





Scale: 1:3,860

**20/00434/FUL - Trago Mills, Liverton, TQ12 6JD**



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## 1. REASON FOR REPORT

Cllr Patch has requested the application to be considered by the Planning Committee in case of officer recommendation for approval due to the increased traffic resulting from the new access which would compromise the traffic safety especially in relation to the school and local residents.

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Time limit for commencement (3 years).
2. To be constructed in accordance with the approved plans.
3. The new access road shall remain unlit.
4. Works shall proceed in accordance with the ecology survey
5. Prior to commencement a Construction Management Plan shall be submitted.
6. The road shall not be brought into use until access, visibility splays, access drive and access drainage has been provided and maintained in accordance with the approved plans.
7. Prior to commencement details of exceedance pathways and overland flow routes shall be submitted.
8. Prior to commencement details of the adoption and maintenance arrangement of the surface water system shall be submitted.

## 3. DESCRIPTION

### Site Description and Proposal

3.01 The application site is located in the southwestern corner of the wider Trago Mills complex. The parcel of land currently accommodates a disused access track which had been utilised during the construction of Trago. The gated track adjoins Staplehill Road opposite the Brethren Meeting Hall.

3.02 The proposal seeks approval to widen and resurface the track to serve as a secondary entrance to the site. The new access is proposed to remain unlit and remain open during the hours of operation. A soakaway system has been incorporated into the design of the new road to ensure suitable surface water management.

### 3.03 Relevant Planning History

02/03560/MAJ - Re-routing of internal roadway and public footpath excavations formation of earth bunding and landscaping and drainage and formation of temporary access from Staple Hill Lane – APPROVED

03/04737/MAJ - Proposed garden centre garden park cafe/restaurant bandstand carpet store extension bus/coach park site works and landscaping APPROVED

### Main Issues

3.04 The main issues for consideration are:

- The principle of the development/sustainability
- Impact on strategic and local road network
- Highway safety
- Surface water management
- Impact on biodiversity

#### Principle of the Development

- 3.05 The Teignbridge Local Plan 2013-2033 reiterates the NPPFs presumption in favour of sustainable development within Policy S1A. A three dimensional approach is taken in accessing the sustainability of proposals with economic, social and environmental factors taken into account and the relevant criteria set out in policy S1.
- 3.06 The site is located outside of the defined settlement limits therefore considered as development in the countryside. Policy S22 point b) outlines that retail development is acceptable in principle in the countryside. Consequently the principle of new access to an already established retail facility is considered acceptable providing that the development conforms to other relevant policies within the local plan.

#### Impact on the strategic and local road network

- 3.07 The submitted traffic assessment outlines the requirement for a new access in order to reduce congestion around Drumbridges roundabout introducing choice for customers in particular those travelling from the southwest. The assessment also identifies the potential disruptions that may be caused by the planned improvements to the A382. The document concludes that the development will not have detrimental impact on the operation of either the strategic or local highway networks.
- 3.08 Following submission of revised plans the County Highway Authority has raised no objections concluding that the proposal will not have a severe impact on the operation of either the strategic or local Highway Networks.
- 3.09 A number of objections have raised concerns over the accuracy of the submitted traffic survey and assessment which were originally conducted in April 2015. The Highway Authority have confirmed that based on the Highways England TRADS data the surveys submitted are in fact representative of the usual traffic conditions in the area. The submission of a more up to date survey has been considered however deemed unreasonable given the unusual travel patters caused by the current COVID-19 pandemic resulting in potential for an inaccurate survey.
- 3.10 Figures 8 and 9 in the traffic assessment show the routes and percentage of customers and staff who used particular routes on the days that data was collected. Trips undertaken from A38 East, Bovey Tracey Road and Newton Abbot Road (R1, R2 and R3) make up 80% of all trips to the site and are considered to most likely use the existing access off the A382.
- 3.11 Third party contributions have raised concerns over increased traffic through Liverton and past the Blackpool School. The assessment shows that only 3% of all

trips have been undertaken through the village of Liverton therefore would not cause significant traffic increase should the new access be implemented.

- 3.12 The remaining 17% of trips originating from the A38 West would be likely to travel through Bickington Road and into Stapehill Road through the 3-arm junction before the school or the village.
- 3.13 There is the possibility, as outlined above, that during improvement works to the A382 other trips, such as those from the A38 East or from Bovey Tracey may choose to use this alternative access point leading to a temporary increase in traffic through Liverton. This would though be temporary as it is not the most convenient route to the store / wider site for those visitors.
- 3.14 The peak times for the school and the Trago Mills complex are likely to be different. Schools are often busy at pick up / drop off times (half an hour either side of the school day Monday to Friday) whilst retail and leisure complexes will be at their busiest on Saturdays and Sundays. Trips on weekdays are unlikely to be at peak times.
- 3.15 Taking account of the dispersed origin of trips to the site and the likely timing of trips, it is not considered that there is any capacity reason to refuse permission for the proposal.

#### Highway safety

- 3.16 The Highway Authority have considered the proposed viability splays (90m to the west and 70m to the east) to be acceptable given that the speeds along Staplehill Road are likely to be less than 37mph.
- 3.17 Two main junctions have been accessed in order to support the proposal. Staplehill Road junction with Bickington Road has been shown to operate below capacity with no queuing on the junction approaches. The potential for increase in traffic from the proposal does not cause concern with less than 1 vehicle expected to queue at any time on any arm of the junction. Similarly the assessment shows that junction between A383 and Bickington Road operates under capacity with no significant queuing on any of the approaches. Consequently the increase in the mean maximum queues as a result of the new access is considered to be minimal.
- 3.18 There has been no collisions at the junction of Bickington Road and Staplehill Road and no collisions in the local area involving pedestrians in the period between 01/01/2014 and 31/12/2018.
- 3.19 As outlined above, in addition to these matters, the timing and volume of trips likely to be using this access point is such that there is not considered to be any highway safety reason to refuse permission for the proposal.

#### Surface water management

- 3.20 The submitted third party contributions have raised some concerns regarding surface water flooding on the road in close proximity to the proposal. The applicant has submitted details of a surface water management system by the means of a soakaway in line with the SuDS guidance. The Authority's Drainage Officer has confirmed that the use of soakaways in this location is viable. Further prior to

commencement conditions will be imposed to ensure submission of additional information regarding exceedance routes, adaptation and the maintenance of the drainage system. On this basis the development is considered acceptable in respect of policy EN4.

#### Impact on biodiversity

- 3.21 The application site is located within the Bat SAC Landscape Connectivity Zone and has been accompanied by an ecology survey. The survey concludes that the proposed development will have limited impact on the biodiversity associated with removal of the grassland adjacent to the track edges. Hedgerow planting along the edges of the track and creation of habitat piles has been proposed to provide sufficient biodiversity enhancement. The planning statement has outlined that the new access road will remain unlit however a suitable condition will be imposed to secure this in perpetuity. Some concerns were raised regarding temporary lighting in the construction however it has been recommended that the works take place during day light hours. This can be suitably ensured via the requirement for submission of a Construction Management Plan. Finally a condition to ensure compliance with the ecology report will be implemented to guarantee the proposed enhancement. On this basis it is considered that the proposal accords with policies EN10, EN11 and EN12.

#### Public right of way

- 3.22 Originally the PROW Officer has requested clarity on the effect of the development on the public right of way and the pedestrian access gate. The applicant has confirmed that the footpath and the gate will remain unchanged.

#### Conclusion

- 3.23 In conclusion the proposal for a secondary access to the Trago Mills complex has been considered to not increase the overall numbers of vehicles traveling to the and from the site. The development will provide an additional route to customers traveling from the south west and has the potential to reduce congestion at the Drumbridges Roundabout. Based on the surveys submitted it is concluded that there is no severe impact on the local and strategic highway network. On this basis the proposal is considered compliant with policy S1 with a consequent recommendation of approval.

## **4. POLICY DOCUMENTS**

### Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S22 Countryside

EN4 Flood Risk

EN10 European Wildlife Sites

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

### National Planning Policy Framework

National Planning Practice Guidance

**5. CONSULTEES**

**Full text of responses is available to view on the application file**

Devon County Council PROW Officer

Clarification on access gate to Ilsington public footpath no 54 is required.

Devon County Highways

Initial response: Proposal will not have a severe impact on the operation of either the strategic or local Highways networks. Requested information in relation to the width of the new access road and the junction radii out onto Staplehill Road.

Revised response: No objections subject to conditions.

TDC Biodiversity Officer

No objection subject to lighting condition and compliance with recommendations of the ecology report.

Natural England

No Objection

TDC Drainage and Costal Manager

Initial Response: Further details required in relation to soakaway testing, exceedance pathways, maintenance and adoption of the drainage management system.

**6. REPRESENTATIONS**

There has been 23 third party contributions submitted in relation to this proposal with 22 being objections and 1 support. The issue raised by the letters of objection are summarised as below:

- Staplehill Road is not suitable location for an entrance to Trago Mills as it's a small rural lane with poor visibility
- Entrance located on a blind bend with poor visibility
- Regular flooding of the road
- Increased risk to walkers, cyclists and horse riders
- Detrimental to highway safety of Blackpool School
- Traffic surveys out of date
- Increase in traffic dangerous to local farmers using tractors and trailers
- Original entrance to Trago Mills is sufficient
- Increased traffic sends the wrong environmental message

- Traffic survey misleading
- Few passing places on Staplehill Road
- Detrimental impact of noise and excess traffic to neighboring properties
- Increased traffic through New Liverton
- Increase in number of large vehicles in the area
- New entrance unusable
- Staplehill Road narrows after the proposed entrance to 3m
- Staplehill Road is already in bad state of repair
- Increased traffic in the village of Bickington
- Increased traffic at Exeter Cross
- Detrimental to road safety
- Increased potential for accidents
- Traffic from the recently completed Gospel Hall has not been considered
- Increased traffic will enhance speeding issues in the area

Points raised by the letter of support:

- Considers the proposal not to have a huge impact

## **7. TOWN / PARISH COUNCIL'S COMMENTS**

Illsington Parish Council strongly objects to the proposal for the below reasons:

- The proposal will create too much traffic in the minor roads around the area
- Concerns over speeding vehicles near the school
- Increased risk of accidents
- Reduced sight at Staplehill junction
- New access used as an easier access to Trago by local traffic
- Highways survey outdated

## **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**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

## **10. HUMAN RIGHTS ACT**

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

**Business Manager – Strategic Place**