

ITEM NO. 4

COMMITTEE DATE: 27/07/2015

APPLICATION NO: 15/0387/03

FULL PLANNING PERMISSION

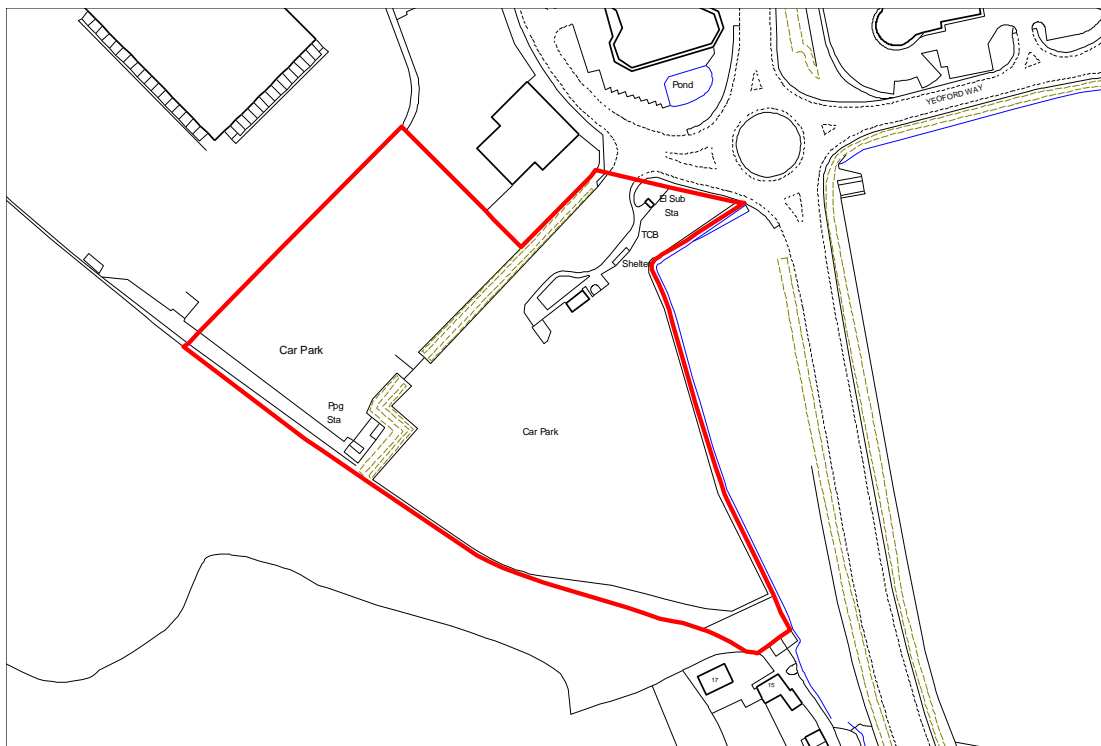
APPLICANT: Mr Brown
Scoto Ltd

PROPOSAL: Proposed new workshop, offices, bus wash, fuelling and chassis wash facility for the servicing, maintenance and parking of public service vehicles including change of use (B2 Sui Generis). Pick up and drop off of park and ride passengers.

LOCATION: Park & Ride, Matford Park Road, Marsh Barton Trading Estate, Exeter, EX2

REGISTRATION DATE: 07/04/2015

EXPIRY DATE: 07/07/2015



Scale 1:3000

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HISTORY OF SITE

90/00037/03 -	Erection of public conveniences	PER	08/02/1990
91/0423/05 -	Erection of illuminated information and advertising panels	PER	01/08/1991
93/0262/03 -	Installation of security lighting columns	DMD	09/06/1993
07/0470/16 -	Detached building to provide public toilet facilities	PER	27/04/2007

DESCRIPTION OF SITE/PROPOSAL

The site comprises the Matford Park and Ride site on Matford Park Road together with an adjacent piece of land used variously as overflow car parking to the Park and Ride and in association with the function of the livestock centre including for Car Boot Sales on Sundays. The site is principally laid to tarmac with lighting columns and a bank with tree planting separating the access road and Park and Ride site from the overflow parking area.

To the north boundary is Hussey's Auction Centre and Exeter Livestock Centre, to the East is a brook with mature deciduous woodland separating the site from Bad Homburg Way. To the south is mature woodland with residential housing beyond; to the west is mature deciduous woodland on a steep rising embankment. The nearest dwellings are on Dawlish Road to the south of the site.

It is proposed to use 1.1 hectares of this site to form the Stagecoach Depot with the remainder of the site retained as a Park and Ride site during the day and for overnight bus parking. The retained parking area will be laid out to provide 477 parking spaces with 8 disabled bays and 2 electric vehicle charging points, it will operate 7am to 7pm as per current Park and Ride operation hours. Overnight this area will provide parking for buses. The depot operation caters for a fleet of 158 buses and the bus depot compound will accommodate for 72 buses, for this reason only a proportion of the parking area would be occupied by buses and during daytime operation no bus parking would be required in the Park and Ride area. There is also some flexibility in the parking of buses in the Park and Ride area in the event that a car parked as part of the Park and Ride operation is not removed by 7pm. The Park and Ride operation is proposed to be managed by Stagecoach. Active management of the Park and Ride operation gives potential to discourage use of the Park and Ride by others: a number of potential measures are identified, from improved site notices and provision of information regarding terms of use to more onerous measures such as two part (parking and bus) tickets and exit restrictions by token provided on the bus.

The proposals involve the loss of the bank and trees in the centre of the site and replacement provision for the existing water extraction bore hole to within the Livestock Centre area. The existing public toilets and bus stops are relocated and the kiosk removed.

A new access to the Hussey's Car Auction site is proposed as a spur from a new mini-roundabout within the site. Access to the Bus Depot is proposed from this roundabout to separate bus traffic from pedestrian traffic within the Park and Ride. It also provides the opportunity for buses serving the stops at the Park and Ride to turn.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Design and Access Statement
Flood Risk Assessment / Foul Sewage and Utilities Assessment
Lighting Assessment
Traffic Assessment
Travel Plan
Noise Assessment
Air Quality Assessment
Landscape Strategy
Phase 1 Ground Investigation Report (Desk Top Study)

REPRESENTATIONS

Four public representations have been received making the following points:

- Loss of access to woodland.
- Use of a brownfield site welcome in avoiding loss of green fields.
- Loss of car parking spaces a concern.
- Park and Ride should be more strictly controlled and protected for genuine users.
- Night time noise from buses would be in addition to existing daytime noise from roads.
- There should be no increase in noise or air pollution either during construction or operation.

CONSULTATIONS

Devon and Cornwall Police: No objections to the proposals. Advice with regards ensuring security of the site has been passed to the applicant.

Environment Agency: No objections to the proposal but the following comments apply:

Flood Risk. The proposed development site is liable to flood from the nearby minor watercourse that is fed from the Matford Brook. A new culvert will be laid under Bad Homburg Way to help safely manage flood risk locally as part of the extension of the nearby Matford Industrial Estate. To our understanding the agreed culvert under Bad Homburg Way still has not been constructed and as a consequence flooding risks on this development site remain high and third parties have suffered unnecessary flooding. We strongly advise that before this development is permitted on this site that the agreed culvert under Bad Homburg Way is constructed to ensure flooding risks on the site are lowered in the manner agreed in good faith in the past.

Water Quality. The vehicle wash water should be discharged to South West Water foul drainage system and design so not to cause run off to nearby watercourses during operation.

DCC Highways:

Traffic Impact. The depot appears to have 30-35 staff on site at one time, plus drivers. These movements largely occur outside of peak hours and this represents a significant reduction from the use of the over spill car park. The bus movements, whilst a considerable number, are expected to largely occur early in the morning or late at night. From that perspective the vehicular/traffic impact of the development is not a significant concern.

Access. In principle, a mini roundabout is acceptable. The roads and mini-roundabout within the site are not public highway however I would strongly advise that a Road Safety Audit is undertaken of the final designs prior to construction.

Park and Ride capacity. The current site has approximately 450 spaces, plus another 250-300 spaces in the adjacent overflow car park. Data from 2010 found that over 500 vehicles were regularly parked on the site (including the overflow), with a number of days with over 600 vehicles on site. The loss of spaces without any replacements will encourage more vehicles to drive into the city, may make the P&R less attractive for existing users who may no longer be able to find a space and is therefore a concern. I am aware that plans for a Park and Ride at Ide and this will provide additional capacity on that side of the city – but there is not currently any certainty as to when this will be in place and therefore something needs to be done to make best use of the spaces at the Matford Park and Ride. To address this, I would suggest that enforcement/disincentive needs to be put in place to stop/reduce the number of cars that park in the car park but do not use the Park and Ride. Anecdotally- a number of people working on Marsh Barton park at this site and walk.

Cycle Provision. The cycle provision at both the depot and Park and Ride should comply with the ECC Sustainable Transport SPD. A separate access for cyclists should be provided to the P&R to tie in with existing highway provision.

Travel Plan. This is acceptable. Car Park Specification/Drainage. The current car park has a thin porous asphalt surface. The construction is understood to be 100mm of asphalt on top of 200mm of coarse aggregate. This is less than half the typical construction depth for public highway. As such the surfacing and construction in its current form may not be suitable for heavy vehicles. To make this area suitable for the parking of heavy vehicles consideration will need to be given to either full depth reconstruction or overlay with raised levels. The ground conditions and groundwater levels would need to be considered as part of this. In terms of drainage the current surfacing is porous. At present, whilst infiltration rates are reasonably low, it does provide significant attenuation and evaporation thus significantly reducing runoff. However the assumption of impervious surfacing in the planning application

undermines the drainage assessment. Details of drainage including provision for onsite attenuation need to be submitted. Given the nature of the drainage issue to be addressed it is considered that these matters can satisfactorily be dealt with by condition.

Layout. Onsite provision is made to provide informal pedestrian routes across the Park and Ride site. This needs to be addressed in the vicinity of the access and consideration should be given to it across the rest of the site as well. One option for addressing this could be a path on the north east boundary and/or western boundary – and could be achieved without losing spaces were parts of the site made one way.

ECC Environmental Health:

The noise condition proposed is acceptable.

"Operations of the bus depot shall not cause any change to the ambient LAFeq (15 minute) that would otherwise be present at any time of the day or night in the absence of the bus depot, as measured at the boundary of any dwelling (or other suitable surrogate location). Measurements shall be made in accordance with BS7445:1 (2003)"

The additional air quality information supplied satisfied concerns with the original report and the conclusion, that no specific mitigation measures are required, is accepted.

The contaminated land information suggests that no specific remediation is required. However they have yet to complete the full programme of ground gas monitoring.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy
CP11 - Pollution and Air Quality
CP12 - Flood Risk
CP9 - Transport
CP11 - Pollution and Air Quality
CP12 - Flood Risk
CP15 - Sustainable Construction
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011
T1 - Hierarchy of Modes
T3 - Encouraging Use of Sustainable Modes
T7 - Park & Ride
DG3 - Commercial Development
DG7 - Crime Prevention and Safety

Exeter City Council Supplementary Planning Document
Sustainable Transport SPD

OBSERVATIONS

The proposed layout reduces the area given over to Park and Ride but increases marked parking bays from 443 to 477 ordinary spaces, the current provision for 8 disabled and 2 electric vehicle charging spaces being maintained. Active management of the Park and Ride operation gives potential to discourage informal parking use of the Park and Ride by others that currently takes place, a number of potential measures are identified to achieve this. The proposal would result in the loss of the additional overflow parking area (290 spaces), which is also used in association with auctions and Car Boot Sales. The proposal is considered acceptable in light of the strategy for the creation of additional park and ride facilities on all

approaches to Exeter including the A30 at Ide and that the full capacity of the Park and Ride for persons travelling on to the city centre can be achieved through active management of the site as proposed.

The loss of the tree bank is regrettable but unavoidable if car parking numbers are to be maximised and the bus depot accommodated. This bank provides some visual amenity but views of the site are dominated by the embankment to the south and west and the mature deciduous woodland on that raised land. There is some scope for replacement planting on the entrance to the site and a landscape scheme can be conditioned to secure that.

There is no established BREEAM scheme for this type of building and use and it is considered onerous to expect a bespoke scheme to be prepared. The proposals include welcome measures including the recycling of water for bus washing, and identify options for reducing electricity consumption and heating demand. It is proposed that a condition be imposed so that the proposed and further potential measures suggested by the applicant by which the environmental performance of the building can be enhanced, can be further investigated and a scheme of appropriate viable measures implemented.

The Flood Risk Assessment submitted with the application assesses the site as being in Flood Zone 3, benefiting from flood defences. In accordance with the NPPF the proposed development is classified as being 'less vulnerable' for the Park and Ride Car Park and 'more vulnerable' for the proposed Bus Depot. The search for a site to relocate the existing depot to has been ongoing for several years. This site has been the only suitable site found, both in terms of land use but also the sustainable operation of the bus network. In accordance with the requirements of the NPPF Technical Guidance the site passes the Sequential Test and the Exceptions Test and is appropriate for the proposed development. It is recommended that any approval be subject to conditions including that a Emergency Plan be put in place should the defences be breached and the site be flooded. The proposals for resurfacing of the site includes provision for capture and attenuation of surface water run off, details of which can be secured by condition.

The completion of improvements to the culvert under Bad Homburg Way are required by clauses of the Section 106 agreement attached to the Matford Green development. These are required by the S106 to take place before the occupation of 50,000 square feet of floor space at Matford Green. The first and second buildings on Matford Green are currently under construction for identified end users and occupation of these buildings would trigger the requirement for the culvert to have been completed. Thus the provision of the culvert can be reasonably presumed to be enforceable well before the occupation of this proposed development.

A condition, the wording of which has been agreed between ECC Environmental Health Officers and the applicant is suggested to ensure that noise levels are maintained at existing levels when measured on a 15 minute average.

Construction phase noise and other potential amenity impacts such as dust during construction can be controlled by condition requiring Construction Environmental Management Plan.

RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 2 April 2015 (*drg. nos. 1020/ECC/001, 1020/B/002, 1020/B/003.1, 1020/B/004, 1020/B/010, 1020/B/011, 1020/B/012, 1020/B/012.1 and 1020/B/013*) and 16 July 2015 (*dwg. nos. 1020/B/001 rev H and 1020/B/001.1 rev H*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Operations of the bus depot shall not cause any change to the ambient LAFeq (15 minute) that would otherwise be present at any time of the day or night in the absence of the bus depot, as measured at the boundary of any dwelling (or other suitable surrogate location). Measurements shall be made in accordance with BS7445:1 (2003).
Reason: In the interests of residential amenity.
- 4) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site 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, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact. The plan shall include details of construction access and provisions for access to the Hussey's site to be maintained during construction.
Reason: In the interest of the environment of the site and residential amenity.
- 5) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.
- 6) No development shall take place within the application site until the means of construction and drainage of the areas of parking and circulation have been agreed in writing by the Local Planning Authority. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that surface water runoff is maintained at the current rate or less.
- 7) The approved development shall only be occupied in accordance with the Travel Plan received on 2 April 2015, or such revised Travel Plan as subsequently approved in writing by the Local Planning Authority.
Reason: In the interests of sustainable development.
- 8) The development hereby approved shall not be brought into its intended use until secure cycle parking facilities have been provided in accordance with the approved plans. Thereafter the said cycle parking facilities shall be retained for that purpose at all times
Reason: To ensure that cycle parking is provided, in accordance with Exeter Local Plan Policy T3.

- 9) A scheme for the management of parking within the Park and Ride car park area shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of sustainable development.
- 10) Before the development hereby approved is first occupied an emergency plan for the event of flooding shall be prepared.
Reason: In the interests of safety.
- 11) A scheme of measures to reduce energy and water use on site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall subsequently be implemented on site before the development hereby approve is first brought into use.
Reason: In accordance with Exeter Core Strategy Policy CP15 and in the interests of sustainable development.
- 12) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 13) 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.
- 14) Unless otherwise agreed in writing samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 15) Unless otherwise agreed in writing by the Local Planning Authority external lighting shall only be installed and operated in accordance with the details of the Lighting Assessment Report received 2 April 2015.
Reason: In the interests of visual 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