

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander

Parish: Ivybridge **Ward:** Ivybridge East

Application No: 1059/22/FUL

Agent/Applicant:

Mr Martin Simpson - LHC Design
The Design Studio
The Guardhouse
Royal William Yard
Plymouth
PL1 3RP

Applicant:

Mr Ross Johnson - South Hams District
Council
Follaton House
Totnes
TQ9 5NE

Site Address: Car Park off Leonards Road, Leonards Road, Ivybridge, PL21 0RU

Development: Delivery of a new A1 food retail store circa. 1950m² (shell only), associated 2-tiered carpark, highway works, pedestrian, cyclist and public realm enhancements

Reason item is being put before Committee: The application is on land owned by South Hams District Council and the Council is also the applicant.

Recommendation: Approval

Pre commencement conditions: Pre commencement conditions are proposed and are currently being discussed with the applicant under the Town and Country Planning (Pre commencement conditions) regulations 2018.

Conditions (list not in full)

1. Time limit
2. Accord with plans
3. Accord with FRA
4. Scheme for bankside area to be submitted
5. CEMP
6. Tree method statement
7. Samples of materials
8. Opening hours of the store
9. Construction method statement
10. Waste Audit
11. Delivery times
12. No use of reversing alarms after 8pm
13. No concessions in store
14. Unexpected contamination
15. Lighting to improve the lighting situation along the river corridor
16. Details of EV charging points
17. Store not to open until car park / delivery area has been completed
18. Cycle stands to be provided prior to store opening
19. Public realm improvements prior to store opening
20. CMP
21. Lighting proposals to be agreed
22. Notification of noisy activities
23. No works to hedge and trees until Bat survey has been submitted and agreed
24. Works to the vegetation and trees to be carried out in accordance with the bat survey and mitigation proposals

25. No vegetation clearance in bird nesting season
26. LEMP
27. Construction lighting off at night
28. Access and larking to be provided before use commences
29. Offsite highway works to be completed prior to use commencing
30. Carbon reduction implementation before opening
31. Landscaping timing and plan to be submitted.
32. Drainage condition

Section 106 Heads of Terms

The application shall be delegated to the Head of Development Management to secure a Section 106 legal agreement with the following provisions:

- Contribution to be paid prior to commencement to DCC highways of £60,000 towards B3213 cycle safety infrastructure
- Provision of a new parallel crossing on the B3213 to be delivered under S278 legal agreement prior to opening of the food store.
- A sum of £172,142 to be allocated for the provision of offsite tree mitigation works within Ivybridge (or adjacent Parish).
- To be provided and agreed before the store opening a Biodiversity Net Gain Plan detailing compensation and net gain of no less than 0.3 units of native mixed scrub (12.68% Biodiversity Net Gain).
- Any habitat creation must take place within 6 months of commencement of development
- (a) Within 6 months of the commencement of the Ivybridge Regeneration Project (Planning Ref:), the Council will submit a planning application for a replacement wheeled sports facility at the location shown on Plan as appended and if approved thereafter, and within no later than 12 months of the opening of the food store, make the facility available for use.
- (b) In the event planning permission for the replacement wheeled sports facility is not forthcoming and the facility is not available for use within 12 months of store opening, £165,000 Index Linked contribution shall be paid on request to DCC towards the provision of a replacement wheeled sports facility to be located elsewhere in Ivybridge.
- Prior to the closure of Leonards Road and Glanvilles Mill car parks, a shuttle bus will be available for public use running from the Ivybridge Train Station car park to the town centre.
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Key issues for consideration: Principle of the development; Impact of the development on parking afterwards and during construction; impact on the existing shops in the town; landscaping existing and proposed. Ecological impacts; carbon reduction measures; Biodiversity net gain; public enhancements and benefits; section 106 requirements.

Financial Implications (Potential New Homes Bonus for major applications):

As part of the Spending Review 2020, the Chancellor announced that there will be a further round of New Homes Bonus allocations under the current scheme for 2021/22. This year is the last year's allocation of New Homes Bonus (which was based on dwellings built out by October 2020). The Government has stated that they will soon be inviting views on how they can reform the New Homes Bonus scheme from 2022-23, to ensure it is focused where homes are needed most.

Site Description:

The application site is the existing car parks in Ivybridge located between the Town Hall, the Leisure centre and Leonards Road. The development area comprises the entire Leonards

Road and Glanville's Mill car parks. The site is split level with an established landscape buffer dividing the site at the point where it changes in level.

The lower car park (Glanville's Mill) links to the upper car park via a road to the north-west corner. The car parking provided by each car park currently is: 57 in Glanville's Mill which comprises:

41 parking spaces

5 disabled

2 with EV charging

5 taxi bays

1 trolley storage bay 3 recycling bays.

Leonards Road car park, comprising:

179 parking spaces

8 minibus bays

1 trolley storage bay.

Taking into account the above uses the total actual spaces for parking is 227.

The site area is 1.56 hectares (3.87 acres). The site is relatively level in the upper car park, with a fall of approximately 2.5m between the two car parks, but which is also more apparent in the lower car park.

The River Erme runs along the western and north western edge of the site. Immediately to the north is the Town Hall and Erme Court retail units and the car park associated with that development.

The site is partly within Flood Zones 2 and 3 and the entire site is in the Critical Drainage Area. Plymouth Sounds and Estuaries SAC Buffer Zone (does not affect the application). In the south east corner of the site is the Leonards Road Car Park Skate Park

The context of the site contains a number of cycle and pedestrian routes. National cycle route No 2 runs alongside the river corridor

The B3213 runs adjacent to the eastern boundary with the Town Hall to the north. Glanville's Mill is located to the west of the application on the other side of the River Erme. Glanville's Mill comprises a variety of independent shops, the post office and a café as well as a Co Op food store. Beyond Glanville's Mill is Fore Street, which comprises a shopping street, which is currently almost completely occupied.

The Proposal:

The erection of a new retail store together with a 2 level multi storey car park. The development will include some highway works and pedestrian, cyclist and public realm enhancements.

In detail the proposal comprises a retail store of approximately 1800 sq.m. The proposed building is rectangular in shape, with a flat roof. Solar panels are proposed on the roof. The preferred operator for the Store is identified as Aldi. The Design and Access statement describes Aldi as: *"a leading national deep discount grocery retailer, who globally has built up a network of over 10,000 stores in Europe, the USA and Australia. With a developed network of approximately 900 stores in the UK since entering the market in 1990, Ivybridge is part of the company's UK expansion and would delivery choice to the residents of PL21."*

The retail store proposed opening hours are Mon-Sat 8am-10pm and Sun- 10am-4pm. The preference in terms of delivery times is for there to be no set times, but will be during store opening hours. The building is proposed to have a sales floor area of 1315sqm and also includes: a customer toilet; staff areas; warehousing; plant room; cold rooms; servicing area and delivery bay.

The proposal was subject to a pre application process, where the LPA indicated that they did not want to see the typical 'Aldi box'. Concern was also expressed at the pre app that the proposal did not respond to the local character nor did it relate well to nearby buildings or enhance the wider site. The relationship of the building with the River Erme was also a concern. The application proposes a single (retail) storey building with the primary elevation facing towards Glanville's Mill, where there is a glazed double height entrance and shopfront. The Design and Access statement describes the elevations as follows:

“A heavy-set steel frame with timber blade inserts flies across the front of the store at high level connecting to the Fibre cement panel feature which frames the curtain walling, finished with opaque glazing at ground level.

The southern elevation continues with the use of the fibre cement panels to highlight key areas of the façade intermixed with curtain walling at ground level to draw visitors to that end of the store. The introduction of vertical timber cladding to the elevation provide balance to a prominent area which houses the delivery ramp / bay and external plant area.

The east elevation which fronts onto the B3213 is a mix of Fibre cement panel and timber cladding. Arranged to provide a less uniform elevation the mix of the two materials break up the mass of the building before we get to the corner where the textured panel again returns to frame the building signage as a key node / entry point to the site for pedestrians and cyclists alike.

Finally, the north elevation has the iconic Aldi ribbon window set for the most part into the vertical Siberian larch cladding to provide a softer outlook when viewed predominantly from the town hall.”

The materials chosen are Siberian larch cladding, which will mature to a light grey finish; a fibre cement panel in a graphite grey; black steel frame; glazed high level sections and shopfront.

To the south of the proposed store is the delivery area as well as an area for SHDC parking (12 spaces) and mini buses (4 x larger spaces) and an area for taxis (4 spaces). This area will be accessed from a separate entrance from Leonard's road. This will be a new access to the site.

To the east of the building adjacent to the B3213 is an area of landscaping which includes the onsite flood mitigation in the form of a swale. Its purpose is to manage any overland flood waters.

To the west of the proposed retail store is the proposed replacement car park, which will incorporate public parking and parking for the store. The parking is proposed as a 2 storey raised deck, taking advantage of the difference in levels of the land. The car park will lead to the loss of the hedge and trees that currently runs north south between the existing 2 car parks. The car park surface will be asphalt, with marked parking bays.

The below table indicates the proposed parking provision:

LGF Proposed	UGF Proposed
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103 x Parking spaces	85 x Parking spaces (DFS)
5 x Disabled spaces	4 x Disabled spaces (DFS)
3 x EV Charging points	6 x Parent and child (DFS)
1 x Drop down / Pick up	2 x EV Charging points (DFS)
1 x Taxi bay	
	The spaces below are to the south of the proposed retail store.
	12 x Parking spaces (SHDC)
	4 x Taxi bays
	4 x Minibus spaces
	2 x Recycling bays
Subtotal	Subtotal
113	121

Public Realm Improvements:

A series of improvements to the public realm are also proposed through the application.

- New cycle stands with allocation for standard, cargo and electric bikes along the river corridor, but close to the store entrance.
- Maintenance to overgrown landscaping along the River Erme
- Upgraded refuse and recycling bins throughout
- Upgrade to existing amphitheatre seating
- New planted areas to enhance the biodiversity of the river corridor
- New surfacing to shared space and upgrade of cycling connections to Woolcombe road.
- New Skate Park on land to the rear of the leisure centre.
- The existing grassed area verge to Leonards Road and low stone wall to be retained
- Swale to the east of the proposed store, in a wildflower lawn. New trees are also proposed within this area.
- New shrub and herbaceous planting on the southern boundary around the SHDC parking area
- New landscape buffer adjacent to the proposed store along its northern edge, to enhance the setting of the pedestrian /cycle route and provide a defensible edge to the building.
- New climber planting and ground level parking along parts of the western edge of the car park to make a more attractive approach to pedestrians from Glanville's Mill. And the river corridor.

Consultations:

The responses below are summarised. The full consultation responses can be found on the website at <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/221059>

- **County Highways Authority:** No objection subject to the payment of the sum for the cycle improvement works and the provision of a road crossing via a Section 278 Agreement with the Highway Authority and subject to planning conditions.
- **Environmental Health Section:** The Contaminated land report and Air quality Assessment are considered acceptable. No objection provided the developer informs EH of the timings of the noisy activities.
- **Ecology:** No objection subject to the imposition of conditions in relating to lighting along the river corridor and a PEA prior to works being carried out. Confirms that a pre-construction survey is acceptable and that if any bat roosts are found at that time, the three tests would be met and Natural England would issue a protected species licence for the works to go ahead legally

- **Landscape Specialist:** Whilst discussions have taken place to amend the landscaping proposals, no plans have been provided as yet. A landscaping condition would therefore be required for full details of hard and soft landscaping.
- **Tree Specialist:** Content with the proposed off site mitigation measures, with a strong preference for Option A. Onsite tree planting is acceptable bearing in mind the constraints posed by underground services. A pre commencement condition is proposed requiring a method statement to be submitted.
- **Economic Development Specialist:** The proposal will be beneficial to the local economy and is an opportunity to improve the longer term viability of the town. Conditions or Section 106 obligation for parking mitigation to be provided during construction; marketing/ economic development support during construction and for 12months afterwards; a parking schedule (e.g. 3 hours) that is conducive to enabling shoppers to explore the rest of the town centre during their visit.
- **DCC Lead Local Flood Authority:** No objection, but require additional information around the maintenance of the whole site and the SuDs. Condition required to ensure surface water system is provided in accordance with the plans; pre commencement condition with details of surface water management during construction; drainage plans to be included in approved plans.
- **Fire and Rescue:** No comments.
- **Environment Agency:** No objection provided conditions are attached to any consent to secure the implementation of the FRA; a scheme of environmental improvements on the bankside and a CEMP. The sequential test will also be needed to be undertaken.
- **SHDC Conservation:** No comments
- **Environmental Services:** Waste: As there is provision for a recycling bank in the SHDC parking allocation, would need to see swept path analysis for the skip lifting vehicle. Otherwise, no further comments at this stage.
- **Waste services:** Devon County Council: No Waste Audit has been provided therefore a condition should be attached to any consent requiring the submission of a waste audit statement prior to the commencement of development.
- **Ugborough Parish Council:** Object because the infrastructure cannot cope.
- **DCC Archaeology:** No comments.
- **Open Space Sport and Recreation (OSSR):** Response is based on the loss of the Skate Park. The existing skate park will be lost as a result of this development. It is understood discussions have been taking place with Skate South Devon and an alternative site for the skate park has been identified. The preferred option is the delivery of a replacement facility adjacent to the leisure centre. The replacement facility would require all necessary consents, including planning permission. The fall-back position (if consents were not able to be secured) would be an increased financial contribution of £150,000(or as agreed) towards a new facility in a different location. The space identified has sufficient space for a

potentially larger facility. A timescale for the submission of a planning application should be secured through the Section 106 agreement.

- **Town Council:** Initial response: Object

The Town Council have submitted a 17 page letter providing their objections to the development. Whilst ordinarily the Town Council comments would be printed in full in the planning officer report, in consultation with senior management it has been agreed that a summary of the concerns raised in the response will be provided here. The full response is available to view using the following link,

<http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/221059>

The comments have been submitted under a number of sub headings, which will be replicated in this summary. The first comment is provided in full:

“As South Hams District Council are the applicant and the determining Local Planning Authority, the Town Council trusts that all submissions and professional reports will be scrutinised completely objectively by all, challenging the anomalies and shortcomings identified.”

Principle of development.

- Reference is made to various aspects of the JLP (para 5.41; Spatial Priority SP2) and that the site lies outside of the designated primary shopping area and as such is an edge of centre location.
- The site is not allocated in the JLP and does not meet the definition of brownfield land. It is used as a car park and is vital for viability of Ivybridge.
- Weekly markets and other events use the car park, which attract many people. The car park is used for public health testing, consultations, mobile banking and ring and ride.
- The TTV6 allocation in the JLP is preferred location and would support new residents to the east of Ivybridge. This would mean no impact on the viability and vitality of shops in the town centre.
- The high street is full – no need to improve the retail offer.
- The 99 Aldi spaces will not lead to cross shopping because of the long queues in the shop and the need to store frozen goods quickly.
- No assessment of the impact on existing shops in the town. Negative impact means the development would not meet SP2.1 in the JLP. An independent retail study is requested rather than the market study submitted.
- (Ref to Para 5.43 in the JLP). The proposal would compete for custom against the existing shops.
- The proposal does not enhance the identity/character of the town. It homogenises it with a chain store.

Site Design

- Car parks scale is overbearing and incongruous, not enhancing the river frontage
- Inadequate soft landscaping
- Impact on public safety – a hot spot for antisocial behaviour and crime.

Appearance and materiality

- Larch cladding is cheaper than more long lasting materials.
- Pre app indicated concerns with ‘Aldi Box’, the proposal does not respond to that.

Public Realm Improvements

- Some of the proposals are just general maintenance – bins, seats, vegetation.
- The build cost could rise. The public realm improvements must happen.
- The Town Council wish to see replacement of southern bridge over the river.

Access, Transport, Loss of General Use parking

- Applicant argues less car journeys, DCC Highways indicate diversion trips from the A38.
- Entrance to car park is opposite Police station. Increased traffic here could impede 999 responses.

- Loss of general use parking will impact surrounding communities, reliant on car use.
- Lack of parking will drive people to go elsewhere.
- Some non-residential parking at Stowford Mill could be placed under pressure with less spaces here.
- PL21, a transition town initiative group has raised concerns about some design elements. These could be further improved to encourage active travel and comply with the Street Design Strategy for Ivybridge.
- The shift to short stay parking, will push long stay onto the highway, impacting on pedestrians and cyclists.

Access for breast screening

- Where will this go? The new layout does not allow for this. Conflicts with NPPF 93 if not provided for.

Cycle parking

- No long terms secure cycle provision
- DCC engineers suggests there should be 36 spaces – drawings only show 16 and none for cargo bikes.
- Hoops need to be useable.

Drainage

- Report states impermeable rea not increased, however removal of large hedge has been overlooked. Clarification required due to loss of trees and landscaping.
- Request a deferral pending a site visit by the DM Committee.

Trees and Hedges

- Major concern over negative impact of loss of Devon bank and 3 class A trees and B and C specimens
- Mitigation will take a long time.
- The TC and Chamber survey + 89% opposition to a supermarket here.
- Advantages of a store do not outweigh the destruction of a veteran hedge
- Hedge removal will destroy part of the character of Ivybridge and does not meet Policy DEV20.3 in the JLP.
- A significant veteran oak adjacent to one of the cycle racks is not included in any reports. Tree Protection Plan is incomplete.
- The trees on site have been given little consideration.
- Trees add to Local distinctiveness and health and wellbeing.
- Trees capture pollutants – important because of the nearby Air Quality Management Area. (Quote from The Woodland Trust)
- Retention of trees should be a priority because of air pollution. (Quote from the Woodland Trust).
- Removal of trees on SHDC land within a town centre location is counter to the aims of net zero carbon.
- Request deferral pending a site visit by DM Committee

Ecology

- Ecology report showed presence of bats – more detail needed on store opening time, light spill, and reduction in light spill on river corridor.
- Further bat boxes along the river corridor on SHDC land are requested.

Consultation

- No feedback from engagement with the TC provided in the D & A; Policy INP2 in the NP requires a masterplan or at the least engagement responses (pre app response).
- SHDC public consultation (pre covid) was a survey- was misleading and did not highlight the full impacts of the proposal.
- The No. of objections to this proposal is evidence of the lack of detail in the consultation.
- Shopping trends have changed since the pandemic – not reflected in the submission.
- Pandemic has resulted in the full occupancy of the town centre with people working at home more has led to more use of the local shops.

- Recent meeting of the Chamber of Commerce resulted in a unanimous vote against the proposal. Annual TC meeting 16th May 2022 – majority vote against. Many in favour of an alternative site.

Survey results: 317 responses.

- **Q1. During construction the 2 car parks could be closed for 15 months or more. May also be the Glanville's Mill Bridge closed too. How do you feel about this?**
- The results indicated that for visits to the town centre in general; Glanville's Mill and Fore Street separately and The Watermark, most respondents stated they currently visited, but will visit less. For the no longer visit and will visit the same the numbers were roughly the same, except for the Watermark where will visit the same was the higher of the two.
- **Q2. What would be acceptable things for SHDC to do to help you continue to use the town centre during construction?**
- The highest score was that there is nothing that can be done, followed by make use of other car parks for short stay and then the shuttle bus from the railway station.
- **Q3. Aldi to have 99 spaces for 90 min.'s; lower deck 113 spaces will be similar to current provision – short stay and long stay. What will this change make to you?**
- Majority said they would use the town centre; the hairdressers, therapists and health professionals; independent retail shops; cafes and pubs; attend cinema at the Watermark; visit Glanville's Mill; visit Fore Street; visit Erme Court less. However there was a reasonable percentage who would use all of the services as they do now.
- **Q4. How will the plans affect the following?**
- Facilities for young people; river walk from Costly St to the Leisure centre; footpath from Leonards Road to Glanville Mill bridge; View from Glanville Mill to the river and car park; view from the car park to the river and Glanville's Mill; the public spaces near the site; the natural environment and biodiversity; traffic and air quality on Western road; the character and identity of Ivybridge.
- In all cases, the results indicated that the plans would make the situation 'worse', by a large margin. 'Same as it is now' was the second place in all cases, except for the identity of Ivybridge which was the same as 'improve it'.
- **Q5. Regeneration project – what would your response be to SHDC? 46% felt that the proposal did not contribute to the regeneration of Ivybridge, but would like to see it in a different location?**
- 39.7% indicated that it did not contribute to Ivybridge's regeneration and needed to be re thought.
- In terms of the age range of participants 45.4% were over 65, 32% between 35-64 and the remainder in the younger age groups. *4.2% of the participants live in Ivybridge

Conflict with the adopted Joint Local Plan.

- The Town Council consider that the proposal is contrary to **Policy SPT1.2.i; SPT.2.iv; SPT2.3.i; Spt.3.v** – due to loss of parking; loss of space for markets; no provision of green space; loss of trees to counter climate change; loss of trees contrary to creating a sustainable environment and no sense of place created
- Contrary to policy **SPT2.7; SPT.10**, due to not creating a safe, accessible, healthy and wildlife rich environment, well designed spaces, nor a positive sense of place.
- **Policy SPT5** provision for retail. There are 3 small scale local convenience shops within equal walking distance.
- **Policy SPT12**; Strategic approach to the natural environment. The proposal fails to protect, conserve and enhance the distinctive qualities of the natural environment.
- It removes town centre biodiversity and off site mitigations are not helpful to the local town centre environment.
- **Strategic Objective SO7**. Fails to provide distinctive and sustainable development (SO7.4).
- Contrary to town centre biodiversity and the climate change and Biodiversity emergencies.
- Contrary to SO7.5 loss of parking will mean the loss of infrastructure to make the Town centre a hub for rural communities.

- **Spatial Priority SP2** (for Ivybridge).
 - Not allocated for development in the JLP
 - SP2.1 –Doesn't increase employment opportunities
 - SP2.2 - Does not enhance identity or character of the town
 - SP2.4 - Does not protect the integrity of the town because of loss of parking and space for markets.
 - SP2.6 –Loss of mature trees does not recognise the sensitive location next to Dartmoor NP.
 - SP2.7- Loss of trees will impact on air quality.
- **Strategic Objec. SO11** – contrary to SO11.4 failing to provide high quality places.to create a positive legacy for future generations.
- **Policy DEV16 Providing retails and town centre uses in appropriate locations.** DEV16.3 states proposals for retail in edge of centre locations must be accompanied by an impact assessment where the floor space exceeds new floor space greater than 250 square metres. Any proposal which would have a significant adverse impact on the investment in and/or the vitality and viability of an existing centre or prejudice the deliverability or investment in a proposed centre will not be permitted.
- **DEV18 Protecting local shops and services.**
- DEV18.1 Development should maintain the vitality and viability of the centre, meeting the needs of the area. - Lack of Retail impact study, means the impact is unknown.
- DEV18.6- removal of parking would contravene this part of the policy. A vast majority of the parking is to be removed from public use and leased to a commercial tenant. It is of local community importance because of the services and facilities within it.
- **DEV 19 Provisions for local employment and skills** – The application indicates it will provide 30 jobs. Evidence suggests that where new Aldi's have opened Co Op stores have closed (e.g. Southway On Plymouth)
- **DEV20 Place shaping and the quality of the Built Environment.**
- The proposal does not meet good standards of design or improve the environment.
- Fails to meet DEV20.1; DEV20.2; DEV20.3; DEV20.4; DEV20.6; DEV20.8 – The proposed materials are not resilient to their context; the development has not had regard to its context; it does not achieve a good quality sense of place, or make good use of existing assets (trees); it is not locally distinctive; it doesn't create a layout which is safe and reduces opportunities for crime and does not enhance the key pedestrian route into the town centre.
- **DEV23 Landscape character**
- It fails to conserve and enhance townscape character and visual quality, contrary to DEV23.1; DEV23.2; DEV23.3; DEV23.7, in terms of local distinctiveness; not retaining existing site features; not of a high architectural quality or landscape design, or any enhancements in that regard.
- **DEV28 Trees, Woodlands and hedgerows**
- The loss of an important hedgerow and Class A specimens cannot be mitigated by planting trees off site. The bank and trees are part of the character and amenity value of the town centre.
- **DEV29 Specific provisions relating to transport**
- The proposal removes parking spaces, and displaces parking to surrounding residential streets.

Ivybridge Neighbourhood Plan

- **SNP1 town centre regeneration** Priorities: *A town square and enhanced gateway entrances at either end of Fore Street.* – The public space outside of the entrance to the store does not constitute a town square or useable public space.
- *Improved public transport and parking* – there will be less public parking – does not comply with **INP1** or the pre app engagement between SHDC and Ivybridge TC.
- No information on what measures are in place for parking during the construction?
- *Public Realm enhancement:* No enhancements proposed for the town centre and no Sec 106 contribution to deliver town wide enhancement.

- *Support for good local events and community initiatives in the town centre. No useable space remaining, putting markets and other community events at risk as well as health and other events*
- **SNP2- Land east of River Erme.** *Any application should be supported by a Masterplan which includes proposals for the inclusion of the following uses, subject to viability:*
 - *A health and leisure hub*
 - *A hotel and restaurant, and*
 - *Retail and office development.*
- *There will be a loss of parking.*
- *Creating a safe and attractive environment with improved access to the river including new and/or improved bridges.*
- *One bridge replaced by a private company, the other has been removed altogether.*
- *Removal of scrub land (hedge) is neither safe or attractive, but overbearing and incongruous and will cause antisocial behaviour.*
- *No consideration of hotel, health or office uses.*

Policy INP5 Improved provision for young people.

- *Loss of Skate Park needs to be resolved before approval given. Needs to be replaced by equivalent or better provision*

Policy INP7 Traffic and Movement

- *Need independent Traffic and Air quality Impact Assessments*

Policy INP8 Historic and natural Environment

- *The trees and hedge and the river are all important parts of the history and natural environment of Ivybridge.*

Climate change and Biodiversity Emergency

- *SHDC declared this in 2019 and have a Climate change and Biodiversity Strategy and Action Plan (Dec 2020.)
The goals include – SHDC to reduce carbon footprint to net zero by 2030 and increasing biodiversity on own land by 10% in 2025. (Quotes para 2.4 in Council's net zero update 7/4/22). Loss of trees and lack of soft landscaping contrary to setting the right example.*
- *Objective 3 Land use and biodiversity – develop a Natural Environment Design Guide to support proposals in DM (Obj. 3.6)*
- *New development led by SHDC to be exemplar. The importance of existing urban trees has been disregarded. This proposals fails in this regard.*

- The Woodland Trust: *Objection – direct loss of a veteran oak and notable trees. This application contravenes national and local planning policy designed to protect veteran trees and should be considered for refusal.*

Representations:

There have been 727 letter of objection to the development; 81 letters in support and 12 undecided (at the time of writing the report). A summary of the responses is provided below. The letters can be read in full on the website: <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/221059>

Objections

Principle of the development

- Ivybridge already has 3 supermarkets and a superstore at Lee Mill. No need.
- Ivybridge is already thriving.
- Insufficient business available for another supermarket
- The town needs a health centre or hospital instead
- No need for it, was mentioned many times in the LoR's

Location

- Location is unsuitable; better locations include:
 - New commercial estate to the east to support houses there
 - Off the new roundabout as you enter Ivybridge from Bittaford
 - On Exeter Road opposite Rutt Lane, serviced by the Gold and X38 bus services
 - Near the Tennis Courts
 - South of railway station and its car park,
 - South of new roundabout,
 - Out of the town,
 - Old recycling centre,
 - Near rugby club
 - Park and Ride facility
 - Near new housing on outskirts of town
 - Western or eastern end of town
- Should be on outskirts of town not in centre/ A shuttle bus could be operated from the 'village' taking people without their own transport to the store, and those with cars can drive.
- Already 3 food shops in Ivybridge and bus service and free parking for Tesco at Lee Mill; there is a supermarket with a budget range a short free bus ride away
 - Location next to river is waste of opportunity for precious space, not in-keeping with previous regeneration development plans at Glanville's mills and the watermark which have not distracted from gateway to moors image
 - Not a suitable location – new development at top of Exeter Road a more suitable location, or Erme playing fields area, brownfield sites on Erme road, the train station area
 - located wrongly too close to the centre of town
 - Location – agree in principle but wrong place.
 - Support second supermarket in Ivybridge but out of town.

Parking

- Loss of already limited parking spaces as a result of the development
- Short-term parking proposed (1.5hours)
- Loss of parking for those using leisure centre and local amenities
- Permit parking will increase because of Aldi staff
- Extra pressure for local residential parking
- Aldi spaces will not be able to be used for community uses
- A height restriction may affect use of car park for tall vehicles
- Loss of disabled-parking spaces, preventing rights of access for disabled people
- Loss of parking for in-commuter forcing parking in residential streets

- Loss of parking for old aged pensioners
- There should be a phased approach to ensure that loss of parking does not impact the town
- Post construction there will be a loss of public spaces
- Parking will be displaced to surrounding residential streets which will impact local residents
- Loss of 2 hours free parking
- Loss of parking for the Breast Screening Unit
- Loss of parking will impact those visiting the Ivybridge Leisure Centre
- How will the car park be managed to ensure that bona fide Aldi customers are not penalised if they leave their cars and shop elsewhere?
- Why is half of town centre parking being dedicated to one business?
- Fails to consider the lack of long stay parking needs and short stay parking for non-Aldi customers, loss of overall spaces detrimental to blue badge holders, disabled children cannot use shuttle bus - not an inclusive proposal, were these consulted on?
- Ensure parking conditions imposed to prevent restrictive parking enforcement practices in addition to any contractual agreement
- Perhaps stagger the closures of the car parks
- Inconsiderate to give Aldi 90 spaces
- Always busy currently
- Difficult to use multi story parking
- Post construction – no long term parking for workers. Increased residential parking. Jobs – people need places to park.
- Parking – insufficient already
- Multi story car park dominating and frightening / safety concerns at night.
- Parking – multi level haven for crime and antisocial behaviour
- Disabled parking, no longer accessible when closed
- Parking – essential for children's play area
- Two story car park not in keeping
- Parking for non Aldi users reduced.
- Breast screening unit parks on the carpark which will be closed.
- Car park – location next to river is waste of opportunity for precious space, not in-keeping with previous regeneration development plans
- Access to leisure centre reduction
- Aldi getting 90 places unfair on existing businesses.
- Temporarily removing all parking and permanently deleting half except for new Aldi customers makes no sense
- Underground car park haven for antisocial behaviour
- Long term loss of over 100 spaces, preventing people coming into the town and shop.
- Increase in size of Ivybridge makes maintaining parking essential.
- 90 minutes parking means a high proportion will not have time to visit other shops afterwards.
- Footfall – will not increase with 90 mins free parking
- Potential hang out of youths – anti social behaviour

Loss of parking and business during construction

- Closing the car park for 6 months and then opening with less spaces
- During construction will take people away from Ivybridge. Reducing overall parking spaces.
- During construction local shops will lose trade.
- During construction potential to decimate businesses

- During construction 100% reduction – disadvantage local facilities including Read & Reminisce Group which parking is needed.
- During construction nowhere to park.
- Closing the carpark will decrease footfall.
- Should be a phased approach to car parking work
- Disruption to local services during building works
- Construction vehicles highway access is severely limited at peak times along Exeter road, Marjorie Kelly way, western road and western a38 access roundabout
- Impact on mental health of those attending meetings at the watermark as will no longer be able to attend due to unavailability of nearby car parking during construction.
- Fails to consider the lack of long stay parking needs and short stay parking for non-Aldi customers, loss of overall spaces detrimental to blue badge holders, disabled children.
- Loss of free parking detrimental for residents, commuters, public, charities, elderly, people with disabilities, gym members, shoppers, parents drop off and pick up, and businesses, including leisure centre (contrary to Ivybridge NP objectives to encourage sport and exercise) additional parking needed as already an issue.
- Contrary to Ivybridge NP policy – ‘no loss of public car parking’.
- Perhaps stagger the closures of the car parks
- Devastating on local trades during construction. Car parks full currently. If development goes ahead less than half for local business.

Traffic cars, pedestrians and cyclists

- Roads not designed for additional traffic
- Will lead to congestion at seasonal times – impact on Air quality
- Aldi deliveries may arrive any time
- Large vehicle will not be able to enter if cars are existing, needs both sides to make manoeuvre to line up to reverse to unloading bay
- Rural area with absence of adequate public transport residents are dependent on cars, parking fully utilised, buses are too expensive, cycling too dangerous
- Cycle path – if approved please involve cyclists in improvements,
- Ivybridge start of Devon Way walk and Tourists Park in town for this.
- Extremely concerned about proximity to Ivybridge community college, due to increasing cars and traffic causing safety concerns.
- Create a shuttle bus from park and ride near station to encourage trade in the town
- People who drive to Aldi will not use the town centre
- Many will be using cars either through Exeter Rd or Western Rd Both of these roads are on the SHDC website at being over the environmentally safe levels of NO2
- Exposing vulnerable road users such as pedestrians and cyclists to greater risk of harm.
- Traffic junction at the west end of town at capacity and Western Rd. Additional traffic and Lorries exacerbate this. Already busy at school times – will make worse.

Trees and ecology

- Destruction of trees and Devon hedge unacceptable - This is an important feature for local wildlife.
- Loss of trees
- Ecology – destruction of a Devon Bank, mature Oak trees and an entire ecosystem. No adequate replacement.
- Destruction of existing trees ad banks
- Ecology – planting new trees will not replace habitat
- Trees to be felled for a supermarket is wrong.
- Destroy last remnants of original hedge bank that predates the Glanville’s Mill area.
- Replanting will take decades to get similar.

- Removal of mature trees and Devon Bank cause loss of native habitat. Potential of pollution during construction into the river and increased traffic flumes in Western Road.
- Losing more trees which act as a sound barrier
- Loss of trees and Devon Bank which is a habitat for flora and fauna.
- Ancient trees described as 'scrub land'. When installed great care taken to remove only necessary trees.
- Council needs to protect trees essential to our ecosystem. Devon bank focal point in natural beauty. Fully grown trees filter, absorb substantial amounts of CO2. Saplings absorb less and take years to form into trees.
- Loss of Devon Bank and mature Oaks. Identified off set area at Torre Park not adequate.
- Central oak tree is also a roost for the pipistrelle bat.
- Mitigation trees – Disproportionate to the skewed baseline assessment. Does not follow mitigation protocols required by NPPF.
- SHDC SPD not adhered to in respect of replacement planting.
- Ecology - removal of existing trees shows no concern for the existing environment.
- Biodiversity offsetting: loss of Devon hedge, with mature trees. Offset in Torre Park already has new trees. Climate emergency – should set example. No ground or air source heat pumps. Solar provision is only for the minimum for planning requirements.

Retail impact/ employment/ health and wellbeing.

- Independent shops losing trade harmful to the local economy/employment
- Independent shops and cafes should be encouraged instead of big chains
- Damaging to high street still recovering from lock downs
- Employment – how many of the 40 jobs created will be for town residents?
- Car parking will cause loss of light to hair dressers and impact business
- Parking is essential to local economy, leisure centre will lose business, negative impact on health and wellbeing of local population.
- Will not regenerate town, it will lead to fewer people using current businesses and impact the commercial activity in the town
- The way forward ought to be to improve the local village, by supporting local business and creating less food miles
- Co-op serves the need to central supermarket needs. Should the application be passed, the Co-op may close and be a huge irreplaceable loss.
- Independent shops losing trade harmful to the local economy
- Footfall – will decrease
- Local trade – decrease, will only go into Aldi
- No investment in local businesses
- Jobs – new staff will only replace what is lost through local business closures.
- Positive feeling in town from trade's people after pandemic. Positive progress will be undone by this development.

Design

- Overall scale and design of multi-storey imposing. Path between rear store and town hall intimidating to walk through at night.
- Design – eye sore
- Over dominating, not to scale
- Not a regeneration project bringing a large superstore into a small town. Change outlook of town centre.
- Ivybridge losing individuality
- Ugly and box like. Out of context for location and not in keeping with town. Out of character
- Space could be better used

- Over imposing, massive design risks damaging the heart and soul of the town.
- Negative visual impact of multi-storey car park.
- Significant negative impact on atmosphere and appearance of the proposed area. Over dominated creating a characterless, industrial environment.
- Scale and industrial carpark dominate the surround area and buildings. Design will deteriorate rapidly and become detrimental.
- Destroys Ivybridge charm
- Dominates the riverside which is a beautiful place to walk and sit.
- Aesthetics of car park not appealing.
- Contrary to an objective in the local plan.
- Smaller local style preferable
- Design – ruin look of town, car park is an eye sore will dominate the riverside and is intrusive, ugly and overbearing, the store more in-keeping with an industrial site, visually unattractive contrary to character/heritage of town ‘gateway to the moors’
- The visual impact due to its positioning and scale will detract from the visual amenity of the River Erme
- The proposed building has no character and will dwarf the existing buildings and surrounds
- Design of multi-storey imposing.
- Path between rear store and town hall intimidating to walk through at night.
- More seating, picnic areas needed to be a place to visit, especially when mental wellbeing is important. Spoiling townscape.
- Large scale, not in keeping significant negative impact on atmosphere and appearance of the proposed area. Over dominated creating a characterless, industrial environment.
- Multi story monstrous.

Funding:

- Misdirected public spending by the council, risk to tax payers, Aldi should fund work themselves, buy own land and improve skate parking before work starts, all benefits will go to Aldi corporation.
- Regeneration funding should be used to develop town centre and river front, this is not regeneration it will cause a decline for the town and will result in substantial degeneration of the town centre.
- Money spent better on existing infrastructure needed.
- Why SHDC is not spending money on new infrastructure/provisions instead of building a structure which will cost 9 million and take 50 years to pay back, by which time the building will need replacing?
- How is this value for the taxpayer?
- Funding – public money when Aldi could cover costs
- Funding – SHDC funding with SHDC land.
- Funding – unjustified
- Tax payers funding for a multi-national company. Aldi should fund.
- Not the best use of public funds – Aldi can fund themselves and funding better spent elsewhere.
- Money better spent on other needs such as pot holes, schools and healthcare.
- National audit office castigated local government officials for investing in retail parks only to find that demand and revenue subsequently evaporated.
- Funding – no benefit in borrowing the money and a 50 year lease untenable.
- Funding – should not be built with rate payer’s money – at their cost.

General:

- SHDC should not decide the application.

- Car parking will cause loss of light to hair dressers and impact business
- Recreational facilities – loss of sporting facilities, removal of well used Skate Park for kids who already have limited facilities
- Where are extra facilities for the youth?
- No guarantee it will be rebuilt. If approved replacement skate park equivalent or better should be secured via s106.
- Consultation – none with Ugborough.
- The skate park needs to be built before the demolition of the existing one
- Rapid growth but no change in infrastructure (new health centre, youth facilities and NHS dentist is desperately needed)
- Drainage and flooding – Where would the water be pumped out to from excavations? Potential for pollution into the River Erme.
- Local amenity – loss of Skate Park means more issues with teenagers.
- Local amenity- Skate park loss
- Wellbeing – negatively impact mental health by creating an area alongside the car park making people feel unsafe.
- Survey – conducted 2 years ago and no longer representative.
- Cycle parking not sufficient – no provision for cargo bikes or long term cycle spaces.
- SHDC cannot evidence placement of replacement Skate Park
- Climate emergency – plans do not reflect this. Heat recovery proposed but not clear if this meets all the stores heating needs. No ground or air pump. Solar provision only at minimum standards. Does not offset enough carbon footprint.
- Regressive not regenerative.
- Supporting statements- manufactured to support a predetermined case for development of the site
- Climate emergency - solar panels proposed on the build are the minimum needed, not the full scope achievable.

Letters in support: 81

- Aldi a location perfect for Ivybridge
- Good idea, decent supermarket, offers great value, help keep cost of living down
- Need decent budget supermarket as town is growing enormously
- Long term benefits to Ivybridge outweigh temporary inconveniences
- Balance of parking for supermarket and other uses is about right
- Will use Aldi for essential and more likely to use other shops in Ivybridge
- Will be beneficial to all local businesses
- Additional traffic will not cause problems for that part of town
- Opportunity to look at providing other transport options (park and ride/shuttle) e.g. land available at station could be purchased using money from s106
- Design – in-keeping with town and sit well alongside the river path, modern and visually pleasing
- Will increase footfall in Ivybridge and assist business generation
- Positive impact to the community
- Somewhere locals can shop who haven't got transport
- Will bring much needed jobs for locals, 16-20 yr. olds and part time for other age groups
- Other car parks are available in town are hardly ever full
- Get it done before Aldi pull out
- Commuters parking in Ivybridge and commute to Plymouth should be offered parking at railway station car park
- Welcome of change as a low income shopper interested in more options
- People want choice and no wish to drive in and shop in a city

- Good addition to economy
- Positive impact on environment - stop car trips from Ivybridge to Plimpton Aldi
- Using a brownfield site for regeneration
- Footfall – Attract more shopping and visitors to Ivybridge will benefit all businesses.
- Parking – in short supply could be mitigated by a park and ride making use of the neglected station car park.
- Location – Having it on the outskirts would drive people away from the town centre.
- Design – not sympathetic to the area but neither is the Watermark, Tesco metro and the row of shops including Pound land so no issue proceeding.
- Environmental – Other representations have commented on environmental factors to oppose, these are the same people driving over to Plympton to use. Higher levels of pollution and increased traffic locally.
- Necessity – currently travel out of the village for shopping. Will stay and use local shops more.
- Location – good. Do not have to move your car around all the time. Will provide jobs.
- Location – love to see Ivybridge with store – save a fortune getting shopping delivered. Fantastic for community
- Necessity – struggling families an affordable place to buy food, pet supplies and home bits.
- Footfall – will bring more to town after construction
- Necessity – currently have to leave Ivybridge for shopping, will stay once built
- Location – perfect with mobility scooter and elderly
- Necessity – needs additional retail facilities & parking
- Jobs – increase in town

Relevant Planning History

3319/20/PR6

Car Park Leonards Road Ivybridge Devon PL21 0RU

SCOPING Pre Application Enquiry for proposed food store and car parking

Officer support 23/12/2021

Lower car park.

27/1784/03/DC

Use of part of car park for Farmers' Market - one day per month, Regulation 3, LPA own Conditional Approval 29/10/2003.

Pre app enquiry:

A pre application submission was received by the Local Planning Authority on 15/10/2021. For a proposed food store and car parking on the Car Park at Leonards Road Ivybridge. The response to the pre application enquiry will be referred to throughout this report as it is considered to be a material consideration in the planning balance to be undertaken for this planning application. The conclusion dated 23/12/2020 (but should have indicated 2021), indicated *“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.”*

ANALYSIS

Principle of Development/Sustainability:

The starting point for consideration of development is the Development Plan, unless material considerations indicate otherwise (as identified in the National Planning Policy Framework 2021 and in law, by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990). The Development Plan includes Neighbourhood Plans. In this case there is a Made Ivybridge Neighbourhood Plan (adopted in 2017) and the Plymouth and South West Devon Joint Local Plan (JLP), which is up to date having been adopted in 2019. The Supplementary Planning Document (which is guidance and not policy) will also form part of the consideration of this proposal. National Guidance in the form of the National Planning Policy Framework is also relevant guidance.

The Joint Local Plan has sustainable development at its heart. The strategic policies SPT1 and SPT2 provide the basis upon which planning decisions should be made, to deliver “*a more sustainable future for Plymouth and South West Devon.*” Policy SPT1 indicates the 3 arms of sustainable development, which should provide economic, social and environmental outcomes. Policy SPT2 provides a set of principles of sustainable development and is a guide for how development should take place in the Plan area.

The NPPF as well as the JLP and the Ivybridge Neighbourhood Plan seek to promote growth and adaptation to town centres to maintain their position at the heart of communities and to maintain their vitality and viability. It is known as a ‘centres first’ approach to sustainable development.

Ivybridge is located in the Thriving Towns and Villages policy area and policy TTV1 provides a hierarchy for growth, with the main towns of the Policy area being the focus of that growth, followed by the smaller towns and villages and finally the countryside as the 4th tier. Ivybridge is identified in the Plan as a main town. The aim of the policy is to strengthen the role of the main towns as they are the most suitable locations for housing and employment growth.

The strategic objective for the main towns, is identified in the Plan is “*South West Devon's Main Towns will be thriving, prosperous and resilient centres with a strong degree of self-containment, and providing a diverse mix of services and amenities that support a number of surrounding rural communities. The towns will have developed and benefitted from strong strategic links with larger towns and cities.*”

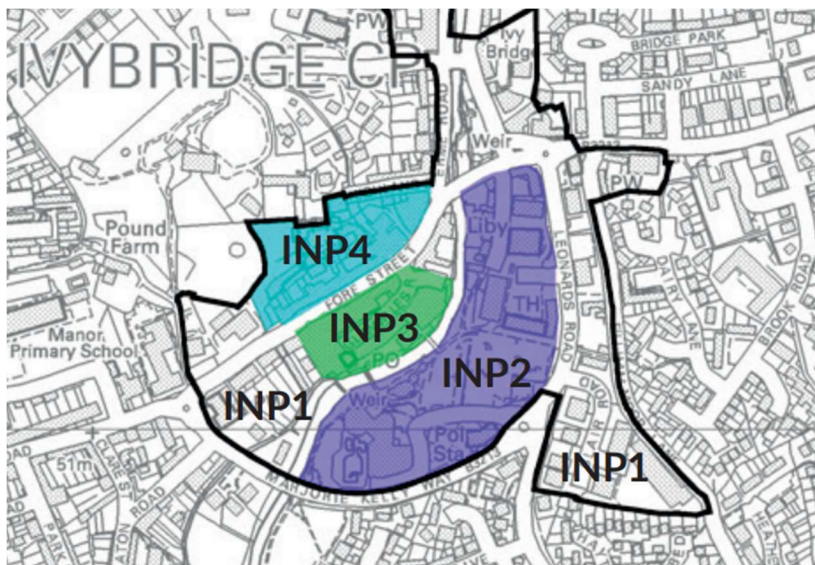
The spatial priorities for Ivybridge are set out in the JLP, under Policy SP2 and include:-

- 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.

Ivybridge is the largest town in the Thriving Towns and Villages policy area and its location close to the A38 as well as the rail link makes it accessible to both Plymouth and Exeter. The connectivity to Plymouth and Lee Mill does present some economic challenges to the town, however the centre does have a reputation for a lot of independent shops and the JLP and the NP seek to encourage and maintain that distinctiveness.

The application site is not contained within a specific allocation in the JLP. The allocations for the town are around housing and employment growth to the east and west of the town. This additional growth is ongoing and will lead to a much larger population in the town.

The application site is identified in INP2 in the Ivybridge Neighbourhood Plan as a potential redevelopment site. See plan below.



The NP indicates that *“The community of Ivybridge want to see the town continue to thrive and become increasingly successful, healthy, creative and sustainable. This plan aims to promote and enable some of the changes that can help to secure the town’s future. In particular it seeks to promote town centre regeneration and improved infrastructure provision.”*

In the preamble to the policy allocation, the NP states that *“In order to help sustain the regeneration of the town the plan aims to foster a growing retail footprint in the town centre but to limit retail developments elsewhere apart from small scale neighbourhood shops.”* A clear ambition in the plan to see the retail foot print of the town to grow to ensure and to avoid larger retail development in other areas of the town.

In relation to the key objectives and the growth of the local economy, the objectives in the NP are:

- *increasing numbers of new local jobs created*
- *new employment and business opportunities*
- *new investment in the town centre’s commercial role and vitality*
- *increased retail floor space and diversity*
- *new shopping and mixed use developments, including anchor businesses*
- *improved occupation of town centre commercial premises*
- *increased evening trade*
- *enhanced public realm and access to the river*

The NP focuses its aims on the town centre encouraging and enabling investment and regeneration at the heart of the town. It is also identified in the NP that the River Erme is an *“under-realised asset”* which the town centre should turn its face towards rather than away from.

The site forms part of the INP2 allocation, and a slight conflict with the allocation is noted 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.

The policy for INP2 states:

Town Centre land east of the River Erme

Proposals for the mixed use development of the area east of the river (as shown on the proposals map) will be supported. Any application should be supported by a masterplan which includes proposals for the inclusion of the following uses, subject to viability:

- A. a health and leisure hub,*
- B. a hotel and restaurant,*
- C. retail and office development.*

Any application will be required to demonstrate how the proposal addresses:

- D. creating a safe and attractive environment with enhanced public open space;*
- E. creating a better relationship to the River Erme, with improved access to the river including new and/or improved bridges;*
- F. improved resistance and resilience to flood risk; and*
- G. high quality design with safe and convenient access for all, including no loss of public car parking capacity and suitable parking and servicing arrangements for the 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.

In addition the proposal does not contain all of the uses in the policy. The uses proposed are retail and car parking. The INP2 allocation is however, for a much wider area than the application site. The leisure centre is included within the allocated area and has recently had further investment, which does contribute to the leisure aspect of the allocation. The area which is currently occupied by the Town Hall, Erme Court and the Watermark is also included in the allocation, but as far as officers are aware there is no plan to redevelop this part of the allocation at the current time. There are offices and other retail premises in this area, which contribute to the uses sought from the allocation. In terms of leisure hub, the leisure centre would make a contribution as would the Skate Park. Whilst the current Skate Park will be lost if this development were to proceed, there have been discussions which will be secured through the Section 106 agreement to provide a new Skate Park on land to the rear of the Leisure centre.

With regards to the other criteria in the allocation, the proposal indicates public realm improvements around the river, such as improvements to the vegetation, provision of additional benches and upgrading of the timber retaining walls to the riverside amphitheatre, which would help to meet both (d) and (e) of the allocation. In relation to (f), the planning submission includes a Flood Risk Assessment which has demonstrated that as well as attenuation the flow of the surface water runoff from the development, it will also manage the water from the Ivy Brook, which can cause low level flooding during periods of high rainfall. A swale on the eastern side of the site will manage that flow. The development proposed will therefore improve the areas resilience to flooding.

The final aspect of the allocation is met in terms of a scheme which has taken account of its context and proposed materials which are more appropriate in this setting, that the standard metal box which is normally associated with such developments. There is however a loss of public parking as a result of the development. This will be considered in more detail further in this report.

There is a clear emphasis in both the JLP and the NP for Ivybridge to grow and flourish in terms of housing, employment and retail in the town centre. The proposal of a discount food store could add to that desire.

A number of key issues are apparent in this application proposal and which have led to a large number of public comments. These are:

Location of the development;

Retail impact of the development on the existing town centre;

Loss of car parking, during construction and after the development proposal is completed.

Design;

Landscape and tree impact;

Highways impacts

Flood risk and Drainage;

Impact on neighbour amenity

Biodiversity net gain.

Climate change and carbon reduction.

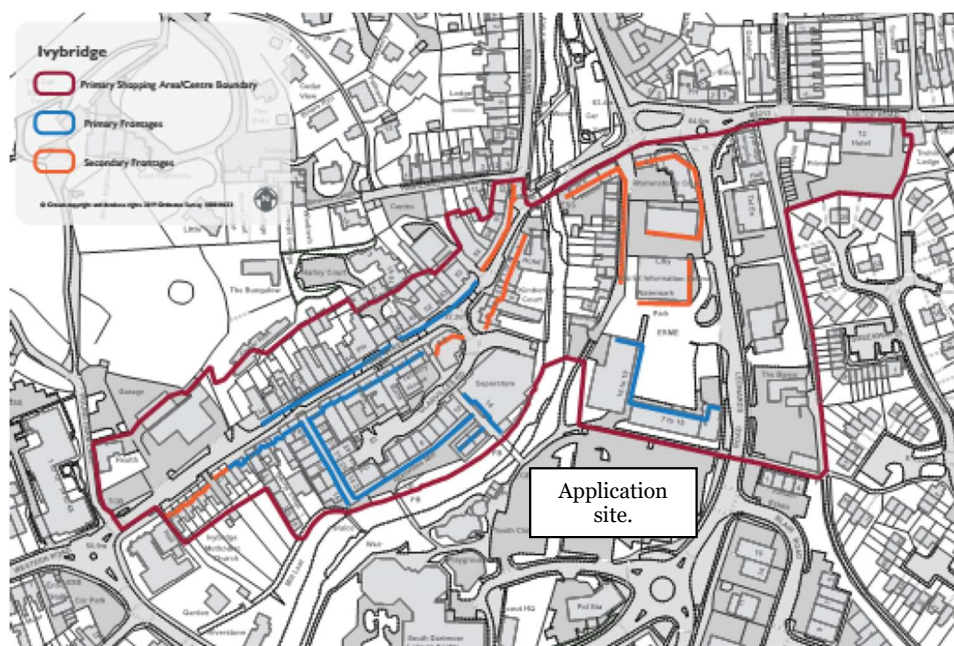
These issues will be considered in turn.

Location of development:

The location of the development both from an in principle perspective but also in relation to retail policy is a material consideration in this case.

The site is currently a car park split north - south by an existing Devon Hedge with trees throughout. It is the main short and long stay car park in the town centre. The site is adjacent to the Town Hall and a number of retail units and the Watermark, which contains a library, café on the ground floor and events space/cinema on the first floor (to the north). Glanville's Mill, which is a development which contains a number of retail units, including a Co Op store, lies to the West of the site. To the south is an entrance road leading to the Police Station; the leisure centre and the scout hut as well as providing access to the existing Glanville's Mill car park.

The site is however outside of the currently identified primary shopping area of the town as indicated in the Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (SPD).



Whilst very much part of the centre of Ivybridge town centre, it is not part of the designated Primary shopping area (PSA). The NPPF 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.* Policy SPT5 in the JLP also supports retail development where compelling qualitative needs are provided by showing support for the principle of sustainable linked neighbourhoods. Policy SPT6 elaborates by seeking to focus retail development in the main towns of the TTV Policy Area. *“The town centres of the Main Towns - primarily main food / convenience shopping and other retail and services as appropriate to role of the centre.”* The policy promotes a centres first approach to retail and other town centre uses.

Policy DEV16 in the JLP states

“Providing retail and town centre uses in appropriate locations

In determining development proposals which include retail and other town centre uses, including new floor space, changes of use of existing floor space, variations in planning conditions and obligations, and also extensions of existing units, the LPAs will consider the following matters:

- 1. Proposals will be assessed in relation to their support for the spatial strategy of the local plan and the sequential hierarchy of centres. Proposals within identified centres should be of a scale appropriate to the role of the centre.*
- 2. Proposals for main town centre uses in edge of centre locations, out of centre locations and the Derriford Commercial Centre should be supported by a sequential test that demonstrates flexibility in its assessment and that there are no other sequentially preferable suitable and available sites within or on the edge of an appropriate centre within the hierarchy of centres. This sequential approach is not applicable to applications for small scale rural offices or other small scale rural development.*
- 3. Proposals for retail, leisure and office development in edge of centre locations, out of centre locations and the Derriford Commercial Centre must be accompanied by an impact assessment where the floorspace exceeds the thresholds set out below. Any proposal which would have a significant adverse impact on the investment in and/or the vitality and viability of an existing centre or prejudice the deliverability or investment in a proposed centre will not be permitted.*
 - i. Retail development creating new or additional floor space greater than 500 square metres (gross) in the Plymouth Policy Area.*
 - ii. Retail development creating new or additional floor space greater than 250 square metres (gross) in the Thriving Towns and Villages Policy Area.*
 - iii. Leisure and office development creating new or additional floor space greater than 2,500 sq.m. (Gross).*
- 4. For bulky goods retail provision a limited amount of out of centre retail floor space will be permitted only where it is robustly demonstrated that it relates to a format of store which has particular market and locational requirements which can only be accommodated in specific locations and cannot be located in the City Centre or another centre in the retail hierarchy. This floor space will be closely controlled in terms of size of units, range of goods and overall amount of floor space, and will only be permitted if it is shown through a retail impact assessment that there is no significant adverse impact on the investment in and/or the vitality and viability of any other centre, existing or proposed. Consideration will also be given to how a Scheme can improve the appearance and accessibility of the area.*
- 5. Limited development of main town centre uses including retail may be permitted within Plymouth's core tourism areas, including the waterfront area, provided that they are*

complementary to the role of Plymouth City Centre and other centres and specifically support the visitor economy of these destinations. “

Part 2 of the policy requires that for sites for main town centre use in edge of centre or out of centre locations, a sequential test should be carried out to establish whether there are no sequentially preferable suitable and available sites. Part 3 of the policy also requires that a retail impact assessment is required for such sites. These have both been provided as part of the submission and are considered below.

Retail: Sequential test and Retail Impact assessment.

This site is located to the south of the library and town hall, to the north east of the leisure centre, to the north of the police station and to the east of other shops in the town centre. It is also the primary car park for shoppers and businesses in the town centre. Fore street which lies to the west was the traditional high street for the town, but the more recent developments of The Watermark, Glanville’s Mill and the shops around the Town Hall have altered the focus of the town centre such that the frontage of Erme Court are identified as primary shopping frontage in the SPD plan. The site is on the boundary of the Primary Shopping area. The retail study (MWA), identifies the application site as an edge of centre site. In applying the sequential test the parameters applied were:

Unit	Minimum floor area (sq.m. gross)	Minimum site requirement
Discount food store	1,800	0.75ha

The minimum requirements as set out above are based on a reduced car parking number and an untypical servicing arrangement (which some sites can accommodate).

Sites within the Primary Shopping Area (as identified in the JLP SPD (July 2020) were assessed for their compatibility with the parameters identified. At the time the assessment was carried out there was only 1 vacant unit in the Primary shopping frontage. This was No.15 Fore Street (former Gribbles Butchers) which has a floor area of approximately 200Sq.m. This was clearly unsuitable.

The study therefore looked at two sites, which are allocated in the Ivybridge Neighbourhood Plan (INP). Policy INP3 – Glanville’s Mill site and Policy INP4 – North of Fore Street. INP3 lies wholly within the Primary Shopping Area and INP4 lies partly within and partly outside the town centre boundary.

Policy INP3 supports a mixed use development, with a requirement to retain ground floor space and shopping frontages in retail / business use. The total site area extends to 0.96ha. It contains a mix of existing uses and businesses which include amongst others: - Co-op supermarket; Glanville’s Mill Shopping Centre; Newsome Opticians; Ivybridge Post Office; Lloyds Bank; Day Lewis Pharmacy; Ivybridge Bookshop.

At the time of writing the study and currently there are no plans to redevelop the existing site. The study concludes that the site is occupied and is unlikely to become available within a reasonable time frame. It also suggests that the imposition of a large format food store on this site, would require considerable if not wholesale demolition and re-organising rear servicing facilities for many existing shops along Fore Street itself.

Policy INP4 supports redevelopment and enhancement of the area, again retaining ground floor frontages in retail use, with mixed use and residential above. The site extends to in excess of 1ha, which would make it a large enough to accommodate an 1800 sq. food store with car parking. The existing premises though are in use already, with No.'s 34-55 as primary shopping frontage and 56 - 62 as secondary frontage. There is also Harley Court (residential) and Cedar Rise (NHS Dental practice). The redevelopment of the site to a food store of the size required would also involve a lot of demolition and impact on the existing businesses and homes. The study again concludes that this site, either in whole or part would be available within a reasonable time frame. And the impact on existing businesses would be significant which also makes the site unsuitable. Any redevelopment would also require significant financial challenges such that the development would be commercially unviable.

No other sites within the Primary Shopping Area have been identified to accommodate the store and car parking. The car dealership at the end of Fore Street has a site area of 0.17ha, which is too small.

In reviewing the Sequential test provided, officers are of the view that there are no other sites within the Primary shopping area available or suitable for a discount food store and associated car parking.

When a proposal for retail does not lie in the Primary Shopping Area, the NPPF and Policy DEV16 in the JLP indicates that a Retail Impact Assessment (RIA) is required. This has also been provided in the supporting information for the planning application. The methodology used for the RIA is based on the Retail and Leisure Study (2017) (RLS) prepared by JBA (which formed part of the evidence base for the INP and the JLP).

Paragraph 2b 017-018 of the NPPG prescribes a step-by-step approach to assessing and measuring impacts arising from a proposed retail development. Paragraph 90 advises that permission should be denied only where there is a 'significant adverse impact' on one or more of the considerations set out in paragraph 89 i.e.

*"a) The impact of a proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of a 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."*

In order to assess whether a proposal will have a significant adverse effect, it must be based on evidence. The assessment was based on a number of assumptions, which can be found at Para 4.10 and Appendix 2 of the RIA.

The NPPG, para. 2b outlines a step by step approach to assessing and measuring impacts arising from a proposed development. The Study adopts that approach. The Steps are:

1. Establish the scope of the assessment.
2. Establish the Base/Design Year
3. Assess the baseline shopping patterns
4. Predict design year expenditure patterns
5. Predict Trade draw and assess impact.

In terms of quantitative impacts it is measured against:

- Existing, committed and planned public and private sector investment in the centre;
- Impact on the town centres vitality and viability.

The study indicates that the proposal will deliver a private and public sector investment in Ivybridge on an edge of centre site, and still provide town centre parking. It also creates a new major convenience goods retailer to add to the range of shops, enhancing choice and quality of shopping. The study also concludes in terms of vitality and viability of the town centre that *“Overall, it will enhance the vitality and viability of the town centre, through a logical extension of the PSA and centre boundary, reinforcing the conclusions of the RLS, that the town’s health is fundamentally sound, providing an attractive environment for visitors, enhanced by its riverside location.”*

In addition it concludes that the centre already benefits from a good range of comparison goods units (in Glanville’s Mill and Erme Court in particular) and that the comparison goods provided by a discount store such as Aldi would not adversely affect these units.

The qualitative impacts of the proposal are summarised and concluded as follows: Aldi sells limited lines, with only one type of baked bean, or washing up liquid etc. so selective shoppers wanting branded products will still need to shop at competing stores as well. This the study argues keeps competition strong and reduces the impact on the town centre convenience shops. The addition of a discount store would add to the range of convenience stores.

In addition a discount store will fill a qualitative gap in convenience goods shopping in the town by offering low prices because of the 95% own brand goods they sell. They will also be providing 40 full and part time jobs; and sustainable development because of its location on an allocated site (for which retail is part).

The conclusions of the study suggest:

- The application site lies on the edge of the PSA and centre boundary for Ivybridge as defined in the PSWDJLP.
- Policy INP2 of the INP includes the application site within a wider allocation which supports retail development as part of the delivery of a mix of uses.
- The Plymouth and South West Devon Joint Local Plan 2014-2024 (2019) (PSWDJLP) also provides strong retail planning policy support for the proposal (Strategic Objectives: S06 and S07; Policy SPT6; Policy DEV16 and Policy DEV17).
- Its edge of centre location has required a sequential test which concludes that there are no empty units that could meet the minimum requirement of a discount store of this nature. The two allocated sites are occupied and have other uses associated with them such as residential which would prevent redevelopment within a reasonable timescale; and the allocations do not foresee wholesale or partial demolition.
- In relation to its retail impact, the proposal is predicted to generate the majority of its turnover from the Tesco at Lee Mill which is currently overtrading substantially.
- There will be a degree of trade diversion from the Co-op at Glanville’s Mill. The RLS study indicated that it was overtrading in 2017 and the Study analysis does not indicate any risk of closure for that store. Neither would it significantly impact Lee Mill Tesco. It will *“deliver a substantial uplift in the convenience goods turnover of an expanded town centre, increasing footfall and delivering major public and private sector investment in the centre as a whole.”*

Officers have received advice on the Retail Impact Assessment from the Economic Development Specialist in the Council, who indicates that *“this proposal will be beneficial to the local economy and is an opportunity to improve the longer term viability of the town. The proposal will bring an Aldi superstore to the town, creating approximately 30 FTE jobs for local people, and a strong anchor tenant for the town. Aldi have a reputation for being one of the best UK supermarket employers. Their staff generally earn more than those working at*

other supermarkets, and Aldi has a good reputation for providing support to help employees to progress their careers.”

In relation to the impact on other stores the ED specialist suggests that the smaller stores currently present in the town have more limited product selection and are generally more expensive and with shorter shelf life than those in the larger supermarkets. Reference is also made to the CACI Ivybridge Market Summary which identifies that the demographic using the Co-op would be different to those that would use Aldi. The ED specialist agrees with the retail impact study that the biggest competitor for Aldi would be the Tesco Extra at Lee Mill. But that threat would be relatively meaningless and would be *“more than outweighed by the improvement in product choice available to local shoppers.”*

Once the Aldi Store is complete it will become an anchor store for the town and is likely to bring in additional footfall into the town and unlikely to do the reverse. The ED specialist continues...*“With good access to the rest of the town from the proposed site for this development, consideration should be given to allow a parking schedule (e.g. 3 hours) that is conducive to enabling shoppers to explore the rest of the town centre during their visit.”* Significant concern has been raised by the Town Council and also by many of the objections about the impact of the construction period on the town centre. The applicant has proposed a mitigation plan, which will be secured via a Section 106 agreement. For a shuttle bus service from the car park at the train station into the town centre on a daily basis, from 8 a.m. until 6Pm, Monday- Friday and 8 am- 3pm on Saturdays as a minimum. The ED Specialist is content that this is robust and will help to protect the town centre and its businesses from the risk of decreased footfall during the construction period. Reference is also made to the recent IBR parking report, which indicates that the two car parks are significantly under-utilised (peaking at approximately 50% capacity), *“the proposal to use the train station car park should be adequate for meeting demand during the proposed period. There are also other car parks in the town, and while the Town Hall car park is usually full (in part due to it offering 2 hours free parking) the Harford Road car park could also absorb some of the overspill demand from those not wishing to use the park and ride service.”*

Also in relation to the construction period, there has been concern expressed that by focussing the construction on the January and February time of year, this could make those months even quieter than they ordinarily would be. In response to this the ED Specialist suggests that there will need to be advanced marketing activities within the town to protect the business community as far as possible. The Economic Development Team could be engaged to aid in this process.

It is also acknowledged people who work in the town centre and surrounding areas often use the Leonards Road car park. The ED Specialist recommends that these people be given priority parking spaces to support the town’s employees. The ERD specialist also recommends that the town’s businesses have access to specialist support services both during the construction period but also for a period of 12 months after completion to help ensure that they survive and thrive.

Conclusion on Retail Impact and construction

Taking into account the sequential test undertaken by the applicant, officers are of the view that there are no alternative suitable or available sites within the Primary Shopping area, or indeed other sites on the edge of the existing PRS around it. The proposal therefore meets the sequential test.

With regard to the Retail Impact Assessment, and the comments of the Economic Development Specialist, the proposal is over the 250 sq.m. threshold and so as such is a requirement. The Assessment concludes (as above) that in terms of vitality and viability of the town centre *“Overall, it will enhance the vitality and viability of the town centre, through a logical extension of the PSA and centre boundary, reinforcing the conclusions of the RLS, that the town’s health is fundamentally sound, providing an attractive environment for visitors, enhanced by its riverside location.”* It also concludes that the loss of turnover would be likely to be from the larger Tesco Extra at Lee Mill rather than the existing shops in the town centre. It does acknowledge that there will be an impact on the Co-op,, but the larger impact will be on the out of town Tesco Extra. That view is supported by the Economic Development Specialist who concludes that the Co-op and Aldi stores appeal to a different demographic in the town. It is also the case that the reason Aldi stores can offer cheaper goods is because they operate a model where they sell more own brands and much less wider branded goods, so it is often the case that when shopping in the discount stores there is still a need to continue shopping in other food stores where a range of branded goods is provided.

Officers conclude that the development of an Aldi store will have an impact on the town centre, in that there will be slight changes in shopping habits, which could impact the other convenience food stores in the town centre, but are advised that these shifts and changes will not impact on the vitality and viability of the existing town centre, nor result in the other stores in the town centre being forced to close, as the Tesco Extra at Lee Mill is more likely to be impacted by the Aldi store.

Therefore because of the very close proximity of the site to the Primary Shopping Area, the lack of any other available sites, the conclusion that there will not be an adverse impact on the vitality and viability of the existing town centre the proposed use for a discount convenience store is acceptable and meets the NPPF and Policy DEV16 in the JLP.

Policy DEV17 in the JLP supports town centres and seeks measures to enhance the economy. The proposal includes the creation of larger floor spaces for comparison shopping; increasing the variety and choice in shopping provision; improving the public realm around and through the space: improving the walking and cycling routes through the space and to meet other routes and it including EV charging points, additional bike racks; mother and baby spaces.

The proposal does not include business, social and residential uses above the ground floor; it does not promote a BID of Heritage based initiative and it is not in the identified primary shopping area although would still be identified, officers would suggest as a town centre site.

Officers conclude that most schemes would not necessarily be able to meet every criterion in this policy, but that in the round the proposal is providing benefits to the town which will help to secure its future resilience and prosperity and meets the policy.

Car Parking

Another key issue with the proposal is the fact that the application site is currently used as two car parks which support the town centre with both long and short stay provision. The IBR parking report provides an analysis of the existing parking provision in the town, the occupancy of those car parks and the proposed replacement parking. The report provides figures for all of the SHDC car parks in Ivybridge.

CAR PARK	NO. OF SPACES
Glanvilles Mill	48
Leonards Road	187
Harford Road	26
Keaton Road	24
Rail Station Park & Ride	209
Erme Court	65
TOTAL NUMBER OF SPACES	559

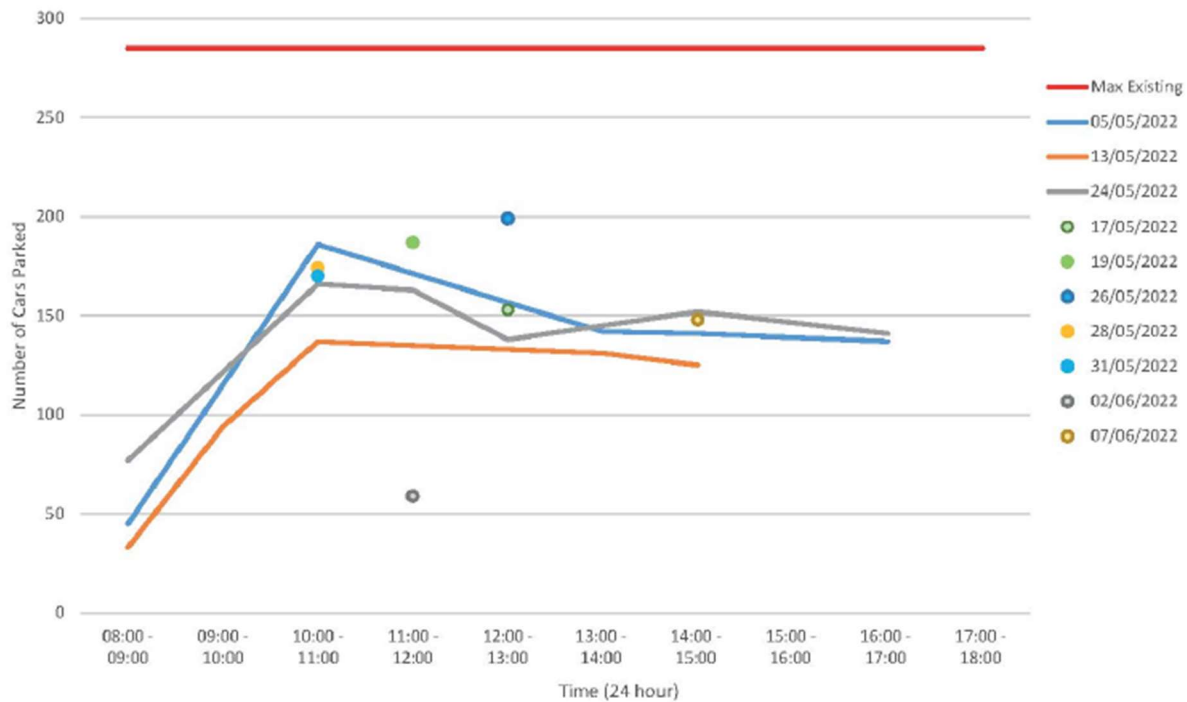
As can be seen from the table, Glanville’s Mill and Leonards Road currently provide 135 parking spaces between them, this includes accessible spaces (5); EV charging spaces (2) and Taxi bays (5).

The IBR report provides data on the use of the various car parks including Glanville’s Mill and Leonards Road. [The study is based on survey’s which took place on Thursday 5th May 2022; Friday 13th May 2022 and Tuesday 24th May 2022. They took place periodically throughout the day (the weekly market was taking place on the 5/5/2022)].

Further counts took place subsequently at fixed points of the day on Tue 17th May; Thur 19th May; Thur 26th May; Sat 28th May; Tue 31st May; Thur 2nd June and Tue 7th June.

Erme Court and the Station car parks were not included in the counts, but observations revealed that Erme Court (which has 2 hours free parking) was nearly always full and the Station car park had good levels of parking availability. The below graph indicates the recent survey results.

Current Parking - May / June 2022



The results show that usage of most of the car parks including Glanville’s Mill, Leonards Road, Harford Road and Keaton Road were used significantly less than their full capacity. Across all the surveys at least 99 spaces were available.

The Study confirms the construction programme in relation to the number of car parking spaces being available.

- Phase 1 – Both car parks closed for 6-8 months
- Phase 2 completion of the lower deck after 6-8 months return of approximately 100 spaces on the lower deck.

The study also indicates that during the phase 1 works when both car parks will be out of operation (227 spaces), there will still be capacity in the other public car parks.

The Study therefore proposes the following parking mitigation:

1. Free shuttle bus service run by SHDC from the Ivybridge Train station car park to Fore Street operating a circular route coming along Marjorie Kelly Way (B3213), operation Mon- Fri 8 a.m. until 6p.m. and Sat 8a.m. until 3p.m.

The capacity of that car park is 209 spaces, with at least 50% capacity, therefore approximately 100 – 120 spaces available as mitigation.

2. Additional spaces for leisure centre staff parking provided at the rear of the leisure centre – to reduce demand from this service during and post construction.
3. Additional parking spaces at the front of Fusion Leisure, including one accessible space. These spaces will be shown in the Construction Management Plan.
4. Both of the above provisions will be retained post construction to improved capacity and reducing the requirements for staff parking in the Pay and Display car park.

The study also proposes a number of other mitigation measures which include but are not limited to

- 2 additional accessible spaces at Harford Road car park;
- encouragement for people to use sustainable transport – car share;
- cycle / walk to work, public transport;
- Ring and Ride volunteer service. SHDC to work actively with the service;
- Harford Road tariff to be amended to include an all-day provision;
- two temporary taxi bays in Harford Road car park; delay start date until after the Christmas period to avoid Phase 1 impacting on Christmas trading;
- refunds to those who will lose their parking permits during construction period;
- Marketing and support for existing businesses during construction.

Once complete the parking provision will be different to the current provision in this area. There will be a total loss of 5 spaces made up as shown in the attached table.

SPACE TYPE	EXISTING	PROPOSED
Standard Parking Spaces	220	200
Accessible Parking Spaces	5	9
EV Charging Spaces	2	7
Parent and Child	0	6
Taxi Bays	5	5
Trolley Bays	2	1
Recycling	3	2
Mini Bus (one minibus currently takes up 2 spaces)	8	4
Total Spaces	245	234
TOTAL CAR PARKING AVAILABLE	227	222

The INP2 allocation in the NP indicates that there should be no loss of public parking as a result of the development. In reviewing the figures there is a loss of public parking in terms of the share of parking will now be split – 99 to the Aldi store and 113 for the public car park. This is in conflict with the allocation criteria. Whilst not strictly a material planning consideration the tariff and time limits on the two car parks will have an impact on the users and indeed availability of spaces. The Aldi timescale is proposed as 90 minutes, based on an assumption by Aldi and other discount shops that 30 minutes will be spent in the shop and the other hour allows for cross flow into the rest of the town centre. The Economic Development Specialist has indicated that 2 or 3 hours could be considered.

There is no specific planning policy which requires parking to accord with a minimum number of spaces, the SPD does contain guidance on indicative parking numbers from different types of users. For large retail such as this the requirement is 1 car parking space for every 14 sq.m. of gross floor space. This results in a need for the store of approximately 135 spaces.

The proposal, which allocates the top deck for the food store provides 99 spaces for the store. This is a shortfall of 36 spaces. Were this to be an application on a restricted site, with no other car parking in the vicinity, it would be essential that the additional 36 spaces were provided. However in this case the public car park on the ground floor will be providing 114 spaces, where if the store does overflow contains space for additional car parking (particularly if the 50% capacity continues). The additional provision could therefore more than likely be catered for in the lower deck. Aldi, have evidence of a similar sized store and the car spaces of 99 never having been full.

The benefits of the proposal is that there will be more EV charging points; more accessible spaces; and new parent and child spaces on the upper deck of the car park. In addition there will be dedicated larger spaces for the mini buses which currently take up more than one car parking space.

There have been many letters of objection which express grave concerns with regard to the loss of the parking both during the construction period and afterwards. It cannot be argued that there will not be a loss of parking for a period of time during in particular the Phase 1 stage of the development. However as the capacity study has demonstrated there is capacity elsewhere and mitigation measures proposed to help to ensure the existing town centre shops do not suffer loss of trade because of the temporary loss of the spaces, demonstrate that the impact on the parking will be minimal provided the mitigation measures are implemented. It is proposed to place the measures into the Section 106 agreement.

Design

The pre application enquiry in October 2021, expressed concern about the design of the proposal and that it should not be the standard 'ALDI "box" format. The pre application response went on to state: *"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."*

The proposal now before us is still a rectangular shape (as are most such stores), however the materials proposed are different and the landscaping around the site has been enhanced to attempt to soften the views and make the route between the Town Hall and the side of the Aldi store more aesthetically pleasing (which was another concern expressed at pre app).

The current proposed entrance elevations indicate a glazed curtain walling scheme in black. Above the entrance is a black steel structure which is proposed to have timber 'blades' hung off it. The rest of the façade is a textured fibre cement product as shown in the drawing below. The other elevations are a combination of Siberian larch, the textured fibre cement, a blue brick for the plinth and glazing at certain intervals.



Textured fibre cement



Siberian larch



Siberian larch blades.

The architect has described the material palette as *"a narrative which looks to interpret the established local character delivered in a contemporary, respectful manner"*. In essence a palette of materials which are not typical for Aldi.

The use of the larch will soften the elevations of the building, and a sample will be needed of all of the materials to ensure they are of the quality which should be expected of the site. It does however remain an Aldi box.

The proposed car park is over two levels taking into account the change in levels between the Leonards Road site and the Glanville's Mill car park. The upper floor of the car park links directly to the proposed Store. The lower level will provide the 114 public parking spaces. In elevation terms. The entrance to the lower car park is located in the same place as the current entrance to the Glanville's Mill car park. The upper level car park will be via a new entrance in the south east of the application site.

At the two storey section of the proposed car park, the upper part of the elevations has the same steel framework as proposed on the front elevation of the Aldi Store with the timber blades hung off it. This provides a screen to the upper level of the car park and the steelwork associated with the structure. The lower level of the car park remains open along the west and part of the south elevation, so as to allow for as much natural light and good sight lines into and out of the car park at the ground level.

Car parks are never the most attractive structures. They are a functional building and often do not complement or reflect any sort of local vernacular. More recent car park development has seen more innovative designs with cladding systems which hide them, but some of the systems are evolving to be a design element in their own right. The applicant has made an attempt to carry this out through the use of the timber blades around the building. The detailing of this and the extent of it will however need to be conditioned in the same way as the materials are for the retail store. To ensure the quality of the finish and detailing is appropriate to the site.

Landscape:

The landscaping proposed for the site has evolved both since the pre application enquiry and during the life of the planning application

The width of the shared cycle pedestrian path along the northern edge of the proposed building has been widened to at least 3 metres, with additional planting. Initially the Council's Landscape Specialist and Tree Specialist placed holding objections on the proposal. There were a number of areas of concern: the use or not of tree crates; the species being used in certain parts of the scheme; climbers to the car park; tree species in the swale; the need to replace trees on site as well as off site. Whether there were any trees worthy of being described as Veteran trees.

Subsequent discussions have resulted in the withdrawal of the objections and there are now proposals to be included in the Section 106 agreement which will ensure that appropriate tree and vegetation mitigation is put in place both on and off the site. A revised landscaping plan has been submitted, just as the report is being produced, so a condition will be added to any consent, unless comments are received prior to the Planning Committee.

Trees:

The application proposal results in the loss of a hedgerow with a number of trees along it, which currently splits the two car parks. There are a number of trees, some of which are oaks. A tree survey has been submitted in support of the application which indicates the health and value of the trees. The survey indicates the need for several trees to be removed to enable the development to go ahead. The loss of the central row of trees has caused much consternation amongst the local community who would rather see the trees retained for their visual and wildlife values.

The most prominent trees are located in a former hedgerow running north – south across the site. The Arboriculture Impact Assessment Statement submitted by the applicants indicates that “This contains a mix of younger ash and sycamore with mature former hedgerow oaks being the dominant trees. The feature has been poorly managed in the past, but the linear feature is prominent in the immediate locality.”

The Woodland Trust have submitted a Letter of representation objecting to the development on the basis that one of the trees in the hedgerow – the largest Oak is a Veteran tree and that there are also other notable trees. The applicant’s arboriculture expert and the Council’s Tree Specialist have indicated that they do not agree with this and that whilst they are large trees of some age they do not meet the criteria to be designated a Veteran tree.

The applicant’s expert provided detailed evidence as to why the tree could not be described as a veteran tree and states:

“There is a lack of evidence to support this classification, as defined by relevant publications. The evidence does indicate that the tree is locally notable, and it does have some potential habitat features. However, these are clearly linked to poor management and especially excessive pruning (topping), rather than naturally occurring late life stage features that are associated with the veteran classification.”

The Tree Specialist also indicates that the trees are not of veteran status. Para 180c) of the NPPF states that

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists

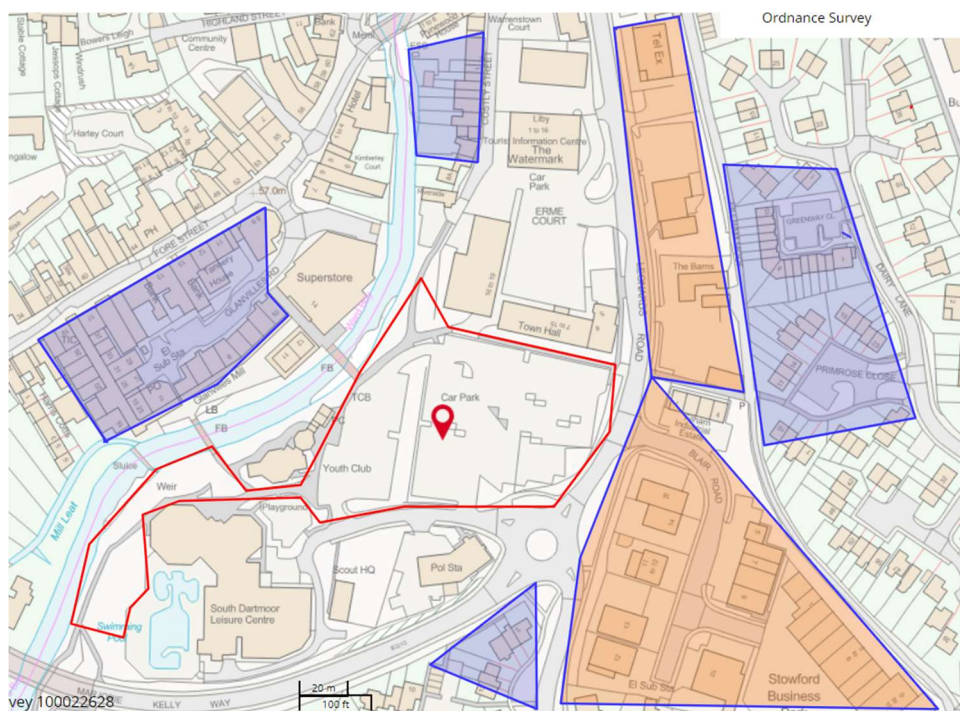
⁶³For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

The Council is obliged to consider all representations for applications and planning officers seek advice from experts in order to determine whether the representations are valid and therefore should be considered in the planning balance. In this case both the Specialist and the applicant’s arboriculturist have indicated that the trees are not of veteran status and therefore the NPPF paragraph does not apply. They also agree however the visual and wildlife value of the trees and the regard that many of the community have for their visual and wildlife value. In such circumstances reference is made to Policy DEV28 and the guidance in the SPD (para7.160) require a mitigation hierarchy: Avoid; Mitigate, Compensate. The applicant is therefore expected to provide compensatory landscape measures, green space, trees, other planting. In this case discussions between the applicant and the Tree Specialist have resulted in a proposed mitigation of £174, 142 towards additional planting offsite within Ivybridge (or adjacent Parish). This is in addition to the landscaping proposed in and around the development proposed. This will be secured through the Section 106 agreement.

Officers also always seek to protect trees wherever possible when new development comes forward. In this case the provision of the store and the need for the replacement car parking is such that they cannot be accommodated on the site without this tree loss. The loss of the trees will have some weight in the overall planning balance.

Neighbour Amenity:

The residential dwellings within the vicinity of the application site are relatively minimal, but nonetheless are relevant to this consideration of the application. The main areas of residential development are the flats above Glanville's Mill, the cottages adjacent to the Watermark. The plan below shows the uses. The orange being commercial and industrial, the blue residential and the site outlined in red.



As the above diagram indicates, there are no residential properties immediately adjacent to the site. The nearest residential properties are those living in the flats above Glanville's Mill. Policy DEV1 in the JLP requires that development should safeguard the health and amenity of local communities. For those close by, the development should *“provide for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors. Unacceptable impacts will be judged against the level of amenity generally in the locality.”*(DEV1)

It can be seen from the above drawing that the development proposal would not impact the local residential community in terms of daylight, sunlight, or privacy. However the outlook for these properties will be different as a result of the development. Whereas from the Mill at ground floor looking across the bridge, there is a view of the car park and trees behind. The new view would be of the multi storey car park.

So the outlook will change in one direction, the other views from the flats would remain as they are currently. Living in a town centre location the views will be more urban in character. However, whilst the loss of that outlook is detrimental to a small number of occupants of the flats, the weight to be applied to this in the planning balance will be limited because it is a town centre location, where change is most likely to happen. The landscaped plan does indicate that 3 trees will be provided in the areas in front of the car park and whilst they will take some time to mature, they will break up the hard edge of the car park from this direction.

The other potential issue in DEV1.1 is the impact of noise. This may apply to the households over the wider area. One of the main concerns raised originally by the Environmental Health Specialist with regards to this proposal was in relation to the construction period and the piling and power floating tasks, which can be very noisy activities, and also the noise

associated with deliveries to the store. Aldi's preference is for no delivery hours to be imposed via a planning condition, although it has been stated in the Design and Access statement that deliveries will only be during the opening hours of the store. Clarification is being sought on this issue.

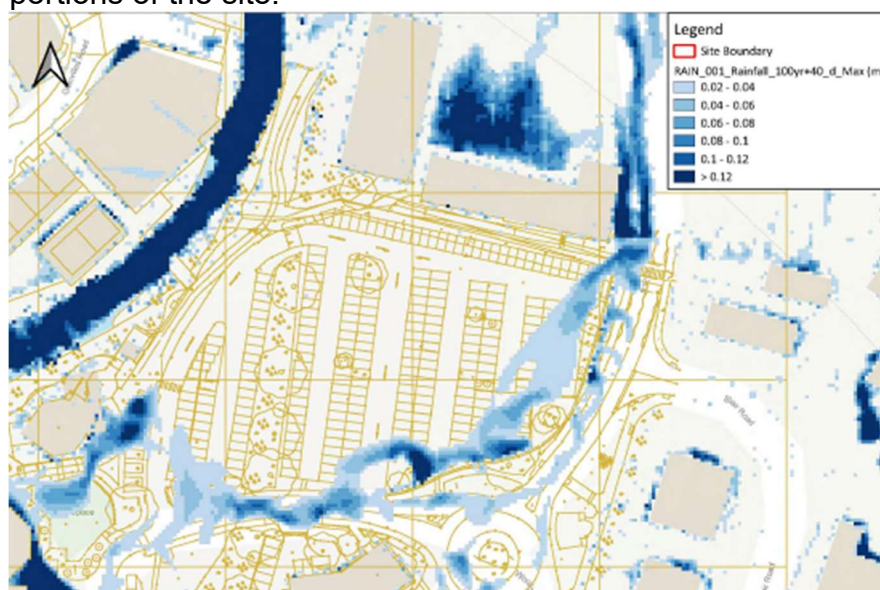
Subsequent discussions with the applicants architect about the construction tasks has resulted in a commitment from the applicant to inform Environmental Health when the piling and power floating activities will be taking place. Officers consider that this is a matter which should be included in a Construction Management Plan and that there should also be a process whereby the local community are also informed about the particularly noisy activities. A condition is proposed to be added to the consent to ensure that this occurs.

Policy DEV1.2 seeks to ensure that new places and developments. Access to the proposed retail store will be on level ground when approaching from the south and east and north. The eastern elevation provides steps up to the retail store via a series of steps, which may not be accessible to all. The buildings will however need to comply with BS 8300-2. Policy DEV1.3 requires a Health Impact Assessment to be included in an Environmental Statement. As this development proposal is not of sufficient scale or environmental impact to warrant an ES, the Health Statement is not required in this instance. The proposal complies with the main components of the policy and as such is considered acceptable.

Highways/Access:

The highway authority have no objection to the development, but have asked for a contribution of £60,000 from the development to the improvement of a cycle way and also the provision of a parallel crossing (on the B3213). In addition conditions are requested to provide a construction management plan; parking and access and commercial loading /unloading areas have been complete; the store cannot be opened until off site highway and cycle works have been completed. The financial contribution and the works to the Parallel crossing will be included in the Section 106 agreement.

Drainage: (including sequential test): The application submission included a Flood Risk Assessment which indicates that the majority of the site lies within Flood Zone 1, however there are a few areas where it is within Flood Zone 2 and 3 along the eastern and southern portions of the site.



Flood risk map as provided in the Design and Access Statement submitted in support of the application.

The closest watercourse to the site is the River Erme which bounds the site to the west and flows in a general southerly direction. After conversations with the EA, it was confirmed that detailed fluvial modelling of the River Erme was not required in this instance.

Approximately 300m north east of the site is a secondary smaller watercourse, known as Ivy Brook. The areas of increased risk are considered as being associated with the Ivy Brook. They are identified as being low and medium risk (Low is: A chance of flooding between 1 in 1000 and 1 in 100 annually. Medium is a chance of flooding between 1 in 33 and 1 in 100 annually). The FRA states that *“the majority of the peak flows within the Ivy Brook will be as a result of surface water flows. Based on the EA Surface Water Flood Risk Map, the majority of the site is shown to be at low risk however there is an increased risk in the east and south of the site as a result of flows from the B3213 entering the site in the north east corner.”*

The FRA considered ground water flooding; infrastructure failure flooding; surface water flooding. It did not consider tidal flooding because of the elevated position of the site and the distance from the coast. It concluded that the site was at low risk of groundwater flooding. It also concluded that the risk of infrastructure flooding was also low.

In support of the FRA, Rainfall Runoff Modelling was carried out, reviewing both the River Erme catchment and the Ivy Brook catchment. As a result of this modelling it was proposed to provide an onsite strategy to manage the onsite flows. A swale 2 - 3m wide bank to bank is therefore proposed to the east of the proposed retail store. This has been reviewed by the Environment Agency who have indicated that they have no objection to the proposal on the basis that conditions are included which secure the implementation of the FRA; a scheme for environmental improvements on the bankside and a CEMP is provided.

Finished floor levels of the development have also been proposed at a height of 58.125 AOD, which provides sufficient mitigation against any surface water flooding adopting a design exceedance approach.

The Lead Local Flood Authority have reviewed the application and have no in principle objections to the development, and having initially raised some areas where further information was required have subsequently indicated that the plans must be made subject to conditions. The proposals therefore accord with Policy DEV35 of the JLP.

Sequential Test

The NPPF 2021 indicates that the sequential test should be applied to steer development towards sites with the lowest risk of flooding. In this case most of the proposed site is within flood zone 1, however there is a section of the existing car park which is within flood zone 2 and 3. The test to be applied is whether there are any *“reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.”* The area for which this test should normally apply is the Plan area and with this in mind there would be likely to be other sites available and appropriate within the whole plan area.

In the flood risk assessment carried out by the applicant, it is confirmed that the majority of site is located within Flood Zone 1 with the eastern and southern portions of the site indicated to lie within Flood Zone 2 and 3. It was confirmed that the Flood Zone 2 and 3 extents predicted on site are as a result of overland flows from the Ivy Brook, approximately 300m north east of the site. Discussions were had with the Environment Agency during the compilation of the FRA and the flows are as a result of overland flow and with the

construction of the swale to direct flows along the eastern boundary, the FRA suggests that the sequential test is met.

In this case, the sustainability objectives of the JLP and the allocation of the site in the NP, the likely available alternative sites have been considered in the Ivybridge NP, which is provided in the retail impact assessment above. These sites, as has already been identified are not currently available or suitable because of the constraints on each of the sites. As a result it is considered that within the Ivybridge town centre area there are no alternative sites available or suitable.

If there are no sites available then the exception test should be applied. The exception test also depends upon the vulnerability of the use. The proposed commercial development is classified as 'less vulnerable' in accordance with Table 2 (Paragraph 066) of NPPG. Table 2 of the NPPG Flood Risk Vulnerability and Flood Zone Compatibility matrix (Table 4) shows that 'less vulnerable' development is appropriate in all Flood Zones, other than the Flood Zone 3b, and does not require an Exception Test.

The Swale proposed has been assessed by the Environment Agency and they are satisfied that it will help to divert the overland flow effectively. The modelling contained in the FRA also indicates only a 5cm difference between the pre and post development scenario for the 1:100 yr plus 40% climate change event. The current maximum depths of the flood area are less than 150mm in the 1 in 1000 yr scenario. Officers conclude that with such small depths that it will be possible for people to access and egress with such depths.

Climate changes and carbon reduction measures:

Policy DEV32 in the JLP requires development to reduce its carbon footprint, in order to meet the target carbon reduction to halve 2005 levels of carbon emissions by 2034 and to increase the use and production of decentralised energy. The Council have also declared a Climate Emergency. The proposal must demonstrate that it incorporates "*low carbon or renewable energy generation to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L.*" (DEV32.5, JLP).

The application proposes roof mounted photovoltaics (53 in number). It also proposes passive and energy efficiency measures and indicates that the % saving overall is 58.1% above Building Regulations part L. The calculations initially provided utilised out of date SAP calculations. However subsequent discussions have resulted in a scheme which will require additional PV panels. An amended plan will be supplied in time for the Planning Committee.

Biodiversity:

The NPPF places weight on the need for development to replace any biodiversity lost as a result of development. The JLP policies SPT12 and DEV26 seeks to protect, conserve and enhance biodiversity. And further the Council have declared a Climate Change and Biodiversity crisis.

Policy SPT12 provides the strategic approach to the natural environment and lists a series of principles, to protect the hierarchy of international, national and locally designated sites. SPT12.1 states "*Avoiding harmful impacts on existing features as a first principle, and where harmful impacts are unavoidable, to ensure that such impacts are adequately and proportionately mitigated or as a last resort fully compensated.*"

In this case the bank and trees which run across the site cannot be protected because of the extent of the development on the site (as discussed earlier in relation to landscape). As a

result of this there will be biodiversity loss. Policy DEV26 states at DEV26.5 that *Net gains in biodiversity will be sought from all major development proposals through the promotion, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of legally protected and priority species populations. Delivery of net gains in biodiversity should be designed to support the delivery of the identified biodiversity network that crosses the Plan Area and links the city of Plymouth to the countryside and coast, as well as the network within the city itself. The level of biodiversity net gain required will be proportionate to the type, scale and impact of development. Enhancements for wildlife within the built environment will be sought where appropriate from all scales of development.*

The JLP SPD provides an approach to the mitigation for net gain. It states “*the LPAs’ approach is to implement a mitigation hierarchy as set out in Policy SPT12.1 when considering ecology:*

- 1. AVOID by altering the design or restricting timing of proposed works;*
- 2. MITIGATE to reduce the impacts as much as possible by, for example, precautionary or sensitive vegetation or roof removal methods; etc.*
- 3. COMPENSATE for any loss of habitat/features such that there is no net loss of biodiversity, for example through new hedgerows, bat roosts or bird boxes etc.”*

Although there is a “*preference for compensatory habitats/features is on-site, however where this is not practicable, or most beneficial for biodiversity, then off-site compensation may be considered on a case-by-case basis*” (JLP SPD). In this case it is not possible to provide net gain on the site. Discussions on this issue have been taking place through the application process, such that an agreement has been reached which will be secured through the Section 106 agreement, “*To be provided and agreed before the store opening a Biodiversity Net Gain Plan detailing compensation and net gain of no less than 0.3 units of native mixed scrub (12.68% Biodiversity Net Gain). Any habitat creation must take place within 6 months of commencement of development*”

The proposal will therefore provide appropriate Biodiversity mitigation off site, to meet the requirements of policy DEV26 and SPT12 in the JLP.

This site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by a Unilateral Undertaking and this approach has been agreed by Natural England.

In this case the proposal will not need to provide a sum of money because the mitigation formula is based on additional residential development which in turn impacts on the recreation of the Tamar Sac and Tamar Estuaries Complex SPA. As this proposal does not provide residential development, there is no requirement to provide the financial mitigation.

Conclusion and Planning Balance.

This proposal has generated a lot of local interest and a large volume of public comments have been submitted primarily against the development. This is a material consideration in the planning balance. However the starting point for all proposals is the Development Plan, which comprises the Joint Local Plan; the Neighbourhood Plan and in terms of guidance the Supplementary Planning Document (to the JLP) and the NPPF 2021.

Policies SPT1 and SPT2 and the relevant strategic objectives and aims of the Plan is to promote development in the main towns to promote sustainable development. A “centres First” approach, which is also supported by the NPPF 2021. These main towns are where all of the services and facilities are located and development in these areas will be far more sustainable than out of the town remote from where people live.

The location of the proposal in the town adjacent to the Primary Shopping Area and in the town centre is a key principle which the proposal demonstrates. The retail impact assessment and sequential test prove that the site, is the most appropriate for additional retail development in the town. It has been demonstrated that the site meets the sequential test and that the proposal will not have an adverse impact on the vitality and viability of the town centre.

The proposal does conflict with the allocated policy in the NP policy INP1 in that there is not an overall masterplan for the site and the proposal does involve the loss of some public parking.

Whilst a masterplan would have provided an overall development strategy for the whole of the defined allocation, there are clearly some parts of the allocation which will not be able to be delivered because of there being no prospect of some of the land within the allocation being available in the near or indeed medium term. On this basis it is very difficult to provide a whole masterplan solution. The proposal itself does attempt to ensure that the retail store and the car park are not considered in isolation and includes landscaping and public realm improvements in and around the area. As far as possible within the constraints of landownership, the proposal has attempted to integrate with the surrounding area as it currently exists.

The loss of parking has been thoroughly examined through a capacity study, which revealed that there is existing capacity in the town’s car parks. The proposed 90 min stay at Aldi, will promote a cross flow into the town centre.

The loss of the hedgerow and trees in the middle of the site is a shame, but officers have to consider what is put before them in an application and the pre app did not identify that the loss of these trees would be an issue. The experts have negotiated an appropriate mitigation with both additional new planting on site but also a sum of money to provide additional tree planting which will benefit the residents of Ivybridge as a whole.

The biodiversity impact of the development is also an important issue, but similarly a requirement in the Section 106 for a biodiversity mitigation plan will provide a 12% net gain in biodiversity.

The design of the proposal is a difficult consideration when it is a format which is reproduced throughout the country on a functional basis. The application site is surrounded by an eclectic mix with buildings and uses of varying ages and styles and certainly in this part of Ivybridge there is not one essential style or vernacular. The proposal is utilising a different palette of materials which will ensure that it has a unique and softer finish than the classic metal box often associated with such retail stores. Public realm improvements to the whole area are proposed, which will add to the cohesiveness of the whole area and link it effectively to the town centre. The proposal is therefore considered to meet policy DEV20 in the JLP.

The loss of the skate park which was initially a concern, is now being replaced (subject to the necessary planning permission) on a site behind the leisure centre which has been agreed with Skate South Devon.

The carbon reduction measures include PV panels on the roof of the shop, which will help the development meet the carbon reduction figures in Policy DEV32, which is a key priority given the current Climate change crisis identified by the Council. Comments are awaited on the revised calculations.

The Highway Authority and the Drainage authorities (LLFA and EA) have indicated that they have no objection to the development provided the proposal is carried out in accordance with the plans and subject to the submission of additional detail as conditions.

In terms of compliance with planning policies, a food store in the town centre (albeit not in the primary shopping area) complies with Policies SPT1 and SPT1 and the growth hierarchy identified in Policy TTV1. The development is also supported by Policy STP 5 in the JLP for retail provision to go towards the main towns and the edge of centre location has been addressed through the application of the sequential test and the retail impact assessment. There are no other sites as close to the centre of Ivybridge which could accommodate the development.

The proposal does not wholly meet the NP policy. A master Plan would have been a more rounded way to deal with the whole allocation. However as expressed in the report, lots of the land is in different ownerships and the ability to influence those ownerships in order to produce a masterplan is a difficult process and given that there are still significant elements of the proposal area remaining, it does not mean that other uses and development could not be provided around the proposed development.

The design meets policy DEV20, the landscape and tree and biodiversity mitigation meet policies DEV28; DEV26 and DEV23.

No objections from consultees in relation to drainage and highways mean that the proposal meets policy DEV35 and DEV32.

Which leaves the parking issue. Whilst the development will result in a change to the type and nature of the parking, there is only a small loss once the scheme is completed and the measures provided to mitigate the impacts during the construction and given the results in the Capacity study for parking already, it is considered on balance that the proposal is acceptable.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

Relevant policy framework

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 Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for

Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*now known as Department for Levelling Up, Housing and Communities]

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT5 Provision for retail development

SPT6 Spatial provision of retail and main town centre uses

SPT10 Balanced transport strategy for growth and healthy and sustainable communities

SPT12 Strategic approach to the natural environment

SPT14 European Protected Sites – mitigation of recreational impacts from development

TTV8 Land at Stibb Lane

TTV9 Other sites allocations at Ivybridge

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV3 Sport and recreation

DEV4 Playing pitches

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

DEV26 Protecting and enhancing biodiversity and geological conservation

DEV27 Green and play spaces

DEV28 Trees, woodlands and hedgerows

DEV29 Specific provisions relating to transport

DEV30 Meeting the community infrastructure needs of new homes

DEV31 Waste management

DEV32 Delivering low carbon development

DEV35 Managing flood risk and Water Quality Impacts
DEL1 Approach to development delivery and viability, planning obligations and the
Community Infrastructure Levy

Neighbourhood Plan: The Ivybridge Neighbourhood Plan is a Made Plan which was adopted by the Council in December 2017. Relevant policies are:

INP1 Town Centre Regeneration.

INP2 Town Centre and land east of the River Erme

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 2, 8, 11, 39, 56, 57, 81, 86, 92, 93 104, 107, 110, 120, 126, 130, 154, 157, 161, and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Proposed conditions:

Find below the conditions proposed for the development.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing number(s)

220218 21115IBR-LHC-00-XX-LO-A-0100 D0 01 Site Location Plan;

220218 21115IBR-LHC-00-XX-DR-A-0101 D0 01 Site Plan – coloured.

220218 21115IBR-LHC-00-GF-DR-A-0210 D0 01 Store Plan – ground floor

220218 21115IBR-LHC-00-B1-DR-A-0200 D0 01 Lower ground floor car park

220218 21115IBR-LHC-00-GF-DR-A-0201 D0 01 Upper ground floor car park

220218 21115IBR-LHC-00-GF-DR-A-0401 D0 01 Store elevations 1 of 2

220218 21115IBR-LHC-00-GF-DR-A-0402 D0 01 Store elevations 2 of 2

220218 21115IBR-LHC-00-XX- DR-L-9203 D0 01 Swale and north entrance footway.

220218 21115IBR-LHC-00-XX- DR-L-9203 D0 01 External steps sections

220218 21115IBR-LHC-00-ZZ-DR-A-3010 D0 01 Sections, A-A, B-B, C-C proposed

220218 21115IBR-LHC-00-ZZ-DR-A-0411 DO 01 Elevations car park proposed

220218 21115IBR-LHC -00-ZZ-DR-A-0604 D0 01 Public Realm Improvement Strategy

08B Tree Protection Plan Rev A

0400 –P01 03 F Drainage layout (plan numbers subject to possible changes as awaiting some revision plans.), received by the Local Planning Authority on 14/4/2022.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. The development shall be carried out in accordance with the submitted Flood Risk Assessment (Hydrock, 17 March 2022) in particular the Mitigation Requirements set out in section 6.1. The mitigation measures shall be fully implemented prior to occupation and retained and maintained thereafter throughout the lifetime of development.

Reason: To reduce the risk of flooding to the development and future users.

4. The development hereby permitted must not be commenced until such time as a scheme for the bankside area within 8m of the watercourse has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- A plan showing the extent and layout of the bankside area;
- Details of how existing vegetation and trees will be protected during development and managed over the longer term;
- Details of the proposed planting scheme (for example, native species); and
- Details of any proposed footpaths, fencing and lighting.

The scheme shall be fully implemented and subsequently maintained in accordance with the agreed details.

Reason: To protect and enhance the ecological value of the watercourse corridor, because land adjacent to watercourses is particularly valuable for wildlife.

5. No development shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate measures are put in place to avoid or manage the risk of pollution or waste production during the course of the development works.

6. Prior to any commencement on site including earthworks or demolition a detailed method statement in accordance with BS5837 2012 Trees in Relation to Design, Demolition and Construction should be submitted for review where upgrading of services is proposed within the Root Protection Area of T31 and T32.

Reason: In the interests of protecting those trees of significant varied amenity benefit to the locality through the course of the development.

7. Prior to their installation details / samples of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

Reason: In the interests of visual amenity.

8. The store shall not be open to the public outside the hours of 08.00 to 22.00 Monday to Saturday and 10.00 a.m. to 16.00pm on Sundays and Bank Holidays.

Reason: In the interest of the residential amenities of the adjoining neighbours.

9. Prior to commencing construction works on the site, an application for consent shall be submitted to the local authority in accordance with section 61 of the Control of Pollution Act 1974. The application shall include details of: a) The works proposed and the methods to be

used to carry them out; and b) A programme of work indicating periods when any particularly noisy operations are to be carried out; and c) The steps proposed to minimise noise.

Reason: In the interest of the residential amenities of the adjoining neighbour.

10. Prior to the commencement of development on site, a Waste Audit shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved Audit.

Reason: To ensure waste is utilised on site where possible and disposed of in the appropriate manner.

11. Deliveries to the store shall be limited to times when the Store is open, those being between 8 am and 10 pm Mondays to Saturdays and 10.am to 16pm on Sundays only, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect residential amenities of the properties nearby.

12. Delivery lorries shall not use their reversing horns after the hours of 8pm.

Reason: To protect the residential amenities of the properties nearby.

13. There shall be no concessions permitted to operate from within the unit, including, but not limited to a post office, dry cleaners or shoe repairs.

Reason: To ensure compliance with policies SP12 and DEV16, in the interests of the local economy.

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

15. Notwithstanding the provisions of the General Permitted Development Order, there shall be no external alterations or extension to this approved building without prior formal written approval by the Local Planning Authority.

Reason: In the interests of visual amenity.

16. Prior to any works taking place near the river corridor and in any case prior to the opening of the retail store, a lighting survey for the whole site, including a strategy to reduce

the amount of light pollution along the river corridor, shall be submitted to and approved by the Local Planning Authority in writing. Works will be carried out in accordance with the measures identified in the lighting survey.

Reason: To reduce the impact of lighting on wildlife along the river corridor and on the wider site to prevent light pollution.

17. Prior to the store opening, the applicant shall submit for approval, full details of proposed electric vehicle charging points to be provided, these details shall include the location, number and power rating of the charging points. This shall accord with good practice guidance on mitigating air quality impacts from developments produced by the Institute of Air Quality Management.

This agreed scheme shall be implemented as agreed and available for use prior to first occupation of any building approved by this permission, and retained as such.

Reason: In the interests of the environment, health and air quality management.

18. The retail store shall not be opened until space has been laid out within the site in accordance with the carpark floor plans 220318 211151IBR-LHC-00-GF-DR-A-0201 d0 01 and 220318 211151IBR-LHC-00-B1-DR-A-0200 D0 01, the service yard for deliveries shown on the plan and that space shall thereafter be kept available at all times for the parking of vehicles/delivery purposes.

Reason: In order to ensure there are sufficient car parking spaces available before the store opens.

19. Prior to the opening of the retail store the cycle stands identified on the proposed site plan No. 220318 211151IBR-LHC-00-zz-DR-A-0604 D0 01 – Public realm improvement plan, shall be completed.

Reason: To promote opportunities to access the store by non-car means.

20. Prior to the opening of the Store the public realm works as identified on drawing number 220318 211151IBR-LHC-00-zz-DR-A-0604 D0 01 shall be completed.

Reason: To ensure the works are carried out in a timely manner and to enhance the area.

21. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

(a) the timetable of the works;

(b) daily hours of construction;

(c) any road closure;

(d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;

(e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;

(f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;

- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) Details of the amount and location of construction worker parking.
- (n) Photographic evidence of

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To protect the residential amenities of surrounding residential properties and in the interests of highway safety.

22. Prior to the opening of the retail store and the car park, a lighting scheme for all areas of the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be implemented in accordance with the agreed scheme.

Reason: To ensure light pollution is kept to a minimum whilst also ensuring that the area feels safe, in the interests of users and there are no impacts on the residential occupiers near to the site.

23. Prior to the piling and power floating works taking place, nearby residential and commercial properties and the Environmental Health Officer shall be notified of the dates and times when these operations will take place. These works shall only take place between the hours of 8.a.m until 6p.m. and only on the dates as agreed, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of surrounding properties.

24. Development shall be carried out in accordance with the actions set out in the Ecological Impact Assessment. The consultant ecologist to inform the Local Planning Authority in writing that the recommendations have been carried out.

Reason: In the interests of wildlife.

25. Information from the surveys of potential bat roosts and the related mitigation is required prior to any works taking place on the central bank of trees and vegetation. Surveys must meet national standards for bat roost surveys and information on the survey methodology, associated impacts of the scheme and mitigation required must be provided in the report. The report shall be submitted to the Local Planning Authority for approval in writing. The works shall be carried out in accordance with the agreed mitigation measures.

Reason: In the interests of wildlife and protected species.

26. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.

Reason: To protect nesting birds during the construction period.

27. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The Plan to include details of environmental protection throughout the construction phase, measures of construction controls on dust and reducing contaminated run-off, details of pollution control details of habitat creation, species specification and management.

Reason: To ensure the provision of new habitat within the scheme, in accordance with Policy DEV26 of the JLP.

28. Construction lighting shall not remain on during the night.

Reason: To protect wildlife

29. No part of the development hereby approved shall be brought into its intended use until the access, parking facilities and commercial vehicle loading/unloading area have been provided.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

30. Prior to opening of the food store building the off-site highway works and National Cycle Network works shown on drawings 17991-HYD-XX-XX-DR-C-0315 Rev P01 (Highway Works Specification), 17991-HYD-XX-XX-DR-C-0317 Rev P01 (Lining and Signing), 17991-HYD-XX-XX-DR-C-0316 Rev P02 (Highway Drainage and Levels), 17991-HYD-XX-XX-DR-C-0309 Rev P02 (Construction Details), 17991-HYD-XX-XX-DR-C-0303 Rev P03 (Surfacing), 17991-HYD-XX-XX-DR-C-0318 Rev P01 (Lighting) shall be complete. (N.B. plan numbers may change after completion of the safety audit.)

Reason - In the interests of highway safety.

31. The carbon reduction measures proposed on the development shall be provided and in operation prior to the opening of the retail store.

Reason: To ensure the proposal meets the requirements of policy DEV32 in the JLP.

32. Prior to commencement, full details of a hard and soft landscape scheme shall be submitted to and approved in writing by the Local Planning Authority.

The landscape design details and specifications shall include the following:

- Details of any earthworks associated with the development, including volumes of cut and fill and arrangements for disposal of any excess excavated material or importation of material;
- Planting plans (which shall use botanic names to avoid misinterpretation) and written specifications, including cultivations; tree pit details; details of the mix, size, distribution and planting density of all trees/hedges/shrubs to be planted; proposals for maintenance and management associated with plant and grass establishment. The plans should include a full schedule of plants.

- Details of ground preparation prior to importation of topsoil, including decompaction of material and removal of any debris including plastic, wood, rock and stone greater in size than 50mm in any dimension.
- Details, including design and materials, of ancillary structures such as bin stores and signage, gates, sculptural features, etc.
- Details including materials, heights and appearance of fencing and other boundary treatments.
- Details including materials, heights, levels and extent of hard landscape features, including samples if requested by the local planning authority.
- A timetable for the implementation of all hard and soft landscape treatment.

All hard surfacing, planting, seeding or turfing comprised in the approved details of landscaping, shall be carried out in accordance with the approved timetable for implementation. Any trees or plants which, within a period of [10 years] from the completion of any phase of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual and residential amenity.

33. No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

(a) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy.

(b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.

(c) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(d) A plan indicating how exceedance flows will be safely managed at the site.

(e) A detailed assessment of the condition and capacity of any existing surface water drainage system that will be affected by the proposals. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.