

Newcastle Emlyn Town Council,  
Llanina,  
Aberporth,  
Ceredigion,  
SA43 2EY

23 February 2010

Dear Mayor

We are writing to you on behalf of the Newcastle Emlyn Action Group in response to the letter written by Mr Stuart Owen of Owen Banks Planning and Development following the 17 December meeting of the Town Council.

There is no doubt that this is a major planning application, and as you will know, the application itself and the supporting documents run to several hundred pages. It is therefore remarkable that an application produced by a firm of specialist planning consultants should contain so many serious errors and misrepresentations, and it seems clear from the response written by Owen Banks to the points raised at the Town Council meeting on 17 December that they were not expecting anyone to read the application in detail or to compare the claims made in their recent letter with the application itself.

The Newcastle Emlyn Action Group has submitted a very detailed response to the Cawdor application to the Local Planning Authority. Great care was taken in producing this response not to exaggerate claims, manipulate data or misrepresent facts. The information that we have provided to both the Town Council and the County Council is, to the best of our knowledge, correct and has with only a very few noted exceptions been taken directly from the Planning Application under consideration.

In order to respond to all of the claims made in the Owen Banks “notes”, this letter would have to run over many pages. We have therefore decided instead to highlight just a few of the contradictions and irregularities in the application itself and other public statements made by the applicant and Owen Banks.

### **Incorrect Statements made on the main Application Form**

**Claim:** Question 13 asks if the proposed development is within 20 metres of a watercourse (river, beck or stream). The applicant’s answer is “No”.

**Fact:** A stream runs directly under the site, including the proposed location of the supermarket building itself. The existence of the stream is acknowledged in detail in the geology survey accompanying the application.

**Claim:** Question 14 asks if there is a reasonable likelihood that the development will have an adverse effect on protected species or designated areas or important habitats on land adjacent to the site. The answer given is “No” in both cases.

**Fact:** The geology survey makes it clear that the northern boundary slope which drops down to the river will need to be reinforced with piling along the crest and the installation of gabions or rock armour along the toe of the slope. This area is densely wooded and known to be used by otters, among other species. It also forms part of both an SSSI and an SAC. Clearly it will not be possible to carry out this work without using heavy machinery and destroying a significant swathe of woodland. The answer to both questions should therefore be “Yes”.

**Claim:** Question 15 asks if the proposal involves land which is known to be contaminated. Again, the applicant states “No”.

**Fact:** The geology survey makes it clear that there are areas of contamination from fuel tanks which will have to be removed and treated.

**Claim:** The design and access statement which accompanies the application includes a “BREEAM pre-assessment” which awards points for various aspects of the proposal to ensure that it meets the Welsh Assembly Government’s “Planning for Sustainable Buildings” policy. It turns out that the pre-assessment itself was carried out by a firm which is not licensed or qualified to carry out a BREEAM assessment, and that BREEAM, as the certifying authority, is not aware of this proposed development. BREEAM has also pointed out that in a number of cases, the assessment awarded points with little or no evidence. For example, points are awarded for recycling waste and composting.

**Fact:** In answer to Question 7 on the Application Form, the applicant states that the proposal does *not* incorporate plans to store or facilitate the recycling of waste.

**Claim:** Mr Kevin Davies wrote to the Tivyside Advertiser in November 2009, shortly before re-submitting his application. The letter states:

“In addition to excellent development of pedestrian access to the site vehicular access will be greatly improved via Tanyard Lane. The town would also benefit from twice the parking spaces currently offered once the development is completed.”

**Fact:** The proposed development will certainly not double the number of parking spaces in the town as a whole or the number of spaces available on the existing Cawdor site. The application form states that the number of spaces will in fact increase from 65 to 114, of which an unspecified number will be reserved for staff parking. The net increase in the number of parking spaces is therefore likely to be around 40. CKs, at 40% of the size of the proposed store, has 55 spaces and is often nearly full.

**Claim:** Mr Davies told the Town Council on 17 December that he did not understand how people got the idea that the new store would be three times the size of the CK’s store in Newcastle Emlyn. He added that a store of that size would not fit on the site.

**Fact:** The planning application states that the proposed store will have a net sales area of 1,066 square metres, compared with 400 square metres for CK’s. The Action

Group has consistently pointed out that the development would be *nearly* three times the size of CK's, as evidenced by the application itself. If a building of that size would not fit onto the site, as Mr Davies says, there must be something dramatically wrong with the application.

### **The Retail Impact Assessment**

The main point at issue here is that while the applicant argues that there is quantitative need for a supermarket on the site, the Newcastle Emlyn Action Group has gathered evidence from local traders which shows that there is insufficient business locally to support such a major retail presence.

In its response to the Town Council meeting, Owen Banks states that our data is unsubstantiated and not evidenced. However unlike them, we have spoken directly to local traders. The owners of the Spar shop, for example, have written to the County Council to point out that their turnover is not £530,000 as stated in the application, but £1.2m. That being the case, it clearly cannot be true that Somerfield is doing only a third of the business of Spar. The turnover of the town's Co-op Somerfield store is not £380,000, but £1.7m. Common sense and local knowledge will then suggest that the turnover of CK's cannot be the same as Somerfield, but must be significantly higher.

In fact, having dismissed our evidence as not substantiated, Owen Banks goes on in its letter to the Town Council to say that a reliable estimate of convenience goods turnover in the catchment area is £9.8m, made up of what it calls £4.3m in 'benchmark turnover' and £5.5m in 'surplus trading'. This coincides very closely with the Action Group's estimates of £9m for convenience goods turnover in the town itself.

The problem with even these higher figures is that they still exclude business generated by a number of convenience goods shops in the catchment area, including all of the shops in Llandysul and Siop y Ffrydiau in Cenarth. They also ignore the large new CK's store being built in Llandysul – and the Lidl store that is likely to obtain approval in April.

The Newcastle Emlyn Action Group estimates conservatively that the combined turnover of existing convenience goods shops in the catchment area is £14.9m out of an estimated total for the area of £22.9m. This means that leakage from the area is running at only £8m, and that therefore any new supermarket would have to set out to take more than half of the business of existing shops if it is to achieve its target of £11.8m in sales.

The result would quite plainly be the closure of a number of existing businesses and the loss of a significant number of jobs.

## Transport

Addressing just a few points in Owen Banks letter to the Town Council...

### Paragraph 3(a) Capacity of the road network.

Owen Banks say, “*the TA provides capacity assessment of the development’s impact on the A484/Tanyard Lane junction, which is found to have ample capacity to accommodate the proposal.*” But Policy T3 (Highway Considerations of Development) quite reasonably requires that “... *the development does not cause problems in terms of the capacity of the surrounding highway network*”. What is this impact?

- There is a road junction with the A475 (Water Street) just 25 metres away: ignored in the junction capacity modelling.
- Half of the catchment area for shoppers is in Ceredigion to the north. This traffic will cross the Teifi bridge and come up through the town – with its narrow crowded pavements - then return the same way. There is no mention of this.
- Delivery traffic. The TA (para 4.6) states without justification that deliveries will be “infrequent”. Yet a survey at Yiewsley in London, showed typical delivery traffic to a Tesco Metro of this size to be 5 ‘artics’ a day plus other HGVs and smaller vans. All this would presumably come up through Cwm Gwili and Cynwyl Elfed then, most likely, go on to Cardigan via the town centre and Teifi bridge in Newcastle Emlyn or the even narrower bridge at Cenarth. There is no estimate of delivery traffic, let alone assessment of its impact on the road network beyond the Tanyard lane junction.

The Transport Assessment totally ignores all these issues.

### Paragraph 3(b) Traffic generation estimate

Owen Banks say “*The traffic generation estimate is based on the known traffic generation of similar sized developments*”. Yes indeed. But there is a world of difference between the traffic for an Aldi or Lidl – as in their estimate - and that for, say, a Tesco Metro of comparable size.

And with Lidl opening up down the road, the chance of another “deep discounter” coming to the Cawdor site is slim So we can be pretty sure it would be one of the “big 5” retailers.

So how much traffic can be expected? The Retail Impact Assessment accompanying the application gives the expected turnover as £11.8m (para 5.2.4, p10). This is 6.6 times their estimate of CK’s turnover. A more realistic figure is 3 times CK’s turnover – but even this means three times the volume of traffic that currently comes to CK’s – much of it coming over the bridge and up through the town.

### Paragraph 3(e) Swept path analysis

Owen Banks say “*The drawings within the TA show the most onerous/difficult movements in and out of Tanyard Lane*”. But:

- The other movements (in & out from the west) have not been shown – so how do we know?
- Looking at the plan (Appendix 6 to the TA) it seems clear that the manoeuvre to enter the site from the west would start by the Water Street junction. i.e. the ‘artics’ would swing out into the opposite carriageway just where traffic coming into town from the east is queuing to turn right into Water Street. Owen Banks may wish to avoid drawing attention to this.

As Owen Banks say, “*Currently delivery vehicles to the garage park on the A484 or otherwise block Tanyard Lane*”. This is true. But how many HGVs deliver to a car dealership compared to a Tesco Metro?

### Paragraph 6(c) The pavement along the main road to the side is very narrow.

Owen Banks respond that pedestrian provision is improved along Tanyard Lane and linking Tanyard Lane to the town centre. But the pavements along the A484 are narrow and will remain so: particularly where the road S-bends past the Old School House. Plenty of pedestrians – shoppers and schoolchildren - pass along, and cross the road, here every day. They have enough to contend with as it is.

## **Geology**

The two main concerns expressed at the meeting on 17 December were contamination and the implications of the known instability of the site itself.

By using the maps provided by the applicant and comparing the locations of former rubbish dumps and the tannery with the areas from which soil samples were taken, it is clear that the areas most likely to contain contamination were not investigated. This point has been made to the County Council, and the matter is being looked into by the relevant department.

The same maps also clearly show that the tannery site extended well into the present Cawdor site, and in fact it extends under the site proposed for the supermarket building itself. As the applicant is now claiming that the tannery was elsewhere or somehow moved southwards over time, he would be advised to contact the County Council and provided amended and more accurate maps.

The letter written by Owen Banks states that there are various methods of piling, and this is undoubtedly true. However, the geology survey which accompanies the application looks at the options available and concludes that, because of the instability of the land underlying the site, the preferred option would be to drive piles into the bedrock (Page 41 of the Phase Two Geo-Environmental Site Assessment Report). The same section of the report also warns that consideration of the effect of pile driving on nearby buildings and other structures will need to be taken.

The applicant and his agents would do well to read and understand the documentation they have submitted with their application.

### **Summary**

This is a major planning application with potentially very serious consequences for everyone who lives, works or visits Newcastle Emlyn to shop. The application itself contains some significant errors and omissions. Whether these are the result of poor preparation and lack of care by the applicant and his agent, or a sustained attempt to downplay potential problems and weaknesses in the proposals, is something which the County Council will have to decide in due course.

We hope that the Town Council will note the points we have made here, take notice of the views of local residents and businesses and do whatever it can to ensure that this application does not meet with success.

Yours sincerely

Barry Rogers, GS News, Newcastle Emlyn

Dr Tim Swann, Trelech

Richard Vale, Newcastle Emlyn