

PLANNING COMMITTEE

Monday 13 August 2018

Present:-

Councillor Sutton (Chair)
Councillors Lyons, Bialyk, Branston, Denham, Edwards, Foale, Mrs Henson, Morse, Prowse, Thompson and Vizard M

Apologies

Councillor Harvey

Also Present

City Development Manager, Principal Project Manager (Development), Development Manager Highways and Transport, Assistant Highways Development Management Officer (Exeter) and Democratic Services Officer.

160

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

161

PLANNING APPLICATION NO. 18/0076/OUT - LAND NORTH OF HONITON ROAD AND WEST OF FITZROY AND WEST OF FITZROY ROAD

The Principal Project Manager (Development) (MD) presented the application for mixed use development to provide town centre facilities comprising retail units (food and non-food) (Use Class A1) and restaurant units with ancillary drive-throughs (Use Class A3), together with associated access, access roads, service yards, car parking, infrastructure and landscaping (all matters reserved except access). The application has been submitted in outline with all matters reserved except access.

He set out the context of the application, detailing how the application differed from a similar application by the applicant refused in 2014 and subsequently dismissed by the Secretary of State in 2016 and referring to four other current major applications for retail development on out of town centre sites in Exeter, being those on the WDP Depot, Moor Lane, the B & Q site at Avocet Road, a bulky goods proposal on the Police Headquarters Middlemoor site which was subject to a holding objection from Highways England and a non-food retail unit on part of the existing Tesco Car Park, Russel Way.

He reported that 40 representations had been received, including 24 objections and 14 in support. Objections had been received from the Hill Barton Consortium, Legal and General UK Property Fund (owners of Exe Bridges Retail Park), East Devon New Community partners (developers of Cranbrook New Community), East Devon District Council, Exeter Civic Society, the Exeter Cycling Campaign and Stagecoach. A further late letter of objection had been received from Legal and General. The majority of the letters of support had been received from businesses in the area, including Exeter Science Park Ltd. The Exeter Chamber of Commerce and Industry was also in support.

The update sheet covered further objections from Persimmon Homes and the Crown Estate who owned Princesshay and a newly submitted planning application to vary a condition of planning permission of the former Toys R Us site in order to sell any non-food products from part of the floorspace.

The City Development Manager commented on the differences in the application to that previously refused and the changed retail landscape referring to greater sector uncertainty and challenging market conditions, particularly with the growth of on line shopping. He stated that further information was required in respect of the competing schemes before they could be brought to Committee and that this application was fully funded and operator supported.

He advised that a deferral of the application to consider the cumulative impacts of the development with the other out-of-centre retail applications would not be appropriate and that the view of the applicant that the proposal would deliver the objectives of the Monkerton and Hill Barton Masterplan by providing facilities for the local community, including the local business community was a satisfactory reason to determine this application before the other applications.

He referred to potential economic, social and environmental benefits the scheme could offer including linkage to the district heating network although there was no timetable yet for its implementation. He advised that the provision of a local centre even for the additional two and a half thousand homes in the Monkerton area had not been delivered to date and could be difficult to achieve.

The City Development Manager also explained that the Environmental Health Officer felt that mitigation options proposed by Stagecoach of widening the bus lanes along the Heavitree corridor and changing the bus lane hours to ease the passage of buses along this route as well as upgrading buses along this route would be beneficial. The applicant had offered to upgrade all the buses on the 4/4A/4B route from Euro III to Euro VI standard by providing a financial contribution of £294,000. In addition, they had proposed to double the number of vehicle electric charging points in the development from 20 to 40 which was considered satisfactory to mitigate the air quality impacts of the development. Members noted, however, that it was not possible to quantify the impact of widening bus lanes on air quality of vehicles travelling along East Wonford Hil.

The applicants had not carried out a sequential test or impact assessment of the proposal on Cranbrook Town Centre. This, however, was not a policy requirement, in part, because Cranbrook was not officially designated as a town centre.

Mr Lewis of Exeter Civic Society spoke against the application. He raised the following points:-

- Exeter Civic Society objects to this proposal. Many of the retail outlets are too large with a large car park aimed at customers further afield. Support development of an appropriate local centre aimed at the local residents and businesses;
- the Hill Barton Consortium, the Cranbrook Consortium and East Devon Council believe the proposals ignore established policy and the needs of carefully planned communities. Proposals are excessive in scale, will generate significant traffic and have a negative impact on the well-being of residents of the adjoining homes;
- this application is worse than those refused before with more A1 and convenience retailing and lacking local services and facilities of previous proposals;

- vehicular access from the adjoining housing development is blocked;
- the impact and sequential tests in respect of the retail hierarchy for the area is considered only in limited fashion and only related to Exeter's city centre;
- Cranbrook has a planned town centre with infrastructure and development land in place and will be three times larger and the potential occupiers;
- many businesses support the application citing a need for local facilities but this would justify a local centre but not this proposal;
- the application undermines local residents, policies of Exeter and East Devon local plans, and the progressive growth and sustainability of Cranbrook; and
- a broad range of public and private bodies urge refusal.

Responding to a Member, he re-iterated the value of a local centre to the residential and business community, pointing out that there were options for such a centre in the Monkerton/Hill Barton area and suggesting also that the application site could better accommodate residential use.

Mr Ridgway of CPG, the developer promoting Moor Exchange spoke in support of the application. He raised the following points:-

- a reduced version of the previous scheme is presented with the retail element of the bus station development no longer proceeding and East Exeter has continued to expand significantly, with new residential and employment developments as well as a rapidly changing retail market,. Retailers such as Next and Boots embrace bricks and mortar but only want modern new attractive stores in the right locations and Moor Exchange fits the bill;
- terms are agreed with Next for a new Duel format store which will be a major coup for the City , Boots, TK Max and Homesense, Costa and McDonalds also identified.
- the scheme has changed in content with a better balance of food and comparison uses and includes a large Boots chemist;
- clear need for a new retail hub to serve the growing business and residential communities to the east of Exeter and Moor Exchange has continued to enjoy significant local business support from major organisations such as Exeter Science Park;
- much of the key building blocks for Moor Exchange are already in place with 60% of the development pre-let. It will create 520 new jobs, 160 spin off jobs in the wider economy and 260 construction jobs, a Community infrastructure levy payment of £2.2m and £1.1m annually in business rates; and
- will result in widened bus lanes to Honiton Road, the provision of a new bus link into the adjacent residential development, a contribution of £294,000 to fund the full upgrade cost to Euro VI (6) standard of buses, 40 electric vehicle charging points and a new pedestrian crossing at Honiton Road.

He responded as follows to Members' queries:-

- terms had been agreed with Next following Board approval and planning permission was awaited;
- uncertainty remained in respect of the other retail proposals, issues including the length of the B&Q lease, little information in respect of the Western Power proposal and any alternative site for re-location and the holding objection from Highways England in respect of the Middlemoor site, whereas the Moor Exchange was ready to go with air quality mitigation

measures agreed;

- the application offered additional shops to that of the City Centre and would serve the east of Exeter. The Next City Centre store was vibrant and would remain;
- anticipate that half of the electric charging points would be free with sponsorship from the stores with Next committed to this;
- footpath to the rear of the service yard will follow the existing road configuration in line with health and safety requirements as any new access would conflict with loading/unloading bays;
- CCTV equipment incorporates number plate recognition so that car parking can be limited to three hours and Stagecoach buses can operate without need for a gated system

The recommendation was for approval, subject to a Section 106 Agreement under the Town and Country Planning Act 1990 and to the conditions as set out in the report.

Members expressed a number of concerns, the principal being the conflict with Policy CP19 and Policy CP8, as it was felt that the proposal still went beyond the interpretation of a local centre noting that this had been a key reason why the Inspector concluded that the previous proposal could not be a local centre. The current proposal was considered less like a local centre as the mix of uses has reduced. Members believed that there remained a potential impact not only on the City Centre, where there were currently some vacant units in the Princesshay development, but also the St Thomas District Centre with one Member also referring to the community around Pinhoe served by the shops in that area as well as Sainsbury's. Members referred to a number of other towns where developments of this nature had led to noticeable declines in the respective town centres.

Some Members also felt that the proposal would still fail the sequential test with reference made to the Bus and Coach Station still being available and sequentially preferable. Although it was not a requirement for the application to provide information relating to future provision at Cranbrook Town Centre, the cumulative impact of this application, allied to the potential progress at the Middlemoor site and, possibly, other developments, could adversely affect the City and District Centres. Members also referred to increasing Government concerns over City Centre viability in general across the country and that the grant of permission could be premature pending any Government policy based response to a report on the future of city centres. It was also suggested that there could be an adverse impact on neighbouring towns.

Although some mitigation measures in respect of air quality had been proposed, given the existing problem along the Heavitree Road corridor, it was considered that additional traffic generated would further increase the problem on this route into the City Centre. Concern was also expressed that the highway improvements proposed did not include the roundabout off Wilton Way, especially as there was now a question mark over the improvements mooted for this roundabout given the uncertainty over the Middlemoor proposal. It was suggested that there were a number of sites across the City currently vacant such as the Bus and Coach Station site and Marsh Barton where additional, higher quality jobs could be generated particularly as this application offered fewer skilled opportunities. Concerns were also raised regarding the size of the car parking proposed with the development and the likely noise impact from the loading and unloading bay on the neighbouring residential area. Another Member referred to the objections raised by the Exeter Cycling Campaign especially the impact on air quality and negative

impact on vulnerable road users.

RESOLVED that planning permission for mixed use development to provide town centre facilities comprising retail units (food and non-food) (Use Class A1) and restaurant units with ancillary drive-throughs (Use Class A3), together with associated access, access roads, service yards, car parking, infrastructure and landscaping (all matters reserved except access) be **REFUSED** as the application conflicts with Core Strategy Policy CP19. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, section 70(2) of the Town and Country Planning Act 1990, and Paragraph 12 of the National Planning Policy Framework it should therefore be refused as other material considerations do not indicate otherwise and, subject to prior consultation with the Chair, the City Development Manager be authorised to agree further reasons for refusal based on the concerns raised by Members.

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair