

Objector's Comments & Response

1. Mr Barry Rogers

- a) Owen Banks RIA inaccurate as existing catchment convenience store spend is £9m not £5m.

Response – Owen Banks Planning and Development (OBPD) Retail Impact Assessment (RIA) estimates the benchmark turnover of existing convenience goods in the Newcastle Emlyn catchment area to be £5m. The comparable figure in the independent Nathaniel Litchfield Partnership (NLP) Retail Study of 2009, commissioned by Carmarthenshire County Council, is £4.31m. NLP acknowledges that the adoption of a higher turnover figure by OBPD is a more cautious assumption. The claim that spend is in fact £9m has not been evidenced or substantiated in any way.

- b) NLP original report in March 2009 on Castle Garage site concluded that there was available capacity of £5.9m – sufficient for 1 discount store.
- c) NLP second response in 2009 on Tanyard Lane site dramatically changed to £16m capacity available – sufficient for both stores.

Response – The difference in available capacities relates to the form of the stores being applied for. Messrs Lidl on the Castle Garage site claim through their agents (RPs) that as a discount foodstore they will not be likely to increase the estimated 40% retention level of convenience shopping within the catchment area. Thus the store will not “claw back” any significant amount from catchment expenditure outside the area. RPs suggest there is £3.9m of surplus expenditure in 2008 increasing to £4.2m in 2013. The platform of the RPs argument is that the Lidl store turnover of £2.89m can be met within that surplus. The independent survey by NLP estimates in fact that there is £5.5m surplus expenditure available if the existing convenience stores in the town traded at benchmark level rather than over trading, as a number are at the moment.

The OBPD study however is based on an assumption that the Tanyard Lane site will not be a deep discount store. It concludes that based upon an average turnover of the 5 major food retailers the store would have a turnover of £11.8m. (NLP is assessing the submission preferred a “worst case” of the maximum possible turnover – Tesco, which would produce a turnover of £12.7m). To accommodate a turnover of that level, then in addition to the existing surplus of £5.5m in the catchment area there would also need to be a capture or claw back of some of the convenience expenditure currently spent outside the catchment (eg in Carmarthen and Cardigan), from the present level of around 40% to 70%.

In the view of the Council's independent consultants NLP;

"... the provision of a modern high quality food store, by one of the main food store operators, should be capable of achieving an increase in expenditure retention from 38% to around 70%."

They went on to say that;

"There could be sufficient expenditure capacity to support two new food stores in Newcastle Emlyn, but only if one of the stores is operated by a discount food operator (eg Lidl, Aldi or Netto), with a much lower turnover density. However, the cumulative impact of two stores would need to be carefully considered."

- d) NLP report also considered that both CK and Somerfield would lose half of their existing trade – how could they survive?

Response – Both the OBPD and RPs studies identify that the town's existing convenience stores, particularly CK and Somerfield, are over trading, and the NLP figures suggest that they are trading as "... more than double expected levels in 2008" It is on that basis that the existing stores could lose up to 50% of their trade and continue operating. In any event, as stated by NLP;

"trade diversion and impact on the out of centre CK Supermarket is commercial competition and not a planning issue."

2. Mr Richard Vale

- a) Geotech report on Tanyard Lane very professional and identified 2 main areas for concern – contamination and stability.

Response - The report has identified the two main constraints to development (contamination and stability), includes a robust assessment of both issues (chronic human health/ groundwater pollution risks, and slope stability), and makes clear recommendations for the mitigation of the risks. The investigation methodology is in accordance with BS10175: 2001, which is the standard guidance for the investigation of potentially contaminative sites.

- b) Given the previous use of part of the site as a tannery then the risk of anthrax presence must be considered – but samples were only taken from the periphery of the tannery site and more comprehensive tests should be required.

Response - A number of objectors in the town state that the site 'was a former tannery'. However, this information is factually inaccurate, when compared to information clearly indicated on historical OS maps and aerial photographs, i.e. the facts are that the site as a whole was *not* a tannery. To provide further clarification of this, the tannery was in fact located in the area immediately south of the site (east of Tanyard Lane, beneath the present-day properties known as

Golan and Croft, as is stated in the report), and impinged only upon the southern limits of the site (as shown in Figure 4A in the report). Historical data clearly indicates the area to the rear of the tannery as overgrown woodland/rough vegetation sloping downwards to the river at this time, bisected by the original stream. The review of the OS maps contained within the Quantum desk study report, and discussions with the landowner, indicate that the garage premises in the south-western and central areas of the site was established between 1938 and 1948, prior to the demise of the tannery. There is no evidence from the maps of the tannery having expanded northwards; in fact the extent of the feature receded southwards in later years. Golan and Croft are shown on the 1972 OS map edition and an aerial photograph dating from the 1960s, although their architectural style clearly predates this (circa late 40s/50s). Therefore, the map evidence suggests that the demise of the tannery took place shortly after establishment of the garage buildings. Maps dating from 1948 (i.e. around the likely time of redevelopment of the tannery) show the full extent of the stream channel crossing the central and north-eastern parts of the site, with no evidence of culverting or filling having commenced. It is clear therefore that the filling of the central area (see the 1972 map edition in Figure 4B), post dates the operation of the tannery, such that it would not have extended into this area.

During a previous investigation undertaken on behalf of Welsh Water in early 2008, visual inspection for indicators of animal waste from the former tannery was undertaken in a trial pit at the southern limits of the site. This was combined with laboratory testing for the presence of anthrax microbes; none were found. During the investigation in 2009, further, more rigorous laboratory testing was undertaken from 4 locations targeted at, and at the northern and western limits of, the former tannery (in WS2, WS5, WS10 and BH4); no anthrax spores were identified. Visual inspection at these exploratory hole positions revealed no indicators of buried carcasses or other tannery by-products. It should be noted that, although the exploratory holes are small diameter boreholes, they were preceded by hand excavation through the near-surface materials, during which any such products would have been clearly apparent.

Hence it is noted that a robust investigation of the tannery and consideration of risk has been carried out during 2 recent phases of investigation. In a recent local newspaper article, an erroneous statement has been made that 'no testing for anthrax was carried out'.

- c) Parts of the site were "rubbish dumps", and the area of the bungalow and adjacent compound was used as a tip which has never been cleared. Disturbance could result in toxins being released into the river. Soil samples were not taken in the relevant areas, and more samples are required.

Response - The statement that 'soil samples were not taken in the relevant areas' in the 'rubbish dumps' is erroneous. Exploratory hole WS7 is located immediately adjacent to the bungalow (Doleog) in the compound area, whilst boreholes BH1 and BH3 are also located in the area which has been filled. WS4

is located at the south-western periphery of the filled area. Laboratory testing on samples recovered from WS7, WS4, BH1 and BH3 has indicated that the chronic human health risks are acceptable for the proposed commercial development. During the detailed logging of continuous percussion samples from WS7 and the surrounding boreholes, it is clear that the bulk of the infilled material is reworked, natural soils, rubble and rock shavings. Such materials are generally inert, and are only interrupted by sporadic plant material and vegetated soil layers. Hence, no evidence of 'rubbish' has been identified during rigorous investigation at close (20-30m) spacing. Furthermore, the gas concentrations which have been recorded in the wells installed in WS7, BH1 and BH3 during a range of climatic conditions (including low pressure conditions) are not consistent with those which would be generated by non-inert 'rubbish' material. The sampling regime undertaken is consistent with the findings and the guidelines in BS10175.

- d) The land is unstable and the report shows that a lot of work is required, with piling (piledriving) to depths of 24m-28m required for the store. This will be a risk of damage to surrounding properties.

Response - The slope stability analyses undertaken to date has identified that the north-eastern boundary slope is unstable in its current form, and examines the viability of a range of stabilization methods. The report clearly states, and the development team is aware, that a stabilization scheme will need to be undertaken to ensure long term stability of the slope crest. This will involve the detailed design of piled or other methods of stabilization in conjunction with further, more detailed stability analysis, to arrive at a robust solution. This is clearly a prerequisite of the development. With regard to piling in general, the uninformed individual commonly pictures piling as being undertaken by driven methods, using a heavy, top-driven, crane suspended hammer with the associated noise and vibration nuisance. However, there are a number of proprietary piling methods (bored, bottom-driven, etc.) which impart minimal disturbance on the surrounding ground, buildings and infrastructure, and the report clearly states that such methods would need to be selected for the site. It is noted that the installation of piles to stabilize the slope crest is remote from existing structures.

3. Mr Tim Swan

- a) Expressed concern about the capacity of the road network to accommodate the store, and the Transport Assessment makes no mention of this.

Response – The A484 is known to carry some 700 vehicle movements during peak hours. The Welsh Assembly Government's "TA79/99 – Traffic Capacity of Urban Road" advises that a 2-lane, 7.3m wide carriageway has a typical capacity of some 2,150 movements per hour. The TA provides capacity assessment of the development's impact on the A484/Tanyard Lane junction, which is found to have ample capacity to accommodate the proposal.

- b) The traffic generation estimate used is comparable only to that of a Lidl or Aldi.

Response – The traffic generation estimate is based on the known traffic generation of similar sized developments. The comment is correct in that all of the sample sites happen to be either Lidl or Aldi stores. In its consideration of the TA Arup, the County Council's consultant, considered that these "represent an appropriate basis for analysis on account of the suitability of the selected sites."

- c) The speed survey is estimated only.

Response – A speed survey is not considered necessary.

- d) The junction separation distance proposed is only 25 metres which is only suitable for traffic speeds of 20 m.p.h. maximum.

Response – The amended junction arrangement provides improved road widths, visibility sightlines and pedestrian provision. Arup's assessment of the proposal is that the improvements "would benefit current and future road users by reducing hazards and the likelihood of conflicting manoeuvres". Arup goes on to say that "These advantages would outweigh any potential safety concern associated with the minor reduction in junction separation between Tanyard Lane and Water Street that would result from the realignment of Tanyard Lane".

- e) Swept path analysis shows that large articulated vehicles will have to cross over the road into the path of oncoming traffic to enter the site. It also only addresses traffic coming in and out of the site from the east.

Response – It is common in urban areas for large delivery vehicles to cross the centreline of a road in order to complete a manoeuvre. This does not represent a particular hazard.

Currently delivery vehicles to the garage park on the A484 or otherwise block Tanyard Lane and this is significantly more hazardous than the proposal.

The drawings within the TA show the most onerous/difficult movements in and out of Tanyard Lane.

- f) Modelling tool has flaws in its figures e.g. visibility to the right is given as 0 metres not 70 metres.

Response – It is not accepted that the modelling is flawed. The capacity of a junction is increased with improved visibility therefore the assumption that visibility is "0m" rather than "70m" will result in a pessimistic assessment of the junction's capacity. In other words, the modelling is robust as it assumes a "worst case".

- g) There is an assumption that trips to the supermarket are trips that already occur past the site.

Response – This is incorrect. The capacity assessment assumes that trips generated by the new store will be “new trips” and finds that the junction serving the site has the capacity to accommodate these. The TA comments that the impact of generated traffic is likely to be less than is reported as some of the generated trips are likely to already be present on the highway network. The TA therefore over-estimates the number of new trips generated by the development. This demonstrates that robustness of the TA.

It is assumed that 25% of the trips to the new store will be “linked trips” i.e. where people will also visit other facilities within the town centre.

4. Ms Helen Hatt

- a) Advocates a humanistic approach, as the rest of the world is seeking to become more “green” and sustainable.
- b) Newcastle Emlyn is an attractive town which should encourage local and farmer’s markets, not supermarkets.
- c) Approval of this supermarket will bring an influx of hundreds of protesters into the town.

Response – These are very personal comments. Equally personal is the view that with the major developments carried out and proposed in Carmarthen and Cardigan, unless appropriate alternative facilities are provided to draw more trade into Newcastle Emlyn and retain its catchment expenditure, then the existing retail offer will wither and die

Town Councillor’s Comments

5. Cllr Webley

- a) The site is not within the Town Conservation Area but borders its boundaries. The CA is a strange shape with a hole in the middle where this site is located. The Planning Department would take a different view of this proposal if it were not in this “hole”.
- b) This is a huge development in close proximity to the CA and the town centre. Planning officers have a duty to safeguard the appearance of the town, and the scale of this building is far greater than surrounding buildings.

- c) It is an alien feature in mass and scale which does not reflect the character of its surroundings.

Response – The submission has taken into account the fact that the site is surrounded by a Conservation Area. The applicants have met with Council Planning and Conservation Officers, and as a result have resited the store so that its position is less “isolated” in the site, and now sits with and is viewed against, adjoining properties. The design detail, facing materials and appearance have been amended, and the current submission includes perspective drawings illustrating that the scale and form of the building are appropriate in the context of existing, adjoining properties.

- d) There are also questions about the stability of the site.

Response - Cllr Webley’s comments mirror those by Mr Vale, and are addressed in the point above. One point worthy of note is that the issues of ‘contamination’ and ‘stability’ remain whether the site is developed or not. In the event that the site is not developed, the current mechanisms which cause instability (toe erosion, over-steep section and surcharge by parked vehicles at the crest) will continue. The factors of safety derived from the stability assessment have demonstrated that the stability is at best marginal, and at worst only provided by surface vegetation, boulders, etc. Hence, it is highly likely that ground movement of the slope section will continue to occur, as has been ongoing for at least the past 20 years (and which has recently manifested itself a short distance upstream at the Glanteify development). Future movement would in turn distort the culverted watercourse beneath the site, and thereby create preferential pathways for the migration of any contaminants present. If the site were to be developed with a reconstructed culvert and a robust solution to provide long term stability, such contaminant pathways and stability risks would be effectively mitigated.

The report also clearly states that, during construction, measures would be taken to remove both primary contaminant sources (underground fuel storage tanks, pumps, supply lines, etc.) and any secondary sources (such as localized spillages) which are encountered during the site strip. If the site were to remain in its existing state (i.e. undeveloped), any such contaminant sources would remain and, combined with further distortion of the culvert, would present an increased level of risk to existing receptors (i.e. site users, water environment).

6. Cllr Evans

- a) Has concerns on the size of the floor space and that it is near residential properties. None (especially during construction), night deliveries and the amount of traffic will affect existing properties.

Response – It is not clear what specific concerns are raised by the size of the floorspace. The entrance to the store will be at the furthest elevation, and whilst there will be an increase in traffic across the front of the existing dwellings on Tanyard Lane their living conditions will improve by the introduction of a pavement and landscape buffer. If the Local Planning Authority have a real concern regarding night deliveries, their hours can be controlled by planning conditions.

- b) The traffic survey should have been conducted over a longer period than just two days. On a Thursday traffic is quieter because of the mart!

Response – The surveys provide an accurate basis for assessment.

The evidence does not support the assertion that Thursdays are quieter because of the mart. A 7-day traffic survey of the A484 undertaken by Lidl and included within its TA that supports the Castle Cars proposal found the following daily traffic flows:

Monday – 5,280
Tuesday – 5,272
Wednesday – 5,313
Thursday – 5,408
Friday – 5,649
Saturday – 5,047

- c) The pavement along the main road to the side is very narrow.

Response – Pedestrian provision is improved considerably by the proposed development. Pedestrian footways will be provided along Tanyard Lane where none presently exist. The pedestrian route linking Tanyard Lane to the town centre (via Cawdor Terrace) will be improved.

- d) There will be a loss of car parking.

Response – The TA demonstrates that the proposed 117 spaces adequately accommodates demand for public parking spaces and the proposed development.

7. Cllr Jones

- a) There are many people in the town who would welcome this development.

The comment is welcomed.

8. Cllr Davies

- a) There are many people in the town who would welcome this development.
- b) Supermarkets should be in the middle of town – it is those outside town that destroy it.
- c) This will bring more people into the town.

Response – The comments are welcomed and agreed.

9. The Town Mayor

- a) Has had representations for and against from people in the town – more against.
- b) There is often a silent majority – who knows their view?
- c) Some traders in the town think things are very quiet – does it need something to attract people in?
- d) Not all the comments made on the last application have been addressed this time.
- e) It is important not to lose public parking in the town.

Response – The comments of the Town Mayor are largely rhetorical. However, in relation to any perception of loss of car parking as a result of this development, it is worthwhile pointing out the following;

- there are currently 65 public car park spaces.
- CCS Wales Parking Standards 2008 require 37 car park spaces for the proposed size of store.

= a total of 102 car park spaces
- the current application provides 117 spaces – 15 over the above what is required and a net gain
- it is clearly stated in the application that a condition requiring e.g. 2 hours free parking to allow users of the store the opportunity of the short walk into the main street – would be acceptable.
- two full day surveys were taken of the use of the current car park. On a Thursday when peak occupancy was found to be 32, and on a Saturday when the peak achieved was 37.

- the following are comments on the use of the public car park by the Director of Ground Inspection (Wales) Ltd who undertook the geo-environmental site assessment report;

“Based on my observations whilst in attendance on site during the investigation fieldworks (a period of some one and a half weeks), I would also make the following comments. At no point during this period (which spanned market day, two Saturdays and an entire working week) was the Local Authority car park anywhere near full. There were intermittent periods during weekday mornings during which it filled to around 60-70% capacity, with several spaces remaining (not including the 4-6 spaces which were cordoned off for our works at any given time). However, for significant periods of the day, and on every afternoon, the usage reduced to around 30% of the available spaces. On several occasions during the busier (morning) periods, I witnessed numerous drivers entering the car park, viewing the single (but amply sized) vacant parking spaces with trepidation, and leaving the car park to go elsewhere. Several drivers also took the approach of stopping me and stating that they ‘were not going to be long’, to attempt to justify their failure to pay at the parking meter. As I live locally, I have suffered numerous delays whilst travelling through Newcastle Emlyn as a result of the number of illegally parked vehicles along the main street. From the evidence of my observations whilst based on site in September/October, I find little excuse for this, and would refute claims that there is ‘insufficient parking in the town’. I accept that the car park usage may increase during holiday periods, but illegally parked cars and restricted flow through the town are a year-round phenomenon.”

Concluded that a letter of comments / observations should be sent to the County Council.

Summary Of Owen Banks Retail Impact Assessment

Proposed Store 1066m² net sales floor (1426 total).

Catchment Area (NLP) 20 minute drive of Emlyn.

Average annual turnover of store per sq. metre £11,156.

So if one of the "big 5" Tesco Asda Sainsbury Morrisons Somerfield projected turnover

£11.8 million

Catchment population spend at £1,700 per head.

£22.9 million

Existing catchment convenient store spend.

£5 million

Surplus spent outside catchment.

£17.9 million

Residual spend therefore.

£6.1 million

CK's 400 sq mts annual turnover £1.8 million – NLP est to be halved.

Parking – 114 spaces to be provided

70 only required - 44 more than is required

65 spaces currently - 49 increase