

ITEM NO. 4

COMMITTEE DATE: 31/10/2011

APPLICATION NO: 11/1414/03 FULL PLANNING PERMISSION

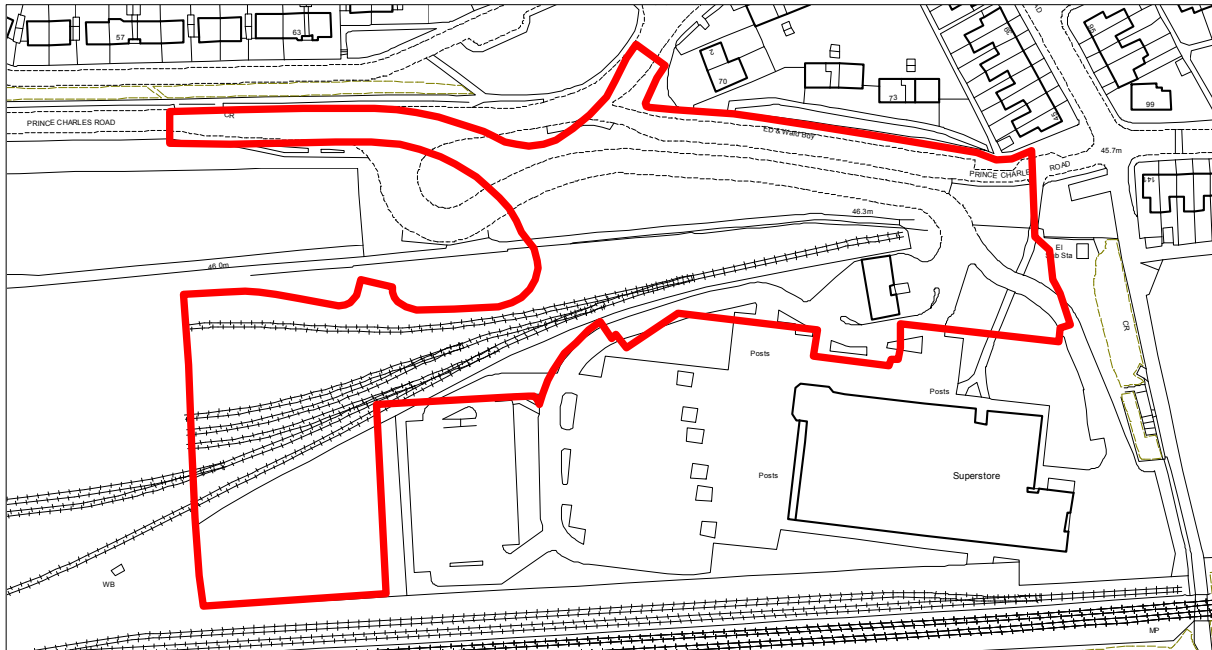
APPLICANT: Wm Morrison Supermarkets plc

PROPOSAL: Extension to store on north elevation, roundabout and road access, relocation of petrol filling station with car wash and alterations to car park

LOCATION: Morrisons Supermarket, Prince Charles Road, Exeter, EX4 7BY

REGISTRATION DATE: 31/08/2011

EXPIRY DATE: 30/11/2011



Scale 1:2500

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HISTORY OF SITE

There is an extensive history relating to the use of the application site for retail purposes. Consequently only the recent history has been listed below -

09/0772/03 -	Alterations to access road layout, provision of lighting columns and additional car parking spaces through the site and electricity substation in north east corner	PER	18/12/2009
09/1592/03 -	Two storey extension on north elevation, extension on east elevation, lobby entrance on north west corner, wall on east boundary and additional parking	PER	24/06/2010
11/0179/37 -	Amendments to north and west elevations to include reduction in size of entrance lobby, amended shape of warehouse, replacement of brickwork to entrance lobby with insulated cladding system and additional canopy to entrance lobby. (Non Material Minor Amendment Ref No. 09/1592/03 granted: 24/06/2010)	PER	11/03/2011

DESCRIPTION OF SITE/PROPOSAL

The application site comprises part of the site of the existing Morrisons retail store on the south side of Prince Charles Road (principally the internal road and petrol filling station), some former railways sidings (lying between the existing allotments and the current store site), and land comprising the existing road access off Prince Charles Road and highway land including a stretch of Prince Charles Road and its junction with Calthorpe Road.

The proposal comprises the following 3 main elements -

- Replacement of the existing access road into the store from Prince Charles Road with a new 4-arm roundabout, one arm of which would lead to a smaller roundabout giving direct access into the store car park, and further accesses to retained Network Rail land (and a replacement vehicular access into the allotments).
- Relocation of the Store's Petrol Filling Station from its current position in front of the store to a position at the western end of the site on land that currently forms part of the store car park and former railway sidings, and associated changes to the stores car park layout (increasing the number of spaces from 303 to 399).
- A small extension to the north (front) elevation of the main store building to provide a dry cleaners (115 sq metres).

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following documents -

- Design and Access Statement
- Planning Statement
- Transport Assessment
- Air Quality Assessment
- Geoenvironmental Appraisal
- Acoustic Assessment
- Flood Risk Assessment
- Ecology Survey
- Waste Management Statement
- Arboricultural Implications Assessment and Method Statement

REPRESENTATIONS

2 representations have been received raising the following issues -

- Inadequacy of proposed replacement access to the allotments and potential impact of solutions in terms of loss of allotment plots
- Need to maintain constant access to allotments and prevent obstruction
- Security of the allotments
- Existence of better alternatives for replacement allotment access
- Disability access issues relating to pay kiosk for filling station, filling station toilet and general suitability of all pedestrian/cycle access routes into the site for scooter/wheelchair users

CONSULTATIONS

Head of Contracts and Direct Services - raise concerns regarding the proposed replacement vehicular access to the adjoining allotment site in terms of its functionality and security.

Network Rail - No objection in principle. Highlights detailed issues in respect of developer's responsibilities with regard to Network Rail land.

English Heritage - No comments - Suggest application be determined in accordance with national and local policy guidance, and on the basis of the Council's own specialist conservation advice.

Head of Environmental Health - Comments on noise impacts of the development and recommends conditions relating to hours of construction/deliveries, implementation of mitigation measures contained in submitted Air Quality Assessment, and contaminated land.

County Director of Environment, Economy and Culture - The County Council as Highway Authority has no objection in principle to the application subject to detailed design approval. A standard condition is recommended with regard to the submission for approval of detailed plans.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

PPG13 - Transport

PPS1 - Delivering Sustainable Development

PPS4 - Planning for Sustainable Economic Growth

PPS5 - Planning for the Historic Environment

PPS9 - Biodiversity and Geological Conservation

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST10 - Exeter Principle Urban Area

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

CO8 - Archaeology

CO9 - Biodiversity and Earth Science Diversity

CO15 - Air Quality

CO16 - Noise Pollution

TR1 - Devon Travel Strategy

TR2 - Coordination of Land Use/Travel Planning

TR5 - Hierarchy of Modes and Transport Assessment

TR7 - Walking and Cycling

TR10 - Strategic Road Network and Roadside Service Areas

SH1 - Shopping Facilities (Sequential Approach)

Exeter Local Plan First Review 1995-2011

S1 - Retail Proposals /Sequential Approach

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T8 - Safeguarding Former Railway Land and Access to Rail

T9 - Access to Buildings by People with Disabilities

T10 - Car Parking Standards

C5 - Archaeology

EN2 - Contaminated Land

EN3 - Air and Water Quality

DG2 - Energy Conservation

DG3 - Commercial Development

OBSERVATIONS

The main considerations in respect of the application relate to highway/transportation issues, visual impact/landscaping/ecology and the relationship to/impact upon the amenity of surrounding properties.

Highway/Transportation Issues

The Transport Assessment carried in relation to the consented extension of the store identified that whilst the impact on the local transport network was acceptable it would result in the access junction onto Prince Charles Road operating close to its capacity with potential for queues forming on the store access road during busy periods. The current proposal has been extensively discussed with the Highway Authority and various options, including traffic signalisation, were considered before choosing the current proposal as the most appropriate solution. The Highway Authority have confirmed that the current proposal is considered acceptable in principle from a highway/transportation perspective. The proposed arrangement, incorporating two roundabouts, has been designed to eliminate the convoluted current access to the store and improve safety whilst also introducing additional capacity to the junctions. Future proofing the design of the junction/access in this way thereby facilitates the potential redevelopment of adjoining Network Rail land that might be considered surplus to operational requirements in the future. The layout allows for the retention of the existing Toucan crossing on Calthorpe Road thereby facilitating a safe access route from the residential areas north of the store onto Prince Charles Road and on into the site. Each arm of the roundabout incorporates a central island with pedestrian/cycle crossing points incorporating dropped kerbs, and provides for 3 metre wide shared footway/cycle ways on all approaches.

Within the site the relocation of the Petrol Filling Station will reduce internal congestions and prevent customers queuing for petrol from blocking access to and from the store. The reconfiguration of the parking layout results in an increase in parking provision from 303 to 399 spaces, of which 24 are for disabled parking and 8 are specifically for parent/child parking. 10 additional cycle parking spaces are also proposed located at the front of the store. The Exeter Walking and Cycling Steering Group identified the desirability of securing a footpath connection in the western corner of the site onto the existing footpath running through to Beacon Avenue. This is not feasible as this land is not within the control of the applicant. However, the proposal does provide a shared footway/cycle path from the store along Prince Charles Rd into St Katherine's Rd, from which access can then be obtained to the footpath.

The existing bus stops on Prince Charles Road would be relocated in the same general vicinity to take into account the new road layout whilst continuing to provide bus stops serving both directions.

Representations have been received expressing concern about the impact of the proposal upon users of the allotments adjoining the site, particularly with regard to access arrangements and security. Access to this end of the allotments is currently obtained via a track off the existing store access road. Although a replacement access is shown on the submitted drawings opposite the site of the relocated petrol filling station its alignment would not allow for convenient/maintenance access to this end of the allotment site. This matter has been raised with the applicant who is in discussion with the Council's Head of Estate's Services over a potential solution. It is anticipated that a solution involving realignment of the proposed replacement access should be possible without any significant impact on the overall new road layout proposed. The outcome of these negotiations will be reported to Committee. It is not considered that closure of the current access and its replacement with similar fencing to that which currently exists would significantly compromise security of the allotment site generally. The new access would be more remote from Prince Charles Road and by virtue of this, and its design, would not be a desirable pedestrian access.

Consequently a grampian condition is proposed relating to the provision of a separate pedestrian access to the allotment site off Prince Charles Road itself.

Relationship to Surroundings Properties

On the whole, as a result of the proposed works, road surfaces in the locality will be moved further away from surrounding residential properties. The exception being the realigned part of Calthorpe Road approaching the new roundabout which will move slightly closer to numbers 2 Calthorpe Road and 70 Prince Charles Road. Notwithstanding this it is not considered that the new road layout will have any significant adverse impact upon the amenity of surrounding residential properties once constructed. It is inevitable that a proposal of this nature will generate significant construction noise but it is hoped that the impact of this can be minimised through a condition restricting working hours.

The store itself is more remote from the surrounding properties and therefore the small extension to the front of the building should not have any significant impact. The relocated petrol filling station, which will include a car wash facility, is separated from the nearest residential properties by the railway line to the south and the allotments and Prince Charles Road to the north. The car wash element is positioned on the northern most part of the petrol filling station maximising its distance from surrounding properties. The proposed limitation on construction working hours via a condition should minimise any potential disturbance during construction.

The Head of Environmental Health has raised a number of queries regarding the submitted noise impact assessment which have been relayed to the applicant for clarification and their response will be reported at Committee. It is likely that a condition will be required relating to plant noise levels associated with the development.

The submitted Air Quality Assessment includes mitigation measures to minimise any potential impact on air quality in the locality during the construction process. A condition is proposed requiring the development to be carried out in accordance with the proposed mitigation measures.

Visual Impact/landscaping/ecology issues

The proposal will result in the loss of some existing trees and vegetation at the site. However, it also creates the opportunity for co-ordinated replacement planting and the establishment of new landscaped edge between the store site and the new roundabout and road alignment. This represents an opportunity to visually enhance the entrance into the store and ensure that the new road layout is appropriately assimilated into the surrounding area. The creation of the new roundabout and road alignment will also create further opportunities for landscaping to replace sections of redundant road and hardsurfaces to the north of the new road alignment. A condition is proposed to require submission and implementation of a comprehensive landscaping scheme associated with the proposed development.

The proposal creates a new parcel of land between the re-aligned Prince Charles Road and the arm of the roundabout leading into the store which will be under the control of Network Rail. Although a vehicular access to this land will be provided as part of this proposal there are no proposals regarding its development as part of this application. Given its prominence adjacent to the roundabout the visual impact of the boundary treatment of this land in the interim needs consideration. Consequently a condition is proposed requiring the submission and approval of the details of the boundary treatment of this land.

The small extension to the store itself to create the dry cleaners will be carried out in matching material to those used on the existing building and thereby will be readily assimilated into the overall appearance of the store. Essentially it will result in the

introduction of a greater proportion of glazing along this section of the north elevation of the building.

The submitted Ecological Survey identified the presence of a small colony of slow worms and common lizards on part of the site and identifies the appropriate mitigation method as trapping and relocation to a suitable alternative habitat off site. A condition would be required to ensure that this is carried out in accordance with the recommendation of the report and at an appropriate time prior to the commencement of works on site. In the process of negotiations regarding the alternative access to the allotment site the presence of badger activity has been noted. This has been raised with the applicant and needs addressing in an addendum to the submitted Ecological Survey. A further update on the applicant's response will be reported at Committee.

Southern Area Working Party (14/09/11)

Members considered that the proposal would enhance vehicular and pedestrian access arrangements to the store and noted that additional landscaping would be secured by condition. Members noted that no objections to the proposal had been received. Subject to a positive consultation response from the Highway Authority Members supported approval under delegated powers.

Southern Area Working Party (12/10/11)

Members noted that subsequent to the last Working Party representations had been received to the proposal, principally relating to the impact on access to the adjoining allotments. Members noted that negotiations over this matter were taking place with the applicant and that as a result of the objection the application would now have to be determined by Planning Committee.

Conclusion

Subject to a satisfactory outcome of negotiations regrading the replacement access to the allotments, and the detailed response of the Highway Authority, it is considered that the proposal is acceptable in terms of highway impact, visual/landscape impact and relationship to surrounding properties. Overall the proposal will provide an enhanced access to the store that can accommodate the level of traffic generated with additional capacity for potential future developments in the vicinity.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C12 - Drainage Details
- 4) C35 - Landscape Scheme
- 5) C38 - Trees - Temporary Fencing
- 6) The proposed roads, footways, footpaths, cycle routes, junctions, verges, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate,

the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

- 7) No part of the development hereby approved shall be brought into its intended use until the visibility splays, on-site parking (including cycle parking), turning, loading and unloading facilities have been provided in accordance with the requirements of this permission. Thereafter the said parking facilities shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 8) C70 - Contaminated Land
- 9) Prior to the commencement of the development hereby approved a mitigation scheme incorporating the recommendations set out in the submitted Air Quality Assessment dated June 2011 shall be submitted to and approved in writing by Local Planning Authority. Thereafter the development shall be carried out in accordance the approved mitigation scheme.
Reason: To ensure that the potential impact of the development on air quality in the locality is minimised in the interests of residential amenity.
- 10) Unless otherwise agreed in writing by the Local Planning Authority construction work shall not take place outside the following times; 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interest of residential amenity.
- 11) Prior to the commencement of any phase of the development hereby approved details of the location and specifications of any proposed site compound, including any constituent buildings, shall be submitted to, and be approved in writing by, the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.
Reason: To ensure that the location and design of any site compound are acceptable in terms of visual and amenity impact.
- 12) Prior to the commencement of the development hereby approved, and notwithstanding the provisions of condition 4 of this approval, details of the proposed boundary treatment between the new roads and the retained Network Rail land (including the timeframe for its erection) shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure that the Local Planning Authority maintain control over the means of enclosure of this prominent piece of land in the interests of the visual amenity of the locality.
- 13) Prior to the new allotment access shown on drawing no..... being completed and made available for use no development or works shall take place on the site that shall block or otherwise impede pedestrian and vehicular access across the site between the allotments and the public highway.
Reason: To ensure that unimpeded access is maintained at all times in the interests of the users of the allotments.

- 14) The development hereby approved shall only be carried out in accordance with the recommendations contained in the submitted Ecology Survey dated July 2011. Prior to the commencement of the development a written report specifying how the identified mitigation measures have been implemented shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure appropriate measures are implemented to minimise the ecological impact of the development.
- 15) The development hereby approved shall not commence until such time as a detailed scheme for the provision of a new pedestrian access into the adjoining allotment site directly from Prince Charles Road, including the timeframe for its delivery, has been submitted to and approved in writing by, the Local Planning Authority. Thereafter, no development or works shall take place on the site that shall block or otherwise impede pedestrian and vehicular access across the site between the allotments and the public highway until such time as the alternative access has been created and made available for use, in accordance with the approved scheme.
Reason: To ensure that an appropriate pedestrian access to the allotments is provided to replace the current access that is being closed as a result of the proposed development.
- 16) Limitation on plant noise as advised by Environmental Health in response to additional information requested from applicant.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223