

FULL COUNCIL

23rd May 2022

PLANNING

South Hams have submitted their planning application 1059/22/FUL - Delivery of a new A1 food retail store circa. 1950m² (shell only), associated 2-tiered carpark, highway works, pedestrian, cyclist and public realm enhancements. The Council has been given until 27th May 2022 to respond.

Now the detail is known, the Chamber of Commerce and the wider community have been able to gauge how it will impact the town centre facilities and services.

At a recent Chamber of Commerce meeting, attended by Sir Gary Streeter MP, there was a unanimous vote to oppose the siting of the Aldi on the car park due the impact on parking and the town centre.

At the Annual Town Meeting there was a unanimous vote to oppose the siting of the Aldi on the car park, with most preferring an alternative site.

Therefore, Officers have looked at how this opposition and the proposals sit with the national and local planning policies.

Summary of application concerns raised by the public and Chamber of Commerce at various recent events.

Trees and Hedges

There is major concern over loss of Devon Bank and 3 Class A specimens plus B and C specimens in what is described as 'scrub land' and their removal as having 'negative visual impact'.

Joint Local Plan policy DEV28 seeks to protect important hedgerows and high amenity trees, and the benefits of, the development in that location must clearly outweigh the loss and be demonstrated.

Mitigation will take a long time to replace these, and they will no longer be in the town centre. To make this application fair and transparent an independent arboricultural report should be provided. The Chamber and Town Council survey that the community of Ivybridge completed indicated a majority (89%) opposition to the proposal of a supermarket on this site, therefore it is a difficult case to argue that the advantages of the superstore outweigh the disadvantages of destruction of a veteran hedgerow, and other material considerations.

The proposal conflicts with Joint Local Plan Policy S07
"Maintaining a strong network of Main Towns" - To promote locally distinctive and sustainable development in the main towns, with sufficient new homes, jobs,

services and infrastructure provided to improve their level of self-containment and to meet local needs. This will be achieved through:

4. *Protecting and enhancing local distinctiveness and historic character of the Main Towns*

Removing the hedgerow will destroy part of the historic character of Ivybridge and also fails to accord with Joint Local Plan Policy DEV20 3. *“Achieving a good quality sense of place and character through good utilisation of existing assets such as quality buildings, heritage assets, trees and landscape features and attention to the design details of the scheme. Masterplanning approaches will be strongly encouraged for major schemes.”*

A significant veteran oak tree adjacent to one of the proposed new cycle racks is not included in any reports. Therefore the “Tree Protection Plan” is incomplete and risks damaging at least one additional significant tree.

It is therefore requested that a deferral be given pending a site visit by the Development Management Committee.

Drainage

The drainage report states that the impermeable area of the site is not being increased, however the removal of the large existing hedgerow running from north to south of the proposed site and referred to as ‘scrub land’ appears to have been overlooked. The proposal is to tarmac over this area with a two tiered car park therefore this statement suggests the report is incorrect and is of concern, particularly as the site falls within a critical drainage area.

It is therefore requested that a deferral be given pending a site visit by the Development Management Committee.

Access and Transport

It has been argued by the applicant that the superstore will create less car journeys, however DCC Highways considered it likely that the proposals will generate a number of diversion trips from the A38 into Ivybridge via the B3213.

The application conflicts with *Joint Local Plan Policy S07 “Maintaining a strong network of Main Towns” - To promote locally distinctive and sustainable development in the main towns, with sufficient new homes, jobs, services and infrastructure provided to improve their level of self-containment and to meet local needs. This will be achieved through:*

5. *Maintaining the transport services and infrastructure that make the Main Towns a hub between rural communities and larger settlements*

The loss of general use parking means that this network will not be maintained, as there are no direct public transport links between Ivybridge and many of the surrounding communities, and therefore the community is reliant on using vehicles

Deleted: and request that a fully independent arboricultural report assessing the value of the trees and hedge features is carried out with regard to all elements of the development.

Deleted: and request that a fully independent “Drainage Statement” is prepared with regard to all elements of the development.

Deleted: Concerns over Highway Safety – In the pre-application comments concern was raised about potential conflicts with lorries reversing in or out of the car parking area. On the understanding that deliveries would only take place outside of store opening hours this would be considered acceptable by the Officer. “The Design and Access Statement, 2.0 Discount Food Store Operation” does however state that store deliveries are not driven by a store timetable and can arrive on site any time during the day during store opening hours, therefore proving it impossible for this guarantee to be given. The Officer does also not find it acceptable or practical for the reserved parking spaces to be vacated on delivery days as in the TA swept path diagrams. This is concurred as there is no set delivery timetable. ¶

and parking. Removal of infrastructure, namely car parking will have a detrimental effect and force car drivers from rural communities to go elsewhere.

Non-Residential Parking at Stowford Mill, elements comprising of employment, retail and commercial land uses were to be free to users of Stowford Mill and shared by the different land uses. This also included parking spaces at the site access on Station Road.

The parking spaces would not be used as free parking spaces for trips to the town centre, and the intention was to avoid the transfer of vehicle trips from the town centre car parks towards Stowford Mill as they become free.

Although the Stowford Mill spaces were limited they were considered adequate and sufficient, however approval of the superstore and removal of public parking in the town could upset this balance if the public were to seek alternative parking in the town, and could therefore place additional pressure on the non-residential parking allocated for Stowford Mill use.

Redevelopment of a brownfield site in a central location – The Design and Access Statement refers to the site as a brownfield site, and the Sequential Test Summary also refers to this and describes it as allocated land. In reality a brownfield site is previously developed land and usually derelict land no longer being used, whereas this site is still very much used in its original form as a car park, and considered a lifeline for the vitality and viability of Ivybridge. This statement is an attempt to justify developing on land that is essential to the town in its current form.

In comparison there is 4,600 sq m of employment space allocated under TTV6 – East of Ivybridge. This edge of town settlement is better placed to serve the town and the development of the store on land already allocated under TTV6 and would accord with the Joint Local Plan, seek to support new residents and enhance the sustainability of the local area. This would also ensure that there will be no significant adverse impact on the existing town centre as allocated land can accommodate parking without compromising town centre parking and the viability and vitality of shops.

High street occupancy is full, therefore the desire to improve retail offer has been fulfilled, and if the application is approved it is likely to only have detrimental effect once 99 car parking spaces are restricted to Aldi customers. The applicant's predictions that shoppers will occupy parking spaces allocated to Aldi, shop in their store then cross-shop with the existing offer in the town is somewhat flawed. Anyone who has shopped in an Aldi may have experienced the often long checkout queues, even at self-service checkouts leaving little time to undertake cross-shopping. There is also the issue of purchasing chilled and frozen food. Shoppers will want to return purchases back into the cold chain as quickly as possible and will therefore go straight home after visiting the superstore.

An independent retail study is considered essential and requested in place of the market study produced on behalf of the applicant which is now out of date. It also only focussed on the impact of direct competitors to a discount food store and not the wider impact of the non-food products these types of store sell. Again, this is a fair and reasonable request due to the applicant being the Local Planning Authority determining the application.

The single entrance and exit is immediately opposite the only access and egress to the Police response units based at the Police Station opposite. Increased traffic in this area due to the change of the entrances to parking areas as well as deliveries will hinder 999 responses.

Consultation

Consultation in Design and Access statement states engagement with Ivybridge Town Council, however does not provide any feedback from the consultation or reflect their caveats to agreeing in principle. Engagement responses were a requirement of the pre-application response from the Development Management Team due to there being a lack of a Masterplan approach, as required in INP2 of the Neighbourhood Plan. Public consultation responses were required to demonstrate what has taken place and the support put forward.

The SHDC Public consultation in early 2020, pre-Covid, took the form of a survey which failed to highlight the full impacts of project, and could be interpreted as misleading and being economical with the facts in order to gain the desired results. This is evident from the proportion of objections now received due to the public now having been made aware of the full implications of the building project, and the proposal to remove public parking necessary for the town. Consultations on behalf of SHDC were undertaken pre pandemic, and are therefore now out of date as shopping trends have changed considerably, and there has been an increase in people working from home and using local independent shops. The pandemic has resulted in a full retail offer in Ivybridge town centre with many new shops opening.

At a recent meeting of the Chamber of Commerce, there was a unanimous vote against the proposals to site a supermarket on the car park. At the Annual Town Meeting of Ivybridge on 16th May 2022 there was a majority vote by residents present against the proposal to site a supermarket on the car park. Most were in favour of an alternative site though.

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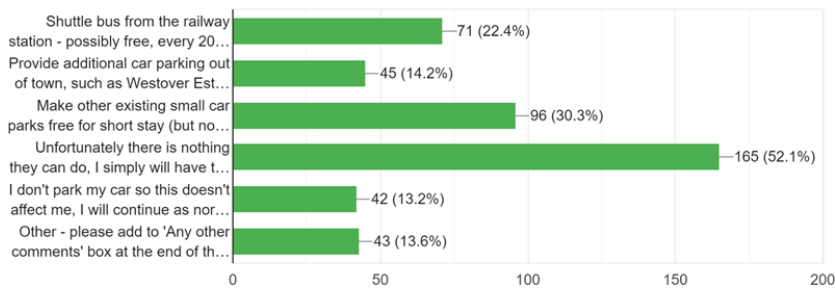
A recent public questionnaire issued online and in paper form and advertised by posters around the town and on social media was carried out by the Town Council and Chamber of Commerce. 317 responses were received between April 2022 and May 2022. The results are summarised below:

During the construction period which could be around 15 months, both Glanvilles Mill car park and the Leonards Road car park could be closed for anything from 6-12 months. This may also mean the main Glanvilles Mill bridge will also be closed during this time. How do you feel this will affect you with regard to the following:

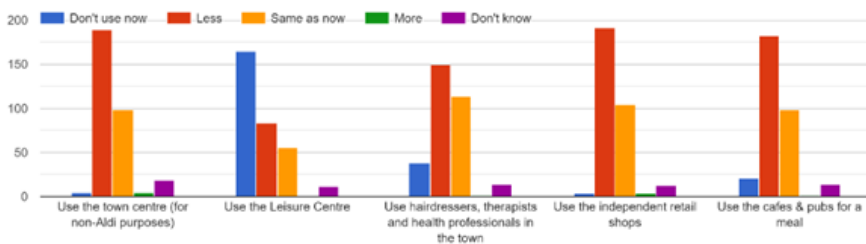


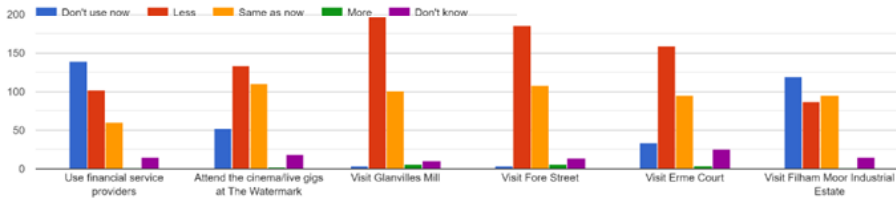
Realistically, what would be acceptable things South Hams could do to help you continue to use the town centre during the construction period?

317 responses

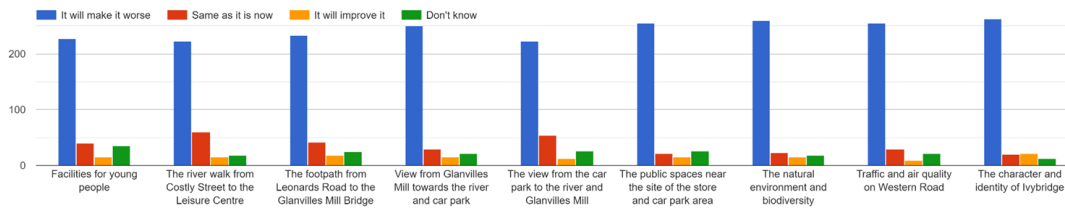


Once building work is complete, parking in the Aldi car park on the upper deck - 99 spaces - will be limited to 90 minutes for customers of Aldi only. The lower deck - 113 spaces - will be similar to the current parking provision, providing short stay and all day parking. There is currently 227 parking spaces available to the public. Will this change to parking in the town centre make you:



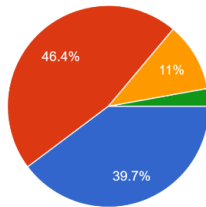


How do you feel the final plans will affect the following:



Thinking about the 'Regeneration' project in general, what would be your response to South Hams District Council:

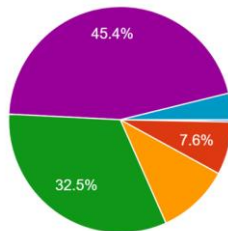
317 responses



- This planning application does not contribute to a 'Regeneration' of Ivybridge, please rethink the plans
- This planning application does not contribute to a 'Regeneration' of Ivybridge, but I would like to see a discount food store at a different location
- Yes, I am happy the plans contribute to the 'Regeneration' of Ivybridge and I am happy with the location of Aldi
- Other - please add to 'Any other comments' box below

Your age?

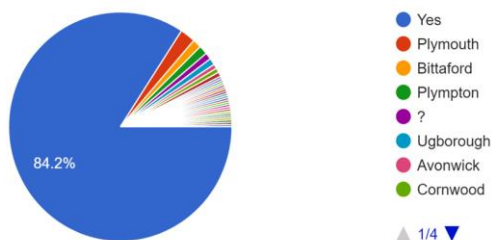
317 responses



- Under 16
- 16-34
- 35-44
- 45-64
- 65+
- Prefer no to say

Do you live in Ivybridge? If not where do you live?

317 responses



Site Design

Decked car park is overbearing and incongruous to surrounding area and does not enhance river frontage, and is harmful to the street scene. It is in conflict with *Joint Local Plan policy DEV23 - Development will conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding significant and adverse landscape or visual impacts.*

- *Be located and designed to respect scenic quality and maintain an area's distinctive sense of place and reinforce local distinctiveness.*
- *Conserve and enhance the characteristics and views of the area along with valued attributes and existing site features such as trees, hedgerows and watercourses that contribute to the character and quality of the area.*
- *Be of high quality architectural and landscape design appropriate to its landscape context.*

Public safety must also not be compromised due to the design. The proposal is replacing an open space with an undercover area with reduced visibility which is likely to become a hot-spot for anti-social behaviour and crime. It could attribute towards the potential for conflict, leaving the community feeling vulnerable. The public may not feel the car park or the adjoining pedestrian areas are safe or secure to use at certain times of the day. The Joint Local Plan policy DEV20 6. stipulates *"Development proposals will be required to meet good standards of design, contributing positively to both townscape and landscape, and protect and improve the quality of the built environment through: Ensuring that the layout and details of new development adequately contribute towards high standards of community safety and reduce opportunities for crime and fear of crime."*

Public Realm Improvements

Some of the proposals should be classed as general maintenance as a matter of course, and not be subject to funding from a superstore, eg maintenance to overgrown river corridor to open up views, replacement or addition of bins and seating areas. The improvements to cycling infrastructure and connections is as a result of required mitigation from DCC Highways due to the increase in car journeys to the B3213 that will be created. The build price could raise considerably from initial estimates, therefore guarantees need to be given that all proposed improvements

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would be carried out. The Town Council would wish to see the replacement of the southern footbridge over the river replaced by means of SHDC purchasing the bridge footings from the owners.

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Appearance and Materiality

Larch cladding proposed is cheaper and not as long lasting as alternative materials such as cedar cladding or stonework. Pre-application indicates concerns in relation to the design, in that it is the standard ALDI "box" type format with materials. The proposal does not respond to local character nor nearby buildings and does not enhance the wider site,

Other Matters

No access for Breast Screening Unit which has become an established and essential health facility for Ivybridge residents. The unit visits the Leonards Road site every 3 years on a set schedule over the winter months. It requires a flat site capable of accommodating the large size and weight of the lorry unit, the new layout will not allow this. There are known cases where this facility has detected early breast cancer and helped save lives, and failure to factor this into the plans is not only irresponsible but conflicts with NPPF 93.

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Planning Policies

Joint Local Plan

DEV18 - Protecting local shops and services

1. *Development within centres should maintain the vitality and viability of the centre as a whole and ensure that the centre retains its role in the retail hierarchy, meeting the needs of the area it serves*

Lack of wider retail impact study mean that potential harm to existing retail is unknown. Vitality would be reduced due to the lack of ability for rural shoppers and edge of town residents without access to public transport to use the town centre due to lack of parking.

6. *The change of use to other uses of facilities of local community importance, such as local convenience shops, post offices, public houses, cafes, restaurants and community facilities, will only be supported where there is no significant harm to the level of service locally and where there is no reasonable prospect of the business or community use continuing*

Removal of parking would contravene this policy. This is the main and vast majority of the parking provision in the town and a significant amount is to be removed from public use and leased to a commercial tenant. Whereas currently it is of local community importance as it facilitates use of local services and facilities such as leisure and retail for example The Watermark including cinema and arts, leisure centre, walking in the local area and other tourist activities supporting the local economy.

DEV19 - Provisions for local employment and skills

Major development proposals will be required to enter into site related employment and skills plans in order to support local employment and skills in the construction industry.

The application states it complies with DEV19 by providing 30 jobs however there are market indicators to demonstrate that Co-op stores near newly opened Aldi stores have not survived, therefore there is the potential to eliminate this statistic, for example the Southway Co-op in Plymouth closed as a result of Aldi opening. Aldi will have an unfair advantage over the Co-op in being able to offer free parking to its customers.

DEV28 - Trees, woodlands and hedgerows

Development that would result in the loss or deterioration of the quality of:

- *Ancient woodland, aged or veteran trees or impact on their immediate surroundings;*
- *Other woodlands or high amenity trees including protected trees;*
- *Important hedgerows including Devon hedgebanks;*

will not be permitted unless the need for, and benefits of, the development in that location clearly outweigh the loss and this can be demonstrated.

Development should be designed so as to avoid the loss or deterioration of woodlands, trees or hedgerows. If the loss of trees, woodlands or hedgerows, cannot be avoided, new native and locally appropriate trees and hedgerows will be secured as mitigation to ensure they contribute to a 'net gain'. Mitigation should be delivered on site, but if this is not achievable, offsite compensation will be required to provide a net gain in canopy cover in line with local standards.

The loss of an important mature hedgerow in the town centre and class A specimens cannot be mitigated by the planting of trees offsite. These trees and the Devon bank form part of the character and amenity value this area of town. The mitigation off site is not considered sufficient.

DEV29 - Specific provisions relating to transport

Ensure sufficient provision and management of car parking in order to protect the amenity of surrounding residential areas and ensure safety of the highway network.

The development will remove car parking spaces, allocating 99 spaces to Aldi customers, and displace parking onto nearby residential estates. The pre-application document highlights concerns over significantly less parking to serve the Town Centre.

SP2 - Spatial priorities for development in Ivybridge

This development does not enhance the identity or character of the town. In fact it homogenises it with other towns by introducing a standard building housing a large chain store.

SPT5 - Provision for retail development

This is argued in the design and access statement, but in fact does not apply here as there are 3 small scale local convenience shops (as shown in the Retail Impact Assessment) which are within equal walking distance.

SPT12 - Strategic approach to the natural environment

This removes town centre biodiversity and goes against the Climate and Biodiversity emergencies that have been declared. Offsite mitigations are insufficient and reduces public integration and access to the natural environment. The proximity of the structure to the river is a degradation of the natural environment.

Ivybridge Neighbourhood Plan

Policy INP1 Town Centre Regeneration – The following priorities for improvements to Ivybridge Town Centre have been identified:

- *A town square and enhanced gateway entrances at either end of Fore Street*

The newly created public space adjacent to the main entrance to the store does not constitute a town square or useable public space.

- *improved public transport and parking provision.*

There will be less parking public parking provision. The applicant has failed to comply with Policy INP1, and to the Town Council's request to deliver a coordinated parking and traffic strategy for the town, as stipulated in the pre-planning engagement between Ivybridge Town Council and South Hams District Council.

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The planning statement says *"It is also accepted that there will be a period of construction that will disrupt the normal parking and movement pattern in the centre of Ivybridge, but every measure possible will be taken to minimise that disruption."*

It does not give any detail of what "every measure possible" is and is a vague statement without any substance. There is to date no detailed, costed or confirmed mitigations for the interim loss of parking.

- *Public realm enhancement*

There are no public realm enhancements for the town centre other than on the site itself and so a S106 contribution should be required to deliver town wide enhancements.

- *Support for good local events and community initiatives in the town centre*

Weekly market likely to not have a useable space due to height restriction in lower deck, other large events that either use the car park or attract large numbers of people will be unable to happen. This will put at risk community initiatives such as The Watermark, other markets, and other community events such as Christmas Festival. Also public health testing, consultations, mobile banking vans and the Ring and Ride drop-off and collections.

Policy INP2 – Town Centre land east of the 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*

Amongst other requirements the proposal must address *no loss of public car parking capacity* - 99 spaces will be restricted to shopping in Aldi and will therefore be a loss of public parking for general use in the town.

Creating a safe and attractive environment with improved access to the river including new and/or improved bridges.

One bridge is being replaced by a private company, the owners of Glanvilles Mill, and the other is being removed altogether.

Removal of the attractive, mature landscaping described as scrub land with a decked car park can neither be perceived as safe nor attractive being overbearing and incongruous in the street scene, and likely to become a gathering place for anti-social behaviour.

The application refers to the main town centre car park as a brownfield site of little aesthetic, environmental or heritage value, being a Council operated car park. The planning statement infers little value and the comments appear derisive in order to justify building on such an important asset to the town, whereas the site is an attractive rural setting.

There is also no consideration of hotel, health and office facilities in this area.

Policy INP5 - e. improved provision for young people

Loss of the existing Skate Park needs to be resolved before approval given, as in Policy DEV 3 2ii of JLP and NPPF 99b. Existing open space, sports and recreational buildings and land should not be built upon unless the loss resulting from the proposed development will be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. INP5 also requires a contribution to improvement of community facilities including improved provision for young people.

INP7 – Traffic and Movement

Independent Traffic and Air Quality Impact Assessments are considered essential and requested in place of those produced on behalf of the applicant. This is a fair and reasonable request due to the applicant being the Local Planning Authority determining the application.

Contravenes Policy INP8 with the loss of the mature hedgerow

Historic and Natural Environment

New development should demonstrate how the town's important and locally significant historic features and natural environmental assets will be respected, conserved and enhanced in accordance with National Policy and include proposals to improve interpretation and access to enhance their enjoyment by the public.

The Devon hedgerow and veteran trees within the site, as well as the adjacent river frontage are both important parts of the history and natural environment of Ivybridge. The trees and hedgerow are to be removed and the river frontage compromised by the construction of a significant parking structure immediately next to it.

Members are asked to consider if this information should be used to form a response to the planning application and to consider if it can be support or should be objected to.

If it is to be objected to, the services of a planning consultant have been engaged to help officers ensure that the response is clear and robust and tackles the concerns in detail. Provision was made for this within the Planning and Infrastructure budget. Officers will ensure the Council's comments are submitted by the deadline granted by the Planning Officer at SHDC, 27th May 2022.

Julie Gilbert
Assistant Town Clerk

Jonathan Parsons
Town Clerk