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Planning. Design. Economics.

Eden Westwood Proposal

Retail Response

Mid Devon District Council

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1.0 Introduction

1.1 Nathaniel Lichfield & Partners (NLP) was commissioned by Mid Devon District Council (MDDC) to provide an independent review of a major Retail and Leisure Proposal at Junction 27 of the M5, known as Eden Westwood (EW). This advice culminated in a critique report of the CBRE Retail and Leisure Statement dated March 2016.

1.2 Since March 2016, MDDC officers have met with neighbouring authorities under the duty to co-operate, during which NLP's advice and the EW proposals were discussed. Following on from these discussions, MDDC has asked NLP to prepare supplementary work to build on the previous advice and to respond to retail issues raised.

1.3 The key retail issues raised were as follows.

- 1 The Pre-publication Draft Exeter and West End of East Devon Retail and Leisure Study (EWEDRLS) prepared by GVA contains more recent information. MDDC wishes to understand whether any changes to NLP's advice would be required, in particular feedback regarding comparison goods expenditure growth levels.
- 2 There were concerns over the reliance placed on long term projections, and that a cautious approach should be employed.
- 3 The NLP report suggests there is no quantitative need for the DOV comparison floorspace, over and above other allocations within Mid Devon, based on local expenditure generated within the District. This suggests the scale of DOV proposed will result in unsustainable planning and an overprovision of retail floorspace, causing an adverse impact on the vitality and viability of existing centres.
- 4 The NLP report did not consider all current commitments in Exeter and other neighbouring authorities, i.e. in Exeter's case the Ikea store, the Bus and Coach Station scheme and the outstanding Moor Exchange Scheme (up to an additional 16,288 sq.m floorspace of which 11,102 sq.m is A1).
- 5 In terms of the sequential approach and disaggregation, can the proposals be located within town centres within the wider catchment area, including separate components of the proposals?

1.4 This report provides a review of the implications of the pre-publication draft EWEDRLS on NLP previous advice and responds to specific points raised by neighbouring authorities.

2.0 NLP Response

Expenditure Growth

- 2.1 Concerns have been raised regarding the level of comparison expenditure growth adopted by CBRE in its retail assessment statement (dated April 2015).
- 2.2 CBRE's figures suggest total comparison goods expenditure will increase by 50% between 2014 and 2024 within the catchment area as a whole. This growth is a result of 7.4% growth in population and 39.6% growth in expenditure per person.
- 2.3 GVA's pre-publication draft EWEDRLS (NB – for a smaller catchment area) suggests only a marginally lower proportional growth in expenditure of 42.5% for the 10 year period 2016 to 2026.
- 2.4 CBRE and GVA have adopted the same approach/data source to project expenditure growth. Any criticism of CBRE's adoption of Experian's growth forecasts will also apply to the GVA approach within the pre-publication draft EWEDRLS. CBRE adopted Experian's expenditure growth rates, as recommended in Briefing Note 12 (October 2014) i.e. the latest available information in April 2015. GVA adopts more recent information within Experian's Briefing Note 13 (October 2015). Both studies rely on Experian's data and forecasts.
- 2.5 The adoption of Experian's latest expenditure forecast could reduce CBRE's comparison goods expenditure projections at 2024 by about 5%. A 5% reduction in projected expenditure at 2024 would only marginally increase the impact percentages previously calculated by NLP and would not change the overall conclusions. For example the impact on Exeter would increase from 2.15% to 2.26% and the impact on Tiverton would increase from 5.40% to 5.68%.
- 2.6 Notwithstanding the insignificance of a 5% reduction in expenditure growth, other assumptions would also need to be updated that could reduce impact e.g. population growth, base year local expenditure per capita and base year turnover levels. It is inappropriate to partially update CBRE's analysis based on one data input only. If an update was undertaken then all inputs should be reviewed. However changes since April 2015 are unlikely to change NLP's previous conclusions. Nevertheless, we have examined the implications of the pre-publication draft EWEDRLS later in this report.
- 2.7 It has been suggested the trend of increasing expenditure growth is "*reaching a peak*" for comparison goods and that consumers are "*trading up to higher quality goods rather than buying more goods*". This assertion is not entirely accurate and does not reflect the forecasts provided by the main expenditure data providers used in the planning industry e.g. Experian, Pitney Bowes or CACI. As indicated above, the pre-publication draft EWEDRLS assumes continued growth in comparison goods expenditure based on Experian

forecasts. Growth rates are not as high as those experienced in the past but there is no suggestion that a peak will be reached.

- 2.8 NLP is not aware of any retail evidence study or development plan that has successfully assumed limited growth in comparison good expenditure anywhere in the country. Experian's growth forecasts are generally the most conservative available and have been considered to be robust at numerous appeals and EIPs.
- 2.9 NLP would not recommend that MDDC assumes comparison expenditure growth has reached a peak, and this approach should not be adopted. The development plan should plan positively for growth and investment. Failure to plan for growth would lead to a high risk the development plan will be found unsound.
- 2.10 Some of the projected growth in expenditure will be a result of consumers spending more on higher quality goods rather than buying more goods. However the impact of this uplift has been taken into account through growth in turnover efficiency. For example, GVA's pre-publication draft EWEDRLS assumes the turnover of existing comparison retail floorspace will increase in real terms (over and above inflation) due to growth in turnover efficiency. A significant element of this growth will be a qualitative uplift in the products sold rather than a volume increase. GVA assumes turnover efficiency will increase by around 2% per annum and this is reflected in the retail floorspace projections. This is an approach widely adopted by retail planning consultants.

Long Term Projections

- 2.11 The CBRE retail assessment is based on expenditure projections between 2014, 2022 and 2024. In NLP's view a ten year period is not a particularly long period to make expenditure and population projections, for the reasons set out below.
- 2.12 The pre-publication draft EWEDRLS includes even longer term projections up to 2026, 2031 and 2033. There is no suggestion within the pre-publication draft EWEDRLS that these much longer term projections are unreliable. The concerns expressed in relation to CBRE's assessment would apply equally, if not more, to the pre-publication draft EWEDRLS.
- 2.13 More importantly, the NPPF requires local planning authority to assess the need for development over the plan period i.e. up to 15 to 20 years. Notwithstanding this guidance, NLP recommends a cautious approach when planning for growth over a long period. For this reason, NLP's adopts Experian's cautious expenditure forecasts (around 3% per annum for comparison goods), rather than the much higher trend line projections e.g. Experian's annual average trend growth rate for the period 1997 to 2014 is 5.8% per annum.
- 2.14 Both CBRE and GVA have also adopted the cautious Experian growth forecasts, which is consistent with the approach NLP would adopt. An

appropriate degree of caution has already been applied for the forecasts over the next 10-15 years by CBRE, NLP and GVA.

- 2.15 It should also be noted, that the NPPF indicates that when assessing applications for retail and leisure development, local planning authorities should require an impact assessment that examines trade in town centres, up to five years from the time the application is made and for major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.
- 2.16 There is no suggestion within the NPPF that retail impact assessment will be unreliable if projections over a 10 year period are adopted in the assessment.
- 2.17 As noted in NLP's previous advice, this NPPF guidance relates to the determination of planning applications rather than the allocation of sites through the plan making process. However development plans are required to allocate a range of suitable sites to meet the need in full for main town centre uses over the plan period as a whole. This implies development plan allocations should be based on longer term projections than impact assessments for planning applications.

Retail Need and Capacity

- 2.18 NLP's previous advice indicated:
"there is no quantitative need for the DOV comparison floorspace, over and above other allocations within Mid Devon, based on local expenditure generated within the District alone."
- 2.19 NLP's advice went on to add that the need for the DOV can only be demonstrated in terms of growth within the wider sub-region, and as a result NLP indicated that it is necessary to consider the implications for surrounding authorities within the sub-region.
- 2.20 The concerns raised in relation to these NLP conclusions indicate that further clarification is needed.
- 2.21 NLP's conclusions may have been misinterpreted to imply the scale of DOV proposed will result in unsustainable planning and an overprovision of retail floorspace, causing an adverse impact on the vitality and viability of existing centres. This is not correct.
- 2.22 NLP's previous analysis indicated that, based on Mid Devon's current retention of comparison good expenditure and relatively modest draw of expenditure from beyond the District, projected expenditure growth would not be sufficient to support the proposed DOV. NLP's statement set out above is based on Mid Devon only retaining its current low proportion of expenditure generated by its own residents.
- 2.23 NLP's analysis of the CBRE assessment indicated that Mid Devon's comparison goods retail facilities only retain around 25% of the comparison available from residents within the District, and suggested there is potential to

claw back some of this expenditure leakage (back from Exeter and elsewhere). Most of this claw back would result in more rather than less sustainable shopping patterns, i.e. shorter shopping trips.

- 2.24 For example, if Mid Devon retained about half of its residents' comparison goods expenditure then there would be theoretical expenditure capacity to support the DOV, based on local expenditure alone. However if Mid Devon retains a significantly higher proportion of the expenditure generated by its residents then there will be a knock on impact on surrounding authorities. Conversely it would be wrong to assume development within Mid Devon should not attract occasional shopping trips from beyond the District boundary including tourist visitors. A balanced approach taking into account the cross flows of expenditure to and from local authority areas is required.
- 2.25 Assuming each local authority only meet its own local need is overly simplistic. There is no suggestion in the NPPF that development within an authority area should only serve residents who live in that authority area. This approach would be inappropriate because it would fail to recognise that shopping catchment areas over-lap, and that catchment areas are rarely the same, or even similar, to local authority boundaries.
- 2.26 This complexity is highlighted by the pre-publication draft EWEDRLS. Exeter City's boundary is tightly drawn around the urban area. The pre-publication draft EWEDRLS indicates Exeter draws comparison trade from a wide area, including Mid Devon District. Shopping trips made to Exeter from Mid Devon or further afield should not necessarily be considered to be unsustainable.
- 2.27 The pre-publication draft EWEDRLS suggests Exeter currently attracts around £140 million of comparison goods trade from the Mid Devon area (Zones 8, 9 and 10), which is significantly more than CBRE's estimate of turnover for all shopping facilities in Mid Devon, attracting about £84 million of comparison goods expenditure in 2014. Exeter accounts for a high proportion of the 75% comparison goods expenditure leakage from Mid Devon. Most of this expenditure leakage from Mid Devon District, results in longer and less sustainable shopping trips. However this would be a very simplistic way of considering shopping patterns and the future need for development.
- 2.28 As previously recommended by NLP, it is inappropriate to consider each local authority area in isolation. An analysis of the cross flows of expenditure is required, and where development allocations are made the impact implications need to be considered. NLP's previous assessment is consistent with this approach.
- 2.29 An approach that only assessed needs within authority boundaries would also fail to recognise the niche role the DOV is expected play, related to a proposed tourist attraction. This type of DOV facility will inevitably attract trade from a wide area, and it would not be possible to demonstrate a localised need for this form of development in most areas. As indicated in NLP's previous advice, the need for tourism attractions will be qualitative in nature, recognising these attractions will have a wide draw. The need for these facilities cannot always

be quantified in terms of the local area. The need for tourism attractions should be aligned with the tourism strategy/vision for the area rather than an analysis of the local catchment population and expenditure.

- 2.30 In conclusion, Mid Devon is not limited to meeting the needs of its own residents. In the same way the pre-publication draft EWEDRLS expects Exeter to continue to serve a wide area beyond its boundary. The key issue is whether the DOV development proposals will have an adverse impact on town centres or will harm or jeopardise the development strategy within other authority areas.
- 2.31 Quantifying retail capacity and allocating sites to accommodate growth is not a precise science (particularly long term) because estimates of growth will fluctuate over time. Retail capacity projections and allocations should be broad guidance rather than precise targets or limits.
- 2.32 Retail capacity studies and the adoption of development plans within neighbouring authorities are staggered over a period of time. It is not possible to perfectly fit capacity projections and allocations, recognising the changes over time. Nevertheless cross boundary issues are important and the development strategy in each authority area should not significantly reduce or undermine the strategy within neighbouring authorities. Inevitably there will be some impact, but provided that the impact of one authority's strategy does not have a significant impact then the development plan should not be considered unsound.
- 2.33 Given the nature of the EW development and the wide trade draw, NLP's assessment suggests there will be no significant impact on the development strategy of neighbouring authorities. The implications of the EW on the emerging development strategies are unlikely to cause significant cross boundary issues. Minor adjustments may need to be made within emerging retail capacity assessments by neighbouring authorities e.g. Exeter and Taunton to reflect the EW, but these adjustments will not be of strategic significance.

The Draft Greater Exeter Retail and Leisure Study

- 2.34 The pre-publication draft EWEDRLS provides an up to date assessment of retail shopping patterns and projections. The study area adopted covers a wide area, extending to Torbay and Totnes to the south, and Seaton and Axminster to the east. It includes Mid Devon and West Devon Districts to the north and west of Exeter.
- 2.35 In approximate terms, the EWEDRLS study area includes five of the core catchment area zones adopted by CBRE (Zones 11 to 15 and 17), therefore the findings of the EWEDRLS shed some light on validity of the CBRE study and NLP's analysis.
- 2.36 As indicated above, comparison goods expenditure within the EWEDRLS study area is expected to increase by 42.5% between 2016 and 2026. The

total growth in expenditure is £878 million, approximately £107 million of this growth would relate to Mid Devon District.

- 2.37 By way of comparison, CBRE study projects similar growth of £908 million in Zones 11 to 15 and 17 between 2014 and 2024.
- 2.38 The proposed DOV is expected to have a comparison goods turnover of £87.8 million, which incidentally is less than GVA's projected comparison good expenditure growth within the Mid Devon area between 2016 and 2026. However not all of this turnover will be attracted from the District for the reasons outlined earlier.
- 2.39 NLP's trade draw analysis suggests about 25% of the DOV turnover (about £22 million) will be draw from the District, which is a small proportion (about 20%) of GVA's projected expenditure growth for the District (around £107 million).
- 2.40 NLP's previous analysis suggests a further 25% is likely to be drawn from the rest of the EWEDRLS study area. The DOV is expected to account for only 20% of comparison good expenditure growth generated in Mid Devon District between 2016 and 2026 and less than 3% of the growth within the remainder of the EWEDRLS study area. The DOV's overall share of expenditure growth (£44 million) in the pre-publication draft EWEDRLS study area as a whole is only 5%. Given that Mid Devon District accounts for over 12% of population within the EWEDRLS, this modest 5% share of expenditure growth is not unreasonable, and could reasonably be viewed as Mid Devon's fair share of future expenditure growth.
- 2.41 The EWEDRLS is based on two scenarios for comparison good shopping. It provides projections based on Exeter's existing market share and another scenario based on the assumption Exeter will increase its market share. The draft EWEDRLS does not include an impact analysis of the implications of this increase in market share on surrounding authorities.
- 2.42 The first scenario (existing market shares) assumes Exeter will attract approximately £458 million (just over half) of the projected comparison goods expenditure growth in the study area. The second scenario assumes Exeter will take a larger share of expenditure growth (£500 million). The pre-publication draft EWEDRLS assumes development in Exeter will increase the city's market share which will generate an additional £42 million. This £42 million will effectively be trade diversion from other authorities including Mid Devon. If this scenario is taken forward within Exeter's development plan then the implications of this impact will need to be considered.
- 2.43 Based on either scenario, the EWEDRLS projections suggest there will still be between £378 million to £420 million of comparison expenditure growth available for other locations outside Exeter within the study area. NLP's trade draw estimates suggest the DOV will attract not more than £44 million of this expenditure growth (10.5% to 11.6%). Again this share of expenditure growth does not appear to be unreasonably high.

Retail Commitments and Proposals in Exeter

- 2.44 Exeter City Council has suggested the NLP report did not consider all Exeter's current commitments or those of other neighbouring authorities e.g. Ikea, the Bus and Coach Station scheme and the Moor Exchange Scheme.
- 2.45 The pre-publication draft EWEDRLS includes the Ikea store as a commitment, with an estimated comparison good turnover of £48 million. It is likely the Ikea store will draw trade from a very wide area, not dissimilar to the DOV. All commitments including Ikea have a comparison good turnover of £66.6 million at 2016, projected to increase to £81.8 million in 2026.
- 2.46 The outline application for mix use redevelopment of the Bus and Coach Station (27,547 sq.m of new floorspace and demolition of 7,195 sq.m of existing floorspace) includes a wide range of uses. The Class A1 content of the development is expected to be between 5,000 to 11,000 sq.m gross. Based on a net to gross ratio of 75% and GVA's assumed sales density at 2026 (£7,371 per sq.m net) the comparison good turnover of this development will not exceed £60.8 million at 2026.
- 2.47 The Moor Exchange Scheme (up to 16,288 sq.m gross) was the subject of a recent appeal, which has subsequently been dismissed. Even if the appeal had been allowed then not all of the proposed floorspace would have been comparison good retail. The applicant's retail impact assessment suggested the development would have a comparison goods sales area of 6,500 sq.m net. Based on GVA's assumed sales density the comparison good turnover of this development if implemented will be £47.91 million at 2026.
- 2.48 The pre-publication draft EWEDRLS suggests available comparison goods expenditure growth in Exeter, allowing for growth in turnover efficiencies, will range from £241.7 to £284.1 million, depending on the degree to which Exeter increases its market share of expenditure.
- 2.49 The expected turnover of commitments and proposals (including the dismissed Moor Exchange scheme) in Exeter is £190.51 million at 2026, which represents 67% to 79% of the residual expenditure growth projected within the pre-publication draft EWEDRLS.
- 2.50 The pre-publication draft EWEDRLS indicates there is ample comparison goods expenditure growth within Exeter's catchment area to support commitments and proposals in Exeter. The growth projections for the catchment area as a whole indicates there will be a significant amount of growth available to support development outside Exeter i.e. between £378 million to £420 million by 2026 as shown above.

Sequential Approach

- 2.51 The concerns raised appear to suggest that a greater degree of disaggregation could be applied to the proposed DOV, i.e. it could be split and provided across

a number of town centre sites, potentially including all centres across the catchment area.

- 2.52 The general concern relates to the requirement to consider sequentially preferable sites for a disaggregated scheme, particularly where a developer is seeking an allocation in a plan document. Reference has been made to Tesco v Dundee City Council judgment (2012) in terms of suitable alternative sites, requiring developers to:

“consider the scope for accommodating the proposed development in a different form, and where appropriate adjusting or sub-dividing large proposals, in order that their scale may fit better with existing development in the town centre.”

- 2.53 This quote is taken from paragraph 28 of the judgment, and sets out a description of the approach as outlined in paragraph 13 of the Scottish NPPG8. This wording does not exist within the NPPF or the NPPG, and this part of the judgement does not apply outside Scotland. The language of Scottish policies is different and the judgement did not consider English policies now relevant to Mid Devon.

- 2.54 The essence of the Dundee case is that the interpretation of what is suitable (in the sequential test) in terms of alternative sites, relates to suitability for the proposed development. Flexibility should be considered in this context, rather than suitability for an alternative scheme.

- 2.55 As indicated in NLP’s previous advice the “conclusion” section of the Dundee judgment states:

“It is the proposal for which the developer seeks permission that has to be considered when the question is asked whether no suitable site is available within or on the edge of the town centre.”

- 2.56 The judgment goes on to state (paragraph 38) that the exercise of applying the sequential test, should be directed:

“to what the developer is proposing, not some other proposal which the planning authority might seek to substitute for it which is for something less than that sought by the developer”.

- 2.57 Whilst this judgment indicates there is still a need to apply flexibility when devising a proposal, having regard to the particular local circumstances and how this might influence the format, design and scale of the development (paragraph 28), it also notes (paragraph 38) that proposals are generated by:

“a developer’s assessment of the market and that the criteria of flexibility and realism are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest in doing so”.

- 2.58 The Dundee decision is clear that developers need to consider appropriate flexibility assessment. However the sub-division/disaggregation of a development proposal, in most cases would create another form of development that would substitute it with something less than that sought

being sought by the developer. This approach may also ignore the developer's assessment of the market and disaggregation may be commercially unviable.

- 2.59 Recent decisions since the Tesco v Dundee judgement also need to be considered, in particular the Secretary of State call-in decision in Rushden, East Northampton.
- 2.60 Paragraph 8.44 of the Inspector's Report for the Rushden call-in decision, endorsed by the Secretary of State, indicates the Dundee decision is of "seminal importance".
- 2.61 The decision confirms that the NPPF (para. 24) refers by example to flexibility in terms of format and scale but not to disaggregation. Some planners have sought to argue that the NPPF wording "such as format and scale" means these are only two examples and disaggregation is also valid flexibility. However the Rushden decision clearly indicates that this is not correct (at paragraphs 15 of the SoS decision not and paragraphs 8.45 and 8.51 of the inspector's report. There is no requirement for applicants to disaggregate their proposal.
- 2.62 There are two forms of disaggregation:
- 1 a single retailer being required to split their unit; and
 - 2 locating individual units/uses within a multi-unit/use scheme on more than one site.
- 2.63 In NLP's view the Dundee and Rushden decisions indicate that both forms of disaggregation are inappropriate when considering planning applications, based on the NPPF's wording and recent legal/SoS decisions. Although the starting point is the developer's application, flexibility of format and scale still needs to be demonstrated.
- 2.64 NLP considers flexibility of format and scale should be applied to the development proposal as a whole, which would not require substantive disaggregation of multi-unit/use schemes. The question of flexibility in terms of scale and format needs to be construed in the real world (in line with the Dundee and Rushden decisions).
- 2.65 The Rushden Inspector's Report (para 8.49) confirms that no indication as to what degree of flexibility is required is contained in the NPPF. The PPG includes in its checklist that it is not necessary to consider whether a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal. This appears to rule out disaggregation between sites.
- 2.66 Notwithstanding this case law and interpretation of the NPPF, NLP's previous advice indicated that the NPPF/NPPG guidance on flexibility and the case law decisions on flexibility/disaggregation relate to the determination of planning applications rather than plan making.

- 2.67 The issue of “suitable” and “available” feature in both the plan-making and development control sections of the NPPF (paragraphs 23 and 24 respectively). Clearly the focus will be different at the two stages, but there is sensible relationship between the two and they cannot be read in isolation. The plan making policies focus on allocating sites to meet the need for main town centre uses, but the soundness and effectiveness of these allocations will depend on commercial realism. Planning for development to be directed to allocation sites that are commercially realistic and publically beneficial.
- 2.68 The absence of further guidance within the NPPF/NPPG on this issue suggests it is for the MDDC to decide how the sequential approach should be applied to plan allocations, and the degree to which development allocations can or should be disaggregated when considering the suitability of sites and the area of search for sites. NLP concluded, for the reasons outlined below, that the sequential approach had been met.
- 2.69 NLP concluded that the Council can consider the scope to disaggregate or change the content of the proposed development at EW, when considering the appropriateness of a plan allocation. The Council can also consider the appropriate area of search for sites. These are matters of judgement and the Council, having considered whether flexibility and disaggregation and the area of search are appropriate, may in line with NLP’s advice, conclude the EW and DOV proposals cannot be reduced in size or disaggregated.
- 2.70 NLP concluded that it is for the Council to decide how the need for a tourist attraction and DOV should be met and the degree to which the development can or can’t be disaggregated when applying the sequential approach for plan making.
- 2.71 NLP accepted there is synergy between the proposed tourist attraction, themed hotel, restaurants, cafés and food hall, and therefore it would not be appropriate to disaggregate these uses and seek to accommodate these elements on separate sites. NLP also concluded that the DOV has less synergy with the proposed tourist attraction, but the co-location of these uses will be beneficial to each other in terms of spin-off trade and linked trips.
- 2.72 NLP concluded that all proposed main town centre uses i.e. the tourism, leisure and retail elements are taken as a whole would require a site area of about 28 hectares.

3.0 **Conclusions**

- 3.1 NLP has reviewed the comments received by Mid Devon Council and at this stage there is no need to amend NLP's previous advice relating to the sequential approach or retail impact.
- 3.2 The pre-publication draft EWEDRLS indicates there is ample comparison goods expenditure growth to support commitments and proposals in Exeter, leaving a significant amount of growth available to support development outside Exeter.
- 3.3 NLP's reading of the Tesco v Dundee judgement and other relevant decisions indicates developers need to consider appropriate flexibility assessment but not the sub-division/disaggregation of a development proposal.
- 3.4 The Rushden call-in decision, endorsed by the Secretary of State, confirms that the NPPF refers to flexibility in terms of format and scale but not to disaggregation.
- 3.5 NLP's previous advice indicated that the NPPF/NPPG guidance on flexibility and the case law decisions on flexibility/disaggregation relate to the determination of planning applications rather than plan making. However the absence of guidance on plan making suggests it is for the MDDC to decide how the sequential approach should be applied to plan allocations, and the degree to which development allocations can or should be disaggregated when considering the suitability of sites and the area of search for sites.
- 3.6 NLP previously advised that the key objective of the development proposals is to provide a major tourist destination accessible to the M5. NLP accepted there is synergy between the proposed tourist attraction, themed hotel, restaurants, cafés and Food Hall, and therefore it would not be appropriate to disaggregate these uses and seek to accommodate these elements on separate sites. The DOV has less synergy but the co-location of these uses will be beneficial to each other in terms of spin-off trade and linked trips.
- 3.7 If all proposed main town centre uses are taken as a whole then a site area of about 28 hectares would be required. This is the basis upon which NLP concluded that there are no sequentially preferable alternative sites that could accommodate the development proposed, i.e. assuming no disaggregation of the main town centre uses.
- 3.8 If the Council agrees this is the correct approach then NLP's conclusions remain unchanged.



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