

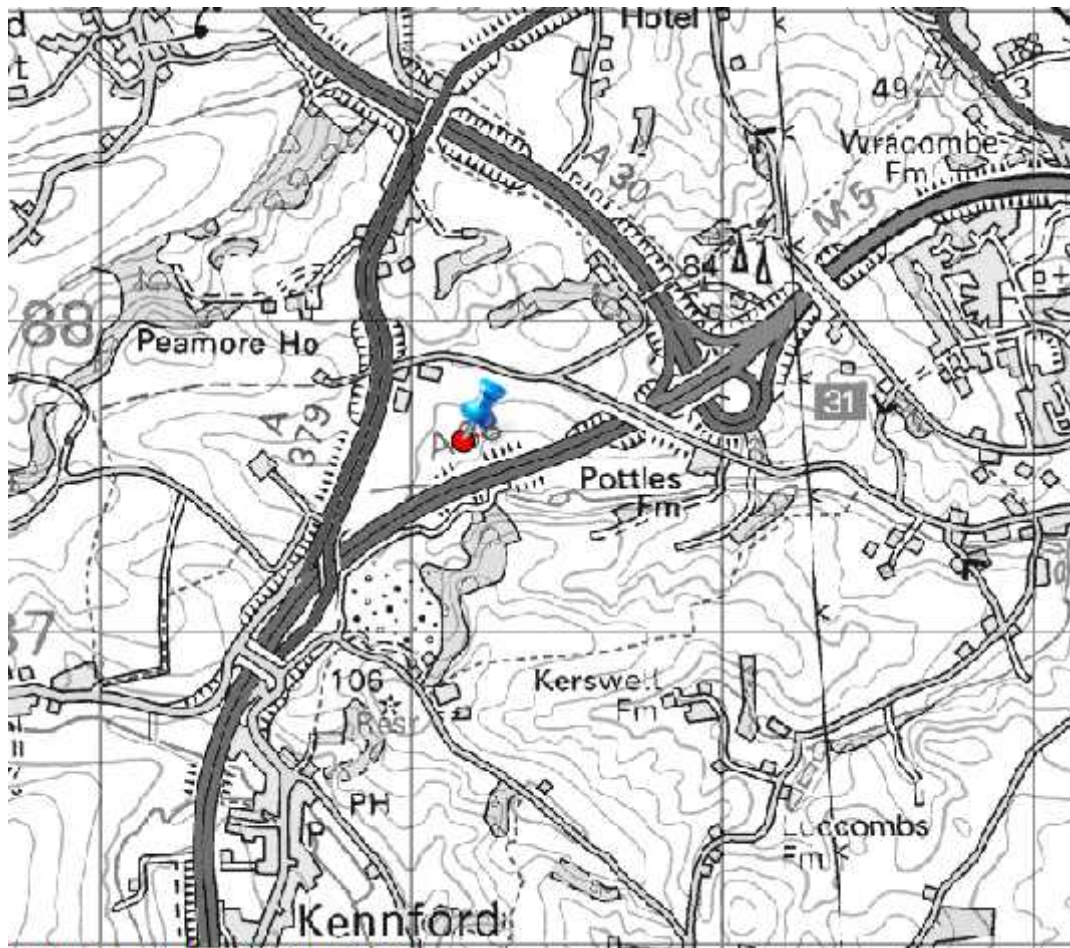
PLANNING COMMITTEE REPORT

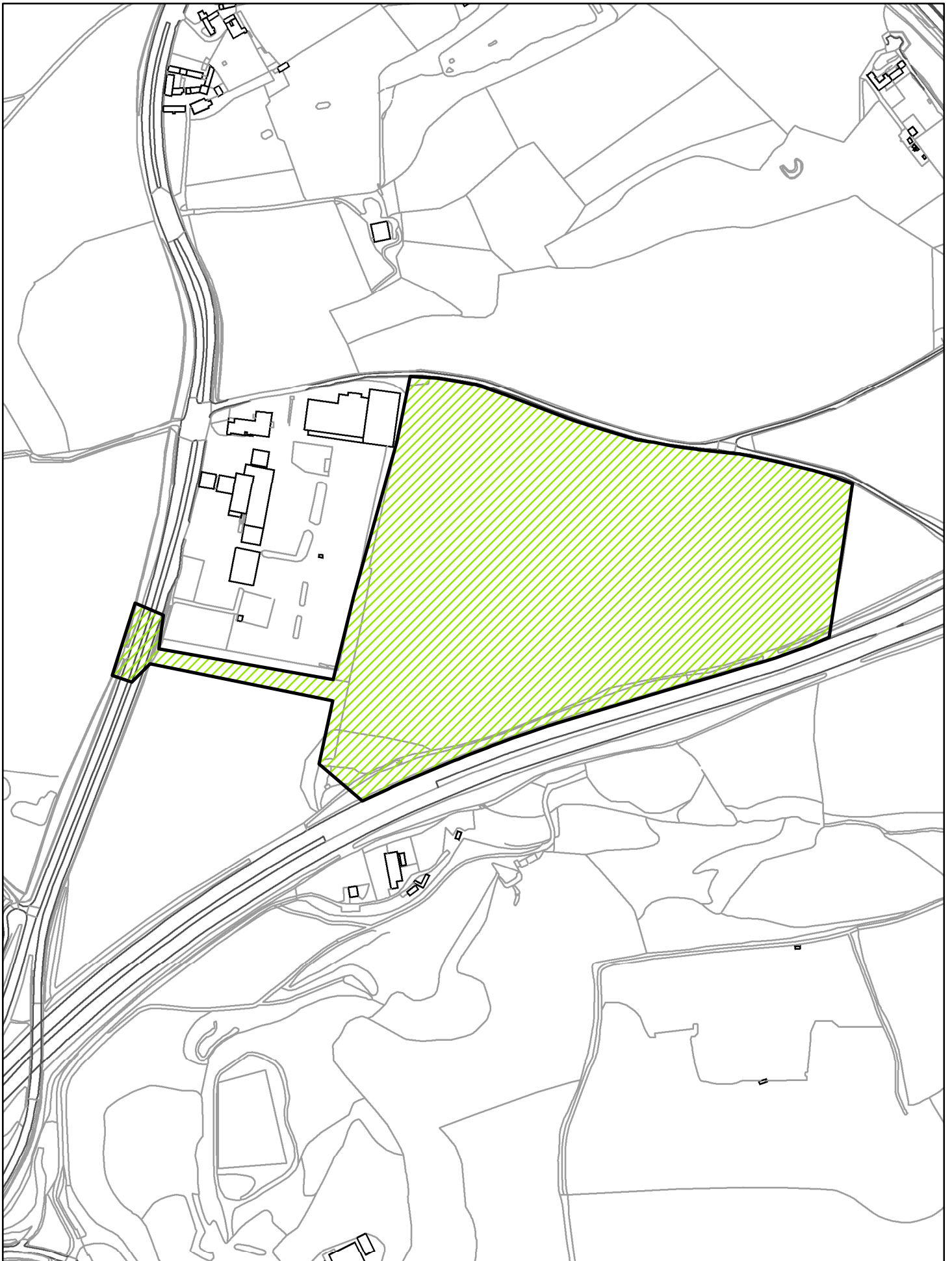
20 February 2018

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	EXMINSTER/SHILLINGFORD ST GEORGE - 17/03039/MAJ - West Exe Park, Alphington - Outline - employment development (Use Classes B1, B2 and B8) up to 47,112 square metres (gross floor area) together with associated infrastructure including new vehicular access, internal road layout, car parking, landscaping, services and all other associated development (approval sought for access)	
APPLICANT:	Mr Ian Maclean/Exeter Estates	
CASE OFFICER	Rosalyn Eastman	
WARD MEMBERS:	Councillor Lake Councillor Goodey	Kenn Valley
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=17/03039/MAJ&MN	





1. REASON FOR REPORT

This is a major application for planning permission.

A similar proposal was refused by Committee in September 2017 (decision issued October 2017). The applicant is entitled to submit a similar application to the Local Planning Authority and has done so supported by additional information.

The current application has not been called to Committee by the Ward Members, nor is it considered to be a Departure from the Development Plan.

The Business Manager – Strategic Place considers that, as the previous application was determined by Committee, and as an appeal against the refusal of that application has been submitted, Committee consideration of the current application is appropriate.

2. RECOMMENDATION

Subject to:

The completion of a Section 106 Agreement to provide:

- a) A £250,000 sustainable transport contribution to deliver an off-site cycleway alongside the A379, or the delivery of the cycleway by the developer;
- b) Delivery of off-site bus stops along the A379;
- c) A £5,000 contribution for a Traffic Regulation Order to enable the delivery of a scheme of signage for a 7.5 tonnes weight limit for the village of Kennford;
- d) Scheme for provision of signage at the western and eastern end of Days Pottles Lane to outline that the road is unsuitable for HGVs; and,
- e) Land for a future slip road as part of a wider strategic objective for Devon County Council to be made available in perpetuity,

PERMISSION BE GRANTED subject to the following conditions:

1. Requirement for reserved matters submissions;
2. Time limit for submission of reserved matters;
3. Time limit for commencement of development
4. Development to proceed in accordance with the approved plans/documents – including building height parameters plan and landscape zones;
5. Development Phasing, uses and quantum (B1c, B2, B8 only and removal of Permitted Development Rights to change)
6. Compliance with section 7 (Table 12) of the Ecological Survey;
7. Any relevant reserved matters application to be accompanied by a landscaping plan showing trees planted within or adjacent to hard surfaces and all trees to be container grown and not planted until written approval received;
8. Submission of an operational Landscape and Ecological Management Plan to be approved in writing by the Local Planning Authority;
9. Construction Environmental Management Plan (CEMP) will have been submitted to and approved in writing by the Local Planning Authority;
10. Limitation of hours of operation during the construction period to 7 a.m.–7 p.m.;
11. All plant and machinery to not exceed the prevailing background noise levels as existing, by more than 5db at noise sensitive properties;
12. Relevant reserved matters applications to include details of design measures to reduce noise levels;

13. A parking strategy/framework travel plan for the site shall be submitted to and approved in writing by the Local Planning Authority, with parking thereafter maintained in accordance with the approved details;
14. A travel plan to be submitted to the Local Planning Authority for approval in writing prior to the occupation of each unit, and the travel plan implemented as approved. The travel plan shall detail a preferred route for traffic accessing the A38 north from the site that avoids travelling through Kennford Village centre;
15. Prior to the first occupation of each building, cycle parking facilities shall be provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Cycle parking shall thereafter be maintained in accordance with approved details;
16. Implementation of a programme of archaeological work in accordance with a written scheme of investigation;
17. Temporary and permanent surface water drainage management has been submitted to and approved by the Local Planning Authority;
18. Full details of a foul drainage strategy has been submitted to and approved in writing by the Local Planning Authority;
19. Unsuspected contamination;
20. Notwithstanding the submitted details, full access details including the new roundabout shall be submitted to and approved in writing by the Local Planning Authority. The access works and roundabout shall be completed in accordance with the approved details prior to first occupation;
21. Provision of an external lighting scheme to be submitted and approved by the Local Planning Authority.

3. DESCRIPTION AND CONSIDERATION

The Application Site

- 3.1 The application site is an irregularly-shaped area of land approximately 15 hectares in size, in the parishes of Exminster and Shillingford St George – for the site access.
- 3.2 The site lies to east of the A379, beyond the existing Peamore Garage, to the south of Silver Ridge and to the north of the A38. Days Pottles Lane borders the site to the immediate north, with Little Silver Plantation lying beyond. A smaller, irregularly-shaped piece of land lies to the immediate south west of the site and already benefits from planning permission for employment development (17,885 square metres) together with associated infrastructure including a new access from the A379 (Ref: 12/03079/MAJ). This land was allocated within the Teignbridge Local Plan for such purposes.
- 3.3 Further to the north east, beyond the properties of Silver Ridge, lies the land allocated within the Local Plan for the South West of Exeter Urban Extension under Policy SWE1. A resolution to grant planning permission subject to the signing of a Section 106 agreement for the residential development of much of this land (approximately 90 hectares) including the provision of education and community buildings and Suitable Alternative Natural Greenspace (SANGS)) was made at Planning Committee in September 2017.
- 3.4 The site is currently an agricultural field. The site slopes from north to south, with trees and hedgerows forming the site perimeter.

The Application

- 3.5 The application is submitted in outline with all matters reserved apart from access. The application proposes up to 47,112 square metres of floor space for Use Classes B1c (light industrial) (15,704 m²), B2 (industrial) (15,704 m²) and B8 (storage and distribution) (15,704 m²) together with associated infrastructure, new vehicular access, internal road layout, car parking, landscaping, services and all other associated development.
- 3.6 The application is supported by a plan which illustrates the site sections as proposed. This provides an indication of the proposed heights of the buildings which suggests that the B1(c) buildings (located to the northern end of the site) will be approximately 6 metres above the existing ground level (at the highest point). In respect to the other uses (including B2 and B8), these will predominately be located below the existing ground levels, thereby reducing the visual impact.
- 3.7 The site falls outside Settlement Limits within an area of Countryside. The site is within an Area of Great Landscape Value (AGLV) but not within the Exminster Strategic Open Break. Whilst the site is not allocated within the Teignbridge Local Plan for employment, the site falls subject to Policy S22, where the principle of industry, business and warehousing is acceptable, subject to considering the distinctive qualities of the landscape character, integrity of green infrastructure, impact of overall travel patterns and effect on the integrity of the South Hams SAC.
- 3.8 In addition, Policy EC3 Rural Employment identifies that the expansion of existing business or employment sites in open countryside will be acceptable in principle – subject to similar provisions to those included in S22. This will be discussed in more detail in the body of the report.
- 3.9 For purposes of clarity, the application continues to propose the three arm roundabout approved under outline planning permission 12/03079/MAJ.

Planning History and Genesis of Current Application

- 3.10 As outlined above, outline planning permission has been granted on the smaller site to the immediate south west of the site for 17,885 square metres of employment space (Ref: 12/03079/MAJ). Reserved matters approval followed on 30 August 2016 (Ref: 16/00950/MAJ). The outline approval of this application also secured the principle of a new access off the A379, along the northern boundary of the site. In terms of context, it is this access which has already been approved that is now proposed as a means of achieving access to the subject site.
- 3.11 This permission has not been implemented in part as a consequence of difficulties relating to the opening up of the site. In particular these difficulties relate to problems in securing the necessary power connections for the site and also the high cost of the roundabout that would be required to service the site. Whilst these are bracketed as “viability concerns” it is clear that a larger development in this location would help to deliver the critical mass necessary both to support the funding of the infrastructure required to open up the site and also to raise the priority of such works with partner bodies such as Western Power.

- 3.12 The approved site was allocated in the Teignbridge Local Plan 2013-2033 and whilst the application site was not ultimately recommended for inclusion as an allocation by the Inspector, its development was by no means prohibited.
- 3.13 In considering the potential allocation the Inspector noted the benefits that the site's development could deliver along with its "*relatively sustainable location close to a major new housing area, with potentially good access from a large catchment by public transport and cycle.*"
- 3.14 The non-allocation of the site was driven at that time by an objection from Exeter City Council and concerns about the effects of the allocation of the site on sub-regional employment land delivery. Exeter City Council has not objected to the previous or current applications.
- 3.15 The Inspector was also mindful of possible highways effects and he noted that "*more analysis on the highway impacts...is required*". This has been undertaken by the application and reviewed by Devon County Council and found to be acceptable now proposals here and elsewhere have developed and are well understood by all.
- 3.16 Finally, the Inspector noted that he did not "*consider the landscape quality of the site, already strongly influenced by adjoining commercial premises and major roads, to be an overriding constraint to its development*".
- 3.17 He recommended that the positive merits of the site were such that its inclusion in a future review of the Plan should be considered.
- 3.18 As will be further explained below, it is considered overall that the proposals as included in this application comply with the Development Plan and permission should be granted for this proposal now to deliver the benefits both in terms of employment land delivery and also in terms of highways improvements as included in the recommendation above.
- 3.19 Permission for application 16/03251/MAJ was refused against officer recommendation in October 2017 following Committee consideration in August and September of that year. Permission was refused on two grounds:
1. *The proposed development is not a site allocation for employment and would result in the development of the open countryside at a scale that would significantly impact on an Area of Great Landscape Value. The proposed application is therefore contrary to Policies S22 (Countryside), EC3 (Rural Employment) and EN2A (Landscape Protection and Enhancement) of the Teignbridge Local Plan 2013-2033; and,*
 2. *The proposed development will give rise to increased traffic flows, which will have a significant impact on the villages of Exminster and Kennford, contrary to Policies S1 (Sustainable Development Criteria), EC3 (Rural Employment) and S22 (Countryside) of the Teignbridge Local Plan 2013-2033.*

An appeal against that decision has been submitted and is likely to proceed by means of a Public Inquiry during summer 2018.

- 3.20 Public Inquiries can be very costly for all those involved and therefore in an effort to minimise the costs for all parties the subject application has been submitted by the applicant in order to seek to clarify a number of points and to allow Members an

opportunity to consider that further information prior to making a resolution on the application.

3.21 Relevant new/further information includes:

1. New Landscape information

a) Plans for approval

The applicant has provided an updated package of landscape information that they are content to have as “approved” documentation against which future reserved matters decisions will be able to be taken.

Members will be aware of the statements made in the recent Penns Mount decision where the Local Planning Authority was considered to have sufficient control at the reserved matters stage over landscape impacts and the positioning of dwellings within the Hill Top Park and the award of costs that was made against the Authority in that instance.

The acceptance of the applicant of restrictions to the form and layout of the site provide strong indicators for all parties that the development at the reserved matters stage can be adequately managed such that framework landscaping can be delivered along with meaningful boundary treatments leading to a scheme that, whilst not hidden, will have an acceptable landscape impact – balanced against other material considerations.

This is seen as a significant positive step by the applicant and is welcomed by Officers as assisting with further tilting the balance of considerations in relation to the first reasons for refusal.

It is considered that the benefits of this outline proposal outweigh any limited landscape harm that may be caused.

2. New Highways and Transport Information

a) Additional Transport Analysis

Following concerns relating to the traffic count information for Days Pottles Lane, an automated count was carried out for 3 weeks during January 2018. Further counting was also undertaken in Kennford. The results of this have been received in a document entitled “Technical Note 11 – January 2018 Traffic Surveys”.

The relevant technical note demonstrates that the level of usage of Days Pottles Lane is consistent with that previously surveyed and confirms that the proposals will not have a significant – never mind severe – impact on Days Pottles Lane traffic flows.

The note also considers the flows through Kennford. In particular, it considered the current flow of traffic from Days Pottles Lane through Kennford as well as overall traffic levels and concluded similarly that the likely level of traffic from the development through Kennford would be negligible and certainly not at the “severe” level of impact whereby transport / traffic may be a reason for refusal of a development.

On balance, Officers consider that this additional information further strengthens the position in relation to the application. Any residual highway impacts are minimal and are outweighed by the material considerations of the benefits the proposal would bring including job creation, unlocking an allocated site and delivering much needed employment land in a sustainable location.

Wider Consideration of the Application

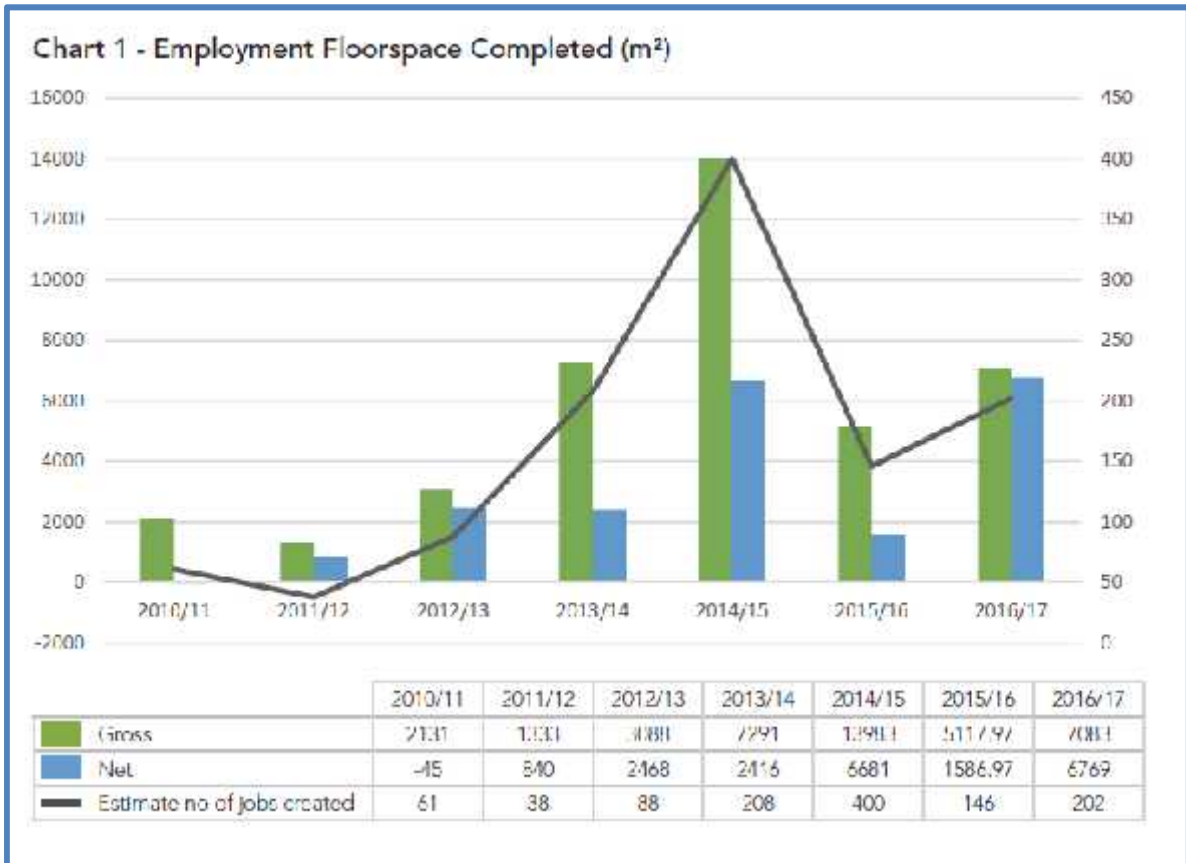
- 3.22 The key issues in the consideration of the application are:
- The need for employment development;
 - The principle of the development;
 - Highways impact of the development;
 - Impact of the development upon the character and visual amenity of the area;
 - Impact of the development on the residential amenity of the occupiers of the surrounding properties;
 - Impact of the development on biodiversity; and,
 - Flood and drainage impact of the development.

Employment Land Allocation and Demand / Delivery

- 3.23 **Policy S3** Land for Business, General Industry and Storage and Distribution of the Local Plan seeks to ensure a deliverable supply of 15 hectares of land for business, industrial and warehousing uses at any one time. It outlines an *approximate* distribution of employment land over the plan period with a significant focus on the Heart of Teignbridge area and highlights that this distribution is seen as a minimum (para 2.10).
- 3.24 The delivery of 3 hectares of business, industrial and warehousing sites per year, equates to approximately 12,000 square metres gross floorspace. Since 2012 the amount of delivered employment land has been significantly below the Local Plan target, particularly when considering the net gain of new floorspace.
- 3.25 Sites were allocated in the Plan to total about 75 hectares, plus Ilford Park at about 5 hectares. This should, in theory, mean more than enough land is allocated to meet the supply side requirements identified in the plan – providing a degree of flexibility to respond to demand side measures over time.
- 3.26 Employment land delivery is exceptionally difficult and Teignbridge has historically and recently taken a pro-active approach to trying to ensure delivery of land for employment premises. This includes delivery at Heathfield – kickstarted by Teignbridge over 25 years ago and the last significant industrial estate development – as well as smaller projects such as Estuary Court in Teignmouth.
- 3.27 Private sector initiated projects such as this one are very few and far between and are, in principle, supported by the Local Planning Authority as well as the Council Strategy.
- 3.28 In terms of the current demand for employment space, there is a demand for floorspace for approximately 30,000 square metres. This is from indigenous businesses wishing to expand, but unable to due to the lack of available space to move into. By bringing more land forward, the creation of more space allows for a

churn of businesses. The Economic Development team currently turn away inward investment enquiries as there is no land available to fulfil the requirement.

- 3.29 The responses submitted in support of the subject application would lend weight to this view. Recent research by JLL has highlighted that growth around Exeter could be held back if a need for additional employment land is not able to be met. This has been reported in the Express and Echo recently: <https://www.devonlive.com/news/business/exeters-loss-mid-devons-gain-1147215>
- 3.30 It seems clear that there is pent up demand that could be met through the development of this site for employment purposes.
- 3.31 Since the Local Plan was adopted in 2014, none of the identified sites has been delivered. Permission has been granted for around 10 hectares – of which 5 hectares is at the adjoining site – with other areas being considered through applications for planning permission at Wolborough, Newton Abbot (NA3) and Challabrook, Bovey Tracey (BT3).
- 3.32 While work is ongoing in relation to a number of allocated sites, there is no immediate prospect of any of the larger allocated sites being delivered. This means our supply continues to be reliant on ad-hoc proposals at insufficient quantities to address ongoing need.
- 3.33 Meanwhile, an application is currently under consideration to introduce phasing into the proposals at Ilford Park – which are experiencing similar up front infrastructure challenges to the subject site – and whilst planning permissions may be granted, net additional employment floorspace delivery remains significantly under the 12,000 square metres target included in the Plan.
- 3.34 This is amply illustrated by the chart below – extracted from the 2016/17 Annual Monitoring Report found here: <https://www.teignbridge.gov.uk/media/6244/tdc-amr-2017-report.pdf>



- 3.35 Whilst planning permission has already been granted on the site to the immediate west, there are currently viability concerns relating to this site, which means that the site is not able to come forward without the development of the subject site. The proposed scheme would therefore assist in meeting the demand for additional employment space within the District, and will unlock the site immediately adjacent to it which already benefits from planning permission.
- 3.36 The Economic Development team have been working with Exeter Estates for almost two years to help bring forward the approved 5 hectares site to the immediate west of the application site. As the opening up costs for the site, (particularly the access roundabout and electricity supply) are in the region of £4 million, it has made the approved development site unviable. In addition to this cost, it is understood that the lead in time for the electricity supply is approximately 2 years.
- 3.37 Teignbridge District Council's Economic Development team have worked closely with the Local Enterprise Partnership (LEP) to seek funding towards opening up costs, and the LEP have also taken up the case on the costs and timescales of power supply with Western Power Distribution. However, unfortunately, the team have been unable to make progress.
- 3.38 The subject application therefore offers a potential solution to this, in enabling the costs of opening up the site to be spread, potentially bringing in end-users who can contribute to those costs at an early stage.
- 3.39 Of further note, a significant opportunity presented as part of this application is safeguarding land for a new northbound slip road on to the A38. While the slip road itself is not a formal part of this application, by safeguarding the land it creates the potential to significantly improve the accessibility of the site, making it very attractive

to new businesses seeking accessibility along a strategic transport corridor and access to a large potential workforce. It would also help to address a number of traffic issues from vehicles seeking to join northbound A38/M5 that currently travel across the city. This is not a current project but it could clearly have significant benefits in due course.

- 3.40 In summary, it is clear that the delivery of land for employment purposes is important, including as detailed within the Local Plan. There is significant pent up demand for well-located employment land and occupiers are relocating away from Teignbridge as a consequence of under delivery of employment land – despite relatively high numbers of approvals for employment development being granted. There is considered to be both a need and a demand for employment development in this part of the District when reading the Development Plan as a whole. Further consideration of the policies of the plan is given below.

The principle of the development/sustainability

- 3.41 The site falls outside Settlement Limits, within the open countryside and within an Area of Great Landscape Value (AGLV).
- 3.42 With regards to sustainability, **Policies S1A and S1** seek to ensure that development is sustainable and outlines that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development. In accordance with Policy S1, proposals are required to perform well against a number of criteria, taking into account the social, economic and environmental benefits of the proposal, its scale and magnitude, legally protected features and any associated mitigation. Such criteria relate to (amongst other matters) the accessibility of the site; road safety and congestion; environmental effects of noise, smell, dust, light, vibration, pollution and associated traffic. Impact on the residential amenity of existing and committed dwellings on privacy, security, outlook and natural light should also be considered.
- 3.43 The above criteria are discussed below in detail under the relevant headings; however, it is considered that the scheme has reached a position where it is not considered to cause a significant impact on these matters that would outweigh the benefits of the proposal. In respect to site accessibility, the development proposes to use the approved three arm roundabout to access the site. The site is located in close proximity to the South West of Exeter Urban Extension and is easily accessible off the A38. Following recent discussions, the applicant has also agreed to enter into a Section 106 agreement to provide a sustainable transport contribution for the delivery of an off-site cycleway/pedestrian footpath alongside the A379, or to deliver such infrastructure themselves to the satisfaction of Devon County Council.
- 3.44 Environmental effects have been fully considered and appropriate discussions undertaken with the Council's Environmental Health team following concerns raised by nearby residents. The outcome of these discussions and comments received advises that the development proposal is acceptable subject to the incorporation of relevant conditions. In terms of the impact on residential amenity, this has again been carefully considered and is discussed below. However, in summary, with appropriate mitigation (achieved via conditions), it is considered that the development will not cause any significant impact on the amenity of residents living within the surrounding area.

3.45 It is worth outlining within this section of the report that the application is not within land allocated as a 'Strategic Break'. Comments received about the application have raised concern that the site is located within such an area, and therefore falls in conflict with Policy EN1. It should be noted that the Exeter–Exminster Strategic Open Break designation lies further to the east of the site as shown on the Local Plan South West Exeter and Exminster Inset Map.

3.46 **Policy S22** deals with application proposals within the open countryside and states that in open countryside, development will be strictly managed and limited to uses which include industry, business, warehousing. The principle of the open countryside being developed for these uses (amongst others) is acceptable; however, the policy also outlines that, in assessing development proposals, particular account will be taken of the following:

- Distinctive characteristics and qualities of the Landscape Character Area;
- The integrity of green infrastructure and biodiversity networks;
- Impact on overall travel patterns arising from the scale and type of development proposed;
- The need to ensure that development in the countryside does not have an adverse effect on the integrity of the South Hams SAC.

3.47 The above points are considered in detail under the relevant heading within the body of the report; however, in summary, it is considered that the application is acceptable and does not give rise to concerns that are of a significance that would justify the refusal of the application, given that it is only made in outline at this stage. Details will need to be negotiated and discussed in future reserved matters applications – supported by the material proposed to be approved as part of this application.

3.48 **Policy EC3 Rural Employment** is also of relevance. This highlights that:

“To support the rural economy...extensions or expansions of an existing business or employment site” will be acceptable in principle. The subject application represents both an extension to an existing site and an enlarged allocation and this is therefore considered appropriate subject to compliance with criteria, the relevant ones of which for this scheme are:

- *the scale is appropriate to the accessibility of the site and it would improve the balance of jobs to working age population in the immediate vicinity*

The site is accessible and will be more so in due course following the delivery of the cycleway and the additional bus stops.

Whilst the residential development at SWE1 will be well-located to take advantage of employment opportunities at Marsh Barton and elsewhere in Exeter, the delivery of additional employment floorspace here – alongside allocation SWE2 – will assist with the balance of jobs to working age people in this locality, thereby helping to meet the 24% “gap” in distribution of employment land provision from Policy S3.

- *Proposals respect the landscape and include effective mitigation*

The proposals as recommended for approval include sufficient detail for officers to be content that a high quality scheme, including a strong, bold landscape scheme, will be able to be designed at the reserved Matters stage.

- *They conform with protected wildlife, heritage asset and flooding policies*

See further consideration below

Highways, traffic, transport and access issues

3.49 In addition to the “new” considerations detailed above, extensive consideration has been given to highways, accessibility and access matters throughout the development of the proposals. In particular, the review below considers:

- The deliverability of the off-site cycleway alongside the A379;
- The relocation or provision of additional bus stops closer to the site;
- The need for a weight limit to be incorporated through Kennford;
- Additional understanding of the current traffic flows and potential impact of the development on Days Pottles Lane.

3.50 The applicant has worked with Devon County Council and Teignbridge District Council to ensure all proposals are deliverable and workable.

1. Deliverability of the off-site cycleway alongside the A379

3.51 The officer report to Committee on 1 August 2017 outlined that there would be a sustainable transport contribution to fully fund the provision of an off-site cycleway alongside the A379. As noted within that report, the amount of contribution was yet to be agreed following further discussion with Devon County Council and the applicant.

3.52 Following that Committee, it is understood the Parish Councils have concerns over the deliverability of the off-site cycleway, and therefore the applicant worked with Teignbridge District Council and Devon County Council in order to provide Members with the certainty that the cycleway can and will be delivered.

3.53 As part of this process, the applicant has provided a clear breakdown of the costs for the provision of a cycleway/pedestrian route, which includes costs for site clearance, new footpath construction (hard and soft), drainage, signage and lining as well as taking into account preliminaries, exclusions and allowances. The figure has amounted to a cost just under £250,000. The cost breakdown has been prepared on the basis of the delivery of a 3 metres wide footpath/cycleway.

3.54 This cost information has been reviewed by the Highways Officer at Devon County Council and is considered to be acceptable and sufficient in enabling the delivery of the off-site cycleway/pedestrian route. The applicant has also provided a plan which illustrates the off-site cycle improvements (Drawing number: GA-01 Rev C) which will also be incorporated into the Section 106 agreement.

3.55 Nevertheless, in order to provide additional certainty, it has been agreed with the applicant that the Section 106 will provide the option for the applicant to either deliver

the off-site cycleway/pedestrian route to the satisfaction of Devon County Council or to provide the financial contribution of £250,000.

- 3.56 It is clear that the cycleway can and will be delivered, if permission is granted, with the wider accessibility benefits that would deliver.

2. The relocation or provision of additional bus stops closer to the site

- 3.57 The applicant and the Highways Officer have undertaken discussions with the Devon County Council Transport Officer, in order to determine whether it is possible to either relocate or have additional bus stops closer to the site.

- 3.58 With regards to relocation of the bus stops, this was not considered to be appropriate given that it is understood that the two existing bus stops situated to the far north of the site are the nearest bus stops to the Marsh Barton Estate, and consequently to move these could cause inconvenience for those who already use this bus stop. This may change as SWE1 is delivered however with its attendant public transport enhancements.

- 3.59 The provision of additional bus stops has therefore been investigated and it has been agreed that additional bus stops can be provided alongside the A379 close to the application site. Stagecoach will then serve the new stops once the location has been agreed and the relevant road works undertaken. The applicant has therefore provided an additional plan (Drawing number: PHL-08-C) which illustrates an area (between A and B) of the A379 where the bus stops will be provided. This will be part of the Section 106 agreement to ensure that they are delivered, if planning permission is granted.

3. The need for a weight limit to be incorporated through Kennford

- 3.60 At their Planning Committee on 1 August 2017, Kenn Parish Council raised concern about the possibility of lorries using Kennford as a rat run, given that the village has no upper weight limits. It was requested that a 7.5 tonnes weight limit be introduced in Kenn.

- 3.61 The applicant and Devon County Council have since investigated how this could be achieved and it is now proposed to have weight restriction signs (7.5 tonnes) at appropriate locations alongside Exeter Road. The applicant has provided a plan entitled 'Proposed Kennford Weight Limit' (Drawing No: WL-01 Rev C) which has been reviewed by Devon County Council and is considered acceptable. The provision of the signs will be subject to a Traffic Regulation Order which will require a £5,000 contribution and this will form part of the Section 106 agreement, if planning permission is granted delivering wider community benefits.

4. Additional understanding of the current traffic flows and potential impact of the development on Days Pottles Lane

- 3.62 Technical Note (Technical Note 8 – Days Pottles Lane Traffic Note) seeks to set out the recorded details of traffic flow on Days Pottles Lane and the rationale behind the projections for the use of Days Pottles Lane by traffic from the proposed development.

Existing Traffic Flows

- 3.63 The application was supported by a Traffic Assessment which outlines that a traffic survey was commissioned at the western end of Days Pottles Lane in the form of an automatic traffic count survey (ATC). In addition to this, a manual classified turning count was also undertaken at the junction of the A379 with Days Pottles Lane and the existing Exeter Estates site access.
- 3.64 The ATC survey was commissioned at the western end of the lane and obtained traffic data on Days Pottles Lane for the period 9-15 November 2016. In addition to this, a manual classified turning count was undertaken at the junction of the A379 with Days Pottles Lane and the existing Exeter Estates site access on 28 April 2015.
- 3.65 The full results of the ATC and Manual Classified Count are shown within the draft Technical Note, but in summary, the Technical Note outlines that both sets of traffic data collected across the two year period demonstrate generally low levels of traffic on Days Pottles Lane and low levels of traffic on Days Pottles Lane accessing the Exeter Estates site.

Potential Future Traffic Flows

- 3.66 Future year traffic forecast for a development site is usually undertaken using a trip information database called TRICS.
- 3.67 TRICS is an industry standard database of trips rates. It includes surveys of vehicles (and other modes) arriving and departing from a site as well as information on the sites that are surveyed to determine their characteristics. There are survey sites across the country.
- 3.68 The database is interrogated to determine sites with similar characteristics to the application site. Information on trip rates is then extracted from the database (normally based on gross floor area) and applied to the application site. From this, the number of trips that the application site may be expected to generate can be calculated. This method is used in assessing the potential future impacts of development proposals across the district and across the UK.
- 3.69 The trip distribution at the proposed Exeter Estates site has been agreed with Devon County Council, and this has been calculated on the basis of proposed floor space for the proposed B1c, B2 and B8 uses. The anticipated number of development trips using Days Pottles Lane between the site and the A379 to Dawlish is anticipated to be 8% of the development trips, resulting in the potential for 12 additional two way trips in the a.m. peak and 9 additional two way trips in the p.m. peak. This is also on the worst case scenario that all trips emanating from the A379 in the Dawlish direction would take the short-cut via Days Pottles Lane during most of the day, rather than continuing along the A379.
- 3.70 It is therefore considered that there will be a low level of anticipated future additional trips. The development proposal is therefore expected to have a minimal impact on Days Pottles Lane.
- 3.71 However, in recognition of the Parish Councils' concerns, and as an additional measure, the applicant proposes to erect the following sign on the western end of

Days Pottles Lane below the existing speed de-restriction sign, and at the eastern end of Days Pottles Lane to the back of the existing stop sign.



3.72 The provision of such signs do not require a Traffic Regulation Order (TRO) and will be erected by the developer with the agreement of Devon County Council at an agreed trigger point if planning permission is granted – potentially delivering wider community benefits.

3.73 These findings are further reinforced by Technical Note 11 submitted in support of this application and reviewed above, that reinforces the traffic count information and findings of the assessment.

Travel Plan

3.74 Whilst the provision of a detailed travel plan is a recommended condition, concern over the travel plan was noted at the Planning Committee, and in order to provide Members with more detail on this matter, the applicant was asked to provide a document which would set out the draft travel and operations of the site.

3.75 The applicant has provided an additional Technical Note (Technical Note 9) in support of the application, which is entitled “Draft Travel and Operational Plan”. This seeks to build upon the Framework Travel Plan that was submitted as part of the Traffic Assessment under Chapter 7.

3.76 The Technical Note outlines that further work has been undertaken since the submission of the application and further local measures are now proposed which are considered to assist in delivering smarter travel choices through the travel planning at the site.

3.77 The key updates evidently include the matters discussed above including the provision of the off-site footpath/cycleway; bus stop provision, and signage on Days Pottles Lane.

3.78 Given the concern that has been expressed regarding HGV vehicles opting to travel through the lanes of Days Pottles Lane or Kennford (despite the proposed weight restriction at Kennford), the Travel Plan will now include some operational measures including:

- The need to establish a registration scheme for the HGVs operated by new site occupiers in order that it is clear what HGV operators are registered to the site at all times;
- A site contact number to be established and publicised should local people identify vehicles that are not registered to the site. The site contact number will be a direct number for the Travel Plan Co-ordinator;

- Quarterly site operational review meetings with Exminster and Kenn Parish Councils;
- The permanent siting of an automatic traffic counter to be installed on the access road to monitor traffic flows; there will then be a monthly download of traffic data to monitor site traffic flows. This can then be discussed in the quarterly site operational review meetings with the Parish Councils.

3.79 An on-going review of long term operational management of the site will therefore be established through the Travel Plan, planning conditions and Section 106 Agreement, if planning permission is granted.

Highways impact of the development

3.80 As discussed above, the application has been amended to propose that access be achieved via the use of a three arm roundabout to the north west of the site, which was approved under the outline planning permission in 2013. When originally submitted, the previous application proposed that access be achieved via the provision of a five arm roundabout to the south west of the site, which has association with a proposed strategic highways scheme that Devon County Council has been developing. Such a scheme would involve the provision of north-facing slip roads at the Wobbly Wheel junction on the A38 together with the widening of the A38. However, due to concerns raised by Highways England, the application no longer proposes the five arm roundabout as an option. Therefore, assessment of the access to the application site can only consider that put before the Council, which is the provision of the three arm roundabout.

3.81 Devon County Highways have worked closely with the applicant in order to assess whether the proposed access will be suitable for accommodating not only that of the permitted employment development on the site to the immediate west, but that also of the proposed development.

3.82 The vehicle generation has been checked against TRICS (industry standard database of trip rates) as well as against another employment location in Devon with similar characteristics to the site. This has demonstrated that the trip rates used to support the application are within an appropriate range.

3.83 Assessment undertaken by the Highways Officer has estimated that the development would generate an additional 150 vehicle trips in the a.m. peak and 121 in the p.m. peak. When combining this with the permitted site, the total development would generate an additional 224 vehicle trips in the a.m. peak and 179 in the p.m. peak. The current traffic flows within the area are assessed at being approximately 2,000 vehicles an hour in the a.m. peak and 1,800 vehicles an hour in the p.m. peak. As such, the development traffic represents approximately a 10% increase in vehicles in this location, and when combined with existing traffic, is considered to be within the capacity of the network. It is expected that the development traffic will be distributed on the highway network, with approximately 60% routing to and from the north, and 40% to and from the south.

3.84 Following the concerns raised by the Parish Councils over the potential of development traffic choosing to route through Kennford, the applicant has worked with Devon County Council and met with the Parish Councils, and it is now proposed to incorporate a weight limit of 7.5 tonnes for Kennford via the erection of signs alongside Exeter Road. A Traffic Regulation Order is required for this and will form

part of the Section 106 as discussed above. Furthermore, the delivery of cycle infrastructure will help encourage the use of sustainable transport, thereby minimising the levels of traffic through the village, in addition to the provision of additional bus stops. Further detail has also been incorporated in respect to the Travel Plan, with measures proposed to monitor the HGV traffic that is associated with the site.

- 3.85 It should be noted that the Applicant has also agreed with Devon County Council to make land available for the delivery of a potential slip road, to enable DCC to develop their proposed strategic highways scheme. Should this be the case, then this will lead to further reductions in traffic travelling southbound.

Traffic

- 3.86 Whilst a number of concerns have been raised about the impact of further traffic on the nearby residential properties, supporting documents submitted with the application and comments received from the Highways Officer at Devon County Council suggest that the roads are capable of accommodating the additional traffic arising as a result of the development. The capacity of the roundabout has been assessed on the understanding that traffic associated with the permitted development (on the site immediately adjacent to the west) as well as that proposed under the subject application and the wider allocated development at South West Exeter will pass through. The assessment has demonstrated that the roundabout is projected to have sufficient capacity to accommodate the proposed development.
- 3.87 The previous planning permission on land to the west of the site was subject to a condition that required the delivery of the roundabout in advance of any occupation of the development. A similar condition is recommended above for the subject application. In addition to this, other conditions are recommended which require the submission of a Construction Management Plan providing details to be approved on the movements of traffic during the construction of the site, and the provision of HGV route signage to control the direction of HGV traffic.
- 3.88 Sustainable transport is also encouraged and the delivery of additional bus stops will now be incorporated along the A379 to serve the development site. As discussed above, the applicant has agreed to enter into a Section 106 agreement to deliver an off-site cycleway alongside the A379 either by providing a financial contribution to the full cost of the works, or providing the cycleway to the satisfaction of Devon County Council. A condition relating to the provision of cycle parking facilities is also recommended, together with the need for a travel plan to be submitted and approved.
- 3.89 Following review of all relevant documentation and consultation replies from the relevant Officers of the Council, it is considered that the development could proceed without having a significant impact on the amenity of the nearby residents, provided the recommended conditions and obligations are incorporated into any grant of planning permission.
- 3.90 Furthermore, there could be some betterment for the community, particularly for Kennford and the residents of Days Pottles Lane, if the proposed measures are implemented. This can only happen if planning permission is granted.
- 3.91 Overall it is clear that there are no supportable highways or traffic related reasons for refusal of the planning application as presented herein.

Impact of the development upon the character and visual amenity of the area

- 3.92 The site falls within an Area of Great Landscape Value (AGLV). Policy EN2A seeks to protect and enhance the landscape and seascape of the area, with development proposals conserving and enhancing the qualities, character and distinctiveness of the locality; restore positive landscape character (where appropriate); protect the landscape; wildlife and historic features and maintain quality by minimising adverse visual impacts. Policy EXM2 – Open Countryside of the Exminster Neighbourhood Plan supports this.
- 3.93 The site is currently in agricultural use. The site occupies a single large field situated within the low, rolling valleys approximately 2km south of Exeter and approximately 2.5km west of the Exe Estuary. The site sits along the southern edge of a larger portion of land which is defined by three transport routes: the A38 which runs the full length of the southern boundary; the A379 which sits close to the western edge of the site beyond the existing Peamore Business Centre and the M5/A38 beyond the neighbouring field to the east of the site. Planning permission has already been granted for employment floorspace to the south west of the site, with Peamore Garage lying to the north of this site.
- 3.94 The application is supported by a Landscape and Visual Impact Assessment and this has been reviewed by the Council's Landscape Officer, as well as the plans and other supporting documents.
- 3.95 Whilst the site is visible from the M5, the other borders of the site are considered to be screened from view due to the presence of well-established hedgerow. The topography of the site means that the higher part of the site is most visible from Days Pottles Lane, with the lower end of the site falling away towards the M5.
- 3.96 Initial pre-application discussions undertaken with the applicant discussed the topography of the area, and how the scheme would need to be sympathetic to the gentle sloping nature of the site. Whilst the scheme is made in outline, it should be noted that the applicant has considered the advice received at pre-application stage, and the larger buildings on the site are proposed to the south where the buildings would not have such an impact on the skyline, with the proposed light industrial buildings (smaller in terms of massing), located to the north of the site. Furthermore, as can be noted from the proposed illustrative site sections, the larger buildings to the south will predominately fall below what is currently the existing ground level.
- 3.97 The documentation provided for approval reinforces this.
- 3.98 The Landscape Officer has advised that he is happy with the overall density and scale of the buildings and the principle of the bulkier buildings being at the bottom of the site with the smaller units at the top. However, the Officer has asked that at reserved matters stage, the applicant consider how camouflaging the buildings can be achieved via the use of materials. There were concerns raised that the structure of the landscape has been driven by a desire for habitat creation and that large areas of native scrub and species rich grassland could give the site a scruffy low status appearance. This is something that will require more attention and can be dealt with via the recommended condition for a LEMP.

3.99 The LVIA submitted in support of the application presents a variety of views from which the development has been considered. Whilst landscaping is a matter reserved for future consideration, the applicant has revised the site layout to enable a bolder landscaping design with trees less spread out on site as originally proposed. This again responds to the concerns initially raised by the Officer and works towards maintaining the character of the area.

3.100 The LVIA concludes that the study area has an overall medium–low sensitivity. In respect of site character, the effect on the site character as a result of the development would be moderate-substantial-adverse. Mitigation measures include retaining and enhancing all existing boundary vegetation together with provision of additional planting. It is evident to say that the proposed development will have an impact on the landscape character of the area, given that it is currently undeveloped, agricultural land; however, when weighed against the merits of the proposal and the matter that planning permission is already granted on the site to the immediate south west, it is considered that the proposed development together with mitigation measures can be achieved without being a detriment to the countryside. This is agreed by the Landscape Officer who agrees with the findings of the LVIA at this stage, with further detail to be agreed at reserved matters.

3.101 In conclusion, and referring back to Policy EN2A and Policy EXM2, the applicant has worked with the contours of the land and proposed that larger buildings be located to the south of the site where there is less visual impact. To enable a positive approach to the landscaping and setting of the development, the applicant has acknowledged concerns raised by the Landscape Officer and revised the plans accordingly to address concerns. It should be noted that at this stage, only the principle of the development is being considered, together with the proposed access which is already subject to the grant of planning permission. Future reserved matters applications relating to scale and appearance will evidently need to provide more detail on how the development can be designed to mitigate harm on the character and appearance of the area in respect to materials and orientation.

3.102 There is not considered to be a landscape reason for refusal of the application.

Impact of the development on the residential amenity of the occupiers of the surrounding properties

3.103 Policy S1 requires consideration of the proposal against the impact on residential amenity of existing and committed dwellings, particularly privacy, security, outlook and natural light. Impact in terms of environmental effects of noise, smell, dust, light, vibration, fumes or other forms of pollution or nuisance arising from the proposed development must also be considered. For clarity, each of these points has been considered separately below in detail.

3.104 The nearest residential properties to the site include:

- Westfield site (beyond the A38) approximately 97 metres to the south of the site;
- The properties of Little Silver accessed off Deepway Lane, to the north of the site (approximately 263 metres to the nearest dwelling)
- Dadmouth Cottage (beyond the A379) approximately 518 metres to the west of the site;

- Peamore House (beyond the A379) approximately 505 metres to the northwest of the site.

Impact on residential amenity with regards to privacy, security, outlook and natural light

- 3.105 Looking at all of the above dwellings, it is considered that these properties are a significant distance away from the development site that the development will not impact on the residential amenity in terms of privacy, security and natural light. Whilst residents of Little Silver have raised concerns about privacy, it is considered that the development will not cause any overlooking concern due to its distance from the rear gardens and dwellings. Whilst there have been a number of objections that relate to views of the countryside, a right to a view is not a planning matter, and cannot therefore be considered in respect to impact on residential amenity.
- 3.106 The development as proposed to be approved will have no unacceptable impact on these matters

Impact in terms of environmental effects of noise, vibration, dust

- 3.107 Following several comments received from the local residents about potential noise impact on the previous application, the Council's Environmental Health Officer was consulted and asked to assess the proposal. Feedback from the Officer outlines that previous sound monitoring in the vicinity of the application site showed that the prevailing noise source in the immediate area originates from the nearby highway network. It is suggested that to limit the concerns of nearby residents on the potential impacts of noise, a condition should be associated with any grant of planning permission which limits the time that the construction of the development could take place. Furthermore, it is considered that in respect of the design of the site layout, advantage can be taken of the acoustic shrouding offered by the proposed buildings, with sound sources such as air handling units and compressors placed so that they use the acoustic shrouding of the buildings and are not within the line of sight of noise sensitive receptors, such as residential dwellings. These issues can be addressed through consideration of the future reserved matters application.
- 3.108 Concerns about potential dust emissions arising as a result from the construction of the development have been raised, and this will be assessed/controlled via the need for the applicant to submit a Construction Environmental Management Plan (CEMP) as part of satisfying a condition.
- 3.109 The development as proposed to be approved will have no unacceptable impact on these matters

Impact in terms of environmental effects of light, smell, fumes or other forms of pollution or nuisance

- 3.110 With regards to light pollution, discussions undertaken with the Council's Environmental Health Officer have suggested that this can be controlled via means of condition, with all window apertures facing into the site and the implementation of low level illumination fitted below eaves level on buildings which would again need to face into the site and be located in such a way and of an intensity to avoid causing any light pollution. This issue can be addressed through consideration of the future reserved matters application

- 3.111 Turning to matters of air quality, and other forms of pollution, the application is supported by an Air Quality Assessment as prepared by Kairus Ltd. It is understood that the scope of the report was discussed with an officer of Environmental Health, ensuring that the receptors were located within appropriate areas to give an overall representative of the air quality.
- 3.112 Concern was raised by a resident of Little Silver following review of the report and Figure 4.1 which illustrates the receptor locations. It was questioned why the receptors were placed predominately along the north west of the site, rather than any being within the area of Little Silver. The Environmental Health Officer has advised that the receptors were best placed alongside the road to get the best indication of air quality given that cars using this road would be the key source of emissions.
- 3.113 The assessment concludes that the impact of the development is not considered to be significant, and no mitigation measures are considered to be necessary. A travel plan, however, has been suggested as a condition. The delivery of an off-site cycleway in addition to the provision of additional bus stops as discussed above will also support this conclusion.
- 3.114 The development as proposed to be approved will have no unacceptable impact on these matters

Impact of the development on biodiversity

- 3.115 The application falls within the following Council-designated areas:
- Cirl bunting winter zone;
 - Cirl bunting breeding zone;
 - HRA Dawlish Warren;
 - HRA Exe Estuary.
- 3.116 The application is supported by an Ecological Appraisal as prepared by Green Ecology. The appraisal included a desk study, an Extended Phase 1 Habitat Survey, bat activity survey, reptile survey and cirl bunting survey.
- 3.117 The results of the survey work suggest that the site consists of a low ecological value arable field which supports some notable arable plants. The site supports commuting and foraging bats, breeding birds and is likely to support invertebrates. No cirl buntings were recorded on site. One tree proposed for retention was identified as having bat roost potential. Mitigation measures will be required for the development to be acceptable and form part of the recommended conditions.
- 3.118 Conditions however are recommended and include the need for the mitigation chapter of the ecological survey to be followed in addition to a Construction Environment Management Plan, a Landscape and Ecology Management Plan, an external lighting scheme and implementation programme.
- 3.119 The development as proposed to be approved will have no unacceptable impact on these matters

Flood and drainage impact of the development

- 3.120 In terms of its location, the site is not located within a flood zone or an area of flood risk. However, given that the application constitutes major development, the application is supported by a Flood Risk Assessment and Drainage Strategy.
- 3.121 In terms of surface water run-off, it is proposed that roof water from the proposed units will be collected from downpipes and gutters and transferred via private below-ground piped networks towards the proposed on-site drainage network and SuDS train. The road network is proposed to drain via trapped gullies into a separate highway drainage network, prior to discharging to the proposed drainage network. Attenuation and long-term storage will be provided within the attenuation features of the site. Once the long-term storage has been filled, a second outfall will engage.
- 3.122 In terms of foul water, it is proposed that the scheme will use a series of on-site private foul water treatment plants.
- 3.123 Conditions are proposed in relation to the detail of surface and foul water disposal. With these in place, the development as proposed to be approved will have no unacceptable impact on these matters

Summary and Conclusion

- 3.124 The application seeks outline planning permission for the development of up to 47,112 square metres of employment development on land adjoining an existing and a further permitted employment site.
- 3.125 The application is supported in principle by policies of the Local Plan and the detail of the proposal is not considered to give rise to any unacceptable conflict with detailed policies of the Plan – subject to the conditions and obligations detailed above. It would help to meet significant unmet need and demand for additional employment land in an accessible location and would generate significant numbers of jobs.
- 3.126 The application documentation including additional technical information and material for approval has been subject to scrutiny by officers and consultees along with the relevant parishes and local residents and it is considered that there are no over-riding errors within any of the submitted documentation such that their conclusions should be discounted.
- 3.127 Following careful consideration of the application against the relevant planning policies and having taken into account the concerns of the Parish Councils and local residents it is considered that the proposed development is acceptable and merits support.
- 3.128 Overall it is considered that the development is acceptable and will assist in providing the much needed employment land that Teignbridge requires.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

STRATEGY POLICIES

S1A (Presumption in favour of Sustainable Development)
S1 (Sustainable Development Criteria)
S2 (Quality Development)
S6 (Resilience)

STRATEGY PLACES

S3 (Land for Business, General Industry and Storage and Distribution)
S22 (Countryside)

PROSPEROUS ECONOMY

EC3 (Rural Employment)

QUALITY ENVIRONMENT

EN2A (Landscape Protection and Enhancement)
EN3 (Carbon Reduction Plans)
EN7 (Contaminated Land)
EN8 (Biodiversity Protection and Enhancement)
EN9 (Important Habitats and Features)
EN10 (European Wildlife Sites)
EN11 (Legally Protected and Priority Species)

Devon Waste Plan

Exminster Neighbourhood Plan

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Teignbridge Arboricultural Officer - There are no arboricultural objections to the proposal.

Teignbridge Biodiversity Officer - Subject to conditions there are no biodiversity objections to the proposal.

Teignbridge Environmental Health – Contaminated Land - Recommends the application of an “unsuspected contamination” condition.

Teignbridge Environmental Health - Air Quality - Recommends approval.

Teignbridge Environmental Health – Noise - Concerns from 16/03251 addressed through conditions above. No response received to current application.

Teignbridge Landscape Officer - I would like to reiterate that, in my opinion, the applicant’s LVIA has been carried out correctly. In terms of impact on landscape character, the matter that the site lies within an AGLV was understood and was discussed. However, the close presence of the A38 highway and the existing

development also needed to be taken into consideration in making judgement of landscape value and magnitude of change resulting from the development. I am content that the comments made on the previous application therefore remain my current opinion.

(Previous application) - I am now pleased to be able to say that, in terms of the likely landscape impacts of the scheme at this outline stage, I am happy to agree with the findings of the Landscape and Visual Impact Assessment.

I continue to have concerns on the impact of the proposed development on the views (and perceived character) from the A38 however I am happy to accept that the arrangement and size of the building units along with the characteristics of the proposed landscape works provides a design framework that is acceptable in principle and that the appearance of the buildings will be determined, and will be given full consideration, at reserved matters stage.

ATS Safeguarding - No objections from air traffic control perspective.

Health and Safety Executive - Does not advise against the proposal.

Highways England - Offers no objection.

Devon County Council (Archaeology) - Recommends a condition for archaeological recording.

Devon County Council (Highways) - The Highways Authority has reviewed the information submitted including the additional survey work.

They consider that the additional vehicles generated by the proposed development that may use Days Pottles Lane would not be expected to result in an unacceptable, or severe, impact.

In relation to Kennford the number of vehicles expected to route this way is considered to be low, at no greater than 4 additional vehicles a minute. The development is not expected to have an unacceptable impact on Kennford.

In summary, the additional information has been reviewed and the previous Devon County Council committee resolution is considered to remain relevant. The Highway Authority remains supportive of the measures proposed by the applicant to address local concerns.

Devon County Council (Lead Local Flood Authority) - Recommends the application of conditions.

6. REPRESENTATIONS

At close of 5 February 2018:

147 contributions received of which 137 are objections (some including multiple objections from individuals).

Matters raised in support of the proposals include:

1. Extending the existing industrial area makes sense

2. Local employment is a good reason to grant
3. Good public transport links
4. Modern site will include pollution prevention
5. Access will be from the A379
6. Local business: well located; important to the local economy; will create jobs
7. Local business: employment land needed to balance housing development. West Exe would make a good contribution to this and to the local economy; looking for expanded premises locally
8. Investing business: there is a current shortage of business space; this site is well located, important contribution to the economy

Matters raised as comments on the proposals include:

1. Any approval should be on condition of improved road access
2. Surprised to see a duplicate application

Matters raised in objection (including from those living outside the District) to the proposals include:

1. Traffic impacts - congestion
2. Traffic impacts - impact on Kennford/Kenn
3. Traffic impacts - Days Pottles Lane and Exminster
4. Highway capacity and safety
5. Realism of cycle/pedestrian access
6. Lack of public transport access
7. Construction traffic impacts
8. Cumulative traffic impacts with South West Exeter development (SWE1)
9. Surface water run-off contamination/flood risk concerns (including in relation to the Pottles Farm dam)
10. Development of unallocated land
11. Inappropriate in an agricultural area
12. Impact on farming businesses
13. (Brownfield) land is available at Marsh Barton, Newton Abbot and Bovey Tracey for employment developments
14. Loss of Grade 2 agricultural land
15. Landscape impact including loss of trees and biodiversity and views from surrounding area
16. Development of greenfield site
17. Air quality impacts
18. Noise impacts
19. Lighting impacts
20. Lack of need for the development
21. Unbalanced pattern of growth – employment land is needed in Newton Abbot
22. Conflict with Exminster Neighbourhood Plan
23. Impact on residential amenity
24. Lack of community infrastructure
25. Site constitutes Strategic Open Break
26. The proposal is not in accordance with Policy EC3 Rural Employment due to the access constraints at the site

7. PARISH COUNCILS' COMMENTS

Exminster Parish Council - Appended

Dunchideock Parish Council

Dunchideock Parish Council objects to this planning application.

There are few changes in this submission that make any significant improvements to the previous version. That was rejected and this should be treated similarly so.

There are fundamental failings associated with Teignbridge's Local Plan and the locality housing and employment land proposals for this part of Teignbridge along with a lacking Devon and Exeter Strategic travel plan. This seems not to allocate land for major employment. Both these mean this proposal continues to illustrate disconcerting features, similar to the first proposal for this location. This repeated application is simply a "free-repeat" because of the impending appeal of the previous refusal.

These shortcomings include competent traffic impact analysis on the locality, villages and rat-runs, junctions, emergency vehicles access, the flawed traffic studies, dangerous proposals for a bus stop, cycling and safe pedestrian access, water supply, contamination and drainage. The proposals will impact the immediate environment, the visual landscape along with noise and light pollution from such concentrated industrial development. The loss of open countryside and agricultural land would be a serious detriment to the locality. It is understood that Western Power is unable to provide sufficient electrical power to this industrial proposal for 3 years. This is not their fault but an illustration of the inept planning of this employment hub. This application should be refused.

Kenn Parish Council

The Council object strongly to this application for the following reasons:-

- 1) The applicant states in this application that they have consulted with the parish. This is not true. This is a new application and no such consultation has taken place within the parish of Kenn.
- 2) The site is outside the Local Plan. Council questions why this application is even being considered.
- 3) Council considers that the proposed scale of employment at this site is inappropriate as the site is very poorly served by public transport, with no safe walking or cycling routes. There is no cycle lane between the parish of Kenn to or from the proposed development on the A379. There is no sustainable travel plan in this application.
- 4) The Parish Council does not believe the new road layout suggested by the applicant would improve the existing traffic chaos on the A379, but it would only further increase the existing tailbacks on the A38, which happen every morning. Council considers the increased traffic flows that would be created by this development would severely impact on both Kennford and Kenn villages as they become a 'rat run' to those attempting to avoid the already seriously congested A38, particularly at the beginning and the end of the working day. For example,

- a) Drivers heading south from the M5, A30 and A38 will come off at Gissons and divert through Kennford; easier and quicker than going across the over-bridge to rejoin the ever increasing queues on the northbound A38 and onto the A379.
- b) Traffic leaving the site to go south would be expected to take the first slip to the A38. However, with the already queueing traffic on the south bound A38, drivers wishing to join the A380 and drivers wishing to go northbound on the A38/M5 already divert through Kennford to access these roads rather than queue to come off at Gissons/ Shell station.
- c) With the increased traffic that will be generated by this application drivers are likely to use local roads as short cuts - this is not acceptable to the parish of Kenn.
- d) The impact of HGVs using the villages to access major transport links would be significantly increased should this planning application be granted. This is not acceptable.

5) Highways and the applicant have stated that there will be a considerable increase in traffic movements at school times and the suggestion is that companies using the new site will also be given directions as to how to avoid Kenn and Kennford. This is a very naive approach which will not work. As an example HGVs are still using the villages to access the Coastal Waste recycling centre at Kennbury tip despite drivers and companies being given directions to access the centre whilst avoiding the villages. When confronted by managers at Coastal Waste, drivers state they are trying to avoid the queues on the A38. After 2 years of attempted avoidance, HGVs continue to plague Kenn and Kennford. There is nothing in this application to restrict increased traffic movements through the villages.

6) The Parish Council and local residents are very concerned that there will be a serious increase of traffic flows, through the villages of Kennford and Kenn if the development goes ahead. To access the primary school in the centre of Kennford, means that children have to walk to school along the road, as there are very few pavements. Any increase in traffic flow is not acceptable. Primary school children and HGVs do not mix, lorries cause danger when they are moving and pollution when they are stuck trying to negotiate through our villages.

7) To access the pre-school, housed at the Kenn Centre, parents have to walk along the road - there are no pavements at all in over half the length of the village of Kennford, nor any in the whole of the village of Kenn. You walk through the village at your peril as it is.

8) Mr. Ed Halford of Highways England categorically stated to Kenn Parish Council at a meeting held at Ash House on 16 October 2017, that there would be no access from the proposed Peamore site onto the A38. The area is already overloaded with cross-over traffic lanes at the existing junctions trying to gain access to and from the A30.

Shillingford Parish Council

This application does not essentially appear to have changed from the previous submission with nothing additional that addresses the concerns regarding displaced traffic coming through the parish. The Parish Council remains opposed to this application and resubmits its previous observations which remain unchanged:

There is a failure to take into account driver behaviour which will lead to displaced traffic on country lanes. There will be significant impact on Shillingford Abbot,

Shillingford St George and Kennford as a result of drivers with local knowledge attempting to avoid delays. There is specific concern regarding increased traffic on Waybrook Lane, Shillingford Abbot, which is also likely to be used as a shortcut by drivers trying to avoid the inevitable hold ups due to an increased volume of traffic caused as a consequence of this development.

If there are traffic incidents on the M5 or A38/A380, it is immediately apparent in Shillingford parish due to drivers following alternative routes to attempt to navigate around the incident. This is likely to be exacerbated if planning permission is granted for this development with this experience becoming the norm.

The proposed road design does not enhance the existing road network or appear to adequately plan for the increasing volumes of traffic now and in the future.

The Parish Council feel that it is totally unacceptable for local communities to suffer due to the lack of provision of suitable and adequate infrastructure to support this development with an unacceptable volume and type of traffic being displaced onto small adjacent parish roads that are not engineered to safely deal with it.

8. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

9. ENVIRONMENTAL IMPACT ASSESSMENT

This application has been screened under the Environmental Impact Assessment Regulations 2017 and the Council's Screening Opinion is considered to be negative as set out in the Screening Opinion decision letter and proforma.

Business Manager – Strategic Place

Planning Application 17/03039/MAJ West Exe Park, Peamore

Response from Exminster Parish Council

Summary

This re-submitted application is identical to application 16/03251, refused by Teignbridge District Council in September 2017. The Parish Council remains very concerned that the proposal is contrary to the policies in the Local Plan, is not in conformity with policy EXM2 of the adopted Exminster Neighbourhood Development Plan, and is in an unsustainable and inappropriate location. No new information has been submitted with this application to address these concerns.

Exminster Parish Council **OBJECTS** to this application and the development it proposes.

Local Plan and Neighbourhood Plan policies

The Teignbridge Local Plan 2013-2033 was adopted on 06 May 2014. The Exminster Neighbourhood Development Plan was formally 'made' on 17 March 2015. The policies in both plans are recent and should be afforded great weight in all planning decisions.

Previous refusal of permission

The previous application 16/03251 was REFUSED consent. Application 17/03039 is essentially a re-submission of the same application, with no new information. As such, when determining the new application, the previous decision to refuse permission is in itself a substantial material planning consideration, weighing towards a further refusal.

Reasons for Refusal

Exminster Parish Council would propose the following reasons for REFUSAL:

1. The proposed development is contrary to Local Plan policies S3 (Land for Business, General Industry and Storage and Distribution) and SWE2 (Employment adjacent to Peamore) in that it is likely to frustrate the objective of providing 60%+ of employment land in the Heart of Teignbridge.
2. The proposed development is unsustainable, with inadequate public transport links, no deliverable or credible green travel plan and an unacceptable degree of reliance on motor vehicles, contrary to Local Plan policy S1 (Sustainable Development) and the National Planning Policy Framework (NPPF) paragraph 32.
3. The proposed development would result in development in the open countryside at a scale that would have a significant adverse impact on an Area of Great Landscape Value, contrary to Policies EN2A and S22(f) of the Teignbridge Local Plan 2013-2033.
4. The proposed development will give rise to increased traffic flows which will have a significant adverse impact on the villages of Exminster and Kennford, contrary to Policies S1 (Sustainable Development Criteria), EC3 (Rural Employment) and S22 (Countryside) of the Teignbridge Local Plan 2013-2033.

Employment Land Allocation

The proposed development of a large employment site at Peamore completely undermines the central objectives of the Local Plan: economic development and job creation in the Heart of Teignbridge coupled with a reduction in the need for 'out-commuting' and travel by car.

UK Census data from 2011, modelled on the Datashine website (see Appendix A), clearly shows the very high levels of out-commuting from the central hubs of Newton Abbot, Bovey Tracey and Teignmouth. The Local Plan correctly seeks to address this problem and the Council must uphold the core objectives of the Plan by rejecting an application that will clearly have the effect of exacerbating the issue by encouraging travel from those hubs.

Policy S3 - Land for Business, General Industry and Storage and Distribution

Policy S3 makes a commitment to bring forward 3 hectares of employment land a year in Teignbridge, with 15 hectares of allocated land constituting an adequate 5 year land supply. The supporting text, which must be given proper weight in applying the policy, proposes 60% of the employment development at Newton Abbot/Heart of Teignbridge with only 5% in South West Exeter. There is already an extant planning consent for employment development on 5 hectares of land at Peamore adjoining the application site, which more than covers the allocation for South West Exeter.

In their Commercial Land Supply report, the applicant clearly identifies the proposed development site as being part of the Exeter Growth Point:

3.0 THE EXETER MARKET

3.1 *Although the site is located within Teignbridge, it is considered part of the Exeter market. The Exeter market encompasses both Exeter City and East Devon (in part) as well as this development.*

It follows that giving permission for additional employment development at Peamore would be inconsistent with the policy to provide employment land in the Heart of Teignbridge, close to where people live, and would therefore be contrary to policy S3.

Policy SWE2 – South West Exeter Development

Policy SWE2 of the Local Plan states, in relation to the South West Exeter development, that while there will be some localised employment within new community hubs, the main allocation of employment land will be situated outside the Masterplan area and delivered independently. Planning permission has already been granted for a site of 5 hectares at this location and no further employment land is required at this site.

Additional employment land would be contrary to Local Plan policy SWE2 which states that development at this site "is not intended to compete with other areas in and around Exeter."

Sustainable Development

The proposed development is not sustainable, by reason of its location and failure to identify adequate alternatives to the private motor car. The sustainable transport options for employees and visitors are poor, contrary to relevant policies in the Local Plan.

Site Sustainability

The application site is in an unsustainable location, poorly served by public transport and likely to be highly dependent on motor vehicle use. It is therefore particularly important that the application should engage with the sustainable transport tests in the NPPF and the Local Plan.

The application fails to meet the Sustainable Development test of the Local Plan in that it does not adequately promote public transport, cycling and walking as transport modes of choice or minimise dependence on cars (policies S1 and S9).

The topography of the area leading to the site (Peamore is very elevated), together with the dangers from fast moving traffic on the A379 and distance from population centres, make pedestrian and cycle commuting extremely unappealing.

Cycle Access

The draft heads of S106 obligations (Technical Note 10) make provision for an Offsite Cycleway Contribution of up to £250,000 to build a cycle route from the development site to the southern-most side of the A379 overbridge over the A30. However:

1. No study has been carried out to test whether this cycle route is deliverable (in terms of costs and technical implementation) or would meet appropriate safety standards.
2. There is no provision for the cycle path to cross the A379 overbridge towards the South West Exeter development area. Anecdotal evidence from a DCC Highways Officer suggests that the cost of building such a bridge could exceed £1 million, even given that Highways England allowed such works to be carried out. A similar bridge installed in 2015 over the A38 at Drumbridges cost between £1 million and £1.5 million. DCC have failed to identify appropriate infrastructure funding for connecting the proposed cycle path to the Exeter network and therefore should not have offered their support for this application.
3. There is no consideration given to how cyclists travelling from the Kennford area, or the Teignbridge direction in general, will access the site. There is no provision for crossing the busy A379 and no funding for cycle way improvements that would encourage employees to travel to the site from the south without reliance on motor vehicles.

On this basis, the application does not *“demonstrate that **safe and suitable** access to the site can be achieved for all people”* (NPPF paragraph 32).

Public Transport

There is also a lack of adequate public transport. The nearest bus stops are outside the standard ‘walkable neighbourhood’ distance of 800m (Manual for Streets). The bus timetable is very limited, with only an hourly service and finishing early in the evening, which would not support shift working. Equally significant, there is no safe solution for bus passengers or pedestrians to cross the A379 road, which is very wide in this location. The road details for the proposed new roundabout do not appear to include any facility for pedestrian crossing or island refuges. This alone makes it highly unlikely that anyone will choose to walk or take the bus to work at the site.

Technical Note 10 obliges the developer “to use **best endeavours** to provide new northbound and south bound bus stops on the A379 along the existing site frontage...”. This proposal does not address the issue of safe crossing to the site from those alighting or boarding on the southern side of the A379 nor has it been tested in terms of deliverability or safety.

In this context, the application does not *“demonstrate that **safe and suitable** access to the site can be achieved for all people”* (NPPF paragraph 32).

Landscape

The Parish Council has seen the objection submitted by the Campaign for Rural England (Appendix B) and welcomes the concern expressed about the landscape harm that will be caused by the application.

The application site is in an area designated as “Exe Estuary and Farmlands” in the Landscape Character Assessment, published in 2009 (updated 2014). The elevated position of the site makes it particularly sensitive to a substantial industrial development. The site affords extensive, panoramic views across neighbouring wooded hills towards (and from) the Exe estuary and Woodbury Common. Due to its size and prominent position within the landscape, the development would have a significant adverse effect on the landscape value of the area. This is contrary to Local Plan Policy EN2A, which aims to conserve and enhance the qualities, character and distinctiveness of land in Teignbridge and, in particular, maintain landscape quality and minimise adverse visual effects.

The application site also lies within an area designated as an Area of Great Landscape Value (AGLV). AGLVs are areas of high landscape quality, with strong distinctive characteristics, which make them particularly sensitive to development. Within AGLVs, the primary concern should be conservation and enhancement of landscape quality and individual character.

The development is also contrary to Policy EXM2 in the adopted Exminster Neighbourhood Development Plan (2015) which states:

“The siting, scale, form, layout, design, materials and landscaping of any development, which may be permitted within the areas of Exminster Parish, outside the Settlement Limits as defined for Exminster village and the South West of Exeter urban extension (the Matford settlement) within the Teignbridge Local Plan, should pay particular respect to the need to protect the rural nature, existing visual landscape quality, wildlife and heritage value of the open countryside of the parish.”

Given the 4.8 hectare (12 acre) development previously approved on adjoining land, the cumulative impact of the construction of an additional 13 hectares (33 acres) of industrial estate, will result in significant visual harm and have a serious adverse effect on the rural character and setting of the area, in particular the historic Days Pottles Lane. It will also seriously erode the open countryside gap and visual separation between Exminster and Kennford, which is important to the distinctiveness of both villages - a distinctiveness which it is particularly important to conserve, given the South West Exeter urban extension planned nearby.

Traffic

The National Planning Policy Framework (NPPF) paragraph 32 states that: ‘Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’. Paragraph 32 also states that ‘new developments must demonstrate that safe and suitable access to the site can be achieved for all people’.

The evidence submitted with the application does not address any of the concerns raised in connection with the 2016 application, nor does it attempt to the reason for refusal. Indeed, it is remarkable that no new traffic data or modelling has been provided.

The fundamental inadequacy of the traffic information was well documented in the Parish Council's response to the 2016 application. The Council submitted a Traffic Assessment report from Jon Pearson FIHE, independent Transport and Highway Consultant. This report shows that the Transport Assessment submitted with the application only considers the likely impact upon the A38 and A379 and completely fails to consider the wider impact on the area, the villages and the rural highway network.

The Trip Generation Data submitted with the application is more than 5 years old and is no longer relevant to the rapidly changing situation in south west Exeter. Traffic already queues in the morning rush hour from the A38 onto the A379 at Kennford, and again at the Matford roundabout. Any additional traffic movements associated with the development will add to the congestion and adverse impact on air quality. Neither does the application consider the cumulative effect of trips generated by 2,500 homes being built within 1-2km along the A379.

Given that the site is projected to employ 1588 people, with 843 vehicle parking spaces, the purported traffic prediction of 128 vehicles arriving at the site at morning peak times is not accepted. It is considered far more likely that several hundred vehicles will arrive at the site between 0800 and 0900 each weekday. No realistic solution is offered to reduce dependence on private motor cars. The site is acknowledged to have very limited public transport links, it is more than a mile from the nearest settlement and given the volume and speed of traffic on the A379 is unlikely to lend itself to cycling or walking to work.

With the exception of 3 new passing places offered in a late alteration to the 2016 application, no further information is provided to address the concerns of local residents and Parish Councils about additional traffic flows on Days Pottles Lane. Days Pottles Lane is a narrow, single carriageway country lane, bounded by high hedges. There are few passing places, with most lacking forward visibility for approaching drivers. The lane is subject to the National Speed limit (60mph), is unlit and lacks any verge or footway.

The application does not explain how a significant increase in traffic coming through the village and along Days Pottles Lane (a classic "rat run" to the application site, often indicated by satnavs) would be prevented or avoided. The village end of the lane is regularly used by pedestrians, including children walking to and from school around 8.30-9.00 and 3.30-4.00pm each day. There is insufficient road width to create cycle or foot paths. Where the lane meets with Main Road in Exminster, there is a significant pinch point caused by roadside buildings. The section of Main Road from Days Pottles Lane to the Swan's Nest Roundabout is narrow and winding, and very poorly suited to any significant increase in traffic flows; in the opposite direction, Main Road passes through the centre of Exminster, through the traffic calming outside Tesco's (single lane) and across the school crossing patrol outside the primary school.

There is simply no cogent evidence that the likely traffic impacts can be safely accommodated or adequately mitigated. Notwithstanding the absence of objection from Highways England and Devon County Council, the application fails to address the likely traffic impacts associated with 1,588 new jobs on site with sufficient rigour and falls well short of demonstrating that there will not be an unacceptable traffic impact and an increased risk to highway safety, in particular for all users of Days Pottles Lane.

The Parish Council has commissioned a further Technical Note, dated January 2018, from Transport Consultant, Jon Pearson FIHE, which further sets out concerns about traffic and sustainability.

Other Points

Greater Exeter Strategic Plan

The emerging Greater Exeter Strategic Plan, covering the local authority areas of East Devon, Exeter, Mid Devon and Teignbridge, is set to address strategic placement of housing and employment land, as well as addressing other sub-regional development and infrastructure matters. The plan has been through a first round of public consultation on issues and, as such, it can be considered a material planning consideration. A draft of the plan is expected to be available for public consultation in late summer or early autumn 2018..

It is considered that the Peamore site has been brought forward prematurely in the context of GESP and the application should be refused (or withdrawn) pending the consultation, examination, publication and adoption of GESP as this will have a significant impact on the review of the Teignbridge Local Plan.

Statement of Community Involvement

The Statement of Community Involvement submitted by the applicant is out of date and relates to the refused application 16/03251. There is no evidence of Community Involvement or engagement with regard to the current application. The Parish Council has not been approached to discuss how the new application might address its concerns.

Local Voices

The Teignbridge Local Plan places special emphasis on the involvement of local communities in decision making. One of the central objectives of the Plan, Wellbeing, sets out a vision for our communities as:

... places where people feel valued and can take part in all the decisions that affect their lives.

The residents of Exminster and Kennford spoke loudly and clearly in opposition to the original application and indeed felt valued and respected when Teignbridge District Councillors rightly supported those views in reaching their decision to refuse planning permission.

The fact that a new application can be submitted unchanged (and be accepted by TDC Officers), with no attempt to address the reasons for refusal and an unwritten expectation that District Councillors will somehow "get it right" this time (i.e. reach a different decision), has caused great upset and consternation amongst residents. There is a very real sense of removing the democratic process where elected members make their own decisions and of failing to value and respect the views of local people.

At the time of writing, more than 125 residents have again expressed their objections to this application. Exminster Parish Council believes that there is no other possible outcome than to REFUSE this application on grounds of unsustainable development and severe adverse impacts on traffic and landscape characters.

Exminster Parish Council
1st February 2018

Appendix A: Travel To Work data

The maps below are generated from Datashine.org.uk using data from the 2011 census and represent travel to work journeys. The thickness of the line is proportional to the number of journeys to/from each destinate.

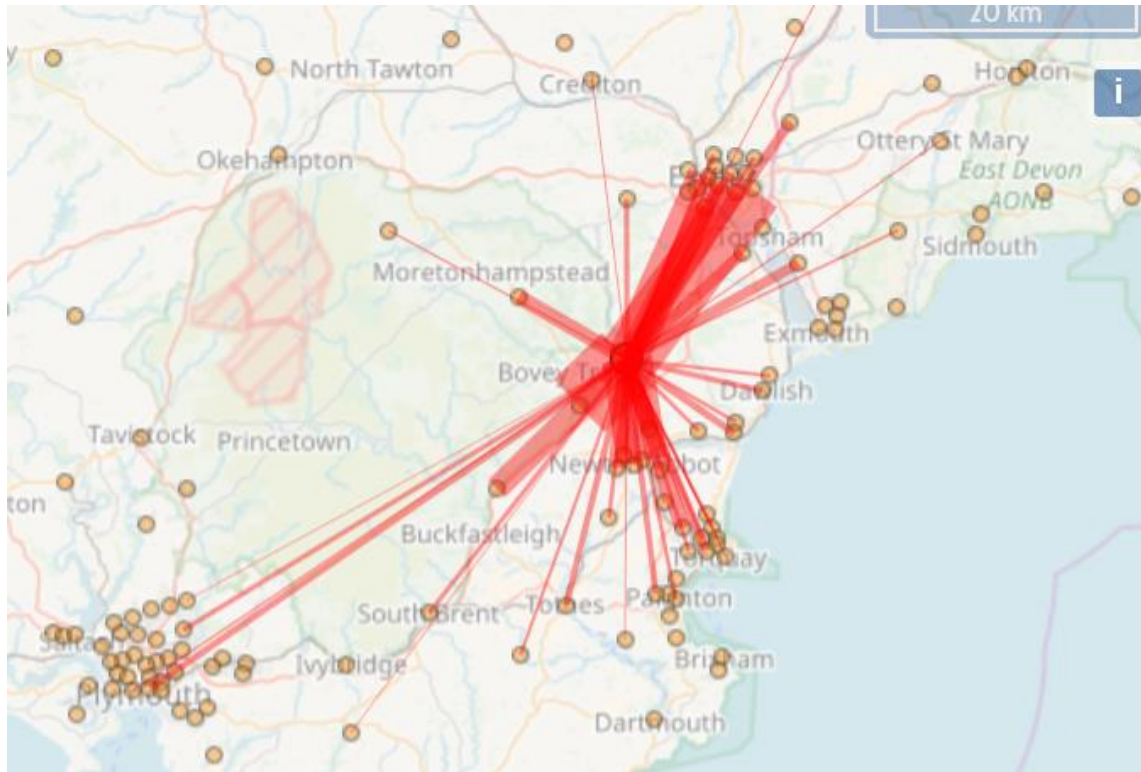


Figure 1 Travel to work from Bovey Tracey

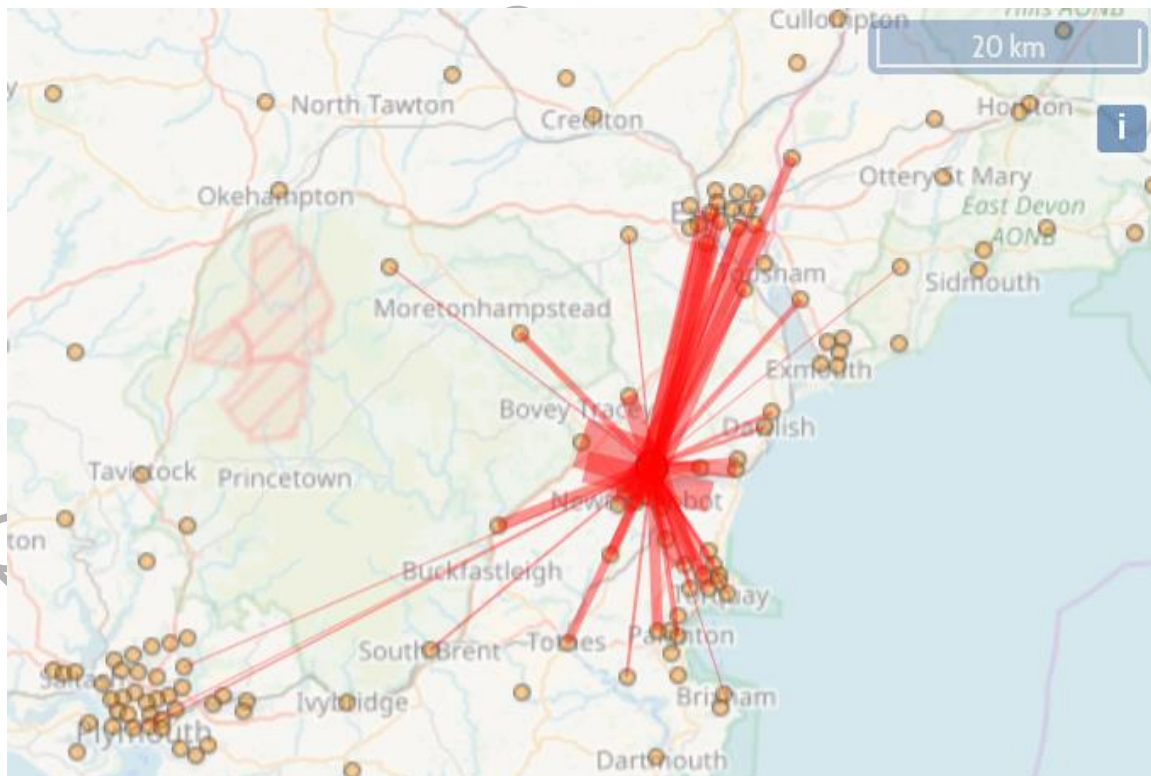


Figure 2 Travel to work from Newton Abbot

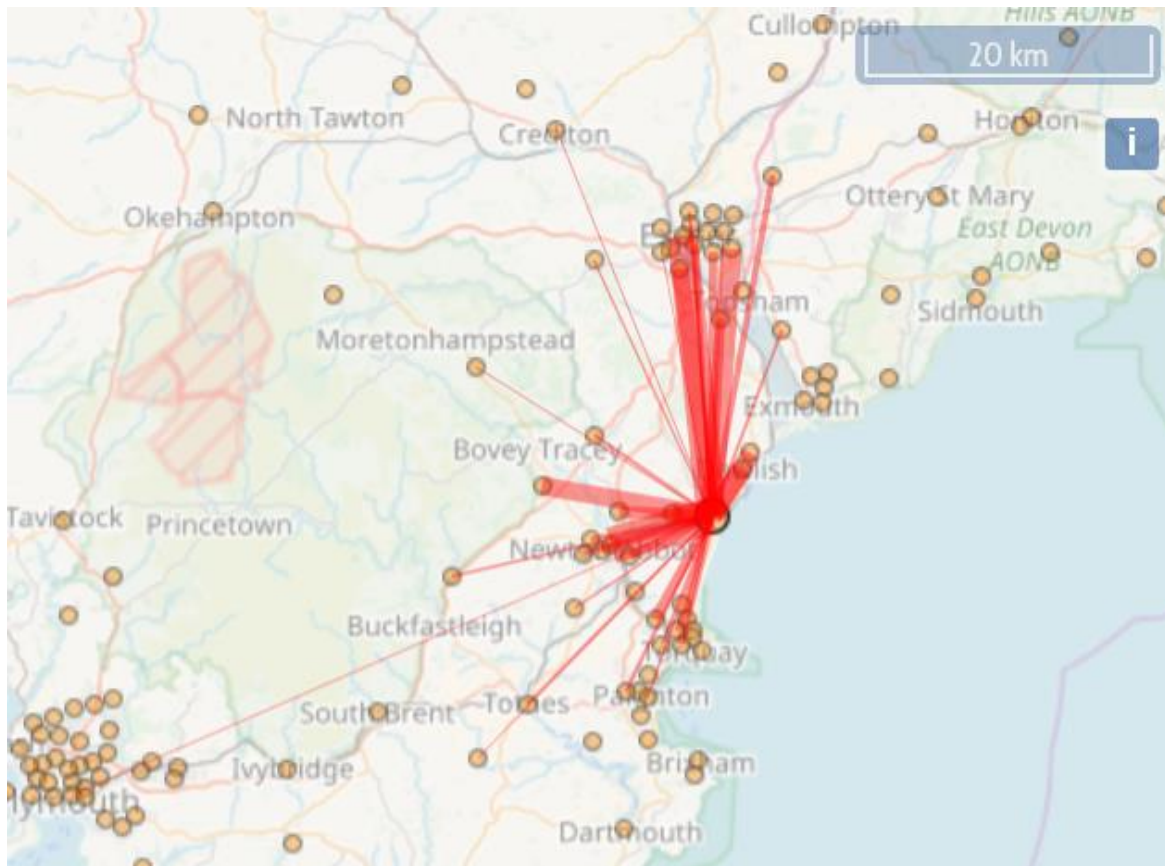


Figure 3 Travel to work from Teignmouth

Appendix to WEA

Appendix B: Response from CPRE



17 Underwood Close
Dawlish
Devon
EX7 9RY

18/1/18

Ref: 17/03039/MAJ

Dear Rosalyn,

West Exe Park, Alphington, Devon, EX2 9SL



Devon Campaign to Protect Rural England (CPRE) re-iterates that we wish to object to the current proposal - 17/03039/MAJ, which does not appear to differ significantly to that which was previously refused (16/03251/MAJ), failing to overcome the Local Planning Authority's previous reasons for refusal and justify approval of the development.

Most of this site is not allocated for development in the adopted Local Plan. A business park of this size at this location would represent a significant departure from the Council's own policies. A detailed assessment of the District's needs for employment land was undertaken during the preparation of the Local Plan. Suitable development sites have been identified and 5 hectares were allocated under Policy SWE2 adjacent to Peamore. Paras. 10.25 – 10.27 of the Local Plan state clearly that the Peamore site can only accommodate a small mixed range of units and it should not be competing with the much larger employment hubs at Marsh Barton and Matford.

CPRE is also concerned about the adverse impact that this development would have on the landscape. This is a prominent position and forms part of the setting of the Haldon Hills. A large scale industrial development would significantly impact on an Area of Great Landscape Value, be out of keeping with the landscape character and would be contrary to Policy EN2A in the Local Plan.

Policy S9 in the Local Plan aims to promote Sustainable Transport and to minimise dependence on cars. Most people who would work in the new industrial units would need to travel by car to their workplace as there is a poor public transport service to it. If the Council permits this development it will be contrary to its wish to reduce the need to travel for employment and minimise pollution in the District.

The Campaign to Protect Rural England exists to promote the beauty, tranquility and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country.

Registered Charity No. 245317

CPRE suggests that application 17/03039/MAJ be refused for the same reasons as application 16/03251/MAJ:

1. The proposed development is not a site allocation for employment and would result in the development of the open countryside at a scale that would significantly impact on an Area of Great Landscape Value. The proposed application is therefore contrary to Policies S22 (Countryside), EC3 (Rural Employment) and EN2A (Landscape Protection and Enhancement) of the Teignbridge Local Plan 2013-2033; and,
2. The proposed development will give rise to increased traffic flows, which will have a significant impact on the villages of Exminster and Kennford, contrary to Policies S1 (Sustainable Development Criteria), EC3 (Rural Employment) and S22 (Countryside) of the Teignbridge Local Plan 2013-2033.

And that CPRE would like to raise an additional reason for refusal:

The proposed development would result in the loss of Grade 2 agricultural land, which defined by the NPPF is considered to be 'best and most versatile (BMV) agricultural land. The proposed development fails to take into account the economic and other benefits of this agricultural land, nor does it demonstrate the proposal to be necessary and that poorer quality of land has been considered in preference. The proposed application is therefore contrary to Policy S1 (Sustainable Development Criteria) and national planning policy -Paragraph 112 of the NPPF.

Therefore CPRE urges Teignbridge District Council to uphold the primacy of its Local Plan and refuse this planning application.

Yours sincerely,



Peter Finch

Chairman - Teignbridge Branch of Devon Campaign to Protect Rural England

Technical Note

JON PEARSON FIHE

APPLICATION BY: Exeter Estates Ltd

PROPOSAL: Outline Application For Mixed-Use
B1, B2 & B8 Employment Space
With Associated Landscaping, Car
Parking & Infrastructure

LOCATION: Land at West Exe Park,
Alphington, Exeter, Devon

LPA REF: 17/03039/MAJ

CLIENT: Exminster Parish Council

DATE: January 2018

Ref. No. JP.73.17

1 Introduction

- 1.1 This Technical Note (TN) will examine the recently submitted 'Transport Assessment – December 2017 Update' submitted by Awcock Ward Partnership (AWP) as part of the resubmission of the outline application (17/03039/MAJ) for a mixed-use development at land at West Exe Park, Alphington, Exeter, Devon.
- 1.2 This TN has been commissioned by Exminster and Kenn parish councils to respond to the resubmission of the 2017 application and to assess what, if any, issues have been addressed.
- 1.4 It is noted within the AWP document that both highway authorities have raised no objection to the application.

2 Planning History

- 2.1 The previous identical proposal was refused (16/03251/MAJ) by Teignbridge District Council for the following two reasons:
- 2.2
 1. The proposed development is not a site allocation for employment and would result in the development of the open countryside at a scale that would significantly impact on an Area of Great Landscape Value. The proposed application is therefore contrary to Policies S22 (Countryside), EC3 (Rural Employment) and EN2A (Landscape Protection and Enhancement) of the Teignbridge Local Plan 2013-2033; and,
 2. The proposed development will give rise to increased traffic flows, which will have a significant impact on the villages of Exminster and Kennford, contrary to Policies S1 (Sustainable Development Criteria), EC3 (Rural Employment) and S22 (Countryside) of the Teignbridge Local Plan 2013-2033.

3 Traffic Generation

- 3.1 The TA update does not appear to address the original claims by AWP that despite the proposed **1,588** new jobs within the proposed development, interest from the immediate parishes is '**...inherently going to be low...**' based solely upon the TA assessment that only 8% of trips to the site are local. This would not appear to be a substantiated or robust finding.
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- 3.2 The TA suggests that the impact of 1,588 employees will be greatly reduced by '...effective travel planning...' but fails to qualify what effective, realistic measures are proposed? If as stated within para. 3, employees and other users of the proposed development are '...expected to emanate from the areas of Torbay, Plymouth or Exeter...' apart from the latter, is it proposed that these trips will be made by bus for example?

4 Site Sustainability

- 4.1 The applicant has not made any further endeavours regarding the provision of bus stops since the refused application and maintains that they will '...use **best endeavours** to provide new northbound and south bound bus stops on the A379 along the existing site frontage...'. The original AWP TN para 4.1 referred to the correct measurement of distances for pedestrians from the nearest bus stops) and as a result accepts that they are outside the standard 'walkable neighbourhood' distance of 800m (Manual for Streets). These distances will not be conducive to encouraging large numbers of the predicted 1,588 employees or visitors to utilise sustainable transport.
- 4.2 The resubmission does not address the inadequacies of the unlit Days Pottles Lane with regard to staff walking or cycling with many sections of the lane below the recommended 4.1m width required for a large vehicle to pass a cyclist. The opinion of the local people strongly suggests that walking the length of Days Pottles Lane is not safe due to the frequency and speed of existing traffic let alone the likely future flows as a result of the proposed development.
- 4.3 The applicant maintains that a highway contribution of £250,000 will be made to provide '...an off site footpath / cycleway improvement along the eastern side of the A379 between Days Pottles Lane and the A30 overbridge...'. It was highlighted at the committee meeting when the previous application was refused, that there were issues of not only if the improvements could physically be made but also that there could be no safe provision over the A30 overbridge. These issues also challenge the sustainability of the site as the route, even if provided, would not be safe or attractive to employees.
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- 4.4 The developer also does not need to provide any contribution until 50% of the development is occupied. Employees choice of mode of transport should be available and attractive from their first day at work not a year or two later.
- 4.5 The proposed Travel Plan measures (AWP Travel plan implementation strategy) has not been updated for the new planning application submission, despite the wording of Reason 2 in the refusal Notice ie increased traffic.

5 Days Pottles Lane

- 5.1 Days Pottles Lane is narrow, single carriageway country lane bounded by high hedges. It is accepted that it does have occasional passing places, mainly farm gate areas, but these are few and far between with many lacking both inter-visibility and forward visibility for approaching drivers. It is subject to the National Speed limit (60mph), is unlit and lacks any form of pedestrian provision ie no verge or footway.
- 5.2 The AWP TA correctly surveyed the lane to obtain count and speed data. What it failed to do was to analyse said data to identify the morning and evening peaks which demonstrate, quite clearly, that the lane is used for commuting drivers as a 'rat run'. The likely impact upon Days Pottles Lane of the proposed 1588 new employees plus business visitor's (delivery vehicles ie vans, HGV's etc especially) daily trips should be included within the TA together with the impact of additional vehicle trips upon the village of Exminster and surrounding road network (ie likely 'rat run' routes). Many delivery companies will have a number of 'drop offs' and route their vehicles accordingly increasing the chance that a previous or following delivery could be within Exminster. It must be questioned if the author of the TA intentionally ignored the Days Pottles Lane and surrounding network of lanes as they were aware of the limitations? Any increase of traffic using Days Pottles Lane is likely to have a severe impact on highway safety and is therefore contrary to advice within the National Planning Policy Framework (NPPF).
- 5.3 As part of a late submission to the planning committee the applicant proposed just 3 new passing places along the lane, all within the widest section and therefore having no effect upon the narrowest sections where vehicles come into contact with other vehicles and pedestrians, equestrians etc. Part of the
-

scheme was to provide a single build-out requiring drivers to give way whilst also relocating the 30mph speed restriction by a matter of metres. Not only have none of these ineffectual attempts at mitigation been submitted for Road Safety Audit they also have also not been improved or altered for the new application submission.

Kennford Village

- 5.4 The small village of Kennford is only 1km south of the proposal site and currently experiences serious traffic issues due to 'rat running' by northbound vehicles avoiding congestion on the A38. Currently in the morning peak, vehicles joining the A38 from the A380 slip road experience delays due to congestion which leads to vehicles avoiding the issue by utilising the local road network through Kennford village.
- 5.5 The main issue with the route through Kennford is that the traffic must pass the entrance to the primary school and navigate the extensive on-street parking, the latter leading to congestion whilst vehicles wait to pass and an associated increase in severe adverse air quality and noise. Any adverse increase impact on air quality is contrary to both the Devon & Torbay Local Transport Plan and Teignbridge Local Plan. Like Exminster PC, Kenn PC have concerns about the goods vehicles delivering and collecting from the proposed development accessing through Kennford, Kenn and Kenn Lane in particular. Kenn PC have numerous examples of lorry routing and recently recorded (25/5/17) between 22.55 and 23.05, 3 articulated lorries passing through the centre of Kennford. The following day at 02.00, 4 articulated lorries routed up the main village road, 2 of which became stuck outside the primary school. A known number of 7 over-sized vehicles in 1 night. This is a daily and nightly occurrence, with over-sized lorries attempting to use the village as a short cut.
- 5.6 With the proposed level of new employees for the development it is highly likely that many will be Exeter based and certainly in the morning peak, it may be quicker for some drivers to avoid the congestion in the Matford area to the north and utilise the M5 and A38 down to Kennford where they would exit and proceed north through the village to access the site. It is assumed Highways England will consider the likely increase in non-strategic use of the SRN but the impact upon Kennford itself should also be included within the AWP TA for consideration
-

by the local highway authority. Currently it is common daily practice for Peamore bound lorries, cars and other delivery vehicles, travelling south on the M5, to turn left through the village on exiting the motorway instead of continuing over the M5 to head back north, thereby avoiding the stationary or slow-moving queue of traffic on the main trunk road, accessing Peamore and Exeter. In addition, this is exacerbated by northbound traffic flows from the A38 also diverting through the village in order to avoid the queue.

- 5.7 The developer, following strong representation from Kenn PC, agreed to contribute £5,000 towards a weight limit restriction through the village of Kennford but the scheme has still not been through the required Traffic Regulation Order and public consultation, and therefore has no certainty of delivery nor is there certainty of any future compliance by site vehicles.

6 Summary And Conclusion

- 6.1 This TN submission has reassessed the highway implications of the planning application for a mixed-use employment development at land at Alphington (17/03039/MAJ). It has reviewed the resubmitted Transport Assessment and found that it has failed to address any of the concerns raised by Teignbridge District Councils planning committee when it, correctly, refused the previous planning application
- 6.2 The National Planning Policy Framework (NPPF) paragraph 32 states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are **severe**.'
- 6.3 Paragraph 32 also states that '*new developments must demonstrate that safe and suitable access to the site can be achieved for all people*'. It has shown within this and previous reports that this has not been adequately demonstrated by the applicants Transport Assessment and the access route through the villages and Days Pottles Lane are **neither 'safe' nor 'suitable'**.
- 6.4 The severe impact on congestion, air quality and most importantly highway safety is contrary to National Policies. The traffic impacts of the proposal are **severe** and clearly cannot be mitigated.
-

- 6.5 It would appear that the Transport Assessment submission has only considered, in a manner favourable to the developer, the likely traffic impact upon the A38 and A379. It has failed to consider the wider impact on the area, the villages, the inadequate rural highway network and the local communities.
- 6.6 It has been demonstrated within this report that the proposed developments location is not considered to be sustainable as viable non-motorised modes are not available, contrary to the guidance contained within the NPPF.
- 6.7 For the reasons given above it is submitted that the proposed development fails to accord with central and local government guidance and policies and the planning application should again be refused on highway impact and safety grounds.

Jon Pearson FIHE

Transport & Highway Consultant

Appendix to West EXO Park
