



NR/170083/L0001v1

20<sup>th</sup> March 2018

Mr M Morris  
GVA  
St Catherine's Court,  
Berkeley Place,  
Bristol  
BS8 1BQ

Dear Matt,

**Moor Exchange, Exeter**  
**Application Ref: 18/0076/OUT**

I am writing in response to your email to Tom Roche of 14th March in relation to the submitted material assessing the retail impacts of my client's redevelopment proposal at Moor Exchange, and specifically regarding the objection letter from East Devon District Council ('EDDC').

In their letter, EDDC refer to potential impacts of the application proposal on anticipated retail developments at Cranbrook. The objection letter refers to a requirement for developers to deliver 500 sq m of retail space by the 2000<sup>th</sup> dwelling, and highlights that the Council "*hopes to deliver modular retail, leisure and community spaces in Cranbrook Town centre in the near future.*" (my emphasis).

The letter also suggests Cranbrook to be a sequentially preferable location for new retail development. Aside from the retail considerations above, EDDC does not suggest that this proposal would otherwise affect the strategic objectives of delivering the Cranbrook new town.

### **Response**

The development plan for East Devon comprises the up to date East Devon Local Plan, adopted in January 2016. Policy E9 of the Local Plan affords protection to centres that are defined as "Town Centre Shopping Areas" on the proposals map, and this definition is followed in subsequent policies and text in consideration of the sequential test, for example in paragraph 24.14. Notably, Cranbrook is not defined as a "Town Centre Shopping Area" in the development plan or on the proposals map of the adopted Local Plan.

As you will be aware, the Framework Glossary at Annex A defines a town centre as an:

*"Area defined on the local authority's proposal map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area..... [and] Unless they*

*are identified as centres in Local Plans, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres”*

Against both the development plan and the Framework therefore, Cranbrook is not a town centre against which the test of impact applies. Moreover, as it is not a defined centre then it is patently not a sequentially preferable location that the applicant is required to consider. Of course, once Cranbrook has evolved and it develops the characteristics of a centre then it is open for the Council to so designate it as such at that time.

In the context of the development plan and national guidance therefore, the applicant is not required to consider the effect of the Moor Exchange proposal on Cranbrook either in impact or sequential test terms. Notwithstanding this clear view, I would offer a number of further observations in respect of Cranbrook to bring context to comments.

Firstly in terms of the sequential test, this must be applied to the application proposal as a whole, allowing for reasonable flexibility.

Our sequential assessment identified that within these parameters, a sizeable site would be required. There is no site within the central area of Cranbrook that could accommodate such a scale of development. Moreover, any such site would not afford the highway links and prominence that are essential to the commercial viability of any development.

With regard to impact, it is as you know, impossible to assess trading impact against a town centre that does not exist. Moreover, in this case it is not possible even to make reasoned judgements of likely operators and turnovers, since EDDC at this stage is only able to outline its hopes rather than actual proposals.

While there is a neighbourhood Co-op store at Younghayes Road which opened in 2015, and which has recently been granted permission by EDDC for subdivision to allow the switch of an element of the A1 retail floorspace to A2 (Ref: 17/0483/FUL) this is not ‘in centre’ and not part of any future town centre.

Such difficulties also extend to consideration of impact on investment. At the moment we are unable to find, and EDDC is unable to offer any definitive evidence of, actual plans to invest, much less evidence that these plans are prejudiced by the Moor Exchange proposals. They are, as the EDDC letter highlights, “hopes” that in fact are no more than inchoate aspirations.

The only relevant permission is that for a foodstore at Cranbrook granted in outline in 2010 (03/P1900). It has been accepted consistently by the ECC and its advisers that the scheme will not proceed in this format due to lack of commercial interest in larger format stores. This was a position also accepted by the Inspector and the Secretary of State in the decision in relation to previous assessments of the Moor Exchange proposal, and in ECCs consideration of other retail proposals in and around Exeter. At 11.53 of the IR the Inspector stated: *“With regard to Cranbrook and Exe Bridges Retail Park, any impact would be unlikely to reach the hurdle of significant adverse impact in NPPF 27”*. Our own commercial advisers have confirmed that the position has not materially changed since those conclusions were reached.

The EDDC comments concerning the retail expectations at Cranbrook endorse this conclusion. The scale of retail expected to be delivered by developers of 500 sq m is well below that of a foodstore and is more akin to that found in a neighbourhood centre.

This is of course an entirely different scale of offer and function to that being considered at Moor Exchange. EDDC also refers to hopes of modular retail units. Again, this implies smaller units as part of a mixed use local centre scale development.

With regard to impact, it is generally acknowledged that “like competes with like”. Both in trading and investment terms, the Moor Exchange proposal is entirely different from, and therefore complementary to, rather than competing with, the aspirations at Cranbrook. In conclusion therefore, it is my view that:

1. We have not assessed Cranbrook in terms of impact or sequential test as it is not a town centre within the definitions of either the adopted development plan or the Framework;
2. Even were it to be defined centre, any reasonable consideration of the suitability of that location to accommodate the application proposal would show it to be physically and commercially unviable; and
3. Even were it a defined centre, there is nothing there to impact upon and the plans for investment within it represent no more than inchoate aspirations that do not constitute investment plans within the meaning of the Framework.

I trust that this letter provides confirmation as to our position on the matter, however if you require any further information, or indeed have any further detailed information that you consider should be assessed prior to you issuing your formal advice to ECC, then please give Arfon or myself a call.

Yours sincerely



Nia Russell  
**Associate**