

9. Retailing

9.1 PARAGRAPHS 7.1.1 to 7.1.8 Justification of Part 1 Policies

Objections

PCO/51144/2175 Grantchester Plc
PCO/51195/2149 Tesco Stores Limited

Issue

9.1.1 This is whether or not the text to justify Part 1 Policy 9 is consistent with the policy.

Conclusions

9.1.2 The PIMS proposes alterations to paras 7.1.6 and 7.1.8 which are designed to explain the proposed changes to the Part 1 Retail Policy. The counter-objectors wish to see further amendments, and in the light of changes which I recommend in Chapter 1, I consider that some may be needed to achieve consistency and compliance with Government policy. Firstly, the order of preference in the sequential search for sites which I recommend in Chapter 1 is different from that described in para 7.1.6 of the PIMS, and should be amended. Secondly, Tesco Stores Limited points out that the need and sequential tests should not be applied in the case of retail development on allocated sites. I agree, and this could usefully be clarified in the reasoned justification. However, the text accompanying Policy R9 should explain that the types of retail goods sold from allocated out of centre sites must be consistent with those specified in the UDP, otherwise proposals will not be exempt from the need and sequential tests.

9.1.3 In addition, para 7.1.5 in the UDP provides a definition of 'out of town' development, though this form of development receives scant attention in the new national policy statement. I have recommended that Part 1 Policy 9 should focus on 'out of centre' development proposals and, accordingly, the text at the end of para 7.1.5 should be altered.

9.1.4 Although relevant objections have not been made, I am concerned that paras 7.1.4 and 7.1.5 imply acceptance of and encouragement to further out of centre retail development. In my view, this text could usefully be re-drafted to comply more closely with national policy and Policy R1, so as to offer greater support for the revitalisation of existing centres in the County Borough.

Recommendation

9.1.5 I recommend that the text of paragraphs 7.1.6 and 7.1.8 should be modified as proposed in the PIMS.

9.1.6 I recommend that para 7.1.5 should be modified, so that the final sentence reads along these lines:

'Policy 9 seeks to establish criteria by which retail proposals for sites away from existing centres (out of centre sites) will be evaluated'.

9.1.7 I recommend that para 7.1.6 should be further modified, so that the second sentence reads:

'This means that the first preference should be for town centre sites, where suitable sites or buildings for conversion are available, followed by edge of centre sites, district centre sites, then existing out of centre sites and allocations. Finally, new out of centre sites may be considered in locations that are accessible by a choice of means of transport'.

9.1.8 I recommend that para 7.1.8 be further modified, so that it opens along these lines:

'Criterion 1 and criterion 2 mean that proposals for retail development outside existing town and district centres and not on sites developed or allocated for new retail development within the Plan should demonstrate that there is a need for the development and that the sequential approach to site selection has been followed.'

9.1.9 I recommend that a sentence along these lines be added to paras 7.1.6-7.1.8:

'Proposals for development on the sites allocated under Policy R9 must be for the specified uses, otherwise proposals will have to demonstrate that they meet a need and the sequential preference test.'

9.2 POLICY R2 Nature of Retail Development in Commercial Centres

Objection

DO/51161/1362

Wm Morrison Supermarkets Plc

Issue

9.2.1 The main issue is whether or not criterion 2 of this policy would unreasonably restrict new retail development and hinder competition within and between competing centres.

Conclusions

9.2.2 The objector points out that their company's main concern is with convenience superstore provision. It is argued that the policy should recognise that shopping centres may change their position in the hierarchy over time, especially when making provision to meet the 'need' which may arise over the Plan period. The Council draws my attention to PPWales para 10.1.2, which states that existing centres are the best locations for retail provision, 'at an appropriate scale'.

9.2.3 In my opinion, the policies for existing town centres in the County Borough have to strike a balance between safeguarding the established hierarchy of centres and promoting their development, enhancing their vitality and accommodating innovatory developments. Para 10.1.1 of PPWales supports an approach which recognises the dynamic character of the retail industry and its built form. I consider that the positive attitude to future proposed change in existing centres, which is signalled in criterion 1 of this policy, should not be entirely ruled out by criterion 2. It would be highly undesirable if new investment in town centres were lost because of a failure to reach agreement on these matters.

9.2.4 Whilst I am satisfied that new retail development should be compatible in scale with the built form of an existing centre, in my opinion it would be helpful to acknowledge that retail hierarchies may change over time, and to remind prospective developers of the content of PPWales paras 10.3.2-10.3.3. This advises that developers and retailers should be flexible and innovative about the format, design, scale and car parking provision which they put forward, tailoring these to local circumstances. I conclude that the explanatory text could be expanded to achieve this.

Recommendation

9.2.5 I recommend that no change be made to this policy.

9.2.6 I recommend that paragraph 7.3.10 should be modified with an addition along these lines:

'This policy seeks to ensure that as far as possible new retail development will be to the long term benefit of existing commercial centres. Whilst recognising that the position of centres in the hierarchy may change over time, new development should be broadly in keeping with the character of the existing centre. Developers and retailers are expected to be flexible and innovative about the format, design and scale of proposed development including the amount of car parking, in order to achieve new development in harmony with existing centres'.

9.3 POLICY R8 Key Retail Re-Development Sites

Objection

DO/51192/1454 Llynfi Valley Forum

Issue

9.3.1 The main issue is whether or not Maesteg should be included as a key retail redevelopment site.

Conclusions

9.3.2 Policy R1 identifies Maesteg as an established commercial centre and town centre where new retail development should be concentrated. Policy R8 identifies specific sites within existing centres where redevelopment could take place. The PIMS proposes the addition of Maesteg RFC Ground, Llynfi Road to the key redevelopment sites. I conclude that retail redevelopment opportunities in Maesteg have been fairly covered in the Plan, and that it would not be appropriate to include Maesteg town centre as a key site in this policy.

Recommendation

9.3.3 I recommend that this policy should not be changed in response to this objection.

9.4 POLICY R8.1
Key Retail Re-Development Sites
Surface Car Park & Adjoining Land North of Brackla Street,
Bridgend

Objection

DO/50001/916 Bridgend Civic Trust

Issue

9.4.1 This is whether or not the Brackla Street car park should be re-used as a new bus station.

Conclusions

9.4.2 The objection site is allocated as a key retail redevelopment site in the UDP, but the Civic Trust argues that it should be used as a relocated bus station because of its good accessibility for buses, relationship to the town centre and rail station. I concluded in Chapter 8 that it would be preferable to expand the existing bus station in accordance with the Highway Authority's proposals. This would leave the Brackla Street car park available as an attractive town centre site for retail and related uses. I conclude that the site should not be allocated for re-use as a bus station.

Recommendation

9.4.3 I recommend that no modification be made.

9.5 POLICY R8.3
Key Retail Re-Development Sites
Former Courage Depot Site, Off Tondu Road, Bridgend

Objections

DO/51182/1401 Aldi Stores (Swindon) Limited
DO/51164/1368 Centre Great 1991 Ltd
DO/51142/1394 Henley H Jenkins Ltd
DO/51155/1350 Riverside Hardware & Engineers Supplies

Issues

9.5.1 The main issue is whether or not this site should be deleted as a key retail redevelopment site and reallocated either for car parking or for office uses.

Conclusions

9.5.2 The objectors argue that the allocation of the former Courage Depot site for retail development is inconsistent with national policy in respect of the sequential approach. The site occupies an edge of centre location, and preference should be given for the development of town centre sites. Objectors note that the nearby Embassy Cinema site, which is more centrally located, is currently available. The objectors claim that the need for public car parking provision on the north side of the town centre could be met by retaining the Courage

Depot site in its current use. Henley H Jenkins Ltd argues that scheduling the existing car park for commercial use and the existing commercial use on the Embassy site for car parking (as in Policy T21 (3)) is inappropriate. In the objector's view, each site in its current use stands on the right side of the road system to serve the best interests of the town and community.

9.5.3 The local planning authority granted planning permission in March 2002 to the Welsh Development Agency for office development (A2 and B1 uses) on the former Courage Depot site. An early start to development is expected so that the site is unlikely to be available for retail use. The Council contends that this permission is consistent with Ogwr Borough Local Plan Policy R10, which allocated the site for 'retail warehouses/leisure/entertainment and/or other appropriate commercial uses'.

9.5.4 I consider that the intended use of this site, located adjacent to the edge of the town centre, for office development would be beneficial to promoting diversity and vitality in the centre as well as to regenerating the wider area through new job creation. Whether or not allocation of the objection site for retail purposes would be consistent with application of the sequential test, in my view, the office development scheme will be conveniently located for access by public transport and could generate additional spending in nearby town centre shops. Although Policy R8 of the UDP would permit 'other commercial' uses, it is clearly designed to promote retail redevelopment and I agree with the Council that the site should be shown as a new allocation within Policy E10.

9.5.5 Henley H Jenkins Ltd also objects to Policy R8 on the grounds that designation of the car park for commercial use breaches pledges and undertakings given when it was first provided. The objector points out that the car park is relatively new, well designed and well located to serve motorists from the northern part of the town. Centre Great 1991 Ltd argues that the objection site received financial assistance from Central Government for its purchase and construction, which would make it ethically wrong to market the site for retail purposes.

9.5.6 However, Government policy on car parking has changed markedly in recent years. PPWales Chapter 8 identifies a key objective, reducing the need to travel, especially by private car. The document goes on to state that car parking provision is a major influence on the choice of means of transport. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. It is, therefore, neither unusual nor undesirable for existing car parks to be redeveloped for retail or other commercial uses. I am aware that the need for town centre car parking was assessed by the Council when the planning application for office use on the objection site was determined earlier this year. All this leads me to the conclusion that Policy R8(3) should be altered so that the former Courage Depot is no longer retained as a key retail redevelopment site.

Recommendation

9.5.7 I recommend that Policy R8(3) should be modified so as to delete 'The former Courage Depot site, off Tondu Road, Bridgend' from the list of key retail redevelopment sites.

9.5.8 I recommend that the Proposals Map be amended accordingly, and the site allocated for employment uses.

9.6

POLICY R8.4

Key Retail Re-Development Sites

The Rhiw Car Park and Adjacent Garage, Bridgend

Objection

DO/51056/1185

Charterhouse Shopping Centre Fund 11

Issue

9.6.1 The main issue is whether or not the existing retail redevelopment site identified as R8(4) should be extended, and the supporting text amended to cover car parking matters.

Conclusions

9.6.2 The objector argues that the Proposals Map should be changed to show site R8(4) crossing the Rhiw and abutting existing retail development to the north. This, it is claimed, would allow for a retail redevelopment scheme physically linking the proposed allocation to the existing retail centre by extending the pedestrian shopping mall. However, the Council points out that redevelopment of the Rhiw shopping centre could take place under UDP Policy R2. I see nothing in the deposit Plan to prohibit, in principle, a redevelopment scheme which would incorporate the existing shopping centre and the adjoining car park. The Council argues that the objector's proposal might not come to fruition. Showing an enlarged single site on the Proposals Map might then deter other possible developers. I consider this to be a sound reason not to alter the R8(4) site boundaries.

9.6.3 The objector seeks an alteration to the explanatory text, in order to state that, where on-site car parking is provided in a redevelopment scheme, car parking commuted payments will not be required. I agree with the Council that this would be an inappropriate addition to the UDP, as questions relating to payment for car parking provision would need to be discussed and negotiated in the context of a firm proposal for the site. I conclude that Policy R8(4) and the explanatory text should not be changed.

Recommendation

9.6.4 I recommend that Policy R8(4) should not be changed.

9.7

POLICY R8.6

Key Retail Re-Development Sites

Hillsboro Place Car Park and Adjoining Land, Porthcawl

Objections

DO/50004/334

Mr & Mrs W Bridget

DO/50006/343

Mr K Heatley

DO/51123/1282

Mrs P M Jenkins

Issue

9.7.1 The main issue is whether or not land at and adjoining Hillsboro Place Car Park, Porthcawl, should be designated as a key retail redevelopment site.

Conclusions

9.7.2 None of the objectors oppose the provision of a new superstore in Porthcawl in principle, but they argue that one should not be located on this site. The retail assessment undertaken by consultants in 1998 established that there is a need for additional food shopping space in Porthcawl. I agree with the Council that this objection site, in close proximity to the principal shopping street in Porthcawl town centre, performs well in terms of the sequential test. I am satisfied that a new foodstore on the objection site would help to reduce leakage of shopping expenditure from the town and benefit the existing shops in the centre by facilitating linked trips.

9.7.3 The objectors are concerned that new retail development should not result in the demolition of people's homes in Hillsboro Place, and the loss of the doctor's surgery. There is nothing in the UDP to indicate that the intended redevelopment would necessitate any such demolition. The Proposals Map shows that existing residential properties and the surgery would be outside the retail redevelopment area, and the more extensive regeneration (REG3) site. PPWales favours mixed and diverse uses in town centres, including housing and community facilities, to promote a lively environment and reduce the need to travel, so that there should be no objection in policy terms to housing adjacent to shops.

9.7.4 I am concerned, however, that the Council's replies to objectors provide no assurances that dwellings and community facilities would not be demolished to provide a new foodstore. The Council advises that the retail site is part of the wider regeneration site allocated under Policy REG3(2) and that the exact position of land uses, including any new store and its ancillary facilities, is not yet determined. In my opinion, since the regeneration area is so large, there can be no justification for extending it so as to demolish homes and a community facility in order to accommodate a foodstore and its car park.

9.7.5 Mrs Jenkins proposes that land at Sandy Bay should be considered as an alternative site for a supermarket. This could serve the Trecco Bay caravan park and intensively developed parts of the town in the New Road area. However, I agree with the Council that a site in Sandy Bay would not provide the substantial benefits for the vitality and viability of the existing town centre, which the objection site offers. I conclude that land at and adjoining Hillsboro Place Car Park, Porthcawl, as shown on the Proposals Map, should be designated as a key retail redevelopment site.

Recommendation

9.7.6 I recommend that no change be made to Policy R8(6).

9.8 POLICY R8.8 Key Retail Re-Development Sites Maesteg RFC Ground

Objection

PCO/50894/2134

Cllr W B Evans

DO/51192/1455

Llynfi Valley Forum

Issue

9.8.1 The main issue is whether or not the land adjacent to Maesteg RFC ground should be identified as a key retail redevelopment site.

Conclusions

9.8.2 Between publication of the deposit UDP and the opening of the Public Inquiry, the Council granted planning permission for a foodstore on the objection site. Permission was given after a consultants' report had demonstrated that there would be a need for some 3,390 sqm of additional retail floorspace in the town over the Plan period. Applying the sequential test to site selection, the search showed that there was no available site of a suitable size in the town centre to accommodate a new foodstore. However, the objection site was selected as it is within walking distance of other shops and services. It was judged to be capable of functioning as part of an extended town centre and capable of playing a role in that centre's revitalisation. Accordingly, the PIMS added 'Maesteg RFC ground, Llynfi Road, Maesteg' to the list of key retail redevelopment sites in Policy R8.

9.8.3 I consider that the PIMS amendment would go some way to meet the objection from the Llynfi Valley Forum. However, Cllr Evans argues that retail development on the site would be out of accord with the Ogwr Borough Local Plan which allocated the site for employment uses. I have taken account of the fact that the Cornstores comprise existing industrial units and occupy the northern portion of the site. When considering the planning application for the proposed foodstore, the relevant committee report indicates that the Council assessed the impact on these businesses and the scope for their relocation in the locality.

9.8.4 The counter-objector draws attention to the findings of a report by URBED, commissioned by the Council and WDA to put forward a town centre strategy and action plan for the revitalisation of Maesteg (CD129). URBED expressed the view that development of a superstore on the underused land adjoining the rugby club was 'definitely not in the interests of the town, as the kind of superstore that would be interested would end up diverting too much trade from the centre.' Research into the impact of superstores, it is argued, has shown that they are destructive unless well linked to the existing centre. However, the Council's retail consultants, MVM Planning, assessed the application for a foodstore with due regard for retail need, and the sequential approach to site selection. On the basis of this more detailed information, the Council then reached a different conclusion from URBED as to the merits of the proposed development. The Llynfi Valley Forum asked for a debate on the site's future for retail development. I am satisfied that the Council made a reasonable decision following scrutiny of the consultants' findings and all relevant planning matters.

9.8.5 I have also taken account of the concerns expressed by Cllr Evans about the likely effects on the town centre of additional traffic to and from a new foodstore. However, no firm and specific evidence of likely harm is offered. I was advised that a traffic impact assessment had been undertaken, and the Council's highway engineers did not object to the planning application. In conclusion, I have insufficient evidence to support the opinion that this site should not be allocated as a foodstore. In my view, it should enhance the retail offer in the town, and complement existing shops and services in the centre.

9.8.6 In addition, Cllr Evans points out that it is inaccurate to call this site 'Maesteg RFC Ground', as the rugby ground would remain. The Council agrees that the title could be misleading, and proposes that the site name be changed to 'Land adjacent to Maesteg RFC Ground'. I consider that this would be preferable.

Recommendation

9.8.7 I recommend that the list of retail redevelopment sites should be extended, as shown in the PIMS, with a minor change to the name of the site, as follows:

'R8(8) Land adjacent to Maesteg RFC Ground, Llynfi Road, Maesteg'.

9.9 POLICY R8: SITE OMISSION Key Retail Re-Development Sites Embassy Cinema Site and adjacent land at Brewery Lane and Tondu Road

Objection

DO/51182/1404 Aldi Stores (Swindon) Ltd

Issue

9.9.1 The main issue is whether or not a new key retail redevelopment site should be identified at the Embassy Cinema site.

Conclusions

9.9.2 This site is allocated for public off street car parking purposes under Policy T21(3) of the deposit UDP. However, it was subsequently agreed between the Council and the objector that it would be more appropriately allocated as a town centre foodstore. For reasons given in Chapter 8, I consider that the site could usefully be included in Policy R8.

Recommendation

9.9.3 I recommend that the list of retail redevelopment sites should be extended as follows:

9.9.4 'R8(9) The Embassy Cinema Site and adjacent land at Brewery Lane and Tondu Road, Bridgend.'

9.9.5 I recommend that the 'Statement of agreed wording Policy R8(8)' deposited by Aldi Stores (Swindon) Ltd should form the basis of any reasoned justification, except that the text should clarify that retail, other commercial and related leisure uses would be favoured on this site, as on the other R8 sites.

9.10 POLICY R9.1 New Out-of-Town Retail Sites Land off the Bridgend Northern Distributor Road

Objections

DO/51182/1402 Aldi Stores (Swindon) Ltd
DO/50001/913 Bridgend Civic Trust

PCO/51195/2150	Tesco Stores Limited
DO/51206/1570	Sainsbury's Supermarkets Ltd
DO/51206/1571	Sainsbury's Supermarkets Ltd
DO/51206/1574	Sainsbury's Supermarkets Ltd

Conditionally Withdrawn
DO/51195/1485 Tesco Stores Limited

Issues

9.10.1 The main issues are:

- Whether or not the site off the Bridgend Northern Distributor Road (BNDR) complies with Government policy, which requires new floorspace to be in response to retail need and on sites selected by way of a sequential analysis;
- Whether or not Policy R9(1) should provide for a large food superstore rather than convenience goods, with amendments to the text in para 7.5.5.

Conclusions

First Issue

9.10.2 Sainsbury's Supermarkets Ltd object that the research which showed that there was a need for additional convenience floorspace was not made available for public scrutiny, and this made adequate review and assessment difficult. I note that my copy of the Colliers Erdman Lewis Report on retail need assessment (CD96) is dated February 2000 but is marked confidential. It is clear that the objector had sight of CD96 before submitting further written evidence, but I consider it regrettable if this important core document was not generally available some time before the closing date for representations on the UDP. In the circumstances, I attach limited weight to the Council's assertion that there was no duly made objection to the additional need for new convenience floorspace. In any event, the Civic Trust questions the need for new shopping floorspace in Bridgend in its duly made objection.

9.10.3 The report by Colliers Erdman Lewis follows a study of the need for additional convenience goods floorspace and comparison goods floorspace in the wider Bridgend area. It assesses qualitative as well as quantitative need and provides forecasts to 2011. The study included a telephone survey of local households and their shopping behaviour, the use of demographic and retail expenditure data supplied by URPI (now MapInfo) and forecasts by retail advice specialists. The methodology, including the definition of 'need', and the results obtained, were clearly explained in the report. The forecast of convenience floorspace need in the consultants' report is reproduced in para 7.5.5 of the deposit UDP.

9.10.4 Unsurprisingly, in view of the time and cost that would be required, none of the objectors to the UDP have sought to criticise the empirical data or produce their own figures. The consultants themselves advised that their forecasts should be treated with caution because they looked to the long term future and depended on a number of key assumptions. Notwithstanding these reservations, I consider that the assessment of need was robust and objective.

9.10.5 I agree with the Council that, on the basis of the consultants' study, there is scope for an additional 6,850 sqm gross of convenience floorspace to serve the Bridgend area to 2011. As the Plan period extends to 2016, there may be a need for additional floorspace by the end of the Plan period. Tesco argues that, because of current overtrading in stores, there

could be scope for additional new floorspace before 2011, and it would be unreasonable to restrict a new foodstore to a rigid floorspace limit especially on the basis of the available figures. I am advised that the Council has commissioned a study to review the estimate of need, and that its results will be available in 2003. Nevertheless, the consultants prediction in CD96 is the best currently available and in my opinion it is helpful to refer to the figure of 6,850 sqm in the Plan. I agree that it would be clearer if reference were made to the source, and to the fact that it relates to 2011, and I recommend that this be remedied.

9.10.6 The Colliers Erdman Lewis report makes clear that their brief was to advise on the proposed deletion of a retail allocation which included provision for a foodstore at Sarn Park, and on a proposal to allocate a 'food based store' of up to 7,400 sqm gross at a site adjoining the BNDR. I agree with objectors that this approach is contrary to national guidance, which requires a sequential search to be made following the identification of need. It is clear that Colliers Erdman Lewis did not carry out a sequential assessment of sites.

9.10.7 As I have already reported in Chapter 1, and as a number of objectors point out, the strategic policy on retailing in the deposit UDP omits district and local centres, contrary to national policy. The Council reports on an assessment of seven sites in the centre of Bridgend, concluding that none would be suitable for convenience shopping. Independent assessments have been undertaken for Porthcawl and Maesteg where new foodstores are planned, but I have no evidence that the scope for new shopping provision in the district centres, that is Aberkenfig, Blaengarw, Brackla, Caerau, Nantyffyllon, Ogmores Vale, Pencoed, Pontycymmer or Pyle/Kenfig Hill, has been considered. Neither has much reference been made to the scope for new convenience shopping to serve the new housing estates at Broadlands or Parc Derwen.

9.10.8 In addition, the Council advised shortly before the close of the UDP Inquiry that a planning application has been received for a new 8680 sqm gross Asda store in Bridgend town centre. I am advised that this relates to land which was assessed as site 7 in the Council's evidence to the Inquiry and judged to be unsuitable largely on grounds of access. In the light of all the above, I am not satisfied that a full and rigorous assessment of all possible sites in existing centres for new convenience shopping floorspace has been undertaken, which would lead me to recommend in favour of Policy R9(1).

9.10.9 The Colliers Erdman Lewis report makes repeated reference to the localised nature of convenience goods shopping patterns (see for example paras 4.13 and 5.44). However, the Council argues that none of the alternative sites which it considered were able to satisfy the combination of quantitative and qualitative need for more convenience goods floorspace. The Council contends that the qualitative need requirement is for the allocation of one large site, and prior to the Asda application, the BNDR site was the only one considered suitable and available. Objectors argue that the Council has been inflexible in that it has not been prepared to disaggregate the need or seek to find ways of meeting it on a number of sequential sites.

9.10.10 National policy, as encapsulated in para 10.3.6 of PPWales, states: *'The commitment to accessible shopping and sustaining existing centres means that local planning authorities should seek to retain an adequate level of provision for food shopping together with post offices and pharmacies in existing town, district and local centres and in villages'*. In my view, new convenience goods floorspace will be needed in a number of locations within the County Borough over the Plan period, most likely in small increments in a variety of centres consistent with sustainable retail development. I consider that the Council agreement with Aldi Stores Ltd to change the allocation of the Embassy Cinema site so that it might accommodate a smaller new foodstore signals a better approach than the allocation of a single site at Brackla.

9.10.11 I have read carefully the evidence on qualitative need contained in the consultants' report. I note the cautionary comments that Government advice on definitions of need has been ambiguous and has not led to a common approach. Colliers Erdman Lewis describe three elements of qualitative need which might influence retail provision, namely customer need, retailer need and economic need. Customer need covers aspects of choice, accessibility and environment. Of particular interest, the telephone survey in Bridgend investigated the question of qualitative need by asking residents for their views on the need for additional floorspace in their area, and the form and location this provision should take. The results showed significant differences between the 12 zones which comprise the greater Bridgend catchment area. In particular, they suggest that only 24% of those surveyed in the Bridgend zone perceived a need for additional food provision, compared with 56% and 54% in the Porthcawl zones, and 53% in Pencoed. On the type of new food provision preferred, some 46% of Bridgend residents favoured small specialist foodstores and only 24% wanted more large superstores. In Porthcawl west and Pencoed, the preference was quite different with some 90% wishing to see more large superstores.

9.10.12 In the light of these survey results, and given my understanding that qualitative need refers to widening choice of supplier and type of food shop for the customer, and making food shops more accessible to most people, I consider that the Council has undertaken a leap in logic by asserting that the quantitative and qualitative need for Bridgend can only be met by the provision of a large superstore on the BNDR site. The consultants justified allocation of the BNDR site on two grounds. Firstly, they suggested that it would be capable of meeting the needs of residents in the Pencoed zone for a superstore. However, in my view it would clearly be outside that settlement and difficult for Pencoed residents to reach except by car.

9.10.13 Secondly, it was argued that the allocated site would be convenient for residents on the new housing estates at Brackla and Parc Derwen, though Sainsburys at The Pines is already well placed to serve this area and a district centre is proposed for Parc Derwen. As pointed out by the Civic Trust, the BNDR is not well served by public transport, nor easily reached on foot or by bicycle. Its proximity to allocated employment land and the scope for road improvements associated with its development do not outweigh its other deficiencies, in my judgment. Whether or not the site is within an existing urban area, as asserted by Tesco Stores Limited, I consider that the mere prospect of a large supermarket there does not justify its designation as a district centre.

9.10.14 The telephone survey by the consultants highlighted the perceived need for more small, specialist foodstores in the Bridgend catchment area. In my opinion, there is a risk that another large superstore on a detached site could undermine existing small retailers as well as deter new small shops from opening in the town centre. The Council advises that Tesco Stores Limited has submitted a planning application for the BNDR site. As Tesco already operates two large foodstores in Bridgend, this proposed development would not significantly increase the choice of local consumers, and in my opinion would not be well related to the identified qualitative customer need. The Civic Trust fears that, if Tesco opens a new large store away from Bridgend centre, it might close the Brewery Lane supermarket, which is relied on by many elderly people and non-car users. However, any resulting harm from such a change may be overcome if Aldi moves to the town centre.

9.10.15 In reaching my conclusions on the proposal for a new foodstore at the BNDR site, I have taken account of the consultants' assessment of competing centres and their sound advice that competition will intensify in future so that Bridgend cannot afford to stand still. Nevertheless, many local residents in Bridgend commute to employment in Cardiff and Swansea or make regular visits to those larger centres. Colliers Erdman Lewis concede that it would be

unrealistic to expect Bridgend to achieve a 100% share of the convenience goods' market or match the scale of provision of those cities.

9.10.16 Sainsburys Supermarkets Ltd argue that the BNDR site should be allocated for employment purposes under Policy E2. It is located next to the Brackla Industrial Estate, a key employment site, representing a major asset to the County Borough in terms of its potential to attract inward investment and generate significant numbers of additional jobs. The Council responds that there is sufficient allocated employment land in the UDP without the R9(1) site.

9.10.17 I conclude that there is a quantitative need for additional convenience goods shopping floorspace in the County Borough during the Plan period. I consider that it is helpful to refer to the study which assessed quantitative need of 6,850 sqm gross floorspace by 2011. I am aware that the Council has commissioned a new retail assessment which will update these figures and estimate need to the end of the Plan period. I would expect this to demonstrate a greater quantitative need. However, for the reasons given above, I consider that new convenience floorspace for the wider Bridgend area should not be provided in a single allocation. I consider that the sequential test should be applied when the future need has been fully identified and justified. In the interests of promoting sustainable development, future convenience shopping needs for all communities across all existing town and district centres in the County Borough should be examined before an out of centre site for significant new development is allocated. The sequential assessment should look at district centres as well as town centres and edge of centre sites. I conclude that the BNDR site should not be allocated until this additional investigative work has been completed.

Second Issue

9.10.18 Tesco Stores Limited and the Council reached agreement that changes should be made to para 7.5.5 and to the wording of Policy R9.1. The agreed new wording draws attention to overtrading in Bridgend's out of centre superstores, which I appreciate was highlighted in the consultants' report. The new wording goes on to refer to 'overcrowding and unsatisfactory shopping conditions' which, in my opinion, does not reflect the expressed views of customers who took part in the telephone survey, nor the prevailing conditions which I witnessed on repeated site inspections during 2002/3. Though the stores are busy at many times of the day and week, conditions relating to queuing or congestion were not dissimilar to those I have regularly experienced elsewhere in supermarkets at peak times. It seems to me that new development at Porthcawl and Maesteg should help to reduce the degree of overtrading in the short term. For the reasons given above, I consider that the content of the second and third proposed new paragraphs would be misleading. In the light of my reservations that a 'large food superstore' is the only option for meeting the quantified need, I shall not recommend the proposed change to the 'specified uses' in Policy R9(1).

Recommendation

9.10.19 I recommend that Policy R9(1) should be re-assessed as outlined above and deleted from the Plan unless there is a much more robust justification for its retention.

9.10.20 I recommend that the proposed changes in the PIMS to Policy R9(1) and para 7.5.5 should not be made.

9.10.21 I recommend that para 7.5.5 of the UDP should be modified to reflect (a) the source and date for any new need assessment figures, (b) a more rigorous sequential analysis of town centre and district centre sites, and (c) recognition that convenience shopping facilities

should be localised and accessible by a choice of transport mode, in the interests of sustainable development.

9.10.22 I recommend that the changes to Policy R9(1) and para 7.5.5 agreed between Tesco Stores Limited and the Council should not be made.

**9.11 POLICY R9.2
New Out-of-Town Retail Sites
Land at Sarn Park**

Objections

DO/50880/944	Bridgend Biodiversity Partnership
DO/51050/1172	Campaign for the Protection of Rural Wales
DO/50864/901	Coity Village Association
DO/51185/1419	Coity Walia Commoners Association
DO/51209/1664	Countryside Council for Wales
PCO/51209/2230	Countryside Council for Wales
DO/51144/1331	Grantchester Plc
DO/50911/988	Ms S Davies
DO/50899/972	Mr & Mrs Farmer
DO/51199/1504	Mr H Griffiths
DO/51199/1505	Mr H Griffiths
DO/51199/1506	Mr H Griffiths
DO/51199/1507	Mr H Griffiths
DO/51199/1508	Mr H Griffiths
DO/51058/1189	Mr C Hopkins
DO/50878/933	M R Keating
DO/51059/1192	Ms A Lalic
DO/51060/1194	Ms M Lalic
DO/51051/1175	Ms S Rowe

Issues

9.11.1 These are:

- Whether or not there is a need for retail development on the land;
- Whether or not the retail allocation should be made bearing in mind the site's planning history, national planning policy for out of town shopping development, the impact on the vitality and viability of existing town centres and the promotion of sustainable development;
- Whether or not there should be an allocation for new convenience shopping at Sarn Park;
- Whether or not the benefits from retail development at Sarn Park would outweigh the impact on natural heritage.

Conclusions

The first issue

9.11.2 A number of objectors question the need for retail development at Sarn Park. The Council argues that the proposed retail allocation would act as an 'enabler' to the larger employment element. As I have reported in Chapter 7, section 7.4, I consider that there is a sufficiency of land for employment purposes in the County Borough without the Sarn Park allocation. This, in my view, undermines the 'enabling' argument for a retail allocation here.

9.11.3 The Council also argues that the Policy R9(2) allocation is supported by the Retail Need Assessment carried out by Colliers Erdman Lewis in 2000. This concluded that there was scope for 17,749 sqm of additional comparison goods floorspace by 2011. The Council's evidence to the Inquiry asserts that *'the need for 16,727 sqm of bulky comparison goods retailing has been proved in the Colliers Erdman Report'*. This is incorrect, in my view, as the report does not distinguish between bulky and non-bulky comparison goods and is a best estimate of future trends rather than a *proof*. I am advised that the Council has decided to commission an updated retail needs assessment, which means that the figures are likely to change. Nevertheless, current indications are that the allocation at Sarn Park would absorb more than 10 years 'need' for both bulky and non-bulky comparison goods floorspace for all Bridgend. On the Council's evidence, the development at Sarn Park could begin in about 2006.

9.11.4 I conclude that there is a need for additional comparison goods' floorspace in the County Borough over the Plan period, but the need for 'bulky goods' floorspace is as yet unmeasured. Whether or not all or some of this should be provided at Sarn Park is discussed below.

The second issue

9.11.5 The deposit UDP indicates that there is an extant planning permission for retail development at Sarn Park. However, for the Coity Walia Commoners Association, it is argued that the relevant original planning permission was granted in 1989 and several extensions of time for the submission of reserved matters have been granted, seemingly in a routine and uncritical manner. (The Council's evidence to the Inquiry includes planning permission No 87/1094 for a leisure park, golf course, retail park and related facilities dated 1988.) The objectors point out that the original permission pre-dates the McArthur Glen Welsh Designer Outlet development and the allocation of the Policy R9(1) site, as well as current national retail policy. The Ogwr Borough Local Plan allocated Sarn Park for retail development under Policy R11(1), though in association with a sub-regional leisure/tourism/recreation development.

9.11.6 The Council's evidence on planning history indicates that two applications for the relaxation of conditions to extend time limits in respect of planning permissions for leisure park, golf course, retail park etc were undetermined at the time of the UDP Public Inquiry. Though the planning history of the site is a material factor, the original permission is very old and no development has taken place in spite of the Local Plan allocation. The emerging UDP signals a fresh start in local policy formulation within a new national policy framework. Having regard for PPWales, para 10.3.14 and the final sentence in Para 7.2.1, I consider that an allocation for retail development in the UDP at Sarn Park should only be made if the site can meet the more stringent tests set by up to date national policy based on sustainable development principles.

9.11.7 National planning policy is that town, district, local and village centres should be promoted as the most suitable locations for retailing and complementary functions. Objectors criticise Policy R9(2) because it promotes an out of centre site and implies neglect for the future

well-being of Bridgend and other existing town centres. In my opinion, concentrating nearly all the additional comparison goods floorspace which will be needed over a ten year period at Sarn Park would seriously reduce the ability to stimulate new development in existing centres.

9.11.8 National and local policies require a sequential approach to be adopted with out of centre sites used as a last resort. I have already criticised the assessment of only a limited number of sites in Bridgend town centre and failure to investigate the potential of district centres (section 9.10). The recent application from Asda indicates that the existing town centre in Bridgend is not as deficient in development opportunities as the Council has asserted. The Collier Erdman Lewis report indicates that many modern large foodstores also contain non-food space. In its conclusions, the report states *'In a store of around 7,400 sqm gross we would expect the non-food element to comprise a minimum of 25% and could represent as much as 50%....'* This indicates that a new town centre store, as recently proposed by Asda, could boost the comparison goods provision in Bridgend town centre as well as providing a new foodstore.

9.11.9 The Council refers to para 10.3.10 of PPWales in support of its allocation. This advises that some retailing selling bulky goods may not find suitable sites in town centres. However, I have seen no assessment of the future need for bulky goods separately from all comparison goods either in the consultants' report or elsewhere. The UDP lists the types of goods which might be permitted at Sarn Park, and it is arguable whether many of these would in practice be so bulky as to require an out of centre site. I would expect the need for bulky goods to be relatively small if developers and retailers were truly flexible and innovative about the format, design and scale of development and car parking, as required by para 10.3.3 of PPWales.

9.11.10 A number of objectors argue that the proposed retail allocation at Sarn Pak would be harmful to the viability of existing centres, notably Bridgend. They contend that earlier out of centre developments, notably the Welsh Designer Outlet, have damaged a once thriving town centre. The Council refers to the annual health checks of vitality and viability in Bridgend town centre, prepared from 1998 onwards. The reports contain many positive features. In particular, the 1999 report concludes that Bridgend town centre appears to have withstood the impact of recent out of town retail development at the Designer Outlet Centre. However, the preceding report shows that Bridgend fell from a rank of 29 in 1994 in the Investment Property Database league table of town centres to 147 in 1997. The 2001 report includes the 'vitality' scores from the Goad Retail Centre Ranking 2001. This gives a middling score of 104 with a -5% change since 1998 for Bridgend.

9.11.11 All this suggests to me that the town centre has been through a period of relative decline since 1994, notwithstanding the evidence that it has shown short-term resilience to competition from the new out of town centre. For a town with a growing population and projected need for substantial new shopping floorspace, I consider that Bridgend town centre is not as healthy as it might be. For the Coity Walia Commoners Association and Conservators of the Coity Walia Common, it is pointed out that no retail impact assessment has been carried out in respect of the proposed allocation for retail development at Sarn Park. I consider that this is a significant omission given the large scale of the retail allocation and the vulnerability of the existing town centre.

9.11.12 Development at Sarn Park would conflict with the Council's preferred land use strategy, in my opinion, insofar as it would not amount to the limited dispersal of new development in the main urban areas. Though the Council argues that Sarn Park occupies a central position within the County Borough, it is a greenfield site and not currently a focus for public transport services. Its development would require substantial new transport

infrastructure and, on the evidence of the other out of centre retail developments in the locality, I would expect it to generate many new car movements within the County Borough.

9.11.13 On this matter, I agree with Ms M Lalic that the allocation would be in conflict with sustainable development and the lofty principles set out in para 2.1.1 of the UDP. I conclude that, notwithstanding the historical permissions for retail development on this site, there has been no thorough sequential analysis of sites, no clear definition as to what type of retailing could not be expected to locate in existing centres, or assessment of the impact on the vitality and viability of existing town centres. The proposed out of centre retail facility would be in conflict with the promotion of sustainable travel patterns.

Third issue

9.11.14 Grantchester argues that a convenience goods retail allocation at Sarn Park, for which there is an outstanding planning permission, should not be deleted. It contends that, as the Plan acknowledges that there are no town centre or edge of centre sites, a foodstore at Sarn Park could be compatible with Government advice on sustainable development. I have expressed above my concern that the allocation at the BNDR site was made ahead of a sequential search, and that all potential sites in town and district centres have not been thoroughly investigated. If sites need to be allocated in out of centre locations, I consider that the Council should restrict the range of goods to 'specified uses' to protect existing centres and to promote more sustainable development. In these circumstances, I would not recommend relaxing the policy to favour a foodstore or more convenience goods shopping on an out of centre site at Sarn Park.

9.11.15 The Council proposes in the PIMS to delete the final sentence from para 7.5.5 of the UDP and this would be supported by Grantchester. However, I consider that the sentence is accurate and need not be deleted.

The fourth issue

9.11.16 The Countryside Council for Wales and the Coity Walia Commoners Association argue that the allocation would be harmful in that it would lead to the loss of common land. I accept that substantial rights of common land have been extinguished though public rights of access remain. (*House of Lords judgment, Mid Glamorgan County Council v Ogwr Borough District Council and Bridgend Golf Club Ltd 1995*). However, much of the land is designated as a SINC, and it is attractive countryside of value for local amenity. I concluded in Chapter 7 that the case for an employment allocation was not so strong that policies to protect the countryside and natural heritage should be set aside. I reach the same conclusion in respect of the proposed retail allocation which I shall recommend for deletion.

9.11.17 Mr Griffiths objects to Policy R9 under the Human Rights Act. He is concerned that alternative land would need to be acquired in a land exchange by compulsory purchase. Local people who might be affected are unable to comment on such measures, as the exchange land has not been identified. As I have decided to recommend that the objection site should not be allocated for retail and employment use in the UDP, I have not addressed the question as to whether or not human rights would be violated.

Recommendation

9.11.18 I recommend that the retail allocation for land at Sarn Park in Policy R9(2) should be deleted. The reasoned justification and Proposals Map should be amended accordingly.

9.11.19 I recommend that the changes proposed to Policy R9(2), and to the reasoned justification in paras 7.5.5-7.5.9, in the PIMS and in agreement with objectors, should not be made.

9.12 POLICY R9 : SITE OMISSION New Out-of-Town Retail Sites Sarn Park Motorway Services

Objection

DO/51205/1567

Welcome Break Plc

Issue

9.12.1 The main issue is whether or not the site at Sarn Park Motorway Services Area (MSA) should be included in Policy R9 as a new out of town retail site for bulky comparison goods.

Conclusions

9.12.2 The objectors argue that the MSA is now somewhat dated, has awkward access arrangements, and is no longer viable. Though the Council points out that the MSA is still operational, that no approach had been made to the WDA over marketing the site and no date fixed for closure, I accept that this need not rule out its consideration as a possible site for comparison goods shopping in the Plan period.

9.12.3 The Colliers Erdman Lewis report (CD96) identified a need for 17,749 sqm net bulky and non-bulky comparison floorspace in Bridgend by 2011. The objectors claim that the MSA site would be the right place for bulky goods retailing as it comprises previously developed land, is close to other retail uses, has good road access and available infrastructure, and is accessible by a choice of means of transport. Comparison was drawn with the allocated out of centre site at Sarn Park, where permission was granted some time ago and has repeatedly been renewed. The objectors argue that the MSA site would have a number of advantages over the allocated site, which could remain undeveloped for a long time into the future. This situation would sterilise the provision of bulky goods convenience shopping in the County Borough and increase the leakage of expenditure to centres elsewhere, in the opinion of the objectors.

9.12.4 The deposit UDP refers to an extant planning permission for 16,727 sqm gross of non-food retail floorspace at Sarn Park, and the parties agree that there would be only sufficient need for one of these two sites in the Plan period. For the reasons given in section 9.11 above, I have concluded that the Sarn Park site should not be allocated for retail use in the UDP. However, this does not mean that the MSA site should be allocated as a direct replacement.

9.12.5 The objectors indicate that some 9,290 sqm of bulky goods retail warehousing could be accommodated on the site, with the most likely form of development being a single unit DIY operator. Although this site, being previously developed and accessible by public transport, may score better in terms of sequential site selection than some other out of centre sites, I have insufficient evidence that the required approach to allocating a major site for new retail development has been fully undertaken.

9.12.6 The objectors refer to the site's potential to accommodate a very large, single unit DIY user, for example B&Q. They argue that roughly one third of household expenditure on comparison goods goes on bulky items. By 2011, they estimate that up to 12,350 sqm of additional bulky goods floorspace could be justified in Bridgend. Even if this is correct, the objectors seem to me to be using a 'format driven' approach to provision, even though PPWales expects retailers and developers to be flexible over format and scale when putting forward new development proposals. At para 10.3.3 of PPWales and in para 7.6.4 of the UDP, the advice is : *'developers are expected to demonstrate why they could not develop elements of the larger scheme on a site, or a number of sites, in more central locations with less car parking'*. The fact that Cardiff and Swansea may have permitted large quantities of out of centre retail warehousing is not, in my view, a good reason for Bridgend, at a lower level in the retail hierarchy and with a vulnerable town centre, to follow suit.

9.12.7 The objectors argue that an allocation with a bulky goods restriction would not have an unacceptable retail impact on Bridgend town centre. However, they provide evidence on the distribution of floorspace in Bridgend town centre (Appendix 20 Mr Best), which indicates that a significant proportion is currently occupied by traders in so-called bulky goods categories (eg furniture, electrical and DIY). I consider that this provision would be placed under threat if a large DIY warehouse were introduced to the objection site. In addition, I am unsure whether the sequential test has been thoroughly applied prior to nominating the MSA site, in particular whether potential sites in all town and district centres have been appraised. I consider that questions of need, site selection and impact on the existing town centre should be more thoroughly investigated before this out of centre site is allocated for retail purposes.

9.12.8 The Council argued at the Inquiry that the site, if it became available, could be redeveloped for office use. However, Policy E10 of the UDP states that existing town centres will be the main focus of office development and has argued, in respect of other objections, that it has allocated sufficient industrial and commercial land. The Council also suggests that, once the MSA ceases to operate, common rights might once again be exercised over this land. However, the objectors argue that all common rights were released more than 20 years ago and the documentation is in place to support removal of the land from the commons' register. Even if common rights are not a development constraint, my conclusion is that the objection site should not be allocated under Policy R9, pending further investigation of its availability and compliance with national retail policy.

Recommendation

9.12.9 I recommend that no change should be made to Policy R9 on the basis of this objection.

**9.13 POLICY R10
Criteria for Assessing Further Out-of-Town Retail Development**

Objections

DO/51182/1403	Aldi Stores (Swindon) Ltd
DO/51188/1432	B & Q Plc
DO/51144/1332	Grantchester Plc
DO/51227/1805	Harmer Partnership
DO/50017/20	Rhys-Davies Services Ltd
DO/51051/1176	Ms S Rowe

DO/51161/1361	Wm Morrison Supermarkets Plc
DO/51195/1488	Tesco Stores Limited
PCO/51144/2183	Grantchester Plc
PCO/51144/2184	Grantchester Plc
PCO/51205/2156	Welcome Break Plc
PCO/51161/2171	Wm Morrison Supermarkets Plc
PCO/51195/2151	Tesco Stores Limited

Conditionally Withdrawn
DO/51229/1865 National Assembly for Wales

Issues

9.13.1 The main issues are:

- Whether or not the criteria in Policy R10 are to be taken as specific tests or a list of factors to guide the consideration of development proposals;
- Whether or not criterion 1 should be retained, and whether or not the UDP has used an appropriate definition of 'need';
- Whether or not criterion 2 and the supporting text should be expanded to describe the sequential test governing site selection;
- Whether or not criterion 3 should refer to other retail proposals;
- Whether or not criterion 4 is too inflexible;
- Whether or not criterion 6 should seek to minimise the need to travel and reduce reliance on the car, or should seek to reduce the number and length of car journeys;
- Whether or not criterion 7 should be relaxed in order to recognise that retail development may bring employment benefits.

Conclusions

9.13.2 On the first issue, the policy is clearly written to state that developments will only be permitted if all the criteria are met. I consider that the thrust of this policy accords with national policy on out of centre retailing, and see no reason to adopt a generally more flexible approach.

9.13.3 Turning to the second issue, the Harmer Partnership questions whether need for development should have to be demonstrated. The objector argues that this impinges on commercial decision-making, which could have an adverse impact on competition and customer choice. However, as the Council advises, PPWales para 10.2.10 is clear that for retail and leisure developments, the starting point should be to consider whether there is a need for additional provision. I consider that criterion 1 should be retained. Wm Morrison Supermarkets Ltd argues that need should not be purely quantitative, and that the UDP should go further than indicate that Bridgend is capable of accommodating an additional 6,850 sqm gross convenience floorspace. In particular, the objector seeks recognition of retailers' interests and the scope for employment generation. The Council has responded by referring to the Colliers Erdman Lewis report, which projects future need for convenience and comparison goods floorspace, taking account of likely changes in demographic factors and expenditure. This report also includes a thoughtful assessment of the concept of need, covering quantitative and

qualitative aspects. Qualitative need is judged to have three categories, namely customer, retailer and economic need. I am satisfied that the need assessment referred to in para 7.5.5 of the UDP covered the types of factors mentioned by the objector.

9.13.4 However, in the light of the ambiguity surrounding Government guidance as to what constitutes retail need, and the scope for different interpretations, it would be helpful to users if the UDP provided some additional information as to the definition used by the Council. This should, in my opinion, consist of one or two more sentences in para 7.6.3 of the UDP, based on the description given in the consultants' report. I put forward a suggested form of words based on section 2 of the Colliers Erdman Lewis report.

9.13.5 On the third issue, a number of objectors argue that criterion 2 should make clear that a search sequence should be followed, and that the policy should be consistent with national policy as well as other policies in the UDP. The Council proposes amendments in the PIMS which go a long way to meeting the objections. I shall recommend additional changes to refer to district centres after edge of centre sites, and to delete the reference to out of town sites as distinct from out of centre sites, since PPWales makes no such distinction. The National Assembly argues that there has to be consistency in the definition of the sequential approach between policies, and for this reason I have considered the need for changes to the wording of this policy, and to para 7.6.4, as proposed for revision in the PIMS. I consider that this text could be misleading, and should not refer to Bridgend town centre without referring to Maesteg and Porthcawl town centres. In the end, I have concluded that the text need say very little, as the sequential approach has already been described in para 7.1.6.

9.13.6 On the fourth issue, the Council proposes amendments in the PIMS to remove the reference to 'other proposals' from criterion 3. Replacing this with 'other outstanding planning permissions or development plan commitments' would, in my view, be more precise and in accordance with national policy. B&Q Plc have expressed their support for the proposed change. On the fifth issue, the Harmer Partnership argues that the fourth criterion is unreasonably inflexible and seeks the addition of 'unacceptably' before 'harm'. The Council points out that this would be contrary to its use of language for policy writing, and I agree with its approach as outlined in CD147. In addition, I consider that the Council's firm statement is consistent with PPWales para 2.9.1, that good design should be the aim of all those involved in the development process and should be encouraged everywhere.

9.13.7 Turning to the sixth issue, Grantchester argues that a new retail development proposal which reduces the length of car journeys but not the number of journeys would be consistent with the overall objective to reduce reliance on the car. The criterion should be revised to seek either a reduction in the number and/or a reduction in the length of car journeys. However, I agree with the Council that UDP policies should do as much as possible to minimise the need to travel and reduce reliance on the private car. It is clear to me that out of centre sites are at the bottom of the hierarchy for new retail development, and should be chosen only if they are accessible by a choice of means of transport.

9.13.8 On the last issue, a number of objectors argue that criterion 7 should be changed to recognise that retail development would contribute to meeting the employment objectives of the Plan. Some objectors point to the large numbers employed in retail establishments. However, I am aware that studies have shown different outcomes as to whether new jobs are generated or existing ones relocated when a new store is opened. Rhys-Davies Services Ltd argues that, after following the sequential test, the preference might be to use land allocated for employment purposes. The Council refers to para 10.3.16 of PPWales which advises against permitting retail development on land allocated for other uses, especially for industry, employment and housing purposes. I consider that the correct approach is for the

UDP to allocate sufficient, appropriate sites for each land use, including retail and employment. Rhys-Davies refers to land where there is no realistic prospect of development for employment use, but this should not be allocated in a new UDP. Overall, I see no need to modify criterion 7.

Recommendation

9.13.9 I recommend that Policy R10 should be modified in accordance with the PIMS.

9.13.10 In addition, I recommend that the first part of the policy should be further modified to read:

7.6.2 Criteria for Assessing Further Out of Centre Retail Development

POLICY R10

Proposals for further large scale out of centre retail developments will be permitted only if'

9.13.11 I recommend further amendment to criterion 2 so that it reads:

'in sequential order of preference, there are no suitable sites available for the proposal within the town centres, in an edge of centre location, in a district centre, within an existing retail site or allocation.'

9.13.12 I recommend that para 7.6.3 be amended in accordance with the PIMS, and with an additional sentence along the lines of:

'Qualitative need is defined primarily as offering the consumer greater choice, accessibility and the environmental benefits associated with minimising reliance on the private car, but retailer needs and economic needs may also be material considerations.'

9.13.13 I recommend that the amendment to para 7.6.4 proposed in the PIMS should not be made. I recommend that the first sentence should be changed as follows:

'.....developers are also required to demonstrate that they have followed the sequential approach to site selection. Potential developers.....'

**9.14 POLICY R11
Established Out-of-Town Retail Sites**

Objections

- DO/51170/1378 Royal London Asset Management
- DO/51170/1377 Royal London Asset Management
- DO/51206/1572 Sainsbury's Supermarkets Ltd
- DO/51206/1573 Sainsbury's Supermarkets Ltd
- DO/51219/1733 Sinclair Audi Group
- DO/51195/1487 Tesco Stores Limited
- PCO/51195/2152 Tesco Stores Limited

Issues

9.14.1 These are:

- Whether or not the policy is described accurately in its reference to 'out of town' retail sites;
- Whether or not the policy accurately lists all the relevant sites;
- Whether or not para 7.7.3 is consistent with maintaining an efficient, competitive and innovative retail sector; and
- Whether or not the policy should indicate that leisure developments or motor car showrooms would be permitted on these sites.

Conclusions

9.14.2 On the first issue, Tesco Stores Limited advises that Bridgend Retail Park is an out of centre rather than an out of town site. In its counter-objection, it argues that Sainsburys supermarket, Cefn Hirgoed, is beyond the current urban boundary and 'out of town'. The Council has not drawn the boundaries of main settlements on the Proposals Map so there is currently some ambiguity as to whether Cefn Hirgoed would be within or outside Bridgend. However, whether or not the store is outside the settlement boundary, latest national planning policy (PPWales) does not draw a distinction between out of centre and out of town sites. The Council proposes a change in the PIMS whereby the policy would refer to established retail developments outside established commercial centres. I consider that this would avoid any unhelpful distinction between out of town and out of centre sites.

9.14.3 On the second issue, Sainsburys Supermarkets Ltd argues that the supermarket at Cefn Hirgoed and next to the Welsh Designer Outlet satisfies the description of district centres in para 7.3.4 of the UDP. It should therefore be taken out of Policy R11 and regarded as a district centre. In reply, the Council contends that it is not a district centre as its role is for more than 'top up' shopping. However, in my view, this argument could be logically extended to show that the site should be treated as a superior district centre. I consider that the supermarket, being peripheral to Bridgend, is out of centre, and does not offer the focus for a residential community as do the other district centres. I shall not recommend that it is designated as a district centre.

9.14.4 The Council proposes a change in the PIMS which would add the Tesco Store, Brewery Lane to the list of sites in Policy R11. As this is just beyond the Bridgend town centre boundary, I consider that this would accurately complete the list of established retail developments outside commercial centres.

9.14.5 On the third issue, a number of objectors criticise the wording of para 7.7.3 as ambiguous and unduly restrictive. The Council explains that it seeks to exclude non-retail uses from these sites, to prevent the existing boundaries from being extended or to change existing retail activities. I agree with the objectors that retailing is a dynamic sector of the economy and that businesses need to extend, improve and refurbish their operations from time to time to remain competitive and satisfy their customers. However, within the policy context which prefers new retail development to go to existing town and district centres, I consider that it is reasonable to define and limit the boundaries of these out of centre sites and prevent the sub-division of the large retail warehouses and supermarkets which characterise them. I consider that para 7.7.3 could be explained more clearly, although paragraph 7.7.5 of the UDP already covers much of the relevant ground. I shall recommend a minor change of words to para 7.7.3.

9.14.6 On the last issue, Royal London Asset Management Ltd argues that reference should be made to the suitability of the final phase of development at Waterton Retail Park to include bulky sport and recreational/leisure development. The Council advises that it has recently granted planning permission for a health club at Waterton as it met the sequential test. However, as the major land use is retail development, I see no reason to change the wording of the policy. The Council proposes a change to para 7.7.1 of the UDP to acknowledge that the Health Club is being provided, and I consider that this would be sufficient.

9.14.7 Sinclair Audi Group suggests that the appropriateness of motor car showrooms at Bridgend Retail Park should be referenced. However, I agree with the Council that, as these are not A1 uses, they would not necessarily be acceptable on the R11 sites. I see no reason to include a reference to them in the UDP.

Recommendation

9.14.8 I recommend that Policy R11 be modified as shown in the PIMS.

9.14.9 I recommend that para 7.7.1 be modified as shown in the PIMS.

9.14.10 I recommend that para 7.7.1 be further modified by the addition of a new sentence: ‘...scope for further development on Bridgend Retail Park. At Waterton Retail Park there is also some sport/leisure/fitness development. In addition ...’

9.14.11 I recommend that para 7.7.3 be modified along the lines: ‘Policy R11 acknowledges the presence of these existing developments and commitments, but seeks to restrict their extent in future, in accordance with policy to sustain and promote established town and district centres.’

**9.15 POLICY R12
Size Restrictions on Out-of-Town Retail Units**

Objections

- DO/51227/1806 Harmer Partnership
- DO/51229/1867 National Assembly for Wales

Issues

9.15.1 These are:

- Whether or not the policy should make allowance for small units in exceptional circumstances for local or specialist needs such as for tourism ;
- Whether or not the thrust of the policy accords with national planning policy.

Conclusions

9.15.2 On the first issue, I agree with the Council that adding the word ‘normally’ to the policy, as sought by the Harmer Partnership, would be in conflict with precise policy wording and the approach outlined in General Proof 1, CD147. I also agree that, if particular development proposals are in conflict with a development plan policy, then it is for the developer to demonstrate that there are material considerations favouring a planning

permission in that case. I shall not recommend that the policy is re-worded to allow for exceptions to it.

9.15.3 On the second issue, the NAW argues that the stipulation of a minimum size for new out of town retail developments is not supported by national policy. The Council replies that the policy would be used to control the sub-division of established developments as well as 'trading up'. It proposes an addition to the reasoned justification in the PIMS to advise that, with new permissions, planning conditions will be used to restrict the range of goods/prevent sub-division. However, I consider that it is unreasonable to seek to restrict the scope of planning permissions retrospectively. The proposed modification in the PIMS would not meet the objection satisfactorily, in my view. I shall recommend that the policy is deleted, although the information included in the PIMS sentence, that restrictive conditions will be applied to new permissions could be made.

Recommendation

9.15.4 I recommend that Policy R12 be deleted.

9.15.5 I recommend that the final sentence in para 7.7.5 be deleted, and replaced by the proposed modification to para 7.7.5 in the PIMS.

9.16 POLICY R13 : SITE OMISSION Welsh Designer Outlet Village Land off Cefn Hirgoed – South of the Outlet Centre

Objection

DO/51221/1739 Mr S Thomas

Issue

9.16.1 This is whether or not land south of the Welsh Designer Outlet should be allocated for the expansion of retail uses.

Conclusions

9.16.2 The objector argues that a strip of land immediately south of the existing shopping centre, within a larger area of land designated as green wedge, should be allocated for retail use. In Chapter 3, I give my conclusions on the related objection to green wedge policy.

9.16.3 The objector argues that the Welsh Designer Outlet has proved successful and provision should be made for its future expansion within the timescale of the UDP. He argues that there is no immediate need for an extension to the shopping centre though discussions with the current operator of the shopping centre have been held. I consider that, in line with national planning policy (PPWales para 10.2.10), allocations for additional retail development should not be made unless there is a demonstrable need. Para 7.8.1 of the UDP explains that the Welsh Designer Outlet provides a particular style of shopping facility and I consider that a need assessment would be required, having regard to this specialist character, if it were to be extended. The Council advises that there is scope for further development on the existing allocated site with outstanding planning permissions for retail floorspace as yet unimplemented.

This leads me to the conclusion that there is no demonstrable need for an additional retail allocation on the objection site.

9.16.4 The Welsh Designer Outlet is, in my opinion, an out of centre retail development. If new retail floorspace is needed in the County Borough, developers are required to carry out a sequential search for suitable sites looking initially at existing town centres. Out of centre sites such as this objection site would be low down the search sequence. Even if development on an out of centre site were necessary, this site includes common land and this introduces an additional hurdle for development. Any proposal for new retail development on the site would also have to demonstrate that it would not be harmful to the vitality and viability of existing centres. As the types of goods which might be sold from this site have not been defined, there is no guarantee that harm to Bridgend and other town centres would not ensue. I conclude that land south of the Welsh Designer Outlet should not be allocated for the expansion of retail uses.

Recommendation

9.16.5 I recommend that no modification be made.