

NAME OF COMMITTEE	Community Services
DATE	30th April 2013
REPORT TITLE	Assessing the Impact of Retail Development in West Devon Supplementary Planning Document
Report of	Strategic Planning Officer
WARDS AFFECTED	All

Summary of report:

A Supplementary Planning Document (SPD) (Appendix A) has been prepared to assist the Council in assessing the impact of new retail development in West Devon. Members of the public have been invited to comment on a draft of the SPD for a statutory four week consultation period.

Members are asked to adopt the SPD to use as a material planning consideration when determining applications for retail development in the Borough.

Financial implications:

There are no direct financial implications of this SPD. However, there are costs associated with independent reviews of Retail Impact Assessments which may be required in some circumstances. Further information can be found in Section 4 of this report.

RECOMMENDATIONS:

It is recommended that:

- Members adopt the *Assessing the Impact of Retail Development in West Devon Supplementary Planning Document (SPD)* to be used as a material planning consideration when determining applications for retail development in the Borough.
- Any changes considered necessary to the SPD are delegated to the Head of Planning, Economy and Community, in consultation with the Lead Member for Strategic Planning of the Community Services Committee

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1. BACKGROUND

- 1.1 The Council received the final version of the Town Centre and Retail Study in July 2012. This was followed by a public consultation with the community, local businesses and development industry to seek their views on the findings of the Study and aspirations for future retail development in Okehampton and Tavistock. After considering the findings of the report and consultation responses, the Council considered it necessary to prepare some guidance in the form of a Supplementary Planning Document (SPD) around assessing the impact of new retail development proposals in West Devon.
- 1.2 In January/February 2013, Officers prepared a draft version of the *Assessing the Impact of Retail Development in West Devon Draft SPD*. This document proposed to set locally based requirements for when and where Retail Impact Assessment (RIA) will need to be provided and what it should consider.
- 1.3 The Community Services Committee agreed at a meeting on the 26th February 2013 to publish the draft SPD for a four week consultation period. The consultation ran from 7th March to 8th April 2013. 17 responses were received from a range of individuals and organisations.

2. CONSULTATION

- 2.1 The consultation has generated a number of responses which have been summarised and recorded in the accompanying Statement of Consultation (Appendix B). This includes the changes that the Council is proposing to make to the final version of the document to respond to concerns raised where it is appropriate to do so.
- 2.2 The main issues raised include:
- Consultants have raised concern about the threshold being too low, but the Council's evidence supports the proposed approach. In the absence of any other evidence, threshold is considered to be robust;
 - The requirement for the SPD to have a stronger emphasis on the policies in the National Planning Policy Framework;
 - The conclusions of the Retail Study relating to future retail provision in the Borough and its recommendations in terms of a local threshold for Retail Impact Assessments; and
 - The need to clarify the criteria of Policy Guidance Box 3 to ensure that they do not over-burden applicants and do not repeat higher tier policy and validation requirements.
- 2.3 The Council has take into account all of the responses and, subject to the changes recommended in Appendices A and B, the approach set out in the document is considered to be a robust framework for appropriately assessing the impact of new retail development proposals in the Borough.

3. LEGAL IMPLICATIONS

- 3.1 The National Planning Policy Framework requires Local Authorities to prepare plans that are positive and promote competitive town centre environments. Along with establishing a presumption in favour of sustainable development, the NPPF also emphasises the importance of ensuring the vitality of town centres. The SPD has been prepared in the context of the NPPF policies and addresses the requirements through setting a local threshold for retail impact assessments.
- 3.2 The “*Town and Country Planning (Local Planning) (England) Regulations 2012*” set out the procedures which govern the process of preparing a Supplementary Planning Document. The preparation of this SPD has been in conformity with these regulations.

4. FINANCIAL IMPLICATIONS

- 4.1 In some circumstances it may be necessary to independently review Retail Impact Assessments. The cost of this will be dependent on the scale and nature of the development proposed. This cost will be met through the Development Management budget if required.

5. RISK MANAGEMENT

- 5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	National Planning Policy Framework Town and Country Planning (Local Planning) (England) Regulations 2012
Considerations of equality and human rights:	This report seeks to ensure that the Council properly considers the impact of retail proposals on the existing centres of West Devon.
Biodiversity considerations:	There are no proposals contained in this report which have direct biodiversity implications to consider. The planning application would assess the impact that the proposed development would have on biodiversity.
Sustainability considerations:	This report seeks to ensure that proposals for retail development adequately assess the impact on the existing centres of West Devon.
Crime and disorder implications:	There are no proposals contained in this report which have direct crime and disorder implications to consider.

<p>Background papers:</p>	<ul style="list-style-type: none"> • Town Centre and Retail Study 2012 and Appendices • Summary of Retail Consultation Responses for Okehampton and Tavistock • Assessing the Impact of Retail Development in West Devon Draft Supplementary Planning Document – Consultation Version
<p>Appendices attached:</p>	<p>Appendix A: <i>Assessing the Impact of Retail Development in West Devon Supplementary Planning Document (SPD)</i></p> <p>Appendix B: <i>Statement of Consultation</i></p>

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	New applications for retail development in edge, out of centre and out of town locations are submitted which fall below the NPPF threshold for requiring a Retail Impact Assessment	<ul style="list-style-type: none"> The Council is not able to properly consider the impact of proposed retail development in Okehampton and Tavistock The Council does not have any influence over the criteria to be considered as part of the RIA 	4	5	20	↑	Adopt the SPD to use as a material consideration when determining applications for retail development in the Borough.	Strategic Planning Team.

Direction of travel symbols ↓ ↑ ⇄