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Working together

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Our ref: 3319/20/PR6
Date: 23 December 2020

Dear Sir/Madam

Reference No: 3319/20/PR6
Proposal: SCOPING Pre Application Enquiry for proposed food store and car parking
Location: Car Park, Leonards Road, Ivybridge, Devon, PL21 0RU

Further to your pre-application enquiry and our meeting held on 13th November 2020 please see the following formal response.

Proposal

The application proposes a foodstore (ALDI), adjacent multi storey car park and enhancements to the public realm.

Constraints

- Part within FZ 2 and 3
- Entire site is Critical Drainage Area
- Plymouth Sounds and Estuaries SAC Buffer Zone (does not affect the application)
- Leonards Road Car Park Skate Park

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

The relevant development plan policies are set out below:

Joint Local Plan:
SPT1 Delivering sustainable development

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SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT5 Provision for retail development
SPT6 Spatial provision of retail and main town centre uses
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT12 Strategic approach to the natural environment
SPT13 Strategic infrastructure measures to deliver the spatial strategy
SPT14 European Protected Sites – mitigation of recreational impacts from development
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV3 Sport and recreation
DEV16 Providing retail and town centre uses in appropriate locations
DEV17 Promoting competitive town centres
DEV18 Protecting local shops and services
DEV19 Provisions for local employment and skills
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV31 Waste management
DEV32 Delivering low carbon development
DEV33 Renewable and low carbon energy (including heat)
DEV35 Managing flood risk and Water Quality Impacts
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

JLP Supplementary Planning Document

The site also falls within Ivybridge neighbourhood planning area and the following policies are of relevance:

INP1 – Town Centre Regeneration
INP2 – Town Centre Land east of the River Erme
INP5 – Community Facilities
INP7 – Traffic and Movement
INP8 – Historic and Natural Environment

Principle of development

The spatial priorities for Ivybridge are set out in the JLP, under SP2 and include:-

- Supporting employment and the long term resilience of the town
- Investments in enhancing the economy
- Improving traffic flow in and out of the town
- Improving the retail offer
- Avoiding impacts upon the Western Road AQMA
- Delivering appropriate community infrastructure

The proposed development can be supported in principle under JLP policies TTV1, TTV2, DEV16 and DEV17, along with INP1 and INP2.

The site forms part of the INP2 allocation, and a slight conflict is noted with INP2 in that it seeks any development to be supported by a masterplan for the wider site, noting uses to be a health and leisure hub, hotel and restaurant, along with retail and office development.

Whilst the proposal meets the retail element, there is no masterplan approach. However, the Council accepts the difficulties in securing this, given the wider site falls within several different land owners, including the police station and scout hut, and given they have indicated they have no desire to move premises or redevelop. It is strongly encouraged however, that before application submission, you engage with the Town Council and the Neighbourhood Plan Working Group, if one is still in existence. Public consultation responses should be included to demonstrate what has taken place and the support put forward.

Layout, Design and Landscape

Design, as indicated previously there are some concerns in relation to the design, in that it is the standard ALDI “box” type format with materials. The proposal does not respond to local character nor nearby buildings and does not enhance the wider site, which is disappointing as it was put forward at the pre-app meeting (no plans had been submitted at this stage) that the store would have a high quality bespoke design.

In particular, it presents a blank gable end and rear delivery area, with bin and refrigeration storage to the public realm, adjacent to the B3213 and potentially creates an unattractive pedestrian route into the Town between the rear of the building and the Town Hall. The site is very open to the B3213 and the store should therefore pay regard to this important streetscene elevation.

It is advised that more detailed coloured elevations be produced, ideally showing store signage, and an indication of the type of materials proposed (brick and stone are mentioned but no details given). For any application, whilst it is useful to have the elevations submitted as per those sent in for this pre-app which include a cross section through the car park, it is requested that more detailed colour elevations be provided without the surrounding landform.

Care must also be taken with lighting, and whilst it is accepted lighting will be necessary for public safety and currently exists on site, this must be appropriately designed and not result in any detriment to protected species; input should be sought from your ecologist.

Care must also be taken to ensure the building does not cause a loss of light to the Town Hall. I would also advise seeking advice from the Police Designing out Crime Officer, in relation to that pedestrian access and with regards the lower floor of the car park. Whilst I would not anticipate any

“show stopper” comments, they will no doubt have some comments to make and their advice should be incorporated as far as is possible; they will be a consultee for any application.

Detailed elevations have not been provided for the car park, particularly how it will be presented to the Glanville’s Mill side and bridge link; noting the site plans references views into Glanville’s Mill, it is important to create a good view from the Town Centre side back into the site.

The PV panels on the roof are welcome, and will help address JLP Policy DEV32; please include full details with the application.

Amenity

There no nearby residential properties to be affected. Care must be taken to not unduly impact upon Town Hall users. A noise report should be submitted for the refrigeration plant, given its close proximity to the Town Hall.

Highways

Discussions have taken place with Richard Jackson, DCC Highways Officer. They have responded as follows:

“The TA is accepted in principle although it is considered likely that the proposals will generate a number of diversion trips from the A38 into Ivybridge via the B3213. With this in mind there is likely to be increased traffic on the B3213 along the route the County is seeking a proportional contribution towards cycle improvements (east of Ivybridge). I attach LTN 01/20, which states that increased traffic has a direct correlation between certain types of cyclists not feeling safe to cycle on the carriageway and without improvements we can expect to see a significant reduction in modal shift away from the car. As many of the junctions in Ivybridge are predicted to reach their operational capacity with the introduction of the JLP allocations and other developments such as this one, the Highway Authority has no choice but to seek a contribution towards a scheme to provide safe cycle facilities on the B3213 to aid modal shift and therefore mitigate expected road capacity issues. Highways England are also starting to get concerned about the A38 off slip at Western Road Roundabout and stacking back onto the A38.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904088/cycle-infrastructure-design-ltn-1-20.pdf

As mentioned previously it is important to link Woolcombe Lane to the site and the new cycle facilities from this estate will need to be linked to the site safely. Without the necessary links the Highway Authority will be left with a gap in the infrastructure, which it has no funding to resolve.

I would also like to take this opportunity to recap with you that we also said an enhancement to the cycle facilities at the lower tier carpark entrance towards the NCN should be provided.”

DCC have subsequently quoted a figure of £60,000, and this would need to be secured in the s106 legal agreement.

As mentioned in our meeting, I do have a concern about potential conflicts with delivery lorries reversing in or out of the car parking area to access the rear service area; generally, such areas are served by their own accesses. However, on the understanding that deliveries would only take place outside of store opening hours this would be considered acceptable. I do note that the TA contains swept path diagrams

which are annotated stating the reserved parking spaces will be vacated on delivery days; this is not considered acceptable nor practical.

It is, however, an advantage that there are no close by residential properties that could be affected by reversing beepers, as this often causes problems with out of hours deliveries.

Drainage/Flood Risk

Detailed feedback has been provided direct to you from the EA, so I will not repeat that here, suffice to say their objection will need to be addressed in regard to the inadequacies of the FRA before any application is submitted.

Noting the EA state that Sequential and Exceptions tests will be needed, the Council will need to be satisfied that there are no preferable sites that could deliver this scheme in an area of lower flood risk. The pre-app does not seem to acknowledge this, just stating retail is an acceptable use in a flood zone.

Given the regeneration aims of the development and its inclusion in the INP as a site allocation, we can adopt a more flexible approach and the ST can conclude that the development, as it is site specific regeneration, cannot take place anywhere else; this should be covered in the application Planning Statement. Given the use as a supermarket is classed as less vulnerable, I am of the opinion that Exceptions Testing is not necessary (clarification should be sought from the EA), however, you will still need to address the EA's concerns and demonstrate the development will be safe for its lifetime and not increase the risk of flooding elsewhere.

In terms of drainage, it is recommended that engagement with DCCLFA takes place, noting the entire site is also in a Critical Drainage area. DCC's SuDS guidance should be adopted and any application must be accompanied by a fully detailed drainage plan.

Ecology

It is understood ecology surveys are being carried out and that you have been discussing direct with the Council's Biodiversity specialist. In line with JLP Policy DEV26, development is expected to protect and enhance biodiversity. The SPD requires major developments to provide a 10% Biodiversity Net Gain; the DEFRA matrix will be needed to accompany any application submission. Consideration should be given as part of this to seeking the improvements suggested by the EA (fish migration, improvements to the riparian corridor)

The area indicated on the plans for such enhancements should be included in the application site red line, and it is anticipated its maintenance would need to be secured in a s106 legal agreement.

Trees

Again, it is understood discussions have taken place with the Council's Tree Specialist, noting the development will require the felling of several trees. Adequate replacement will be expected as part of the site wide landscaping scheme. Full details of this should be submitted with the application and it is recommended the Landscape Officer be contacted for advice on appropriate planting. The scheme has significant potential to create a much improved public realm, and this will weigh on favour of any application.

Contaminated Land/Ground Investigations

I have not had any feedback from the Environmental Health team, but do not anticipate there would be any significant issues; a contaminated land assessment would be required to accompany any application, along with any remediation deemed necessary.

Retail Impact

Discussions are ongoing with my JLP colleague Phil Baker and your retail consultants with regards to sequential testing and the necessary RIA. I am not certain if these discussions concluded, but the final documents should be included with the planning application

Other matters

Skate Park

The development involves the loss of the skate park. Adequate replacement provision or a contribution towards its replacement will be needed. If provision is to be made on site, it should not form part of the biodiversity enhancement area.

Signage

Noting that most supermarket applications are followed with an application for signage, we would ask this be submitted alongside the application, or at least details be included. There would be a concern were the scheme to propose the "normal" large totem pole signage.

Car Parking

The development, whilst providing more total parking than currently on site, actually results in significantly less public parking to serve the Town Centre. There is a slight concern over this, and this should be justified with the application. Please ensure that parking complies with the SPD standards.

Additionally, details of any charges for the ALDI element should be included in the application, along with management arrangements for the reserved spaces; this may need to be included in the s106.

Red Line

As previously mentioned, all elements of the scheme including any public/biodiversity enhancements, drainage, new pedestrian and cycle ways and access to the public highway must be included within the redline site boundary.

Conclusion

The proposal is to take place on a sustainable brownfield site, allocated for regeneration in the Ivybridge Neighbourhood Plan. Whilst there is some policy conflict as noted above, the proposal is considered broadly policy compliant.

Should any future application be submitted it would need to include the following supporting information at validation stage:

- Design and Access Statement
- Detailed elevations and ideally signage
- Location plan and site plans – red line to include all necessary elements of the scheme, including public realm, footpaths, cycle paths and access to the highway. All plans must have a scale bar and should not be annotated "do not scale"

- Planning Statement, to include policy analysis, hours of operation, deliveries, car park charging/restrictions and so on
- RIA and Sequential Test
- FRA and detailed drainage scheme
- Transport Assessment
- Information to satisfy SPD, to include DEV32 carbon reduction, EVCPs, cycle parking, employment skills plan, waste management plan
- Ecology reports and mitigation, DEFRA matrix for net gain (as discussed, we can accept the majority of the reports with the final bat survey report submitted once completed in early spring)
- Community consultation results
- Information on the relocation of the skate park
- Lighting information
- Landscaping scheme, tree survey, protection plans and replanting scheme
- Contaminated land reports
- S106 Heads of Terms (at this stage to cover highways contributions, management of public realm/SuDs etc, reserved parking spaces and street car park, biodiversity enhancements, skate park management/or offsite contributions)

Please be aware these comments are made without prejudice to a future decision made by the local planning authority, and do not bind or fetter any future decision. If you wish to submit further plans for comments prior to submitting a planning application this will require an additional fee as per our charging schedule. (<https://www.southhams.gov.uk/article/3225/Pre-Application-Service>)

Yours faithfully
 Cheryl Stansbury
 Development Management Team