

PLANNING

Date: Monday 13 November 2023
Time: 5.30 pm
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

Membership -

Councillors Knott (Chair), Asvachin (Deputy Chair), Bennett, Hannaford, Jobson, Ketchin, Miller, Mitchell, M, Patrick, Sheridan, Vizard, Wardle, Warwick and Williams, M

Agenda

Part I: Items suggested for discussion with the press and public present

10 **Update Sheet**

(Pages 3 -
10)

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Tuesday 5 December 2023** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

Follow us:

[Twitter](#)

[Facebook](#)

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.

This page is intentionally left blank

PLANNING COMMITTEE – 13 November 2023

ADDITIONAL INFORMATION - Correspondence received and matters arising following preparation of the Agenda

Item 5: Planning Application No 23/0875/VOC - Sandy Park Stadium, Sandy Park Way, Exeter

Correction: Section 6.0

Following amendments, the proposed variation to the above condition is as follows:
Unless otherwise agreed the playing area and spectator facilities in the main stadium shall only be used for the purposes of playing rugby or other sporting activities. The site shall not be used for public performance of musical events except to allow up to 6 music concerts per year to take place on weekends only between 1st May and 15th July inclusive, to avoid bank holiday weekends and any local school holidays, for an attendance of up to 15,500 people per concert.

Reason: To enable the Local Planning Authority to retain control over the use.

Correction: Condition 7 (replacement wording in red)

7) Unless otherwise agreed the playing area and spectator facilities in the main stadium shall only be used for the purposes of playing rugby or other sporting activities. The site shall not be used for public performance of musical events except to allow up to 6 music concerts per year to take place on weekends only between 1st May and 15th July inclusive, to avoid bank holiday weekends and any local school holidays, for an attendance of up to 15,500 people per concert.

Reason: To enable the Local Planning Authority to retain control over the use.

Update: Section 10.0 Consultations (replacement wording in red)

National Highways (previously Highways England):

Comments received 08/11/23:

Holding objection withdrawn – no objections subject to conditions

Update: New and amended conditions following receipt of revised comments from National Highways 08/11/23 (new/amended wording in red) (unchanged conditions not copied here)

NOISE & HIGHWAYS IMPACT

The recommended noise and highways impact mitigation pertaining to the music events hereby permitted shall be implemented in full as follows:

- a) An Event Noise Management Plan and Complaints Procedure for each calendar year's events shall be submitted and approved in writing by the LPA at least 3 months prior to the date of the first event in the calendar year. The approved Event Noise Management Plan and Complaints Procedure shall be implemented in full throughout each event.
- b) Noise from three of the events hereby approved shall not exceed a Music Noise Level of 75 dB and three shall not exceed a Music Noise Level of 65dB (all measured in accordance with the Noise Council 1995 Code of Practice on

Environmental Noise Control at Concerts) throughout the duration of the event, sound check and any rehearsals.

- c) Noise from three of the events hereby permitted shall not result in an Leq, (equivalent continuous sound level), 15min of equal to or greater than 80dB in the 63 or 125Hz octave bands and three shall not result in an Leq, (equivalent continuous sound level), 15min of equal to or greater than 75dB in the 63 or 125Hz octave bands when measured at 1m from the façade of any noise sensitive premises.
- d) The music relating to the events hereby permitted shall not be amplified outside the hours of 16:00 to 22:30 with the exception of sound checks and systems testing, which will be controlled as per the Event Noise Management Plan, as approved under part a) of this condition.
- e) The main act for each event hereby permitted shall not commence earlier than 21:00.
- f) No spectators attending the events hereby permitted, other than persons accessing hospitality events associated with the music event, shall be allowed access to the stadium earlier than 16:00.
- g) The events hereby permitted shall only take place on a Saturday or Sunday evening and shall not take place on more than two consecutive weekends.
- h) No less than one month after the final event in every calendar year, a Post Event Report shall be submitted to and approved in writing by the LPA. This shall summarise the noise and other monitoring data from all the events in the calendar year, together with any complaints received and any changes that are proposed to the running of future events as a result.

Reason: To protect the residential amenity and in the interest of highway safety including the M5 motorway.

EVENT ACCESS STRATEGY & MONITORING

- a) In relation to the music events hereby permitted the stadium shall only be used and operated in accordance with the approved Event Access Strategy by WSP, ref. 70106654/01/06, dated October 2023, and any subsequent revisions thereof as agreed with ECC (in consultation with DCC and National Highways).
- b) Spectator surveys, the scope of which shall be agreed with ECC (in consultation with DCC and National Highways), shall be undertaken as follows:
 - At first event.
 - At the highest ticket sale event in the first year of operation.
 - At least annually thereafter at the highest ticket sale event, or more often if issues with the Event Access Strategy are identified to the applicant.
- c) Following each spectator survey, the Event Access Strategy will be reviewed and updated as necessary in consultation with ECC, DCC and National Highways. The Event Access Strategy shall also be reviewed by the applicant if requested by either ECC, DCC or National Highways following a material change in travel conditions or in light of experience from a previous event. Changes to the Event Access Strategy will be agreed on the receipt of written approval from the relevant organisations.
- d) A full turning count survey of M5 Junction 30 to coincide with the highest ticket sale event day will be undertaken annually for the first three years of events hereby approved. The scope and timing of the survey shall be agreed with DCC and National Highways prior to any survey taking place, and the survey findings will be shared with the same organisations.

Reason: In the interests of highway safety, the operation of the highway network including the M5 motorway, and the living conditions of the occupiers of nearby dwellings.

EVENTS TRAVEL PLAN

The music events hereby permitted shall be operated in accordance with the approved Site Travel Plan by WSP, ref. 70028627/03/08, dated August 2023, and any subsequent revisions thereof as agreed with ECC (in consultation with DCC and National Highways).

Reason: To ensure that the music events are operated in a way that encourages travel by sustainable means and minimises the potential impact on the local highway network including the M5 motorway.

CAR PARK MANAGEMENT PLAN

The development hereby approved shall be operated in accordance with the approved Sandy Park Car Park Management Plan (dated August 2023) and any subsequent revisions thereof as agreed with ECC (in consultation with DCC and National Highways).

Reason: To ensure that the impact of the development does not exceed the predicted demand, and thereby ensure the safe and efficient operation of the SRN.

EXETER SAFETY ADVISORY SUB-GROUP FOR CONCERT EVENTS

Prior to the first event an Exeter Safety Advisory Sub-Group will be convened, with a debrief meeting after. Additional meetings shall be convened at the request of any sub-group representative and shall be held prior to the next event. The applicant will be responsible for ongoing consideration of the suitability of the Event Access Strategy in consultation with members of the sub-group, including:

- a) On-site Event Management Measures (to include, but not restricted to):
 - Select access to Sandy Park for event-specific traffic, emergency vehicles and VIPs.
 - Car park access for pre-booked spaces and accessible parking
 - Preventing unauthorised vehicles entering the car park
 - Managing bus, taxi and private vehicle set down/ pick-up activity within the site
 - Emergency procedures for safe evacuation
 - Managing people movement on site to ensure the safe and efficient flow of pedestrians.
 - Managing non-event traffic.
- b) Off-site Event Management Measures (to include, but not restricted to):
 - Promotion and implementation of Temporary Traffic Regulation Orders and Controlled Parking Zones as appropriate.
 - Implementation of remote Park & Ride and Shuttle Bus services serving Sandy Park, the City Centre and off-site parking locations.
 - Supervising access routes for pedestrians and cyclists on the local highway network in particular from Newcourt rail station and across the A379 footbridge
 - Maintain private access to local businesses and residents
 - Liaison with ECC / DCC / National Highways Network Management to ensure effective use of remote traffic signal management, use of Variable Message Signage (VMS), CCTV and other technology as appropriate.

Reason: to manage the impacts of events to that for which an assessment has been provided and in the absence of evidence to demonstrate that the impacts beyond these

limits would not be severe, in the interest of the safe and efficient operation of the M5 motorway.

OFF-SITE PARKING LOCATIONS

- a) The locations, allocation and quantity of off-site parking for event attendees shall be confirmed annually at least one month prior to the first event and submitted for agreement by ECC (in consultation with DCC and National Highways).
- b) Should parking locations or quantities differ from that assumed as part of the planning application, then an assessment of the traffic impact shall be agreed with DCC and National Highways. Should the assessment identify adverse highway impacts as a result of the proposed change, then the applicant will revise the off-site parking proposals or commit to mitigate adverse impacts through enhancements to the Event Access Strategy or physical interventions. Mitigation would need to be agreed by ECC (in consultation with DCC and National Highways).
- c) Unless otherwise agreed in writing with ECC (in consultation with DCC and National Highways), the applicant shall provide connecting bus services between off-site parking locations and Sandy Park.

Reason: to manage the traffic impacts of events to that for which an assessment has been provided and in the absence of evidence to demonstrate that the impacts beyond these limits would not be severe, in the interest of the safe and efficient operation of the M5 motorway.

USE RESTRICTION (AS AMENDED UNDER THIS APPLICATION)

7) Unless otherwise agreed the playing area and spectator facilities in the main stadium shall only be used for the purposes of playing rugby or other sporting activities. The site shall not be used for public performance of musical events except to allow up to 6 music concerts per year to take place on weekends only between 1st May and 15th July inclusive, to avoid bank holiday weekends and any local school holidays, for an attendance of up to 15,500 people per concert.

Reason: To enable the Local Planning Authority to retain control over the use.

Item 6: Planning Application No. 23/0232/FUL - Apparelmaster, Cowley Bridge Road, Exeter

No updates.

Item 7: Planning Application No. 23/0880/FUL - Former Exeter Royal Academy for the Deaf, 50 Topsham Road, Exeter

Correction: Section 1.0 (replacement wording in red)

Applicant Name: Gladman Retirement Living Ltd

Item 9: Appeals Report

3 Appeals Decided

Two new Appeal Decisions since last update

3.6

22/1380/FUL Pavement Outside 1 Paris Street. *Installation of a multifunction Hub unit, 2.6m in height, with integral advertisement display and defibrillator.*

22/1381/ADV Pavement Outside 1 Paris Street. *Integral advertisement LCD screen for illuminated static displays within multifunction hub unit.*

A planning application and advertisement consent for a free standing multifunction hub unit with advertising displays and defibrillator was refused by the Council. This was because the units, both individually and in combination with the other units proposed, were considered an incongruous and unduly prominent addition to the street scene, resulting in harmful street clutter, which would be detrimental to visual amenity and the character and the appearance of the local townscape.

The Inspector said: The proposed hub would be a tall and wide structure, with a rectangular block-like design. While its appearance would not detract from the appearance of the relatively modern looking buildings on Paris Street and nearby High Street, its height and design mean that it would be viewed as an imposing and visually incongruous item of street furniture. Moreover, due to its fairly large scale in comparison with most other items of nearby street furniture, and its proposed prominent positioning on a pedestrian route, it would serve to add visual clutter, thereby detracting from the existing street scene and making it feel less spacious.

Standalone LCD displays of a similar size to that proposed are not common in the immediate vicinity. The screen would appear as an overly dominant and visually intrusive feature in this location which would detract from the amenity of the area. Although the brightness of the screen could be controlled by condition, the overall visual effect of the proposed hub would be particularly noticeable and harmful in the hours of darkness.

While the public benefits of the proposal such as Wi-Fi, free phone calls to landlines, wayfinding, device charging, were noted, the Inspector said the limited scale of the proposal, and the fact that the public can already achieve these things in other ways, means that the benefits are very limited. The proposed hub would also incorporate a defibrillator. While these facilities are vital for public health, there are several existing defibrillators in the city centre area and so the provision of another only attracts limited weight. The benefits do not outweigh the harm identified.

Both appeals were dismissed.

For the Decision, see:

[APP/Y1110/W/23/3318416 \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/)

3.7

22/1388/FUL Pavement Outside 99 South Street. *Installation of a multifunction Hub unit, 2.6m in height, with integral advertisement display and defibrillator.*

22/1389/ADV Pavement Outside 99 South Street. *Integral advertisement LCD screen for illuminated static displays within multifunction hub unit.*

A planning application and advertisement consent for a free standing multifunction hub unit with advertising displays and defibrillator was refused by the Council. This was because the units, both individually and in combination with the other units proposed, were considered an incongruous and unduly prominent addition to the street scene, resulting in harmful street clutter, which would be detrimental to visual amenity and the character and the appearance of the local townscape including the central conservation area and nearby listed buildings.

The Inspector said: The appeal site, and the area immediately surrounding it, contribute positively to the significance of the Conservation Area primarily by its function as part of the historic layout of the city centre. It also provides a relatively uncluttered space which affords views towards the historic and elaborately designed red brick buildings on High Street. The proposed hub would be a tall and wide structure, with a rectangular block-like design. While its appearance would not detract from the appearance of the relatively modern looking buildings on South Street, its height and design means that it would be viewed as an imposing and visually incongruous item of street furniture. Moreover, due to its fairly large scale in comparison with most other items of nearby street furniture, and its proposed prominent positioning on a pedestrian route, it would serve to add visual clutter, thereby detracting from the existing street scene and making it feel less spacious. It would also detract from views towards the attractive buildings on High Street.

While the bus stops nearby do have display screens, standalone LCD displays of a similar size to that proposed are not common in the immediate vicinity. The screen would appear as an overly dominant and visually intrusive feature in this location which would detract from the amenity of the area. Although the brightness of the screen could be controlled by condition, the overall visual effect of the proposed hub would be particularly noticeable and harmful in the hours of darkness.

The proposal would cause harm to character and appearance, and by extension, the amenity of the area. It would therefore not preserve or enhance the significance of the Conservation Area. This harm would extend to the setting of the nearby listed building and the contribution it makes to its significance. The proposal would cause less than substantial harm to the significance of the Conservation Area and the setting of the listed building. This harm is of considerable importance and weight and the NPPF advises that such harm should be weighed against the public benefits of the proposal. While the public benefits of the proposal such as Wi-Fi, free phone calls to landlines, wayfinding, device charging, were noted, the Inspector said the limited scale of the proposal, and the fact that the public can already achieve these things in other ways, means that the benefits are very limited, and the benefits do not outweigh the harm identified.

Both appeals were dismissed.

For the Decision, see:

[Reference: APP/Y1110/W/23/3318420 \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/app/y1110/w/23/3318420)

This page is intentionally left blank