

Application No:	3/39/20/008
Parish	Williton
Application Type	Outline Planning Permission
Case Officer:	Denise Todd
Grid Ref	Easting: 307683 Northing: 140947
Applicant	Mr D Gliddon
Proposal	Outline planning application with all matters reserved, except for access, for the redevelopment of the site to provide a food store (A1), retail shops (A1), professional and financial services (A2), food and drink uses (A3), health services (D1), residential dwellings (C3), vehicle and pedestrian accesses, associated car parking and landscaping. The agent has agreed to amend the description following changes to the Use Class made in September 2020, to "Outline planning application with all matters reserved, except for access, for the redevelopment of the site to provide a food store E(a), retail shops E(a), professional and financial services E(c)(i),(ii) and (iii), food and drink uses E(b), health services E(e), residential dwellings (C3) (no change), vehicle and pedestrian accesses, associated car parking and landscaping."
Location	Land off Bank Street with link to Fore Street, Williton

Recommendation

Recommended decision: Granted subject to

Recommended Conditions

- 1 Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of two years from the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by

Section 92 of the Town and Country Planning Act 1990 (as amended).

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

(A3) DrNo 704 01 Site Location Plan

(A3) DrNo 704 02 Illustrative Site Plan

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

- 3 Finished floor levels of the proposed built development shall be set no lower than 300mm above existing ground level.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 4 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the LPA), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the LPA:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the LPA. The scheme shall be implemented as approved.

Reason: To protect controlled waters.

Pre- commencement reason required to ensure any contamination found on the site is suitably dealt with.

- 5 No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the LPA. The scheme should include details of the following:
1. Site security.
 2. Fuel oil storage, bunding, delivery and use.
 3. How both minor and major spillage will be dealt with.
 4. Containment of silt/soil contaminated run-off.
 5. Disposal of contaminated drainage, including water pumped from excavations.
 6. Site induction for workforce highlighting pollution prevention and awareness. Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

Reason: - To prevent pollution of the water environment.

A pre-commencement condition is required to ensure the strict protection of the water environment

- 6 No part of the development hereby permitted shall be commenced until a scheme of works to provide the revised vehicle access from Bank Street to the south of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme of works shall be implemented in their entirety prior to first occupation of the site.

Reason:- In the interests of highway safety.

- 7 Prior to the opening of the supermarket the pedestrian route linking to Fore Street shall be constructed in accordance with a scheme submitted to and approved in writing by the Local Planning Authority and shall be made available in perpetuity for public use.

Reason: In the interests of highway safety.

- 8 Prior to the opening of the supermarket or any of the retail/commercial units hereby permitted, the car parking areas and vehicle turning spaces shall be constructed in accordance with details submitted to and approved in writing by the Local Planning Authority and shall be made available in perpetuity for public use.

Reason: In the interests of highway safety.

- 9 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority in order to limit the risk of water adversely affecting the highway. The drainage works shall be installed prior to first occupation.

Reason: In the interests of highway safety.

Pre- commencement reason required that the development is served by a satisfactory system of surface water drainage

- 10 No building hereby permitted shall be occupied or otherwise used for any purpose until provision has been made within the site for the loading and unloading of goods vehicles for which details shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

- 11 No development hereby permitted shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority and thereafter implemented by the approved Contractor in accordance with the approved details. The plan and any contract shall stipulate the size of vehicles to be used for deliveries and the routes to be used. The approved contractor shall ensure that works do not interrupt the movement of traffic on the A39 at certain times: November to March, Monday to Friday 08:00-09:30; April to October, Monday to Saturday 08:00-19:00; nor April to October, Sundays 10:00-19:00.

Reason: In the interests of highway safety.

Pre- commencement reason is required to ensure the highway safety of the development.

- 12 The development hereby permitted shall not be brought into use until the accesses, staff parking facilities and areas for the manoeuvring, parking, loading and unloading of vehicles have been laid out, consolidated, surfaced and drained in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

- 13 No development shall commence on site until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for use at all times thereafter.

Reason: In the interests of highway safety

Reason: In the interests of highway

safety.

Pre- commencement reason is required to ensure the highway safety of the development.

- 14 Prior to the commencement of use, details of the hours of operation of the supermarket, including delivery hours, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved details.

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

- 15 Prior to its installation , details of all external lighting, to include hours of operation and strength of illumination, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved details.

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

- 16 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To protect controlled waters.

- 17 No development hereby approved shall take place until the appellant, or its agents or successor in title, has secured the implementation of a programmed of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of archaeology and the historic environment.

Pre- commencement reason is required to secure the historic value of the site as archaeological investigations need to be undertaken in advance of the construction phase

- 18 Prior to the first occupation of any of the dwellings hereby approved, the applicant shall prepare and submit for written approval a Flood Warning and Evacuation Plan for the site. A copy of the Flood Warning and Evacuation Plan shall be provided each household prior to the commencement of their tenancy/ transfer of ownership. The Flood Warning and Evacuation Plan shall be reviewed every 5 years and households informed of any changes updates.

Reason: The site is located in Flood Zone 3, where there is a high probability of

flooding during the lifetime of the dwellings. The Local Planning Authority wishes to ensure that adequate warning and evacuation measures are in place in the event of a flood in accordance with Policy CC2, Flood Risk Management, of the Somerset West Local Plan to 2032 and paragraph 163 of the NPPF.

- 19 No development shall be commenced until details of the sustainable surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. Such scheme should aim to meet the four pillars of SuDS (water quantity, quality, biodiversity, and amenity) to meet wider sustainability aims as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The development shall include measures to prevent the control and attenuate surface water and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: To ensure the development is properly drained in accordance with the NPPF.

Pre- commencement reason is required to ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed, and maintained in accordance with the approved details throughout the lifetime of the development.

- 20 No development approved by this permission shall be occupied or brought into use until a plan for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To safeguard the long-term maintenance and operation of the proposed system to ensure development is properly drained in accordance with the NPPF.

- 21 Prior to the commencement of development a written commitment to the sourcing of local labour shall be submitted to and approved in writing by the local planning authority. The written commitment, as a minimum, shall set out the following matters: i) The proportion of construction workers to be sourced from the local labour pool, ii) Work experience/ apprenticeship opportunities; iii) The proportion of local procurement and sourcing; iv) On-going skills development and training opportunities; v) The steps that will be taken to ensure that the above is implemented; vi) The operator shall maintain a record of i - v above and shall make that information available to the local planning authority at all reasonable times upon request.

Reason: In accordance with policy EC1 of the West Somerset Local Plan. This matter needs to be agreed prior to commencement in order to ensure that local labour is used in the project from the start.

- 22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any statutory instrument revoking and/or re-enacting that Order with or without modification), the use of the building(s) hereby permitted shall be limited to uses categorised as E(a), E(b), E(c) (i), (ii), (iii) and E(e) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and/or re-enacting that Order with or without modification).

Reason: To ensure that the proposed development does not harm the character and appearance of the area or impact upon the viability and vitality of Williton village rural centre and for the avoidance of doubt as to the extent of the permission granted.

Informative 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 and has imposed planning conditions to enable the grant of planning permission.
- 2 The West Somerset Local Plan (WSLP to 2032 and Saved Policies in WSDLP 2006) contains a number of provisions to encourage water efficiency, Policy CC5, minimise carbon emissions', CC1 , Design, Policy NH13 and Energy & Waste conservation, Saved Policy BD/9. In accordance with the emerging Design Guide SPD any applications for reserved matters should be reviewed by the Quality Review Panel at an early stage. The design, submitted at reserved matters stage, needs to be sustainable and fully compliant with these policy provisions.
- 3 The Environment Agency offers the following additional advice:-

Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase.

Flood Risk:

The majority of the built development is proposed within flood zone 1; however there are areas within the red line boundary of the site which fall within flood zone 2 and 3 (including the access/egress for the site).

The Council's Emergency Planners should be consulted in relation to flood emergency response and evacuation arrangements for the site. We strongly recommend that the applicant prepares a Flood Warning and Evacuation Plan for future occupants. The LPA may wish to secure this through an appropriate condition. We can confirm that the site does lie within a Flood Warning area. We do not normally comment on or approve the adequacy of flood emergency response and evacuation procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this

development during an emergency will be limited to delivering flood warnings to occupants/users. The responsibility is on LPA's to consult their Emergency Planners with regard to specific emergency planning issues relating to new development.

The foul drainage should be kept separate from the clean surface and roof water, and connected to the public sewerage system after conferring with the sewerage undertaker.

There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

- 4 The Lead Local Flood Authority offers the following additional advice which outlines the information the LLFA will expect to see in order to discharge the above conditions.
- Drawing / plans illustrating the proposed surface water drainage scheme including the sustainable methods employed to delay and control surface water discharged from the site, sewers and manholes, attenuation features, pumping stations (if required) and discharge locations. The current proposals may be treated as a minimum and further SuDS should be considered as part of a 'SuDS management train' approach to provide resilience within the design.
 - Infiltration testing, soakaway detailed design and construction in accordance with Building Research Digest 365. Infiltration features must be located more than 5m from building and road foundations and there must be a minimum of 1m between the base of any infiltration feature and maximum ground water level. If soakaways are shown as unviable after further testing, a suitable sustainable drainage scheme shall be shown.
 - Detailed, network level calculations demonstrating the performance of the proposed system are required and this should include:
 - Details of design criteria etc and where relevant, justification of the approach / events / durations used within the calculations.
 - Where relevant, calculations should consider the use of surcharged outfall conditions.
 - Performance of the network including water level, surcharged depth, flooded volume, pipe flow, flow/overflow capacity, status of network and outfall details / discharge rates.
 - Results should be provided as a summary for each return period (as opposed to each individual storm event).
 - Evidence may take the form of software simulation results and should be supported by a suitably labelled plan/schematic to

allow cross checking between any calculations and the proposed network

- Detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, pumping stations and outfall structures. These should be feature-specific.
- 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. Suitable consideration should also be given to the surface water flood risk during construction such as not locating materials stores or other facilities within this flow route.
- Further information regarding external levels and surface water exceedance routes and how these will be directed through the development without exposing properties to flood risk.
- With regards to maintenance, it should be noted the condition is recommended as a 'pre-occupation' condition. The following information will be required
 - Detailed information regarding the adoption of features by a relevant body. This may consider an appropriate public body or statutory undertaker (such a water company through an agreed S104 application) or management company.
 - A management and maintenance plan for the lifetime of the development which shall outline site specific maintenance information to secure the long-term operation of the drainage system throughout the lifetime of the development.

Proposal

The proposed development as submitted is an outline planning application with all matters reserved, except for access, for the redevelopment of the site to provide a food store (A1), retail shops (A1), professional and financial services (A2), food and drink uses (A3), health services (D1), residential dwellings (C3), vehicle and pedestrian accesses, associated car parking and landscaping.

Following changes to the Use Class made in September 2020, the agent agreed by email dated 16 August 2021, to amend the description to "Outline planning application with all matters reserved, except for access, for the redevelopment of the site to provide a food store E(a), retail shops E(a), professional and financial services E(c)(i),(ii) and (iii), food and drink uses E(b), health services E(e), residential dwellings (C3) (no change), vehicle and pedestrian accesses, associated car parking and landscaping."

The car parking provision proposed is located in two areas providing a total of 175 parking spaces, 27 of which are wheelchair accessible spaces.

Outline permission is also sought for three dwellings which will be 2 bedroom

properties, as per the existing consent.

The application is accompanied by an indicative plan that shows how the development might be accommodated within the site. It shows:

- a new store occupying the north eastern corner of the site entrance to the south, service bays to the west between the site and the customer car park
- The vehicular entrance would be off Bank Street next to the police station and the existing Gliddons shop
- 4 new buildings indicated to the south of the store
- new roundabout on the A39 at the junction of Priest Street and Bank Street

The indicative plan shows a new building and service area with a pedestrian link to Fore Street emerging between the post office and a shop. Three shops are shown, and they would be the subject to a separate application where the need to manage the difference in levels between the two areas (approximately 1.5m) would need to be considered.

The application is accompanied with a suite of supporting information including:

- Design and Access Statement, May 2020, prepared by MWA
- Williton Bank Street – Retail Statement, May 2020 Prepared by Reeves Retail Planning Consultancy (RRPC)
- Technical Note: Highways, April 2020, prepared by Vectus
- Flood Risk Assessment (FRA) Update prepared by Clarkebond, Engineering Management Consultants in 2014

Site Description

The site is located off Bank Street and extends to the rear of the properties on Priest Street, Fore Street and Bank Street whilst to the north the site stretches as far as Shutgate Meadow. The site is approximately 1.59 hectares. The site is partially located within Flood Zone 2 on the southern and western extremities of the site. The site is located within an area of high archaeological potential and located near to several listed buildings, most notably the Police Station which is immediately adjacent to the site.

The existing use is a mixture of retail (Use Classes A1 (with effect from September 2020 shops are now Use Class E(a))) ' residential / gardens and dwellings (Use class C3) and storage and warehousing (Use Class B8)

Relevant Planning History

3/39/21/016 - Application for approval of reserved matters following outline application 3/39/14/024 for the appearance, landscaping, layout and scale of the site - Under Consideration

3/39/21/015 - Application for approval of reserved matters following outline application 3/39/14/010 for the appearance, landscaping, layout and scale of the site - Under Consideration

3/39/16/002 - Erection of up to 480 sq.m. gross of flexible A1/A2 (Now use class

E(a) and E(c) (i), (ii) and (iii) floorspace including landscaping and pedestrian link to Fore Street (resubmission of 3/39/14/024 without proposed roundabout) - Granted 39/14/024 - Outline application (with all matters but access reserved) for the erection of up to 480 sq.m. gross of flexible Class A1/A2 floorspace linked to proposed redevelopment of land associated with application ref: 3/39/14/010 to include vehicle and pedestrian access and landscaping - Allowed at Appeal.

3/39/14/037 - Lawful development certificate for the existing use of the land as retail, workshop, mixed light industrial use and storage - Granted

39/14/019 - Lawful Development Certificate for the existing use of the land and buildings as a shop (Class A1) - Granted

3/39/14/010 - Redevelopment of the site to provide a food store (A1), retail shops (A1), professional and financial services (A2), food and drink uses (A3), health services (D1), residential dwellings (C3), vehicle and pedestrian access, associated car parking and landscaping (resubmission of 3/39/11/002) in association with 3/39/14/024 - Allowed at Appeal.

3/39/11/012 - Extension of time in order to implement planning permission 3/39/08/001 for residential and small-scale retail including infrastructure and alterations to vehicular access - Withdrawn

3/39/11/002 - Redevelopment of site to provide food store (A1) retail shops (A1), professional financial services (A2), food and drink (A3), health services (D1), residential dwellings (C3), vehicle and pedestrian access, associated car parking and landscaping - Refused

39/08/001 - Residential and small-scale retail including infrastructure and alterations to vehicular access. – Approved

On 4 July 2017 planning permission was granted on appeal for the (3/39/14/010) redevelopment of the site to provide a food store (A1), retail shops (A1), professional and financial services (A2), food and drink uses (A3), health services (D1), residential dwellings (C3), vehicle and pedestrian access, associated car parking and landscaping (resubmission of 3/39/11/002) in association with 3/39/14/024.

On the same day planning permission was also granted for application 3/39/14/024 for the erection of up to 480 sqm gross flexible Class A1/A2 floorspace linked to 3/39/14/010.

The reserved matters applications 3/39/21/0015 and 3/39/21/016 are currently under consideration by the LPA.

Consultation Responses

WILLITON PARISH COUNCIL - Objection

1 The scheme prevents the building of the Inner Relief Road.

2. The proposed mini roundabout does not appear to improve the potential traffic flow which we still consider to be a problem. Having two mini roundabouts in proximity to each other would in our opinion lead to a backup of traffic and could lead to Bridge Street being used as a rat run which would be detrimental to the residential amenities of those living in Bridge Street.,
3. This proposal does not take the cumulative traffic and pollution impacts of other developments that have gained consent into consideration. The area cannot afford for Williton to become gridlocked or have significant
4. It is considered that the access through Breeze will still mean that, site barriers would have to be fitted along the pavement to stop children running into the road and this could lead to loss of some of the on-street parking. Concern is also raised regarding the width of the pedestrian link
5. It would appear that Bow Cottage and Stable Cottage will both lose their gardens as was also proposed under the application allowed on appeal. It is considered that the loss of the gardens is now no longer acceptable as it will have an adverse effect on the residential amenities of the occupier(s).
6. Suggested conditions if application approved
 - 3 hours free parking to ensure that users of the supermarket have time to visit the other shops and so safeguard the vitality of the shops.
 - Removal of permitted development rights for all the units to help ensure that the units stay in the uses granted.
 - Retention of the stone wall between the proposed pedestrian link and 17, 19 and 19A Fore Street in order to provide privacy for these properties. If necessary, the wall should be raised.
 - The approved details for staff parking, areas for loading ,unloading etc as agreed under Condition 23 (3/39/14/010) needs to be strengthened to ensure that these areas are retained once implemented.
 - A barrier at the Fore Street pedestrian link entrance be provided prior to the link opening and be retained thereafter.

WESSEX WATER AUTHORITY – No comments received

HIGHWAYS DEVELOPMENT CONTROL – After receipt of additional information, the highway authority confirmed that would be unlikely to sustain an objection and requested 8 planning conditions.

ENVIRONMENT AGENCY - No Objection subject to conditions relating to finished floor levels, contamination of the site, contamination not previously identified, a scheme for the prevention of pollution during the construction phase and note to applicant regarding flood risk.

ECONOMIC DEVELOPMENT AND INWARD INVESTMENT - We note that this application could create up to 150 jobs and has potential to create added vibrancy to the service centre of Williton.

LANDSCAPE – No comments received

RIGHTS OF WAY PROTECTION OFFICER - No comments received

SOUTH WEST HERITAGE TRUST - requests a condition relating to Programme

of works in Accordance with a Written Scheme of investigation (POW).

SWT ENVIRONMENTAL SERVICES - Recommends that the Contaminated land condition requested by the Environment Agency is expanded to include human health and the environment.

- Regarding noise conditions, these would need to be more specific conditions e.g. maximum noise levels (eg 3dB over background or similar) as this will inform the applicant as to what is expected regarding plant machinery.

LEAD LOCAL FLOOD AUTHORITY – No Objection subject to conditions relating to:-

- Sustainable surface water drainage scheme
- Future responsibility and maintenance of the surface water drainage system to be approved and
- Informatives are required regarding the level of detail/information to be submitted in order to discharge the requested conditions

Representations Received

Neighbours have been notified of the application and a site notice posted. This has resulted in receipt of 13 letters of representation. 11 raise objections to the proposal and 2 make neutral comments. The issues raised and grounds of objection can be summarised as follows:

11 x letters of objection

- The proposal development would have an adverse impact upon the operation of the Post Office
- The proposal would have an adverse impact on the main shopping centre
- 2 roundabouts in close proximity would cause traffic gridlock
- The proposal would adversely impact upon Williton which is one of nine Rural Villages with the most comprehensive combinations of government, services and facilities in England
- Creation of a supermarkets leads to a net loss of jobs
- Covid-19 and its restrictions will ensure fewer objections will be raised with business closed and many people shielding and not aware of local current events.
- The proposal would lead to the loss of Post Office and other shops and services.
- Free car parking should be compulsory and permanent
- New roundabout will be a hazard for those wishing to cross the road
- Congested traffic may use Bridge Road as an alternative route, which would have an adverse impact on Bridge Road
- Will the local authority assume responsibility for ongoing cleanliness and tidiness? of development; if not, developer should be obliged in perpetuity.
- Noise pollution for neighbouring residents due to external air conditioning units/chillers, delivery lorries etc
- Noise, air and light pollution would adversely impact mental and physical health of neighbours and the environment
- Unclear where supermarket staff smoking shelter would be located
- Landscape strategy is unclear

- Unclear lighting strategy
- Adverse impact on vitality and viability of Williton, with loss of trade for the Co-op and Spar shop
- Loss of Lloyds Bank would have an adverse impact as it's the only bank with disabled access
- The suggestion of 150 new jobs is not accurate as Morrisons in Minehead is twice as big and only employs 130 including part-time workers
- Could lead to loss of community as many of the existing population have chosen Williton as a quiet community
- Could this not be used for Affordable Housing?
- Not needed as already have large supermarkets in Minehead and Taunton
- The proposal would greatly change the character of Williton and would be harmful to existing business
- We should be helping existing business and individuals to recover from situation caused by Covid-19, not making major changes to our village
- Site will become attract anti-social behaviour as located behind existing high street
- The supermarket will eventually charge inflated prices, so clientele will be short live, as people then return Minehead/Taunton for their shopping
- Unappealing new face of village will result in loss of income as tourist and local pass through with no desire to stop and browse.
- What is the height of the proposed building?
- The proposal will impact on the amenity value of those in close proximity
- Little interest has been shown in landscaping and nature conservation
- The proposal is soulless, devoid of interest and lacking in imagination
- Land was inherited, therefore the applicant could do more and still return a profit
- 120 free car parking spaces will deprive the council from income from Killick Way
- Should a new flood relief document be produced as the one submitted is dated 2010 and refers to West Somerset District Council
- Concerns is raised over run-off affecting residential neighbours
- There is a need to deal with toxic water oil and buried industrial waste
- This proposal should be considered in conjunction with 3/39/20/003 and other application for large development of dwellings in Watchet and Williton
- Somerset County Council Highways has recommended that this planning application should be refused as this application needs to be viewed in conjunction with the planning application for 350 new houses on land behind Mamsey house. My view is that these developments when taken together will cause traffic gridlock in Williton, especially as the supermarket application proposes two roundabouts in close proximity near to one another. Is it possible for Taunton and West Somerset Planning to ask The Planning Inspectorate for a review of the planning inspectors decision to approve this application as three and a half years have gone by since the planning inspector gave his approval and a lot has changed since then?

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 the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

ID1 - Infrastructure Delivery

SD 1 - Presumption in Favour of Sustainable Development

SC1 - Hierarchy of Settlements

SC2 - Housing Provision

SC3 - Appropriate Mix of Housing Types and Tenures

SC4 - Affordable Housing

SC5 - Self Containment of Settlements

SC6 - Safeguarding of Village

Facilities W11 - Williton Development

EC1 - Widening and Strengthening the Local Economy

EC5 - Safeguarding Existing Employment Uses

EC12 - Minehead Primary Retail Area and Central Area for Alcombe, Watchet and Williton

TR1 - Access To and From West Somerset

TR2 - Reducing Reliance on the Private Car

CF2 - Planning For Healthy Communities

CC2 - Flood Risk Management

CC6 - Water Management

NH1 - Historic Environment

NH2 - Management of Heritage Assets

NH3 - Areas of High Archaeological Potential

NH4 - Historic Environment

NH6 - Nature Conservation and the Protection and Enhancement of Biodiversity

NH9 - Pollution, Contaminated Land and Land Instability

NH13 - Securing High Standards of Design

Retained saved policies of the West Somerset Local Plan (2006)

SH/3 - Retail Development Outside of Minehead Town Centre
T/7 - Non-residential Development Car Parking

Other Guidance considered

Somerset West and Taunton emerging Districtwide Design Guide SPD

Determining issues and considerations

The Principle of Development

Williton is one of two rural service centres identified in Policy SC1, Hierarchy of Settlements of the Local Plan. This policy seeks to contain development in the main centres of the district and policy SC1 clearly states that *'New development will be concentrated in the districts main centre, Minehead/Alcombe, and in the rural centres of Watchet and Williton, this will be on a scale generally proportionate to their respective roles and functions to their own communities and those in surrounding settlements that rely on their larger neighbours for the essential services and facilities'*.

Significant new growth is planned for the village of Williton during the plan period to 2032. Policy W12: Key Strategic Development at Williton, envisages mixed use, mainly residential, development of approximately 406 dwellings and 3ha. of compatible non-residential uses across three sites: Aller Mead, Land to the West of Williton and Land to the North of Danesfield School.

Planning permission was granted for 90 houses at Aller Mead (3/39/20/005, dated 29th May 2020), the smallest of these sites, and is currently in the process of being built and occupied. An application to develop the largest of the sites, Land to the West Of Williton has been received ref. 3/39/20/003,. It proposes a mixed use, mainly residential, development of 350 dwellings. If approved, residential development for Aller Mead and Land to the West of Williton would total 440 dwellings, nearly 10% more than the allocation figure – without taking into consideration the third Allocation site, Land to the North of Danesfield School. It is not known exactly how many houses that site might accommodate, or whether it will be developed during the plan period, however it is an allocated site. Modern housing tends to be developed to a density of 30-35 dwellings per hectare (the density for flats and town centres is often higher), so another 100-150 dwellings is not an unreasonable assumption, even allowing for greenspace and other uses. An increase of 550-600 new houses is realistic proposition within the plan period. At an average occupancy of 2.2. persons per dwelling, the likely increase in the village population during the plan period is 1,210-1,320 people.

Given this level of planned growth and the fact that significant growth has occurred with further growth planned in nearby Watchet the other rural centre identified in Policy SC1 of the Local Plan, the economic case for approving this supermarket led development is, if anything, stronger than it was in 2017 when the Planning Inspector allowed the appeal.

A number of objectors have pointed to changes in shopping patterns associated

with the expansion of online shopping and home grocery deliveries, and deliveries and questioned whether a new supermarket is required. Online shopping and home delivery has certainly expanded in recent years, boosted by the Covid pandemic and customer shielding. It seems likely that some of this change will be permanent, but the size of the shift is not sufficient to undermine the case for a new supermarket in Williton given the planned and likely levels of housing growth in the area.

The site that is the subject of this planning application is within the settlement boundary of Williton, has gained Certificates of Lawfulness to establish that the land and buildings can be used for A1 retail use, with the northern section of land for B1 and B8 and retail uses and has previously been approved under 3/39/14/010 for redevelopment of the site to provide a food store (A1), retail shops (A1), professional and financial services (A2), food and drink uses (A3), health services (D1), residential dwellings (C3), vehicle and pedestrian access, associated car parking and landscaping (resubmission of 3/11/0002) in association with 3/39/14/0024 an Outline Application (with all matters but access reserved) for the erection of up to 480 sqm gross flexible Class A1/A2 floorspace linked to proposed redevelopment of land associated with application 3/39/14/010 to include vehicle and pedestrian access and landscaping at Appeal as acceptable for development on 4th July 2017. Therefore, the proposed development is considered to comply with policy SC1

Policy SC5: Self Containment of Settlements, allows for "Development which improves the balance of land uses within a settlement in terms of minimising overall transport use will be encouraged". The proposed development is for the provision a food store (former A1 now E(a)), retail shops (former A1 now E(a)), professional and financial services (formerly A2 now E(c) (i), (ii) and (iii)), food and drink uses (formerly A3 now E(b)), health services (formerly D1 now E(e)), residential dwellings (C3 no change), vehicle and pedestrian accesses, associated car parking and landscaping. The proposed development if approved, would therefore provide employment opportunities and services for the local community thus reducing the reliance on the private motor. A local employment agreement would be aimed at giving a high priority to assisting local residents find work and improve their skills and would be secured by the S106 agreement. The local employment agreement that formed part of the appeal made under applications 3/39/14/010 and 3/39/14/024, referred to 150 full-time equivalent jobs. The Planning and Design and Access Statement that accompanies this application, states that this application has been submitted *'largely based upon those considered at the public inquiry of May 2017 and the Inspectors decision dated 4 July 2017.* It is therefore expected that 150 full-time equivalent employment opportunities will be created. The proposed development will allow for Williton to enhance its self-containment and so strengthen this large village as a local service, administrative and employment centre and therefore complies with planning policy SC5.

The development site is located in Williton which has its own policy in the Local Plan. Policy WI1 supports development proposed in Williton provided it:

- *"Support and strengthen the settlement's role as a local service, administrative*

and employment centre for the north eastern part of West Somerset district, particularly in terms of the range and quality of its services and facilities, and;

- *Contribute to the improvement of traffic and transport management within the village, and;*
- *Complement the provision of employment opportunities, services and facilities in neighbouring Watchet*

Where appropriate, development must contribute towards resolving the flood risk issues which affect the settlement."

The proposed development would offer wider community benefit to Williton in terms of services and employment opportunities in addition to the creation of new homes. At present there is no supermarket in the town, with residents having to travel to Minehead, Taunton or Bridgwater for such facilities. The SWT Economic Development team have supported the proposal stating, "*We note that this application could create up to 150 jobs and has the potential to create added vibrancy to the service centre of Williton*". The proposed development is therefore considered to accord with policy WI1,

Policy EC1: Widening and Strengthening the Local Economy, states proposals which will make the West Somerset economy stronger and more diverse and that are likely to increase the proportion of higher paid jobs locally will be supported.

New development, redevelopment and, conversion proposals for all types of employment generating activities will be encouraged. Where possible, such proposals should make use of existing employment sites, or of sites with similar and compatible uses where the development proposed would not have an adverse impact on the amenity of existing neighbouring uses. The proposal seeks to redevelopment an existing employment site and the appeal decision on the previous outline planning applications considered that the proposed A1 retain use would "*help to support and strengthen the village and local area and help create and maintain a strong and vibrant community*".

The proposed development is therefore considered to accord with policy EC1

Policy EC5: Safeguarding Existing Employment Uses allows for development provided:

- it must be demonstrated that any new use proposed would not prejudice adjacent existing or proposed and;
- the new use will result in a reduction in undesirable transport movements to the locations over minor roads linking it to the national primary and country highway principal route network.

The Retail Statement submitted was prepared by Reeves Retail Planning Consultancy Ltd and confirms that there has been little change to the centre since the previous Appeal decisions.

- The Co-op and Spar stores continue to trade, with the former having been refurbished in 2017.

- The Orange Pip florist has closed, and the unit is now occupied by an Antiques dealer;
- The former newsagents unit has been occupied by an Art Gallery;
- The Glenmore bakery has relocated to a new premises just outside of the defined centre on Long Street. Its former unit on Fore Street is now occupied by an acupuncturist;
- The adjoining units previously occupied by the RSPCA and Silhouette Hair Salon have been vacated and are currently being refurbished for occupation by the owner;
- The public toilets at Killick Way are currently closed; and
- The NFU have expanded their offices to the whole of the ground floor of the former Bank on Bank Street.

The village centre would therefore appear to be in a moderate health with little change from 2017 when the appeals were determined on the previous planning applications. At that time the Planning Inspector considered that the overall impact for the centre would be positive with the proposed development adding to the centres vitality and viability. Neither the Co-op nor the Spar have submitted any comments in relation to this application.. There is an objection from the Post Office however this has not specially demonstrated that the proposed development would prejudice this existing business though it has shown general objection to the proposal.

Taking into consideration the existing use of the site for A1 (E(a), B1 (E(g) and B8 (no change) uses and the lack of objection and comments from the established convenience stores and other local businesses the proposed development is considered to accord with policy EC5

There has been a material change in circumstance within the village. Two changes have brought the WI2 policy allocation closer towards realization. Firstly, Outline and Reserved Matters approval has been granted for 90 dwellings on the Donniford Road site, the smallest of the three allocated sites. Secondly an application for mixed, mainly residential, use has also been received in relation to the West of Williton site. Both these developments represent material changes that strengthen the case for this scheme by providing a larger population base to support the development.

The principle of development is considered acceptable as the proposed development relates to a site within the settlement boundary for Williton, the site has extant consent for a very similar development and a Reserved Matters application for that development has been submitted and is currently under consideration by this local planning authority.

Design

The proposed development is an outline planning application with all matters reserved, except for access, therefore the design of the A1 (now E(a)), A2 (now E(c) (i), (ii), (iii), A3 (now E(b), D1 (now E(e), C3 (no change), pedestrian accesses, associated car parking and landscaping will be dealt with at the Reserved Matters stage

At the Reserved Matters stage the proposed development would have to address policy NH13: Securing High Standards of Design. This policy clearly states that “New development will be expected to meet the highest standards of design.” The NPPF has recently been updated and now requires “Plans, should at the most appropriate level set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable” As this local planning authority is currently considering two applications for Reserved Matters for the appeal decisions, advice on design of the proposed development will be provided under applications 3/21/015 and 3/39/21/16. The emerging Districtwide Design Guide SPD that is currently out for public consultation should however be used when making a submission for Reserved Matters for this application.

Other than to state that the development is conveniently located in a sustainable location in the village centre, strengthening self-containment and facilitating linked trips the accompanying Design and Access Statement says little about sustainability. This issue will need to be fully resolved at the Reserved Matters stage when design is considered. It is however considered necessary to add a note to the applicant highlighting this planning authority's sustainability expectations.

Within the ownership of the applicant are two dwellings: Stable and Bow Cottages which are located adjacent to the link with Fore Street. These dwellings were previously impacted upon by application 3/39/14/010, however the Planning Inspector at the appeal did not consider this to be an issue. At the Reserved Matters stage the proposed development would need to ensure its compliance with policy NH13: Securing High Standards of Design. To ensure sufficient amenity space is available for both dwellings.

Highway Matters

Somerset County Council, as the Highways Authority has worked with the agent on this matter which has attracted much objection from interested third parties and has entered into negotiations in relation to its impact on the operation of Fore Street, High Street A358 and the A39 Bank Street mini roundabout

The proposed development under application 3/39/20/003 (erection of up to 350 dwellings and approximately 1,000sqm of flexible uses within D1 and B1 use classes) is currently under consideration and lies to the west of this site. It is considered necessary for both development sites to address each other's highways impacts.

The Highways Authority has concluded from the submitted information that, “*Whilst RFC values of over 0.85 are normally undesirable, in this location with the constraints already detailed, and the fact that an extant permission exists, this Authority considers that whilst the impact of this development may increase queue lengths in time for short periods during the peak flow hours, this impact cannot be considered severe.* As such the Highway Authority has not objected to the proposed development.”

Recently the Highway Authority has advised the LPA that there is a proposal to

improve permeability and access to the town centre by creating a pedestrian/cycle link across this development site and 3/39/20/003. Should both development sites gain consent the Highway Authority consider that this would be an improvement that would be most beneficial, and they have asked that the pedestrian/cycle link would be secured via a S106 agreement.

SCC clearly stated in their latest consultation response that *“The initial comments provided by this Authority were made to ensure that, whilst planning permission had already been granted for development of this site and therefore the principle of development had been set, any renewal of the said permission took into account current traffic levels in the area.”*

The highway authority goes on to state that following the submission of the requested addition information “this Authority would be unlikely to sustain an objection”. They confirm that a Travel plan would be required prior to commencement and the s278 works to construct the access roundabout within the existing highway. A further 8 planning conditions are requested relating to the following matters: -

- A scheme of works to provide the revised vehicle access from Bank Street to the south of the
- Prior to the opening of the supermarket the pedestrian route linking to Fore Street shall be constructed.
- Prior to the opening of the supermarket or any of the retail/commercial units hereby permitted, the car parking areas and vehicle turning spaces shall be constructed
- No development shall be commenced until a scheme for the provision of surface water drainage has been approved
- No building hereby permitted shall be occupied or otherwise used until provision has been made within the site for the loading and unloading of goods vehicles
- No development hereby permitted shall commence until a Construction Traffic Management Plan has been approved. The plan and any contract shall stipulate
- the size of vehicles to be used for deliveries and the routes to be used. The approved contractor shall ensure that works do not interrupt the movement of traffic on the A39 at certain times: November to March. Monday to Friday 08:00-09:30; April to October, Monday to Saturday 08:00-19:00; nor April to October, Sundays 10:00-19:00.
- No development shall commence on site until details of secure covered cycle parking
- The development shall not be brought into use until the accesses, staff parking facilities and areas for the manoeuvring, parking, loading and unloading of
- vehicles have been laid out, consolidated, surfaced and drained.

In addition to the above policy CF2: Planning for healthy Communities requires *“development to help address the causes of ill health and maximize the benefit which spatial planning can provide in shaping healthy communities, development proposals should be designed in order to maximize the attractiveness of walking and cycling as means of making journeys to local services and facilities, and also*

to encourage recreational walking and cycling. Provision for disability access is also to be encouraged.

A health impact assessment will be required for all strategic development Proposals”.

The submitted plans, whilst only indicative, do include cycle parking and include pedestrian links on to Fore Street. This will allow for good connectivity with the independent stores along Fore Street for both cyclist and pedestrians and the proposed development is therefore considered to accord with policy CF2.

Economic Matters

Policy EC12: Minehead Primary Retail Area and Central Areas for Alcombe, Watchet and Williton, paragraph 2 states:-

"Within the Alcombe, Watchet and Williton retail areas, as defined on the Policies Map, business activities of retail and retail related activities in all the A-class uses will be the preferred use at ground floor level."

The overall development strategy of the Local Plan requires identification and protection of existing economic and shopping services and facilities that can provide the opportunities for existing and future residents to adopt more sustainable lifestyles. The absence of any significant proposed improvements to the transport networks within West Somerset area will provide the opportunities for the existing centres to consolidate and enhance their economic vitality and viability. Williton acts as an important local centre with a range of shopping related facilities meeting the essential day-to-day needs for the residents of the village however there is no supermarket within the village.

Policy SH/3 Retail Development Outside of Minehead Town Centre remains extant following the adoption of the West Somerset Local Plan to 2032. This policy will not permit proposals for retail development (including wholesale, retail, trade, 'cash and carry' and 'club warehouses') outside Minehead Town Centre, as defined on the Proposals Map, unless it can be satisfactorily demonstrated that:

- All potential town centre options have been thoroughly assessed.
- (i) Sites on the edge of the town centre have been assessed before out of town centre sites.
- (ii) Provision can be made for access, servicing and parking and the site is in a location where a choice of means of transport (including public transport) is available; and
- (iii) the proposal, by its nature and scale, will not adversely affect the viability and vitality of Minehead Town Centre or the shopping centres of Watchet or Williton.

The site has previously been given consent from two Appeal decisions from 2017 and this proposal is very similar to one of those applications 3/39/14/0010. As with the previous planning application much of the proposed retail floorspace, other than the convenience space, will be replacement floorspace for that currently

provided in the Gliddons stores on Bank Street. This therefore offers a fallback position in terms of conversion to 790 sqm of supermarket.

The Retail Statement May 2020 offers little to support policy SH/3 except to say *“This is the same policy framework as when the current extant permissions on the site were granted, including the two schemes allowed at appeal. There has also been no significant change to national planning policies for retail and town centres during the intervening period.”*

The proposed development and the creation of approximately 150 jobs has received support from the Somerset West and Taunton Economic Development team

Archaeological Matters

Most of the site is located close to the historic centre of the village in an area, identified in the policies map as being within an area of high archaeological potential. WSLP Policy NH3, Areas of High Archaeological Potential, requires a statement describing the significance of the heritage asset and the likely impacts on the asset to be submitted. In this case the County Archaeologist recommends that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 199) and seeks the imposition of a condition to secure a 'Programme of Works in Accordance with a Written Scheme of Investigation (POW)'. The recommended condition is considered both reasonable and necessary.

Flood Risk, Sustainability and Drainage

The site is located in Flood Zone 1, lowest risk. However the Lead Local Flood Authority (LLFA) has been consulted on the proposal as a small portion of land on the north-west boundary is within Flood Zones 2 and 3.

The LLFA provided updated comments on the proposal on 22 July 2021 stating that conditions should be applied regarding a sustainable surface water drainage scheme and the need for a plan for the future responsibility and maintenance of the surface water drainage system. The LLFA also requested notes to the applicant regarding the level of details that would be required to discharge these conditions.

The LLFA has stated that in regard to maintenance, it should be noted the condition is recommended as a 'pre-occupation' condition which the applicants agent has accepted. The Environment Agency (EA) has not objected to the proposed development subject to conditions requiring the following: -

- (iv) Finished floor levels at least 300mm above existing ground levels
- Scheme to deal with the risks associated with contamination
- If contamination not previously identified is found, then no further development shall be carried out until the submission and approval of an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with
- Submission and approval of a scheme for prevention of pollution during the construction phase has been approved by the LPA

The EA have also requested notes to the applicant regarding the Council's Emergency Planners being consulted in relation to flood emergency response and evacuation arrangements for the site. They strongly recommend that the applicant prepares a Flood Warning and Evacuation Plan for future occupants and foul drainage should be kept separate from the clean surface and roof water and that any oil or chemical storage facilities be sited in a bunded area.

It is noted however that the application is a resubmission of a scheme that was approved on appeal in 2017 and that the planned growth in the village, a rural service centre, strengthens the case for its development.

Other Matters

The Parish Council objects to the proposed development on the following grounds:-

- 1 The scheme prevents the building of the Inner Relief Road.
2. The proposed mini roundabout does not appear to improve the potential traffic flow which we still consider to be a problem. Having two mini roundabouts in proximity to each other would in our opinion lead to a backup of traffic and could lead to Bridge Street being used as a rat run which would be detrimental to the residential amenities of those living in Bridge Street.,
3. This proposal does not take the cumulative traffic and pollution impacts of other developments that have gained consent into consideration. The area cannot afford for Williton to become gridlocked or have significant
4. It is considered that the access through Breeze will still mean that, site barriers would have to be fitted along the pavement to stop children running into the road and this could lead to loss of some of the on-street parking. Concern is also raised regarding the width of the pedestrian link
5. It would appear that Bow Cottage and Stable Cottage will both lose their gardens as was also proposed under the application allowed on appeal. It is considered that the loss of the gardens is now no longer acceptable as it will have an adverse effect on the residential amenities of the occupier(s).
6. Suggested conditions if application approved
 - 3 hours free parking to ensure that users of the supermarket have time to visit the other shops and so safeguard the vitality of the shops.
 - Removal of permitted development rights for all the units to help ensure that the units stay in the uses granted.
 - Retention of the stone wall between the proposed pedestrian link and 17, 19 and 19A Fore Street in order to provide privacy for these properties If necessary the wall should be raised.
 - The approved details for staff parking, areas for loading ,unloading etc as agreed under Condition 23 (3/39/14/010) needs to be strengthened to ensure that these areas are retained once implemented.
 - A barrier at the Fore Street pedestrian link entrance be provided prior to the link

opening and be retained thereafter.

Whilst the Parish Council has maintained their objection to the proposed development on the grounds that it prevents the building of an 'inner relief road, this issue was considered by the Planning Inspector in 2017. The Planning Inspector noted that the provision of an 'inner relief road did not feature in the WSLP to 2032 therefore gave this matter little weight (para. 71 of the appeal Decision – Appendix 1). The Parish Council justify resurrecting this issue on the grounds that material circumstances have changed since 2017. The WSLP was adopted in 2016 and the Policy WI2:Key Strategic Development Allocations at Williton, was in place at the time of the Inspectors decision, albeit their implementation was not as advanced, and the likely provision in terms of overall housing numbers was not so obvious. It is considered that there is not a significant material change in circumstances since 2017, and certainly not sufficient to justify withholding planning permission on these grounds.

The removal of Permitted Development rights from the units is considered necessary to ensure the protection of the vitality and viability of the village centre. Any future changes to the retail units, including to residential use, would then have to be fully assessed and erosion of the villages retail, services and amenities could be protected.

The widening of the pavements and the associated movement to the highway is not part of this application as the land involved is outside of the applicants ownership.

The link between Fore Street and the proposed supermarket is considered sufficiently wide enough to allow for good connectivity, however as wheelchairs and mobility scooters come in a variety of sizes it is not possible to confirm that 2 such vehicles could pass each other, however it is expected that two single pushchair's/pram's would be able to pass.

Regarding the list of conditions proposed by the Parish Council points 1 and 2 are considered reasonable. Point 3 would be addressed at the Reserved Matters stage when matters of design are considered. The Highways Authority has requested a planning condition that includes staff parking and areas for loading ,unloading etc

Point 4 raises the issue of the wording regarding parking and Condition 23 of the Appeal decision (3/39/14/010), however the highways authority have supplied the same wording for staff parking, loading, unloading etc for this application therefore it is not considered that this condition needs to be strengthen. The Highway Authority has also requested a planning condition regarding the pedestrian route linking the site to Fore Street which requires the access to be "constructed in accordance with a scheme submitted to and approved in writing by the Local Planning Authority and shall be made available in perpetuity for public use.". This will address point 5 raised by the Parish Council.

Two letters making neutral comments have been received and 11 letters of objection.

The objections mainly relate to highway issues such as increase in traffic

movements, new roundabouts etc have been dealt with elsewhere within the report.

Issues such as the height and design of the buildings, location of staff smoking shelter and landscaping would be address at the Reserved Matters stage and this is an outline application with all matters reserved except for the access.

How the applicant acquired the land is not a planning issue and it is a matter for the applicant to decide on what type of development is brought forward. The local planning authority can only assess what is proposed. It should however be remembered that the site has an extant consent for a similar development.

There is no loss of the existing Lloyd's Bank under this proposal though there may be some loss of council income from the car park at Killick Way.

The end operator of the supermarket will decide how the car parking is operated, and if free parking is provided conditions will be used to restrict opening and delivery times in order to protect the amenity of the surrounding residential neighbours.

Whilst it is accepted that some people may move out of the area the village is allocated for growth in terms of residential units therefore the impact on 'community will be minimal from this proposal. The Local Plan further seeks to provide self-containment for Williton and therefore a Supermarket will assist with this and help reduce the numbers who travel to shop in Minehead and Taunton.

The issue of Covid-19 restriction and its impact upon retail units is dealt with by SWT who offer support outside of planning legislation such as making arrangements to make the £10,000 and £25,000 Small Business Grant Fund and Retail, Hospitality and Leisure Grant Fund payments.

If the site was to suffer from anti-social behaviour issues this would be a matter for the police, but only if/when such behaviour occurred. The site owner would be responsible for the cleanliness and tidiness of the site.

It is unclear why a Supermarket located to the rear of Fore Street, the main retail area, would stop tourists from stopping and browsing in Williton, particularly if they are in self-catering accommodation and require a supermarket. It is also unclear why the prices for a supermarket in Williton would be higher than a Supermarket in Taunton or Minehead

No known hazardous materials are buried on site however the EA have requested a condition regarding this issue.

The application has been assessed in a wider context taking into consideration the proposed growth for the village including application 3/39/20/003

Section 106 Requirements

There will be a requirement for a Section 106 Agreement to address the following as Policy ID1, Infrastructure Delivery of the adopted West Somerset District Local

Plan to 2032 requires development to provide for the delivery of an appropriate level of justified new or improved transport, education, health, cultural, sport, recreation and green infrastructure in relation to the development proposed.

This application generates a requirement to secure:-

- The Travel Plan
- The access junction works
- The pedestrian link to Fore Street
- Local Employment Agreement

Conclusion

Williton has been identified as a settlement in West Somerset that will experience sustained planned growth and change over the next ten years and beyond. The Planning Inspector, considering similar supermarket led development proposals at appeal in 2017, reached the conclusion that:-

“Drawing all the above points together, paragraph 14 of the NPPF explains that the presumption in favour of sustainable development should be seen as a golden thread running through both plan-making and decision-taking. In the context of these appeals this means approving development proposals that accord with the development plan without delay. A second strand of this section of paragraph 14 indicates that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Although the appellant maintains that it is this second strand – the “tilted balance” – that applies here (as saved Policy SH/3 from the 2006 LPA is out-of-date as it is not fully consistent with the NPPF), I am satisfied that the overall impact of these development proposals would not be to cause harm to the viability and vitality of the Williton retail area. As such, I do not find a conflict with Policy SH/3, notwithstanding the fact that it is somewhat out of kilter with the NPPF. In these circumstances, and having regard to my conclusions on the main issues and the other matters discussed above; I conclude that both appeal proposals accord with the development plan. But even if the tilted-balance were to apply I am satisfied that any harm, which is only like to arise to the private interests of other individual retail operators, would not significantly and demonstrably outweigh the benefits of these proposals.”

Since then further planned growth has occurred in the village, at Aller Mead, much progress has been made on delivering the largest allocation site, at Land West of Williton. In addition considerable growth has occurred, and is planned in the future, at the nearby town of Watchet. This all strengthens the case for the supermarket led redevelopment of this site in accordance with Policies SC1, SC5, WI1 and EC1 of the adopted Local Plan.

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

Contact Officer: Denise Todd

