

PLANNING COMMITTEE

Monday 30 March 2015

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Denham, Edwards, Lyons, Mitchell, Newby, Raybould, Sutton,
Williams and Winterbottom

Apologies:

Councillor Choules

Also Present:

City Development Manager, Principal Project Manager (Development) (MH) and Democratic
Services Officer (Committees) (HB)

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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PLANNING APPLICATION NO. 14/4857/03 - 30 MARLBOROUGH ROAD, EXETER

The City Development Manager presented the application for a new dwelling on
land adjacent to No. 30 Marlborough Road, Exeter.

The recommendation was for approval subject to the conditions as set out in the
report.

RESOLVED that planning permission for a new dwelling on land adjacent to No 30
Marlborough Road, Exeter be **REFUSED** as the proposed dwelling would occupy
an atypically small and prominent plot within Marlborough Road and would appear
cramped and intrusive within the street-scene to the detriment of the character and
appearance of the St Leonard's Conservation Area. The proposal would therefore
be contrary to Paragraphs 64, 131-134 and 137 of the National Planning Policy
Framework, Policy CP17 of the Exeter Core Strategy and Policies C1 and DG1 of the
Exeter Local Plan First Review.

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PLANNING APPLICATION NO. 14/2066/01 - LAND NORTH OF EXETER ROAD, TOPSHAM, EXETER

The Principal Project Manager (Development) presented the application for a
phased development of a 60 bed residential care home, 47 assisted living
apartments and 55 age restricted dwellings.

Councillor Leadbetter, having given notice under Standing Order No 44, spoke on
the item. He referred to the huge concerns of Topsham residents regarding the
continual erosion of the green space between Exeter and Topsham and called for
the protection of the Topsham Gap. He supported the recommendation for refusal.

Mr Russell spoke against the application. He raised the following points:-

- if the Topsham Gap is lost, Topsham will no longer be separated from Exeter;
- developments of this land should be resisted in accordance with the Council strategic housing policy up to 2026;
- over 1,000 Topsham residents oppose this development;
- with other developments at Newcourt and forthcoming proposals from Aldi and Heritage Homes there will be increased pressure on the local infrastructure;
- support Council stance at the Home Farm inquiry and its opposition to development on this site; and
- allowing this development will open the floodgates for further developments.

It was noted that the Council had received notification from the Planning Inspectorate that the applicant had appealed against the non-determination of the application by the Council within the prescribed period (i.e. 13 weeks from the submission date). In connection with the appeal, the Council was required to indicate what its decision would have been. Consequently, the purpose of the report was to seek a resolution from the Committee as to what its decision would have been were it free to determine the application.

The recommendation was for refusal.

RESOLVED that the Committee is minded to **REFUSE** planning permission for a phased development of a 60 bed residential care home, 47 assisted living apartments and 55 age restricted dwellings for the following reasons:-

- (1) the proposal is contrary to the National Planning Policy Framework 2012, Exeter City Council Core Strategy 2012 (the Vision, Spatial Strategy and policies CP1, CP3 and CP16), Exeter Local Plan First Review 1995-2011 (saved policies H1, H2 and LS1) and the emerging Exeter Draft Development Delivery DPD 2013 (policies DD9 and DD30) because:-
 - (i) it would result in development outside the identified strategic locations for growth contrary to the Statutory Development Plan for the area,
 - (ii) the proposal would harm the landscape setting of the city through development on the strategic gap between Topsham and Exeter that would contribute to the coalescence of the two settlements, and it would set an undesirable precedent for other nearby residential development within the strategic gap that individually, or collectively, would harm the character of the area and setting of the historic settlement of Topsham; and
- (2) in the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which makes provision for affordable housing, the proposal is contrary to Exeter Local Development Framework Core Strategy 2012 policy CP7, and Exeter City Council Affordable Housing Supplementary Planning Document 2014.

APPLICATION NO. 14/4750/07 - FLAT 8, EXETER CASTLE, EXETER

The City Development Manager presented the application for internal alterations to create mezzanine floors and installation of 3 No. roof-lights.

He reported that English Heritage had re-iterated its objection to the revised plans.

Members were circulated with an update sheet - attached to minutes.

Mr Gollop spoke in support of the application. He raised the following points:-

- purchased the Castle in 2013 and passionate about its use as a family home and re-instatement for use by the community with the intention of bringing the whole site to life;
- will continue to develop the facilities at Exeter Castle for weddings, corporate events, food festivals as well as offering luxury accommodation and will partner with stakeholders and the local community to develop as hub for business and social events and intend to invest in the long term protection of the Castle; and
- accept error made in proceeding with works without permission having not received the correct guidance and advice and have since worked in accordance with advice of planning officers.

The recommendation was for approval subject to the conditions as set out in the report.

RESOLVED that planning permission for internal alterations to create mezzanine floors and installation of 3 No. rooflights be **APPROVED**, subject to the following conditions:-

- 1) C08 - Time Limit - L.B. and Conservation Area.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 16 March 2015 (*ArchitEXE Ltd dwg. no. 13/29/02E*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

LAND TO THE REAR OF CRAWFORD HOTEL, ALPHINGTON ROAD, EXETER

The City Development Manager presented the application for a development of four dwellings (three terrace units and one detached).

He advised that the Environment Agency had no objection on flood prevention and drainage grounds.

Members were circulated with an update sheet - attached to minutes.

Councillor Clark, having given notice under Standing Order No 44, spoke on the item. She read out a letter from a resident of Percy Road on behalf of the residents of Percy and Courtenay Roads raising the following points:-

- support the building of houses and the nature of the development but opposed to the proposed access which will impact adversely on public safety and quality of life;

- the existing parking situation is very difficult and will increase in severity through the use of Percy Road for access purposes;
- the increased traffic will disrupt a quiet residential area and with parking on both sides of the road the additional traffic will present a danger to residents, especially children;
- will lead to the use of Percy Road by heavy goods vehicles including delivery vehicles and construction traffic which will increase noise and dangerous road conditions; and
- the solution is for an access off Retail Park Close which will reduce impact on local residents.

Councillor Clark endorsed the above points and added:-

- 16 residents have objected on the website and have spoken to five;
- do not object to the development but to the proposed access and many residents refer to an access to the rear as the ideal solution rather than use of the narrow cul de sac of Percy Road;
- the Highway officer did not object but was not aware at the time that there was an option of utilising City Council land to facilitate an alternative access - this would offer both a short and long term answer to the benefit of residents.

Members considered that a preferable solution would be to access the site from Retail Park Close which could also allow an extension of the site and thus an increase in its capacity for development.

The recommendation was for approval subject to the conditions as set out in the report.

RESOLVED that planning permission for a development of four dwellings (three terrace units and one detached) be **DEFERRED** for discussions with the City Council regarding the possibility of access from Retail Park Close.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

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APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

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SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 14 April 2015 at 9.30 a.m. The Councillors attending will be Edwards, Lyons and Mottram.

Additional Information Circulated after Agenda Dispatched - Circulated as an Appendix

(The meeting commenced at 5.30 pm and closed at 7.05 pm)

Chair

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Minute Annex

PLANNING COMMITTEE

30 MARCH 2015

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

<p>Item 4, Pages 5-10 Ref 14/4857/03 30 Marlborough Rd Exeter</p>	<p>No further update.</p>
<p>Item 5, Pages 11-22 Ref 14/2066/01 Land north of Exeter Road Topsham</p>	<p>No further update.</p>
<p>Item 6, Pages 23-28 Ref 14/4750/07 Flat 8, Exeter Castle Exeter</p>	<p>Two further letters of support received, mentioning support for what the applicant is intending to achieve for the Castle as a whole and querying why the Council is in their view not supporting this as much as they should.</p> <p>Response : This is a separate matter from the present application and it is understood that the council is already liaising (via the Assistant Director Economy) with the owner over these wider issues. As the planning authority the Council has a legal duty to pursue and attempt to rectify breaches of planning law, in this case with respect to unauthorised works to a Grade II* listed building, and the Council has sought to encourage the owner to in future discuss and apply for consent for works in advance of implementing them.</p> <p>An email from English Heritage acknowledging receipt of the latest revised plans. Any further response from them will be reported at the meeting.</p> <p>Details of the rooflights have been received. These are acceptable and can be approved as part of the application; the planning condition is therefore no longer needed.</p>
<p>Item 7, Pages 29-34 Ref 15/0185/03 Land rear of Crawford Hotel Exeter</p>	<p>Following the Members Site Inspection on 17 March at which it was considered there was potential to facilitate access to the site from Retail Park Close (notwithstanding the need to use land outside the applicants control) the applicants were approached and the following response provided: 'You asked us to consider an alternative access. We do not consider it necessary to consider an alternative access as the proposed access is off an adopted road and will adequately serve the proposed development. Furthermore, DCC Highways have raised no objection to this means of access to the site. We therefore do not intend to change the access point'. (Email dated 24.3.15). Members were briefed of the applicants email at the Delegation Briefing dated 24 March.</p> <p>The wording to Condition 13 is incomplete. Insert the following: Prior to occupation of any dwelling hereby approved place until details of provision for nesting birds has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.</p> <p>Reason: In the interests of preservation and enhancement of biodiversity in the locality.</p>

	<p>Detailed discussions have been ongoing relating to the design of the properties. Of particular concern was the solid-to-void ratio on the front (NE elevation) of the terrace and the detached dwelling and materials. Due to the tight timeframes involved in agreeing a revised design and a desire to ensure this proposal remains on the Committee agenda, revised wording to the recommendation is proposed as follows:</p> <p>‘Subject to the receipt and written approval by the Local Planning Authority of a revised plan detailing the fenestration on the front of the terrace and the rear elevation of the detached dwelling’, APPROVE subject to the conditions contained in the Officer report.</p>
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