the link road giving a clear indication of the speed limit.
- The 90-minute parking restriction should not be imposed as it does not allow sufficient time to shop at the site particularly for those with disabilities or young families – it would be good to have no time restrictions particularly if parking is to be outsourced to a parking company who are described as “money grabbing scam artists”.
- The area is an industrial area for independent traders /businesses rather than a retail/supermarket outlet.
- The area is already congested with traffic and compared to other Aldi location, which have excellent highway links this one does not.
- The Aberaman area already has Asda and Lidl to add to Aldi is not fair competition. Tesco is less than 5 miles away from the proposed site and that has already had a huge impact on Aberdare town centre.
- There is also an issue of fairness for the community and residents of Aberdare as supermarkets are all located south of the town with nothing to the north servicing Trecynon, Llwydcoed, Penywaun, Hirwaun, and Rhigos. Residents will need to travel to these supermarkets creating even greater congestion on the A4059 and B4275.
- Aldi have already tried operating in the area to no avail.
- Would it be of greater benefit to Rhondda Cynon Taf if Aldi were to locate around the Hirwaun Rhigos area that would also attract residents from the Rhondda and Penderyn Glynneath or Merthyr Tydfil.
- The pedestrian connectivity of the site is poor, particularly for those accessing the site from the east. Consideration should be given to how this can be improved. In addition, it is proposed for a pedestrian crossing to be provided on the B4275, to the west of the site, however no details of this have been submitted. Further work should be undertaken to demonstrate a suitable location for this facility.
- The proposed level of car parking falls well below the maximum parking provision for a development such as this. A site-specific parking accumulation exercise of the existing site should be undertaken, to demonstrate that with this and the proposed development, there would be sufficient parking provided so that vehicles do not overspill on to the local highway network.
- Trip generation of the existing What! Store has been established based on a range of trip rates from three TRICS database. It is suggested that a site-specific survey is instead undertaken, to demonstrate the actual trip generation of the What! Store.
- The proposed servicing arrangements for the What! Store give rise to highway safety concerns. Given this, it is suggested that further consideration is given to the servicing of the What! Site.
- The household survey predates the opening of the Lidl store at Tirfounder which is now trading and the £7.7million turnover ascribed to Lidl at Gadlys is overestimated.

- The turnover ascribed to the Aberdare and Mountain Ash Iceland stores in the Retail Impact Assessment is unrealistically high and the figures are at odds with the Council's own Retail Capacity Assessment 2008.
- A WYG survey 2018 estimated the turnover at Iceland Mountain Ash at £1.39 million in 2019 that Lichfield has found acceptable.
- Avison Young (for the applicants forecast Aberdare Iceland turnover of £18.8 million and Mountain Ash Iceland at £11.3 million which suggest that they are overtrading by over 440% and 300% respectively and this is at a stark contrast with other stores and is not plausible.
- Sensitivity analysis also suggests that these stores are overtrading but turnover estimates appear unrealistically high
- The impact of the overestimation of figures is significant when considering the issue of quantitative need. Planning Policy Wales requires all retail applications over 2500 sq m outside of designated retail centres to demonstrate need that is a gateway test to be carried out before impact is assessed.
- Given the concerns expressed over survey work the Council cannot be advised that Lidl, Iceland, Farm Foods are overtrading with any confidence.
- The objector takes the view that quantitative and qualitative need has not been demonstrated in the submitted detail and as such determining the application positively should be considered unsafe
- Higher than average vacancy rates in Aberdare and Mountain Ash suggests that the health of these centres is vulnerable if further shop closures occur.
- The conclusion that Iceland Aberdare could cope with additional competition is based on flawed analysis and other analysis suggests a more significant impact that could lead to the closure of that store, as the quantitative impacts are underestimated.
- The application fails to demonstrate quantitative or qualitative need and could if allowed lead to a significant adverse impact on Aberdare and Mountain Ash Town Centres and should be refused.

## **CONSULTATION**

Highways & Transportation – No objections subject to conditions

Flood Risk Management – the applicant will not be required to submit an application to the Sustainable Drainage Systems (SuDS) approval body (SAB). The applicant should be advised of the requirement to obtain Ordinary Watercourse Consent under Section 23 of the Land Drainage Act 1991 prior to undertaking any works that may affect any watercourse identified within the site. No objections are raised.

Public Health & Protection – No objections subject to conditions

Countryside – No objections

Natural Resources Wales – Maintain the position adopted under pre application consultation which confirmed that the existing building is located on C2 floodplain and

given the scale and nature of the proposed development the proposals could be acceptable subject to the developer being made aware of the potential flood risks and advised to install flood proofing measures as part of the development.

Dwr Cymru Welsh Water – No objections subject to conditions and advisory notes.

Western Power Distribution – If the developer requires a grid connection or service alteration, it will require a separate consent from WPD.

Wales & West Utilities – advise that they have no plant or apparatus near the application site.

South Wales Fire & Rescue Service – raise no objection and offer standard advice on ensuring the presence of adequate water supplies for firefighting purposes and ensuring appropriate access for fire tenders.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

*Members will be aware that the current LDP's lifespan was 2011 to 2021 and that it is in the process of being reviewed. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4<sup>th</sup> January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4<sup>th</sup> January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24<sup>th</sup> September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.*

**Policy CS1** - sets out criteria for achieving regeneration and growth.

**Policy CS7** – allocates retail sites to meet strategic and local needs

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**Policy AW5** - sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6** - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

**Policy AW10** - development proposals must overcome any harm to public health, the environment or local amenity because of flooding.

**Policy NSA 17** – Allocates retail development sites in the northern strategy area

**Policy NSA18** – identifies the retail hierarchy for the northern strategy area

**Policy NSA19** – sets out criteria for retail and other development in town centres and key settlements

**Policy NSA26** - Defines the Cynon River Park

## **Supplementary Planning Guidance**

Design & Placemaking

Access Circulation and Parking

## **National Guidance**

In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Edition 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WG's current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed: *(or not in the case of refusals)*

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 6 - Town Centre First – commercial/retail/education/health/public services

## SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.



Other relevant policy guidance consulted:

PPW Technical Advice Note 4: Retailing and Town Centres;  
PPW Technical Advice Note 12: Design;  
PPW Technical Advice Note 15: Development and Flood Risk;  
PPW Technical Advice Note 18: Transport;  
PPW Technical Advice Note 23: Economic Development  
Manual for Streets

## **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

### **Main Issues:**

The key consideration in the determination of this application is compliance with national and local planning policy in respect of retail. Other key determining factors are the impact of the proposals on the character and appearance of the area, the impact of the proposed changes on amenity and privacy, access and highway safety, along with flooding considerations.

### **Principle of the proposed development**

Policy relevant to the consideration and determination of this application is set out above. However, the key to determining compliance or otherwise with policy and particularly retail policy lies with the Retail Impact Assessment, which gives the following conclusions: -

- The impact analysis provided by the applicant indicates that the proposed discount food store will not give rise to any significant adverse impacts upon the vitality and viability of surrounding town centres and therefore no policy conflict arises.
- The retail capacity element of the report concludes that there is a demonstrable need for the proposed development and that there is no conflict with planning policy at national or local level.
- The applicants have undertaken a sequential assessment of the site and concluded that the application site is the most sequentially preferable site.

In the view of the applicants, they have demonstrated that the proposed development passes the sequential, need and impact tests and should therefore be allowed to proceed. The submitted Retail Impact Assessment has been the subject of independent scrutiny on behalf of the Council by Lichfields who agree with its findings.

In light of the above, the principle of development is considered acceptable subject to compliance with other relevant planning considerations.

### **Retail Impact issues**

Following the submission of the objection from a competitor raising retail impact issues the applicants were offered the opportunity to respond and then both elements were presented to Lichfield's as the Council's consultants for further analysis.

The revision revisited Retail Need and Impact Analysis taking into account the following:

- Overview
- Key data assumptions
- Quantitative and qualitative need
- Trade diversion and impact
- Impact sensitivity analysis
- Implications for town centres

The document then goes on to consider the sequential approach taking account of the following.

- Flexibility and suitability
- Analysis

Resulting from the above the following conclusions in respect of the detail submitted by both parties has been reached.

#### *Retail need*

- Lichfields updated quantitative capacity figures for Aberdare/Mountain Ash suggests a convenience goods expenditure surplus of about £9.1 Million, which suggests over three quarters capacity for the proposed Aldi Store.
- Further, trade diversion from other destinations should exceed the £2.5 million expenditure shortfall identified. The implications of this small expenditure shortfall should be viewed in the context of the expected impact on the town centre and the benefits of the proposals
- Based on Lichfields expenditure surplus the absence of a quantitative and/or qualitative need for the proposed discount food store is not reasonable grounds for a refusal of the planning application.

## *Retail impact*

- The new Lidl store opened in July 2022 and is unlikely to have achieved settled trading
- The impact assessment is based on a household survey that predates the opening of the Lidl Store and it is necessary to estimate the cumulative trade diversion and impact of the new Lidl store along with the proposed Aldi store.
- Lichfields conducts an additional sensitivity test assuming much lower pre-development turnovers for the Iceland stores in Aberdare and Mountain Ash to address the concerns raised by Lidl. The sensitivity test demonstrates that even if the turnovers of these stores were at the minimum level identified by Lichfields (of around 35% above benchmark level), they would still achieve above company average turnovers post development. Lichfields concludes that the trade diversion and impact on convenience stores/shops in Aberdare town centre and Mountain Ash as a result of the new Lidl and proposed Aldi store are not significant and shop closures are unlikely.
- Evidence suggests that the Iceland stores are trading significantly above benchmark.
- Lichfields' sensitivity test should be considered a worse than worst-case scenario. It does not incorporate any redistribution of trade diversion (which Lichfields agree would be necessary if the turnover of the Iceland stores in Aberdare and Mountain Ash are significantly lower (than identified by Avison Young)). However, as this worse than worst-case scenario demonstrates that trade impact would not be significant, it is not necessary to reconsider the distribution of trade diversion for the purpose of the sensitivity test.
- Whilst Aberdare and Mountain Ash will be the most affected centres, most of the trade diversion from Aberdare will come from large out of centre stores that are not afforded planning policy protection from the impact of out of centre retail proposals.
- Lichfields sensitivity impact on convenience goods businesses in Aberdare town centre is about -5% with most of that coming from the Iceland store, which is currently trading well above the company average.
- Even if the Iceland store is trading much lower than suggested by the household surveys, it should continue to trade above the company average and is unlikely to experience trading difficulties.
- The trade diversion/impact on the other 17 convenience stores in Aberdare town centre is 33% that is considered relatively insignificant and unlikely to result in shop closures.
- In Mountain Ash, the percentage impact on convenience goods businesses is about -3.2% with most trade diversion coming from the Iceland store that also trades above the company average.
- If the Iceland store is trading much lower than suggested by the household survey results, it should continue to trade above the company average.

- The relatively low trade diversion and impact on convenience stores/shops in Mountain Ash is unlikely to cause shop closures. Lichfields also conclude that there will be no significant impact on other designated centres within the study area

Lichfields advise that the retail impact will not be significant and that there is no reasonable grounds for the refusal of the proposed development on this basis.

#### Sequential approach

- Applicants are not obliged to disaggregate proposed stores on more than one site, but the scope for flexibility needs to be considered, therefore the potential to disaggregate the proposed Aldi store and the reduced size What! Store should be considered.
- The applicant has adopted a flexible approach and the scope to accommodate a smaller Aldi store has been considered.
- Based on available information it is unlikely that any of the sites or premises identified are capable of accommodating the Aldi store within or on the edge of Aberdare and Mountain Ash town centres. None of the vacant units and opportunities identified are of sufficient size to accommodate the proposed food store allowing for appropriate flexibility.

It is concluded that there are no sequentially preferable sites within the realistic catchment area for the scale and form of development proposed compliance can therefore be demonstrated with the sequential approach to site selection in line with national and local planning policy.

The applicants Retail Impact Assessment has been independently reviewed by Lichfields on behalf of the Council and has been updated to consider the objections from Lidl. Lichfields concluded that there are no reasonable grounds for refusal.

In conclusion, the development is in accordance with the relevant development plan policies, satisfies the relevant tests, and complies with them.

#### **Impact on the character and appearance of the area**

As matters currently stand the character and appearance of the store and its surrounding area is typically one of late 20<sup>th</sup> Century industrial and commercial development, set on reclaimed land on the valley floor. It sits next to the A4059 and B4275, which are the main arterial routes through the Cynon Valley. The proposed subdivision of the unit and associated works would effectively deliver a new lease of life to what is currently a tired looking building set in a rather utilitarian wider environment. As such, the improvements are to be welcomed and are considered compliant with Local Development Plan Policies AW5, AW6, and all other considerations relating to the character and appearance of the area.

## Impact on residential amenity and privacy

The property subject of the current application is located centrally within an industrial/commercial/retail area. The nearest residential properties are at least 350m distant and separated from the store by other buildings, including industrial and commercial buildings, arterial roads and natural features such as the Afon Cynon and its tributaries. Given, the physical circumstances and the fact that the nature of the application is such that it involves only a refurbishment of an existing property and a widening in the nature of the goods sold, there would be no discernible impact on residential amenity or privacy resulting from the proposed development.

## Access and highway safety

One of the key considerations in the determination of this application has been the impact of the proposed development on the Highway network. To that end Highways Development Control have carried out the following detailed assessment of the proposals.

### Transport Assessment (TA)

The application is supported by a Transport Assessment (TA) by Entran Dated March 2023 and a Transport Assessment Addendum (TAA) dated March 2023.

### Existing Trips

In undertaking the assessment consideration has been given to the unusual nature of the What! store that does not readily fit in to the various Trip Rate Computer System (TRICS) database categories. To provide an assessment the trip rates associated with discreet classifications has been utilised as follows: - 40% non-food, 40% DIY garden centre and 20% discount food.

An updated assessment of trip generation is provided within the TAA as follows: -

<b>Table 7.1 – Existing Trips (TRICS V7.9.3)</b>			
<b>Peak</b>	<b>Trip Generation – Total</b>		
	<b>Inbound</b>	<b>Outbound</b>	<b>Two-Way</b>
<i>AM (08:00-09:00)</i>	40	25	65
<i>PM(15:00 16:00)</i>	60	64	125
<i>Daily</i>	826	741	1647

Proposed Site Trip Generation

The TA indicates the proposed trip generation within Table 7.2 that has been derived with consideration for the pass by and diverted trips already on the network and new trips. The assessment has been undertaken from first principles and the methodology published within TRICS research report 14/1 that is considered a reasonable approach to ensure a suitably accurate assessment of traffic impact.

As stated in the TA at paragraph 7.9, typically, new food stores only lead to about 10% completely new traffic, with the remainder forming pass-by and diverted trips (secondary trips) which are already on the local highway network.

On the basis of the assessment the TA proposes that 10% pass-by; and 5%-linked trips would be appropriate and is considered reasonable by the Highway Authority

Application of these factors to the Proposed Trip Generation results in the Trip rates provided within Table 7.2 of the TA reproduced below: -

<b>Table 7.2 – Proposed Trips (TRICS V7.9.3) Aldi Only</b>			
<b>Peak</b>	<b>Trip Generation – Total</b>		
	<b>Inbound</b>	<b>Outbound</b>	<b>Two-Way</b>
AM (08:00-09:00)	65	44	109
PM(15:00 16:00)	96	100	197
Daily	1288	1085	2569

### Trip Rate Impact

Within the TA the Trip Rate impact derived from the consideration of existing and proposed trip rates is summarised in Table 7.3 of the TA reproduced below: -

<b>Table 7.3 – Total New Trips</b>			
<b>Peak</b>	<b>Trip Generation – Total</b>		
	<b>Inbound</b>	<b>Outbound</b>	<b>Two-Way</b>
AM (08:00-09:00)	25	19	44
PM(15:00 16:00)	36	36	72
Daily	462	345	922

The TA States at paragraphs 7.18 and 7.19 that the expected increase of circa 1 vehicle per minute during both the AM and PM peaks, clearly the impact of the development on the adjacent highway network will be imperceptible and as such does not warrant the need for any further junction or Percentage Impact Analysis.

Based on the above, the development proposals are not expected to lead to any localised material off-site highways issues on the adjacent transportation network. It is therefore concluded that the impact has been fairly and reasonably addressed and

there should be no reason for highways related objection to the proposed development.

Paragraph 7.20 of the TA indicates that Traffic Counts would be undertaken and provided for the Saturday Peak period within a Transport Addendum, (TAA), which has also been provided as part of the application.

Transport Assessment Addendum (TAA)

The TAA considers trip generation utilising additional information relating to the Saturday Peak Retail period that was not available for inclusion within the TA.

The TAA provides a revised summary of the trip generation associated with the existing use at Table 2.2 reproduced below, which includes the Saturday Retail Peak period. The minor variation in trip figures is considered acceptable in the context of the statistical processes and natural daily variation of traffic.

<b>Table 2.2 – Existing Trips (TRICS V7.9.3)</b>			
<b>Peak</b>	<b>Trip Generation – Total</b>		
	<b>Inbound</b>	<b>Outbound</b>	<b>Two-Way</b>
<i>AM (08:00-09:00)</i>	40	25	65
<i>PM(15:00 16:00)</i>	66	70	136
<i>Saturday (12:00-13:00)</i> <i>* From TA Table2.21</i>	139	143	282

The TAA also provides an assessment of the site non- food retail trips within Table 2.3 reproduced below.

<b>Table 2.3 Proposed Site Non Food Retail Trip Generation Reduction</b>			
<b>Peak</b>	<b>Trip Generation – Total</b>		
	<b>Inbound</b>	<b>Outbound</b>	<b>Two-Way</b>
<i>AM (08:00-09:00)</i>	17	11	29
<i>PM(15:00 16:00)</i>	29	30	59
<i>Saturday (12:00-13:00)</i> <i>* From TA Table2.21</i>	61	62	123

The minor variation in trip figures is considered acceptable in the context of the statistical processes and natural daily variation of traffic and independent review of the

TA and TAA by Capita, (Redstart / WSP), confirms that the trip generation and Traffic Impact Assessment including estimated pass by and diverted trips are acceptable.

### Junction Capacity

The TAA provides an assessment of junction capacity at the junction of the industrial estate road and the B4275 within table 2.4 reproduced below:-

**Table 2.4 – Junction Capacity Assessment of B4275 / Industrial Park Site Access**

Peak	Arm	AM		PM		SAT	
		Q	RFC	Q	RFC	Q	RFC
2023 Base	Site Access	1	0.24	1	0.35	1	0.37
	B4275 RT	1	0.14	1	0.13	1	0.10
2024 Base	Site Access	1	0.25	1	0.36	1	0.38
	B4275 RT	1	0.14	1	0.13	1	0.11
2029 Base	Site Access	1	0.26	1	0.39	1	0.41
	B4275 RT	1	0.16	1	0.15	1	0.11
2024 Base + Dev	Site Access	1	0.29	1	0.49	1	0.52
	B4275 RT	1	0.20	1	0.27	1	0.27
2029 Base + Dev	Site Access	1	0.31	1	0.53	2	0.56
	B4275 RT	1	0.22	1	0.29	1	0.28

The analysis confirms that the junction operates well within its design capacity with minimal queue lengths and delay for all future scenarios.

### Site Access B4275.

The site contains a single unit (Unit 1A), currently occupied by the trading What! Discount retailer. Sat centrally within Aberaman Park Industrial Estate, the What! Unit has key prominence from the access to the site via the B4275 and the A4059 which runs along the rear of the Unit.

The existing site access will not be altered by the proposed works.

The Highway Authority is aware of pre-existing problems when exiting the industrial estate onto the B4275 with regards the speed of traffic from the north and ability of a stationary driver to exit into the flow of traffic using the B4275. The applicants submitted an addendum to the Transport Assessment that considered the operation of this junction and concluded that there is no issue and no mitigation required

### Access Industrial Estate.

The Industrial Estate Road is maintained at public expense and provides a carriageway of the order of 7.5-8m 8m carriageway bounded by footways to both sides. The local speed limit is 30mph.



The estate road links to the B4275 via a wide standard priority junction. To the north, the B4275 provides access to the A4059 and the wider highway network.

#### Internal Junction Car Park.

The proposed site access would be via the existing access. The existing site access junction has operated successfully with no known issues and there are no recorded accidents in the past five years. Therefore, no issues are expected with the re-use of the same junction to serve a discount food store.

The site access visibility envelope would comply with local design standards and accord compliant visibility splays for a 30mph zone.

#### Pedestrian Access

The existing Industrial Estate has poor pedestrian connectivity on the development side of the B4275 linking to the proposed. The Transport Assessment indicates that the applicant has proposed to overcome these concerns by providing a pedestrian controlled crossing on the southern side of the industrial estate access on the B4275 to provide safe and segregated facilities to the proposed and existing units on the industrial estate and would promote sustainable modes of transport in line with Planning Policy Wales 11<sup>th</sup> Edition. The applicant has submitted plans (Ref drawing SK12) showing proposed details of an off-site Puffin Crossing on the B4275 the highways officers have considered this drawing and responded to confirm that the location and general arrangement of this proposed crossing is acceptable in principle. Full details will be subject to condition (this addresses one of the principal concerns raised by Asda).

The applicant should be made aware as set out in the council's design guide for Residential and Commercial Estate Roads Section D committed sums would also be required for the future maintenance of the proposed pedestrian controlled crossing.

Whilst the applicant has indicated footway improvements would be undertaken as identified by the Authority, it is noted that pedestrian routes within the industrial estate that would be used to and from the store do not benefit from pedestrian crossing points incorporating flush kerbs and tactile paving therefore a condition requiring provision of such facilities to accommodate pedestrians with mobility issues can be secured by means of a suitably worded condition.

#### Accident Data

A review of the accident detail identifies no clusters or frequent common causes relating to highway deficiencies. The accidents recorded were due to arbitrary driver error or similar causes. The current accident rate in the vicinity of the site access is therefore very low, e.g. below typical mean frequency

of accidents of 1.08 per annum at roundabout junctions as advocated in DMRB TD 16/07.

There are two accidents in close proximity to the junction with the B4275 that involved a vehicle exiting the junction and one within the industrial estate both accidents are attributed to driver error.

#### Parking SPG Access, Circulation & Parking 2011.

The Council's parking SPG (2011) the site is located within Parking Zone 3 and advocates for Shops and small supermarkets (1001sqm –2000sqm) a maximum of 1 space for 20sqm and thereafter 1 per 14sqm GFA.

A reduced What! store of 2,542 sqm GFA, when classed as retail warehousing (non-food) (non-DIY) (> 1000 m<sup>2</sup>), should have 3 commercial vehicle spaces and 1 space per 30m<sup>2</sup>, resulting in a maximum provision of 85 spaces.

This equates to:

Reduced What! Store to 2,542 sqm GFA – Max 85  
New Aldi Store of 1,962 sqm GFA – Max 98  
Total – Max 183

Based on current usage, known Aldi requirements and the likelihood of linked trips the proposed provision of 153 car spaces, 10 motorcycle spaces and 12 bicycle stands is considered acceptable for the proposed development.

The provision of four electric vehicle-charging points (EVCP's) with a further 20 active EVCP's to be designated as demand arises is noted and is acceptable.

#### Servicing HGV

What! has on average will be 12 deliveries per week including 1-2 articulated lorries, the remainder being smaller HGV's and large vans. The only issue for the What! Stores is the artic which will visit the site once or twice a week. Designing for such a delivery contrary to Freight Transport Association Guidance and would represent a significant over-design and creation of unnecessary hard standing. However, to ensure the safety of the public a condition is suggested requiring provision of a Delivery Management plan outlining measures to ensure safety during deliveries such as arranging for HDV deliveries outside of opening hours or ensuring that manoeuvres to the store are undertaken with the guidance of a banksman.

There is concern that the proposed will result in reversing manoeuvres along the public highway by articulated vehicles. However, taking into account the limited amount this would take place and there is limited traffic using this section of road being the end

unit on-balance the proposed What servicing is acceptable with the suggested mitigation measures above.

Aldi Servicing would take place from the southern service yard with all vehicles being able to access, egress in forward gear which is acceptable.

On average, each store will have only two deliveries by articulated lorry per day plus a modest number of smaller vehicles delivering locally sourced fresh produce.

Delivery routes are planned to minimise distances travelled by each vehicle and maximise efficiency of goods per delivery. This practice is economically prudent for Aldi but also sustainable by virtue of reducing vehicle kilometres travelled. Each vehicle will visit between 1 and 6 stores per trip depending on the nature of the delivery and the geographical location of the stores.

Commercial refuse collection would be undertaken on site with refuse vehicles able to access the development via the main access road for waste and recycling collection with refuse and recycling bins collected directly and wheeled to the vehicles to minimal carry/transfer distances to each unit. The refuse vehicle would be able to utilise the same HGV turning head area to ensure no long reversing manoeuvres occur on site. All of What!'s waste is currently dealt with via Veolia contract: general waste is normally collected once a week (8 yard bin) and cardboard (40 yard) once every 2- 3 weeks, except at Christmas time when more frequent collections are undertaken as it is busier.

### TIS (Travel Plan).

The TIS aims to make the inevitable step change shift in overall travel mode across the area easier and quicker, providing travel choice for all. A Travel Plan should include the provision of up-to-date information about public transport services, timetables, and opportunities for car sharing (e.g. via a car share website).

The measures within the TIS, which are set out in the ALDI Staff Travel Plan, aimed at providing this travel choice include (In addition, all employees will receive details.

The Travel Pack (to be agreed with RCTCBC) will contain information on the alternatives to single occupancy car use available to staff including;

- i. Comprehensive walking and cycling route maps linking the site to local infrastructure including shops, residential areas and bus facilities;
- ii. Bus maps and timetables as well as leaflets describing the health benefits of cycling and walking;
- iii. contact details of the Travel Plan Co-ordinator for the site; and
- iv. Useful resources such as Journey Planner website to enable people to plan their own journeys.

Travel Packs will be issued to all staff as part of their induction process. Staff will also be advised of the Travel Plan and Pack during the interview process.

### Public Transport

The nearest bus stops to the site are on the B4275 where bus stops are available approx. 350m from the site entrance with footways linking to the site. These stops benefit from raised kerbs, shelters and bus cages with a regular 30-minute service throughout the day. Therefore, public transport provision is considered acceptable.

### Highways Conclusion

The above Transport Assessment and Addendum submitted in support of the application demonstrates that the proposed development will have little impact on the operational capacity of the existing highway network as a result of the proposed development.

Concerns raised at pre-planning stage with regard to pedestrian connectivity to the site would be addressed by the applicant's proposal to provide a pedestrian controlled crossing facility on the B4275 to enhance walking routes to the proposed in accordance with PPW 11<sup>th</sup> Edition and Active Travel Wales Act 2013. The applicant has submitted a plan (drawing ref SK12) showing detail of the off-site Puffin crossing which illustrate that the crossing can be achieved. The provision can be secured by means of a suitable worded condition requiring approval of full engineering design and detail together with details of improvements to provide uncontrolled pedestrian crossing points within the industrial estate access road to provide a safe route for pedestrians to and from the Aldi and What! stores.

Off street car parking has been provided to satisfactorily serve both the What Store and the sub-division to Aldi which is acceptable.

The proposals comply with Local and National Development Plan Policies in respect of this issue.

### **Other Issues:**

Public Health & Protection have raised no objections to the proposed development recommending the inclusion of conditions relating to hours of operation during the construction phase, Noise and Dust. Whilst these comments are appreciated, they are all matters that are better dealt with under other legislation.

Natural Resources Wales have not objected to the proposals but have suggested that through the refurbishment of the building that additional flood resilience be considered by the developer. Whilst this would be a good thing to do, it is ultimately a matter for the developer.

The Countryside Section did initially express some concern that the alterations to the roof might be a concern if bats were present at the premises. However and having particular regard to the portal frame structure of the building and the existing metal roof and having regard to the fact that the Ecological Impact Report identified negligible potential for bats the matter does not need to be pursued further.

Other issues raised by objectors are addressed below.

Whether or not the operator imposes a 90 minute parking limit to the car park is an operational decision rather than a planning consideration.

The Aberaman Park Industrial Estate is largely an area characterised by industry, ancillary services and independent traders. This of itself does not make the use of the premises as a supermarket unacceptable. Particularly as it already trades as a shop.

The objector does not say why they believe adding Aldi to Asda and Lidl who are already present in the locality would represent unfair competition. Further, it is likely to increase competitiveness between providers which is usually to the advantage of the consumer.

The suggestion that it would be better to provide a supermarket north of Aberdare does not make the current proposals unacceptable in themselves. Members should also note that for a number of years there were two live permissions to build a supermarket in Hirwaun and a third in Robertstown. None of these permissions were taken up.

Aldi were previously present in this area having originally built and occupied the premises now occupied by Home Bargains. The fact that they pulled out of the area does not prevent them from trying again.

### **Community Infrastructure Levy (CIL) Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended).

The CIL (including indexation) for this development is expected to be £687,673.64, however, if the applicant can demonstrate that the existing floorspace has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable amount, the charge will be £Nil because the development will not create over 100 sqm of floorspace.

## **Conclusion**

There are two key determining factors in respect of this particular planning application, and they are the acceptability or otherwise of the impact of the proposed development on existing retail centres that it is likely to affect and the implications of allowing the development on the wider highway network.

The submitted retail impact assessment sets out key areas for consideration and found that such impacts as the development might deliver are acceptable. Moreover, and following the submission analysis and detailed consideration of objections, the content of the Retail Impact Assessment has been subject to independent scrutiny and has not been found deficient in any way.

Similarly, with regard to Highway impacts, and despite some initial concerns with regard to parking and pedestrian connectivity, the applicants have been able to demonstrate that, subject to conditions the proposed changes are acceptable.

Having regard to the above and the fact that the proposals are acceptable in terms of development plan policy and there are no material planning considerations that indicate it should be determined otherwise than in accordance with it. The following recommendation is therefore made.

### **RECOMMENDATION: Approve**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990

2. The Consent hereby granted relates to the following plans: -

- Site Location Plan Drawing No. 190885-1100-Rev P3
- Existing Site Plan Drawing No. 190885-1150-Rev P3
- Existing Roof Plan Drawing No. 190885-1250-Rev P3
- Existing Floor Plan Drawing No. 190885-1200-Rev P3
- Existing Elevations Drawing No. 190885-1300-Rev P3
- Proposed Site Plan Drawing No. 190885-1400-Rev P7
- Proposed Block Plan Drawing No. 190885-1401-Rev P3
- Proposed Roof Plan Drawing No. 190885-1490-Rev P5
- Proposed Floor Plan Drawing No. 190885-1450-Rev P7
- Proposed Elevations Drawing No. 190885-1500-Rev P7
- Soft Landscaping Proposals Drawing No. 15194/P02 Rev B
- Proposed Drainage Strategy Drawing No. 11872sk0005 Rev B

And documents received by the Local Planning Authority on 16/03/2023 and 21/03/2023, unless otherwise to be approved or superseded by details required by any other condition of this consent.

Reason: to ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. 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.

4. Before the development is brought into use the means of access, together with the parking and turning facilities, shall be laid out in accordance with submitted site plan 1400- REV P7 and approved by the Local Planning Authority. The car parking spaces shall remain for the parking of vehicles in association with the development thereafter.

Reason: In the interests of highway safety. To ensure vehicles are parked off the highway.

5. Notwithstanding the submitted layout plan, full engineering design and details of the new pedestrian controlled crossing on the B4275 including the provision of 2 metres wide footway linking to the existing provision within the industrial estate and provision of uncontrolled crossing facilities within the estate road to provide access for all pedestrians shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be in compliance with the Design Manual for Roads and Bridges and accompanied with the relevant road safety audits and implemented to the satisfaction of the Local Planning Authority prior to the occupation of the development.

Reason: To ensure the adequacy of the proposed development, in the interests of highway and pedestrian safety.

6. Surface water run-off from the proposed development shall not discharge onto the public highway or connected to any highway drainage system unless otherwise agreed in writing by the LPA.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding.

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