

Our Ref: CSC1137
Planning Portal Reference: PP-12673465

18 April 2024

Development Control Section,
Neath Port Talbot County Borough Council,
The Quays, Brunel Way,
Neath,
SA11 2HZ

Dear Sir/Madam,

Lidl Great Britain Ltd
S.73 Planning Application
Redevelopment of existing Lidl and adjacent store, Briton Ferry Road, Briton Ferry

We write on behalf of Lidl Great Britain Ltd with regard to the application under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 of planning consent P2022/0191, granted 17 March 2023. The proposal seeks to increase the store size from the approved 2,035sqm GEA to 2,097sqm and to increase the sales area from 1,251sqm to 1,334sqm in order to reflect the current and updated store format of Lidl GB Ltd.

Condition 2 of permission P2022/0191 lists the approved plans. The application now seeks to vary condition 2 to reflect on the revised plans and documents set out in the below table:

Table 1: Existing Approved and Proposed Plans

Plans approved by permission P2022/0191	Plans now submitted
P415 - Existing site location plan	
P1100 - Proposed floor plan	2782 P4100 Ground Floor Plan
P1101 - Proposed roof plan	2782 P4102 Roof Plan
P1102 - Proposed area plan	2782 P4101 Ground Floor Area Plan
P1200 - proposed elevations	2782 P4200 Proposed Elevations
P1402 - Proposed site plan	2782 P4403C Proposed Lidl Site Plan
P1409B - Proposed level plan	2782 P4406 Proposed Levels Plan
P1404 - Proposed surface plan	2782 P4404B Proposed Surface Treatments Plan
P1407 - Proposed tracking plan	2782 P4409 Proposed HGV Overlay
P1405 - Proposed boundary treatment	2782 P4405B Proposed Boundary Treatments Plan



-	2782 P4402C Proposed Setting Out Plan
Planting methodology and 5 year aftercare September 2022	Planting Methodology and 5 Year Aftercare rev12April2024
Planting schedule Rev 2 September 2022	Planting Schedule rev 12 April 2024
CA BF 2022-04 Landscape sections	CA BF 2022-04 Rev B Landscape Sections
CA BF 2022-03 Rev B - landscape proposals	CA BF 2022-03 Rev G Landscape Proposals
David Rice Forestry Tree Survey Rev II January 2022	
CA BF 2022 - 01 Rev A David rice Forestry Tree Survey and existing features	
CA BF 2022 - 02 Rev C - Overlay and Tree Protection Plan	CA BF 2022-02 Rev E Overlay & Tree Protection Plan
-	DR Arboricultural Method Statement rev 20August2022
PAC Report	
Design and access Statement Rev E	
Planning Statement	
Transport and Access Note Update V2	
Transport Assessment Part 1 and 2 - Corun January 2022	
Preliminary Ecological Appraisal - Just Mammals Limited January 2022.	
Geo-Environmental Investigation Report Opus 2016	
Coal Mining Risk assessment Part1-3 - Remada May 2020	
Energy and Sustainability Statement Rev A	
Ground Investigation Report Phase 2	
Hydraulic Modelling Report November 2022 Waterco	
-	Transport Note (April 2024)
-	Flood Consequences Assessment and Drainage Strategy – Addendum Report (April 2024)

Background

The size of the Lidl store will be increased to reflect the current and updated store format of Lidl GB Ltd. Planning ref. P2022/0191 was submitted in March 2022 and originally proposed a store with 1,411 sqm net sales, 2,298 sqm GIA and 2,575 sqm GEA. This proposal was considered acceptable by the LPA. However, in October 2022, prior to the application's determination, revised plans were voluntarily submitted to reduce Lidl's store footprint and it was this smaller proposal which was ultimately approved. Somewhat ironically, this October 2022 revision was made due to a change in Lidl's store format and it is a further change to this format which has necessitated this application now being submitted.

The table below presents the net sales, GIA and GEA figures of the original submission in March 2022, the scheme which was approved in March 2023 and the changes now proposed. As can be seen, the changes now proposed seek to move part way back (but not all the way back) towards the scheme as originally submitted.



Table 2: Comparison of Submitted, Approved and Proposed Stores

P2022/0191 Submission	P2022/0191 Approval	Now Proposed	Difference
1,411 sqm Net Sales	1,251 sqm Net Sales	1,334 sqm Net Sales	-77 sqm compared to submission +83 sqm compared to approval
2,298 sqm GIA	1,938 sqm GIA	2,011 sqm GIA	-287 sqm compared to submission +73 sqm compared to approval
2,575 sqm GEA	2,035 sqm GEA	2,097 sqm GEA	-478 sqm compared to submission +62sqm compared to approval

It is important to note that the submission of revised plans in October 2022 (ultimately approved) was accompanied by a simple covering letter setting out that the revisions resulted in a smaller store and no impacts over and above those addressed in the original supporting documentation accompanying the application upon submission (see our letter of 19 October 2022). It was not necessary to update the Retail Statement, Transport Assessment or Ecological Assessment etc.

Furthermore, the quantum of floorspace now proposed (1,334 sqm net sales, 2,011 sqm GIA) remains below the floorspace comprised in the existing Lidl and Poundstretcher currently on site (1,731 sqm net sales, 2,484 sqm GIA), which was a significant element of the supporting argument in favour of the previous application.

Put simply, the current proposals remain less than the existing development on site and less than that which was assessed as part of application P2022/0191, albeit very slightly more than that which was ultimately approved.

Proposed Development

In addition to the changes to the store size set out above, the proposal will result in a change in parking, landscaping, access and materials.

Parking

The proposed development will result in a reduction in parking spaces from 144 to 130 spaces. The 130 car parking spaces are now proposed includes 6 disabled bays, 10 parent & child spaces and 8 EV parking spaces. The number of active charge EV spaces (six) and rapid charge EV spaces (two) will remain unchanged.

Landscaping

The soft landscaping located at the south east and south boundaries of the site will increase slightly. The soft landscaping at the north, north east and west boundaries of the site will also slightly change to reflect the revised parking layout, also slightly increasing.

The number of trees that are being lost and retained will remain the same as the approved scheme. This includes the retention of tree numbers T5-T9, T11 and T13 -T15.



Access and Servicing Arrangements

The proposed development will retain and improve the existing stepped pedestrian access from Briton Ferry Road. Vehicle access to the site will remain unchanged from School Road.

Servicing arrangements will remain the same as the approved scheme. The proposals for the delivery area will remain at the rear of the store and this will still allow safe movement of HGVs.

Elevations

Majority of the approved materials for the proposed development will remain unchanged, however there are some necessary new elements/further detail now shown:

- Roof access ladder
- Wall-mounted ash tray
- 2m high paladin fence around the plant room.

The proposed Photo Voltaic PV Panels on the roof of the store will remain as per the approved scheme.

Please see the Proposed Elevations plan (drawing no. P4200) for full details.

Local Planning Policy Context

Neath Port Talbot Local Development Plan (2011-2026) (adopted in January 2016) is the development plan for Neath Port Talbot and the decision notice of the original consent (ref. P2022/0191) notes that the following policies are considered to be relevant for the proposed development:

- SP1 – Climate Change
- SP2 – Health
- SP3 – Sustainable Communities
- SP4 – Infrastructure
- SP5 – Development in the Coastal Corridor Strategy Area
- SP10 – Open Space
- SP11 – Employment Growth
- SP12 – Retail
- SP15 – Biodiversity and Geodiversity
- SP16 – Environmental Protection
- SP18 – Renewable and Low Carbon Energy
- SP19 – Waste Management
- SP20 – Transport Network
- SP21 – Built Environment and Historic Heritage
- SC1 – Settlement Limits
- I1 – Infrastructure Requirements
- EN7 – Important Natural Features
- EN8 – Pollution and Land Stability
- RE2 – Renewable and Low Carbon Energy in New Development
- W3 – Waste Management in New Development
- TR2 – Design and Access of New Development
- BE1 – Design



Application P2022/0191 was found to be in accordance with the above-mentioned policies and, given that the proposals now submitted are so closely related to the previous proposal (just 83 sqm more sales and 73 sqm GIA), the current proposals are also held to comply with LDP policy.

Key Considerations

Retail Impact

As set out above, the development now proposed slightly increases the Lidl store by 83 sqm net sales, 73 sqm GIA and 62 sqm GEA in comparison to the approved scheme. However, this proposal is not as large as the original submission in March 2022 which was fully assessed in supporting documentation and seen as acceptable by the LPA. Moreover, the proposal is smaller than the facilities currently on site today (-397 sqm sales, -473 sqm GIA).

It was previously recognized (and it remains relevant) that paragraph 4.3.26 of PPW v12 states a requirement that “All retail planning applications or retail site allocations of 2,500 sq. metres or more gross floorspace... should be supported by a retail impact assessment”. Paragraph 8.2 of TAN4 reaffirms the same point. The proposed development continues to fall under that threshold in terms of the new store and results in a reduction of gross (and net sales) floorspace when compared with the existing facilities on site.

The quantitative and qualitative case in support of the development remains undiminished as a result of the changes now sought and the proposal remains fully justified in retail planning terms.

Transport

A Transport Note (April 2024) is now submitted in support of this application. As the proposed development GEA is less than that previously considered in the original Transport Assessment and subsequent Technical Note, the conclusions reached in each report remain valid. The slight reduction in parking numbers, from 151 (as originally submitted and assessed in March 2022) to 130 (now proposed), does not raise concern, as the previous parking accumulation study for the originally submitted slightly larger store, suggested a maximum occupancy of just 37 and 48 spaces during a typical weekday and Saturday peak respectively.

As concluded in the original TA and TN, the proposed development is compliant with local and national planning policy and will not have any significant negative impact on either the local or wider highway network. As such, there are no reasons in highway and transportation terms why the proposed development should not be granted consent.

Flooding

A Waterco Flood Consequences Assessment (FCA) and Drainage Strategy (reference 13099-FCA & Drainage Strategy-05) dated November 2022, and a Waterco Hydraulic Modelling Report (reference 13099-HMR-02) dated November 2022 were submitted in support of application P2022/0191. These were ultimately found to satisfy NRW and allowed the application to be approved with no flooding or drainage objection.

A Flood Consequences Assessment and Drainage Strategy – Addendum Report (April 2024) is now submitted in support of this application which confirms that the risk of flooding to the site remains largely unchanged. The proposed finished floor level has increased to 7.6m AOD from the previous level of 7.57m AOD. This will ensure that the building is flood free internally during the 0.5% annual probability plus climate change (year 2100) event. The slight increase in building footprint (25m²) is considered negligible and the proposed external levels remain unchanged. As such, the latest proposals will therefore not result in an increase in flood risk elsewhere.



In terms of drainage, the change in the size of the store will result in a reduction in impermeable area from 8,810sqm (approved planning layout) to 8,250sqm and therefore, this will reduce the runoff volumes leaving the site.

Please read the Flood Consequences Assessment and Drainage Strategy – Addendum Report for full details of flood risk and drainage.

Ecology

No changes are to be made in regard to ecology. The site was previously assessed to be of low ecological value with few features supporting biodiversity and no features of the buildings or trees identified to offer roost potential for bat species. This remains the case.

This application will still follow the recommendations set out in the approved Preliminary Ecology and Appraisal Report by Just Mammals Ltd (January 2022). Enhancements for biodiversity are required to meet the planning policy as indicated by PPW11 and Future Wales and this report made recommendations to provide enhancements for biodiversity as follows:

- An artificial otter holt and new planting of native vegetation in the vicinity of Cryddan Brook.
- A suite of 6 bird boxes to be attached to retained trees.
- The landscape design includes species of shrubs and flowering plants which are known to be beneficial for wildlife.
- Appropriate working methods in respect of light spill and pollution (especially to Cryddan Brook), covering of trenches and the treatment of Japanese knotweed.

These benefits will continue to be delivered.

Submission

The application comprises the following information:

- 2782 P4100 Ground Floor Plan
- 2782 P4102 Roof Plan
- 2782 P4101 Ground Floor Area Plan
- 2782 P4200 Proposed Elevations
- 2782 P4403C Proposed Lidl Site Plan
- 2782 P4406 Proposed Levels Plan
- 2782 P4404B Proposed Surface Treatments Plan
- 2782 P4409 Proposed HGV Overlay
- 2782 P4405B Proposed Boundary Treatments Plan
- 2782 P4402C Proposed Setting Out Plan
- Planting Methodology and 5 Year Aftercare rev12April2024
- Planting Schedule rev 12 April 2024
- CA BF 2022-04 Rev B Landscape Sections
- CA BF 2022-03 Rev G Landscape Proposals
- CA BF 2022-02 Rev E Overlay & Tree Protection Plan
- DR Arboricultural Method Statement rev 20August2022
- Transport Note (April 2024)
- Flood Consequences Assessment and Drainage Strategy – Addendum Report (April 2024)



Conditions

The following conditions will need to be amended to update and reflect on the revised drawings and documents:

- 2 – Updated approved plans, as per Table 1, above.
- 9 – Reference to drawing number P1402 would need to be replaced by P4403 Rev C.
- 12 – Reference to drawing number P1402 would need to be replaced by P4403 Rev C.
- 13 – Reference to drawing number P1404 would need to be replaced by P4404 Rev B.
- 23 – Reference to drawing number P1402 would need to be replaced by P4403 Rev C.
- 25 – Reference to drawing number P1405 would need to be replaced by P4405 Rev B.
- 26 – Following amendments are needed to reflect on the revised documents:
 - CA2022 BF04 would need to be replaced by BF04B.
 - CA2022 BF03 Rev B would need to be replaced by BF03G.
 - CA2022 BF01 Rev A remains unchanged.
 - CA2022 BF02 Rev C would need to be replaced by BF02E.
 - Planting Methodology and Aftercare Landscape Plan Rev 2 would need to be replaced by revision 12April2024.
 - Planting Schedule (September 2022) would need to be replaced by revision 12April2024.

Conclusion

It is proposed to vary condition 2 to replace/add certain plans and documents to allow an update to the store format and consequential site layout. The proposed condition 2 would read as follows (changes in bold text):

2. The development shall be carried out in accordance with the following approved plans and documents:

P415 - Existing site location plan

~~P1100 – Proposed floor plan~~ **2782 P4100 Ground Floor Plan**

~~P1101 – Proposed roof plan~~ **2782 P4102 Roof Plan**

~~P1102 – Proposed area plan~~ **2782 P4101 Ground Floor Area Plan**

~~P1200 – proposed elevations~~ **2782 P4200 Proposed Elevations**

~~P1402 – Proposed site plan~~ **2782 P4403C Proposed Lidl Site Plan**

~~P1409B – Proposed level plan~~ **2782 P4406 Proposed Levels Plan**

~~P1404 – Proposed surface plan~~ **2782 P4404B Proposed Surface Treatments Plan**

~~P1407 – Proposed tracking plan~~ **2782 P4409 Proposed HGV Overlay**

~~P1405 – Proposed boundary treatment~~ **2782 P4405B Proposed Boundary Treatments Plan**

2782 P4402C Proposed Setting Out Plan

~~Planting methodology and 5 year aftercare September 2022~~ **Planting Methodology and 5 Year Aftercare rev12April2024**

~~Planting schedule Rev 2 September 2022~~ **Planting Schedule rev 12 April 2024**

~~CA BF 2022-04 Landscape sections~~ **CA BF 2022-04 Rev B Landscape Sections**

~~CA BF 2022-03 Rev B – landscape proposals~~ **CA BF 2022-03 Rev G Landscape Proposals**

David Rice Forestry Tree Survey Rev II January 2022

CA BF 2022 – 01 Rev A David rice Forestry Tree Survey and existing features

~~CA BF 2022-02 Rev C Overlay & Tree Protection Plan~~ **CA BF 2022-02 Rev E Overlay & Tree Protection Plan**

DR Arboricultural Method Statement rev 20August2022

PAC Report

Design and access Statement Rev E

Planning Statement



Transport and Access Note Update V2
Transport Assessment Part 1 and 2 - Corun January 2022
Preliminary Ecological Appraisal - Just Mammals Limited January 2022.
Geo-Environmental Investigation Report Opus 2016
Coal Mining Risk assessment Part1-3 - Remada May 2020
Energy and Sustainability Statement Rev A
Ground Investigation Report Phase 2
Hydraulic Modelling Report November 2022 Waterco
Transport Note (April 2024)
Flood Consequences Assessment and Drainage Strategy – Addendum Report (April 2024)

Should you wish to discuss any aspect of the application further, please do not hesitate to contact us. In the meantime, we look forward to receiving confirmation of registration of the application in due course.

Yours faithfully,

Peter Waldren
Director
CarneySweeney
Encl.

