

43/20/0086

LIDL GREAT BRITAIN LTD

Erection of a Class A1 foodstore with associated parking, landscaping and access works on land north west of the Nynehead Road/Taunton Road/Torres Vedras Drive Roundabout, Wellington

Location: NYNEHEAD ROAD/TAUNTON ROAD/TORRES VEDRAS DRIVE
ROUNDABOUT, WELLINGTON

Grid Reference: 314593.121413 Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to a s106 obligation to secure a Travel Plan and a Traffic Regulation Order and the application being advertised as a departure to the Local Plan and no new issues being raised that have not previously been addressed.

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

AD 101 Location Plan Rev D AD
110 Proposed Site Plan Rev H
AD111 Proposed Building Plan Rev A AD112
Proposed Roof Plan Rev A
AD113 Proposed Elevations Rev B
AD114 Proposed Boundary treatments Rev F
AD 115 Proposed Site Finishes Rev C AD116
Proposed Landscaping Rev J
AD118 Proposed Site Topographical Overlay Plan Rev C

AD 119 Proposed Site Sections Rev C
AD120 Proposed Street Scene Rev D
Lighting Design Plan (rev 2)
Lighting Design Report (Relux 5th August 2020)
- Lighting Details and Specification (December 2020)
- Calculations and drawing showing light overspill submitted by email 10th
January 2021
Solar PV Roof Plan re SQ4S-PV-LIDL-W-R-B Rev B
Tree Protection Plan ref EV-3587-C-TPP-04-20 Rev A
Tree Constraints Plan ref EV-3587-TCP-04-20

Reason: For the avoidance of doubt and in the interests of proper planning.

3. At the new vehicular access leading on to Nynehead Road as shown on Drawing No. AD110 Proposed Site Plan Rev H, there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 104 metres to the north and 50 metres to the south. Such visibility shall be fully provided prior to commencement of development and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

4. At the proposed foodstore access (leading on to the estate road) as shown on Drawing No. AD110 Proposed Site Plan Rev H, there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres in either direction. Such visibility shall be fully provided prior to the development hereby permitted being first brought into use and shall thereafter be maintained at all times.

Reason: In the interest of highway safety.

5. The details of the proposed vehicular access shall be agreed in writing with the Local Planning Authority prior to commencement of development, and constructed in accordance with details shown on the submitted plan, and shall be available for use before first occupation. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety.

6. Before the new development is first brought into use, the new pedestrian and cycle arrangements to include cycling and walking accesses through the boundary of the site where deemed necessary shall be laid out, constructed and drained in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be accessed by sustainable modes of transport.

7. Prior to first use of the development hereby permitted, covered spaces for not less than 10 staff and visitors' bicycles shall be laid out, constructed and drained in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is accessible by sustainable modes of transport.

8. The parking and turning area shown on the submitted site plan, Drawing No. AD110 Proposed Site Plan Rev H, shall be marked out in accordance with a scheme to be agreed by the Local planning authority prior to the car park being brought into use. The parking, turning and access areas thereto shall thereafter be kept clear of obstruction at all times and not used other than for the parking and turning of vehicles in connection with the development hereby permitted or for the purpose of access.

Reason: In the interest of highway safety.

9. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The Construction Environmental Management Plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- All construction deliveries being made off highway;
- Expected number of construction vehicles per day;
- All contractor vehicle parking being accommodated off highway including a plan showing the onsite parking arrangements;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- On-site vehicle wheel washing facilities and the regular use of a road sweeper for local highway;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety and to protect the amenities of the surrounding area.

10. A condition survey of the existing public highway shall be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interest of highway safety.

11. The new development shall not be commenced until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be brought into use prior to implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to that use being commenced. Those parts of the approved Travel Plan that are identified therein as capable of implementation after the development is first brought into use shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: A pre-commencement condition is required to provide sustainable transport measures to ensure the impact of the development on the free and safe flow of traffic on the highway is kept to a minimum.

12. Prior to construction of any part of the development above damp proof course level, a "lighting design for bats shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of lighting contour plans and technical specifications so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places.

All external lighting shall be installed in accordance with the specifications and Locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with policy CP8 of the Taunton Deane Core Strategy 2011-2028.

13. The vegetative clearance and groundworks shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
 - a) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
 - b) a statement in writing from a licensed great crested newt ecologist to the effect that he/she does not consider that the specified development will require a licence.

Reason: A pre-commencement condition is required in the interest of the strict protection of European protected species and in accordance with policy CP8 of the Taunton Deane Core Strategy 2011-2028

14. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, in any year unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist. In no circumstances should netting be used to exclude nesting birds.

Reason: In the interests of nesting wild birds and in accordance with policy CP8 of the Taunton Deane Core Strategy 2011-2028.

15. Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles and or hedgehogs that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between April to September in any year under the supervision of competent ecologist. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. Written confirmation of these operations and any findings will be submitted to the Local Planning Authority by the ecologist responsible.

Reason: In the interests of UK protected and priority species and in accordance with Policy CP8 of the Taunton Deane Core Strategy 2011- 2028.

16. The following will be integrated into or mounted upon the buildings or otherwise provided:
 - a) A Beaumaris Woodstone maxi bat box or similar will be mounted at least 4 metres above ground level and maintained thereafter.

- b) Two Vivara Pro Woodstone Nest Boxes (32mm hole version) or similar mounted between 1.5m and 3m high
- c) Three Vivara Pro Barcelona Woodstone Bird Boxes (open front design) or similar mounted between 1.5m and 3m high
- d) A strip of wildflower grassland will surround all aspects of the development. This habitat will be created adjacent to existing hedgerow/bank habitats to create a varied ecotone. This will buffer the existing hedgerow/bank corridors and form a more robust corridor for commuting species. New native grassland seeding will be undertaken without incorporating topsoil into the site. Additional formal areas of grassland will be seeded with a seed mix such as Emorsgate EL1 Flowering Lawn.
- e) Shrubs will be planted up with native species selected from the following species: hazel, blackthorn, hawthorn, field maple, elder, elm, dog rose, bird cherry and spindle.

Photographs of the installed features shall be submitted to the Local Planning Authority prior to occupation of the buildings.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

17. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP shall be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy CP8 of the Taunton Deane Core Strategy 2011-2028.

18. No development shall be commenced until details of the surface water drainage scheme to prevent discharge onto the public highway and based on sustainable drainage principles, shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the development is first brought into use and thereafter maintained at all times.

This scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims, as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Justification for the use of the pumped system, summary of key design principles, demonstrating that flood risk will not increase elsewhere by using these systems, details of a failure event, details on maintenance and assessment of residual risk, with supporting calculations
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.

- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: A pre-commencement condition is required to ensure that the development is served by a satisfactory, sustainable system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.

19. There shall be no external storage of goods on the site unless agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenity of the area.

20. Prior to the construction of any part of the development above damp proof course level, details of external materials to be used in the construction of the foodstore building shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be constructed in accordance with the agreed details.

Reason: To protect the visual amenity of the area.

21. i) The landscaping/planting scheme shown on the submitted plan AD 116 Rev J shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the development, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

22. The use of the foodstore building hereby approved shall be limited to the following:

- Total net sales area of 1,350 sqm net and a gross floor area of 2,098 sqm GEA within the foodstore
- The net sales area within the foodstore devoted to the sale of convenience shall be 1,080 sqm net
- The net sales area within the foodstore devoted to comparison goods shall be 270 sqm net
- There shall be no dedicated butcher, fishmonger, pharmacy, photo, dry cleaning, optician or delicatessen counters within the store

Reason: To protect the vitality and viability of Wellington town centre in accordance with Policy CP3 of the Taunton Deane Core Strategy 2011-2028.

23. The foodstore building hereby approved shall not be subdivided without the prior written consent of the Local Planning Authority.

Reason: To protect the vitality and viability of Wellington town centre in accordance with Policy CP3 of the Taunton Deane Core Strategy 2011-2028.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification, no extensions or alterations shall be made without the further grant of planning permission.

Reason: To protect the vitality and viability of Wellington town centre in accordance with policy CP3 of the Taunton Deane Core Strategy 2011-2028.

25. The site and foodstore shall be used only for retail purposes within Class E(a) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To prevent changes to unacceptable uses to protect the vitality and viability of Wellington town centre in accordance with Policy CP3 of the Taunton Deane Core Strategy 2011-2028.

26. If within five years of implementing the approved landscaping scheme as shown on drawing No. AD 116 Rev J, it becomes unacceptable to have trees planted within the drainage 'easement' area to the south of the site, replacement trees of a similar size and species to those removed shall be planted in a position and within a timescale to have been previously agreed in writing with the Local Planning Authority. For the remainder of the 5 year maintenance period the replacement trees shall be protected and maintained in a healthy weed free condition and any trees that cease to grow, shall be

replaced by trees of similar size and species as agreed by the Local Planning Authority.

Reason: To protect the visual amenities of the area.

27. There shall be no retail trade from the premises except between the following times:

07:00 hours to 22:00 hours Mondays to Saturdays

10.00 hours to 18.00 hours Sundays, Bank and Public Holidays

Reason: In the interests of the amenities of the occupiers of neighbouring residential properties.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.
2. The applicant is advised to consult the additional comprehensive guidance available in the police approved 'SBD Commercial 2015' design guide available on the SBD website www.securedbydesign.com
3. Highway Authority advice:
 - This scheme includes the alteration to an existing speed limit which is required to be in place prior to the use of this development. This process includes the need for an amended Traffic Regulation Order which requires a full consultation to be undertaken. As this is a standalone legal process there is no guaranteed outcome. In the event of the TRO failing the developer may be required to revisit this scheme if it is thought the amendment of the speed limit is required to make the scheme acceptable in highway terms.
 - The application will be required to secure an appropriate legal agreement for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
4. The applicant is advised that a separate Advertisement Consent will be required for the display of signs on the site.

5. The applicant is advised to pursue the Great Crested Newts Licensing scheme. Please contact Natural England for further advice.

Proposal

The proposal is to construct a Lidl foodstore with associated parking, landscaping and access works. The foodstore will be sited to the western side of the site and will have a gross internal floor area of 2098 sqm with a sales area of 1350 sqm. A car park will be created to the front of the store and the site connected to existing pedestrian/ cycle routes to the south. A new vehicular access will be built off Nynehead Road via a new priority junction arrangement for use by customers, staff and delivery vehicles.

A number of sustainable measures are incorporated into the proposal.

Site Description

The 1.89 ha application site is relatively flat, agricultural land occupying a corner site bordered on two sides by public highways. To the south the B 3187 (Taunton Road) and to the east Nynehead Road. The north western boundary is bordered by a hedgerow and the northern/north east by agricultural land. Cadeside Caravan Park is to the east on the opposite side of Nynehead Road and Cades Farm residential area is to the southern side of Taunton Road. The residential development of Longforth Farm is approximately 450m to the west separated from the site by agricultural land.

Relevant Planning History

None

Consultation Responses

WELLINGTON TOWN COUNCIL - Initial comments:

This application should be refused on the following grounds:

- The site is greenfield and outside the Wellington settlement boundary.
- The site is a gateway to Wellington and should not be spoiled by a supermarket development constructed to attract traffic from the highway.
- The site is elevated above the highway and the development with its glass façade will be a visual eyesore for nearby housing, especially at night time.
- The proposed vehicular access off the Nynehead road would cause conflict with the access opposite to the long-established caravan park which brings visitors to the town.
- The footpath from the town, from a point just beyond St John's Parish Church and running alongside the main road to the Longforth Farm roundabout, is too narrow to safely accommodate the anticipated footfall which would be attracted by the development.
- The site is already allocated as employment land in the strategic plan for developing that area.
- The proposed use conflicts with SWT's recently announced Local Development Order for Small Scale Employment Space because this site has been allocated for employment purposes, not retail use, and as the site is outside the settlement boundary for Wellington it would clearly fit the aspirations of the LDO.
- The proposed use is not included in the aims of the LDO, which specifically permits three planning classification uses, which are light industry, offices, and research and development of products/processes.
- The proposed out of town development would cause severe harm to trade in the town centre, where the district council seeks to preserve retail integrity, by drawing customers away from existing retail premises.
- The general traffic impact on the Nynehead Road and the roundabout will be detrimental.
- There are concerns about the proposal causing light pollution issues. Particularly for those surrounding properties that face onto the Taunton Road.

Councillors further proposed that if it were the case that the application was given approval there should be a planning requirement for screening to protect nearby homes from the light pollution caused by the building.

Further comments following additional information and amended plans:

The application be refused on the following grounds:

The revisions to this application were discussed in detail and at length by the town council and correspondence received from Lidl by both the Town Council and Cllr Thorne were read out by The Clerk. Following lengthy discussion a proposal was made and seconded to express support for the application but this was not carried on the casting vote of the Mayor following a tied vote – 3 voted in favour, 3 against and 4 abstained. In that context it was agreed that a narrative in relation to the application should be submitted for the Planning Authority's consideration. The Council wish to be clear that it supports the opening of a Lidl store in the town, the

key issue is around the location and other considerations as detailed in the minutes of the October Planning Meeting. The vote reflected the position that for some councillors the additional information provided by Lidl was not sufficient to address the concerns raised by the Town Council in October whilst others considered that there was sufficient mitigation provided to support the application. The Town Council would welcome further discussions about possible alternative locations for a Lidl store in the town.

SCC - *ECOLOGY* - An Interim Ecological Appraisal of the application site was carried out in August 2020 by Devon Wildlife Consultants. The proposed development site is currently utilised as an arable field and comprises a recently ploughed field surrounded by hedge banks and fencing with limited species-poor semi improved grass.

The arable habitat which dominates the site is considered to be of low value to bats. However, the hedge banks/rows provide flightlines which bats utilise for commuting to and from roosts or foraging areas. The site is therefore considered to provide only a very small proportion of the potential foraging habitat available to bat species within the area. The submitted lighting plan does not demonstrate that areas used by commuting bats would not be kept dark. Therefore the following condition will be required to maintain the Favourable Conservation Status of local populations.

A lighting design for bats condition is recommended.

The hedge banks and southern hedgerow represent habitats with low potential to support dormice due to the limited structural and species diversity, although they may potentially be used for commuting through the landscape. However, the species has been recorded in poor quality hedgerow in Somerset and cannot be dismissed.

There is one pond located within the survey area and there are fourteen further ponds within a 500m radius of the site. The survey area is considered to have potential to be used by great crested newts as it supports a strip of grassland, scrub, hedgerows, and woodland and is linked to the ponds by suitable habitat. Great crested newts are present in seven of these ponds. It is proposed that the Natural England district licensing scheme be used for the proposed development. Conditions are recommended to ensure that Somerset West and Taunton Council fulfils its legal duty of 'strict protection' of European protected species under the provisions of the Habitats Regulations 2017 (and the Crime and Disorder Act 1998).

The hedgerows and dense scrub within the site are considered likely to support a range of nesting birds, likely to comprise commonly-encountered species. A condition is recommended to protect these.

The 2m buffer of species-poor semi-improved grass represents potential foraging and basking habitat for reptile species such as slow worm, and the hedge banks may provide shelter and dispersal corridors, with rabbit burrows and tree roots providing suitable hibernation sites. The application site also lies within the dispersal range of grass snakes according to SERC records. The dense scrub on site is considered to provide suitable foraging and refuge habitat for hedgehogs, a priority species listed on s41 of the Natural Environment and Rural Communities Act 2006 for which the Local Planning Authority has to have regard for the conservation of in carrying out its role. A condition is recommended regarding vegetation clearance.

The National Planning Policy Framework (170d) requires biodiversity enhancement to be provided within development. This should be conditioned.

In order that habitats along the western boundary, etc. are managed for the benefit of bats and other wildlife a condition should be imposed requiring approval of a Landscape and Ecological Management Plan (LEMP).

Additional comments following additional lighting information

Taking this and the amended lighting installation on the western elevation within the bat section from the technical note dated February 2021 into consideration I am satisfied any light spill would be minimal.

I have no additional comments and no objection.

LEAD LOCAL FLOOD AUTHORITY - A condition is recommended to approve a surface water drainage scheme, based on sustainable drainage principles. The scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit. The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield run off rates and volumes.

SCC - TRANSPORT DEVELOPMENT GROUP -

Traffic impact The applicant has derived trip rates for discount food stores from the TRICs database. In this regard it is considered appropriate to question the categorisation of Lidl foodstores as discount food stores given how Lidl stores have evolved in recent times and appear to be increasingly similar in terms of the range and types of goods sold by conventional supermarkets and the resulting shopping habits of customers. In this instance however, it is noted that the surveyed sites used for the purpose of this proposal were all Lidl stores and are therefore considered to be representative and appropriate in this instance.

It is noted that the applicant has used GIA figures as opposed to GFA which is generally preferred, however, the difference between the two figures in this particular case is negligible. Whilst there may be a slight difference in trips generated by the store, the figures will not be significantly different and therefore I do not consider it to be onerous in highway terms.

I also note the access road to be constructed off Nynehead Road will, in time, not only cater for this store but I understand there is to be a further extension of commercial units on adjoining land. In this regard, the junction onto Nynehead Road will have to be of suitable geometry to cater for all the traffic associated with not only the store, but also the additional commercial units and therefore any slight increase in traffic accessing the store will, again, not be onerous in highway terms.

Overall the submitted TA is considered to be acceptable in its consideration of resulting traffic impacts of the proposed development both on the proposed new junction as well as elsewhere on the local highway network. On this basis it would be unreasonable to for the Highway Authority to object for this reason.

Travel Plan

A Travel Plan (TP) was submitted in support of the application which has been audited by the Highway Authority's Travel Planning Team. A copy of their audit report can be made available to the application to assist in the development of a suitable TP.

The audit process identified a number of significant changes that would be required to develop a fully acceptable TP. Whilst some of these matters have now been addressed (although a revised TP has not been provided to reflect this), a number

remain including the level of car parking proposed, which exceeds the optimum levels set out within the Somerset Parking Strategy 2013 (SPS) by 14 spaces. Of particular note however is the absence of a commitment to the appropriate TP fee (2,000 plus VAT) and safeguarding sum of £54,375.

Whilst there are shortcomings with the TP that must be addressed, this is not a reason for the Highway Authority to recommend refusal to the LPA, however, a suitable TP must be secured by way of a Section 106 agreement should the LPA be minded to approve this application.

Access

The site access is to be provided from a new estate road which it is anticipated will facilitate access to future employment development on land adjoining the site. Both the site access and new estate road junctions will be in the form of priority junctions, with the latter connecting to Nynehead Road just to the north of the Taunton Road / Vedras Drive Roundabout. A Safety and Technical Audit has been undertaken on the access arrangements.

In relation to the new junction connecting to Nynehead Road it is proposed for the existing 40 mph speed limit to be extended north of its current location by a minimum of 105m.

It should be noted that in order to extend the 40 mph speed limit an amended Traffic Regulation Order (TRO) will be required and that this should be in place prior to the development commencing.

Based on speeds of 40 mph and factoring in 85%ile speeds, splays measuring 2.4m by 104m to the north and 2.4m by 50m to the south are to be provided for motorist emerging from this access.

The proposed new junction arrangements are to cater for both delivery vehicles as well as staff and customers. The vehicle tracking details provided demonstrate how delivery vehicles will be capable of entering and leaving the site on to the public highway safely and that there is sufficient space for a delivery vehicle to turn so that it can enter and leave site in forward gear.

Off-Site Works

A number of issues have been raised regarding off-site works / arrangements by Safety Audit, including:

- It is intended to construct a new footway linking to and from the proposed development access off Nynehead Road which will join an existing dedicated cycle track. The changeover point from footway to cycle way could present a hazard to pedestrians, as such it is recommended that the cycle track is widened and converted to a shared-use footway / cycleway route to link back up with the existing highway infrastructure of shared-use at the roundabout junction.
- A secondary access to the south of the development is to be provided which will connect into the existing shared route, however at this point just beyond the bus stop, cyclists are on-carriageway and there is only a footway. The existing infrastructure should be amended to allow cyclists to leave the carriageway just beyond the bus stop and a shared route allowing access into the new development. It is further recommended that this should be extended to tie in to the existing shared route further south east near the roundabout.
- To minimise the risk of collisions occurring between vehicles emerging from the site and vehicles passing along Nynehead Road and trip/slip hazards for pedestrians it is recommended the existing street lighting is reviewed to establish if any improvements are required;

- There is a risk of side-impact collisions occurring between vehicles emerging from the Lidl Store access and vehicles on the proposed estate road due to the absence of centreline road markings;

- A number of further details will be required as part of the approval process for works on or affecting the highway, including crossfall sections, longitudinal sections, landscaping within highway limits, surfacing, highway lighting, kerb details, service diversions, road markings and signing and aids to movement.

The above, however, are all matters that can be dealt with at detailed approval stage and should not hold up the determination of this planning application .

Internal Layout

All internal roads and footways will remain in private ownership, therefore the Highway Authority's comments on the proposed internal layout are limited to issues that may affect the safe operation of the existing public highway.

As previously noted service vehicles will utilise the same access as staff and customers with the service vehicle manoeuvring on site to access the delivery bay. The swept path analysis provided demonstrate how a 16.5m delivery vehicle could manoeuvre into the delivery bay and be capable of entering and existing the site on to the new estate road and adjoining public highway in forward gear.

Further to the above comments, it is the applicant's responsibility to ensure that the detailed design properly caters for the expected use, for example in terms of footway widths, crossing locations, parking bay dimensions and delivery arrangements. It is noted however that the size of parking spaces 44-55 are substandard in their length and could result in vehicle / pedestrian conflict as a result of parked vehicles over-hanging the adjacent pedestrian crossover. Parking

As stated above, the proposed car parking provision is not in accordance with the SPS. The optimum provision for A1 use in 'Zone B' (based on a 2,175 sqm GFA) would be 109 car parking spaces and 10 cycle parking spaces. It is noted that an amended parking layout has been provided reducing parking levels slightly to a total of 123 spaces however this still leaves car parking levels significantly above the optimum levels set out within the SPS. No explanation has been provided to justify this and we would therefore seek that this is addressed.

The scheme includes two electric vehicle charging bays and the amended layout now incorporates motorcycle parking equivalent to 6 spaces and the level of disabled parking has been increased to eight spaces, which is acceptable.

The provision of 12 cycle parking spaces is noted and is acceptable. Such parking should be safe, secure and weatherproof, there is limited information within the submission as to the design of these facilities to demonstrate that this will be the case however it is accepted that such details can be secured by an appropriate condition.

Drainage

The proposal should ensure that no private surface water enters the public highway. Full details will be required of the highway drainage for the works on or affecting the public highway. This can be provided subsequent to the grant of any planning consent through a suitable condition.

Further to the above, it is noted that reference is made within the submitted Drainage Strategy report of a discharge option into a highway drain running along Nynehead Road. The Highway Authority is unable to accept any such connection from this development unless the landowner can prove that there is an extant right of discharge to this drain and can satisfy both the Local Planning Authority and the Lead Local Flood Authority in terms of off-site flood risk.

Other matters

Local concerns forwarded by the LPA regarding the location of the proposed development and its access, suggesting that it would be better located off the Longforth Farm roundabout are noted. The Highway Authority however is obliged to consider the scheme as submitted and cannot offer a view on the merits of any alternative sites or access arrangements.

My attention has also been drawn to a proposal to develop a cycle route between Wellington and Taunton. It is understood that a feasibility study has now been undertaken for this proposal which envisages a cycle path along the north side of Taunton Road between Nynehead Road and Lillebonne Way to the west. The project leaders are seeking to secure a 4m wide strip along the site frontage with Taunton Road to help in facilitating this route. The applicant is encouraged to liaise with the LPA and project leaders with a view to securing this link.

Conclusion

With the above comments in mind, the Highway Authority raises no objection to the principle of the proposed development.

Should the LPA be minded to approve the application it is recommended that a Traffic Regulation Order requiring the extension of the 40 mph speed restriction along Nynehead Road and an appropriate Travel Plan be secured under a Section 106 agreement, and that the following conditions and advisory notes form part of any consent granted:

- No obstruction to visibility at the new access leading onto Nynehead Road
- No obstruction to visibility at the proposed foodstore access
- Details of the proposed access to be agreed prior to commencement
- New pedestrian and cycle arrangements to be in place before the development is brought into use
- Covered spaces for not less than 10 staff and visitors' bicycles to be provided before the development is brought into use
- Provision for the disposal of surface water to prevent discharge into the highway
- Parking and turning areas to be marked out in accordance with an approved scheme
- No development to commence until a construction environmental management plan is approved and the development carried out in accordance with the plan
- No development to commence until a Travel Plan is approved and implemented

Advisory notes to cover:

- Application for a Traffic Regulation Order
- Need for an appropriate legal agreement for any works within or adjacent to the highway.

Additional comments following revisions to the Travel Plan, further information re car parking and a request from the applicant to change the requirement for the TRO to be in place prior to the use commencing instead of before the development commences:

Travel Plan

A revised Travel Plan has been submitted to this authority by the applicant which has been reviewed by our Travel Plan Team. Unfortunately a number of issues have been identified with the revised TP which still need addressing before it can be found

to be acceptable. A copy of the TP Audit has been forwarded to the applicant so they are aware of these issues, in brief the key concerns can be summarised as follows:

- The car parking threshold is still too high. Under a previous audit 116 spaces were accepted (which is already above the TP guidance threshold), a further increase to 123 spaces is not acceptable.
- Table 4.1 relating to targets set within the Travel Plan are inadequate and require further expansion and detail. A further breakdown in modal shift is required in order for this to be accepted
- The developer's arguments regarding the safeguarding sum are not accepted. Our accepted method for calculating the safeguarding sum is set out within Appendix 12 of SCC's Travel Plan Guidance, when using this method the figure comes to £52,450. This sum should be secured through an appropriate S106 agreement.
- Details for the use of iOnTravel during the lifespan of the plan need to be expanded.
- Previous audit comments required staff lockers to be implemented within the plan. This has not changed.
- Dedicated motorcycle spaces have still not been allocated to the site. A compromise has been suggested to convert some of the oversubscribed car parking spaces to motorcycle ones.

Full Travel Plans should be secured via an S106 agreement, however should the developer wish to continue with a Unilateral Undertaking, SCC would require examples of other successful UU applications within SCC's catchment to explain why they were accepted. Whilst the lack of an acceptable TP is not a reason for the Highway Authority to recommend refusal of this application, the applicant should be reminded that a suitable TP will need to be agreed prior to any grant of planning permission so that it can be secured through an appropriate legal agreement.

Traffic Regulation Order (TRO)

The requirement for a TRO to extend the 40 mph speed limit a further 105 metres in a northerly direction along Nynehead Road was set out within the HA's previous comments. It was previously advised that the TRO should be in place prior to works on the development commencing however it has since been accepted that a more reasonable timing would be prior to first occupation, given how lengthy the TRO application process is. As TRO's fall under separate legislation to planning, this requirement will need to be secured through a S106 agreement

Cycle path along Taunton Road

The need for a 4.0 metre wide strip of land to be made available for the purpose of a new strategic cycle route connecting Taunton to Wellington was raised within the HA's earlier comments. Following our meeting last week however it became apparent that there are several options available for this section of the cycle route, with the north side of Taunton Road, i.e. that which includes site frontage, being the least practical option. Whilst the exact layout of this stretch of the cycle route has yet to be determined, given the alternative more favourable routing option to the south

side of the road it is difficult to insist that a 4.0 metre strip be retained for this purpose as part of the current proposal.

Putting aside the matter of the strategic cycle route, the proposed scheme includes pedestrian and cycle links within the Taunton Road frontage. A number of issues have been identified with these arrangements through a Road Safety Audit, which will need to be addressed at detailed approval stage, however, these matters should not hold up the determination of this application:

- All shared pedestrian/cycle routes should be a minimum of 3m wide with either a 1m grass separation strip between the route and the edge of the carriageway or an additional 0.5m hard margin where it is adjacent to the carriageway.
- Footways should be a minimum of 2m wide in accordance with the requirements of the DfT's Inclusive Mobility.
- The Transport Assessment states that the secondary access to the south will connect into the existing shared route, however, at this point just beyond the bus stop, cyclists are on-carriageway and there is only a footway.
- The existing infrastructure should be amended to allow cyclists to leave the carriageway just beyond the bus stop and join a shared route allowing access into the new development. This should be extended to tie into the existing shared route further south east near the roundabout.

Conclusion

Other than the matters addressed above, the HA's original response remains valid in all other respects. With this in mind, the Highway Authority raises no objection to the principle of the proposed development. Should the LPA be minded to approve the application it is recommended that a Traffic Regulation Order requiring the extension of the 40 mph speed restriction along Nynehead Road and an appropriate Travel Plan be secured under a Section 106 agreement, and that the previously advised conditions and advisory notes form part of any consent granted.

ENVIRONMENT AGENCY - I have checked our records and we have assessed the above application and can confirm that we have no comments to make as this consultation did not fall within a category to which we required a consultation on.

Environmental Health - A noise assessment and some additional information has been provided with the application:

- Noise Impact Assessment, New Food Store, Lidl, Longforth Farm, Wellington Ref 8351/SL. Acoustic Consultants Ltd July 2020
- Lidl, Longforth Farm, Wellington – Changes in Road Traffic. Acoustic Consultants Ltd. 20th January 2021

Plant Noise

The Noise Impact Assessment looks into the possible impact of noise from the plant that would be located at the store. It uses the data on noise levels of the proposed equipment and then uses modelling to predict the sound level of the plant in the surrounding area. The report found that the predicted levels would be 23 dB LAeqT at the boundary of the caravan club, and 18dB LAeqT at the nearest dwelling to the south. The assessment applies relevant ratings and compares these levels to the

measured background level using British Standard BS4142:2014. It estimated that the rated level from the plant would be 2dB below the background levels at the worst-case receptor (the caravan club) at night and even lower during the day and at the nearest houses. It concluded that the plan noise will have a low impact on noise-sensitive receivers in the area.

Traffic noise.

The information provided by the applicant gives levels of traffic on the adjacent roads with and without the development of the supermarket. It shows that the biggest change in traffic levels will be on the Nynehead Road. An estimate is made of the change in noise levels from traffic that would be caused by the increase in traffic and the highest predicted increase would be an increase in traffic of 87% at Nynehead Road in the afternoons resulting in an increase in noise levels of 2.7dB. Taunton Road shows a 1.9dB increase in the mornings and increases in other roads are much lower. The report concludes that this will result in a negligible impact based on current guidelines.

Hours of use

Some additional information has been provided which states that:

'The proposed opening hours are 07:00 to 22:00 Monday to Saturday and 10:00 to 18:00 on Sundays. No restrictions are sought on delivery hours. Likewise no restrictions are sought on when the store can be open to employees only i.e. cleaning staff and Lidl employees stacking the shelves while the store is closed to the General Public. To clarify the only restriction we believe are necessary are in relation to trading hours'.

Comment

The Noise Impact Assessment is a good assessment of the potential plant noise. I note that the plant is to be located at the northern side of the store, furthest from any noise sensitive properties. I can accept the conclusion that the noise levels from the plant would have a low impact on any nearby premises.

The estimates of traffic noise are based on predicted traffic levels. The predicted increase in noise levels are based on the fact that a doubling of a noise source will lead to a 3dB increase in noise (although with traffic this is not a precise calculation due to so many variables). Taunton Road and the B3187 are both busy roads and so the increase will be less noticeable than on Nynehead Road. Torres Vedras Drive, which is a residential road, will be barely affected by the increase in traffic (although some of the houses in the residential development are closer to the main road). In general acoustic terms an increase of less than 3dB is not normally noticeable, hence the conclusion that the increase in traffic will have a negligible effect. The store will result in an increase in traffic, but I can accept the consultant's conclusion that the impact will be low.

The applicant has provided information saying that they do not propose to have a restriction on the hours of delivery at the store. They have not provided an assessment of the potential noise from deliveries so it is not possible to make an objective comment on this. However, I note that the loading bay is located at the north side of the store, furthest from any residential properties on the south side of

Taunton Road, and is partly shielded by the store itself. It is also about 100m from the caravan site on Nynehead Road. There are other supermarkets in the area that are closer to residential premises with night-time deliveries and these have been able to operate without causing unreasonable disturbance to neighbours. Therefore, while it is possible that there may be some noise from deliveries at night, the store should be able to put measures in place to minimise any disturbance.

LANDSCAPE - No objection subject to a condition to ensure replacement planting within the parking area should any of the trees within the easement area not be able to be planted.

WESSEX WATER - No comments received

ECONOMIC DEVELOPMENT - The site subject to this application is located on employment land which was originally notionally being earmarked for local indigenous business expansion. The area of the site that Lidl intend to occupy is a relatively small piece of the overall employment land area, and therefore should not significantly inhibit the possibility of other business growth in this area.

The location of a supermarket would create a small number of jobs which is positive. However, some of these may be displacement of others in the town and the majority of roles are likely to be relatively low skilled.

Therefore from the Economic Development perspective, there is no objection to the application.

Additional comments in response to the objection to the loss of employment land:

Whilst the wider 11 hectare employment site is allocated in the Development Plan Document for general industrial, storage and distribution to assist with the relocation of the two biggest employers in Wellington, the adopted Core Strategy is over 8 years old. In the intervening years this employment site has not progressed. The application for Lidl is only 2 hectares of the total 11 hectares.

Somerset West and Taunton have provided support to both of these companies which have been affected by the Covid19 impact on their businesses which has caused them to focus more on stabilising their operations in the near term, although indications are that they could return to growth in the next year or two. It must be said that these are two major strategic employers for the small town of Wellington and it is important that the Council provides any support it can with regard to their ongoing survival in these difficult to determine trading circumstances which Covid currently presents, but both companies have ambitions to grow as the economy picks up again.

Both companies are aware of the Lidl application and the indication is that these companies will be determining their plans for growth but not in the current climate for the next year or so. The immediate concerns are focusing on their existing site and operations in the near future and investing in their existing sites for the time being, as any relocation would require additional financial investment which is not their

current priority. Furthermore, with the development of the railway and housing around Wellington, they cannot determine what the future options might look like which will be factors for consideration in any future relocation..

An additional option for either Relyon and Swallowfield could be the 8.67 hectare Strategic Employment Site near J26 allocated for a single strategic user.

The Council has begun the process of producing a new Local Plan 2040, which includes reviewing its employment land requirements. No response was received from Relyon or Swallowfield to the Issues & Options Consultation (Jan-March 2020).

WESTERN POWER DISTRIBUTION - No comments received.

POLICE ARCHITECTURAL LIAISON OFFICER - Designing Out Crime Officers (DOCO) working in partnership have a responsibility for Crime Prevention through Environmental Design projects within the Somerset West & Taunton District Council area. As a Police Service we offer advice and guidance on how the built environment can influence crime and disorder to create safer communities addressing the potential of the fear of crime and anti-social behaviour.

Sections 2, 8, 9 & 12 of the National Planning Policy Framework January 2019 refer to the importance of considering crime and disorder at the planning stage.

Paragraph 127(f) states:-

"Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience"

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places Lite.

Comments:

- Crime Statistics – reported crime for the area of this proposed development (within 200 metre radius of the grid reference) during the period 01/10//2019 - 30/09/2020 is as follows:-

Arson and Criminal Damage – 1 Offence

Public Order Offences – 2

Violence Against the Person - 11

Total – 14 Offences

ASB reports for the same area and period total 11

These are classed as low levels of reported crime and ASB.

- Design & Access Statement – the DAS provides no information regarding any proposed crime prevention measures to be implemented.
- Boundary Treatment/Perimeter Security – the proposed boundary treatments are appropriate for the crime risk i.e.1.1 metre railings to the front, 2 metre Paladin fencing to the rear and 3 metre Paladin fencing and double gates enclosing the plant/storage area. All these boundary treatments are aesthetic in appearance, of substantial construction, difficult to climb or cut and allow visibility through them so assisting passing surveillance of the store.
- Entrance/Vehicle Parking - I support the installation of two manual rising barriers at the vehicle entrance which should help deter gatherings of 'boy racers' and other forms of ASB outside normal store opening hours. Customer parking spaces are in straight rows to the front of the store which assists natural surveillance.

- Cycle/2 Wheel Parking – covered cycle stands should be provided near the store entrance in an area with good surveillance from the store. There does not appear to be any designated parking for motor cycles or other forms of transport.
- External Lighting – is to be provided which should illuminate main entrance, other access doors to the side and rear, car park and building elevations.
- Landscaping/Planting – is to be provided around the perimeter of the store and, in areas where visibility is important to assist natural surveillance, plants should be selected which have a maximum growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. Defensive planting (thorny shrubs) could be used in appropriate areas to deter trespassers.
- Building Shell Construction – the building is of a regular, rectangular design with clear sight lines around it and no deep recessed areas, which could be potential areas of concealment for the criminal.
- Roof Construction – the roof incorporates a large solar PV array so anticlimb guards should be fitted to downpipes. Any other potential climbing aids should also be designed out.
- External Doorsets – I recommend that all external doorsets be tested to PAS 24:2016 security standard or equivalent as a minimum.
- Windows/Glazed Walling – the design incorporates large areas of glazing, particularly at the front of the store, and all external and any easily accessible windows should also be tested to PAS 24:2016 security standard or equivalent as a minimum.
- Access Control – a suitable form of electronic access control i.e. proximity fob, swipe card or similar system should be installed for use by management/employees.
- Intruder Alarm – a suitably designed, fit for purpose, monitored intruder alarm system should be installed. Consideration should be given to the system incorporating panic buttons for use by staff.
- CCTV – a suitably designed, fit for purpose cctv system should also be installed to monitor appropriate areas including main entrance, tills, stockroom and car park.
- Secured by Design(SBD) – if planning permission is granted, the applicant is advised to consult the additional comprehensive guidance available in the police approved 'SBD Commercial 2015' design guide available on the SBD website.

CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE - No comments received.

HISTORIC ENGLAND - No comments received.

COUNCIL'S HERITAGE ADVISOR - Nynehead Court grade II* and Nynehead Park grade II* lie to the north of the Longforth Wellington allocation for employment land. The gate piers to the house and park are independently grade II listed and are in closest proximity to the site. Although the proposed store would be built on a green field allocated site, the design statement has not assessed or provided any information on any impact on setting of the designated heritage assets.

Given the proximity, it is likely that any impact can be ameliorated by careful consideration of the landscaping between the site and the assets. The current approach to the gate piers is by a road with a hedge line along the road. If this is to be altered through provision of visibility splays then the softer green approach should be maintained in the new scheme. Consideration should also be given to lighting and position of any new road signs so as not to adversely impact on the setting.

ACTIVE TRAVEL OFFICER -

Travel Plan

Re: 1.9 *The main objective of this Travel Plan is to seek to minimise the number of single occupancy staff car journeys made to and from the site, to promote travel by sustainable modes of transport, and to manage the overall transport impacts of the site.*

- To minimise single occupancy car journeys made to and from the site, a robust and detailed strategy is required which is not made available.
- How travel modes other than the car and car sharing will be promoted by the TPC/ Area Manager is not detailed. Training that will be provided to the Area Manager to be sufficiently skilled in promoting the Travel Plan is not detailed.
- The use of noticeboards as effective means of communicating alternative transport modes to staff and customers is tokenistic and will not result in modal shift. It is recommended that Lidl offers staff the salary sacrifice Cycle to Work scheme to encourage more cycling to work.
- Monitoring of the Travel Plan's impact over the stated 5 years is not detailed and is therefore unlikely to adequately report on success or failure. An annual review should be undertaken, at minimum, and detail how failure to meet targets would be addressed.
- There is no stated provision for cyclists entering the site from Taunton Road. It is therefore presumed there will be no priority junctions or cycle lanes to safely guide cyclists to the cycle parking at the other end of the car park. A junction to the site that seeks to prioritise cycles and pedestrians, a marked cycle lane to cycle parking and a clear pedestrian route to the store is therefore advised.

B3187 Taunton Rd

The existing main footway on the B3187 from Wellington is too narrow to accommodate any significant increase in footfall which will undoubtedly result from the development. This would contribute to a reduction in active travel and encourage more car use.

Re: 2.7 *Shared footway/ cycleways...* Shared footways and cycleways are no longer considered adequate provision for cycling. LTN 1.20 states cycles must be treated as vehicles, not pedestrians and segregated cycle lanes should be provided. Therefore, any reference to shared provision should not be considered as adequate, especially considering the increase in footfall and cycles the proposed development would bring.

Nynehead Rd

2.9 *single carriageway road...* The character and size of road would not be able to safely accommodate the likely increase in car traffic, so would be likely to create a busy environment that would discourage cycling. The majority of the shared footways and cycle ways leading to the proposed site are too narrow to accommodate current levels of cycles and pedestrians; any increase would require segregated cycle lanes to be added.

Re: 2.23 as stated, there are numerous 'tracks' one of which is the popular West Deane Way that can be used for cycling in the area. However, the consideration for

safety on the feeder roads from these tracks to destinations is paramount; a significant increase in vehicular traffic onto the Nynehead Road would create a less safe, less pleasant, and potentially discouraging environment for cycling.

3.5 Measures to encourage walking and cycling- Although lockers for personal effects are mentioned there is no indication that staff will be offered showers or changing facilities to encourage the use of active travel.

4. Targets - 3.6 states 'a high proportion of staff will be recruited from the immediate area'. It is therefore considered that Lidl's target of 11.4% of staff walking and cycling to work is unreasonably low. As well as a number of SWT's priorities to increase cycling and walking, the Government's Cycling and Walking Investment Strategy details an ambition to increase walking and double cycling by 2025 and 'make cycling and walking a natural choice for shorter journeys' (DfT 2017). A more ambitious target of around 50% of staff using active travel to get to and from work accompanied by an explanation of how these targets will be met and monitored is recommended.

Potential Impact on Taunton to Wellington Cycle Route

A feasibility study for the creation of a cycle route between Taunton and Wellington was carried out by Sustrans in 2019 and is an active travel priority for SWT. This route is viewed as strategically important for a number of Somerset West and Taunton Council (SWT) and Somerset County Council (SCC) transport and climate change plans and policies, such as SCC's Future Transport Plan and its Implementation Plan; SCC's Active Travel Strategy; Climate Change Strategy and Action Plan. The proposed development could have a number of negative impacts on the development and promotion of this route.

The proposed cycle route will contribute to a significant increase in active travel and therefore improve health and wellbeing and air quality whilst reducing a reliance on private car use. However, as we have seen above, the proposed Travel Plan does not present adequate measures to encourage cycling for staff or customers so is therefore likely to result in an increase in car-use.

Sections 7 and 8 of the proposed cycle route intersect at the Nynehead Roundabout which is the site of the proposed the development. Any increase to vehicular traffic on this road will reduce the safety of cyclists and create an environment that is discouraging to new, less able or less confident cyclists. The impact of an increase in traffic impact are likely to have significant implications on the experience of both existing cyclists and those who have considered taking up cycling.

If the proposed foodstore is permitted, a thorough examination of how to adequately integrate the proposed cycle route and improve existing cycle infrastructure is recommended; S106 contributions should be committed to this effect.

Additional comments following further discussions concerning the cycle route.

If the proposed foodstore is permitted, a thorough examination of how to adequately integrate the proposed cycle route and improve existing cycle infrastructure is recommended; a 4m strip of the site should be contributed to enable the cycle route on the north side of the Taunton Road to route wherever necessary. However, if this is not possible, it is hoped CIL funding will be available to contribute to the development this route and will be sought independently

Representations Received

Following the LPA's public consultation exercise approximately 540 representations were received in support of the application, 26 object and 23 raise issues for consideration.

The reasons for supporting the scheme include:

- at a time when unemployment is rising and our economy is being change its make perfect sense to have a Lidl store in Wellington. With its own employment track records and the competition is would bring to current Wellington supermarkets it can only be welcomed.
- Having to currently use the Taunton site this being much closer, will be better for the environment
- Many people travel to Lidl's at Taunton, Cullompton, Minehead, Tiverton, Chard and Honiton for better value- this would cut those journeys
- Lidl support British Farming
- Wellington will be very limited when all the houses are built so a new store is of great value.
- The site has lay vacant for too long. This will kick start the future development which may also see the long awaited Railway Station.
- This will bring jobs to the area and help employment
- Wellington is a gravy town and doesn't have much choice in supermarkets. Lidl has a good cheaper range which will help residents
- Would reduce traffic congestion in town centre
- Waitrose as an additional store benefited the town although caused highway problems

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- Lidl's pricing structure would not affect the town's independent shops
- This will be a huge asset to the town
- With so few shops in Wellington and houses being built more shopping is needed
- Without an out of town option more people from the outlying areas will go into the town centre causing more traffic issues
- Coop has severe access issues especially for disabled so Asda is the only suitable option
- Those that use supermarkets as opposed to butchers. fruit shops will always do so just depends on which supermarket
- Not everyone can get into the town to park to use in town shops
- The site is a suitable place near an existing roundabout and housing and can be easily accessed from within or without Wellington
- It will reduce the carbon footprint a little as people will not travel to other Lidl's which they do
- With companies like Lidl and McDonalds coming to Wellington it will encourage other businesses which will be good as a growing town
- Wellington needs a Lidl as it attracts those from nearby areas
- Waitrose is at out of a price range of a lot of residents. Lidl would be an option for people with less disposable income.
- Lidl are generous payers and have a well respected graduate training scheme which would serve young people of the town well.
- We should encourage companies to trade in our town - if McDonalds was given the go ahead how can this be declined
- The town's going outwards and this is the one main road in and out of the town and is within the town centre, 15 years ago Cadets and Longforth Farm were also fields
- It is within walking distance and 2 housing estates with more homes being built nearby
- Any concerns re traffic are unreasonable. The town's increasing housing estates have increased traffic far more than a supermarket will.
- Asda never has the money saving offers it has in its larger stores. We also have to pay to park at Asda - Lidl would help the residents
- Asda is only a customer attraction because of lack of competition.
- The impact of a deep discount supermarket will be felt in Taunton rather than Wellington.
- The town cannot sustain the large no. of houses being built. The 3 supermarkets are all very small offering a small selection of products. Having a bigger more competitive supermarket would reduce people's time travelling to larger stores.
- Wellington needs more than coffee shops, hairdressers and charity shops
- Will bring more visitors to the town
- Rather have a supermarket than more houses
- People need to stop being NIMBYS - didn't bother them when they bought their houses on Cadets and Longforth Farm - can't have it both ways
- Building a Lidl is an opportunity to set the standard for tomorrow.
- There was a supermarket included in the plans for Cadets Farm anyway so people who bought their homes there must have expected extra traffic

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- As sad as it is to lose even more countryside, this will cut down car emissions and other such pollutants as no longer will have to travel to other Lidl's at least once a week because the Wellington stores don't always stock items. The residents of Cades do not want noise or light but the residents of Priory had to put up with their estate being built for 10 years, If go to Lidl in Castle Street, Taunton will see very little light pollution - the roundabout light pollution with Cades Farm and Longforth is much bigger than 1 Lidl will ever have.
- Re deliveries would only be 1 or 2 per night as have no stock and would only sell what they have on the shelves.
- There isn't much employment in Wellington and 40 jobs is 40 jobs
- If this was for offices their lights would be on 24/7 and all employees turning up by car so what's the difference?
- If it was a factory would have more lorries and noise from manufacturing.
- Where else can it go?
- Does Wellington want to be a tourist town or a thriving employment town? That is the question to be answered. No one says lets go on holiday to Wellington.
- This will not interfere with the Station development
- The increase in traffic will be no worse that on Sylvan Road to Waitrose
- As Lidl will be employing 40 people this *is* employment land
- Our town and council need to move with the times and welcome new businesses instead of pushing them away
- Pleased only 2 trees will be felled and hedges retained
- Bring Lidl and maybe other retailers will follow
- Driving to Lidl in Taunton is becoming more and more difficult with rapidly increasin traffic on Wellington Road
- Will enhance the area unlike the proposed use for industrial purposes: construction of utilitarian buildings
- The underlying opinion of over 4000 people (at last count) on the Wellington facebook page are in support of this application.
- The fact that 4882 residents support the application via a petition shows a large number of people are in favour.
- The centre of Wellington has been in decline for a number of years - Lidl will help maintain footfall by attracting customers from Taunton
- This will allow residents a cheaper alternative which is much needed since Covid and a number of low income households in the area - far too many children already going hungry
- The Town Council is mistaken in believing this site is not suitable because of access etc - nearby Summerfeild Homes are constructing houses with a far more dangerous access
- As we live in a democracy this should happen given the large majority who wish to have the store as shown on social media
- Wellington serves a number of smaller villages and hamlets both in Somerset and Devon. So many smaller community shops have closed meaning residents form much further afield have to drive to Wellington. The 2 small supermarkets are just not sufficient

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- This is a main road into Wellington so is already busy , there may be more traffic but the factor remains this is a key road and will always be busy. As with any decision there are going to be positives and negatives
- 'Councillors are not listening to local people again !'
- The roundabout is already lit 24 hrs so can'tt see how lighting is an issue.
- For the two large housing estates close to the site, to buy a pint of milk requires a trip into town. There will be pedestrian access to the store.
- Have never seen any traffic congestion on Nynehead Road .
Can't' keep bulilding houses with no infrastructure
At the rate Wellington is expanding outwards towards Chelston this store will be central to that development rather than on the perimeter negating the argument it will be 'out of town'
- Wellington has a cramped ' horse and cart' system and its roads and car parking reached capacity years a go. There are high levels of pollution with vehicles trapped at traffic lights
- Can't believe turned down planning permission for a Lidl - not everyone is well off - think of people living on a rapidly shrinking pension
- It will inject life into Wellington
- Having approved thousands of houses locally you seem to be baulking at the addition of a retailer. Local community both wants and needs this to go ahead
- With all the new houses there will be plenty of customers for all the supermarkets
- Dismayed when heard the application was to be turned down
- To say residents around the site would be subject to more noise is not a convincing argument - they bought a property on a main road in the first place
- The site is earmarked for employment yet Wellington Cllrs who dictated that, now state Lidl is not wanted. A pure contradiction. Wellington has been ham strung by its own Town Council for over 66 years with ludicrous decisions and judgements - time to allow a sensible and sustainable European company to establish itself and provide competitive supply and pricing.
- Planners should support coherent, practical and honest designs which respond to the world we live in. People say Wellington will be spoiled by Lidl seemingly unaware that just across the road is a sprawling mess of energy inefficient housing scattered across the landscpwe. The Lidl store is an energy efficient structure which uses minimum materials- even easy to dismantle and re use if needed. Need to start building practical, sustainable buildings in Wellington and avoid current spreading of poorly laid out pastiche buildings
- Believe Bloor Homes also wish to develop site as Phase 4 of Longforth View. If this is the case should not proceed as already have huge amount of housing. The need is for shops
- Wellington is a lot bigger than it was 10 years ago. Wellington struggles on reduced facilities of doctors and dentists due to increased capacity. We should be influencing our community to shop more in town not only small local businesses but to help competiion. People have lost jobs due to Covid so lets try to bring jobs in.
Supermarkets in Wellington compared to Taunton:

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Wellington-Coop, Waitrose, Asda
Lidl

Taunton (Outskirts) - Sainsburys, Aldi,

Taunton (Central) -Tesco, Sainsburys,
Asda, Coop, Morrisons, Lidl, Iceland, Tesco Express x 6

- Planning laws should never be used to protect established business from competition.
- In 1999 the population of Wellington was 6.500 to 7000 to now more than 14.500 and set to increase. Honiton has a population of less than 12,000 and supports a large tesco, Aldi, Lidl and 3 smaller supermarkets and many excellent shops and cafes which all thrive in a competitive market
- This is not going to become industrial land - businesses are not going to spend money relocating, when sales and production are down
A typical weekly shop at Asda £85, Waitrose, £120, Sainsburys or Tesco's £100, Lidl £65 - you would travel to Lidl in Taunton for value for money
The short term increase in plant traffic during construction will be easily outweighed by the benefits of residents who shop at other Lidl stores
- The Town Council sought to show that the proposed site is not the best site. Short of building on one of the in town car parks can't think of a better site. The town's people still have in mind the poor show the Town Council put up in support of a new Saturday cattle market.
- Wellington has to move to the 21st century
- This is the best that's been planned in the 23 years a resident has lived in the area.
- The construction of the Lidl would compliment the caravan park
- Moved to Wellington 5 years ago from Burnham on Sea - same objections were raised to a similar application. The relevant Council were overwhelmingly agreeable to Lidl even though in competition with a large Tesco, Asda within 1 mile.
- If Bloor can build houses outside of the development plan and McDonalds are given permission when there are town takeaways, coffee shops etc then should be allowed a Lidl
- The town has been in decline for too long with loss of banks and other businesses - new investment is needed
- This will bring prosperity
- This is mainly a rural area and people use their own transport . Good proximity to M5
- Employment opportunities after job losses at Pritex, Relyon and Swallowfield
- This will have an impact on the town but a *great* impact
- Historically when Asda and Waitrose opened it increased footfall to small business, The same will happen.
- With no disabled parking in Taunton currently drive to Minehead Lidl, why should Wellington lose out to Minehead?
- The local council refused this without any consultation with residents.
- This is an ideal site with a bus stop.
- It is extremely important to listen to what local residents want especially at this time.
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The reasons for objecting to the scheme include:

- Transport assessment is inadequate
- Development will have adverse impact on highway safety contrary to Policy CP6 - particularly Nynehead Road
- There are no crossing facilities across the access to site (only informal facility)
- No alternative footway on opposite side of road
- Doesn't provide appropriate provision for cyclists required by Section 7.2 of SCC Parking Strategy
- Cycle parking is not close to building entrance
- No evidence why 126 parking spaces required when 105 is actually required.
- Data collected for Nynehead roundabout is over 10 years old
- Passer by trips equated to 30 % of trips - justification is with reference to TRICS Report 95/2 but this has been superseded by TRCIS Report 2014/1
- Junction modelling has not been provided for at the congested junctions including

Chelston and the town centre

A supermarket is not employment

This is a residential area and this will be a 'shed on the bypass'

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- Noise from anti social hours for deliveries
- Light pollution - already bright due to LED street lights. Nynhead already sees light pollution from Budgens/fuel station. The heaters in the greenhouses at Blackdown garden centre give off an orange glow.
- This amount of noise/light/activity does not equate to light industry
- Better sites are available
- Will devalue the enjoyment of the area
- Extra vehicles will possibly lead to respiratory diseases
- Busy caravan park opposite the entrance
- Pavement will not be safe for school children
- Next to conservation area where endangered mammals and amphibians - would drive animals away
- Cars parking along Torres Vedras way make it dangerous to access Cades to the roundabout.
- Dust grime, devaluation of property
- This is not an industrial site in the making
- It is a supermarket and not a LAD (Limited Assortment Discounter/Convenience Store) as claimed by Lidl as regularly compares itself to other supermarkets on tv adverts
- Nynhead Road is heavily used since Waitrose opened so does not need further load
- Best placed in an industrial/business estate as they are in many towns
- It is a bland design with no architectural merit
- Numerous accidents on the road to Nynhead go unreported.
- Site would be a box dominated by car parking when approached from Chelston, visual impact of signing and lights - no details of landscaping provided
- The Landscape visual impact assessment ignores the communities which would be most affected
- The proposal includes a large Lidl sign on the southern wall no doubt illuminated at night
- The site is next to the Grade II listed former entrance gateway to Nynhead Court
- Will take footfall from the already depleted high street and already have 3 supermarkets
- The heavy metal detention access gates are totally out of keeping with the area
- Any future developments should be at Westpark
- Wellington has developed a strong identity as a 'food town' helped by Waitrose and other food stores. Given Lidl's own figures, the future of Waitrose must be in doubt.
- There is an allocation for a local centre at Jurtson/Cades Farm and Longforth Farm developments. The store would make these non viable
- More important things need adding to Wellington like the railway station
- Pollution from the extra lorries, the building and customer vehicles could have a negative effect on the health of children. There are 2 schools nearby at Longforth Farm and St Johns. There are plenty of alternative sites outside of residential areas.
- The site is allocated for relocation of Relyon and Swallowfield. It would compromise an important gateway to Wellington and the green wedge between Wellington and Chelston.
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- This site would encourage one stop shopping without linked trips unlike the town centre supermarkets
The store would prejudice future vehicular access
The proposal does not represent the local centre as separated from the Longforth Farm site by 18 ha of green wedge. The local centre is only intended to contain small elements of local convenience shopping (as opposed to Wellington's largest food store).
- Employment uses do not need to be seen from the road and can be set back. Retail uses need to be seen. To locate a large foodstore would repeat Westpark where a business part employment allocation is a highly visual, brightly lit, fast food, drive through with advertise signage and lighting.
- Questions on the applicant's response cards only asks the principle of a Lidl in Wellington and doesn't specifically ask about this location
- Sustrans Route 3 enters Chipley Lane from Nynehead hollow. Nynehead Road will be a rat run.
- If approved, other applications by Aldi or other stores will follow

The issues to consider include:

- Delivery traffic with alarms should be the other side of the store
- Limitations should be made on the size and nature of vehicles
- There should be improvements to cycleways up and down the main road
- Footpath will need to be widened and improved leading to Chelston and footpaths into town.
- Transport assessment based on figures in 2010 in aid of Cades Farm Phase 2 study. Several housing estates have been built since then and a school. An up to date survey and vehicle count should be done.
- A 30mph speed limit should be introduced before the vets and the road surface should be replaced to reduce tyre noise
- Cades Farm roundabout is 40mph - difficult to judge speed of traffic due to vegetation on the roundabout. With the new school opening at Longforth there will be more children walking to school
- A path for walkers to Poole should be provided
- Should be out at Chelston Business park or by the House of Somerset
- Only 2 electric vehicle charging points - not aligned with SWAT declaring a 'climate emergency and should not be approved until consistent with aims in Climate Action Plan
- It would be good if Lidl would take on the post office
- This is a prominent site and should be a high standard of design
- Trees could be used to line the southern interface with the main road - much of lighting problems could be resolved.
- How will overspill parking be dealt with in peak times?
- Why were residents not informed of the change from mixed or light industrial to retail?
- Road access should be off Longforth roundabout
- More free parking should be available in the town centre so small independent shops get customers
- Restrict night time deliveries

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- Time limited number recognition should be used to prevent parking overflow into Longforth Farm and Cades Farm and narrow roads towards Nynehead
- Would be really good if could reinstate bus from Wiveliscombe to Wellington via Milverton (what was no. 9 route) to help people have more choice out of Taunton
- Solar panels are likely to cause dazzling
Security needs to be addressed as car park likely to be a meeting ground for youngsters especially with the new McDonalds. Gates should be locked overnight
- Should be more provision of sustainable features - 50 % electric vehicles, ecological site management plan with SUDS, dedicated habitats with wild planting and planting of native species , bird/bat boxes
- Need a bike parking area
- Need a tunnel under the road for hedgehogs and other creatures- Taunton Road cuts in half the north-south wildlife corridor of the town
- This is class 1 agri land - land should become a market garden supplying the town to compensate more planting should be done in the car park
- More water run off could be provided by providing a roof over the car park enabling more solar panels.
- The store colours should blend into the background
- Online shopping is reducing the need for stores. There is a mothballed, upmarket, food retail building at the former Moon beams site near Jurston Farm development with better access that maybe more appropriate
- Although the previous s106 agreements required the building of a retail unit on the estate opposite the council have not enforced it
- Suggest Lidl erect a sign directing people to Wellington and the park
- With a little imagination there is already space for a new supermarket in the town just off the town centre
- Why not develop the site where Travis perkins was?

Representations have also been made separately on behalf of two supermarkets in Wellington. Both object to the application for the following reasons

Waitrose-

1. The proposal is contrary to policy, seeking the provision of retail uses on a site allocated for employment use.
2. The Retail Impact Assessment (RIA) set out in the submitted 'Planning & Retail Statement' (PRS) underestimates the amount of trade which will be drawn from foodstores in Wellington and overstates the 'clawback' the proposal will have from centres such as Taunton.
3. The RIA adopts a 'design year' of 2025, when it is likely that the store will be constructed and trading over a much shorter period of time.
4. The PRS does not undertake an assessment of the current vitality and viability of Wellington town centre, meaning that conclusions on the impacts forecast by the PRS cannot be robustly drawn.
5. The PRS does not draw any overall conclusions on the impact of the proposed development against the NPPF's retail impact policy tests, and also omits any qualitative considerations of impact.

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Asda-

1. The proposal is significantly contrary to the employment use allocation.
2. It has not been adequately demonstrated that the proposed development would not have a significant effect on allocated centres.

A letter submitted from the applicant dated 2nd November 2020 highlights the findings of an online petition carried out by the applicant and pre paid response cards that were sent out to all local residents. The applicant claims a response of 4882 of which 4268 (or 87%) express their support for the store, 518 (11 %) object and 96 (2 %) are undecided). 11 lever arch folders containing the pre paid responses were deposited at the council offices (These have not been viewed by the planning

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officer due to access restrictions in light of covid).

Nynehead Parish Council - does not object to a Lidl in Wellington but a site closer to the town centre would be preferable, thus protecting the heart of other town centre shops and freeing the applicant site for a Industrial premium job creating use. If the planning authorities do grant permission, the following recommendations should be applied, funded by Lidl: a) The proposed entry\exit will create significant conflict between store traffic and Nynehead Road traffic which is already increasing in volume, serving, as it does,

Nynehead, East Nynehead, Langford Budville, Milverton, Oake and Bradford on Tone. In addition, there is heavy traffic to the busy Poole Industrial Estate and Re-Cycling Centre. To avoid this, access to the store should be via the Longforth Farm roundabout.

b) Any store sited at this roundabout will inevitably increase traffic to Nynehead and the above cited villages. Effective road traffic management would have to be a priority, with a 20mph speed limit introduced through Nynehead\ East Nynehead and appropriate traffic calming measures such as speed bumps or cones. c) Robust planning conditions would be required to ensure that the guidelines set out in National Planning Policy Framework {NPPF} Clause 180 {c} and Taunton Deane Adopted Core Strategy 2011-2028, Clause 6, 46 are applied. Both of these recognise the importance of limiting the impact of light pollution from artificial light on local\residential amenity, dark landscapes and dark night skies. In order to minimise light pollution, we request that any outdoor lights associated with this proposed development should be fully shielded or baffled\louvered, directed downwards {mounted horizontally to the ground and not tilted upwards}, switched on only when needed {no dusk to dawn lamps}, use low energy LED lamps and be designed by a competent person to comply with the current ILP Guidance Note {for reduction of obtrusive light} GNO1 and be approved as such by the Borough Council prior to installation\use d) The standard of Architectural and Landscaping design needs to be significantly improved to reflect the prominence of the gateway site to the historic town of Wellington.

Taunton Area Cycling Campaign - The Travel Plan provides very little to support sustainable travel. Cycle parking is located some distance from the entrance. The details of the type of cycle parking are not clear and details should be provided. There is no direct cycling access into the site from Taunton Road (although a pedestrian access is proposed). The out of town scheme will discourage walking and cycling and increase traffic from parts of the town. There will be a negative impact of cycling and walking in the Nynehead area turning an already busy Nynehead road into an unsafe road for people walking, cycling and driving. The proposal will be prejudicial to the proposal to develop a cycle route linking Wellington and Taunton. A feasibility study, part funded by the town council and SWAT envisages a cycle path on the north side of Taunton Road . This is identified as a short term action in the SWAT's Climate Action Plan. A strip of land and contributions should be secured in a s106.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP8 - Environment,
A1 - Parking Requirements, D7
- Design quality,
DM5 - Use of resources and sustainable design,
SS3 - Wellington Longforth,
CP3 - Town and other centres,
CP1 - Climate change,
CP2 - Economy,
CP6 - Transport and accessibility,
SP1 - Sustainable development locations,
DM1 - General requirements,
EC1 - Other uses in employment areas, TC4
- Primary Shopping Areas (PSA),
TC5 - Out-of-centre proposals,
A2 - Travel Planning,
A3 - Cycle network,
A5 - Accessibility of development,
ENV1 - Protection of trees, woodland, orchards and hedgerows,
D2 - Approach routes to Taunton and Wellington,
SD1 - Presumption in favour of sustainable development,
TC3 - Local shopping,
SS5 - Wellington - Strategic Employment Site,

The council undertook public consultation in January 2020 on the Council's Issues and Options Report as part of the local plan review however this document and the responses cannot be considered as material planning considerations in the determination of the application.

Habitats Regulations

A habitats risk assessment is not required as confirmed by the Council's ecological advisor as it is assumed that the foodstore would be used by local people within the catchment and therefore as a matter of transference there should be no net increase in phosphates.

Local finance considerations

Community Infrastructure Levy

Creation of retail floorspace of 100sqm or larger is CIL liable. Proposed development measures approx. 2102sqm

The application is for retail development outside of Taunton and Wellington town centres where the Community Infrastructure Levy (CIL) is £140 per square metre. Based on current rates, the CIL receipt for this development is approximately £294,250.00. With index linking this increases to approximately £418,000.00.

Determining issues and considerations

The main issues in the consideration of the application are the principle of development, design, highways, ecology, landscape/visual impact, economy, residential amenity, floodrisk and heritage impact.

Principle of development

The proposed development is within the settlement limits.

Core Strategy Policy SS3 'Wellington Longforth' identifies the application site as part of a larger employment allocation: *'11 hectares of employment land for general industrial (B2) and storage and distribution (B8) at the eastern edge of the allocation. This area is designated for the relocation of the two biggest employers in Wellington.'*

The Longforth allocation also includes the provision of a new local centre with associated infrastructure including *'local convenience shopping'*. The applicant claims that the proposed foodstore could be considered as the new local centre. On the concept plan this was shown to be at the most western area of the Longforth Allocation. SADMP Policy TC3 'Local Shopping' defines the role and function of local centres as promoting sustainable patterns of development by reducing reliance on cars. Accordingly, Policy TC3 states that the proposed local centres should provide a mix of units including a small foodstore (up to 250 sqm) catering to a local 'walk-in' catchment. Lidl's requirement for a store of 2,200sqm gross with around 120 car parking spaces is not consistent with the role and function of local centres.

The development would be for a non B class employment use ie retail. Core Strategy Policy CP2 'Economy' states that proposals which lead to the loss of existing or identified business, industrial or warehousing land to other uses, including retail, will not be permitted unless the overall benefit outweighs the disadvantages of the loss of employment or potential employment of the site. The Plan review will decide if this land allocation is still required going forward however this process is at the very early stages and can offer no weight in the determination of the application. The adopted policy SS3 therefore still stands.

The LPA considers that as the proposed development would not represent the local centre or would be for the relocation of Swallowfield or Relyon (the town's largest employers), it is a departure to the local plan and the application will need to be advertised as a departure post the determination of the application by the planning committee. Subject to no issues being raised during the publicity period that haven't already been considered in the assessment of the application, planning permission can be granted as per the recommendation.

Policy SS3 was adopted back in 2012 and since that time Relyon and Swallowfield have not come forward to relocate to the site. The Council's Economic development team have been informed that the companies are aware of the Lidl application, have not objected and do not wish to relocate to this site for operational reasons. Were they to change their minds however, there is still employment land (8.67 ha) available at Chelston (Policy SS5 Wellington - Strategic employment site) identified for B1, B2 and B8 use. The development of the Lidl therefore would not prohibit the relocation of Swallowfield or Relyon in the future. The proposed development will also provide for a vehicular access into the employment land that may attract future investment. The LPA considers these are relevant material considerations that need to be taken into account in the determination of the proposal.

Para 120 of the National Planning Policy Framework (NPPF) states:

'Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

- a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and*
- b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area'.*

Sequential test and retail impact assessment

NPPF para 86 requires Local Planning Authorities to apply a sequential approach to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan.

The NPPF sets out a range of considerations which should be addressed in undertaking the sequential test:

- The sequential status of the application site and connectivity with the town centre
- Has the applicant demonstrated flexibility on issues such as format and scale?
- Has the applicant fully explored opportunities to use suitable town centre or edge of centre sites?

NPPF paragraph 86 confirms that alternative sites can be considered available where they are expected to become available within a reasonable period.

Para 87 of the NPPF states when considering out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

Para 90 of the NPPF makes it clear that an application can be refused on retail grounds where it fails to satisfy the sequential test or is likely to have a significant adverse impact on investment in centres and the impact on town centre vitality and viability.

Policy CP3 'Town and other centres' of the Core Strategy sets out the requirements for development of this type and in particular states:

'Proposals for main town centre uses will be assessed sequentially. Any proposal for such uses on the edge of or outside the centres defined under part a. of this policy above 500 sq.m. gross comparison floorspace or 500 sq.m. gross convenience floorspace will also be required to undertake an impact assessment in order to protect the Plans strategy to protect and enhance the vitality and viability of defined centres.'

The policy goes on to state that the availability of floorspace requirements further strengthens the need for a sequential approach to new proposals in order to prevent less sustainable locations potentially impacting on and undermining the Plan's strategy to promote regeneration and vitality and viability within defined centres.

SADMP Policy TC5 ' Out -of - centre proposals' confirms that retail proposal outside existing centres will only be considered acceptable where:

A No sequentially preferable site is available, including consideration of alternative formats for the proposed uses

B It would not have a significant adverse impact on the vitality, viability and diversity of an existing or allocated centre including local consumer choice and trade in the centre and taking into account the cumulative impact of recently completed developments, planning permissions and development plan allocations

C. It would not impact on existing, committed or planned investment within a centre

D. The proposal is well related to the town centre or Primary Shopping Area for retail proposals and accessible by public transport, cycling and pedestrians for all proposals'

A Retail Assessment and Sequential Test were submitted in support of the application. The findings of the Retail Assessment and Sequential Test were checked and verified by Stantec on behalf of the Local Planning Authority. The initial review by Stantec found that the applicant's conclusion that there are no in-centre or edge-of-centre sites suitable and available had not been satisfactorily evidenced. No details were provided of any vacant units. Further, the sequential assessment did not consider the local centre allocations at Cades/Jurston or Longforth Farm which are both sequentially preferable sites. The applicant submitted an updated sequential assessment identifying all alternative sites and reasons why they would

not be suitable/available. Stantec agreed with the findings of the applicant and advised the LPA that the development complies with the sequential approach outlined in the NPPF Para 86 (none of the alternative sites identified by the applicant are suitable and available for the proposed development) and the advice of the National Planning Policy Guidance.

In terms of impact assessment, in Stantec's initial review they raised concerns of the robustness of the assessment and recommended the applicant submitted additional information. The applicant submitted additional information however the applicant's assessment was based on the impact on just the convenience sector only, whereas the NPPF is clear that it is the impact on the town centre as a whole which must be considered. Stantec highlight that Wellington contains a range of comparison shops, service and leisure facilities which contribute to the turnover and support the vitality of the town. Stantec undertook a high-level combined impact assessment to assess the impact of the combined convenience and comparison turnover to the town under two scenarios. The results of their assessment show that the quantitative impact on the town centre lies probably between the two resultant impact figures. Stantec state that based on the available evidence, Wellington town centre is healthy. Based on the available health check and Stantec's own assessment they conclude that the proposed development is unlikely to give rise to a significant adverse impact on the vitality and viability of Wellington town centre.

Concerning the impact on planned investment in local centres (Longforth and Cades/Jurtson urban extensions), the applicant states the proposed foostore will serve a different purpose to the local centre at Cades/Juston which would primarily serve for top up shopping. Stantec agree the proposed development would unlikely undermine the investment in this centre as the two developments would not be competing directly for investment and the Cades/Jurston retail units would likely only draw from the localised area.

In terms of the local centre in the Longforth Farm allocation, again the Lidl store will not directly compete against this top up shopping and the local centre allocation would also contain a wide range of facilities not provided by the Lidl store. The applicant does recognise that the Lidl would compete with the local centre for local expenditure however. Stantec highlight that the PPG advises that progress made towards securing investment must also be considered when deciding if there is an impact. There has been no planning application to date for the Longforth Local Centre and the land in which the centre is shown on the concept plan is still occupied by employment. Given the limited progress made towards delivering the Longforth Local Centre, Stantec consider there is no 'eligible planned investment at Longforth which the proposed development could impact on'. Stantec advise the LPA that the proposed development is not likely to give rise to a significant adverse affect on either investment in or the vitality and viability of any existing or proposed town centres. 'Therefore the impact test is passed'.

One of the supermarkets objecting to the application implies it would be unreasonable for the LPA to reach a conclusion on the impact of the Lidl while the full affects of the pandemic are unknown. National planning policy guidance however

advises that decisions about retail impact should be based on the available retail evidence, in this case the 2017 health checks and the 2020 town centre study.

Design

The foodstore building will be set to the rear of the site with the 123 car parking spaces to the front. The building being a foodstore is a single storey, block design with floor to ceiling glazing across the southern elevation that then wraps around to the eastern elevation which faces the car park. Entrance to the store is in the south eastern corner closest to where the pedestrian link and cycle links enter the site and disabled parking. The external walling will be a combination of red brick cladding broken up by a blue/ grey brick plinth and blue/grey brick clad piers spaced at intervals along the walling. Paraphet cladding will be silver. The roof will be a grey mono pitch roof to match the wall cladding and fitted with solar panels. Galvanised cycle stands will be located to the south elevation in front of the glazing so can be overseen from within the store. A stainless steel trolley store will be located to the side of the store entrance. A condition will be imposed to agree samples of the materials.

The scheme is designed to comply with the latest government guidance and the new Part L Building Regulations by bettering the target for maximum carbon emission levels. The proposal contains various sustainable elements such as: sustainable surface water drainage scheme, solar panels, electric vehicle charging spaces, recycled materials in insulation and floor finishes, use of water-based paints on steelwork, high efficiency LED lighting incorporated internally and externally, lighting to be installed with movement detectors, dual flush toilets, sensor taps to reduce water consumption, improved air leakage and enhanced U-Values where possible, building management system controlled lighting by Lux sensors.

Energy demand is reduced in the first instance through passive design and a consideration of efficient operational procedures will ensure that the proposed foodstore's ongoing environmental impact is minimised.

In addition to all of the above design features the new store will also reduce the need to travel which will reduce vehicle mileage and emissions. In light of this the proposed development is considered to comply with Core Strategy DM5 'Use of resources and sustainable design'.

Highways

The Highway Authority have raised no objections to the proposal subject to conditions and a s106 legal obligation to secure a Travel Plan and a Traffic Regulation Order to extend the 40mph speed a further 105m along Nynehead Road.

The scheme has been amended to address matters initially raised by the Highway Authority. In particular the provision of cycle parking close to the front of the store and a reduction in car parking from 126 spaces to 123. Although this is still greater than SCC highway standards require by 7 spaces, the Highway Authority accepts that users would most likely travel by car to the store and therefore accepts that in

this instance more parking may be required. Disabled parking spaces are to be provided close to the store entrance. Dedicated motor cycle parking has not been provided but as final approval of the car park layout will be agreed by condition, some of the additional car parking could easily be converted to motorcycle use. Cycle storage capacity, design and location will also be finalised through condition.

The highway authority is satisfied that the proposal is acceptable on highway safety grounds subject to conditions and the extension of the 40mph speed limit on Nynehead Road beyond the visibility splay to the north. The proposed scheme includes pedestrian and cycle links to the south to connect the store with the B3187. Following a highway safety Audit a number of safety issues have been identified. These include the width of the shared pedestrian/cycle routes, the width of footways and the connection of the pedestrian/cycle access points with the public highway. These matters however will be addressed at the detailed approval stage by the highway authority. A s106 obligation will be used to secure the Traffic Regulation Order which will need to be in place before use of the store.

In terms of location, the site is well connected to Wellington by existing footways and cycleways and there is a public bus stop immediately to the southern boundary of the site. The stop is on the Wellington to Taunton bus route which is a very frequent bus service.

Nynehead Parish Council have requested traffic calming and a 20 mph speed limit within Nynehead and East Nynehead however this is not considered a requirement by the Highway Authority to mitigate against the development.

The applicant submitted a Travel Plan in support of the application which is still not to the satisfaction of the highway authority or the Council's own Active Travel Officer. This is not a reason however to refuse the application but it will need to be agreed before permission is granted. The approval of the Travel Plan and details of its implementation, monitoring and funding can be secured through a s106 legal obligation.

Reference has been made by the Taunton Area Cycling Campaign to the future provision of a cycle route from Wellington to Taunton. A feasibility study has been carried out and the provision of a route is identified as an action in the Council's Climate Action Plan.

The Council's Active Travel Officer and the Highway Authority have both looked at the provision of this route and whether the proposed development would impact on its delivery. Initially it was requested that a 4m strip of land was made available by the applicant along the southern boundary of the site and/or a financial contribution was provided. Given the feasibility study identifies two routes, one to the north side and one to the southern side of the B3187 there is no defined route that the development would affect. Given the cycle route is not required as a form of mitigation and there is an alternative option to the south, it would be unreasonable to request the provision of land. Furthermore were a 4m wide strip required, this may result in the loss of vital screening requested by the landscape officer.

Concerning the request for a contribution, as stated, the cycle route is not required as a form of mitigation so this is an unreasonable request. Funding towards the cycle route however could be gained outside of the planning application via CIL payments.

Ecology

The application was supported by an Interim Ecological Appraisal which identifies the site as arable land of low value to bats with limited species poor semi improved grassland. The hedgerows however can provide valuable flight lines for bats. At the request of the ecologist further lighting information was submitted to ensure lighting did not cause disturbance to bats utilising the hedgerow to the west (rear of the building) which will be retained as part of the development. The lighting scheme will comply with BCT guidance on bats and lighting. No objection is raised by the council's ecological advisor subject to a lighting design for bats condition.

The applicant accepts the presence of Greater Crested Newts (GCN) in the vicinity and that there is a possibility that GCNs are using the site. Any landscaped areas will include a flowering meadow grassland to provide additional habitat for GCNs and logs from the felling of trees will be used to create several 'hibernacula'.

Conditions have been included to require compensation and biodiversity enhancements (net gain) and to control the timing of work on the site. At the request of the ecological advisor a bat box, 2 nest boxes and 3 bird boxes will be attached to the western elevation of the building. Due to the construction of the building (being mainly steel) it is not possible to incorporate Schwegler 1a swift bricks. The landscaping scheme has been revised and now includes the planting of native hedge mix and areas of flowering lawn turf which will provide habitat for wildlife including pollinators and nesting areas for birds, which helps to address the concerns raised in the representations. This will also provide a green corridor for birds, bats, mammals and invertebrates.

The management of these habitats will be achieved through a condition requiring the approval of a Landscape and Ecology Management Plan (LEMP). It is considered that the proposal complies with the requirements of CP8 and NPPF.

Landscape/ visual impact

The site is adjacent to the B3187 which is the main approach road into Wellington from the east. SADMP policy D2 'Approach routes to Taunton and Wellington' states that development that would harm the visual qualities of routes into and out of Taunton and Wellington will not be permitted.

Extensive negotiations have taken place regarding the landscaping of the site and concluded with the submission of a scheme acceptable to the landscape and tree officers. Trees will be planted around the perimeter of the site and amongst the car park. A group of trees in the south west corner will account for those lost to the development with additional trees. This group of trees will soften the impact of the development when viewed from the public highway travelling out of Wellington

towards Taunton. A turf strip will be constructed around the perimeter of the site utilising a flowering lawn seed mix. Shrub planting will also be carried out.

The boundary treatment will consist of a 1.1m high galvanised graphite grey railing around the southern and eastern boundaries being the most visible boundaries. The rear (western) boundary will have a 2m high galvanised graphite grey paladin fence and the same fencing but at 3m high with gates will surround the delivery area. At the entrance into the car park will be 2 no. manual rise security barriers.

A condition will ensure the maintenance of the planting for a period of 5 years and a further condition will ensure that if any trees to the southern side of the site (closest to B3187) need to be removed due to the proximity of a drainage easement, replacement planting within the car park will be required.

Concern has been expressed that the lighting to the car park and store will be highly visible and will add to the level of light pollution in the Chelston area. The proposed lights range in height from 3.75m to 6m. Unlike the Wetspark site, the proposed site is fairly flat and therefore views of the lights would only be likely when in close proximity of the site or from a distance from the Blackdown Hills to the south. The lights however will be directing light downwards and will be fitted with both back and side louvres. Any lighting would be seen in the context of the existing street lighting along the B3187 and Nynehead Road and would not be introducing new lighting to the area. (A further lighting assessment is detailed below).

Economic Benefit

The loss of employment land and the future relocation of Swallowfield and Relyon to this employment site has already been discussed. The proposed development will provide for new jobs in the locality and for these reasons is to be welcomed. As discussed, a thorough assessment has been made of the impact of the development on the town centre (including local centres) and it has been demonstrated that the development will not impact on the viability and vitality of the area resulting in the loss of existing jobs. The proposal will provide for a new access off Nynehead Road that would provide an access route to the remainder of the allocated site which could attract further developers. The Council's economic development team supports the proposal.

Residential amenity

The application site is on an allocated site for employment use therefore the development of this land in proximity to the caravan site to the east and the Cades Farm residential area to the south has previously been accepted. The site is also a considerable distance to the Longforth Farm residential area to the west and on the concept plan for Longforth Farm would be separated by a green wedge.

The proposed opening hours are 07:00 to 22:00 Monday to Saturday and 10:00 to 18:00 on Sundays. No restrictions are sought on delivery hours. Likewise no restrictions are sought on when the store can be open to employees only i.e.

cleaning staff and Lidl employees stacking the shelves while the store is closed to the General Public. A condition will be imposed that restricts trading hours.

The council's environmental health officer has considered a noise assessment and raises no objection. Deliveries would be carried out to the northern side of the building furthest from the dwellings and caravan site and delivery noise would be further reduced by quiet, manually operated bridging plates and a dock shelter. There are a number of supermarkets in the district that are closer to residential dwellings that have night time deliveries so it would be unreasonable to object and impose restrictions in this case. The plant area is also to the northern side of the building away from dwellings and the caravan site.

Concerning light pollution, the application is supported by a lighting assessment. The roundabout on the B3187 is already illuminated and there is a run of street lights along the edge of the highway adjacent to the southern boundary of the site to illuminate the B3187. There is also a street light on Nynehead Road on the western side almost opposite the entrance to the caravan park. The proposed lighting would be further from the residential area and the caravan site than the existing street lights.

The lighting present along with eastern and southern boundaries will be no more than 1 lux (bright moonlight); and will be cowled with a UniStreet Gen 2 Louvers backlight; which will prevent any light spill from reaching the site boundaries. Along the western boundary of the site, the proposed lighting will be affixed to the exterior of the building and on a motion sensor. These motion sensors will act in a way similar to a house alarm, with the sensitivity of the sensor adjusted so that it is only triggered by people (and not animals). In addition to this, the sensors will be pointing downwards and above the fire exit. This exit will only be used in the event of an emergency (i.e. rarely). An additional precaution, shrouding the lights from above, will also be employed, to ensure any light spill is directed downwards (i.e. onto the floor), which will further decrease light spill.

For these reasons the proposal is not considered to impact on the residential amenities of the surrounding area.

Floodrisk

The site which is flat arable land lies within a floodzone 1. The Environment Agency in identifying that the primary concern is with surface water run off advised that the Lead Local Flood Authority (LLFA) was consulted. The LLFA requested a flood risk assessment due to surface water flood risk on the north west, southern and eastern boundary of the site. The LLFA informed the applicant that in designing the drainage strategy, the highway drainage in the vicinity of the site is currently operating at or beyond its capacity and as it serves to collect run-off from a county primary road, there could be no reduction in performance. The LLFA highlighted historical flooding problems with the system.

The development will incorporate a modern drainage system, designed to retain surface water within the site, restricting the rate of run-off to the lowest practicable rate and thereby have a betterment over the existing scenario.

In terms of groundwater flood risk, the site will predominantly be hardstanding upon development, a permanent impermeable layer at the surface will limit the vertical migration of groundwater, inhibiting groundwater emergence at the surface.

There is a public rising main to the southern periphery of the site and public surface foul water sewers approximately 50m south of the site. The FRA concluded the risk of sewer flooding is low.

There are no canals within the vicinity and the site is not within the flood extents of the reservoir overtopping or breach event.

The FRA concludes that the baseline flood risk to the site and the impact on the development elsewhere is considered low and acceptable from all sources. Therefore there are no site specific mitigation measures considered necessary. However in accordance with Building Regulations, finished floor levels will be set 150mm above surrounding ground levels, on site drainage will be well maintained and a 3m clearance either side of the on-site public rising main will be provided.

The LLFA raises no objection subject to a condition to approve a surface water drainage scheme, based on sustainable drainage principles.

Heritage

The northern limits of the site is just over 100m from the gate piers to the former entrance to Nynehead Court. Nynehead Court which is now a care home is a Grade II listed building and the surrounding parkland grade II*. The gate piers are independently grade II listed. Historic England have made no comments. The council's conservation officer considers any impact can be ameliorated through landscaping. The landscaping scheme entails perimeter planting of trees and shrubs to the north and east. This combined with the distance should lessen any impact on the setting of the piers. Concerning the location of highway signage and street lighting along Nynehead, this would be determined by the highway authority post permission.

Other matters

One reason the town council object is because they believe the proposal conflicts with the new initiative of the council for Local Development Orders (LDOs). The LDO however is not applicable to Wellington or Taunton adopted settlement boundary which the site is within as it is part of an allocated site. The LDO focus is for small-scale/micro businesses/start ups in rural areas and small villages under 50 sqm/200sqm depending on the use class on sites of less than 1 ha.

Devaluation of property is not a material planning consideration.

Concerns re the safety of children walking from Cades Farm to the new school at Longforth Farm would have been assessed when granting planning permission for the school. The Highway Authority has considered the highway safety aspects of the proposed development and raises no objection.

The erection of signage will be subject to a separate advertisement consent.

Concerning comments that residents were not informed of the change of the site from mixed/light industrial to retail, the site remains an allocated employment site within the Core Strategy.

The provision of more free parking in the town centre is a matter outside of the consideration of this planning application likewise the applicant cannot be made to accommodate a post office within the store.

Reinstating the bus route from Wiveslicombe to Wellington is outside the scope of this planning application.

Re concerns that the site will be used as a meeting point, Lidl will be responsible for managing the premises. There is no reason to believe that in granting permission the development would give rise to anti social behaviour. There will be personal present during the limited deliveries and staff on site during cleaning and restocking that would provide an element of surveillance. The police designing out crime officer has raised no objection.

With regards to the loss of agricultural land, the site is an allocated site in the Core Strategy so the principle of the loss of agricultural land to development has already been accepted.

Regarding the statement that other stores will follow. If any such applications were forthcoming, they would need to be judged at that time on their own merits and this must not affect the determination of this application.

Comments that Bloor Homes are looking to develop this site for housing are not relevant to the determination of the application.

The pricing structure of the proposed foodstore compared to other supermarkets is not a material planning consideration.

Consideration of an alternative access off the roundabout of the B3187 with Longforth Farm cannot be made as the application must be judged on the proposed access arrangements which the highway authority are satisfied with.

How the applicant manages its parking is outside of the remit of the planning authority.

Concerning the provision of a roof over the car park to provide additional space for solar panels, this is not considered essential to make the development acceptable in terms of design, to meet parking requirements or to satisfy policy DM5.

The applicant cannot be made to erect a sign directing people to the town centre as this is not relevant to the determination of the application.

There is no evidence to say that the traffic that would utilise the foodstore would give rise to increased pollution that would then create respiratory diseases. A significant proportion of journeys to the foodstore will be in passing along the B3187 to start with.

Conclusion

The proposed development which is for a retail development on employment land is considered a departure to the local plan. The LPA however is satisfied that the development offers benefits that outweigh the loss of this small section of employment land. The development will not effect the future relocation of the town's two biggest employers should they ever decide to relocate and could encourage future investment in providing an access to the employment land. In line with both national planning policy and guidance and development plan policies, the proposal has passed the sequential test and will not impact on the vitality and viability of Wellington town centre. It is recommended that planning permission is granted subject to a S106 Obligation to secure a Travel Plan and a TRO, planning conditions and the application being advertised as a departure to the Local Plan and no new issues being raised that haven't previously been addressed.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

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