

# AGENDA SUPPLEMENT (1)

**Meeting:** Northern Area Planning Committee

**Place:** Council Chamber - Council Offices, Monkton Park, Chippenham, SN15  
1ER

**Date:** Wednesday 13 September 2023

**Time:** 2.00 pm

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The Agenda for the above meeting was published on Tuesday 5 September 2023. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Matthew Hitch of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718059 or email [matthew.hitch@wiltshire.gov.uk](mailto:matthew.hitch@wiltshire.gov.uk)

Press enquiries to Communications on direct lines (01225)713114/713115.

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- 8 **PL.2022.05273: Land at Marsh Farm, North of Malmesbury Road, Royal Wootton Bassett, SN4 8ER (Pages 3 - 14)**

DATE OF PUBLICATION: Wednesday 13 September 2023
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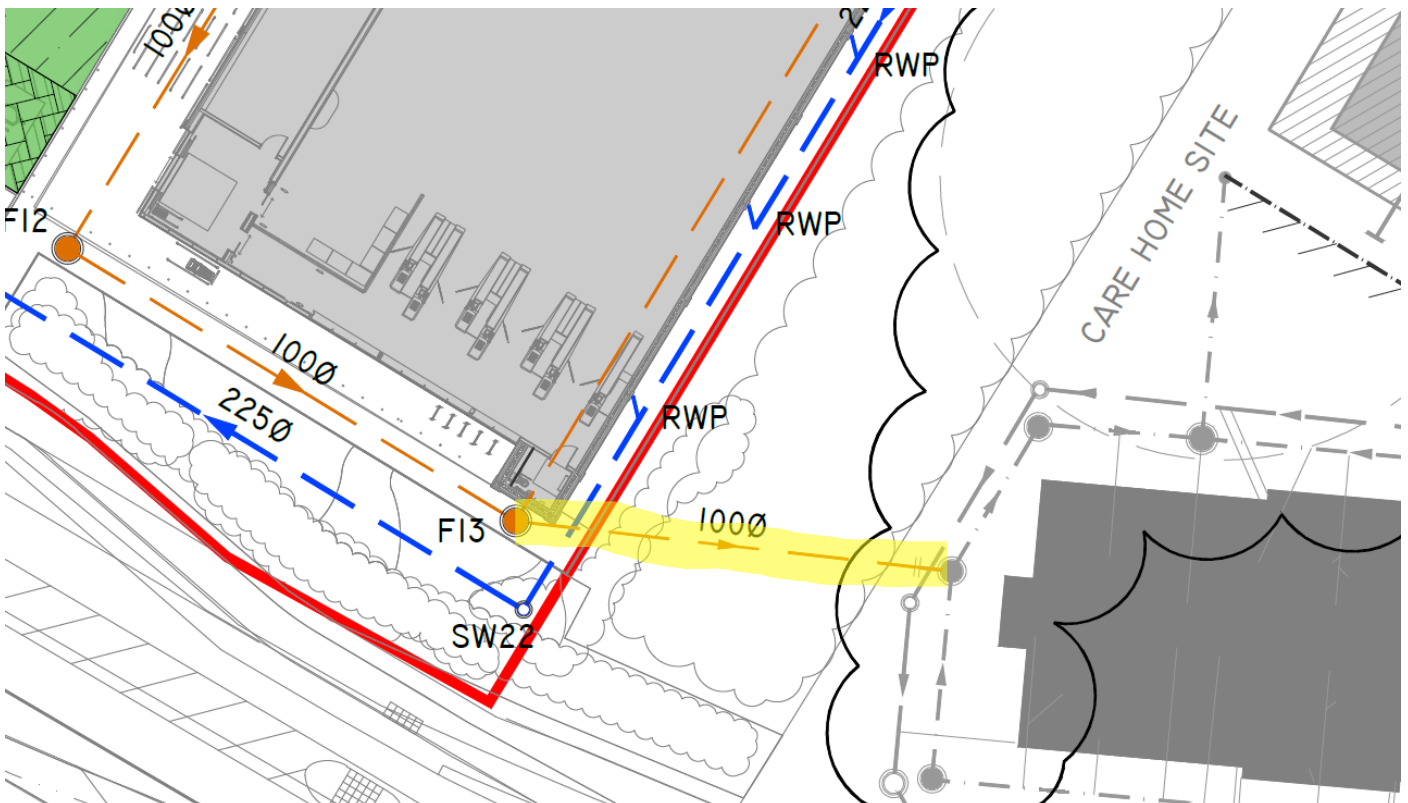
Project Name: LIDL RWB	Client: Lidl
Project No: C160504	Prepared By: RP
Document No: 2022-05273-Response	Date: 28/07/2023

**1.0 Introduction**

The purpose of this Technical Note is to outline the foul water discharge strategy of the Lidl Store, located at Marsh Farm, Royal Wootton Bassett. This development is subject to planning PL/2022/05273.

**2.0 Discharge Location**

Following a review of the existing drainage infrastructure local to the proposed development, little existing foul water infrastructure has been identified. The most efficient approach to discharge the foul water flows is to connect via gravity into the private foul network of the neighbouring care home, located approximately 20m east of the proposed development. Please see **Figure 1**, gravity connection highlighted in yellow.



*Figure 1 – Proposed connection from Lidl Development to Care Home Drainage*

These flows will be conveyed to the care home foul water pumping station, where it will be pumped via a rising main, under Hook Road, and along Swindon road where it will discharge into an existing Wessex Water foul water sewer (N 407716.985, E 183444.717), located within Swindon Road, approximately 350m southeast of the development site. Please refer to **Figure 2**.

This strategy is in line with the approved planning application (18/02955/FUL), comprising the pumping and discharge into an existing Wessex Water foul sewer.



*Figure 2 – Plan route of Care Home Rising main.*

To ensure a robust design, other options were reviewed prior to the selection of the pumping station discharge method. Previously the contractor explored the option of utilising a proposed sewage treatment plant within the care home site. The environment agency rejected the use of a sewage treatment plant due to concerns of contamination of the existing watercourse. Following the rejection of the sewage treatment plant, the contractor has reverted to the foul rising main discharge (Wessex Water has agreed discharge rate) to the Wessex Water public sewer.

In summary, this Technical Note captures the design choices involved with opting for the rising main as the sole means of discharge for the proposed development.

## Agenda Supplementary

Planning Application No.: **PL/2022/05273**

Site Address: Land at Marsh Farm, North of Malmesbury Road, Royal Wootton Bassett, SN4 8ER

Description of Proposal: Erection of Class E food store, car parking, works to create community open space, new access, landscaping and associated works.

(i) Policy matters

Members are advised that the National Planning Policy Framework was recently updated on 5<sup>th</sup> September 2023. It is the Officer's opinion that the updated NPPF would not materially affect the officers' assessment or recommendation of this application.

(ii) Additional Consultation Responses / Written Statement received

(a) Royal Wootton Bassett Town Council

*Royal Wootton Bassett Town Council Planning Committee agreed during the Summer Recess to submit the following comments:*

*The consideration of the application was deferred to allow consideration of a number of matters. The main concerns continue to be;*

*The Contravention of Core Policies 1,2,51 and 57 in relation to the proposed location falling outside the settlement strategy and use of a greenfield site. Although the neighbouring site has been listed in the local plan for housing, this is prior to any consultation and consideration of alternative sites.*

*Contravention of core policies 60, 61 and 62 in relation to sustainable transport and impact on highways.*

*Having a second supermarket in an out-of-town centre location threatens the vitality of the High Street. We still require an updated retail survey.*

*Further to the above, we would wish the following conditions to be imposed.*

- *The farm track to the Neighbouring Field cannot be an access point for further development. This is a totally unsuitable use for this track, and it should be guarded against in view of the possibility of development on the neighbouring site as listed in the draft local plan.*
- *More electric charging points to be included in the proposal with a minimum of 10.*

*The lack of clarity over the wastewater and sewage arrangements. Has agreement been reached with the care homeowners for an arrangement that is safe and secure and will ensure that any waste is pumped into the existing Wessex Water foul water sewage?*

(b) Royal Wootton Bassett Environment Trust, Active Travel Group, submitted a written statement (as attached).

(c) Highway Officer's further comments (as attached).

(d) Applicant's Written Statement (as attached). The applicant also clarified that due to the concerns raised by the Members at the previous planning committee when they set out that Conditions are not enforced by the LPA, the applicant is willing to enter a legal agreement/unilateral undertaking, or to deposit a bond to ensure that there's a ring-fenced pot of money to utilise if the obligations set out by Condition 15 are not met, and the bond is not a payment to the Council. If the Condition 15 obligations are complied with, the pot of money would simply not be used. It would provide an extra mechanism for the Council to control this aspect of the proposal.

(iii) Officers' responses to the comments received:

#### Drainage matters

Regarding the foul drainage method on the adjacent Care Home site, the recent application, PL/2023/00957, for the variation of conditions 1 and 4 of PL/2022/04908 to allow for the installation of Private Sewage Treatment Plant in lieu of previously Approved Foul Water Rising Main, has been formally withdrawn. The applicant of the approved Care Home confirmed that they are currently implementing the original rising main drainage scheme.

They are also aware that the proposed Lidl is proposing to connect its foul drainage via this route. They confirmed that allowance have already been made in the design, through both the applications for the care home and the proposed food store.

Members are advised that the Council's Drainage Team and Wessex Water have no objection to the proposed foul drainage method and the revised Flood Risk Assessment and Drainage Strategy (Revision 5), it is therefore considered that subject to the amendment to condition 9 and 10, there is no drainage objection to the proposal.

### Parkland (management and maintenance)

Applicant's suggestions regarding planning obligations are noted. Members are advised that planning obligations, in the form of section 106 agreements, should only be used where it is not possible to address unacceptable impacts through a planning condition.

Given that the proposed condition 15, subject to some minor changes, would be adequate to address the management and maintenance concerns relating to Parkland / landscaped area, and such condition would also satisfy the six tests of the NPPF: necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. Therefore, your case officer considered that planning obligations would not be necessary in this instance.

### Highway matters

The comments submitted by the RWB Environment Trust Active Travel Group are noted. The Highway Officer has reviewed the suggestions regarding the relocation of the proposed raised table crossing and the linking section of 3m wide path between the south side of the Toucan Crossing and the end of Saffron Close. Due to the crossing proximity and excessive numbers of crossings on a short section of road, a second crossing would not be supported by the Highway Officer. Regarding the proposed 3m wide path, given that the applicant does not control the land, such condition or obligation would not meet the tests set by the NPPF.

### Suggested amendment on planning conditions

Condition 9 (surface water drainage scheme) to be re-worded as follows:

Prior to the commencement of the development hereby approved, a scheme for the discharge of surface water from the site /phase, including SuDS (sustainable drainage systems) and all third-party approvals, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the said scheme shall be in accordance with the submitted Flood Risk Assessment and Drainage Strategy v5 (Feb 2023). Development shall be carried out in accordance with the approved details and shall be maintained as such thereafter.

Condition 10 (foul drainage – Grampian condition) to be re-worded as follows:

No development shall place until the foul drainage scheme has been created in its entirety and is ready for connection and used by the proposed food store hereby approved. For the avoidance of doubt, the foul drainage scheme shown on the drawing no. C160504-PIN-XX-XX-DR-C-224 S2-P05 in the submitted Flood Risk Assessment and Drainage Strategy Revision 5 dated 15 February 2023 shall be implemented in full and shall be maintained as such thereafter.

Condition 15 (Landscape management plan) to be re-worded as follows:

Notwithstanding the submitted revised proposal, within 6 (six) months following the commencement of the development, a landscape management plan and a public accessibility management and maintenance plan for the Parkland Area and the surrounding landscape area, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (~~other than small, privately owned, domestic gardens~~) shall be submitted to and approved in writing by the Local Planning Authority. *The public accessibility management plan and maintenance plan shall detail the long-term on-going management and maintenance responsibilities for all private, communal play spaces / amenity spaces and all publicly accessible open space to secure its open accessibility to members of the public for the lifetime of the development. Prior to the first occupation of the food store hereby approved, the approved management and maintenance plans shall be carried out in full and for the lifetime of the development in accordance with the approved details.*



Lidl Store: APPLICATION REFERENCE

**PL/2022/05273**

Written Submission to Wiltshire Council in relation to planning decision scheduled for Weds 13<sup>th</sup> September 2023.

Royal Wootton Bassett Environment Trust, Active Travel Group

Propose that that the following planning conditions and obligations are imposed in regard to this development.

- In accordance with LTN 2/08 at paragraph 9.6.1 the applicant shall move the location of the proposed raised table crossing from its proposed location well within the site boundaries, to directly at the entrance of the side access road to the B4042. It shall provide a flat-topped road hump placed at the entrance to the side access road, replacing the existing section of removed shared use path with a replacement 3m wide shared cycleway/footway crossing with contrasting coloured surfacing, and 2m wide granite or suitable concrete sett rumble strips on each side of the crossing to maintain pedestrian and cycle movements on the existing shared use path to the north of the B4042 and ensure they remain convenient.
- The applicant shall design and construct a linking section of 3m wide path according to LTN1/20 and Wiltshire Councils Design Guidance between the South side of the Toucan Crossing and the end of Saffron Close, a quiet street that provides safer access to the majority of Royal Wootton Bassett for non-car users.

The rationale for this is described below:

1. Necessary
  - Inadequate access to Lidl Site for bicycles, e-bikes, load carrying bicycles, wheelchair users, mobility scooter users, young parents with children and other wheelers.
  - Current proposals do not meet Wiltshire Councils Climate Strategy Delivery Plan for Wiltshire 2022-2024, Sept 2022, Transport Delivery Theme. This acknowledged the change required: A 25% reduction in the average miles travelled per person per day in private cars and taxis • A 67% increase in active travel mileage from 2020 levels, so that 5% of mileage share is active travel by 2030. These are supported by Actions T2.1 and T2.2. in relation to sustainable travel.
  - Transport is the largest single source of emissions in Wiltshire at 45% and is an area which WC has considerable control over.
  - The Site access arrangements do not follow The Town Council's Climate and Environment Policy <https://www.royalwoottonbassett.gov.uk/mdocs-posts/climate-and-environmental-policy-2023/> and implementing action plan.
  - The site access arrangements do not meet National Guidance including LTN 2/08 and 1/12, as referred to in Wiltshire Council's Cycling Strategy nor other best practice issued by the CIHT and Manual for Streets.

- The site access arrangements do not meet WC core policies 60, 61 and 62. prioritise active travel modes as alternatives to car travel.
- The site access arrangements do not meet LTN 2/08 at paragraph 9.6.1 advocates the use of raised tables in these kind of circumstances: Raised entry treatments, where a flat-topped road hump is placed at the entrance to a side road, can make pedestrian crossing movements more convenient. Cyclists also benefit, because motor vehicles entering or leaving the side road do so at reduced speed.

## 2. Relevant to planning

The current plans pay insufficient attention to and provide insufficient information on safe access to the site by Active Travel routes and means as set out in National Planning Policy Framework (NPPF), which at paragraph 110 states

'...Within this context, applications for development should:

- a) give priority: firstly, to pedestrian and cycle movements, both within the scheme and with neighbouring areas, and secondly, so far as is possible, to facilitate access to public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;'

The inadequate access arrangements do not reflect or meet the requirements of:

- UK gov guidance note cycle-infrastructure-design-ltn-1-20.
- <https://www.gov.uk/government/publications/the-second-cycling-and-walking-investment-strategy>
- <https://www.gov.uk/government/publications/cycling-and-walking-plan-for-england>
- The Highway Code 3 new rules about the new 'hierarchy of road users'

## 3. Relevant to the development to be permitted

- The application misses a clear opportunity to increase customer numbers and revenue through improved non-vehicular access.
- It does not enable safe access for disabled people or for people with impaired mobility, or for buggies with young parents to the site from the direction of the town to the South of the toucan crossing.
- The Travel Plan July 2022, targets in section 4 do not reflect the WC climate strategy and aims to decarbonise by 2030.
- The Table 4.2 indicative modal share targets may not have been updated since the adoption of the Climate Strategy and in particular the increases in public transport, reductions in car use and increase in cycling and walking do not appear to align to the objectives of the Climate Strategy.

- The measures proposed in Table 6.1 Proposed Initiatives and Measures do not reflect the needs of the development. Specifically:
  - They do not include any specific provision to improve cycle routes to access the site or to link with existing infrastructure.
  - The reducing car trips section is undermined by the amended access design drawings (Proposed Lidl Site Access Arrangement on B4042) which make car travel to site by far the easiest and makes cycle travel past the site more difficult.
- The Proposed Lidl Site Access Arrangement on the B4042 reduces amenity and the effectiveness of the existing shared path to the north of the B4042
- The Proposed Lidl Site Access Arrangement on the B4042 does not enable access to the Toucan Crossing from the South side for non-pedestrian users such as cyclists and other wheelers.
- It ignores Lidl's Climate change and broader sustainability policies <https://corporate.lidl.co.uk/sustainability/climate-change>
- It undermines Wiltshire Council's initial investment in the Toucan crossing as the Toucan is designed for cyclists and pedestrians, but no access from the South side is proposed.
- There has been inadequate consultation: The Interim Statement of Community Involvement June 2022, and Consultee List June 2022 do not adequately reflect community interest. This is evidenced by:
  - publicly accessible information on the proposed 'Academy Way' a path which proposes a link between the end of Saffron close (a quiet street) and the Toucan Crossing on the B4042 to access the Lidl development. Active travel routes including this important short linking section are available via the towns Environment Group (now Trust) website <https://www.ecorwb.org/active-travel>
  - Publicly available presentations to Town's Full Council and Planning Committee including 'Improved cycling provision for Royal Wootton Bassett – survey results presentation, December 2020' summarise the results of local survey with 287 respondents and an additional survey of Academy Students, which strongly support improved provision of safe cycle infrastructure in the Town available from <https://www.royalwoottonbassett.gov.uk/minutes-and-agendas/> and in the document 'Results from Royal Wootton Bassett Academy Cycling survey Oct 2020.docx' available on request. Additional minutes of Active Travel proposals discussed at Planning Committee Cycle Active Travel Group planning committee slides 31st March 22.pdf available from same source.

#### 4. Enforceable

Under [Section 106](#) obligations (England & Wales)

#### 5. Precise; and

- In accordance with LTN 2/08 at paragraph 9.6.1 the applicant shall move the location of the proposed raised table crossing from its proposed location well within the site boundaries, to directly at the entrance of the side access road to the B4042. It shall provide a flat-topped

road hump placed at the entrance to the side access road, replacing the existing section of removed shared use path with a replacement 3m wide shared cycleway/footway crossing with contrasting coloured surfacing, and 2m wide granite or suitable concrete sett rumble

- strips on each side of the crossing to maintain pedestrian and cycle movements on the existing shared use path to the north of the B4042 and ensure they remain convenient.
- The applicant shall design and construct a linking section of 3m wide path according to LTN1/20 and Wiltshire Councils Design Guidance between the South side of the Toucan Crossing and the end of Saffron Close, a quiet street that provides safer access to the majority of Royal Wootton Bassett for non-car users.

6. Reasonable in all other respects.

Due to the proposed significant investment to change the B4042 roadway under the proposed Access arrangements including, the widening of the road to accommodate the Ghost island junction with 3m wide right turn lane and through lanes, the costs on the developer of imposing these planning conditions will be minimal.

The improved access for the active travel pathway will result in increased footfall negating any additional cost over the proposed life time of the store.

## MEMORANDUM

**To: Development Management**

**From: Sustainable Transport**

**Ref: 22/05273**

**Ref: 22/05273**

**Date: 12<sup>th</sup> September 2023**

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### **22/05273 Proposed Lidl Store at Marsh Farm Royal Wootton Bassett.**

You have asked that I provide comments on the representations made by ECORWB Active travel Group.

The recommendation that the raised table crossing be constructed close to the entrance to the store from the B4042 is counter productive to active travel considerations. The location has been carefully designed and discussed internally with experienced highway officers at length. The reason for its location further into the access road is to achieve a safer location clear of turning traffic where drivers will be able to fully focus on the crossing, and give way in a safe and controlled manner. If the crossing is brought close to the entrance, and raised in the manner sought, drivers will slow and stop on the main road, there will be frequent nose-to-tail shunt accidents, driver frustration will lead to cycle and pedestrian accidents. The location as detailed on the plans a short distance into the site will be safer, more convenient and will encourage greater cycle and pedestrian use.

The TA shows that there will be higher car use of the access than cycle use as would be expected for any supermarket. The current planned location provides a good and accessible route which directly runs from the toucan crossing, enters the site, provides a safe point to cross the access road and then leads in a direct manner to the store. The CS transport policies have therefore been correctly followed in that with a traffic calmed, safely located crossing point, pedestrian and cyclist accessibility has been given the correct and higher ranking in the transport hierarchy as required by policy and the NPPF.

The existing toucan crossing is correctly located to serve the development as detailed elsewhere in the report, and a second crossing could not be supported due to crossing proximity and excessive numbers of crossings on a short section of road.

A new pedestrian refuge will be provided at a good, safe and convenient location to access the store.

The applicant does not control land to enable the suggested 3m wide path between the toucan crossing and Saffron Close. Therefore a condition or obligation to do this would be not meet the tests for either conditions or obligations.

Mark Wiltshire  
Major Projects Officer  
Sustainable Transport

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