

Planning Committee

Application Address	Parrs Quality Confectionery, 26 Alder Road, Poole, BH12 2AQ
Proposal	Erection of a Class E discount foodstore and Class E coffee shop with associated access, car parking and landscaping
Application Number	APP/20/00877/F
Applicant	Aldi Stores Limited
Agent	Planning Potential
Ward and Ward Member(s)	Alderney & Bourne Valley Cllr Toby Johnson Cllr Rachel Maidment Cllr Tony Trent
Summary of Recommendation	Refuse for the reasons as set out below
Reason for Referral to Planning Committee	<p>This application is brought before committee due to the following:-</p> <ul style="list-style-type: none"> • Application proposes a significant departure from Development Plan Policy which would be required to be the subject of consultation with the Secretary of State; • Application has had 20 or more representations received within the initial or any subsequent notification period, based on material planning issues, from separate addresses that are contrary to the recommendation of the planning officer; • Application has been referred to the Committee by the senior planning officer as the Head of Planning considers are potentially contentious and raise material planning issues, or would affect the wider public interest.
Case Officer	Laura Archer

1. Executive Summary

The site is an isolated employment site which is allocated for a care home and specialist accommodation in the Poole Local Plan and the proposed development for a retail use would constitute a departure from the Local Plan.

The applicant argues that the site is no longer suitable or attractive for its allocated use as care home and specialist accommodation.

The current application is similar to an application previously refused by planning committee in 2019 (APP18/00551/F).

Use of the site as a care home

For the current application, the applicant has provided some additional evidence in the form of a professional opinion from a consultant which is intended to demonstrate that the site is no longer suitable or attractive for the allocated use as a care home and specialist accommodation; and indicates there is no need for care home provision. However, there is some disparity between this evidence and the Local Plan requirements and up to date delivery for meeting the needs of an ageing population. Furthermore, the evidence submitted is an opinion and is not supported by up to date and proper marketing which demonstrates that the site is not attractive to the market as required by policy PP40 of the Local Plan.

No marketing has been carried out on the site since 2006, meaning that none has taken place since the previous application (APP18/00551/F) was refused by planning committee (November 2019), and no further marketing has been carried out since the Local Plan Examination in where the Inspector agreed to allocate the site for a care home and specialist accommodation.

Retail need

The proposal would result in the development of the site for a convenience retail use for which there is no objectively assessed need and would be at the expense of the site allocation for which the Poole Local Plan clearly identifies a need and is of strategic importance to meeting the objectives of the Plan. It has not been sufficiently demonstrated as to why this strategic allocation can or should not be delivered over the Plan period and little justification as to demonstrate why it should be set aside for the delivery of a non-strategic use for which there is no objective need. As such, the proposed development is contrary to Policies PP9, PP12 and PP40 of the Poole Local Plan.

Furthermore, should it be demonstrated that the site is no longer suitable for the allocation of a care home and specialist accommodation, as the current use of the site is an isolated employment site, it should first be considered for continued employment use or where the site is no longer suitable for continued employment use, alternative uses should be prioritised in accordance with hierarchy of uses set out in Policy PP16. Again, up to date and proper marketing should be carried out in accordance with policies PP16 and PP40 of the Local Plan, and as discussed above, none has been carried out since 2016.

Retail Impact

Turning to the retail strategy, the site is 'out of centre' as it lies outside of any town centre, district centre or local centre. Therefore, in accordance with the NPPF and policy PP22 of the Local Plan, a sequential test and impact assessment is required and has been submitted for consideration. The LPA has sought the advice of an independent retail consultant to assess the sequential test and impact assessment.

The sequential test has been passed in it has been concluded that there are no alternative sites available within any town centre, district, or local centre in the catchment area.

However, the impact assessment identifies some concerns regarding the impact of the proposed development on nearby district and local centres, in particular, Wallisdown centre. The existing Aldi store at Wallisdown is within an overlapping catchment area to the proposed Aldi store and would result in a significant level of trade diversion from the existing Aldi store which could result in the potential closure of the existing Aldi store at Wallisdown. The reduced trade and potential closure of the existing Aldi store at Wallisdown would have an adverse impact upon the vitality and viability of Wallisdown centre as the existing store is an anchor that attracts trade to the local centre and provides linked trips to other retail in the centre.

On the basis of the advice from the independent retail assessment, and in the absence of sufficient information to the contrary, the proposal undermines the retail strategy for Poole and the applicant has failed to demonstrate that the proposed development would not result in a 'significant adverse' impact on the health of, and existing investment within, the Wallisdown local centre and as such, the proposed development is considered contrary to the provisions of the NPPF (paragraphs 90 and 91) and policy PP22 (4) of the Poole Local Plan.

In respect of all other material planning considerations, it is determined that the proposed development would be acceptable subject to the imposition of appropriate conditions.

Transport

With regards to transportation issues, at the likely low percentage traffic increase, it would be difficult to argue that the proposal would have a severe impact upon the existing congested network. A travel plan can be secured via planning condition which can encourage sustainable modes of transport, in particular amongst staff. A new road crossing facility on Alder Road would also be secured and encourage local walking/cycling trips to the store which would benefit the wider public. The closing of the existing poorly aligned vehicle access would also represent a highway safety gain.

Design and character

The proposed design of the buildings and layout of the development would be acceptable and would enhance the appearance of the site and would positively improve its contribution to, and presence in, the public realm of the adjacent retail park compared to the existing situation.

The Parrs factory closed in 2016 and since then, the site has become the subject of some antisocial behaviour and it has also had some ongoing maintenance issues. The owners of the site have sought to address this through demolition of the previous buildings on site however, it is very clearly very desirable to redevelop the site as soon as possible. The potential occupiers are also very popular retailers, which is appealing. However, as discussed above there is no identified need for further retail convenience within Poole.

Conclusion

The benefits of the proposals are considered on balance however, these are not considered to outweigh the harm identified in terms of the loss of a key strategic allocation for a care home and specialist accommodation; and the resultant impact upon the vitality and viability of Wallisdown centre.

2. Description of Proposal

Planning consent is sought for the erection of a Class E discount foodstore (1723 sqm) and Class E coffee shop (177 sqm) with associated access, car parking and landscaping.

The proposal is the same as that previously proposed under (APP/18/00551/F) except covered cycle shelters are now proposed to the east elevation of the food store and north of the coffee pod. There are also some very minor changes to some car parking spaces and access to the south elevation of the food store.

3. Description of Site and Surroundings

4. The site is located on the eastern side of Alder Road towards its southern end with the roundabout junction with Ashley Road and Poole Road. The site was last used as a confectionary factory (Parrs Sweet Factory) which ceased operating in 2013. It was occupied by a series of industrial style buildings however these have since been demolished.
5. The site is accessed off Alder Road that runs parallel to this road, albeit at a raised level with a concrete retaining wall to its western side, and provides access into the south western corner of the site. The site also includes a small strip of land that lies beyond the eastern boundary of the currently vacant employment site that forms a landscape strip adjacent to the internal access road within the Redlands Retail Park (Poole Commerce Centre) that is accessed off the Pottery Junction Roundabout.

6. The topography of the land to the north consists of a series of ridges and valleys and the site is located towards the top of a ridge at the southern end of Alder Road. Due to the topography of the surrounding area, the site is elevated above the height of Alder Road to the west and the residential properties in Alder Road and Runton Road to the north. As such, there is a steep treed and landscaped embankment to the western boundary of the site with Alder Road, whilst there is also a steep embankment to the rear gardens of the properties in Runton Road that back onto the northern boundary of the site.
7. The site is subject to a Tree Preservation Order (TPO No. 232/1988 – Area Order) and there are a number of mature trees within the site and on adjoining land, particularly those on the embankment of the site adjacent to its western boundary, to the western end of the northern boundary and adjacent to the eastern boundary on the landscape strip adjacent to the internal access road of the Redlands Retail Park. These trees make an important contribution to the local visual amenity and the character of the surrounding area.
8. The surrounding area to the site is of a mixed character with the presence of residential and retail/commercial uses. To the west of the site, residential development comprising of two-storey detached and terraced housing is located on the opposite side of Alder Road and also extends along Alder Road and to Runton Road to the north. The eastern and southern boundaries of the site, however, adjoin the Redlands Retail Park that comprises a number of retail/commercial warehouse units and extensive areas of car parking. The southern boundary of the site adjoins the car park area and service yard/external sales area to Homebase. To the east, the site adjoins a landscaped verge to the side of the internal access road within the retail park, beyond which are the large warehouse style retail units and the associated car parking areas. The retail and commercial units of the Branksome local centre are also located slightly further to the south-east of the site.

9. **Relevant Planning History:**

Application Site

Historically, there have previously been numerous planning applications relating to the industrial use of the site and alterations to the factory buildings, but none are of direct relevance to the current proposals that are the subject of this current application.

November 2016: Planning Application for redevelopment to provide a 70-bed residential care home (Use Class C2) and 32 extra care apartments (Use Class C2), proposed access, parking, landscaping and other associated works. **Approved** (APP/16/00771/F). This consent was never implemented and has since lapsed.

November 2019: Planning Application for the demolition of vacant existing buildings, and the erection of a Class A1 discount foodstore (1,801 sqm gross) and a Class A1/A3 coffee shop (195 sqm gross) with associated access, car parking and landscaping. **Refused** (APP/18/00551/F) for the following reasons:-

- 1) The proposed development would result in the loss of the site allocation for the provision of a care home and specialist accommodation housing that would contribute towards the delivery of suitable housing to meet the needs of an ageing population and for which there is a clearly identified need and that is of strategic importance in meeting the objectives of the Poole Local Plan in favour of a form and use of development for which there is no objectively assessed need and that is not of strategic importance. In the absence of the submission of adequate evidence/information to justify why the strategic site allocation would not be suitable, deliverable and needed over the Plan period to meet the housing needs of the ageing population and therefore why a departure from the development plan should be permitted, the proposal would be contrary to the provisions of Policies PP9 (U5) and PP12 of the Poole Local Plan.
- 2) The proposed development would result in a significant level of trade diversion from the existing Aldi store that is located within the defined Wallisdown local centre due to the overlapping catchment of the existing and proposed stores that could lead to the closure of the existing store. On the basis of the independent retail advice provided to the Local Planning Authority, and in the absence of sufficient information to the contrary, the applicant has failed to demonstrate that the proposals and consequential loss of the existing Aldi store would not result in a significant adverse impact on the health of, and existing investment within, the Wallisdown local centre and would not undermine the retailing strategy for Poole. As such, the proposed development would be contrary to the provisions of the NPPF (paragraph 89) and Policy PP22 (4) of the Poole Local Plan.

October 2020: Prior Approval Application for the demolition of former confectionery factory buildings. **Granted** (APP/20/00960/PA). The buildings on site have been subsequently demolished.

Unit 2, Fleets Corner, Fleets Lane

October 2020: Planning application for the use of the existing retail unit as a Class A1 discount foodstore, external alterations and extension, including new service area, trolley bay, entrance area and canopy, with associated plant area and parking reconfiguration. **Granted** (APP/20/00853/F).

The site is relevant in that it proposes another Aldi foodstore in another location in Poole and had to undergo a sequential test and impact assessment. The proposal passed the sequential test. In the impact assessment there was a detailed consideration as to the impact of the proposal upon the existing Aldi foodstore within Poole town centre however, the independent retail consultant advised that the only noticeable impact would be to foodstores in Broadstone and Canford Heath where a proportion of trade was likely to be diverted however, having regard to the differences in food shopping functions at the Broadstone store and the current trading at Canford Heath, it was considered that impact was unlikely to be a threat to the future viability of the stores.

10. **Constraints**

The site is allocated by Policy PP9 of the Poole Local Plan for a care home of approximately 70 bed spaces and approximately 30 specialist accommodation homes.

There are several mature trees within the site and on adjoining land that make an important contribution to the local visual amenity and the character of the surrounding area that are covered by a Tree Preservation Order (TPO No. 232/1988 – Area Order).

The site is within an ‘out of centre’ location and it is not located within either a town centre, a district centre or a local centre (as defined by the hierarchy of retail which is set out in PP22 of the Poole Local Plan).

The site is adjacent to Alder Road which is a classification category A road (A3040) and the existing access is directly onto this road.

11. Public Sector Equalities Duty

In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. Other relevant duties

In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.

For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

13. Consultations

BCP Highway Authority: Support the proposal subject to the imposition of conditions relating to the following matters:

“A lighting scheme for the car park and pedestrian and vehicle routes through the site. ii. The provision of a pedestrian crossing facility on Redlands in the vicinity of the site. iii. The provision of a pedestrian and cycling crossing facility, such as a parallel crossing or signalised crossing, on Alder Road. iv. The provision of a

widened footway/cycle link from Douglas Road to link with the new crossing referred to in iii above. “

Go South Coast (bus services): Object to the proposals for the following reasons:

- *“The proposed development is contrary to Policy PP9 of the Local Plan which allocates the site for a care home and specialist accommodation homes;*
- *The proposed level of traffic to or from the site will materially affect bus reliability adding to an already saturated junction at Branksome Roundabout. This is contrary to Policy PP34 which promotes the delivery of safe, connected and accessible transport;*
- *Traffic queuing in this location has a negative effect on journey time reliability. Development of this site is therefore premature in advance of any scheme to improve Branksome Roundabout;*
- *The projections of 5% bus modal share after five years of operation for such an accessible site are poor and the Travel Plan is incompetent. Measures should include initiatives to encourage new staff to access the site by bus services and therefore a 90 day bus ticket should be conditioned on the developer for new staff at the site for the five years of the travel plan.”*

Environmental Services (Air Quality): Support the proposal subject to the imposition of a condition requiring the submission of a revised Dust Management Plan to minimise the identified risk from the impact of construction dust (demolition, earthworks, construction and trackout).

Environmental Services (Biodiversity): Support the proposal subject to the imposition of conditions requiring the implementation of the mitigation measures set out in the submitted ecology report; the provision of swift boxes; no vegetation clearance to take place within the bird breeding season and the submission of a revised landscape scheme to include native species only.

Environmental Services (Contamination): Supports the proposal subject to the imposition of a condition requiring the submission of an investigation and risk assessment of any potential contamination on the site and a detailed remediation scheme (if necessary) in the event that contamination is found at any time during the approved development that was not previously identified; implementation of the approved remediation scheme (where necessary); and the submission of a verification report following the completion of the remedial works.

Environmental Services (Noise): Supports the proposal subject to the imposition of conditions requiring the submission of details of the proposed plant and machinery and any sound attenuation measures to ensure compliance with specified sound ratings, the provision of 2 metre high acoustic fencing, restriction on the hours of opening and hours of deliveries, and requiring the submission and implementation of a Service Yard Noise Management Plan.

Lead Local Flood Risk Authority: Advised that there is a minor surface water risk on the site (1 in 1000 event) but probably like due to the existing impermeable surface covering the site. SUDS should be capable within the site and the Drainage Strategy submitted with the application is clear and well laid out with the proposals including a suitable temporary arrangement between demolition and reconstruction.

14. **Representations**

There have been a large number of representations received regarding the application.

A total of 441 representations have been received in support of the proposed development with comments comprised as follows:-

- An Aldi foodstore is needed in the retail park/local area and will provide more shopping choice and competition
- The Aldi store would be walkable to some and reduce car trips and congestions to other locations including Aldi at Wallisdown
- The coffee shop would provide a social hub and enhance the shopping experience
- There is a need for another coffee shop in the retail park, and it will take the pressure off John Lewis coffee shop
- Aldi have considered the impact upon surrounding neighbouring properties with the building situated to minimise noise and visual impact and a fence erected to preserve privacy
- Site has been vacant for so long and brownfield land would be brought back into use and provide jobs in the local area
- Will encourage people to use other businesses in retail park and attract new business for empty units
- The factory was an eyesore and a tidy retail park would be more pleasant
- An Aldi store would emit less smoke compared with the old factory and improve air quality
- We do not need more housing for senior people and need to attract the younger generation to the area
- Poor outlook for care home residents and noise from railway.
- Development of the site would stop the antisocial behaviour that has occurred on site
- The Local Plan is no longer valid since Poole Council no longer exist
- Aldi would fit in better than a retirement property
- Job opportunities
- Good idea for a derelict site
- Aldi good quality and low prices. Provides more affordable food. Of benefit to those on lower incomes
- Benefit to local community
- Nearest Aldi in Wallisdown is too small
- Nearby Tesco and Lidl are too busy – the market is big enough for an additional foodstore
- Support but suggest car park should have more trees – Tesco at Castle Lane East is a good example
- Crossing across Alder Road is welcomed
- New pedestrian route from Alder Road will provide easy access to shop
- Suggest current Lidl relocate from 427 Poole Road to empty unit on retail park and site to be used for care home as more acceptable location.

- Transport links to this location good with area well served by public transport (buses and trains) and easy access for cyclists
- Support Aldi but prefer independent coffeeshop or community facility/nursery
- Support the proposal as it will provide employment opportunities in a suitable location and respects local needs and expectations. The provision of suitable fencing and planting is also welcomed.

A total of 16 representations have been received raising concerns or objection to the proposed development. The issues raised comprise as follows:

- Concerned about heavy traffic on Alder Road, Ashley Road and Redlands roundabout
- Traffic already congested in area – no capacity for roundabouts to cope with increased traffic
- Impact to Redlands Roundabout affecting routes to Poole and Bournemouth Hospitals
- Even if a new additional access point from Alder Road created, this development will still further add to existing traffic problems
- Car park lighting and deliveries should be on the other side of the site to reduce noise and light pollution to neighbouring properties
- Concerns about insufficient parking provision and no improvement to access.
- Site more suited to a different type of store
- Another supermarket not needed - already a lot of food stores within a mile of proposal – eg Sainsburys, Home Bargains, Tesco, Lidl, Co-op, Iceland and Waitrose
- Proposal will not support our already struggling High Street
- Not the best use of land. Should consider options of more benefit to community.
- Should be assessing site for much needed housing.

A further 4 representations were received which were neutral and made general comments.

15. **Key Issue(s)**

The key issue(s) involved with this proposal are:

- Principle of Development - Allocation as a Care Home and Specialist Accommodation, and the Loss of Existing Employment
- Town Centre Retail Impacts
- Impact to Street Scene and Character of the Area
- Residential Amenity
- Highway and Parking Issues
- Impact on Protected Trees and Landscaping
- Impact on Protected Species and Biodiversity
- Contamination Issues
- Air Quality Issues
- Flood Risk and Sustainable Urban Drainage
- Sustainability Issues

These issues will be considered along with other matters relevant to this proposal below.

16. **Policy context**

Local documents: -

Poole Local Plan (November 2018)

PP1	Presumption in Favour of Sustainable Development
PP2	Amount and Broad Location of Development
PP3	Poole Town Centre Strategy
PP4	Town Centre North Regeneration Area
PP9	Urban Allocations Outside the Town Centre (U5 Parrs)
PP12	Housing for an Ageing Population
PP16	Employment Areas
PP22	Retail and Main Town Centre Uses
PP24	Green Infrastructure
PP27	Design
PP33	Biodiversity and Geodiversity
PP34	Transport Strategy
PP35	A Safe, Connected and Accessible Transport Network
PP36	Safeguarding Strategic Transport Schemes
PP37	Building Sustainable Homes and Businesses
PP38	Managing Flood Risk
PP39	Delivering Poole's Infrastructure
PP40	Viability

Supplementary Planning Document (SPD)

BCP Parking Standards (Adopted January 2021)

National Policy: -

National Planning Policy Framework ("NPPF" / "Framework")

Section 2 – Achieving Sustainable Development

In particular paragraph 11 –

"Plans and decisions should apply a presumption in favour of sustainable development.

.....

For **decision-taking** this means:

- (c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- (d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- (i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- (ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.”*

Section 2 Delivering a sufficient supply of homes

Section 4 Decision-making

Section 6 Building a strong, competitive economy

Section 7 Ensuring the vitality of town centres (see below)

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

17. **Planning Assessment**

18. This application seeks planning permission for the erection of a class E discount foodstore and class E coffee shop with associated access, car parking and landscaping.
19. The proposed food store would be positioned in the south-western quadrant of the site and comprises of the retail sales area (1,254sqm); with warehouse and staff welfare areas positioned on the southern side of the building; and a service area/yard positioned to the western end of the proposed building. The building would have an overall floor area of 1,801sqm (1,723sqm internally).
20. The proposed free-standing coffee pod would be located towards the eastern side of the site and immediately to the north of the proposed new vehicular access. This would have an overall area of 195sqm (177sqm internally) with an external seating area to the southern and western sides of the building. The servicing area and bin/plant store would be located to the northern side of the building.
21. The proposal would incorporate the formation of a new vehicular access off the internal access road within the Redlands Retail Park that would be located towards the southern end of the eastern boundary of the site. This would lead into the car parking area that would be located to the eastern and northern sides of the proposed retail food store. The proposal includes a total of 112 car parking spaces, including six disabled parking spaces and nine parent child parking spaces, whilst cycle shelters would be located to the eastern side of the proposed retail food store and north side of the coffee pod.
22. The proposal includes the closure of the existing ramped vehicular access onto Alder Road, although a pedestrian access would be retained in this location together with additional landscape planting.

23. The proposal also includes the provision of a new pedestrian crossing across the internal access road within the Redlands Retail Park that will link the pedestrian pathway into and out of the site with the wider retail park.
24. The proposal is the same as that previously proposed under (APP/18/00551/F) except the current proposal now includes covered cycle shelters and there are some very minor changes to some car parking spaces and maintenance access to the south elevation of the food store.

Principle of Development

(a) Allocation as a Care Home/Specialist Accommodation

25. The site is allocated in the Poole Local Plan for a care home and specialist accommodation as part of the strategic requirement to meet the needs of an ageing population (policy PP9 – U5). The site therefore has strategic significance in terms of ensuring the overall objectives of the Local Plan are met over the plan period. The proposed development of the application site for retail as a discount foodstore and coffee shop would be clearly in conflict with this allocation and would represent a departure from the Local Plan.
26. The NPPF states at paragraph 23 that *“Broad locations for development should be indicated on a key diagram, and land use designations and allocations identified on a policies map. Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or non strategic policies.”*
27. Paragraph 47 states *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”*.
28. At paragraph 60 in relation to meeting strategic housing need it is further stated that *“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”* This includes meeting the housing needs for older people. In line with the NPPF, Policy PP12 of the Poole Local Plan is specific to housing for an ageing population and states that proposals

for care homes and specialist housing will be permitted where they comply with general principles relating to sustainable location and design. The policy also states that the need for care home bed spaces will amongst other aspects be met by “*Bringing forward the allocated sites identified in Policies PP9 and PP10*” and “*exploring opportunities for the provision of new care home bed spaces in new large scale residential developments and through the redevelopment of isolated employment sites which are no longer suited to continued employment use*”.

29. Paragraph 61 of the NPPF states “*To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.*”
30. The evidence that supports the Poole Local Plan sets out a clear and identified need for the delivery of 816 additional care home and nursing home bed spaces for the period 2015-2033 which would need to be phased over this period. By 2025, a total of 472 additional bed spaces will need to be delivered with another 344 bed spaces needing to be delivered by 2033 (see table 1). Approximately half of this overall target is intended to be delivered through the development of allocated sites, with the remainder to be potentially met through current commitments and windfall development. Taking this into account, there is a likelihood of projected shortfall in terms of meeting the required supply of care/nursing home bed spaces.

Table 1: Poole Local Plan Care Home Bed Space Target Requirements to 2033

Type of Care	Additional bed spaces required (to 2025)	Additional bed spaces required (to 2033)	Total provision required to 2033
Residential care home	187	136	323
Residential nursing home	285	208	493
Total	472	344	816

31. Therefore, in order to meet the delivery of care home bed spaces over the plan period, it is important on a strategic level to ensure that any identified sites, and particularly those which are allocated (such as the application site), are not lost to other forms of development.
32. In terms of care/nursing home bed space delivery, to date there is also a shortfall in the delivery of care home bed space provision with only a net increase of 78 care home bed spaces having been delivered since the start of the plan. This means we are behind in our delivery with a shortfall of 205 bed spaces compared with our average annual requirement (see table 2).

33. Although numerous schemes for new care homes have been delivered since the start of the plan (some of which are highlighted in the applicant's evidence by Christie & Co), the overall provision has been hampered by the loss of existing smaller and older care homes that are either no longer viable or are unable to compete with newer and larger care homes. Hence, there remains a significant shortfall in additional care home bed spaces being delivered and this emphasises the importance of continuing to bring forward the delivery of new care homes developments.
34. The site is allocated for 70 care/nursing home bed spaces and the proposed development would result in the loss of this supply which will further exacerbate the already fairly significant shortfall in the delivery care home bed spaces making it even more difficult to meet the needs of an ageing population as identified in the Local Plan.

Table 2: Current Care/Nursing Home Bed Spaces Delivery to Date¹

	Required Average Annual delivery 2015-2025	Local Plan target delivery 2015-2021 (6 years)	Delivery 2015-2022	Current shortfall in delivery (to date)
Residential Care Home Bed Spaces	18.7 per year	112	-48	160
Residential Nursing Home Bed Spaces	28.5 per year	171	+126	45
Total Care/ Nursing Home Bed Spaces	47.2 per year	283	+78	205

35. In addition to care home bed spaces, the site is also allocated for 30 specialist accommodation homes.
36. To meet the needs of Poole's ageing population, the Poole Local Plan sets out the requirement for a range of specialist accommodation types (specially designed housing or housing with extra care or facilities which provides older people with the opportunity to retain some independence). The evidence base which supports the Poole Local Plan sets out that the projected need for the specialist forms of housing over the Plan period to be 3,425 units, which equates to a significant proportion (approximately 25%) of the overall housing target (see table 3). A large majority (2,729) of the specialist accommodation are required to be delivered by 2025.

¹ Care/Nursing Home Bed Space Delivery Figure as of 1st July 2022

37. The Dorset and BCP Local Housing Needs Assessment which was undertaken in November 2021 to support the new BCP Local Plan confirms;

Table 3: Poole Local Plan Specialist Accommodation Target Requirements to 2033

Type of specialist accommodation	No. Homes to 2025	No. of homes to 2033	Total No. Homes to 2033
Leasehold sheltered housing	1,743	451	2,194
Enhanced sheltered housing	256	76	332
Extra care housing	730	169	899
Total	2,729	696	3,425

Table 4: Current Specialist Accommodation Delivery to Date²

	Required Average Annual delivery 2015-2025	Local Plan target delivery 2015-2021 (6 years)	Delivery 2015-2021	Current shortfall in delivery (to date)
Total Specialist Accommodation	272.9 per year	1,637	+492	1,145

38. Up to 1st April 2021 a total of 492 specialist homes for the older population have been delivered which cover retirement living apartments, assisted living apartments and extra care apartments. There is therefore, a significant shortfall of 1,145 specialist accommodation units being delivered to date and this emphasises the importance of continuing to bring forward the delivery of specialist accommodation.
39. The site is allocated for 30 specialist accommodation units which is modest in number, however this level of provision would nevertheless contribute to the limited supply of this form of accommodation which the Council is reliant on the market bringing forward. Furthermore, subject to a suitable scheme coming forward, the number of specialist accommodation units to be delivered on this site could potentially be increased (note the previous planning permission was for 32 units) thus providing a greater contribution. The proposed development, however, would result in the loss of this supply which will further exacerbate the already significant shortfall in delivery of specialist accommodation making it even more difficult to meet the needs of an ageing population as identified in the Local Plan.

² Specialist Accommodation Delivery Figure as of 1st April 2021

40. The applicant insists that since planning permission was granted for the redevelopment of the site to provide a care home and extra care apartments, the site is no longer attractive to care home operators and suggests that the scheme is neither viable or deliverable.
41. The applicant has submitted some evidence to support this stance (Market Analysis & Viability Report by Christie & Co dated March 2021) which provides an opinion on developing the site for a care home. The report was updated in April 2022 to consider the both the care home and specialist accommodation uses which together form its allocation.
42. The report indicates that there are concerns with the suitability of the site for a care home due to its physical constraints and the compatibility of the use with the surrounding uses and environment. It is also stated that there is a potential availability of other sites in better suited locations. The site is located within Branksome which is located on the border with the more affluent areas of Lower Parkstone and Canford Cliffs to the south of Poole Road and Ashley Road whereas the majority of sites highlighted within the report are located within the within more affluent areas. Whilst agreeably these sites may be more attractive to end users (and likely have higher profit margins for developers) the costs of these developments would be assumed to be proportionally higher with the developments aimed at the higher end market user.
43. There is a requirement however, to meet the needs of the whole market and to provide more affordable care home and specialist accommodation to all users of the market. Branksome is a much more affordable area, and it is also a much more sustainable area with services and good public transport links nearby. The site is existing employment land and the uplift from this low land value would enable the delivery of a more affordable care home and specialist accommodation for which there is also a market. Although the applicant argues that the site is not attractive to developers, this is not supported by up to date marketing and furthermore, no evidence has submitted (i.e. a residual land value viability assessment) to demonstrate that the site would not be financially viable to develop for its allocated use as a care home and specialist accommodation.
44. The report also indicates that there is an oversupply of care home bed spaces as of 2022 and forecast oversupply in 2027. It is accepted that there have been more care/nursing home vacancies during 2020-2022 although, this is a highly usual scenario due to COVID with there being a higher fatality rate than previous years, and an increased reluctance from new occupants to move to a care home due to concerns of COVID. However, as reflected in the Dorset and BCP Local Housing Needs Assessment (which was undertaken in November 2021 to support the new BCP Local Plan) *“it is possible that the need/demand for specialist housing for older people (particularly in a communal environment) will change, at least in the short term, as well as a*

reduced number of people in the age cohorts who might be expected to move to it. However, it is still too early to draw conclusions and there is insufficient data to fully understand the overall impact of Covid-19.”

45. Further to this, in the Council's adopted Care Homes for Older People Strategy, it is also recognised that COVID-19 has impacted upon the scale and nature of demand for places and demand upon older people's services (including care homes) but highlighted that the *“Identified changes may be somewhat untypical and not representative of either a planned change or a longer-term trend. Indeed, there may be a post COVID-19 increase in due course.”* Therefore, it is reasonable to assume that the reduced demand for care home bed spaces is temporary and having regard to the growth in the ageing population, the trend for increasing need in care/nursing home bed spaces will likely resume.
46. The Local Plan considers the requirements for meeting the needs of an ageing population for the whole plan period (up to 2033). Even if the site was less desirable than others, there is no evidence to demonstrate that this site would not become more desirable for the allocated use as potential development sites become scarcer towards the latter part of the Plan period.
47. Furthermore, whilst the care home need analysis in the report identifies that there is a current and forecast future oversupply in care home bed spaces, it is somewhat unclear how this compares with the Local Plan requirements and delivery to date as discussed. The evidence provided by the applicant is based on catchment area rather than Local Plan area and with regards to future need and demand, their figures differ significantly to that those set out in the Local Plan which are supported by the council's evidence base. It remains unclear as to why they differ so much. Existing and forecast supply also differ significantly and specifically it is unclear as to whether this takes account of the many smaller and/or older care homes which have been lost resulting in a significant decrease in care home bed spaces.
48. With regards to specialist accommodation, the report acknowledges that there is a significant shortfall of 5,754 units in 2022 which is more than is identified by the LPA in table 4 (above). Again, it is unclear how these figures compare with the Local Plan requirements and delivery to date as there is no reference to or comparison with the Local Plan requirements, however, nevertheless, it is agreed that there is a significant need as well as a current and future shortfall forecast in specialist accommodation.
49. Finally, notwithstanding the above, it should also be highlighted that the evidence submitted by the applicant is a report which provides an opinion and as stated above, is not supported by up to date and proper marketing of the site. Whilst the report provides a better explanation of the marketing that was previously carried out on the site, fundamentally, no further marketing of the site has taken place since 2016. Significantly, this means no further marketing has been carried out since it was allocated for a care home and specialist accommodation; and no further marketing has been carried out since

the previous application APP/18/00551/F was considered and refused by planning committee in 2019.

50. To re-iterate from the case officer report on the previous application APP/18/00551/F *"it is evident that most of the marketing was undertaken and completed prior to planning permission for the care home and extra care apartments having been granted and did not relate to the actual approved scheme for the redevelopment of the site. It is therefore considered that prospective developers/operators/purchasers of the site may have been put off at the time of those earlier marketing exercises due to the uncertainty that planning permission would be granted and therefore the guarantee that they would be purchasing in the site to provide a care home and specialist accommodation housing. Of the submitted details, it is apparent that only one marketing exercise has been undertaken in relation to the site following the approval of planning permission at which time it was marketed in January 2017 as part of a package of care home development opportunities and the marketing was very selective with only 35 parties contacted. As such, it is argued that at that time when there was certainty following the approval of planning permission the site was not given the full marketing exposure that it required. It is also noted that the limited specific information regarding the application site as part of those marketing details did not include images of the actual approved scheme on the site....In addition, it is considered that the submitted marketing information is insufficient in that it fails to provide details of the actual duration of active marketing of the site; information on how much the site was advertised for and evidence that the price sought was a reasonable value; and do not provide information of the full marketing exercise undertaken (for example, Colliers only provide details of the marketing of the care home element and do not include any details of the marketing undertaken by their residential team)."*
51. The marketing which has been previously carried out is also the same as that which was presented to the Local Plan Inspector as part of the Local Plan Examination. In this regard, the applicant contested the site allocation for a care home and specialist accommodation homes at the Local Plan Examination and put forward arguments why the allocation of the site was neither justified nor effective and pointed to evidence that the site was neither viable nor deliverable for the proposed allocation.
52. However, the Local Plan Inspector considered that the evidence presented on behalf of the applicant was not sufficient to demonstrate that the development proposed by the allocation of the site would not be delivered over the Plan period and in his final report on the Local Plan Examination stated *"The plan allocates site U5 (Parrs) for a care home of approximately 70 bed spaces and around 30 specialist accommodation homes, which reflects an extant permission for the site. It has been argued that the site's proximity to Poole Retail Park and its topography make it unsuitable for a care home and is likely to explain why the permission has yet to be implemented. However, I have no reason to believe that the permitted scheme would not represent a satisfactory form of development and it is unlikely that planning permission*

would have been sought if there was no intention of implementing it. Moreover, even if the current permission were to expire, there is no convincing evidence to indicate that a care home is not likely to be developed on the site during the plan period. There is an identified need for more than 800 care home bed spaces in the Borough and a very limited number of suitable and available sites to meet the need.

53. *"It has been suggested that a supermarket and 'coffee pod' facility is a more viable form of development for this site. Whilst the determination of a planning application for such a proposal is not a matter for my consideration, the evidence before the Examination that there is not a need for additional convenience retail floorspace has not been challenged. The site is currently/was last an isolated employment site and policy PP16 of the plan (see Issue 7) states that where such sites are no longer suitable for continued employment use, a care home/specialist housing will be prioritised over other uses which generate employment (i.e. a supermarket/coffee pod)"*
54. *"In summary, allocation of the site for a care home/specialist housing seeks to meet identified development needs, it is consistent with the plan's policy in respect of reuse of isolated employment sites and there is no convincing evidence to demonstrate that this form of development is not deliverable during the plan period. I therefore conclude that the allocation is sound."*
55. Taking into account that no further marketing has been carried out since the previous application was considered and nor since the site was allocated, the conclusion in this respect remains as before. The applicant has also failed to provide evidence of the full and proper marketing of the site for the allocated use at a reasonable value and for a reasonable period of time in accordance with Policy PP40 (2).
56. In this context, it is essential to consider what benefits could be delivered by the proposed retail use that would be sufficient to outweigh the loss of a key strategic allocation for a care home and specialist accommodation homes. The Council's evidence supporting the Poole Local Plan (Poole and Purbeck Town Centres, Retail and Leisure Study; Final Report dated November 2014), however, confirms that there is no need for any additional convenience floor space within Poole over the Plan period. The Council latest evidence which will support the new BCP Local Plan (BCP Retail and Leisure Study Sept 2021) confirms that there would be an over-supply of convenience goods floorspace to 2033 and only a small increase in convenience retail floorspace (144sqm) to 2038. Therefore, whilst Aldi is clearly a very popular retailer which is appealing, there is no strategic need for further retail convenience space.
57. The proposal is seeking planning permission for a form and use of development for which there is no objectively assessed need but that in turn would result in the loss of a site allocation for a form of development for which there is a clearly identified strategic need and that is required within the plan area.

58. Furthermore, it is noted that since the factory closed, the site has become the subject of some antisocial behaviour and it has also had some ongoing maintenance issues. The owners of the site have sought to address this through demolition of the previous buildings on site however, it is clearly very desirable that the site is redeveloped as soon as possible. Re-development of the site would deliver economic benefits through the creation of jobs during both the construction and operational phases of the development that would boost the local economy; as well as environmental benefits through the re-use of a currently vacant site.
59. However, having regard to the above considerations, it is evident that the proposal conflicts with the allocation of the site under Policy PP9 of the Poole Local Plan and the submitted evidence does not adequately justify or evidence why the key strategic allocation for a care home and specialist accommodation homes should be set aside for a development of a non-strategic use.

(b) Loss of Employment Land

60. The site was last used for employment purposes and represents an isolated employment site (being located outside of any designated Existing Employment Area).
61. The principle of the loss of the site for employment generating uses (B1, B2 and B8 uses) has been previously been accepted on this site by the approval of planning permission APP/16/00771/F that permitted the redevelopment to provide a 70-bed residential care home and 32 extra care apartments. Whilst this consent has now lapsed, the site still remains allocated for a care home and specialist accommodation, which as discussed, above the applicant insists the site is no longer attractive or viable for a care home and specialist accommodation.
62. However, if the Council were willing to accept that the site was no longer attractive and viable for a care home and specialist accommodation, (as it is allocated for under PP9) or if the Council were willing to accept that there is no longer a need for care homes and specialist accommodation, being as the site is regarded as an isolated employment site, then the continued use of the site for employment should be considered.
63. In which case, policy PP16 (2) is relevant which states that a change of use will be permitted *“where the site is no longer suitable for continued employment use and the cost of refurbishment or redevelopment for a more appropriate form of employment use would be prohibitive”*. If it can be demonstrated that the site is no longer suitable for continued employment, then a cascade of alternative uses for the site can be considered.
64. In terms of demonstrating whether the site may be suitable for continued employment use PP40 (2b) is applicable to isolated employment sites and

states that proposals for change of use to alternative uses must demonstrate to the Council that the existing use of the site is not attractive to future occupiers for its existing use or other permitted uses - in order to demonstrate this, the applicant must provide evidence of full and proper marketing of the site for its existing use at a reasonable value for at least 12 months for sale and for re-let.

65. The last marketing of the site for employment use was carried out over 6 years ago and it is reasonable to assume the market may have changed somewhat during this period. In addition, the site was not marketed for at least 12 months in any case, as required by PP40(2b). As such, it has not been satisfactorily demonstrated that the site is no longer suitable for continued employment.
66. Even if it were demonstrated that the site is no longer suitable for continued employment, then to accord with PP16 (2) it would still be necessary to then consider whether the proposal complied with the cascade of alternative uses which the policy sets out in priority order:-
(a) starter/incubator business units as part of a comprehensive mixed use scheme;
(b) health or care-related uses, including care homes and specialist housing or health facilities, where the site is suitably accessible for the use proposed;
(c) other uses which generate employment; or
(d) other forms of housing not covered by (b) where the site offers an acceptable environment.
67. Therefore, the priority alternative uses considered for the site should be firstly (a) - starter/incubator business units as part of a comprehensive mixed use scheme and then (b) - health or care-related uses, including care homes and specialist housing or health facilities, where the site is suitably accessible for the use proposed.
68. The currently proposed use for retail could be considered under (c) - other uses which generate employment however, as this is further down the hierarchy, it should not be considered before (a) and (b). In this case, it has not been demonstrated through the current application why (a) and (b) are not suitable before (c). This would normally be demonstrated through marketing and as discussed, no marketing has been carried out since 2016 either for employment or any other use.

Retail Impact and Sequential Test

69. The proposed development seeks planning permission for the development of the site for retail use (a food store and coffee shop) which falls within the definition of main town centre uses as set out in the NPPF. As such, the proposal must also be assessed in relation to the key retail and town centre policies.

70. In support of the proposed development, the applicant has undertaken a sequential test and retail impact assessment to seek to demonstrate that it complies with the sequential and impact tests set out in both national and local planning policy. This considers whether there are any sequentially preferable sites to the town centre and the impact of the proposed development (both in terms of future investment and town centre vitality and viability). Due to the complexity and specialist nature of retail planning policy, the Local Planning Authority has appointed an independent retail consultant to review the submitted sequential test and retail impact assessment. The assessment of the proposed development in relation to the sequential test and impact assessment, having regard to the applicant's submission and other relevant evidence base information, is set out below.

(i) *The Sequential Test*

71. In order to achieve the Government's overarching objective of sustainable economic growth, the planning policy set out in the NPPF identifies the objective of promoting the vitality of town and other centres as important places for communities and the need for new economic growth and development of main town centre uses to be focused in existing centres. The NPPF states that "Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation" (paragraph 86).
72. The NPPF continues by stating that planning policies should define a network and hierarchy of town centres (e.g. town centre, district centres, local centres) which new retail development should be directed towards to promote their long term vitality and viability. It promotes a 'town centre first' approach as it is stated that "*Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered*" (paragraph 86). In relation to the consideration of edge of centre and out of centre proposals, the NPPF goes on to state at paragraph 88 that "*preference should be given to accessible sites which are well connected to the town centre*".
73. In line with the NPPF, Policy PP22 of the Poole Local Plan identifies a retail hierarchy and adopts a retail strategy that endorses this 'town centre first' approach with new retail development and other main town centre uses being directed to the town centre, district centres, local centres and neighbourhood parades first, before consideration of out of centre locations.
74. The NPPF (para 87) states that "*Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.*"

75. In line with the NPPF, Local Plan Policy PP22 (4) states that *“Outside of designated boundaries and allocations new retail development and main town centre uses will only be permitted where: (a) The proposal satisfies the sequential test and for retail and leisure schemes over 280 sq. m (net) floor space an impact assessment; and (b) it is appropriate in scale, role, function and nature to its location and does not prejudice the role and function of Poole town centre or undermine the retail strategy...”*
76. Thus, in this instance, given the location of the application site outside of the town centre and any designated district and local centres and the fact that it has not been allocated for retail development, it is necessary to assess whether there are any suitable and available sequentially preferable alternative sites or premises which can accommodate the proposed development. On the basis of the location of the site in relation to the closest defined local centres, being located on the edge of the Branksome East local centre (Poole Road), the sequential test needs to concentrate on alternative in-centre sites and those edge of centre sites which are more accessible and better connected to the defined local centres than the application site.
77. In the previous application APP/18/00551/F the proposal passed the sequential test as it was concluded that there are not any suitable and available alternative sites or premises that are sequentially preferable to the application site. However, notwithstanding this, the current application must be considered upon its own merit and there is a need to re-visit the sequential test in order to understand whether:
- there have been any changes in planning policy which alter the conclusions previously reached; and
 - whether there are any (A) changes in circumstances in relation to sites previously assessed; and (B) whether there are now additional sites which require assessment.
78. The sequential test is set out in the Retail Statement submitted by the applicant (by Planning Potential Ltd dated August 2020) and sets out the alternative sites that have been identified and assessed by the applicant and explains why it has been concluded that they do not represent a suitable and available alternative that is sequentially preferable to the application site. On the basis of their assessment of alternative sites, the applicant has discounted the alternative sites for various reasons and concluded that there are no alternative sites within town or edge of centre locations that should be considered sequentially preferable to the application site. As such, the applicant contends that the proposals meet the sequential test in accordance with the requirements of the NPPF and Policy PP22 of the Poole Local Plan.
79. In response to the applicant's assessment, the reports of the independent retail consultant (by Avison Young dated December 2020) reached the conclusion that, upon re-examination of alternative sites and premises, there are no suitable and available alternative sites or premises that are sequentially preferable to the application site. Therefore, as far as the

sequential test is concerned, the proposal complies with the provisions of the NPPF (paragraphs 87 and 88) and Policy PP22 of the Poole Local Plan. The sequential test is passed.

(ii) *Retail Impact Assessment*

80. In accordance with paragraph 90 of the NPPF when assessing applications for retail development outside town and other centres which are not in accordance with an up-to-date plan, an impact assessment should also be undertaken where the development is over a defined floor space threshold (see below). The NPPF states that it should consider the impact of the proposal on:

- existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

81. In terms of the determination of applications for retail development outside of the defined 'town centres', paragraph 91 of the NPPF states "*Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 90, it should be refused*".
82. As discussed above, Policy PP22 (4) of the Poole Local Plan states that new retail development proposals over 280sq.m will only be permitted where it satisfies both the sequential test and an impact assessment.
83. Regarding the impact assessment on the previously refused scheme (APP/18/00551/F) the report by the independent retail consultant states that "*The final centre in Poole which is forecast to experience a high level of trade diversion is Wallisdown. This centre lies across the boundary of Poole and Bournemouth, with the existing ALDI store lying within Bournemouth's administrative area. Our assessment predicts that the ALDI store in Wallisdown could lose 20% of its annual study area derived turnover, which is to be expected given the overlapping catchments of the two stores. Our quantitative assessment indicates the Wallisdown store to perform reasonably well although it is dated in appearance, with small car park, and it is quite possible that a sizeable proportion of existing shoppers will switch to the new, larger and more attractive Alder Road store (which is also next to a large and attractive retail park). Whilst there is no evidence to suggest that ALDI would definitely close the Wallisdown store should the proposed store get permission and open, the possibility cannot be ruled given the proximity of the two stores. Such an outcome could well be significant for the health of Wallisdown local centre as the ALDI store is likely, in our opinion, to perform an anchor role. Much will therefore depend upon on the importance of the ALDI store to Wallisdown and given its potential importance would strongly recommend that the Council seeks further information from the applicant on*

how important the ALDI store is to the centre in terms of trips and the linkages that it provides with other parts of the centre.”

84. For the current application, the impact assessment is partly set out in the submitted Planning and Retail Statement submitted by the applicant (by Planning Potential Ltd dated August 2020). The report of the independent retail consultant (by Avison Young dated December 2020) advised that the impact assessment needed to be updated however, to reflect more up to date areas of evidence base data; market share data; as well as providing further evidence regarding the impact upon the Wallisdown local centre and up to date data on the usage of the Aldi store and the contribution it makes to the wider local centre.
85. The applicants subsequently submitted an updated impact assessment (by Planning Potential dated May 2021) with survey results submitted in July/August 2021 which was considered by the independent retail consultant (by Avison Young dated September 2021). It is advised that *“Whilst the proposed store is likely to divert trade from a reasonably wide range of stores and centres, our previous advice to the Council concentrated upon nearby and / or similar facilities which were likely to receive the largest levels of trade diversion. These were: the Lidl and Tesco stores on Poole Road, the Sainsburys store on Alder Road, Poole town centre and Wallisdown district/local centre (along with a select few other stores).”*

Poole Town Centre

86. The updated analysis using the new market share data commissioned by the applicant, indicates that average impact forecast across the whole of the convenience goods sector in the town centre would be in the region of 2%. This is not likely to have any significant adverse impact upon the convenience goods sector in Poole town centre, or the town centre as a whole, on the basis that visits to the town centre for grocery shopping are unlikely to be materially affected by the introduction of a new foodstore at the application site.

Poole Road Local Centre (Branksome)

87. There is likely to be an adverse impact upon Branksome local centre in terms of diverting trade from the existing Lidl store (which lies within the boundary of Branksome local centre), however, it is not considered that the impact upon the centre as a whole would be such that it would be significantly adverse.

Wallisdown

88. This centre remains the most concern in terms of impact. The centre lies to the north of the application site and contains a range of shops, services and other businesses which are arranged around the junction of Alder Road, Wallisdown Road and Kinson Road. The largest retail unit in the centre is an existing Aldi foodstore which is one of the early stores and has been in situ for over 15 years. The Aldi store is quite important to the centre as it tends to

serve an anchor role. This is highlighted in the Council's recent evidence support the new BCP Local Plan (BCP Retail and Leisure Study Sept 2021). The loss of the Aldi store could have significant implications for the health of Wallisdown local centre and have an adverse or significantly adverse impact upon existing investment in that centre.

89. This is the focus for concern of impact from trade diversion. The latest report of the independent retail consultant (by Avison Young dated September 2021) advised that the new evidence base information *"re-confirmed a number of conclusions from our previous (2018) advice and has also highlighted the falling popularity of the Aldi store at Wallisdown"*. In coming to this conclusion the following points were taken into consideration:-

- The physical relationship between the two stores has not changed, neither has the relative size of the stores.
- One key issue raised in our previous advice was the potential for the Alder Road and Wallisdown stores to have over-lapping catchments. The proposed store is forecast to attract 46% of its convenience goods turnover from Zones 11, 12 and 13 of the study area, with the latest survey evidence indicating that all of the study area derived expenditure at the Aldi Wallisdown store comes from these three zones. It should also be noted that the spread of trade draw across these zones is not spread evenly for either of these stores, with the Wallisdown store gaining most trade from zones 12 and 13 and the proposed Alder Road store expected to gain most trade (from these three zones) from Zone 11. Nevertheless, there is a noticeable overlap in catchment areas.
- It is also important to note that the use of the latest household survey data shows a drop in the forecast convenience goods turnover of the Wallisdown Aldi. In the applicant's original assessment supporting this current application, using the previous historic market share data, the 2020 turnover of the Aldi store was estimated to be £8.61m. Using the new market share data, the forecast study area derived turnover has dropped to £6.59m, a 23% fall. Evidence of this change justifies the requirement for the new household survey and suggests a poorer trading performance for the Aldi store.
- As noted earlier in this advice, changes in market share levels have the potential to influence the forecast level of trade diversion from the Aldi Wallisdown store. Within our previous advice, a £1.9m level of diversion was predicted, and this, using the latest available data, has now dropped to £1.45m. Both levels of diversion, when compared against pre-impact turnover levels, would suggest a proportionate reduction in turnover of circa 20%. However, whilst the proportionate reductions are the same, this is against a store with a forecast 23% lower level of annual convenience goods turnover.

90. Regarding the significance of the store and its contribution to the centre, the independent retail consultant (by Avison Young dated September 2021) advised *“Moreover, the applicant has failed to provide additional information which was clearly sign-posted in our previous (2018) advice and, as a consequence, we do not consider there is any reason to divert from our previous conclusions regarding the threat to the vitality and viability of Wallisdown district/local centre. However, we also remain with our previous conclusions that there is unlikely to be a significant adverse impact upon the health of Poole town centre and Poole Road local centre (Branksome), although the adverse impact upon the latter should be taken into account in the overall planning balance.”*
91. Thus, on the basis of the submitted retail impact assessment and evidence there remains a significant concern over the impact of the proposed development on the Wallisdown local centre due to the significant level of trade diversion from the existing Aldi store which is likely due to the overlapping catchment of the two stores. There is a potential for the existing Aldi store at Wallisdown to close as a consequence of the proposed new store opening which could have a significant adverse impact upon the vitality and viability of the centre.
92. In summary, the applicant has failed to demonstrate that the proposed development would not result in a ‘significant adverse’ impact on the health of, and existing investment within, the Wallisdown local centre. The proposal undermines Poole’s retail strategy by proposing new retail outside of any town, district or local centre and drawing existing trade away from an existing centre resulting in the potential scenario of the existing Aldi at Wallisdown closing in favour of a newer, larger store within a similar catchment. As such, the proposed development would be contrary to the provisions of the NPPF (paragraphs 90 and 91) and Policy PP22 (4) of the Poole Local Plan.
93. Notwithstanding the above, there is no particular concern raised with regard to the impact of the coffee shop.

Impact to Street Scene and Character of the Area

94. The existing industrial buildings that previously occupied the site were derelict and have now been demolished. The site now lies vacant, and the proposal provides an opportunity to regenerate the site and enhance its visual appearance and the contribution that it makes to the surrounding townscape.
95. The current proposal is the same as that proposed under the previous application APP/18/00531/F except for an additional cycle shelter is now proposed to the north of the coffee pod.
96. At present, the Redlands Retail Park to the south and east of the site is largely dominated by vehicle circulation space and car parking with the retail units set

back behind it and occupying large warehouse units that lack variation in terms of their built form.

97. As with the previous application, the current proposal provides the opportunity to introduce a positive active frontage to overlook the Redlands Retail Park and the Homebase car park and to provide a focal point building that would introduce a positive element into the views into the retail park from the Pottery Junction roundabout.
98. However, the proposed site layout and arrangement of the buildings and car parking, fails to fully capitalise on this opportunity with the proposed food store being set back into the site. As such, the proposed site layout would largely repeat the existing open and poorly defined built form of the adjacent retail park with the main feature of this space being the car parking rather than the food store itself. Nevertheless, the proposed coffee pod building, although a smaller building, would be sited in close proximity to the eastern boundary of the site where it would have a clear visual presence to the retail park and in views along the access road. The design of this building is such that there would be largely glazed to three elevations (east, south and west elevations) to ensure that it would positively address the vehicular access and car park within the site but also the existing public realm of the adjacent retail park. Whilst the proposed layout could have been designed in a manner that the proposed food store would have a more positive presence, it is nevertheless clearly evident that the proposed development would introduce a built form that would considerably enhance the appearance of the site and would positively improve its contribution to, and presence in, the public realm of the adjacent retail park compared to the existing situation.
99. The design of the proposed food store would be reflective of the branding of the applicant (Aldi) and would be of a contemporary, yet functional, design. In this regard, it would have a large mono-pitched roof form, full height glazing to the principal (eastern) elevation and finished in anthracite grey/silver metal cladding that would provide a modern appearance. The full height glazing to the shop front on the eastern elevation of the proposed building that would face towards the vehicular entrance to the site would provide an active frontage on arrival into the site and would turn the corner of the building to define the main entrance to the building.
100. The proposed coffee pod building would be of a similar contemporary design and would continue the architectural language of the food store building with the use of full height shopfront glazing, a mono-pitched roof form and metal clad finishing. The proposed materials and colour finishes (grey metal cladding and red ceramic tile cladding) would also relate to the corporate branding of the proposed end user (Costa Coffee). The proposed buildings would therefore tie in with the materials of the adjacent retail units, particularly the John Lewis store.
101. Despite the scale of the proposed buildings, given that they would be set well back into the site from the northern boundary, they would not appear unduly

prominent from views along Runton Road and other surroundings residential streets to the north and would actually appear far less dominant than the existing industrial buildings that are located adjacent to this boundary of the site. The site is also located in a prominent position towards the top of the ridgeline. However, whilst the proposal would result in a change to the appearance of the site, it would nevertheless sit comfortably towards the top of the ridge and would be viewed against and alongside the other buildings along the ridgeline and would not dominate the skyline in the wider and more distant views.

102. The site is set above the road level of Alder Road and is set back behind a high bank with trees and shrubs along it, whilst the existing buildings are set back into the site from the western boundary, such that they are not readily visible in the street scene. The proposed retail food store, however, would be located in much closer proximity to the western boundary of the site and therefore would be more easily discernible and prominent in the street scene than the existing buildings, particularly when viewed from the south along Alder Road. The proposed building would also present the blank facades of the rear and side elevations, as well as the HGV unloading bay/servicing area and fenced enclosure to the plant and bin stores, to Alder Road and therefore would not represent a visual improvement to the quality of the street scene. The visual presence of the building and in particular the lower elements of the plant/bin enclosures and HGV unloading bay/servicing area, however, would be alleviated to some extent by the additional landscape planting that is proposed along the existing ramped vehicular access whilst some additional tree planting could also be secured to this boundary to further screen the proposed development. In addition, given the visual context of this part of Alder Road that includes the external garden retail sales area and delivery/service yard to Homebase, it is not considered that the proposal would cause material harm to the character and appearance of the street scene.
103. The current proposal would incorporate cycle shelters to the east elevation of the food store and north of the coffee pod which would be well integrated within the overall design and layout of the site.
104. In conclusion, the proposal would contribute positively to the streetscene and character of the area.

Amenity

105. The proposed site layout has been designed to respond to the site context and its relationship to the adjacent commercial premises and residential properties, in relation to neighbouring properties and particularly those to the north of the site in Alder Road and Runton Road, as with the previous scheme, the proposed retail food store would be located in the south western quadrant of the site where the northern elevation of the building would be sited between 28-30 metres from the northern boundary of the site with the

adjacent residential properties. These neighbours are set at a considerably lower ground level than the application site. Whilst the proposed retail food store building would have an overall height of approximately 8 metres, having regard to the separation distance from the boundary and the changes in levels to the residential properties to the north, it would not result in an overbearing or oppressive development. Similarly, although the proposed coffee pod building would be located in closer proximity to the northern boundary, given that it would still be separated from it by at least 19 metres and would also be of a considerably lower overall height than the retail food store building (4.8 metres), it would also not appear overbearing in relation to the adjacent residential properties.

106. In addition, the proposed development is not considered to give rise to shading or loss of sunlight/daylight to the adjacent residential properties and premises. Also given that the uses would be contained to the ground floor level only within both of the proposed buildings, the proposal would not give rise to any potential overlooking of the adjacent residential properties. Similarly, the activity and movement of people within the proposed car parking area would not result in any overlooking given that the parking area would be separated with the northern boundary to the adjacent residential properties by a 2 metre high fence and a landscaped buffer area.
107. The proposed development would be sufficiently distanced and partially screened by the intervening tree and landscape planting from the residential properties on the opposite (western) side of Alder Road such that it would not appear overbearing or give rise to a loss of outlook, loss of light, overshadowing or a loss of privacy due to overlooking that would be materially harmful to the amenities and privacy of their occupants.
108. The application has also been supported by a Noise Assessment Report that considers the potential impacts of the proposed scheme during the operational phase of development. This report identifies that the main impacts in terms of noise associated with the operation of the development are likely to be from fixed mechanical services plant, from servicing/delivery activity and from trading activity (customer car parking activity). In relation to plant equipment, the report states that the precise details of the fixed plant and equipment are not known but is likely to comprise of a mixture of refrigeration and ventilation equipment. As with the previous application, due to the location of the fixed plant equipment to the western side of the proposed retail food store and to the northern side of the proposed coffee pod, the report states that it is appropriate to set noise limits for the plant equipment that match the current typical background sound climate (45dB for daytime and 35dB at night). This can be secured by condition.
109. In terms of noise arising from servicing/delivery activity associated with the proposed uses, the submitted noise report identifies that service vehicles will enter the site from Redlands and manoeuvre through the car park to the loading bays to the western side of the proposed food store and to the northern side of the proposed coffee pod. Having regard to the noise levels of the different components of service activity measures at other similar stores/units, the submitted noise assessment report concludes that deliveries

could be made between the hours of 6:00am – 11:00pm without the associated noise giving rise to significant adverse impact to the nearby residential properties in Alder Road and Runton Road. However, the report also states that a service yard noise management plan should be adopted to ensure that noise associated with delivery/service activity should be kept to a minimum through good practice and management procedures. This could be secured by condition as could a restriction on the hours of opening of the proposed retail food store and coffee shop and deliveries to them.

110. With regards to noise associated with the trading activity of the proposed uses of the buildings, which is primarily that associated with the use of the car park, the submitted noise report (dated Jul 2020) states that peak noise levels in car parks are attributed to car doors being slammed. The report identifies that the proposed hours of opening for the retail food store would be between 8:00am – 10:00pm but for the coffee shop they would be 5:00am – 11:00pm. Given that the car park would be shared by the customers of the two uses, the impact of noise associated with the use of the car park must therefore be considered in the context of the longer trading period and also in relation to the noise levels that are considered acceptable during the more sensitive night time period (defined as 11:00pm – 7:00am). Having regard to the distance of the proposed parking spaces in relation to the neighbouring properties, the submitted report identifies that the resultant peak noise levels, if unmitigated, would exceed the World Health Organisation (WHO) peak noise guideline at which the onset of sleep disturbance may occur. However, it is stated that the predicted noise levels associated with customer car parking activity, with the provision of a 2 metre high acoustic grade boundary fence (which is indicated on the submitted site layout plan), would reduce the noise levels to comply with the WHO daytime and night guideline values. The provision of the acoustic fence could reasonably be secured by condition and as such the proposed coffee shop could trade between the proposed hours of 5:00am – 11:00pm without the associated noise from customers using the car park giving rise to significant adverse impact.
111. The proposed development could also have an adverse impact on the amenities of the nearby residential properties as a result of unnecessary light pollution, particularly from the proposed car parking area. Whilst no details of the proposed lighting of the site have been submitted in support of the application, the design and access statement indicates that any external lighting would be switched off outside of the store operating hours. However, it would be reasonable to impose a condition securing the submission for approval of a scheme of lighting and timing for its operation.
112. On the basis of the above considerations, the Council's Environmental Health Officer supports the proposed development subject to the imposition of appropriate conditions. As such, the proposals therefore accord with the provisions of Policy PP27 of the Poole Local Plan in so far as it relates to the amenities of both existing local residents/operators and future occupiers of the proposed development.

Highway and Parking Issues

113. With regards to the transportation issues, as with the previous application, the current proposal includes the formation of a new vehicular access off the internal access road within the Redlands Retail Park that would provide access into the proposed car parking area that would provide a total of 112 parking spaces; 6 disabled spaces; and 20 cycle spaces. The cycle spaces would now be accommodated within covered cycle shelters. The proposal also includes the closure of the existing vehicular access onto Alder Road to vehicular traffic but a cycle/pedestrian link would be retained along this existing ramped access. Pedestrian crossing facilities are also proposed to both Alder Road and to the internal access road within the Redlands Retail Park that will link the pedestrian pathway into and out of the site with the wider retail park. The potential transportation impacts of the proposed development are set out below:

(a) Traffic Impact to the Highway Network

114. The application is supported by a comprehensive Transport Assessment (TA) (by Entran dated July 2020), whilst the Council's Transportation Services have also carried out analysis of the impact of the proposal on the wider transport network.

115. It is agreed that some of the vehicle trips to the store would already be on the highway network as there will be some pass by trips and diverted trips from other retail stores in the area. The proposal will not therefore produce solely new trips on the highway network.

116. The development will result in increased traffic on the Pottery Junction roundabout at the entrance to the retail park. This roundabout is congested at peak traffic times and the applicants TA confirms this and that even without the retail store, with predicted traffic growth, the roundabout will be overcapacity. The Council's traffic survey figures for the roundabout indicate that almost 32,000 vehicles pass through this roundabout junction on a daily basis.

117. Surveys were carried out of existing flows by the applicant (pre-covid) and then traffic growth figures were used to factor up the existing flows and retail store flows to the future year of 2024. This gave the following percentage increase in traffic on the main road roundabout when assessed against peak traffic flow times:-

Taking into account an allowance for pass-by traffic trips that would already be on the highway network (e.g. people diverting to this store, people already on the retail park):-

- Year 2024 - Weekday 1715hrs to 1815hrs percentage traffic increase on the roundabout with an allowance for trips already on the network = **1.7%**

- Year 2024 – Saturday 1145hrs to 1245 hrs percentage traffic increase on the roundabout with an allowance for trips already on the network = **2.6%**

For robustness the likely traffic flow percentage increase on the roundabout if all the trips to the store were new trips on this roundabout have also been calculated:-

- Year 2024 - Weekday 1715hrs to 1815hrs percentage traffic increase on the roundabout all new trips to the retail store = 4.1%
- Year 2024 – Saturday 1145hrs to 1245 hrs percentage traffic increase on the roundabout all new trips to the retail store = 6.5%

118. The proposal could generate an increase of 4.1% in daily vehicle trips at the weekday peak time and 6.5 % during the weekend peak time. However, the scenario that all trips to the store are new would be highly unlikely, and therefore taking into account pass by and diverted trips from vehicles already on the network, there is an increase of only 1.7% at the weekday peak time and 2.6% during the weekend peak time.
119. If an allowance was made for the existing use of the site (general industrial) there would then be less of a percentage increase in traffic on the highway network. The existing (previous) industrial use would have generated around 149 daily vehicle trips. The closing of the existing poorly aligned vehicle access to Alder Road represents a significant highway safety gain.
120. The principal cause of congestion at this roundabout is congestion on the A35 (Poole Road) to the east of the roundabout. There are no infrastructure schemes currently proposed to address these issues along Poole Road as any new scheme (such as road widening) would necessitate the purchase of third party land and buildings. The Council's long term aim to reduce traffic flows across the conurbation is to encourage modal shift to more sustainable modes of transport (e.g. public transport, bicycle), particularly during peak commuter periods. There is therefore no infrastructure solution within the applicant's control that could come forward as part of this proposal to alleviate traffic congestion on the A35 at the roundabout. The proposal would secure a new crossing facility on Alder Road which would assist with encouraging local trips to the store to be made by foot or bicycle.
121. The Council's analysis of the TRICS database, which is the nationally recognised database containing surveys of various uses, shows that for retail stores of this nature daily vehicle trips are spread out over longer periods of the day rather than just over the peak commuter traffic periods. Customers have a choice to change their store visit times to less busy periods whereas commuter journeys are at relatively fixed times. The proposal will result in additional vehicles queuing on the retail park access road as drivers exit the store and retail park. However, this does not impact on congestion on the A35. The long access road exit from the retail parking and retail store car park

are capable of accommodating significant queues. This additional vehicle queueing will be more of an inconvenience to customers to the store and visitors to other stores as they exit the retail park but this inconvenience would not constitute a highway reason to refusal the proposal.

122. The National Planning Policy Framework refers to mitigating the traffic impacts of development but it also refers that any mitigation must be cost effective. Solutions to providing significant enhancements to traffic flows through the A35 or out of the retail park are not within the applicants control and any solutions would be at significant costs, disproportionate to the traffic impact of the proposal which is at a low percentage impact. Provision of improved pedestrian links to the site, via a new crossing on Alder Road, would however be achievable, at reasonable proportionate cost and provide direct safety mitigation for pedestrians visiting the proposed commercial uses. The proposed new crossing would also provide benefits to the wider public. Considering the existing levels of traffic and congestion in the area, the relatively small percentage traffic increase on the highway network and that the customer traffic to this store will generally be spread out over a long period of the day outside of peak commuter traffic times, it would be difficult to argue that the proposal would have a severe impact upon the existing congested network.

(b) Pedestrian links

123. As referred to above encouraging sustainable transport modes is an aim of the Council to reduce traffic flows. There is scope for this store to reduce vehicle trips from those living in the locality of the site as it will provide an increased range of goods within walking distances of nearby residential areas. To the west of the site is a large residential area and a key walking route to the site from this area will be along Douglas Road emerging at Alder Road. In order to encourage use by local residents of this walking route a new pedestrian crossing is proposed on Alder Road, to be funded/constructed by the developer. These works could be secured via condition and through a S278 Agreement and S106 Agreement. A new path is proposed from Alder Road through to the store car park to enhance pedestrian links. The Transport Assessment confirms that the food store will typically receive two HGV deliveries per day on average and these are generally received prior to or as early as possible to the store opening in the morning. A banksman will be used during store deliveries. Therefore, there are likely to be minimal conflict times between store deliveries and pedestrian users of the new access path. The proposal also includes a new crossing point across the retail park access road to the front of store which will assist pedestrian movement from the eastern side of the retail park. The provision of the through pedestrian access, along with acceptable lighting can, be agreed and maintained through condition.

(c) Parking

124. A total of 112 parking spaces are proposed. There are 9 parent/child and 6 disabled parking spaces. Under the Council's recently adopted Parking Standard SPD (5th January 2021) the proposal is within Zone B of that SPD and therefore zero car parking could be provided and the proposal would comply with that guidance however it is accepted that for commercial reasons the applicant wishes to provide parking. This flexibility of parking provision is accepted in Zone B of the SPD guidance. There are 2 active Electric Vehicle Charging (EVC) parking spaces and the plans show infrastructure to be installed to allow the conversion of a further 20 spaces to be EVC spaces in the future. As EVC demand increases it would be in the applicant's own interest to bring these further bays into use to cater for customer demand. This would give a total of 22 EVC parking spaces. Cycle shelters are provided on the site to provide covered shelter parking for 20 cycles. The submission also details that staff will be able to park their cycles within the storage areas of the food store. The Travel Plan makes a further commitment to increase cycle parking should the demand arise. This provision meets with SPD guidance. The Travel Plan could be agreed and brought into operation through a condition.
125. In summary, at the likely low percentage traffic increase, it would be difficult to argue that the proposal would have a severe impact upon the existing congested network. A travel plan can be secured via planning condition which can encourage sustainable modes of transport, in particular amongst staff.
126. A new road crossing facility on Alder Road would also be secured and would encourage local walking/cycling trips to the store. This will also benefit the wider public. The closing of the existing poorly aligned vehicle access also represents a highway safety gain. These are important elements to balance in the highway merits of the proposal.

Impact on Protected Trees and Landscaping

127. The site is subject to a Tree Preservation Order (TPO No. 232/1988 – Area Order) and there are a number of mature trees within the site and on adjoining land, particularly those on the embankment of the site adjacent to its western boundary, to the western end of the northern boundary and adjacent to the eastern boundary on the landscape strip adjacent to the internal access road of the Redlands Retail Park. These trees make an important contribution to local visual amenity and the character and appearance of the site and the surrounding area.
128. The applicant has submitted an arboricultural report and tree protection plan (by Bosky Trees dated 2017) in support of the proposed scheme. It is the same report as considered under the previous scheme and report identifies that 4 trees would need to be removed to facilitate the proposed development or for good arboricultural management (T14 and T21-T23), together with a short section of hedgerow that would need to be removed to create the new vehicular access to the site off the internal access road within the Redlands

Retail Park. However, these trees are all of limited size and/or quality that they do not form important features and are of relatively low amenity value. As such, their removal would not have a significant impact on the character and appearance of the local area. As such, there is no objection to their removal, particularly given that the submitted landscape scheme indicates the provision of ten new trees to be planted to complement the scheme proposals and site layout that would compensate for their loss, as well as providing future tree cover and amenity value to the wider surrounding area. The planting of these replacement trees could be secured by condition if the proposals were acceptable in all other respects.

129. The submitted arboricultural report identifies general areas of tree protection and mitigation that would need to be implemented to ensure that the trees that are to be retained would not be adversely affected during the construction works. However, it is evident that the existing buildings and areas of hard standing are located in close proximity to, and in some cases within the canopy spread and/or theoretical root protection areas (RPA's), of the trees that are to be retained and that are of important amenity value to the surrounding area. As such, there is the potential for the demolition of the existing buildings and the removal of their slabs/sub-surface structures and areas of hard surfacing to cause damage to the canopy structures and root systems of those trees to be retained if not undertaken in an appropriate and careful manner, but no details of the proposed methodology for demolition and/or removal of hard surfacing have been provided. In addition, it is also evident that the proposal includes the construction of elements of the proposed development that would encroach within the theoretical RPA's of trees that are to be retained, including the proposed coffee pod, car parking areas and retaining structures, which could cause damage if roots are present in those areas.
130. Given that there are existing buildings with foundations/concrete slabs and areas of hard surfacing within the theoretical RPA's of the trees to be retained, it is likely that the tree root systems would be limited in these areas and therefore any potential impact is unlikely to be significantly harmful. In addition, it has also been advised that, in principle, the demolition of the existing buildings and removal of their foundations/concrete slabs and areas of hard surfacing could be undertaken in accordance with an appropriate methodology without causing unacceptable harm. It is therefore accepted that the proposed development could be achieved without detriment to the important trees that are to be retained. Nevertheless, it would be necessary to impose a condition requiring an Arboricultural Method Statement to be submitted for approval.

Impact on Protected Species

131. The application has been supported by an Ecological Assessment (by Tyler Grange dated July 2020) which identifies that the site is generally of negligible ecological importance. In this regard, the previous buildings on the site have since been demolished and areas of hard standing and grassland are of little

or no inherent ecological value and therefore their loss as a result of the proposed development would be of negligible significance.

132. Mitigation and net gain in biodiversity is intended to be achieved as follows:-

- Bats - No evidence of use of bats or PRFs were identified within the trees onsite and given the site's location, in an urban area of Poole, and with the existing adjacent street lighting, it is not likely that any new lighting would have a detrimental effect for bats.
- Birds – The trees and a short section of the hedge to be lost may support occasional nesting birds and as such work would need to be scheduled outside of breeding bird season (March-August inclusive) or the vegetation checked by a suitably qualified ecologist prior to clearance. A condition could be secured in this respect. Two nest boxes would be provided on suitable retained trees or the Aldi store, at a height of at least 5-6m from the ground (as per manufacturers specification), facing north and east will be provided. This will provide a further enhancement for starling which are a red listed BoCC.
- Stag beetles were previously identified on site, and there was concern that demolition of the buildings and tree felling could result in stag beetle larvae being killed or injured. As the buildings have now been demolished, there is only risk with the removal of the trees. As migration, a log pile could need to be created from limbs of broadleaved tree species with a minimum circumference of 30cm. Ideally a range of species and circumferences will be used, which will be partially buried to a depth of approximately 50cm³. The log pile would be created from the broad-leaved trees scheduled for removal within the site.
- Soft landscaping – proposals have been designed to maximise areas of native planting, particularly on margins of the site. This will provide enhanced opportunities for pollinating insects as well as benefiting a range of fauna such as bird species, that will benefit from increased foraging opportunities from fruiting plants, and an increase of insect prey, as well as new nesting habitat.

Contamination Issues

133. A site investigation report for the potential presence of contaminants within the site and surrounding vicinity has been submitted in support of the proposed development, albeit that this report and its findings/recommendations relate to the development of the site for a care home and extra care apartments previously approved by planning permission APP/16/00771/F.
134. This report concludes that some elevated concentrations of lead were found in soils at the site but the most elevated concentrations of lead were in locations under the proposed and so would be encapsulated by hard standing. However, it was concluded that a dressing of 300mm would be required to provide an adequate growth medium for future planting in soft landscaped areas that effectively create a capping layer. The report therefore concluded

that when the intended use of the site as a residential care home with areas of open soft landscaping were taken into consideration, the level of lead concentration was considered to be acceptable and therefore no further actions were considered necessary to mitigate human health risk.

135. With regards to the current proposal, the Council's Contaminated Land Officer has advised that the proposed end use of the site as a retail food store and coffee pod would be less sensitive as a receptor than the previously approved use of the site for a care home and extra care apartments. In addition, it is also advised that the location of the most elevated lead samples would be in locations that would still be covered by hard landscaping for the proposed development, thereby breaking the potential pathway between future site users and any potential residual contamination. As such, it is advised that no particular remediation is necessary. Nevertheless, had the scheme been acceptable in all other respects, it would be appropriate to impose a condition requiring the submission of an investigation and risk assessment of any potential contamination on the site and a detailed remediation scheme (if necessary) in the event that contamination that was not previously identified is found at any time during the development works.

Air Quality Issues

136. As per PP35(3) an air quality assessment (by Entran dated August 2020) has been submitted to accompany the application. The assessment states that with good site practice and implementation of suitable mitigation measures, the impact of dust and particulate matters releases would be effectively mitigated, and resultant impacts considered negligible. Furthermore, the impacts of the operation of the site for the proposed use would also be negligible.

Flood Risk and Sustainable Urban Drainage

137. There is a minor surface water risk on the site (this is the result for a 1 in 1000 year event) although much of it is likely generated within the site due to much of it being impermeable hardstanding. The topography is such that any run-off from the site will likely flow down into the Bourne Stream Valley where there are already significant flooding issues and therefore suitable onsite drainage is important. The sewer plans indicate that the surface water sewers in this area are surprisingly small so it is likely that much of the surface water must already drains to soakaways with ground conditions suggesting SuDs is possible. A drainage strategy has been submitted with the application. The Flooding & Coastal Erosion Risk Management Team consider the drainage plan acceptable and advise that it is clear and well laid out with a temporary situation currently in place between demolition and reconstruction.

Sustainability Issues

138. Policy PP37 of the Poole Local Plan seeks to ensure that all new development is built sustainably. In considering proposals for commercial development, as proposed in this instance, it is expected that development for larger schemes (in excess of 1,000sq. m net floor space) should incorporate measures to deliver a minimum of 20% of the predicted future energy use of the development from renewable energy sources and would meet a BREEAM 'Excellent' rating. Being a 'new build' development, it is considered that it would be readily possible to achieve a high level of energy efficiency and a sustainable development in accordance with these policy requirements.
139. The application has been supported by a Renewable and Low Carbon Energy Statement (by Sol Environment dated July 2020) which sets out that the predicted energy demand of the proposed development and how this is proposed to be reduced with the use of renewable energy sources.
140. *"The conclusion of the energy strategy is that, based on indicative planning stage calculations, the development achieves a significant reduction (23%) in CO2 emission compared to 2013 Building Regulation compliant development, as well as 39% of the developments predicted energy demand being offset through the incorporation of the principles of the Energy Hierarchy and the combination of passive measures, including building fabric design improvements and the utilisation of zero and low carbon technologies...The extent of onsite renewable or low carbon technologies, include a refrigeration heat recovery scheme and a 50kWp roof mounted solar photovoltaic array on the Aldi Foodstore, produces sufficient energy to ensure the reduction in CO2 emissions significantly exceeds the mandated requirements stipulated by Local and Regional Planning Policy."*
141. With regards to the requirement for the development to achieve a BREEAM 'Excellent' rating, the applicant has submitted a BREEAM Pre-Assessment Report (by Sol Environment dated Jul 2020) in respect of both the food store and coffee pod buildings. The report states that *"since the previous Pre-Assessment report (dated 27th March 2018), more information has become available and so Sol have completed a comprehensive review of the last Pre Assessment and some minor changes have occurred to the credits targeted with a positive effect on the overall score. Changes are as follows: Hea 02 – Ventilation cannot be achieved due to the proximity of the car parking space to the ventilation system intakes (- 1 credit); Ene 04 – Free cooling technologies were not deemed suitable for the development (- 1 credit) and Wst 02 – Recycled aggregate (- 1 credit), Pol 03 – Minimising watercourse pollution (- 1 credit) and Mat 03 – Responsible sourcing of materials (- 1 credit) could not be practically achieved. In compensation, Mat 06 – Material efficiency (+1 credit) and Wst 05 – Adaption to climate change (+1 credit) have also been targeted and it is now evident Pol 01 – Impact of Refrigerants (+3 credits), LE 03 – Minimising impact on existing site ecology (1 credit) and LE 04 – Enhancing site ecology (1 credit) now included in the assessment. The target score has increased from 73.31% to 75.14%."*

142. The report indicates that the findings of the pre-assessment, that have been undertaken in the early stages of the design process, predict that the proposed development is likely to achieve a BREEAM 'Excellent' rating. The delivery of a BREEAM 'Excellent' development could be secured by condition had the scheme been acceptable in all respects.

CIL Compliance

143. The Community Infrastructure Levy (CIL) Charging Schedule adopted by the Council in February 2019. In accordance with CIL Regulation 28 (1) this confirms that new retail floor space outside of Poole town centre, district centres, local centres and neighbourhood parades is CIL liable development in line with the Local Plan approach of directing retail development to the most sustainable locations. Such development is therefore required to pay CIL in accordance with the rates set out in the Council's Charging Schedule.

Planning Balance / Conclusion

144. The proposed development would deliver economic benefits through the creation of jobs during both the construction and operational phases of the development that would boost the local economy; environmental benefits through the re-use of a currently vacant site and the delivery of a development that would positively enhance its appearance and contribution to the wider surrounding area in a sustainable location close to other services/facilities and public transport; and social benefits through the provision of an improved retail offer and choice that is in an accessible and sustainable location reducing the need for residents to travel further afield and allowing for linked trips.
145. The proposed development, however, would result in the loss of the site allocation for the provision of a care home and specialist accommodation housing for which there is a clearly identified need and that is of strategic importance in meeting the objectives of the Poole Local Plan in favour of a form and use of development for which there is no objectively assessed need and that is not of strategic importance. In the absence of adequate material considerations to justify why a departure from the development plan should be permitted, the proposal is contrary to the provisions of Policy PP9 and PP12 of the Poole Local Plan.
146. In any case, if the Council were willing to accept that the site was no longer attractive and viable for a care home and specialist accommodation, (as it is allocated for under PP9) or if the Council were willing to accept that there is no longer a need for care homes and specialist accommodation, being as the site is regarded as an isolated employment site, then the continued use of the site for employment should be considered. It has not been demonstrated that the site is no longer suitable for continued employment, and nor have the alternative uses been considered in priority order in accordance with PP16 (2).

147. In addition, the independent retail advice that has been provided to the Local Planning Authority identifies that the proposed development is likely to have a 'significant adverse' impact on the health of, and existing investment within, the Wallisdown local centre due to the level of trade diversion from the existing Aldi store. This would undermine Poole's retail strategy and would also be contrary to the provisions of the NPPF (paragraphs 90) and Policy PP22 (4) of the Poole Local Plan.
148. As such, the proposed benefits of the scheme identified above would not be sufficient to outweigh the conflict of the proposed development with the policies and strategic objectives of the NPPF and the Poole Local Plan.

Recommendation

It is recommended that the application be **refused** for the following reasons:-

- 1) The proposed development would result in the loss of the site allocation for the provision of a care home and specialist accommodation housing that would contribute towards the delivery of suitable housing to meet the needs of an ageing population and for which there is a clearly identified need and that is of strategic importance in meeting the objectives of the Poole Local Plan in favour of a form and use of development for which there is no objectively assessed need and that is not of strategic importance. The submitted evidence/information fails to sufficiently justify why the strategic site allocation would not be suitable, deliverable and needed over the Plan period to meet the housing needs of the ageing population and therefore why a departure from the development plan should be permitted, the proposal would be contrary to the provisions of Policies PP9 (U5) and PP12 of the Poole Local Plan. Furthermore, even if it was considered there was justification to depart from Policy PP9 and PP12, as an existing isolated employment site it has not been demonstrated that the proposal would satisfy the requirements of PP16 (2).
- 2) The proposed development would result in a significant level of trade diversion from the existing Aldi store that is located within the defined Wallisdown local centre due to the overlapping catchment of the existing and proposed stores that could lead to the closure of the existing store. On the basis of the independent retail advice provided to the Local Planning Authority, and in the absence of sufficient information to the contrary, the applicant has failed to demonstrate that the proposed development would not have a significant adverse impact on the health of, and existing investment within, the Wallisdown local centre. The proposal would undermine Poole's retailing strategy and would be contrary to the provisions of the NPPF (paragraph 90 and 91) and Policy PP22 (4) of the Poole Local Plan.

Background Documents:

BCP Dorset and BCP Local Housing Needs Assessment (Nov 2021)

BCP Care Homes for Older People Strategy (Sept 2021)
BCP Extra-Care Housing Commissioning Strategy 2022-2030 (June 2021)
Inspectors Report on the Examination of the Poole Local Plan (Oct 20

Planning Application ref: APP/16/00771/F
Planning Application ref: APP/18/00551/F

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

Case Officer Report Completed
Officer: Laura Archer
Date: 29/07/2022

Agreed by:
Date:
Comment: