

**ITEM NO.**

**COMMITTEE DATE:**

13/01/2014

**APPLICATION NO:**

13/4525/01

**OUTLINE PLANNING PERMISSION**

**APPLICANT:**

IKEA Properties Investments Limited

**PROPOSAL:**

Outline planning application (with all matters reserved except access) for erection of a non-food retail store (Class A1) and ancillary facilities together with associated access, car parking, and landscaping.

**LOCATION:**

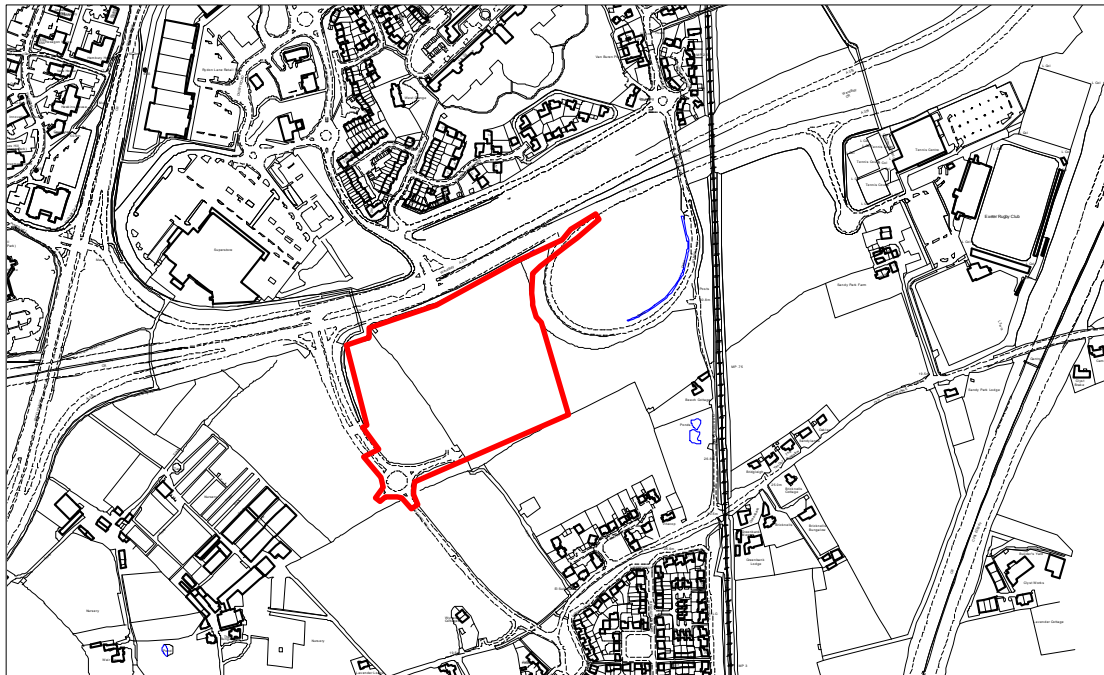
Land South of A379 & East of Newcourt Way, Newcourt Way, EXETER

**REGISTRATION DATE:**

01/10/2013

**EXPIRY DATE:**

31/12/2013



Scale 1:10000

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**HISTORY OF SITE**

The site itself has not been subject to any significant planning applications. The site forms part of the Exeter Core Strategy Newcourt Strategic Allocation, which has been the subject of numerous (principally housing) planning applications. Already more than 1,700 dwellings have been granted planning permission including 233 dwellings that are being built on land immediately to the south. The Core Strategy proposes 3,500 dwellings and 16ha of Employment development at Newcourt.

**DESCRIPTION OF SITE/PROPOSAL**

The application site comprises approximately 6.1 hectares of land. The majority of the site was last in agricultural use, though the western portion currently holds several spoil heaps. Land adjoining the application site to the east is the subject of a separate outline planning application (reference 13/4524/01) for housing.

The site is bounded to the north by the A379 and housing in the Digby area beyond. To the east is the housing application site. To the south east is Beech Cottage, which is the site of

a dwelling on which there is planning permission to develop new housing. Directly south of the site, and west of Beech Cottage, is a housing development site on which the planning permission for 233 dwellings is currently being built. To the west is the Newcourt Way spine road with further undeveloped land beyond.

Trees and bushes are located across many areas of the site and, in particular, line sections of its southern and western boundaries. A field boundary hedgerow runs from north to south approximately 30 to 40 metres from the western boundary of the site.

The proposal comprises an outline application for a non-food retail store and ancillary facilities together with associated access, car parking and landscaping. The planning statement addresses an upper floor space limit of 28,000 square metres for the store and the indicative masterplan indicates 1,004 car parking spaces. Associated infrastructure to support the proposals includes a road connection using the existing slip road that currently loops over the A379 on to Russell Way. It is proposed that the slip lane would instead continue west alongside the A379 and into the site. The loop road would be substantively demolished. Secondary access and the only egress would use the Newcourt Way roundabout at the west of the site. Pedestrians and cyclists would also be able to access the site along dedicated routes from Newcourt Way to the west and via the existing pedestrian and cycle route to the east of the site, which provides a connection to Digby and its Railway Station, to Topsham, and to Old Rydon Lane and the rest of Newcourt. The indicative masterplan also shows direct pedestrian links from the store entrance to the pedestrian/cycle bridge at the north west of the site and into the proposed residential development at the north east.

The appearance, layout and scale of the development are all 'reserved matters' for subsequent approval. The only detailed matter for which approval is sought at this stage is highway access to the site. The applicant has, however, submitted a detailed Landscape and Visual Impact Assessment and Landscape Strategy (including Landscape Framework Plan) that address a store of specific maximum dimensions that is incorporated into a specific strategic landscape scheme (which also covers the adjacent residential planning application). It is expected that these matters would be secured by planning condition and Section 106 agreement respectively and it is on this basis that the proposals are assessed.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The following documents have been submitted in support of the application:

- Drawing showing access to the site
- Tree Constraints Assessment
- Heritage Statement
- Design and Access Statement
- Ecological Surveys
- Energy Statement
- Flood Risk Assessment
- Geo Environmental Assessment
- Landscape and Visual Impact Assessment
- Noise Report
- Air Quality Assessment
- Retail and Planning Statement
- Statement of Community Involvement
- Sustainability Statement
- Drainage Strategy
- Transport Assessment
- Travel Plan

## **REPRESENTATIONS**

44 representations have been received and can be summarised as follows:

### Support

- IKEA is an attractive retailer that will be an asset to Exeter and its retail offer
- Will bring more visitors to Exeter and its environs
- Distance to next nearest IKEA store at Bristol is too far
- Benefit to local and regional economy - jobs and expenditure
- Little traffic disruption
- The store is proposed within a development area [Newcourt]
- Support for a mixed use development [in combination with adjacent residential proposals]
- Different from other companies located in Exeter
- Will save thousands of journeys to Bristol
- Will result in greater retail competition

### Comment/Object

- Road network (including arterial routes) around the proposed development will not support the expected traffic
- M5 Junction 30 cannot accommodate the additional anticipated traffic
- Traffic data for assessing Countess Wear/Bridge Rd is from 2007
- Combination of store and rugby match day traffic will result in gridlock, leading to greater use of estate roads
- Russell Way/Lewis Crescent junction is dangerous and that the danger would be amplified by additional traffic
- Store and Housing traffic should not be allowed to leave the development via Russell Way and the A379 overbridge [part of proposed residential scheme]
- Leaving the loop road open would ease current and future traffic pressures and protect existing tree and grass areas
- Insufficient parking
- Rat-running along Ludwell Lane will increase with more development in the Newcourt area
- Strategic cycle route improvements in the wider area (particularly Ludwell Lane, which is a faster route to the city centre than the Riverside Valley Park) could result in a greater modal shift to cycling
- Appearance of store would be out of keeping with surrounding area
- Noise impacts, including night time deliveries and reversing sirens
- Better located adjacent Exeter Airport
- Impact of cooking odours from ancillary restaurant on nearby dwellings
- Potential impact of light pollution
- Store signage will dominate and be unsightly
- Need for mature tree screening along A379 boundary
- Loss of wildlife/biodiversity habitat
- Will lead to the loss of housing land undermine the Development Plan and strategic objectives for Newcourt
- Less housing in the area could prejudice sustainable development and local community facilities coming forward
- Proposed retail floorspace exceeds the City's total identified out of centre floorspace capacity to 2026
- Bus and Coach Station is 'sequentially preferable' and had not been rejected as a development site for robust reasons
- Alternative retail uses could occupy the store (not just IKEA) but the applicant's retail impact assessment is premised on occupation by IKEA
- Trade draw away from Exeter
- Overpowering building in relation to nearby dwellings with an insufficient landscape buffer proposed

- IKEA should contribute towards the proposed scheme for widening of Bridge Road
- A contribution should be made towards a new community centre at Countess Wear

## **CONSULTATIONS**

**Highways Agency (HA)** - A comprehensive response to the application and adjoining application for between 180 and 220 dwellings accepts the distribution of trips that is assumed within the applicant's Transport Assessment.

A scheme of improvements to Junction 30 [primarily consisting of an additional lane on the southbound off-slip and a traffic light system that varies its signalling pattern depending on which arms of the junction are most congested and programmed for completion by April 2015] is taken into account in the applicant's Transport Assessment and the Agency's response. On this basis the HA agrees with the applicant's Transport Assessment that there will be spare capacity at junction 30 even when seasonal traffic increases and already permitted housing developments are taken into account. When rugby match day traffic (assuming 15,000 spectators and 3pm Saturday kick off) is also considered, modelling of the junction suggests that it will be marginally over capacity but the Agency comments that, 'spectator traffic [accessing the car parking at West Point] affects different approach lanes and routes through the M5 Junction 30 roundabout than those expected to be affected by IKEA'. And, 'the IKEA store will not exacerbate any operational problems that might occur during a Saturday "match day" afternoon...'

In combination, both applications are considered to be acceptable. The HA's response states that, 'the Agency is able to accept the residential development and IKEA proposals on the land off the A379 at Newcourt'.

**Natural England (NE)** - Comments on the proposal from the perspective of ecological impacts on the site, particularly for protected species. NE noted that Dormouse and Bat surveys were outstanding and should be completed, with appropriate mitigation proposed, before determination of the application. NE also comment that the proposed development should capitalise on any opportunities for biodiversity and landscape enhancements.

**Environment Agency (EA)** - Two responses have been received from the EA. Proposals for a Phase 2 Ground Investigation report are welcomed and initial proposals for infiltration are supported as a form of Sustainable Urban Drainage (SUDS) as opposed to any piped solution that South West Water might be willing to adopt. The EA state that, 'Given favourable ground conditions we would expect as much surface water as practicable to be disposed of at source via infiltration and ask that a detailed scheme that reflects this approach be submitted for approval in due course'.

**County Director Environment Economy and Culture** - A comprehensive response to the application and adjoining application for residential development (13/4524/01) does not support the store proposal for reasons of insufficient car parking.

### Car Park accumulation

Based on the sensitivity testing from the applicant's Transport Assessment, it was commented that, 'the 950 parking spaces indicated are unlikely to be sufficient to accommodate the demand. This is likely to result in queues of traffic forming back onto the A379.' The County Council stated that, 'it is essential that measures to provide additional spaces above those currently proposed are taken'. The applicant has since provided an amended drawing to show 1,004 spaces and the County Council has commented that this is now sufficient.

### Trip Generation and impacts

It is considered that the applicant's Transport Assessment addresses, 'a scenario that is unlikely to be significantly exceeded for 50 weeks of the year. This...provides reassurance that any potential issues will only occur during periods of exceptional demand. It is also considered that the Assessment shows M5 Junction 30 to be 'operating at capacity'. This is 'considered acceptable'.

At Countess Wear the, 'use of 2007 data was agreed with DCC as traffic levels have fallen on the approaches to this junction since this date'. The County comment that 'the additional traffic through this junction is a cause for concern, although the Bridge Road outbound widening scheme...set to begin in 2015 is expected to go a long way to removing the current issues, particularly in the PM peak and Saturday periods when IKEA traffic will have the biggest impact.'

The A379/Newcourt Way Junction and Newcourt Way/Roundabout Junction (secondary access into the site) are considered to have the capacity to accommodate the proposed development and the principle of stopping up the loop road is considered acceptable.

Stopping up of the existing road loop to the Russell Way overbridge is considered acceptable but the County Council advises that the applicant will need to separately apply for highway rights to be distinguished.

### Public Transport and Pedestrian/Cycle Access

Regarding bus services, the County Council comment that, 'appropriate bus waiting facilities will need to be provided, featuring bus shelters and real time passenger information provision...specifically regarding catering for a two-way bus service'. In the context of a 30 minute frequency 'J' bus service, the County Council state that it would be, 'unreasonable to require the development to pay to extend bus services'.

The County Council states the need for the development to be supported by Travel Planning and propose an associated planning condition. They also comment that the application site was generally well connected to the rest of the Newcourt area but that there is a pedestrian desire line to the north west of the store. They seek a direct pedestrian link to the north of the proposed store between the store entrance and pedestrian/cycle bridge to the north west of the site.

### **RPSB** - Two separate responses provided

Cirl Bunting surveys should be completed. If Cirl Buntings are using any part of the application site, there will need to be appropriate mitigation. If the application is determined before completion of the survey work, there should be a commitment to providing appropriate mitigation in the event that the survey work identifies Cirl Buntings on site.

Submitted masterplan indicates a paucity of significant street planting and the landscape buffers and ecology corridors shown are inadequate.

**Exeter City Council Archaeology Officer** - The comprehensive impact of the proposal on any buried remains must be mitigated via a programme of investigation and recording work to be approved by the City Council.

**Exeter City Council Environmental Health** - Approval with conditions. A planning condition limiting night time noise levels and requiring a noise management plan is requested. A further condition limiting construction times and one requiring a Construction Environmental Management Plan are sought.

**Bishops Clyst Parish Council** - 'The Council support this application, however have concerns with the impact of additional traffic and congestion to the A379 and its access onto M5 Junction 30 roundabout.'

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance**

National Planning Policy Framework

### **Exeter Local Development Framework Core Strategy**

CP1 - Spatial Strategy

CP2 - Employment

CP8 - Retail

CP9 - Transport

CP10 - Meeting Community Needs

CP11 - Environment

CP13 - Decentralised Energy Networks

CP14 - Renewable and Low Carbon Energy in New Development

CP15 - Sustainable Construction

CP16 - Green Infrastructure

CP17 - Design and Local Distinctiveness

CP18 - Infrastructure

CP19 - Strategic Allocations

### **Exeter Local Plan First Review 1995-2011**

AP1 - Design and Location of Development

AP2 - Sequential Approach

E1 - Employment Sites

H1 - Search Sequence

H2 - Location Priorities

H7 - Housing for Disabled People

L4 - Provision of Playing Pitches

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T8 - Safeguarding Former Railway Land and Access to Rail

C5 - Archaeology

LS2 - Ramsar/Special Protection Area

EN2 - Contaminated Land

EN3 - Air and Water Quality

EN5 - Noise

DG1 - Objectives of Urban Design

DG4 - Residential Layout and Amenity

DG5 - Provision of Open Space and Children's Play Areas

KP8 - Newcourt Area

### **Exeter City Council Supplementary Planning Documents**

Affordable Housing SPD

Archaeology and Development SPG

Planning Obligations SPD

Public Open Space SPD

Residential Design Guide SPD

Trees and Development SPD

Newcourt Masterplan

## **OBSERVATIONS**

### **Principle of Development**

The Exeter Core Strategy includes a strategic allocation for around 3,500 dwellings alongside 16ha of Employment Land in the Newcourt area. Nevertheless, the application has been identified and advertised as a departure from a Development Plan policy because it conflicts with policy KP8 of the Exeter Local Plan. KP8 proposes much of the application site (except for an area broadly within the existing road loop) for science and technology employment uses. For this reason, the application will also need to be referred to the Secretary of State for 'call in'. Whilst the proposals might depart from one element of the Development Plan, the less specific Strategic Allocation at Newcourt that is contained in the 2012 Core Strategy is considered to be more up to date. This is a point emphasised by the fact that a Science Park is currently being constructed at M5 Motorway Junction 29 and the emerging Development Delivery DPD.

### **Employment Land**

With housing and employment constituting the primary uses at Newcourt, a key factor in determining whether the principle of building and operating the proposed store accords with the Development Plan is whether it can be regarded as 'employment' development. The Exeter Core Strategy glossary defines Employment Land as:

*'All land and buildings which are used or designated for purposes within Use Class B1 (Business), Class B2 (General Industrial), and Class B8 (Storage and Distribution) and other uses of employment character or which generate substantial employment and economic benefits and may include sui generis uses such as car showrooms'*

In this context, Policy CP2 of the Core Strategy on Employment states that:

*'The release of employment allocations for other uses will only be acceptable where it can be demonstrated that development for an alternative use represents an opportunity that would create significant economic benefits for the city and the Travel to Work Area'.*

The proposed retail store falls within Use Class A1. To be considered 'employment' development it would need to be evident that its approval and construction would result in very considerable sub-regional economic benefits. The Core Strategy envisages that very few proposals for non-Class B Uses on allocated employment land would result in a stand alone economic asset to the Travel to Work Area to the point that they accord with Policy CP2.

In this case, the applicant has submitted a Planning and Retail Statement (with additional Annexes) supports the following position:

- 380 new direct jobs (256 full time equivalent) with a Gross Value Added of £33,500 per annum per job.
- Wide range of job opportunities (from unskilled to skilled and management), with each store as a separate business operation.
- Commitment to an employment and training strategy; and a local labour agreement in partnership with Job Centre Plus - On opening 93% of the Bristol store's employees lived in a Bristol postcode.
- The proposal has the potential to reduce Exeter's claimant count by 20%.
- The retail catchment of the store will result in approximately 390,000 linked trips to the city centre per annum with a value of between £7,800,000 and £19,500,000.
- Divert around £14,000,000 of trade from IKEA's Bristol store to the proposed Exeter store.

A letter from Alder King surveying additionally states that the store would consolidate Exeter as a retail destination; encourage other inward investors who view IKEA as an indicator of confidence; increase the attractiveness of Exeter's retail offer to the city's current and future residents and employees with a unique addition; and reduce the distance of trips from the south west to other IKEA stores.

It is the reasons of inward investor confidence, the attractiveness of Exeter as a place to work live and visit and the potential to attract an additional retail 'catchment' to the city centre (resulting in more city centre retail expenditure than the £5,000,000 that is expected to be leaked) that differentiate the proposed store from the vast majority of Exeter's existing retail outlets. Combined with the job creation and other economic benefits that the applicant refer to, it is considered that the proposed development would create significant and substantial economic benefits for the city and the Travel to Work Area.

The proposed development is therefore considered to accord with the Core Strategy's definition of Employment Land and Core Strategy Policy CP2 and to accord with the strategic allocation at Newcourt, which is not specific about the disposition of employment and housing uses within the area and within which no employment land has been granted planning permission to date.

### **Retail**

The proposal is for a comparison retail store of up to 28,000 square metres. It is not within the city centre, nor a defined district or local centre. In accordance with the National Planning Policy Framework, Policy CP8 of the Core Strategy states that:

*Out of centre sites will only be considered if there are no suitable sites in, or on the edge of, the City Centre, district centres or local centres and the proposal would cause no significant overall impact on the existing centres and would bring net benefits. In all cases proposals must be accessible by public transport, and be appropriate in scale and character to the role and function of the proposed location'.*

The proposal is considered to accord with the character and role and function of the proposed location. The store would be on an area of land that the emerging Development Delivery Development Plan Document proposes to allocate for employment development and would front the very broad A379 occupying the same frontage as the David Lloyd/Sandy Park development to the east. Matters of accessibility are considered later in this report leaving what are commonly referred to as the 'sequential' and 'impact' tests of CP8 to be addressed.

### **Sequential test**

At a pre-application stage Planning Officers and the applicant agreed the range of potentially more sustainable and centrally located sites that should be considered for the proposed store. It was agreed that no sites within or on the edge of Exeter's district or local centres were suitable or available for the scale of retail development proposed. It was also agreed that the site search could be confined to Exeter on the basis of its role and function as the principal retail centre serving the store's intended primary catchment. Exeter's Bus and Coach Station area (which is proposed for 30,000 square metres of comparison retail floorspace through the Core Strategy) was agreed as the only site to be assessed.

The applicant's Planning and Retail Statement and an additional accompanying note. Point to the Council's aspirations for a, 'street level experience being of mainly retail units with cafes and restaurants', which is proposed through the Bus and Coach Station's Development Principles document. As the City Council holds a considerable ownership interest in the land (along with other stakeholders) it is considered that the site would not be available for a store of the nature proposed by IKEA. Furthermore, IKEA state that a store of the scale needed to accord with their business model and meet the '[shopping] needs of the region' could not be accommodated on the



site together with access, service yard, car parking and the requirement for a replacement Bus and Coach station on the site. This conclusion appears reasonable, not least because the application site is 6.1 hectares whereas the bus and coach station area, including bus garage is at most approximately 3.4 ha, of which as little as approximately 1.4 ha is considered to be available.

### Impact Test

The Planning and Retail Statement, which cautiously does not assume any trade will be drawn from other existing IKEA stores, suggests that just over one third of the store's (primary retail catchment) anticipated trade will be diverted from town centres; with the more significant portion attributable to expenditure that is currently being made in other out of centre stores. The impact on out of centre stores is neither a concern of the Core Strategy, nor the National Planning Policy Framework.

The Planning and Retail Statement therefore provides a detailed assessment of the remaining quantitative and qualitative impacts on town centres. It is proposed that a specific range of goods would be sold from the retail store and it is in this context that the Statement includes detailed health checks for town centres within and just beyond a 60 minute (primary retail catchment) drive time from the proposed store. The store is projected to have a turnover of around £52,000,000 by 2018 but the draw from existing centres will be dispersed across a number of centres. The most significant quantitative impacts are shown to be at Ottery St Mary and Cullompton, where it is estimated that 3.2% of comparison trade would be drawn from these centres which are qualitatively assessed as performing 'adequately' and 'well' respectively.

On the basis that a limited range of goods would be sold from the proposed retail store and that the trade that is drawn from town centres will be dispersed across the store's catchment area, with greatest (but still not very significant) impacts on relatively well performing town centres it is not considered that the proposal would have a significant adverse impact on town centre vitality and viability. Neither are the proposals considered likely to result in significant adverse impacts on other town centre planned investments, none of which are expected to rely on expenditure that might be diverted to the proposed store.

These conclusions are based on a single retail store selling a specific range of goods. Suitably worded planning conditions could limit the range of goods that could be sold from the store and prevent subdivision of the unit.

The principle of the proposed development is therefore considered acceptable.

### **Further Assessment of the Proposal**

In assessing the impact of this proposal it is acknowledged that it will result in a significant change in the character of the application site. The site is currently comprised of agricultural fields surrounded by varied vegetation. The proposal would result in many of the site's key features being replaced with a large retail store, a large car park and associated infrastructure, although it is intended that many landscape features at the periphery of this site would be retained and/or enhanced.

### Environmental Impact Assessment (EIA)

On receipt of a 'screening request', the proposal was screened (in combination with the adjoining residential application) in accordance with the Environmental Impact Assessment Regulations and was not considered to require an Environmental Statement. Landscape and visual impacts were accorded specific consideration and a wide ranging review of impacts on receptors at a variety of locations (including designated landscapes) was undertaken. Drawing on advice from

expert consultants to the Council it was concluded that planning conditions/obligations relating to the height and landscape screening of the proposed store would be capable of mitigating any significant landscape and visual impacts. No Environmental Statement was required.

#### Other Visual Impacts and Residential Amenity

Whilst an Environmental Statement was not required in relation to the proposed store, its visual impacts will still be considerable by contrast to the existing character of the site. However, the area is already allocated for 'employment' development and it is not considered that the proposed retail store (as illustrated in the Design and Access Statement) would look significantly different to some of the other types of employment, like buildings for storage and distribution, which are allocated for the site.

The application is in outline with only site access applied for at this stage. Design and precise siting of the proposed retail store are 'reserved matters'. However, the applicant has submitted a Landscape Strategy for the site and adjoining residential proposals that was integral to determining that no Environmental Statement was required. The Landscape Strategy would be secured through a Section 106 agreement, significantly restricting the scope for significant changes to the site layout that is illustrated through the application's Design and Access Statement and the various illustrative drawings that have been submitted.

The application's Retail Parameter Plan (drawing 2745/045/A) shows a building with a parapet height of 43 meters above ordnance datum (AOD). To put this in context, the walkway of the pedestrian/cycle bridge is 43.5m AOD, the adjacent A379 carriageway is approximately 36m AOD and the ridge height of new houses constructed approximately to the south of the proposed store is 38m AOD. Laterally, the plan shows the main store building (at the maximum 28,000 square metres applied for) to be approximately 15 metres from the A379 carriageway to the north and more than 120 metres from existing houses on Russell Way and Lewis Crescent beyond; more than 40 metres from the Newcourt Way carriageway to the west; and, approximately 115 metres and 120 metres from the nearest emerging and proposed houses to the south and east respectively.

The illustrative drawings submitted with the application demonstrate that a store of the maximum scale proposed could be incorporated into the context of the application site. In respect of the residents of existing dwellings to the north, it is considered that the impact of the proposals on visual amenity will not be significant as the distance from the proposed store is considerable and, in many cases, there is significant existing plant screening. For current and future residents of housing to the south and the proposed housing to the east, it is not considered that the proposed store would have an unacceptable impact residents and their ability to feel at ease within their homes and gardens. The distance between the store (and less significant car park) and residential properties would be sufficient not to give rise to significant overbearing particularly in the context of an urban area and a site that is allocated for urban development. Nevertheless, the development would be prominent and the landscaping proposed through the Landscape Strategy will play an important role in mitigating visual impacts particularly as the proposed planting, which incorporates a large number of Standard and Extra Heavy Standard trees of up to 4.25 metres height when instated, matures.

Whilst potentially fronting within 15 metres of the nearside A379 carriageway, the store is considered to accord with the context of a large arterial road. The Landscape Strategy provides for planting that would help to soften and break up what could otherwise be a blank elevation. The nearest corner of the store is illustrated at around 18 metres from the pedestrian/cycle bridge to the north west. Being lower than the walkway and with this distance of separation it is not considered that the proposed store would undermine the bridge as landmark but, with proposals to provide a direct pedestrian route from the bridge to the store entrance (to be secured by s106 agreement), their proximity could attract additional pedestrian movements.

It is therefore considered that a store of the maximum 28,000 square metres proposed can be accommodated on the application site.

### Highways

The applicant, the Highway Authority (Devon County Council) and Highways Agency have all agreed traffic modelling for the proposed development. The most frequent highway trips to and from the proposed store are expected to involve movements through M5 Junction 30. Other significant movements would be through Countess Wear roundabout the A379/Newcourt Way Junction and the A379/Russell Way junction. None of the expected impacts on the highway network are considered to be severe and on this basis the County Council does not object to the development for highway reasons.

At M5 Junction 30, the number of movements expected to arise from the proposed development is significant. Modelling has been undertaken to assess the impacts of the development in combination with other committed developments, with sensitivity tests conducted to account for seasonal increases in traffic using the junction and the effects of rugby match day traffic were the extant planning permission for up to 20,000 seats at Sandy Park rugby stadium to be implemented. The modelling accounts for programmed improvements to the Junction that will be completed by April 2015. Having scrutinised this modelling, the Highways Agency raise no objection to the proposed development.

A separate planning application for a supermarket at Middlemoor has also been submitted to the Council (ref 13/4073/03). In that case the Highways Agency have raised concerns that the supermarket, combined with the proposed store that is the subject of this planning application and all other planning permissions in the area could cause harm to the safe operation of Junction 30. Further information is awaited from the supermarket's transport consultants but there is a prospect that there will not be sufficient capacity at Junction 30 to accommodate both retail proposals. An update will be provided to Planning Committee.

At Countess Wear, modelling shows the most significant traffic movements to be those between the A379 and west-bound Topsham road in the weekday AM peak; and between east-bound Topsham Road and the A379 in the PM peak. The Transport Assessment for the proposed development does not attribute a significant impact to the store in the AM peak, based on the store not opening until 10am. This opening time could be secured by planning condition. The most significant impacts of the proposed IKEA store at Countess Wear would be on a Saturday (when the existing peak flows of traffic are less significant). The Highway Authority advise that the planned widening improvements at Bridge Road are, 'expected to go a long way to removing the current issues'. On this basis, the expected impact of the forecast additional trips at Countess Wear roundabout are not considered to be significant or severe.

Several representations have raised concern that an increase in vehicular traffic arising from the proposed development and adjoining residential proposals would increase the risk of accidents on the junction between Lewis Crescent and Russell Way, which is already perceived as dangerous. The County Council's Highway Development Management Officer has advised that, 'there has not been a single PIA [Personal Injury Accident] accident at this junction since the layout was changed'. Safety of the junction is therefore not considered to be a reason not to approve the proposed development.

The access routes are considered to appropriate and feasible. The Access Layout drawing submitted shows a roundabout and T-junction along the south west access route both of which are intended to provide access to the proposed retail store. The A379/Russell Way junction now provides for all movements, including a right turn from the A379 into the Digby area. As a result, the proposed slip route from the A379 can be achieved as the loop road over the A379 and onto

Russell Way is no longer required. The loop road's removal, excepting (substantively) the bridge over the A379 is therefore considered acceptable.

The County Council seeks Section 106 planning obligations for the provision of/costs of replacing local signage in order to achieve safe movement to the store.

### Sustainable Transport

The accessibility and frequency of bus services to the site is considered sufficient to serve the site. In addition, a new rail station at Newcourt (less than 800 metres from the proposed store) is expected to open by the beginning of 2015. The station will provide an additional stop on the 'Avocet' Exmouth branch line and result in a half hourly service to the city centre and onto mainline rail services. The station is a critical component of the Transport Access Strategy for Newcourt and will provide an important alternative to travelling by car.

There is also potential for a significant number of customer and employee trips to be made by walking or cycling. Section 106 planning obligations will secure links to adjoining development (including the proposed residential development if approved). The proposed development is also well related to the pedestrian and cycle route to the west, which runs north over the A379 in to the Digby area and towards the superstore and retail park there, and runs south towards Old Rydon Lane. Whilst the planning application is in outline with all matters reserved except for access to the site (as proposed through the Access Layout drawing 120633/A/05/B), the indicative masterplan (reference: 2745/030/E) that supports the application is considered to demonstrate a layout that offers adequate permeability within and through the site. The proposal is therefore considered to accord with the Council's Sustainable Transport SPD insofar as it provides good opportunities for trips by sustainable modes. These opportunities should be maximised through travel planning and Travel Plan implementation (including in-store real time public transport information) to be secured by planning condition.

One comment has been received stating that Ludwell Lane should be recognised as an attractive cycle route serving the development and wider Newcourt area. The same comment identifies a prospect of more vehicles using Ludwell Lane to access the development area. It is proposed that Ludwell Lane should be improved as a cycle route and that vehicular traffic calming measures should be applied including reducing the speed limit from 30 to 20 mph. Whilst these aspirations are understood, it is considered that the ongoing and significant sustainable transport investments being made in the area, including enhanced cycle facilities, are resulting in a range and choice of attractive sustainable routes to key destinations. Ludwell Lane does form part of the cycle network serving the development but it is considered that there are a variety of viable alternative routes serving the same destinations (including Woodwater Lane and the Exe riverside). Improvements to Ludwell Lane do not form part of the Masterplan or Transport Access Strategy for Newcourt and are not considered necessary for the proposed development to be acceptable.

### Drainage

It is proposed that the site will be drained through infiltration, on the basis that the ground conditions are conducive to this. Infiltration would constitute a form of Sustainable Urban Drainage (SUDS) in accordance with the Council's Core Strategy and this solution is considered acceptable by the Environment Agency.

### Sustainability

Policies CP13 (Decentralised energy networks) is not considered applicable to this proposal. No decentralised energy networks are proposed in the area and it is not considered economic to connect into those that are proposed further away. CP15 (Sustainable Construction) is relevant to this proposal and requires all non domestic development to achieve BREEAM Excellent

standards. The applicant has submitted supporting information that shows that BREEAM Excellent can be achieved. A condition is proposed to secure full compliance with the policy.

### Ecology

A Phase 1 Habitat Survey was submitted with the application and accompanied by specific Dormouse, Bat and Reptile surveys. A final Cirl Bunting survey is awaited.

When Natural England commented on the application, final Dormouse and Bat surveys were outstanding (interim reports had been submitted). They required that these reports should be finalised before the application was determined and, when they were, Natural England's standing advice should be applied. The final reports have been submitted and, in consideration of the proposed Landscape Strategy and the habitat that will be created or retained through the development proposed, it is considered that protected species are not likely to be affected by the application.

The RSPB have commented that because the applicant will be completing Cirl Bunting surveys over the winter, it may be necessary to secure a financial contribution towards creation/management of replacement habitat contingent on the findings of that survey. On that basis, a planning obligation is proposed as part of a Section 106 agreement for this site and the adjacent residential application site. In line with the Residential Design SPD and other comments from RSPB, it is considered feasible that the combined developments should incorporate swift and other bird boxes.

### Noise and Environment

The proposed store holds the potential to cause notable noise disturbance, particularly at night when deliveries are made. It is however considered that noise impacts can be suitably mitigated through detailed design at the 'reserved matters' stage and through effective deliveries management planning. A planning condition associated with the latter is proposed along with conditions limiting construction hours and requiring agreement of a Construction Environmental Management Plan, which will also address issues including dust.

An Air Quality Assessment for the proposals has also been submitted and concludes that the proposals will not result in a significant effect on air quality. This is considered reasonable, particularly in consideration of the highway improvements proposed for Bridge Road.

Piling works would be likely to take place as part of the construction of the store. In line with Network Rail's comments, a piling method statement would be sought and approved in consultation with Network Rail through an appropriately worded condition.

Consultation response concerns have been raised about the prospect of nuisance caused by the extraction of cooking odours from any ancillary restaurant that might be contained within the store. It is considered that the distance of the development from neighbouring properties and effective extraction equipment can mitigate the risk of any such effects.

### Archaeology

There is potential for archaeological artefacts to be present within the site. A heritage statement has submitted that commits to a programme of archaeological works as part of the development process. The Council's Archaeology Officer has advised that it would be appropriate to secure these works through a planning condition.

### Financial Considerations

This proposal will be Community Infrastructure Levy liable. However, the final CIL contribution will be dependent on the details approved at any subsequent reserved matters application. Based on a store of 28,000 square metres, it is estimated that CIL will raise around £3,500,000.

It is also estimated that approximately £650,000 of additional business rates would be retained locally.

### Section 106 Agreement

An agreement under Section 106 of the Town and Country Planning Act 1990 will be required to secure the following. This is expected to be a joint agreement also relating to the adjacent residential proposals:

- Implementation of Landscape Strategy;
- Replacement highway signage;
- Contribution towards match day permit parking traffic orders;
- Pedestrian route providing a direct connection, at the north west of the application site, to the proposed existing pedestrian/cycle bridge
- Pedestrian route providing a direct connection, at the north east of the application site, to the proposed housing site

### RECOMMENDATION

It is recommended that delegated authority be given to the Assistant Director City Development in consultation with the Chair of the Planning Committee to APPROVE the application subject to:

- A Section 106 Agreement to secure the matters identified above and;
- The following conditions (which may be varied or supplemented as appropriate).
  - 1 CO7 – Time Limit - Outline
  - 2 C15 – Compliance with Drawings
  - 3 The height of the proposed development should not exceed 43 metres above Ordnance Datum Newlyn and should be no higher than 0.5 metres below the footway of the pedestrian and cycle bridge over the A379 to the north west of the development.  
**Reason:** To avoid the potential for significant landscape and visual impacts
  - 4 The results of a site investigation (Phase II intrusive ground investigation) shall be submitted to and approved by the Local Planning Authority before development commences. If contamination posing unacceptable risks is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the approved use shall be submitted to and approved in writing by the Local Planning Authority before development commences. The site shall be remediated in accordance with the approved measures and a verification report shall be submitted to and approved by the Local Planning Authority before any part of the development is occupied.  
If, during the course of development, contamination posing unacceptable risks is found, which has not been identified in the site investigation, additional measures for the remediation of this shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report shall be submitted to and approved by the Local Planning Authority before any part of the development is occupied.  
**Reason:** To prevent unacceptable risks to human health or the environment, in accordance with Exeter Local Plan Policy EN2.
  - 5 C57 – Archaeological Recording

- 6 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 interests of the amenity of occupants of nearby buildings.
- 7 The development hereby approved should be constructed to incorporate a Sustainable Urban Drainage (SUDS) scheme that should be approved in writing by the Local Planning Authority prior to the commencement of development.  
**Reason:** To reduce overall flood risk in accordance with Policy CP12 of the Exeter Core Strategy.
- 7 Prior to the commencement of development, a method statement for the use of vibro-compaction/displacement piling machinery should be submitted to the Local Planning Authority for approval.  
**Reason:** to ensure the safe operation of the railway.
- 8 The development hereby approved should be constructed to incorporate a Sustainable Urban Drainage (SUDS) scheme that should be approved in writing by the Local Planning Authority prior to the commencement of development.  
**Reason:** To reduce overall flood risk in accordance with Policy CP12 of the Exeter Core Strategy.
- 9 Prior to the occupation of the development, a noise management plan for the use of the service / delivery yard at the proposed retail store should be submitted to and approved by the Local Planning Authority.  
Noise levels from the service/ delivery yard shall not exceed World Health Organisation Guideline values for a reasonable noise climate at night. This equates to a limit value of 45 dB,  $L_{Aeq}$ , 8 hours and  $L_{Amax}$  no greater than 60 dB between 2300 and 0700 hours. The value should be assessed as a façade value at any nearby noise sensitive façade, and the compliance point specified (e.g. outside bedroom window first floor level for standard property type or other noise sensitive room depending on proposed site layout).  
**Reason:** In the interest of the amenity of neighbouring residents.
- 10 A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and emissions of noise and dust. This should include details of the phasing and timing of work to minimise noisy activities on Saturdays and measures that will minimise the impact of construction traffic on the local road network, including parking. The CEMP should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during this phase of the development, in order to discuss forthcoming work and its environmental impact.  
**Reason:** To control the environmental impact of the development during demolition and construction.
- 11 The premises to which this permission relates shall not be open to customers before 10:00 Monday to Friday.  
**Reason:** To avoid severe impacts on the function of the highway network.

- 12 The use of the store shall be limited to the sale of DIY products, furniture and homewares and those goods referred to in the Planning And Retail Statement and for any ancillary uses including restaurant, crèche, fast food kiosks, and Sweden Shop which are offered in support of the main retail function.  
**Reason:** In the interests of town centre vitality and vibrancy.
- 13 The retail store hereby approved shall not be divided into more than one unit and shall be used for the purposes of a single retail operator.  
**Reason:** In the interests of town centre vitality and viability.
- 14 The development hereby approved shall include at least 1,004 car parking spaces unless otherwise agreed with the Local Planning Authority. The development shall not be occupied until the car parking spaces have been provided.  
**Reason:** In the interests of highway safety.
- 15 No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 16 Any individual building hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1 January 2019. Prior to commencement the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of the development hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.  
**Reason:** In accordance with Policy CP15 of the Exeter Core Strategy.
- 17 A comprehensive Store Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and Local Highway Authority prior to occupation of the development. The approved Travel Plan measures, to include in store real time public transport information displays, will be implemented to the satisfaction of the Local Planning Authority and Local Highway Authority. A review of travel patterns for the site shall be undertaken and submitted to the local planning authority within 3 months of occupation of the development and the travel plan shall be updated on an agreed basis thereafter, as confirmed in writing by the Local Planning Authority.  
**Reason:** To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.
- 18 No part of the development hereby approved shall be brought into its intended use until the site access, visibility splays, on site car parking facilities, turning areas, estate road layout, bus facilities including provision of real time passenger information and site highway drainage have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to



the site.

- 19 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles.  
**Reason:** In the interests of highway safety and public amenity.
- 20 The total gross floor area of the retail store hereby permitted shall not exceed 28,000 square metres.  
**Reason:** In the interests of town centre vitality and viability.
- 21 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

**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