



West Devon Borough Council

Assessing the Impact of New Retail
Development in West Devon
Draft Supplementary Planning Document

April~~March~~ 2013: Committee~~Consultation~~
Version



West Devon
Borough
Council

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Section 1: Introduction

a. What is the role and purpose of this document?

- 1.1 Okehampton and Tavistock are the main market towns of the Borough. Between them, they supply a wide range of retail provision from independent shops and local markets to larger supermarkets and national high street stores. Whilst recent evidence shows that they are both supporting their local communities well, there is a need to make sure that suitable planning policy guidance is in place to ensure that the retailing needs of the towns continue to be met in the future. This Supplementary Planning Document (SPD) has therefore been prepared to enable full and effective consideration of proposals for retail development in these two towns.
- 1.2 This SPD supplements and adds detailed guidance to the requirements of Core Strategy Strategic Policy 12 and provides a local interpretation of the retailing policies included within the National Planning Policy Framework. In particular, the purpose of this SPD is:
 - to provide clarity to the development industry in respect of applications for retail development which are not in accordance with an up-to-date Local Plan;
 - to enable retail schemes to progress where there is no unacceptable significant adverse impact on the town centre;
 - to establish a locally set threshold where impact assessments will be required for new retail development in relation to Core Strategy Strategic Policy 12;
 - provide detail about where and when a Retail Impact Assessment (RIA) will be required; and
 - to establish criteria that should be demonstrated in a Retail Impact Assessment (RIA).
- 1.3 The Council is committed to ensuring the vitality and vibrancy of our towns for those who live, work, visit and carry out business in the area. This SPD is therefore being prepared to help the Council achieve this by providing more clarity in the decision making process.
- 1.4 Although Okehampton and Tavistock are the main retail centres of the Borough, there are other smaller settlements which also play an important role in providing local shopping facilities. As such, it is necessary to protect their centres from retail developments which could impact on their vitality and viability. It is therefore considered appropriate to apply the guidance set out in this SPD in other locations within the Borough, as required.
- 1.5 As per the above, applications made for new retail development in West Devon should have regard to this SPD alongside other relevant Local Plan, Core Strategy and National Planning policies (see Section 2).

b. What is the status of this document?

- 1.6 Supplementary Planning Documents must be prepared in accordance with national planning policies and go through a statutory consultation process. As such, they carry a high level of “weight” in the decision making process. Once this SPD has been adopted by the Council, it will be used as a material planning consideration in determining applications for new retail development.
- 1.7 Until this SPD is adopted, it will be used as emerging policy guidance to assist the Council in making decisions on proposals for new retail development in the Borough. Any applicants wishing to submit an application during this time should be mindful of the guidance set out in this SPD.

c. What will this document look at?

- 1.8 This SPD will consider the following:
 - Where retail impact assessments will be required;
 - When retail impact assessments will be required; and
 - What information Retail Impact Assessments (RIAs) will be required to demonstrate.

These are discussed in more detail in Section 3.

- 1.9 It should be noted that this SPD does not consider a review of the Core Shopping Frontages as these changes can only be made through a revision to the Proposals Map as part of a development plan process (i.e. it needs to be subject to independent examination).

Section 2: Policy Context

a. What is the national and local policy context for preparing this document?

2.1 This SPD has been prepared in the context of the adopted West Devon Development Plan which includes the adopted Core Strategy (2011) and Local Plan Review 2005 (as amended by the Core Strategy 2011), and in accordance with the provisions of the National Planning Policy Framework.

National Planning Policy Framework (NPPF)

2.2 Relevant to this SPD, the NPPF ~~states that Local Planning Authorities should~~ highlights that:

- Local Planning Authorities should Recognise town centres as the heart of their communities and pursue policies to support their vitality and viability; ~~and~~
- Local Planning Authorities should Promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;
- Sequential tests to planning applications for main town centre uses should be applied where they are not in accordance with an up-to-date Local Plan;
- Only if suitable sites are not available for main town centre uses, should edge of centre and out of centre sites be considered;
- When assessing applications for retail, leisure and office development outside of town centre, which are not in accordance with an up-to-date Local Plan, the local authority should require an impact assessment of the development where it is over a proportionate, locally set threshold;
- Should an application fail to satisfy the sequential test or is likely to have a significant adverse impact on the town centre, it should be refused.-

2.3 The NPPF makes provision for Local Authorities to set locally relevant planning guidance to apply national policy at the local level.

West Devon Core Strategy (2011) and Local Plan 2005 (as amended by the Core Strategy 2011)

2.4 At the local level, the Council's Core Strategy and Local Plan sets out the policies that will be used when dealing with new retail development in the Borough:

- *Core Strategy Strategic Objective 10*: Reinforces the role of the town centres by encouraging development which supports their function as main service providers.

- *Core Strategy Strategic Policy 12*: Retail development will be encouraged where it reinforces the role of the town centre and enhances the attractiveness, viability and safety of the town. Proposals for out-of-centre retailing will only be supported where the sequential approach justifies the proposal and there is no unacceptable impact on the town centre.
- *Local Plan Policy R1*: The change of use of ground floor shops (class A1) to alternative uses will not be permitted within the core shopping frontages as shown on the inset maps (as updated, 2011).

b. What local evidence and information does the Council have to support this document?

2.7 Town Centre and Retail Study 2012

The Council published the Okehampton and Tavistock Town Centre and Retail Study in 2012. This evidence has given the Council a better understanding of:

- The role of Okehampton and Tavistock and how well they are meeting the retail and leisure needs of the Borough;
- Whether there are any gaps in existing provision;
- Whether new shops are required in the Borough up to 2031;
- Appropriate floorspace thresholds for assessing the impact of new retail proposals outside of the town centres; and
- The main shopping areas of the town.

The report and appendices are available on the Council's website at www.westdevon.gov.uk

The Council has prepared a Position Statement which confirms support for the findings and recommendations of the Study.

2.8 Community Consultation – Autumn 2012

It is important when assessing the impact of any application for new retail development to consider the quantitative evidence (i.e. the objectively assessed needs of the study) alongside the qualitative views (i.e. the opinions of the community from the consultation) to have an all-round understanding of how people are using the towns and shopping facilities already provided.

As such, the Council held a consultation exercise in autumn 2012 which provided local residents, the business community and development industry with an opportunity to:

- Comment on the findings of the Town Centre and Retail Study 2012; and
- Share their aspirations for future retail developments in Okehampton and Tavistock.

The Position Statement confirms the Council's commitment to considering community views alongside the Town Centre and Retail Study 2012 and policy requirements when determining applications for retail development.

Section 3: Retail Impact Assessment Requirements

3.1 The Council strongly encourages pre-application discussions for all new retail development proposals. These discussions will agree whether a Retail Impact Assessment is required, what the scope of the assessment should be and what an appropriate methodology is to use. This section provides clarification on where and when Retail Impact Assessments will be required and what they will be expected to demonstrate.

3.2 This SPD will apply to applications for retail units in relation to new build developments, change of use applications for A1 food and non-food use, and extensions and alterations to existing units e.g. the variation of conditions and legal agreements and the addition of mezzanine floors.

3.3 The Council will balance the positive and negative effects of the proposal, together with local considerations and other wider material planning considerations in reaching an overall planning decision.

~~3.13.4~~ In the event that the Council considers it necessary to do so, it reserves the right to undertake an independent review of the Retail Impact Assessment.

a. Where will Retail Impact Assessments be required?

~~3.23.5~~ There is a need to provide some clarity about where retail assessments will be required to avoid placing an unnecessary burden on all retail development proposals.

~~3.3~~ As such, this SPD will apply to all new applications for retail development in the Borough in edge-of-centre, out-of-centre, or out-of-town locations. This applies to new build developments, change of use applications for A1 food and non-food use and extensions to existing units.

~~3.4~~ The following definitions are provided, as advised by the Town Centre and Retail Study 2012:

3.6 National policy requires applications for retail development to demonstrate that the location of the proposal is as well related to the town centre as possible. This 'sequential' test is used with the aim of selecting a site for development that is appropriate and as closely related to the existing town centre as possible. Only if town centre sites are not available should other locations be considered.

3.7 A Retail Impact Assessment should therefore be accompanied by a sequential assessment as required by the NPPF and Core Strategy Strategic Policy 12.

3.8 Given this principle, it is understood that the further away from the town centre a retail proposal is, the more impact it is potentially likely to have on the town

centre. As such, the Council will require Retail Impact Assessments to be provided in edge of centre, out of centre and out of town locations. The following definitions are provided, as advised by the Town Centre and Retail Study 2012.

Edge of centre¹	A location that is well connected and within easy walking distance (i.e. up to 300 metres) of the centre.
Out of centre	A location that is not in or on the edge of the town centre but is not necessarily outside of the urban area.
Out of town	A location that is outside of the existing urban area.

Policy Guidance Box 1

Retail Impact Assessments will be required where proposals are located in an edge of centre, out of centre or out of town location.

b. When will Retail Impact Assessments be required?

3.53.9 The NPPF sets an overarching policy for assessing applications for retail development outside of town centres, which are not in accordance with an up to date Local Plan (e.g. the Core Strategy). The NPPF makes provision for Local Authorities to determine locally set thresholds for assessing the impact of retail proposals. If Local Authorities choose not to set their own thresholds, the default is 2,500m².

3.63.10 The evidence has shown that there is not a significant need for any additional retail development in Okehampton or Tavistock up to 2031. It has also identified that both towns are performing well in relation to their scale and function as market towns in terms of their current retail provision. Both town centres also have their own unique offer as retail and tourist destinations and it is clear from the consultation that local businesses and the community wish to secure attractive, thriving and successful town centres for the future. As such, it is considered that any proposals for new retail development outside of the town centres could have a significant impact on the way that the centres are able to support their communities and continue to attract visitors in the future.

3.73.11 Given these circumstances and based on the evidence from the Town Centre Retail Study 2012 which notes the special characteristics of both Okehampton and Tavistock, it is considered that the impact on the existing town centres will become evident at a lower threshold and it is therefore

¹ The NPPF defines edge of centre locations as up to 300m from the Primary Shopping Area. The Councils current development plan (2005 Local Plan and 2011 Core Strategy) does not define Primary Shopping Areas. However, in both Okehampton and Tavistock, there are defined core shopping frontages. For the purposes of this SPD, where these frontages exist, these will constitute the "centre" for the purposes of measuring the distance to edge of centre locations (until superseded by subsequent amendments to the Proposals Map). In other areas of the Borough where there are no identified core shopping frontages, the centre should be regarded as the area where there is a concentration of key town centre uses.

appropriate to set a blanket threshold of 250m² net for any new retail proposals in edge of centre, out of centre and out of town locations for new build development, change of use or extensions to existing units.

- | ~~3.83.12~~ Although the evidence and community consultation has focused on Okehampton and Tavistock, it is considered that similar concerns face other smaller settlements in the Borough. As such, it is considered appropriate to apply the same threshold requirements in these locations as required.

Policy Guidance Box 2

Retail Impact Assessments will be required for proposals for new build developments, change of use and extension of existing units above 250m² net floorspace in edge of centre, out of centre or out of town locations.

c. What information will Retail Impact Assessments be required to demonstrate?

- | ~~3.93.13~~ Retail Impact Assessments should be fit for purpose and will be required to test the detailed impacts of a specific proposal. Assessments should be proportionate to the scale of the proposal, though this does not necessarily relate to the size of the proposed development. It should not be necessary to undertake detailed impact assessments or consider the effects of minor proposals where the scope for significant adverse impact is agreed to be limited.

- | ~~3.103.14~~ When assessing the impact of new retail development proposals over 250m² net floorspace, the Council will expect assessments to demonstrate the criteria listed in Policy Guidance Box 3.

3.113.15 These criteria have been informed by the guidance provided in “*Planning for Town Centres: Practice guidance on need, impact and the sequential approach (2009)*”. This should not be seen as exhaustive as other impacts may arise which are directly related to the proposal. Retail Impact Assessments should use the most up-to-date evidence available (e.g. Experian Goad Centre Reports or CoStar Town Centre and Retail Focus Reports).

Policy Guidance Box 3

A: Purpose of the Retail Impact Assessment

The Assessment will be expected to clearly evidence conclusions relating to:

- The likely impact of the proposal on the vitality and viability of the town centre;
- The likely implications for the vitality and viability of the town centre if the proposal did not go ahead.

B: Future retail growth scenarios and the appropriateness of the development

The Assessment will be expected to clearly evidence conclusions relating to:

- The potential changes on the role and function of the town centre and the area where the development is proposed as a result of the development;
- The appropriateness of a proposal’s scale in relation to the level and range of existing provision in the area;
- Whether the proposal is of an appropriate scale in terms of net floorspace in relation to the size of the town and its role now and in the future in meeting the retail needs of the Borough;
- ~~A consideration of different proportions~~ The proposed mix of convenience and comparison floorspace and how ~~it~~ this will impacts on the town centre.
- A consideration of existing and future retail expenditure capacity levels in the area;

C: Detailed impacts

The Assessment will be expected to clearly evidence conclusions relating to:

- The likely impact of the proposal on the local retail sector including any independent and national multiple stores where the proposed goods are comparable;
- The impact on local consumer choice and trade in the town centre;
- Key impacts on the town centre focusing on the first 5 years after the implementation of the proposal. For major schemes (i.e. superstores over 2,500m²) this may need to extend to 10 years from the time the application is implemented;
- The extent to which the proposal complements or meets identified existing deficiencies in shopping provision.

Continued...

Policy Guidance Box 3 (Continued)

The impact of the proposal on existing committed planned public and private investment in the town centre;

- Where there are opportunities to mitigate for any adverse effects on the vitality and viability of the town centre through appropriate contributions.
- The impact of the proposal on the turnover of existing provision within the local area and the possible effects of trade diversion;
- The impact of the proposal on other known commitments, taking into account the cumulative impact of retail developments in the local area.

D: Environmental and sustainability impacts

The Assessment will be expected to clearly evidence conclusions relating to:

- ~~Any significant impacts of the proposal on the local environment or biodiversity and how these could be mitigated;~~
- ~~The proposed sites accessibility by a means of transport and the opportunity to promote sustainable travel;~~
- The impact of the proposal on existing committed planned public and private investment in the town centre;
- ~~The potential changes to the quality, attractiveness and character of the town centre and the area where the development is proposed as a result of the development;~~
- ~~A consideration of community aspirations as identified in the autumn 2012 consultation;~~
- Where there are opportunities to mitigate for any adverse effects on the vitality and viability of the town centre through appropriate contributions.

Sequential Assessments

~~3.12 Sequential Assessments are used with the aim of selecting a site for new development that is appropriate and is as closely related to the existing town centre as possible. Only if town centre sites are not available should other locations be considered.~~

~~3.13 A Retail Impact Assessment should be accompanied by a sequential assessment as required by the NPPF and Core Strategy Strategic Policy 12.~~

d. Dealing with Applications

~~3.14 The Council will balance the positive and negative effects of the proposal, together with local considerations and other wider material planning considerations in reaching an overall planning decision.~~

~~3.15 In the event that the Council considers that the proposed development will have an unacceptable impact on the town centre, the Council reserves the right to undertake an independent review of the Retail Impact Assessment.~~

Section 4: Next Steps

a. What happens next?

- 4.1 This SPD will be subject to the statutory minimum four week consultation period from Thursday 7th March to Monday 8th April 2013.
- 4.2 All responses to the consultation will be considered and any changes required as a result will be incorporated into the final version of the document, where appropriate.
- 4.3 Following the consultation, this SPD will be taken through committee processes to seek approval to adopt in spring/summer 2013.

Consultation Questions:

1. Do you agree with the Council's approach about where a Retail Impact Assessment is required?
2. Do you agree with the Council's approach about when a Retail Impact Assessment is required?
3. Do you agree with the Council's approach about what a Retail Impact Assessment should consider?

Please complete a response form which is available on the Council's website (www.westdevon.gov.uk).

West Devon Borough Council is committed to acknowledging the full diversity of our communities and to promoting equality of opportunity for everyone.

This document can be made available in large print, Braille, tape format or in any other language on request.

For further information please contact:

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