

APPLICATION NO.	P22/V0286/FUL
SITE	Land at Grove Road Grove
PARISH	GROVE
PROPOSAL	Erection of a Class E retail foodstore with associated car parking, access, landscaping and associated engineering works. Amended highways, drainage and ecology details received 3 May 2022
WARD MEMBERS	Amos Duveen Jenny Hannaby Andy Crawford Patrick O'Leary
APPLICANT	GSC Estates (Wantage) Limited and Lidl Great Britain Limited
OFFICER	Penny Silverwood

RECOMMENDATION

It is recommended that the application is refused for the following reasons:

- 1. Based on the information submitted with the application the Local Planning Authority consider that the proposal would harm the vitality and viability of the Grovelands local centre, Grove, an identified local shopping centre in the adopted Local Plan. As such the application is contrary to Core Policy 32 of the adopted Vale of White Horse Local Plan 2031 Part 1 and to paragraphs 90 and 91 of the National Planning Policy Framework.**
- 2. In the absence of a completed S106 legal agreement, the proposal fails to secure infrastructure necessary to meet the needs of the district (namely the provision of public art and associated monitoring fee) and the county (namely enhancements to bus services, public transport infrastructure and travel plan monitoring). As such the development is contrary to Core Policy 7, 33 and 35 of the adopted Vale of White Horse Local Plan 2031 Part 1, Development Policy 20 of the Vale of White Horse Local Plan 2031 Part 2 and to paragraphs 104 and 110 of the National Planning Policy Framework.**

1.0 INTRODUCTION AND PROPOSAL

- 1.1** The application is presented to Planning Committee at the request of the Development Manager.
- 1.2** The application relates to undeveloped pasture land east of Grove Road (A338) to the north of the roundabout with Mably Way (A417). The land is

currently accessed via a field gate directly onto the A338 on the western boundary of the site. The residential dwelling Stone Haven lies to the north east, as does Elms Farm Business Park. The access road to the business park is located along the northern site boundary, beyond which is another parcel of pasture land. A section of the Wantage Eastern Link Road (WELR) is currently being constructed in a cutting to the south of the application site. A site location plan is below:



1.3 *The Proposal*

The application seeks full planning permission for the erection of a Class E retail foodstore with associated car parking, access, landscaping and engineering works. Vehicular access is to be taken from Grove Road. The proposed building is to be located at the south of the site facing north with retaining walls along the southern and eastern boundaries and car parking to the north.

1.4 Officers are aware that the end user is intended to be the discount retailer Lidl. The authority cannot however control the end user of the proposed development and therefore, the application must be considered based on the use class applied for with no weight to be given to the intended end user.

1.5 A broadly similar proposal was submitted in September 2018 (application ref. P18/V2300/FUL). This was refused by Planning Committee in January 2020 for the following reasons:

1. Based on the information submitted with the application the Local Planning Authority consider that the proposal would harm the vitality and viability of the Grovelands centre, Grove, an identified local shopping centre in the local plan. The application also fails to guard against the potential and unnecessary loss of the Post Office, a community facility, as a result of the proposed development.
2. The application fails to respond positively to the site and its surroundings and fails to protect the local landscape setting from

harmful development. The proposed scheme is not well integrated into the local character of the area and is at odds with the rural interface and the important role the site plays in terms of visual and physical separation between Wantage and Grove.

3. In the absence of a completed S106 legal agreement, the proposal fails to secure infrastructure necessary to meet the needs of the district (namely public art, biodiversity offsetting and associated monitoring fee) and the county (namely enhancements to bus services, public transport infrastructure and travel plan monitoring).
- 1.6 The decision was subsequently dismissed at appeal in June 2021 on retail impact grounds. The appeal Inspector in his decision acknowledged that the Co-op at Grovelands local centre would face intense competition as a result of the application proposal and found that the post-impact trading position of the Co-op was not reflective of a viable store and that this would comprise a significant adverse impact on Grovelands local centre as a whole. The Inspector however did not agree with the Council's view regarding the potential loss of the post office, noting that that the post office could move to a new venue in the area if the Co-op were to close as a result of the proposed development. The Inspector also disagreed with the Council with regards to the landscape reason for refusal, stating that the openness between Wantage and Grove has already been compromised by the residential properties at Wolage Drive and the Elms Farm Business Park. In addition, they did not consider that the site makes a significant contribution to the landscape setting of either Grove or Wantage, considered there only to be a moderate to adverse impact to the landscape setting and did not consider that the proposed development conflicted with Core Policies 37 or 44 of the adopted Local Plan 2031 Part 1 or Policy DP29 of the Local Plan 2031 Part 2.
- 1.7 The current application proposes a slightly smaller building than the previous application with the gross external area reduced from 2,206 square metres to 2,035 square metres resulting in a reduction in the amount of both convenience and comparison goods floorspace. The maximum height of the building is increased from 6.7 metres to 7.02 metres. There is also a reduction in the number of car parking spaces proposed from 126 to 123.
- 1.8 The proposal has been amended in light of technical officer comments relating to highways, drainage and biodiversity. The amendments include submission of a Stage 1 Road Safety Audit, changes to calculations used in the Flood Risk Assessment and submission of an up-to-date habitat survey assessment and biodiversity metric assessment. The latest layout plans are **attached** as Appendix 1. The June 2021 appeal decision referred to above is **attached** as Appendix 2.
- 2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**
A summary of the responses received to the current proposal is below. A full copy of all the comments made can be seen online at www.whitehorsedc.gov.uk.

2.1

<p>Grove Parish Council</p>	<p><u>Second Consultation (May 2022) – Second response (16/6/2022)</u> No objection</p> <p><u>Second Consultation (May 2022) – First response (13/5/2022)</u> Support:</p> <ul style="list-style-type: none"> - Hope the extremely strong local support for this development has been made clear by District Councillors - Their constituents’ budgets are being increasingly affected by the cost-of-living crisis and the vast majority need this scheme to be consented, so they have access to a local discount food store - We must work together to ensure the Lidl is approved with the full support of both officers and members and must not miss the opportunity - The vast majority of our constituents have observed that the Co-op is used by residents of the adjoining residential areas as well as those using it for top-up shopping and do not believe this will change with the introduction of any Lidl - Believe Lidl provides a totally different retail offer than the Co-op and it will survive - The Co-op may even benefit from more visits due to the increasing number of shoppers coming into Grove, but if it did not the Grovelands Centre will evolve and continue - The Co-op store’s future is uncertain, whether the Lidl happens or not. - Have heard from a credible source that the Co-op are due to open a small convenience store in the local centre associated with Grove Airfield which may well trigger the Co-op’s closure in any event. - Our constituents also observe that the Co-op is more costly than its competitors, has low stock levels, has not had any investment for a number of years, has tight parking spaces and the main tills are often closed - Constituents have expressed that they want and deserve more choice, and this has become more pressing with the cost-of-living crisis rising dramatically effecting household budgets, especially households with low incomes and without access to cars - The Lidl application offers huge benefits to the area and we understand that the scheme will deliver the equivalent of 40 full-time jobs, 80% of which will be created locally, and the development is a £10 million investment in the local area. - The refusal of this application is highly likely to result in an application for housing to come forward which is not
-----------------------------	---

	<p>what our constituents wish to see and a refusal sets a precedent that another supermarket cannot come forward in this area, therefore restricting customer choice for our constituents.</p> <ul style="list-style-type: none"> - We hope and trust that you are working for our constituents as we are sure that the benefits of this proposed development far outweigh the detriments and we must all make this happen to avoid uproar in our community. <p><u>First Consultation (February 2022)</u> Support, but raise the following comments:</p> <ul style="list-style-type: none"> - Traffic leaving the store should be made to turn left only out of the site and onto the A338 meaning those vehicles returning to Grove would go around the roundabout on the eastern end of Mably Way to continue their journeys - Traffic entering and exiting the site must give way to cyclists and pedestrians using the dual use footway/ cycleway and the dual use footway/ cycleway must continue in a straight line and not zigzag as drawn in the plans
<p>Wantage Town Council</p>	<p><u>Second Consultation (May 2022)</u> No further comments received</p> <p><u>First Consultation (February 2022)</u> No objection, but would like the following noted:</p> <ul style="list-style-type: none"> - Do not believe that the intended site is the best location but recognises the need for additional capacity and choice for local residents - Would like to see the entrance/ exit re-examined for the safety of pedestrians and cyclists given the recent changes to the Highway Code. - Would like to see a left hand turn only for vehicles exiting the site - Would like to see what the provision is for staff parking
<p>Residents</p>	<p>Comments from 149 residents in support or raising no objection to the application have been received which are summarised as:</p> <p><i>Principle of development</i></p> <ul style="list-style-type: none"> • Will stop people travelling to Faringdon or Abingdon to visit stores and stop people using their cars • It is needed given number of new houses in the area • It will make a difference with food prices increasing • Variety is needed to give people choice • Well located to serve both Wantage and Grove

	<ul style="list-style-type: none">• The site should be used for this much needed amenity rather than more houses• There is no supermarket on the east side of Grove• New retail stores have been approved in close proximity to existing stores in Abingdon and Faringdon• Wantage and Grove have less supermarkets for its population compared to Didcot• Infrastructure including new shops is needed to keep up with the number of new houses built in Wantage and Grove• Grovelands Local Centre also has a laundrette, newsagents, tattooist, hairdressers and charity shop which would be unaffected by the proposed development. People will continue to use the centre. <p><i>Economic reasons</i></p> <ul style="list-style-type: none">• Would be better for residents to be spending money in Wantage/ Grove rather than travelling further afield• The impact on one shop (Co-op) is being prioritised over the damage to all the others by people travelling out of town for shopping• Other stores including Co-op have limited stock and often run out of items• The Co-op is used as a convenience store and will continue to be used as such if Lidl is built• Other supermarkets including Co-op are expensive and have little choice• It is needed given the cost-of-living crisis and rising prices as a more affordable option• Will create job opportunities for local people• We should not protect shops which are not economically viable• An additional store would add healthy competition to Co-op, encouraging them to provide a better offering• No suggestion that Lidl would impact Tesco Express in Grove which is closer than Co-op to the site• The commercial proposition of a discount retailer is different to a standard food supermarket and is not directly comparable in terms of consumer behaviour <p><i>Environmental reasons</i></p> <ul style="list-style-type: none">• Would reduce the impact of people travelling further afield to other discount retail stores• Opportunity for people to walk or cycle to the store• Will have electric vehicle charging spaces and cycle parking available
--	---

	<ul style="list-style-type: none">• Would exacerbate the altered character of the area already seen by massive development in the area• Lidl have strong environmental credentials and have reduced their carbon emissions per pallet transported by almost 40% since 2015 and lead the way on local produce, reducing food mileage, energy efficient fridges, biodegradable bags and influencing their supplies to reduce their carbon footprints• Lidl intend to use 800 sqm of solar PV panels for the store roof making it highly sustainable and will deliver surplus green electricity to the national grid which could provide enough carbon free electricity to 28 apartments for the next 25 years• Lidl commit to being a carbon neutral supermarket supplier• LED lights used in the store will be highly efficient as will other products such as sliding door freezers and closed-door fridges <p><i>Other</i></p> <ul style="list-style-type: none">• Contributions towards healthcare should be sought• There is significant local support <p><i>Traffic and highways</i></p> <ul style="list-style-type: none">• Grove Road flows well <p>Comments from 10 residents supporting the development in principle but raising concerns and from 26 residents objecting to the application have been received which can be summarised as:</p> <p><i>Traffic and highways</i></p> <ul style="list-style-type: none">• A338 traffic concerns and congestion which will cause safety issues for vehicles, pedestrians and cyclists• Already issues turning right out of Wolage Drive onto the A338• The entrance should be opposite Wolage Drive and incorporate a roundabout• Concerns regarding lack of parking for staff• Wolage Drive will be used as overspill parking for staff and customers• People will park at the health centre if not enough space onsite• Dangerous for school children and cyclists who use the existing cycle path• Due to changes to the highway code cars will have to give way to cyclists which will cause car congestion onto the busy A338
--	--

	<ul style="list-style-type: none"> • Cyclists will be tempted to cycle on the main road to avoid the access cutting across the cycle path • Traffic issues exacerbated by extension to Elms Farm Business Park • Safety concerns of access so close to Wolage Drive does not appear to have been addressed • There will be traffic build up as a result of a bus stop and pedestrian crossing close to the access • Inadequate right hand turn lane • Access towards the roundabout will require vehicles to cross the cross hatched tail of the central waiting area • The cycle path could be re-routed to the rear of the store to aide continual movement to Mably Way roundabout where a bridge could be installed. • The entrance should be via the eastern link road • Delivery lorries will have to reverse past parent and child spaces • Plans don't seem to reflect the widened access to the new link road • Traffic should have to go southbound to the roundabout to be able to go north • Should be a separate access for pedestrians and cyclists • The site should be accessed off a fifth arm to the Mably Way roundabout • The site should be accessed directly from the Wantage Eastern Link Road currently being constructed <p><i>Principle and location</i></p> <ul style="list-style-type: none"> • A new store could be built on the Wellington Gate or Crab Hill development or along the A417 to optimise the new link road and service new housing • Could be located at Grove Technology Park, Tulwick Park or between King Alfred's West and East Challow • No need for another food store given Tesco in Grove and two big supermarkets in Wantage • Its location outside of the town centre will increase traffic and is not a green solution to climate change • Does not fit with the Local plan • There are large units available at the charity furniture shop and Argos <p><i>Economic reasons</i></p> <ul style="list-style-type: none"> • Will negatively impact local shops and footfall to independent businesses
--	---

	<ul style="list-style-type: none"> • Already have budget options of B&M and Home Bargains in Wantage town centre which brings people into town to support local shops • Concern it will heavily impact the Co-op which supports the local community <p><i>Landscape and environment</i></p> <ul style="list-style-type: none"> • Green space separating Wantage and Grove will be lost apart from a small strip of allotments • Light pollution to nearby residents • Increase in air pollution from additional vehicles • Is to be located on a steep site so will require levelling, not clear if the parking will be level or on a slope • Will take agricultural land out of food production • A brownfield site should be used • Impact on biodiversity and animals using the field • The roof should have solar PV panels in it • Fails to comply with the national aims of being net zero and environmental preservation • The proposed location will require car use to collect a weekly shop and is not within a sensible walking distance of the new houses for a weekly shop <p><i>Noise</i></p> <ul style="list-style-type: none"> • Traffic noise is already an issue and additional traffic will cause additional disturbance to residents • Noise from deliveries all day and night <p><i>Other</i></p> <ul style="list-style-type: none"> • Would not object if this were to be located on one of the new estates
<p>Economic Development</p>	<p><u>Second Consultation (May 2022)</u> No further comments received</p> <p><u>First Consultation (February 2022)</u></p> <ul style="list-style-type: none"> - Satisfied that the applicant’s sequential test has demonstrated that there are no sites/ premises in sequentially preferable locations in the surrounding area - Nexus’s appraisal is satisfied that the comparison goods trade diversion impacts will be modest in practice, and that as such, it is acceptable that the proposed convenience goods floorspace is of principal relevance in undertaking the impact assessments and in considering the acceptability of the proposal - The Nexus appraisal suggests that the viability of comparable convenience stores including Sainsbury’s

	<p>and Waitrose in Wantage and Aldi in Faringdon would not be threatened by the development, stating that there would be no loss of general function in respect of these stores, or on the wider Wantage town centre.</p> <ul style="list-style-type: none">- As agreed at the previous appeal, the Council is satisfied that the impact upon the health of Millbrook Square local centre is also a material consideration and there was no suggestion that there was likely to be a significant adverse impact upon the health of this centre <p><i>Grovelands Shopping Centre</i></p> <ul style="list-style-type: none">- The major concern in respect of the application is focussed around Grovelands local centre and trade diversion from the Co-op at the site affecting viability of the site. The assessment estimates trade diversion at 15% away from the Co-op, this equates to one in every seven shoppers at the Grovelands Co-op being persuaded to visit the proposed Lidl store instead.- The Nexus appraisal report states that the Co-op continues to be of significant importance in anchoring the Grovelands centre and under pinning its ongoing local convenience retail and service role.- However, the impact report prepared for Lidl suggests that the Co-op store at Grovelands is most popular as a top-up food shopping destination and that several other independent reasons exist for visiting Grovelands including visits to the post office (currently situated within the Co-op store).- The Nexus appraisal states that the post-impact performance of the Co-op store is not indicative of a viable foodstore, citing the fragility of the store as identified in submissions made by the Midcounties Co-operative Society in respect of the previous planning application.- In the view of the Nexus report, the overall health of the Grovelands centre is also relatively fragile and its ongoing vitality and viability is, to a large degree, dependent on the ongoing operation of the Co-op.- Taking the above into consideration, the Nexus appraisal finds that the Co-op would likely cease to trade as a consequence of the proposal, and that this would fundamentally undermine the wider health of Grovelands local centre. This is regarded as a significant impact.- The Nexus appraisal concludes that the impact arising from the proposal on Grovelands local centre is deemed to be significantly adverse, and that as such, the proposal fails to accord with the requirements of Core Policy 32 of LPP1.
--	--

	<p><i>Retail and Town Centre Study (2013/ updated 2017)</i></p> <ul style="list-style-type: none">- Would also like to highlight the Vale of White Horse Retail and Town Centre Study 2013 that concluded that at the time there was a surplus of convenience expenditure in the Study Area up to 2019, indicating a short medium-term requirement for additional convenience goods floorspace over and above a Tesco commitment in Faringdon.- In relation to Wantage and Grove, the study’s recommendations included that was “capacity for a medium sized foodstore in Wantage/ Grove by 2019 (1,300sqm net). However, the implementation of a food superstore in Abingdon and the Grove Airfield proposals will reduce this capacity to less than 900sqm net. There is no overriding need to allocate a site for a further foodstore in the short term. In the longer term, 2024-2029, there could be scope to develop a store of about 1,600 sqm net. However, development at Didcot could further reduce food store capacity in Wantage/ Grove.”- An update was published in 2017 and, in respect of convenience capacity, converted surplus convenience expenditure identified into floorspace equivalents using an average sales density of 312,000 per sqm. The Study concluded that: “the surplus of available expenditure up to 2026 indicates that there is a medium-term requirement for additional convenience goods floorspace in the district of 2,135 sqm net (3,049 sqm gross), over and above commitments. Surplus expenditure at 2031 could support 2,585 sqm net sales floorspace (3,692 sqm gross) in the district as a whole”.- The update suggests how that may be distributed and for Wantage/ Grove, estimated there was capacity for 1,020 sqm net by 2026 and 1,056 sqm net by 2031. Considering the development of new homes at surrounding development (Crab Hill/ Kingsgrove and Grove Airfield/ Wellington Gate) it is highlighted that this proposal could help to fulfil capacity requirements outlined. <p><i>Conclusion</i></p> <ul style="list-style-type: none">- The Nexus appraisal concludes that the impact arising from the proposal on Grovelands local centre is deemed to be significantly adverse, and that as such, the proposal fails to accord with the requirements of Core Policy 32 of LPP1, the Economic Development team does not dispute this conclusion- However, we understand that the proposal will deliver up to 40 new jobs in the operational phase and some
--	---

	<p>new jobs in the construction phase and represents substantial investment in the local area.</p> <ul style="list-style-type: none"> - Economic Development would recommend that these benefits receive weight, considering the fragility and viability concerns highlighted by the Nexus appraisal in relation to the Co-op store and Grovelands Centre. - To maximise the potential employment benefits of the proposal for the local community, request that the application works with the Economic Development team to develop a Community Employment Plan (CEP) as a condition of planning if the application is approved.
<p>Countryside Officer</p>	<p><u>Second response</u> No objection</p> <ul style="list-style-type: none"> - Updated ecological information has addressed previous comments - An updated habitat survey has been conducted at an appropriate time of year and the supporting biodiversity metric assessment has been amended to include the proposed landscaping scheme - The proposed development is unlikely to impact any protected species but will result in an overall net loss of biodiversity - The biodiversity metric assessment has quantified this loss at -8.45 habitat units. - Subject to a condition securing biodiversity offsetting payments satisfied that CP46 of LPP1 can be achieved <p><u>First response</u> Holding objection</p> <ul style="list-style-type: none"> - Ecological matters were not cited on the decision notice as a refusal reason for the previously appealed and dismissed application - The submitted Preliminary Ecological Appraisal (PEA) concludes that primary habitat on site is semi-improved neutral grassland. The survey was undertaken in January and therefore poor species diversity was recorded - The PEA submitted with the previous application was conducted in May 2018 and concluded that the site contains species rich semi-improved neutral grassland - It is considered that impacts on protected species are unlikely, previous reptile surveys have not revealed any populations of reptiles on site and the site conditions and surroundings have not materially changed since the surveys were conducted - The biodiversity metric assessment submitted is not complete - Of particular concern is the existing habitat condition assessment which has not been explained or justified

Vale of White Horse District Council – Planning Committee - 17 August 2022

	<p>against the relevant habitat condition criteria and is based off a grassland survey undertaken in January. This is not acceptable</p> <ul style="list-style-type: none"> - The site should be resurveyed at an appropriate time of year and the report should accurately describe which habitats are present and objectively assess the relevant condition criteria. This should also be done for the proposed landscaping scheme and a robust updated biodiversity metric assessment be submitted.
Drainage engineer	<p><u>Second response</u> No objection subject to conditions</p> <ul style="list-style-type: none"> - Conditions recommended required full details of sustainable drainage scheme, foul drainage scheme and a SUDS compliance report <p><u>First response</u> Holding objection</p> <ul style="list-style-type: none"> - Report incorrectly refers to Oxford City Council when the site is within the Vale of White Horse District - The impermeable site area should be used to calculate the proposed discharge rates not the whole site area and the amount of storage required will need to be amended - The drainage scheme has a lack of SUDS. A mix of SUDS for water treatment purposes are required. There are constraints on site however porous paving in parking bays can be utilised to provide water quality benefits
Forestry Officer	<p><u>First response</u> No objection</p> <ul style="list-style-type: none"> - The application site does not contain any existing trees but the provision of sufficient space for the establishment of new trees will be necessary to assimilate the development within the landscape.
Contaminated Land	<p><u>First response</u> No objection</p> <ul style="list-style-type: none"> - The submitted Phase I and Phase II report submitted satisfactorily addresses the requirements and no significant contamination has been identified - No potential sources for land contamination have been identified that could prevent a risk to the development
Environmental Protection Team	<p><u>First response</u> No objection</p> <ul style="list-style-type: none"> - No objection subject to the mitigation measures identified in the acoustic report.

<p>Landscape Architect</p>	<p><u>First response</u> No objection</p> <ul style="list-style-type: none"> - Proposed development is submitted on the same site area as the previously refused application which was appealed. Whilst the appeal was dismissed the appeal was not refused on landscape or visual grounds or on the detail of the proposals therefore no objection to the proposed development on landscape or visual grounds - The proposals and layout are very similar to the previous scheme, planning policy has not materially changed since the appeal and therefore in respect to landscape and visual impacts the appeal decision is still valid and could be applied to this application - A Landscape and Visual Appraisal has been submitted which covers the key issues - Standard conditions are required to cover the hard and soft landscape, levels, lighting, fencing and an associated management plan to cover the long-term maintenance of the landscaping of the site - Whilst the proposed landscape plans are acceptable no lighting plans have been provided as part of the application and these will require cross referencing with the submitted landscape scheme.
<p>Oxfordshire County Council Transport</p>	<p><u>Second response</u> No objection</p> <ul style="list-style-type: none"> - Dimensioned drawings of the access have been submitted and are acceptable - The visibility splays are considered acceptable - Reference to LTN 1/20 has been made and is accepted - It has been confirmed that all refuse is to be taken away by the same vehicle that delivers goods to the store and will be serviced when the store is closed or quiet (outside of peak times). - HGV movements are accepted - Likely trip rates compared to a standard food store are considered acceptable - Concerns raised in the Road Safety Audit regarding the length of the right-hand turn lane, this can be further considered during the detailed design stage when adaptations to the scheme are available - Mitigation measures at Mably Way would be an interim measure prior to the delivery of the Eastern Link Road and Mably Way improvement works. Details can be covered at the detailed design stage <p><u>First response</u> Holding objection</p> <ul style="list-style-type: none"> - Since the Highways Authority’s assessment of the previous application changes have been made to local

	<p>policy, guidance and nature of the local road network and therefore the current application has been assessed on its own merit</p> <ul style="list-style-type: none"> - Current application proposes a lesser quantum of development to that previously approved - No dimensions or geometric detail of the right turn lane on the A338 have been provided, a fully dimensioned detailed plan is required with a Departures and Relaxations report for the right turn layout which will identify transition lengths, lane widths and lane lengths. - A Stage 1 Road Safety Audit and accompanying designer response is required - The application site boundary incorporates a large section of the A338 to the north of the site access, consider this may need revising - A long section should be provided including details of the vertical alignment to determine appropriate carriageway and footway gradients to ensure compliance with the Equalities Act 2010. - The visibility splays suggested and reliant upon the implementation of the realigned footway/ cycleway and bus stop relocation to the south of the A338 - Further justification required for the visibility splays proposed to the left of the exit as currently vision may be obscured when pedestrians and cyclists are waiting to cross - The footway/ cycleway provision is maintained along the eastern edge of the A338. The existing route has been taken across the proposed access and as such inbound and outbound traffic will give way (at giveway lines) to pedestrians/ cyclists crossing - Further information relating to LTN 1/20 is required - The swept path shown for the delivery vehicle is unsafe as it has to reverse past a number of customer parking spaces and there is a high risk of personal injury. There should be a minimum clearance of 500mm between the delivery vehicle and all buildings, kerbs and parking spaces - The tracking for a delivery vehicle accessing the site from the southbound lane of the A338 is likely to cause an obstruction to the free flow of traffic - The proposed number of parking spaces is sufficient - 12 spaces in six covered Sheffield stands are proposed for customers with staff cycle parking providing within the warehouse element of the building. - Trip generation date should be based on a standard food store with sensitivity testing not on a discount retailer as this cannot be secured through permission
--	---

Vale of White Horse District Council – Planning Committee - 17 August 2022

	<ul style="list-style-type: none"> - The TA proposed that 70 per cent of trips will be entirely new, and 30 per cent will be pass-by/ linked trips, this is accepted - Detailed drawings of the proposed mitigation to Mably Way roundabout are required - Financial contributions towards public transport services and infrastructure should be provided - The travel plan should be in accordance with OCC guidelines
Lead Local Flood Authority	<p><u>Second response</u> No objection</p> <ul style="list-style-type: none"> - Queries raised previously have been answered, conditions recommended <p><u>First response</u> Objection</p> <ul style="list-style-type: none"> - The FRA submitted is preliminary and while it meets the general requirements it will require considerable updating for the final design. This can be covered by conditions - Cv and MADD values should be revised and clarification regarding a flood volume not accounted for in calculations
Oxfordshire County Council Archaeology	<p><u>First response</u> No objection, subject to conditions</p> <ul style="list-style-type: none"> - Site within an area of archaeological potential - An archaeological desk-based assessment has been submitted - Whilst there is currently no indication that archaeological features of such significance as to preclude the principle of development are present, archaeological investigation should be undertaken in advance of development - The applicant should be responsible for ensuring the implementation of a stage programme of archaeological investigation via condition.
Crime Prevention Design Adviser	<p><u>First response</u> No objection, recommend conditions</p> <ul style="list-style-type: none"> - The car park provides a large open space with the potential to attract antisocial behaviour or unauthorised encampments outside of opening hours and a large proportion of spaces are not overlooked by surveillance due to a significant amount of blank wall space - The car park should be sufficiently lit during opening hours in darkness to reduce the opportunity for, and fear of crime

	<ul style="list-style-type: none"> - Boundary treatments and landscaping to the car park do not appear of sufficient height or depth to enclose the car park and prevent unintentional desire lines into the site - The car park should be provided with robust gate that can be secured outside of business opening hours - A lighting plan should be provided, and formal surveillance (CCTV) should be provided over the car park and delivery area - Boundary treatments and planting should be increased in height and depth and consideration should be given to a more formal robust boundary such as knee rails - The fire escape route to the rear of the store should be secured with no access possible from the outside to prevent unauthorised entry
<p>SGN Plant Protection Team</p>	<p>Various responses regarding plant and utilities within the vicinity of the site</p>
<p>Roses Newmarket/ Costcutter Wantage</p>	<p><u>First response</u> Objection</p> <ul style="list-style-type: none"> • Could result in the closure of Co-op and therefore the Grove Post office which was previously lost from McColls • Rows Newmarket houses the Wantage post office, and the store will be adversely affected by this application which could result in its closure • This would lead to the loss of 45 full and part-time staff. • This could result in both Wantage and Grove without a post office impacting people accessing money and local businesses
<p>Cycling UK Wantage and Harwell Bicycle User Group (HarBUG)</p>	<p><u>First response</u></p> <ul style="list-style-type: none"> • Note the recent changes to the highway code which give priority to pedestrians and cyclists travelling alongside the road over traffic turning at the junction into/out from the store • The shared pedestrian/ cycle path is well used particularly by school children • The plans should be compliant with the Transport Cycle Infrastructure Design standards in LTN 1/20 of July 2020 • The shared path is only 2.35 metres wide in the vicinity of the store not 3 metres as stated in the Transport Assessment. The path should be 3 metres on the proposed drawings • Priority given to pedestrians and cyclists crossing the junction is welcome and fits with the revised

	<p>highway code. However, there is a deflection (angular corner) in the path either side of the junction. This is not in accordance with set-back junctions as in section 10.5 of LTN 1/20 which should be followed. Cyclists having to negotiate this kink will be distracted from checking the junction itself increasing the danger</p> <ul style="list-style-type: none"> • Could not find details of safety audit having been carried out • The priority of pedestrians and cyclists across the junction is expected to affect the traffic flow in and out of the site. However, the traffic measurements do not take any account of pedestrians at all • The number of pedal cyclists in the count is low and suggest the count only took into account usage of the main road carriageway. • The path is particularly busy at particular times of day (school start/end) which do not correspond to when the counts were taken. Does not appear that the effect of pedestrians and cyclists crossing the entrance to the store has been taken into account • The provision of Sheffield cycle stands, staff cycle parking and lockers is very welcome
<p>Wilts and Berks Canal Trust (WBCT)</p>	<p><u>First response</u></p> <ul style="list-style-type: none"> • The objectives of the Wilts and Berks Canal Trust are to protect, conserve and improve the route of the Wilts and Berks and North Wilts Canals and branches for the benefit of the community and environmental with the ultimate goal of restoring a continuous navigable waterway linking the Kennet and Avon Canal, the River Thames and Severn Canal. • The aim is to create a sustainable and biodiverse blue and green corridor that provides a host of attractive lifestyle and economic benefits to communities and visitors and to provide a safe and welcoming habitat for wildlife • The application site lies approximately 300 metres south of the historic line of the Wilts and Berks Canal where it was crossed by Grove Road (A338) at Grove Bridge • This is part of the continuous route corridor for restoration of the Wilts and Berks Canal which is safeguarded in the adopted Local Plan • The proposed development will not itself prevent or hinder restoration of the canal and WBCT neither supports nor objects to this development in principle • The development will however have a negative impact on the local environment and will generate

	<p>further road traffic locally including on Grove Road north of the site where a new bridge will be required to carry the A338 over the restored canal.</p> <ul style="list-style-type: none"> • It will be a further loss of open countryside in the area between Wantage and Grove. The increasing urbanisation of this areas points to the need for further provision and improvement of green and blue spaces for leisure and recreation that are available to local communities and that will help counteract the biodiversity loss resulting from development and provide overall environmental and community benefit. The restoration of the canal would form a major part of this much needed provision and would create a significant green/ blue corridor link with other communities and green spaces. • The developer proposes a S106 agreement for financial contributions towards public art, public transport and biodiversity offsetting. In view of the impact that this development would have locally we think there is a strong case for the developer to make financial contribution toward local projects that would be of a community and environmental benefit such as the Wilts and Berks Canal • Restoration of the canal is one of the projects listed under the district wide infrastructure in the Vale of White Horse Infrastructure Delivery Plan (IDP) with the accompanying statement that requests for contributions will be considered in relation to specific planning applications. • WBCT is developing a project for the dredging and rewatering of the Elms Farm section of the canal, between Denchworth Road and Grove Road close to the application site and is about to obtain a new lease for this section. This project includes the cosmetic reinstatement of the historic Grove Top Lock at the western end of the section as a public local history and amenity feature. The canal will be restored on a new line as the historic line is now covered by Mably way and Denchworth Road. The estimated costs in financial year 2022/23 are £15,500 • WBCT ask that consideration is given to this request for funding in conjunction with this application
<p>Wantage and Grove Campaign Group</p>	<p>First response Objection</p> <ul style="list-style-type: none"> • The Road Safety Audit submitted May 2022 states that a site inspection was undertaken on 22 April 2022 between 7.30 and 08.30am. This was a Friday during the Easter school holidays and would

	<p>therefore now show the full level of traffic on a normal school day.</p> <ul style="list-style-type: none">• Object to the inclusion of this report and request a further report be produced based on observations on a normal school day.
--	---

3.0 **RELEVANT PLANNING HISTORY**

3.1 [P18/V2300/FUL](#) - Refused (09/01/2020) - Appeal dismissed (28/06/2021)
Erection of a Class A1 retail foodstore with associated car parking, access, landscaping and associated engineering works. Additional ecological information (reptile survey report) received 28 September 2018. Additional information and amended plans received 5 November 2018, 7 March 2019 and 31 July 2019.

3.2 **Pre-application History**

[P18/V1566/PEJ](#) - (28/09/2018)

Proposed new food store and parking with access leading from Grove Road. Officers advised that they would be unlikely to support the application due to significant landscape and design concerns.

3.3 **Screening Opinion requests**

None

4.0 **ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 The development includes more than 1 hectare of urban development which is not dwelling house development. It constitutes Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Having taken account of the selection criteria at Schedule 3 of the regulations it is considered this proposal is not EIA development.

5.0 **MAIN ISSUES**

5.1 The main issues are:

1. The principle of development
2. Retail Sequential Test
3. Retail Impact Test
4. Impact on Community Services and Facilities
5. Design, Landscape and Visual Impact
6. Sustainable design and construction
7. Flood risk and drainage
8. Traffic, parking and highway safety
9. Historic environment
10. Archaeology
11. Biodiversity
12. Impact upon residential amenity
13. Developer Contributions

5.2 **The principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, as far as material to the application, and to any other material considerations. The development plan for this proposal currently comprises the adopted Local Plan 2031 Part 1 and the Local Plan 2031 Part 2. There is no neighbourhood plan for Grove.

5.3 Other material planning considerations include the National Planning Policy Framework and guidance within the National Planning Practice Guidance.

5.4 The application site lies outside the development boundary of both Grove and Wantage as defined by the Policies Map and Policy CP3 of the Local Plan 2031 Part 1. The site not allocated for any uses within Part 1 or Part 2 of the Local Plan 2031.

5.5 Policy CP3 identifies Wantage as a Market Town and Grove as a Local Service Centre. This policy indicates that Market Towns have the greatest long-term potential to accommodate development, and Local Service Centres will provide the next best opportunities for sustainable development outside the Market Towns. The site therefore is considered to form part of the open countryside.

5.6 Policy CP32 of the Local Plan 2031 Part 1 has a town centre first approach and will only support retail development that is on the edge or outside a town centre location if it is demonstrated that the proposal satisfies a sequential test to site selection and, where the proposal is greater than 500 square metres (in this location) an impact assessment confirms that there are no likely significant adverse impacts on the vitality and viability of nearby centres.

5.7 The application site is outside a town centre location and therefore both a retail sequential test and impact test is required to be satisfied.

5.8 **Retail Sequential Test**

Paragraphs 86-89 of the NPPF sets out the sequential approach for main town centre uses. Paragraph 87 states '*Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.*' Paragraph 011 of the Town Centres and Retail section of the Planning Practice Guidance states that when considering what a reasonable period is for this purpose, the scale and complexity of the proposed scheme and of potentially suitable town or edge of centre sites should be taken into account.

5.9 Paragraph 011 also states that the applicant must demonstrate compliance with the sequential test, the requirements of which must be proportionate and appropriate for the given proposal. Applicants must demonstrate a certain

degree of flexibility in terms of location and scale of proposal. Applicants must show that the suitability of more central sites to accommodate the proposal has been considered and demonstrate where there is scope for flexibility in the format of the proposal. The sequential test is passed whereby no suitable sequentially preferable sites are identified to host the proposed development.

- 5.10 A Sequential test has been submitted in support of the application and this has been assessed by an independent retail consultant on behalf of the local planning authority.
- 5.11 The retail consultant has advised that the search area used by the applicant in considering sequentially alternative sites is appropriate, focused around Wantage town centre and the local shopping centres of Barnards Way in Wantage and Millbrook Square and Grovelands. The consultant is content that given the moderate scale of the proposed foodstore it would not likely draw a very substantial proportion of its turnover from beyond Grove and Wantage.
- 5.12 The consultant also confirms that the sequential test should be applied based on the proposed use and not the operator. This has been confirmed in the Courts (Aldergate Properties Ltd v Mansfield District Council 2016). This application seeks permission for a Class E retail foodstore and therefore the sequential test must be assessed based on whether alternative sites could accommodate a Class E retail foodstore of the broad format proposed (allowing for appropriate flexibility) and not based on a discount operator foodstore.
- 5.13 The retail consultant considers that the proposed store could be accommodated on a much smaller site than the 1.19 hectare application site, given that the site area includes a substantial amount of highway land and a buffer around the site. It is considered that a similar sized foodstore may be able to be accommodated on a site of approximately 0.5 hectares and it is on this basis on which sequentially alternative sites should be assessed.
- 5.14 The retail consultant has provided an updated assessment of the six potential sequentially alternative locations considered in the previous application (application ref. P18/V2300/FUL). These were:
- Vacant units within defined centres
 - Limborough Road, Wantage (known as Kings Retail Park)
 - Land to the west of Limborough Road and to the east of Letcombe Brook in Wantage
 - The former Grove Airfield site in Grove
 - Land at Crab Hill in Wantage, and
 - Land at Church Street in Wantage
- 5.15 The largest available unit within Wantage and Grove is Unit 11 of Kings Retail Park, formally occupied by Argos. It comprises of 927 square metres of floorspace and therefore is accepted to be too small to support a comparable foodstore development. The charity furniture shop at Unit 9 of Kings Retail Park has been raised in consultation responses as an available alternative

site, however officers are aware that this store is still trading and therefore is not available. The retail consultant and officers are unaware of any other vacant land or property within nearby centres that are of such a scale to offer any realistic potential to accommodate the application proposal allowing for flexibility in format and scale.

- 5.16 The site to the west of Limborough Road and east of Letcombe Brook has recently been redeveloped for retail, office and residential uses pursuant to an extant planning permission (application ref. P15/V2490/FUL) and therefore is not available to accommodate the proposal. Similarly, given that a large proportion of the Church Street site has been built out as a retirement village that site is also not available to accommodate the proposed development.
- 5.17 The Crab Hill development to the east of Wantage is subject to an approved Development Brief for the neighbourhood centre which confirms that there will be 400 square metres of food retail floorspace within the development. This floor space would not be sufficient to accommodate the proposed development.
- 5.18 Outline planning permission for the strategic housing allocation at the former Grove Airfield confirms that the site will have a local centre including retail uses. The planning permission and its associated S106 agreement allows for a flexible approach to the composition of the local centre and there is no commitment to deliver a supermarket at the site. The S106 agreement requires the local centre site to be marketed to prospective operators after the occupation of 500 dwellings on site. A development brief for the local centre is required to be submitted prior to the occupation of the 250th dwelling which would give the first indication of the proposed nature of the local centre.
- 5.19 Whilst officers are aware that there are over 400 dwellings occupied on site, the local centre development brief has not yet been submitted and the marketing exercise has not yet commenced. It is understood that the applicant is currently reviewing the requirements of the development brief and intends to submit this shortly. The retail consultant contacted the developer of the former Airfield site, Persimmon, in April 2022 and received written confirmation that they do not envisage that the local centre will include a supermarket. Given the above, the retail consultant does not consider that land at Grove Airfield is available to accommodate the application proposal.
- 5.20 Consultation responses received refer to possible alternative locations for the proposed development at Grove Technology Park, Tulwick Park (land to the east of A338 at Tulwick Lane in Grove, or between King Alfred's School West site and East Challow in Wantage. Grove Technology Park is acknowledged as a strategic employment site in the adopted Local Plan 2031 Part 1 and is safeguarded for employment uses in accordance with Core Policy 29. Officers are unaware of any units available at the Technology Park that have planning permission for a retail use. Tulwick Park, and land between King Alfred's School West site and East Challow are greenfield sites which are not allocated for any use in the local plan. As such officers do not consider that

these sites offer suitable alternatives that are available or expected to become available within a realistic timeframe.

5.21 Overall, officers accept there are no sequentially preferable sites that are both available and suitable to accommodate the application proposal and the sequential test is therefore passed.

5.22 **Retail Impact Test**

Policy CP32 of the adopted Local Plan 2031 Part 1 sets a local floorspace threshold whereby proposals for retail or other main town centre uses greater than 500 square metres (in this location) must provide an impact assessment to confirm that there are no likely significant adverse impacts on the vitality and viability of nearby centres as a result of the proposed development.

5.23 Paragraph 90 of the NPPF states that an impact assessment should include an assessment of:

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

5.24 Paragraph 91 states that where an application is likely to have a significant adverse impact on one or more of the above considerations then it should be refused.

5.25 Advice in paragraphs 017 and 018 of the Town Centres and Retail section of the Planning Practice Guidance states: *‘it is for the applicant to demonstrate compliance with the impact test in support of relevant applications. (...) A judgement as to whether the likely adverse impacts are significant can only be reached in light of local circumstances. For example, in areas where there are high levels of vacancy and limited retailer demand, even modest trade diversion from a new development may lead to a significant adverse impact’.*

5.26 Appendix I of Local Plan 2031 Part 2 defines the town centre area of Wantage and Appendix J identifies Local Shopping Centres at Millbrook Square and Grovelands in Grove.

5.27 The Vale of White Horse Retail and Town Centre Study Update 2017 states that there is a medium-term requirement for additional convenience goods floorspace in the district as a whole of 2,135 net square metres over and above commitments at the time. The report suggests how this may be distributed and for Wantage and Grove it estimates that there was capacity for 1,023 net square metres by 2026 and 1,056 square metres by 2031. The Economic Development team highlight that this proposal could help to fulfil this capacity requirement. This capacity was calculated taking into account the commitment of retail provision due to come forward at Grove Airfield but did not take account of the 400 square metres of retail floorspace committed

at the Crabhill development. Officers therefore note that the overall capacity by 2031 would be reduced to 1,679 square metres when taking into the commitment at Crabhill. Officers note however that beyond provision within strategic housing allocations as detailed above, there are no allocations for retail development in the adopted Local Plan.

- 5.28 The previous application at this site (application ref. P18/V2300/FUL) for a broadly similar proposal was refused in January 2020. The refusal reason relating to retail matters stated that the proposal would harm the vitality and viability of the Grovelands Local Centre, Grove, an identified local shopping centre in the Local Plan, and was contrary to Core Policy 32 of the adopted Local Plan 2031 Part 1 and to paragraphs 89, 90 of the NPPF (now paragraphs 90 and 91 of the 2021 NPPF). This decision was subsequently appealed and dismissed in June 2021 on retail impact grounds. The Inspector in his decision acknowledged that the Co-op at Grovelands Local Centre would face intense competition as a result of the application proposal and found that the post-impact trading position of the Co-op was not reflective of a viable store and that this would comprise a significant adverse impact on Grovelands Local Centre as a whole. The Inspector considered that the appellant's case at the appeal underestimated the impact arising from the proposal to the Grovelands Local Centre.
- 5.29 This application proposes a slightly smaller building than the previous application with the net sales area reduced from 1,325 square metres to 1,093 square metres, resulting in the convenience foods floorspace reducing from 1060 square metres to 874 square metres and the comparison goods floorspace reducing from 265 square metres to 219 square metres.
- 5.30 The applicant has submitted a retail impact assessment in support of this application, and this has also been reviewed by an independent consultant on behalf of the council. Whilst this application must be considered on its own merits the June 2021 appeal decision is a material consideration.
- 5.31 With regards to the first part of the impact assessment as set out in Paragraph 90 of the NPPF, the retail consultant and officers are unaware of any planned public or private investment at any existing centres in Grove or Wantage that could realistically be prejudiced by the application proposal.
- 5.32 The development plan does provide for a proposed local centre as part of the Grove Airfield development. As referenced the required development brief will identify the form that the local centre will take and the outline planning permission and its associated S106 allows for flexibility in terms of the types of facilities that will be brought forward in the centre dependent upon a marketing exercise. Whilst the implementation of a foodstore at the application site being considered under this application, more than 1.5 kilometres to the south-east of the proposed Grove Airfield local centre may potentially have some impact on the exact composition of the centre, the retail consultant does not believe that it will likely impact on the ability to support a local centre in this location. The location of the proposed Grove Airfield local centre, together with the scale of its residential catchment should ensure that

it is able to support appropriately scaled retail and commercial uses and would not be impacted by the proposed development.

- 5.33 With regards to the impact on town centre vitality and viability, including local consumer choice and trade in the town centre and wider retail catchments, the retail consultant first advises that the comparison goods floorspace proposed with the proposed development is relatively limited at only 219 square metres. The retail consultant is satisfied that the trade diversion impacts for comparison goods from other stores and centres including foodstores would be modest.
- 5.34 It is the proposed convenience goods floorspace which amounts to 874 square metres that is of principal relevance for the retail impact assessment and in considering the acceptability of the proposed development
- 5.35 The retail consultant has raised no concerns with the assessment period or data used for the baseline position in the applicant's retail impact assessment. The consultant is also satisfied with the proposed split of sales areas for convenience and comparison goods used in the applicant's assessment as these can be fixed by condition should permission be granted.
- 5.36 *Patterns of Trade Draw and Diversion*
The retail consultant acknowledges that the current proposal provides for a less quantum of sales floorspace than the previous application and utilises a lower sales density, but advises that the proposed development would serve a broadly similar role and function to that previously proposed and would provide strong competition to existing grocery retailers in the local area. In particular it is advised that the current proposal continues to be significantly larger than the Co-op store located at Grovelands Local Centre and given its location would compete for the same catchment expenditure. The proposed store would be more modern in appearance than the Co-op store and given its location would be passed by a large number of Grove and Wantage residents on a regular basis. The consultant advises that the fact that the store is of a lesser scale (than proposed in the previous application) will mean that it is less able to draw trade from across a wider area and less able to compete directly with larger foodstores and that this has not been fully reflected in the applicant's impact assessment.
- 5.37 The retail consultant considers that in terms of trade draw, which is the proportion of turnover originated in different zones, the applicant's assumptions should be revised slightly to reflect the fact that a smaller store will have less penetration across a wider area. The retail consultant makes the following assumptions which they consider better reflect the scale of the proposed development and the Inspector's comments regarding trade draw in the appeal decision of the previous application:
- 41 per cent of the overall convenience goods turnover of the store will be drawn from Grove whereas the applicant suggests 38 per cent
 - 48 per cent will be drawn from Wantage whereas the applicant suggests 49 per cent

- 11 per cent will be drawn from Faringdon and its rural area whereas the applicant suggests 13 per cent.
- 5.38 In terms of trade diversion, i.e., the stores from which turnover is diverted, the retail consultant considers that the assumptions within the applicant's impact assessment result in:
- Too much expenditure being diverted from Sainsbury's at Limborough Road, Wantage
 - Too much expenditure being diverted from the Aldi at Faringdon to the proposed store, and
 - Insufficient expenditure being diverted from nearby smaller stores in Grove and Wantage to the proposed store
- 5.39 This position is supported by the Inspector's assessment of trade diversion in the previously dismissed appeal and the retail consultant considers that the impact assessment submitted by the applicant fails to reflect the Inspector's comments and is predicated on patterns of trade diversion that were found by the Inspector to underestimate the likely impact arising at Grovelands Local Centre.
- 5.40 The retail consultant has therefore provided their own revised impact assessment based on the above criticisms of the applicant's assessment and consider this makes for a more realistic assessment of how the proposed development would trade in practice. This assessment shows that the Groveland's Co-op is the subject of a trade diversion impact which is higher than that which would arise at the Tesco Express at Millbrook Square whereas the applicant's assessment considered the impact to be greater at the Millbrook Square Tesco Express store. The retail consultant disagrees with the applicant's assessment and does not consider the impact will be greater at the Tesco store than the Co-op store for the following reasons:
- The Co-op has a more pronounced main food shopping role than the Tesco Express and would compete against the proposed store more directly for this type of expenditure
 - The Co-op is rather dated in respect of its appearance which will impact on its attractiveness to shoppers, and
 - The Tesco Express is better located to meet local needs rising in the north of Grove, where shoppers are more distant from the appeal site and less likely to forego a more convenience option in order to undertake top-up shopping at the proposed store.
- 5.41 The applicant in their assessment suggests that the most significant impact arising from the proposed development would occur at the Aldi store in Faringdon. The retail consultant disagrees with this given that this store is 16 kilometres from the application site and much of the area between Grove and Faringdon is sparsely populated. The retail consultant considers it highly unlikely that the Aldi at Faringdon would be subject to a greater impact than the Co-op store at Grovelands. In addition, they state that convenience and proximity are of significant importance in grocery shopping and consider that the applicant's assessment fails to appropriately reflect this in its findings.

- 5.42 *Magnitude of the Identified Impact on existing stores and defined centres*
Strategic Objective SO7 of the Local Plan 2031 is to maintain and enhance the vitality and viability of the Vale's town centres and local shopping centres in order to strengthen their service centre roles. The Wantage town centre area is defined in Appendix I of the Local Plan 2031 Part 2 and Appendix J identifies Grovelands centre in Grove and Millbrook Square centre in Wantage as Local Shopping Centres.
- 5.43 The retail consultant has provided their own assessment of the trade diversion impacts arising at relevant stores. They conclude that impacts arising at all other destinations except the Co-op store at Grovelands will either be very limited or not such that they would materially affect the viability of existing stores. The consultant concludes that with respect to other key stores:
- Aldi, Faringdon - there will be some loss of trade but this store trades strongly and would continue to trade well if the proposed development were to come forward
 - Waitrose, Wantage - the impact would be relatively moderate, but would continue to trade in a satisfactory manner if the proposed development were to come forward
 - Sainsburys, Wantage – a larger trade diversion would occur than from the nearby Waitrose, but would continue to trade in a satisfactory manner if the proposed development were to come forward
 - Tesco Express, Millbrook Square Local Centre, Grove – whilst being substantially smaller than the Co-op store at Grovelands, its out-performance in respect of convenience goods turnover is a viable convenience store
- 5.44 In terms of the impact upon the viability and vitality of town and defined centres which is the assessment required by Core Policy 32 of the adopted Local Plan and by paragraphs 90 and 91 of the NPPF, as a result of the above conclusions the retail consultant is satisfied that there would be no loss of general function at Wantage town centre and no issues at Millbrook Square local centre in Grove.
- 5.45 As was the case with the previous application and its subsequent appeal, the main concern focuses on the Grovelands local centre and the Co-op store within. The retail consultant's assessment identifies that the trade diversion from the Co-op store as a result of the proposed development will amount to an impact of 15 per cent downturn (compared to the applicant's conclusion of 7.1 per cent). This impact equates to one in every seven shoppers from the Co-op store being persuaded to visit the proposed store instead. This is considered by the retail consultant to be a very realistic prospect given the likely strength of the proposed store due to its competitive pricing and its location.
- 5.46 *The current health of Grovelands Local Centre*
The applicant does not consider that the proposed development will result in a harmful impact upon the Co-op store or a significant adverse impact upon the health of Grovelands local centre. It considers that the post office facility

within the Co-op would be unaffected by the proposed development and even in their view the unlikely event that the Co-op store would close as a result of the proposed development they consider that the Grovelands local centre would be unaffected as there are separate reasons for visiting the local centre and it has a range of other shops and services which do not overlap with the proposed store.

- 5.47 The retail consultant provides an assessment of the overall health of Grovelands Local Centre, identified as a Local Shopping Centre in the adopted Local Plan 2031 Part 2 in which the Co-op store is located.
- 5.48 The centre is embedded in its surrounding residential area and has limited visibility in terms of passing traffic. The consultant states that the Co-op continues to be of significant importance in anchoring the centre and underpinning its ongoing local convenience retail and service role. This is supported by the Vale of White Horse Retail and Town Centres Study 2017 Update which confirms that the Grovelands centre is anchored by the Co-op store. This position was also considered appropriate by the Inspector in considering the previous scheme. The retail consultant visited Grovelands centre in March 2022 and advises that there were two vacant units out of the 10 available, a slight improvement on the three vacant units in March 2021 when the centre was previously visited but still comprises 20 per cent of the available stock.
- 5.49 From visiting the store and results of the applicant's household survey carried out in support of their impact assessment, the consultant concludes that the Co-op store fulfils a role that is qualitatively different to that of just a top-up convenience store and does support some main food shopping trips in practice. The household survey concludes that the Co-op store attracts 1.55 per cent market share of first choice main food shopping for residents from Grove, 0.21 per cent for residents from Wantage and 0.46 per cent for residents from Faringdon and the surrounding area. It attracts 3.81 per cent market share of second choice main food shopping for residents from Grove, 0.37 per cent for residents from Wantage and zero per cent for residents from Faringdon and the surrounding area.
- 5.50 As highlighted by the Economic Development team, the applicant's assessment does suggest that the Co-op store is most popular as a top-up food shopping destination as well as attracting visits to the post office currently located within the store.
- 5.51 The consultant advises that the overall health of the centre appears to be relatively fragile, and its ongoing vitality and viability is to a large degree, dependent on the ongoing operation of the Co-op foodstore. This view is based upon:
- The limited overall number of commercial units at the centre
 - The vacant units (20 per cent)
 - Non-food retail uses at the centre have a relatively limited appeal and will not support substantial levels of footfall

- The apparent modest trading performance of the Co-op foodstore, evidenced on site when visited and verified by the household survey
- The visibility of the centre which will impair its performance, and
- The reliance on the Co-op foodstore to anchor the centre.

5.52 *Impact upon the Vitality and Viability of Grovelands Local Centre*

The retail consultant's assessment identifies that the post-impact turnover of the Co-op store (once the proposed development is operational) would be £2.31 million per annum and they do not consider that this represents a viable store. This figure is not dissimilar from the figures considered by the Inspector in the previous scheme, which he considered demonstrated that the Co-op store's trading position would become unviable as a result of implementation of the previously proposed store which would result in a significant adverse impact on the local shopping centre.

5.53 The retail consultant considers it clear that the post-impact performance of the Co-op store is not indicative of a viable foodstore, and this was clearly identified by submissions from Midcounties Co-operative Society in responding to the previous planning application and their participation in the subsequent appeal. Officers note that Midlands Co-operative Society have been contacted for a consultation response to this current application and no response has been received.

5.54 The retail consultant concludes that it is likely that the Co-op would cease to trade as a consequence of the application proposal and given its importance to the local shopping centre as a whole, this would fundamentally undermine the wider health of Grovelands local centre. They advise that the proposed development would result in a significant adverse impact at the Co-op store and at Grovelands local centre as a whole. The proposal therefore fails to demonstrate compliance with Core Policy 32 of the adopted Local Plan 2031 Part 1 and paragraph 91 of the NPPF.

The future of the Co-op store in Grovelands Local Centre

5.55 Officers are aware of comments from the applicant and the Parish Council regarding reports that the existing Co-op store may be due to close and in addition that the Co-op may be due to open a small convenience store in the local centre at Grove Airfield. No evidence to support these claims has been provided. Officers have contacted the Co-op for comment on the proposed development, but no response has been received. Officers are of the view that without any evidence to substantiate the above claims, no weight can be given to their consideration in the determination of this application.

Retail and Economic benefits of the proposed development

5.56 As noted above the Economic Development highlight that the proposed development could help to fulfil the required retail capacity in Wantage and Grove identified in the Vale of White Horse Retail and Town Centre Study Update 2017.

5.57 The Economic Development team highlights that the proposed development will deliver up to 40 new jobs in the operational phase and some new jobs in

the construction phase and represents substantial investment (circa £10 million) in the local area. This has also been recognised by Grove Parish Council and residents. The Economic Development team recommend that these benefits of the proposed development receive weight considering the fragility and viability concerns of the Co-op store and Grovelands local centre. Officers note however that objectives and policies in the adopted local plan give a level of protection to the Grovelands local centre as an identified local shopping centre. Should permission be granted it is recommended that a Community Development Plan (CEP) be secured by condition to maximise the potential employment benefits of the proposal for the local community as required by Policy DP1 of the adopted Local Plan 2031 Part 2.

- 5.58 Officers are mindful of the cited benefit of the proposed development in improving local food retail choice in Wantage and Grove as there is not currently a discount food retailer operating in the vicinity. Linked to this are social and environmental benefits cited in that the proposed development would reduce the need for residents to travel to other discount retail stores further afield. In addition, the applicant, Grove Parish Council and residents cite the lower prices offered by the intended end user Lidl as a benefit in terms of assisting residents given the current cost of living crisis. Officers note however that the end user of the proposed development cannot be controlled through the grant of planning permission and this application must be considered based on the use class applied for. This is as a Class E food retail store and therefore limited weight can be given to benefits associated with the intended end user as a discount food retailer.
- 5.59 Officers must consider how retail and economic benefits, together with other identified benefits of the proposed development weigh in the planning balance against the identified harm to the vitality and viability of the Grovelands local centre which is contrary to Core Policy 32 of the adopted Local Plan 2031 Part 1. This assessment is detailed below in section 6.

Impact on Community Services and Facilities

- 5.60 Officers are aware that the Co-op store at Grovelands also provides Post Office services for Grove.
- 5.61 DP8 of Local Plan 2031 Part 2 seeks to protect existing community services and facilities, and proposals involving the loss of an existing facility will need to provide evidence to demonstrate how the facility is no longer economically viable and/ or no longer meets a local need.
- 5.62 Paragraph 93 of the NPPF states that:
'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- a) *Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments*

- b) *Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs*
- c) *Ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community'.*

5.63 In refusing the previous scheme on this site, this Council included in the reason for refusal that the application failed to guard against the potential and unnecessary loss of the Post Office as a community facility as a result of the impact upon the Grovelands Local Centre and the likely closure of the Co-op store as a result of the proposed development. In the appeal decision the Inspector did not share this view, concluding that the Post Office could move to a new venue in the area in the event that the Co-op closed. Whilst the same conclusion has been reached in this application regarding the impact on the Co-op and its likely closure as a result of the proposed development, in light of the Inspector's conclusions regarding the Post Office in the previous application, officers do not consider that the proposed development fails to guard against the unnecessary loss of valued facilities and services as set out in paragraph 93 of the NPPF.

5.64 **Design, Landscape and Visual Impact**

CP37 of the adopted Local Plan 2031 Part 1 states that proposals for new development will be required to be of a high-quality design that responds positively to the site and surroundings. Proposals are also required to be visually attractive, and the scale, height, density, grain, massing, type, details and materials should be appropriate for the site and surrounding area.

5.65 CP44 of the Local Plan 2031 Part 1 states that the key features that contribute to the nature and quality of the Vale of White Horse District's landscape will be protected from harmful development and where possible enhanced. Where development is acceptable, measures should be sought to integrate development into the landscape character of the area. Proposals will need to demonstrate how they have responded to the landscape character by incorporating appropriate landscape proposals and preserving and promoting local distinctiveness.

5.66 Development Policy 29 of the Local Plan 2031 Part 2 states that development proposals will need to demonstrate that settlement character is retained, and physical and visual separation is maintained between settlements. Development proposals will only be permitted provided that the physical and visual separation between two settlements is not unacceptably diminished individually, or cumulatively with other existing or proposed development and that it does not lead to the loss of environmental or historical assets that contribute towards local identity.

5.67 Paragraph 130 of the NPPF states that decisions should ensure that development will function well and add to the overall quality of the area, are

visually attractive and are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Landscape and Visual impact

- 5.68 The building is proposed to be located at the south of the site with retaining walls along the southern and eastern boundaries. The retaining walls are required due to the sloping nature of the site once the development footprint for the building and car parking to the north is levelled. The proposal differs from the previous scheme on this site with a slightly smaller building in terms of footprint proposed, the building is reduced at the eastern end of the site. The maximum height of the building is 7.02 metres compared to 6.7 metres in the previous scheme.
- 5.69 The previous application on this site was refused on landscape grounds, as it was considered that the proposed development was harmful to the local landscape character identified as being locally important, that it was not well integrated into the local character of the area and was at odds with the rural interface and the important role the site plays in terms of the visual and physical separation between Wantage and Grove. Whilst the subsequent appeal was dismissed, it was not dismissed on landscape or visual grounds or on the design details of the proposed development. The appeal Inspector considered that the openness between Wantage and Grove has already been compromised by the residential properties at Wolage Drive and the Elms Farm Business Park. The Inspector did not consider that the site makes a significant contribution to the landscape setting of either Grove or Wantage and considered there only to be a moderate to adverse impact to the landscape setting and did not consider that the proposed development conflicted with Core Policies 37 or 44 from the adopted Local Plan 2031 Part 1 or Policy DP29 of the Local Plan 2031 Part 2.
- 5.70 Consequently, given the very similar nature of the development proposed in this application the Landscape Architect raises no objections on landscape or visual grounds or raises any conflict with Policy CP44. Given the similar nature of the two schemes, that planning policy has not materially changed since the appeal decision, the appeal decision decided landscape and visual impacts would be acceptable, it is now considered the proposal would not result in unacceptable landscape or visual harm.
- 5.71 The proposed car parking is of a very standardised design with very little landscaping within or at the edges to break up the visual dominance of its hardstanding. Officers would expect a higher quality landscaping scheme which breaks up the dominance of the hardstanding to be secured via condition should permission be granted, as supported by principle 5.93 of the adopted Joint Design Guide.

Design

- 5.72 The proposed building is of an ordinary, functional design. It is to be single storey with a mono-pitch roof sloping to the south with glazing to the west onto the A338. Information submitted with the application indicates that the building has been designed to be set into the rising land, using retaining

structures and landscaping to limit and screen public views of the site. The retaining structures are substantial and are proposed to be planted with native shrubs and planters.

- 5.73 The elevations are proposed to be built using buff brick and cedar cladding, the same as the design of the previously proposed scheme to which the Urban Design Officer advised that the materials and detailing proposed were sympathetic and bring a degree of articulation to the scheme. The material palette suggested is appropriate to the local context and the more contemporary nature it brings to the scheme is welcomed.
- 5.74 Overall officers are satisfied that the proposed building is appropriate to its setting and local character and the elevational treatment assist in elevating the building to a higher quality, contemporary design beyond a standard functional building.

Sustainable Design and Construction

- 5.75 Policy CP40 of the adopted Local Plan 2031 Part 1 encourages developers to incorporate climate change adaptation and design measures to combat the effects of changing weather patterns in all new development.
- 5.76 The Design and Access Statement submitted to support the application references various sustainability and energy efficiency objectives of the applicant relating to water usage, lighting and recycling and waste management. Whilst such objectives are welcomed, they cannot be secured or controlled through the planning process.
- 5.77 The applicant advises that the canopy proposed above the glazed elements on the west and part of the northern elevation is designed to manage thermal gain within the building.
- 5.78 The roof plan submitted indicates that photovoltaic panels will be installed on the roof covering approximately 800 square metres. No further details of the photovoltaic panels have been provided; such details can be secured by condition. Officers recognise the support for such measures in Policy CP40 of the adopted Local Plan 2031 Part 1 and principle 6.6 of the adopted Joint Design Guide.

5.79 Flood risk and drainage

The site is in flood zone 1 which is an appropriate location for development in flood risk terms. A Flood Risk Assessment (FRA) has been submitted in support of the application and indicates that the site is at a low risk of flooding from all sources.

Surface Water drainage

- 5.80 The FRA states that the site is not suitable for infiltration drainage and discharge to a watercourse is not possible, therefore the drainage strategy proposes a restricted discharge of surface water into an existing Thames Water sewer in the adjacent road with crated attenuation. Following comments raised by the Drainage Engineer regarding the lack of Sustainable

Drainage Systems (SuDS) within the proposed scheme, the drainage strategy has been amended to incorporate permeable paving to provide water quality benefits.

- 5.81 Following the inclusion of permeable paving and some changes to calculations in the drainage strategy, the Drainage Engineer and Lead Local Flood Authority have raised no objections subject to full details of the surface water drainage scheme being provided by condition.
- 5.82 Previously Thames Water have advised that there is an inability of the existing surface water infrastructure to accommodate the needs of the proposed development and have requested a condition restricting occupation (use) of the proposed development until it has been confirmed that all surface water network upgrades required have been completed, or an alternative plan has been agreed.

Foul water drainage

- 5.83 Foul water drainage will be discharged to an existing foul water sewer. Previously Thames Water have raised no objections with regards to foul water sewage network infrastructure capacity. The Drainage Engineer has recommended that should the application be approved; details of the foul water drainage should be required by condition.
- 5.84 Should the application be approved, officers are satisfied that the site can be adequately drained to comply with policy CP42 of the Local Plan 2031 Part 1, subject to further details required by condition.

Traffic, parking and highway safety

- 5.85 The application is supported by a Transport Assessment (TA). The highway authority has reviewed all of the information submitted and following receipt of amended plans raise no objections on highway grounds, subject to conditions.

Traffic impact

- 5.86 The assessment of trip generation within the TA was based upon a discounted retail food store, however the highway authority note that planning consent would be based upon use class and therefore the occupiers could change in the future resulting in a higher trip generation. The applicant has subsequently submitted a comparison of the potential trips associated with the proposed store and a standard food store; the highway authority has assessed the likely trip rates and considers them to be acceptable. The highway authority also accepts the likelihood in the assessment that 30 per cent of trips to the proposed store will be linked to an existing journey. It is not considered that the proposed retail development would have a severe impact on the road network.

Access

- 5.87 Access to the site is to be from the A338 to the west at the centre point of the site's frontage. The access would be formed with a right turn lane on the A338 to avoid conflict with other junctions on the road. Grove Road will be widened

on the eastern side of the carriageway using the existing grass verge and adjusting the alignment of the existing shared cycle/ footway to accommodate the proposed access.

- 5.88 The footway/ cycleway provision is to be maintained along the eastern edge of the A338 and pedestrians/ cyclists using this path are to be given priority. The existing path is to be taken across the proposed access. Inbound and outbound traffic will give way to pedestrians/ cyclists crossing the road by way of giveaway lines. Concerns have been raised by Grove Parish Council, residents and local interest groups that the existing cycle path at the access should continue in a straight line as opposed to curving into the site as proposed to ensure that cyclists can maintain momentum and ease of movement. The highway authority has advised that the current proposed arrangement allows for vehicles, pedestrians and cyclists to have a clear view of each other at the point at which pedestrians and cyclists are given priority. Whilst acknowledging the recent change to the highway code which gives priority to cyclists, the highway authority advises that the proposed arrangement with the deviation of the route alignment is appropriate to ensure road safety to all users, particularly given the number of daily movements that will occur at the access.
- 5.89 The existing shared path in this location measures approximately 2.6-2.7 metres wide. The Transport Assessment indicates that the shared path as proposed will measure 3.0 metres wide however the submitted plans indicate it will vary between 2.6-2.9 metres. The highway authority has advised officers that they wish to see this increased to 3 metres wide in the vicinity of the proposed store and this can be covered by condition. Should planning permission be granted officers consider that a condition should be attached which requires details of such an amendment to the width of the cycle path to be submitted to and approved by the local planning authority in consultation with the highway authority.
- 5.90 The highway authority raised concerns regarding the swept path of HGVs within the site having to reverse past customer parking spaces to service the site. The applicant has subsequently confirmed that all refuse from the store is to be taken away in the same vehicle that deliver goods to the store approximately 2-3 times per day. The applicant has also confirmed that the store will be serviced outside of peak times or when the store is closed. A condition requiring details of deliveries and servicing of the site can be required by condition should permission be granted. The highway authority initially raised concerns regarding HGVs potentially overhanging the A338 carriageway when giving way to pedestrians and cyclists. The applicant subsequently submitted a technical note that states that this risk would be negligible given the frequency of movements as well as highway users along the A338 having a duty of care to maintain when driving with regards to maintaining safe stopping distance. The highway authority therefore considers this situation acceptable. The visibility splays provided at the access are also considered to be acceptable to the highway authority.

- 5.91 A Stage 1 Road Safety Audit has been provided by the applicants and its findings are considered acceptable to the highway authority except for the identified substandard length of the right turn lane off the A338 into the site. The highway authority has advised that this matter can be addressed at the detailed highway design stage when the applicant will need to enter into a S278 agreement with the highway authority to carry out works within the public highway, this may involve relocation of the Toucan crossing to the south of the proposed access. Officers consider that should planning permission be granted a condition should be attached which requires details of such an amendment to the right-hand turn lane and crossing point to be submitted to and approved by the local planning authority in consultation with the highway authority. Wantage and Grove Campaign Group have raised a concern with the Road Safety audit being carried out during the Easter school holidays and therefore would not reflect the full level of traffic on a normal school day. The highway authority has advised that the RSA assesses mainly any potential risk/ safety issues arising from the design of the development and is not based upon the level of traffic and they are therefore satisfied that it is an appropriate assessment.

Parking

- 5.92 123 car parking spaces are proposed to be provided including eight parent and child and eight disabled spaces to DDA standards. Two electric vehicle charging points are proposed to be provided in accordance with the Vale of White Horse Air Quality Developer's Guidance document and can be secured via condition which can secure these as 'rapid' chargers in accordance with the guidance. The highway authority has confirmed that a suitable level of car parking is proposed.

Cycle Parking

- 5.93 It is proposed that 12 spaces in the form of six covered Sheffield stands are to be provided for customer cycle parking and staff cycle parking is to be provided within the warehouse element of the proposed building. This provision is acceptable to the highway authority and submission of full details of cycle parking can be required by condition.

Traffic, parking and highway safety

- 5.94 The highway authority has raised no objection to the proposed development subject to conditions and S106 contributions. Should the application be approved, officers are satisfied that a safe and convenient access for vehicles, pedestrians and cyclists can be provided. Furthermore, the proposed development will not result in a severe impact upon the capacity of the surrounding road network.

Historic Environment

- 5.95 The Grade II listed building Elms Farmhouse lies approximately 87 metres north of the application site on the western side of Grove Road. Given the existing context of the listed building with residential dwellings on either side and given the distance to the application site, officers are satisfied that the proposed development will not have a detrimental effect upon the setting of the listed building.

Archaeology

- 5.96 The County Council Archaeologist has identified that the site is within an area of archaeological potential; to the south east are two later prehistoric and Romano British occupation sites. The applicant has submitted an archaeological desk-based assessment however the County Archaeologist advises that this contains limited information and does not assist with assessment of the application in terms of the historic environment. The Archaeologist advises that whilst there is currently no indication that archaeological features of such significance as to preclude the principle of development are present, archaeological investigation should be undertaken in advance of the commencement of development on site.
- 5.97 Officers are satisfied that should the application be approved, archaeological matters could be dealt with by condition, requiring the applicant to implement a staged programme of archaeological investigation prior to development commencing.

Biodiversity

- 5.98 A preliminary ecological appraisal has been submitted in support of the application. The Countryside Officer advises that impacts on protected species are unlikely. Reptile surveys submitted in support of the previous application did not reveal any populations of reptiles on site and the site and surrounding conditions have not materially changed since those surveys were carried out. The Countryside Officer has also previously advised that there is no reasonable likelihood of Great Crested Newts being adversely impacted by development on this site due to the separation of the site from confirmed records by the Letcombe brook, housing at Wolage Drive and the A338.
- 5.99 The appraisal concludes that the primary habitat on site is semi-improved neutral grassland. A biodiversity impact assessment has been submitted utilising a biodiversity impact calculator to quantify the loss to biodiversity as a result of the proposed scheme. The assessment concludes that the scheme would result in a net loss of 8.45 habitat units. Therefore, an offsetting payment to an approved Biodiversity Offsetting Scheme is required to address this net loss to biodiversity resource. This can be secured by condition should the application be approved.
- 5.100 Officers are satisfied that should the application be approved, the applicant could be required to make a payment into a biodiversity offsetting scheme to ensure that there is no net loss of biodiversity, details of which can be required by condition. The application would then be compliant with Core Policy 46 of Local Plan 2031 Part 1.

Impact upon residential amenity

- 5.101 The nearest residential properties to the application site are those properties in Wolage Drive on the western side of Grove Road and Stone Haven which lies adjacent to the eastern boundary of the site.

- 5.102 The new building will be very visible to adjacent residential properties but given the significant distances between the proposed building and existing properties, officers do not consider that there will be a detrimental impact upon residential amenity in terms of loss of privacy, daylight or sunlight, or from visual intrusion.

Light pollution

- 5.103 Should the application be approved, a condition could be secured requiring details of external lighting to be provided to ensure it is appropriate in both design and light levels to the site's setting and adjacent uses to accord with policy DP21 of the Local Plan 2031 Part 2.

Noise pollution

- 5.104 A Noise Impact Assessment has been submitted in support of the application which assesses the impact of activities associated with the proposal on existing residential properties adjacent to the site.
- 5.105 The Environmental Health Officer has raised no objections to the proposed development subject to the mitigation measures outlined in the noise assessment being actioned in full. However, the noise assessment does not recommend any mitigation measures due to the proposed layout of the store and retaining structures offering some screening to any noise generated from deliveries and plant and therefore predicted noise levels at the nearest residential properties are considered likely to be lower than existing ambient and background noise. Officers are satisfied that the proposed development will not have a significant adverse impact on residential amenity in terms of noise.

Developer Contributions

- 5.106 The NPPF advises that planning obligations should only be sought where they meet all of the following tests in paragraph 204:
- I. Necessary to make the development acceptable in planning terms;
 - II. Directly related to the development; and
 - III. Fairly and reasonably related in scale and kind to the development.
- 5.107 Policy CP7 of the Local Plan 2031 Part 1 provides that development will only be permitted where the necessary physical infrastructure and service requirements to support the development can be secured.
- 5.108 Should the application be approved the following developer contributions would be considered fair and proportionate and could be secured through a section 106 agreement:

District Council	Amount (£)
Public art (£10 per sqm.)	£20,350
S106 monitoring fee	£1,763
Total	£22,113

Oxfordshire County Council	Amount (£)
Public transport services – to enhance bus services serving Grove and Wantage	£17,560.00
Public transport infrastructure – Provision of a cantilever type shelter and real-time information (if not secured through a S278/38 agreement)	£23,568.00
Travel Plan monitoring	£1,446.00
Total	£42,574.00

5.109 The Wilts and Berks Canal Trust whilst confirming that the proposed development will not itself directly prevent or hinder restoration of the canal, have requested a contribution towards the dredging and rewatering of the Elms Farm section of the canal between Denchworth Road and Grove Road which is close to the application site. This project includes the cosmetic reinstatement of the historic Grove Top Lock at the western end as a public local history and amenity feature. As set out in the Developer Contributions Supplementary Planning Document (November 2021) S106 obligations are used to secure specific planning policy requirements or to mitigate direct impacts of the development including the provision of infrastructure. The Community Infrastructure Levy is used to secure a financial payment from a developer which can be used for any infrastructure needed to support development of the district and is used for district-wide and local infrastructure projects. As the project proposed by the Wilts and Berks Canal Trust does not represent mitigation for a direct impact of the proposed development officers do not consider it would be appropriate to be secured through S106, but could be funded through an application for funds from the Community Infrastructure Levy to which this development will need to contribute to should permission be granted, as set out below.

5.110 *Community Infrastructure Levy*

The Community Infrastructure Levy (CIL) charging schedule was adopted and implemented in November 2021. CIL is a levy charged on new development in the district; the money raised will be used to fund infrastructure and support growth. In general, off-site mitigation would be sought via CIL and on-site elements and direct mitigation elements would still be sought via a S106 agreement and as such are listed in the table above.

5.111 The CIL charging schedule identifies that supermarket development will be chargeable at a rate of £116.65 per square metres of floorspace. Should the application be approved CIL would be charged for the 2035 square metres gross internal floorspace proposed with a total of £237,382.75.

6.0 **CONCLUSION AND PLANNING BALANCE**

Vale of White Horse District Council – Planning Committee - 17 August 2022

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 Officers consider that the proposed development will result in a significant adverse impact on the Grovelands local shopping centre as a result of the effect of the proposed development on the centre's anchor store; the Co-op. This will be harmful to the vitality and viability of the centre, contrary to Core Policy 32 of the Local Plan 2031 Part 1 and paragraphs 90 and 91 of the NPPF.
- 6.3 Officers are mindful of the potential benefits of the proposed development. The store could help to fulfil the outstanding retail capacity in Wantage and Grove identified in the Vale of White Horse Retail and Town Centre Study Update 2017. It will deliver up to 40 new jobs in the operational phase as well as jobs during the construction phase and represents a £10 million investment in the local area. In addition, the development is proposed to use photovoltaic panels on the roof to generate solar energy which is welcomed.
- 6.4 Other benefits have been cited such as the provision of electric vehicle charging points and the use of sustainable drainage systems in the form of permeable paving. Officers note that such measures are standard requirements of Local Plan policy to make a scheme acceptable and are therefore afforded limited weight.
- 6.5 The store would provide an additional store to the local retail offer. Reference has been made by the applicant and some consultees that it would improve local consumer choice as there is not current a discount food retailer operating in Wantage or Grove, it would also reduce the need to travel to such stores further afield providing some social and environmental benefits and that it would assist residents to shop at a store with lower prices given the current cost of living crisis. Officers note however that the submitted application is for a Class E retail store and the end user, as a discount retailer, cannot be secured through planning permission and a different food retailer could operate at the site. Therefore, officers consider that the benefits associated with the intended end user can be afforded little weight in the planning balance.
- 6.6 On balance, officers do not consider that the benefits of the proposed development outweigh the identified harm to the vitality and viability of Grovelands local centre. Officers give full weight to Core Policy 32 of the adopted Local Plan 2031 Part 1 and substantial weight to paragraphs 90 and 91 of the NPPF in this regard. Officers also give significant weight to the dismissed appeal decision for a broadly similar proposal which was only issued 14 months ago. This identified a significant adverse impact on Grovelands local centre and despite the slight reduction in floorspace proposed, officers consider that this significant adverse impact remains.
- 6.7 It is therefore recommended that the application be refused for the reasons stated at the beginning of this report.

Vale of White Horse District Council – Planning Committee - 17 August 2022

The following planning policies have been taken into account:

Vale of White Horse Local Plan 2031 Part 1 policies;

- CP01 - Presumption in Favour of Sustainable Development
- CP03 - Settlement Hierarchy
- CP07 - Providing Supporting Infrastructure and Services
- CP15 - Spatial Strategy for South East Vale Sub-Area
- CP32 - Retail Development and other Main Town Centre Uses
- CP33 - Promoting Sustainable Transport and Accessibility
- CP35 - Promoting Public Transport, Cycling and Walking
- CP37 - Design and Local Distinctiveness
- CP38 - Design Strategies for Strategic and Major Development Sites
- CP39 - The Historic Environment
- CP40 - Sustainable Design and Construction
- CP42 - Flood Risk
- CP43 - Natural Resources
- CP44 - Landscape
- CP46 - Conservation and Improvement of Biodiversity

Vale of White Horse Local Plan 2031 Part 2 policies;

- DP08 - Community Services and Facilities
- DP11 – Community Employment Plans
- DP16 - Access
- DP17 - Transport Assessments and Travel Plans
- DP20 - Public Art
- DP21 - External Lighting
- DP23 - Impact of Development on Amenity
- DP25 - Noise Pollution
- DP26 - Air Quality
- DP29 - Settlement Character and Gaps
- DP36 - Heritage Assets
- DP38 - Listed Buildings
- DP39 - Archaeology and Scheduled Monuments

NEIGHBOURHOOD PLAN

Grove does not currently have a Neighbourhood plan

JOINT DESIGN GUIDE 2022

DEVELOPER CONTRIBUTIONS SPD 2021

NATIONAL PLANNING POLICY FRAMEWORK 2021

PLANNING PRACTICE GUIDANCE

Other Relevant Legislation

Human Rights Act 1998 The provisions of the Human Rights Act 1998 have been considered in the processing of the application and the preparation of this report.

Equality Act 2010 In determining this planning application, the Council has regard to its obligations under Section 149 of the Equality Act 2010.

Vale of White Horse District Council – Planning Committee - 17 August 2022

Planning (Listed Buildings and Conservation Areas Act) 1990
Community & Infrastructure Levy Legislation
Section 17 of the Crime and Disorder Act 1998
Natural Environment and Rural Communities (NERC) Act 2006
Section 85 of the Countryside and Rights of Way Act 2000
The Conservation of Habitats and Species Regulations 2010

Author: Penny Silverwood

Email: penny.silverwood@southandvale.gov.uk

Tel: 01235 422600