

PLANNING

Date: Monday 23 May 2016

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.

Agenda

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

1 Apologies

To receive apologies for absence from Committee members.

2 Minutes

To sign the minutes of the meeting held on 14 March and 11 April 2016.

3 Declarations of Interest

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

Office of Corporate Manager Democratic & Civic Support

Civic Centre, Paris Street, Exeter, EX1 1JN

Tel: 01392 277888

Fax: 01392 265593

www.exeter.gov.uk

Public Speaking

Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 5pm on the Thursday before the meeting (full details available on request from the Democratic Services (Committees) Officer).

- 5 Planning Application No. 16/0114/03 - Land north of Wessex Close, Topsham, Exeter**

To consider the report of the Assistant Director City Development. (Pages 5 - 16)
- 6 Planning Application No. 16/0017/03 - Scout Hut, Ferry Road, Topsham**

To consider the report of the Assistant Director City Development. (Pages 17 - 26)
- 7 Planning Application No. 15/0870/03 - Civil Service Club and Playing Fields, Exwick Road, Exeter**

To consider the report of the Assistant Director City Development. (Pages 27 - 42)
- 8 List of Decisions Made and Withdrawn Applications**

To consider the report of the Assistant Director City Development. (Pages 43 - 68)
- 9 Appeals Report**

To consider the report of the Assistant Director City Development. (Pages 69 - 72)
- 10 Site Inspections - Rota for visits**

To consider the report of the Corporate Manager Democratic and Civic Support. (Pages 73 - 74)
- 11 SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 14 June 2016 at 9.30 a.m. The Councillors attending will be advised.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 27 June 2016** 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:

www.twitter.com/ExeterCouncil

www.facebook.com/ExeterCityCouncil

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

Agenda Item 5

ITEM NO.

COMMITTEE DATE: 23 MAY 2016

APPLICATION NO: 16/0114/03 FULL PLANNING PERMISSION
APPLICANT: Mr Lovell
Heritage Developments (SW) Ltd
PROPOSAL: 22 dwellings (houses and flats), associated access through
phase 1 landscaping and infrastructure provision
LOCATION: Land north of Wessex Close, East of Retreat Drive,
Topsham, Exeter, EX3 0LU
REGISTRATION DATE: 25/01/2016
EXPIRY DATE: 21/03/2016

HISTORY OF SITE

14/1605/01	Development of up to 23 dwellings, access and associated services, land off Exeter Road.	PER 27/07/2015
14/0525/01	Residential development of up to 9 dwellings, land off Wessex Close.	PER 28/07/2015
15/0907/03	Six no. residential flats, car parking and associated facilities, land off Exeter Road.	PER 30/11/2015
15/0909/02	Reserved Matters for the approval of the appearance, landscape, layout and scale of 22 dwellings on part of the outline site, land off Exeter Road.	PER 30/11/2015

DESCRIPTION OF SITE/PROPOSAL

The site lies on the southern side of Exeter Road to the rear of the recently approved Phase 1 site, adjacent to The Retreat Drive and Wessex Close and to the east of the M5 motorway bridge. To the east and south there are existing residential dwellings on Wessex Close and The Retreat Boatyard adjacent to the River Exe.

The site is flat, with some mature trees within the site and smaller trees to the boundary. These trees are protected by a group TPO (No. TPO 544).

The proposal is for the development of 22 dwellings (houses and flats) made up of 15 open market dwellings, 6 no. two bedroom Socially Rented units and 1 no. two bedroom Shared Equity Unit (and a commuted sum of £28,262). The design is modern and contemporary and matches the dwellings already approved on the plot adjacent to Exeter Road. The site is accessed from Exeter Road, through the front plot. Additional pedestrian access is provided from Wessex Close and from The Retreat Drive to allow better permeability and connectivity through the site to Exeter Road.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application site is approximately 0.68 hectares. An outline scheme was consented in 2015 for 9 dwellings with two cul-de-sac entrances off Wessex Close.

The application is submitted in full and will comprise of 1, 2, 3 and 4 bedroom dwellings. Vehicular access is to be through the main site from Exeter Road whilst pedestrian access can be gained through the site and direct from The Retreat Drive.

The preliminary ecological survey concluded that the field has minimal value to wildlife and that the proposed development would not have any detrimental effect on the site's ecology or on the habitat value of adjoining land. Additional tree and shrub planting and landscaping will be

undertaken throughout the site. Trees of good quality will be retained. Bat roosting and bird nesting boxes will be provided.

A full archaeological assessment is to be undertaken on the site furthering the works from the Phase 1 site.

A Tree Preservation Order covers trees across the site. An Arboricultural Report has been carried out showing the removal of the trees which were located between the two fields and identifies the existing mature trees to be retained in the Phase 2 site.

The noise survey showed that noise levels are dominated by the M5 which runs along the embankment to the west of the site. Noise levels across the site have been shown to fall in the LOAEL (Lowest Observed Adverse Effect Level) classification and therefore there is a requirement to mitigate and reduce noise levels to a minimum. The report concludes that noise levels can be fully addressed and suitable mitigation provided for residential use of the site to comply with current national planning guidance.

The air quality assessment concluded that the air quality across the site is likely to be acceptable for residential development without the need for mitigation.

Amenity space (0.114ha) is provided in blocks within the layout, providing 68% more than the minimum 10% requirement (0.0068ha).

The resulting overall average net density proposed is 31dph. Adjacent residential development is built at a lower density than this, Exeter Road being 21dph and Wessex Close at 9dph. The higher densities proposed reflect the site's situation close to the M5 motorway, the need for smaller affordable units and market forces. The density falls within ECC approved Policy which supports up to 35 dwellings per gross hectare, and is also significantly less than recent approval on the nearby Seabrook Orchards site.

A mix of two storey dwellings are proposed, set in courtyards with a three storey complex set back from The Retreat Drive housing 6 Affordable Housing units and a 3 storey ground floor flat with maisonette above on the corner of The Retreat Drive and Wessex Close. Bin stores are incorporated within the parking forecourt of the flats and within the individual dwelling plots.

The entire development will be designed to a high level of sustainability with each dwelling designed to achieve a zero carbon energy rating.

REPRESENTATIONS

130 representations have been received and a summary of the reasons for objection is as follows:

- An unsustainable increase in the number of dwellings from 9 at outline to 22 (50 across both sites instead of 24) contrary to the 2013 Exeter SHLAA designation.
- Overdevelopment – development out of character with the area with three storey elements.
- The whole area should be considered as one site.
- The development will create parking problems leading to parking on adjacent roads due to limited onsite parking. How will the developer ensure parking will not be on Retreat Drive?
- Lack of recreation areas for children or landscaping.
- Increase in traffic on a difficult access and the impact on the highway network and increased congestion. No provision for cycling/pedestrians. No cycle parking provided.
- Unsustainable consequences for the Countess Wear roundabout.

- DCC Consultation based upon 23 units not 50 units now proposed. Private drives serving more than 3 dwellings are not acceptable. ECC census shows 25% of households have 2 or more cars.
- 15 of the 50 units (8 in phase 1 and 7 in phase 2) are described as “starter” or “affordable” and the Design & Access Statement makes it clear they are for young families giving rise to concern for road safety implications for children.
- How will construction/contractors vehicles be controlled (particularly from parking on The Retreat Drive).
- Noise levels from the motorway will be unacceptable for residents. Needs more opportunity for tree planting to offset noise. The Noise Statement accepts there is a serious problem. Social Housing to provide a noise barrier. Noise screen along motorway required.
- Effect on existing wildlife. Site of low ecological value is misleading. Should be viewed as a resource.
- Small garden sizes.
- Changes/increase in use of boatyard and noise may be restricted by residential use.
- Removal of hedgerows, trees and landscape. Buildings too close to the boundaries of the site so no opportunity for meaningful planting.
- Materials and architecture that is out of style with the character of the area. Design – the square tower at the corner of Topsham Road and Wessex Close is out of character with Topsham. Little aesthetic value to design.
- Demand on rainwater/foul water – can the pumping station cope? There have been recent problems in Ferry Road. Overloading of existing facilities and infrastructure e.g. roads, medical facilities, schooling.
- Loss of existing trees and hedgerow on site affecting visual appearance of the area. Trees lost which were subject of a TPO.
- Detrimental to neighbouring properties and the adjacent Grade II listed Retreat House.
- No flood prevention plans. Part of the flood plain for the Exe.
- High rise buildings will contribute to accumulation of pollution.
- Open space under the oak tree is encroached by the garage of one of the plots.
- No involvement with the local community before submission.
- No details of the three storey units provided. No details of materials provided.
- Archaeological assessment does not excavate under the tree canopies.

CONSULTATIONS

The Highway Development Management Officer (Exeter) at Devon County Council - The new junction from Exeter Road into the site will replace the existing service road junction in from of number 83 will need to be constructed before any part of the development is brought into use.

Pedestrian and cycle access is proposed via a shared surface access way into the development and a new shared connection on the southern boundary to Wessex Close. The combined sites provide good sustainable permeability.

The application proposes 47 vehicular parking spaces and 22 cycle parking spaces. The vehicular parking spaces are in excess of the relevant standards and accepted. The cycle parking spaces are below the standard, although it is noted that for a number of dwellings, provision for this is provided by the garages. Given the proximity to the National Cycle Route along Topsham Road the cycle parking standards should, as a minimum, be adhered to, for each dwelling.

The applicant has been in liaison with the Highway Authority regarding the extent of adopted geometries and drainage strategy and has been advised that the adoptable highways will require full construction throughout. The proposed internal road layout reflects a more contemporary approach to residential road design in keeping with the principle of Manual for

Streets and is welcomed. To progress adoption of the estate roads by the County Council, the applicant will need to enter into an agreement under Section 38 of the Highways Act 1980.

Given the modest scale of development and that a safe and suitable access to the site is achieved for all users, the proposed development is acceptable in highway terms. The internal road layout design accords with best practice. Subject to conditions, no objection.

Environmental Health – The air quality report is accepted and no specific air pollution mitigation works are required.

A contaminated land risk assessment is required because the development is for a sensitive end use. A Construction and Environment Management Plan shall be submitted for review and approval. A scheme for protecting the proposed development from noise shall be submitted for review and approval.

Principal Project Manager (Heritage) - Advises that the geophysics and assessment/ evaluation report submitted for the site, together with knowledge of the results of the recent excavations on the adjacent site, provides sufficient background information on which to reach a view regarding the physical impact of the scheme on heritage assets. The survey has not identified any assets of sufficient significance or quality of survival within the site that would affect the principle or layout of a proposed development, although there is a substantial amount of remains present.

The completion of a programme of archaeological work is to be secured via the standard condition for Archaeological Recording.

RSPB South West Regional Office - A Wildlife Plan should include provision for building dependant species by incorporating built in “nesting cavities”, “swift bricks” being the most effective and will be used by sparrows, starlings, great tits, blue tits, swifts, overwintering wrens and various invertebrates including bumble bees and hibernating butterflies. These should be available for the life of the building, by comparison retro-fitted boxes attached to external features recommended in the Habitat Survey need ongoing maintenance, have limited life spans and should in our view be the responsibility of the new occupants. The landscape plans should be strengthened to create and enhance the biodiversity of this part of Topsham in general and provide areas for other garden birds to nest and forage when the public and private green spaces have matured.

Senior Housing Development Officer - There had been no discussions with the developer regarding the Affordable Housing (AH) provision. The requirements are for 35% of the total number of units to be AH, which is 7.7 dwellings (7 AH units on the site and an AH contribution for the remaining 0.7). At least 70% of the AH units are to be social rent, which is 5 units. The mix of units is to be representative of the mix of market dwelling types and sizes. We would expect the following mix: 2 x 2 beds, 4 x 3 beds and 1 x 4 beds.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012
Manual for Streets 2007

Exeter Local Development Framework Core Strategy

CP1 – Spatial approach
CP3 – Housing development
CP4 – Housing density
CP5 – Meeting Housing Needs
CP7 – Affordable Housing
CP11 – Environment
CP13 – Decentralised energy networks
CP14 – Renewable and low carbon energy
CP15 – Sustainable design and construction
CP17 – Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

AP1 – Design and Location of Development
H1 – Housing land search sequence
H7 – Housing for disabled people
L4 – Provision of playing pitches
T1 – Hierarchy of modes of transport
T2 – Accessibility criteria
T3 – Encouraging use of sustainable modes of transport
T10 – Car parking standards
C5 - Archaeology
LS1 – Landscape setting
EN2 – Contaminated land
DG1 - Objectives of Urban Design
DG2 – Energy conservation
DG4 – Residential Layout and Amenity
DG5 – Provision of open space and children’s play areas
DG6 – Vehicle circulation and car parking in residential developments
DG7 – Crime prevention and safety

Exeter Development Delivery Document – Publication Version 2015

DD1 – Sustainable Development
DD8 - Housing on Unallocated Sites
DD9 - Accessible, Adoptable and Wheelchair User Dwellings
DD13 - Residential Amenity
DD20 - Sustainable Movement
DD21 - Parking
DD25 - Design Principles
DD26 - Designing out Crime
DD28 - Heritage Assets
DD29 – Landscape Setting Areas

Exeter City Council Supplementary Planning Documents

Affordable Housing SPD 2014
Archaeology and Development SPG 2004
Draft Planning Obligations SPD 2014
Public Open Space SPD 2005
Residential Design Guide SPD
Trees and Development SPD
Sustainable Transport SPD 2013

OBSERVATIONS

Density, Scale and Design

The principle of development on this site was established by the approval of the outline application. The design of the properties proposed, is contemporary using smooth render with white finish and terracotta and beige to match the localised brick and stone colouring but using modern materials. The pitched roofs would be zinc coated aluminium standing seam with the flat roofs finished with a single ply membrane. The windows would be dark grey foil coated uPVC and the entrance doors aluminium with high thermal insulation to assist with achieving zero carbon efficiency. The design matches the Phase 1 development on the site to the front, off Exeter Road developing a cohesive design for the entire site.

There is a mix of two and three storey elements with the three storey elements being located at the corner of Wessex Close and The Retreat Drive, adjacent to the embankment of the M5 and reflecting the location of the three storey elements of Phase 1. The highest proportion of the

density is to the west of the site with the larger, lower density plots to the east, closer to the existing housing of Wessex Close.

The density of the development has subsequently increased from the previously approved outline application for 9 units in 2015, to 22 (31dph). With the approval of the Phase 1 development, there will be a total of 50 units across both sites. Although the number of units is higher than that identified in the ECC SHLAA report, this increase is acceptable given that the density falls within Local Plan Policy levels, the design of the properties is still meeting the National Housing Standards and meets the ECC garden size standards.

The courtyards create smaller residential communities off the main access road, which leads through to the site from the main access off Exeter Road in Phase 1, with natural surveillance over the communal parking spaces.

Boundary Treatments

Private garden and parking areas will be enclosed by fences as described below as well as rendered block walls with blue engineering brick plinth finished on top with plain tiles and a single course of blue engineering bricks.

Noise

It is accepted that the proximity to the M5 and Exeter Road will create noise and this is taken into account through the construction methods of the dwellings and flats. The buildings will be solid construction, with triple glazing (including acoustic glass), acoustic ceilings and additional roof insulation. Ventilation is mechanical, to ensure compliance with the zero carbon rating, although opening windows are still available.

In order to reduce the noise within garden areas, the buildings have been placed to provide a buffer. In other, more open areas, 1.8m high fences and acoustic fences are proposed.

Highways

Concerns have been raised regarding the future impact on the Highway network and additional congestion. However, the DCC Highways Engineer has confirmed that there is no objection to the number of dwellings across the entire site. There is no vehicular access proposed onto The Retreat Drive or Wessex Close, instead moving all vehicle movements to Exeter Road where a longer and clearer visibility splay is available and is to be implemented prior to the commencement of construction works. The majority of the internal roads will be adopted by DCC, with the courtyard and parking areas remaining with a private management company for ongoing upkeep and maintenance. The main access road will be tarmac, with the courtyards and parking spaces being constructed of block paving and setts. There remains concern by local residents that The Retreat Drive and Wessex Close may be used for parking but since this is a private road, permission would need to be sought from the landowner who could secure and enforce yellow lines to prevent parking on the private road. There are two parking spaces plus garage proposed for many of the properties to alleviate the pressure for parking off the site.

The internal road has been narrowed through discussions with the Highways Officer to 3.5m, reducing the amount of tarmac required whilst still providing adequate width for cars, refuse and fire engines.

A public cycle path and pedestrian route is incorporated into the shared access road parallel to Exeter Road. A further pedestrian route is provided from Wessex Close to allow a shorter route through to Exeter Road for access to the bus stop and the pavement into Topsham.

Landscaping

There have been discussions with the Tree Officer regarding the existing trees on the site and the proposed re-planting. The majority of the protected trees are on the current application site with the main mature oak becoming a central focus and creating a central open space for the development. Across the rest of the site areas of mixed planting are proposed with new alder, English oak, cockspur and crab apple trees as well as a variety of shrubs. A maple tree which

is currently protected by a TPO on the boundary adjacent to 18 Wessex Close is to be removed but replanting with Alder and Cockspur is proposed.

The group of trees along the boundary of the two sites, has been removed. The removal of these trees was considered to be acceptable by the Tree Officer and in planning terms because of the new planting proposed across the site and the buffer of trees to be planted along the Exeter Road frontage.

The original outline application for the Phase 1 site proposed the use of the green area on the opposite side of Retreat Drive to be used as open space. However, with the site being immediately adjacent to the M5 bridge and embankment, it was agreed during the Reserved Matters submission to instead make a financial contribution of £40,500 for the enhancement of the existing playing fields and recreation ground in Ferry Road, Topsham and to also provide the 10% open space within the site as a whole (Phases 1 and 2). There are small areas of open public space where landscaping is proposed which could be used as informal play areas by residents.

Affordable Housing

When the application was initially submitted, the applicant was proposing 7 starter homes on top of the 15 open market houses. However, the National Planning Policy for Starter Homes has yet to be adopted. The applicant has put forward a mix of affordable housing which does not fully comply with the Affordable Housing SPD as the Affordable Housing is not representative of the open market mix. It is recommended that planning permission be granted with the precise terms of the S106 requirement for affordable housing delegated to the Assistant Director City Development and Portfolio Holder for City Development.

Section 106

A Section 106 Agreement will be required for the provision of Affordable Housing. The open space has already been secured through the S106 Deed of Modification for the Phase 1 site. There is also a requirement for payment of Community Infrastructure Levy.

DELEGATION BRIEFING – 23 February 2016

It was confirmed at the Delegation Briefing that the submission would come to Committee for review.

RECOMMENDATION

APPROVE subject to the successful completion of a S106 Agreement to secure the Affordable Housing provision the precise terms of which are delegated to the Assistant Director City Development and Portfolio Holder to agree; and the following conditions:

- 1) C05 - Time Limit - Commencement
- 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 25th January 2016 (*Dwg. No(s). Planning, Design and Access Statement; House/Garden & Amenity Space Schedule; EXRD-020-LOC PLAN; EXRD-010-SITE PLAN; EXRD-012-SITE PLAN; EXRD-014-OPEN SPACE; EXRD-PL29-34; EXRD-PL35&36; EXRD-PL37-40; EXRD-PL41&42; EXRD-PL43&44; EXRD-PL45; EXRD-PL46; EXRD-46G; EXRD-PL47; EXRD-47G; EXRD-PL48; EXRD-48G; EXRD-PL49; EXRD-PL50*) and 3rd March 2016 (*Dwg. No. 380 - Landscape Proposals*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with

details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

- 4) No part of the development hereby approved shall be occupied until cycle parking facilities have been provided in accordance with details (including access arrangements) that shall previously have been submitted to agreed and approved in writing by the Local Planning Authority and maintained for that purpose at all times.

Reason: To encourage travel by sustainable modes.

- 5) No part of the development hereby approved shall be brought into its intended use until the vehicular access to Exeter Road approved under application 15/0909/02 has been provided and is open for public use.

Reason: To provide a safe and suitable vehicular access to the site.

- 6) No more than 14 dwellings in the development hereby approved shall be occupied until a pedestrian/cycle connection of at least 3.0 metres width between the estate road and The Retreat Drive, as indicated on the Proposed Hard Landscaping Plan (Dwg. No. EXRD-012-Site Plan Rev32) has been provided and made available for public use. Such a link shall be maintained for this purpose at all times.

Reason: To provide adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.

- 7) C57 - Archaeological Recording

- 8) Prior to the occupation of the dwellings hereby approved, a wildlife plan indicating how the design and layout of the site and buildings will maximise wildlife opportunities and habitat within the site, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that wildlife opportunities and habitat are maximised in the development of the site in the interests of biodiversity.

- 9) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP, the following restrictions shall be adhered to:

- a) There shall be no burning on site during demolition, construction or site preparation works;
- b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out; or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday; 0800 to 1300 on Saturdays and not at all on Sundays and Public Holidays;
- c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.

The approved CEMP shall be adhered to throughout the construction period.

Reason: To protect neighbouring residential amenity.

- 10) No development shall take place until a scheme for protecting the proposed development from noise has been submitted to the Local Planning Authority and approved in writing. All works that form part of the scheme shall be completed before any of the permitted development is occupied.

The applicant should aim to achieve at least the standards for internal and external noise levels specified in BS8233:2014 Sound Insulation and Noise Reduction for Buildings.

Reason: To protect future residential amenity.

- 11) C70 - Contaminated Land
- 12) Prior to the commencement of the development a Sustainable Urban Drainage Scheme (SUDS) to deal with surface water associated with the development shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Devon County Council as the Lead Local Flood Authority). The said scheme shall include details of the on-going maintenance arrangements associated with any drainage system to be installed. The development shall be implemented strictly in accordance with the approved scheme.
Reason: To ensure the satisfactory drainage of the development.
- 13) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 in respect of Energy and CO2 Emissions including a 44% CO2 emissions rate reduction from Building Regulations Part L 2006 as a minimum, in accordance with the requirements of the Code for Sustainable Homes 2006, the Code for Sustainable Homes Technical Guide November 2010 and the Code Addendum May 2014 (or such equivalent standard that maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.
Reason: In the interests of sustainable development.
- 14) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority an assessment to show how the requirements of condition 13 above will be met. The measures set out in that assessment shall subsequently be implemented on site in relation to each individual dwelling prior to the first occupation of that dwelling.
Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development
- 15) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity
- 16) No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.
Reason: To ensure the protection of the trees during the carrying out of the development.
- 17) All trees shall be a minimum of 10-12cm girth and shall be container grown, the trees shall not be planted until written approval has been provided by the Council's Arboricultural Officer that he/she is satisfied with the condition and form of the proposed trees. Any trees delivered to site or planted must comply with *Trees: from*

nursery to independence in the landscape – Recommendations BS 8545:2014. The Council reserves the right to reject, and require the replacement of any trees that do not comply with the above British Standard either prior to or following the planting of the trees. Owing to the above, and prior to the trees being delivered to site or planted, the applicant is advised to seek approval from the Planning Department that the form and quality of the trees is acceptable.

All trees planted within or adjacent to hard surfaces should be planted into tree pits utilising an underground crating system.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 18) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the curtilage of the dwellings without the formal consent of the Local Planning Authority.

Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.

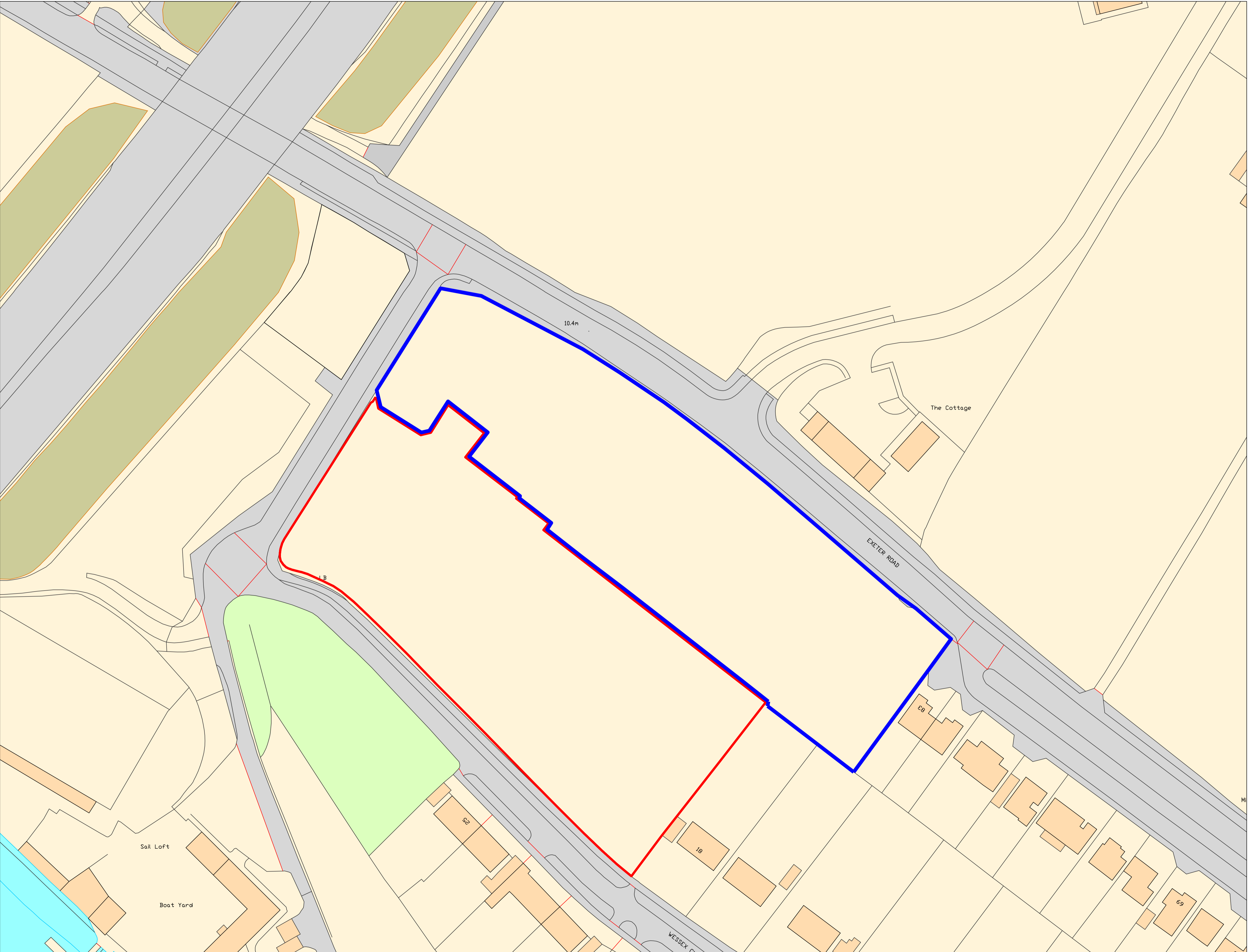
- 19) All gates to private gardens shall only be recessed by a maximum of 500mm.

Reason: To ensure the community is designed in a safe and secure way and in compliance with Policy DG7 of the Exeter Local Plan.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223



HERITAGE
HOMES

1A NEWTON CENTRE, THORVERTON ROAD,
MATFORD, EXETER. EX2 8GN
Tel: 01392 829900 Fax: 01392 829901
Email: plans@heritagesouthwest.co.uk

Project
The Chasse
Topsham

Drawing
Location Plan

Date	Scale	Drawn
10/08/15	1:500 @ A1	DSL
Drawing No.		Rev
EXRD - 020-LOC PLAN		

This page is intentionally left blank

Agenda Item 6

ITEM NO.

COMMITTEE DATE:

23 MAY 2016

APPLICATION NO:

16/0017/03

FULL PLANNING PERMISSION

APPLICANT:

Mrs J Lovett
1st Topsham Sea Scouts

PROPOSAL:

Demolition of existing Scout Hut and erection of new building, including storage, hall, changing facilities and meeting room

LOCATION:

Scouts Hut, Ferry Road, Topsham, Exeter, EX3 0JW

REGISTRATION DATE:

13/01/2016

EXPIRY DATE:

09/03/2016

HISTORY OF SITE

08/1381/03 - Ground floor extension and entrance porch on north east elevation, removal and replacement of existing roofing, wall cladding and alterations to window and door arrangements on all elevations PER 26/09/2008

KEY CHARACTERISTICS OF SITE

The existing 1st Topsham Sea Scouts Hut on Ferry Road is a timber frame structure with a corrugated iron roof and timber clad walls. It was built in the 1950s. Over the years, it has fallen into a state of some disrepair, which has been exacerbated by a flooding incident in 2014. The building is single storey and is located within the Topsham Conservation Area. Whilst the area has an industrial history, most of the buildings in the locality are now in residential uses and have been built within the last 30 years. Halyards, a modern housing development to the east and north east of the site, dominates the townscape. To the west is a recreational ground with a recently built house in contemporary design on its periphery. Another modern development, known as Haven Villas is situated opposite the park. There are two historic cottages to the north of the application site - Nos. 1 and 2-3 Ferry Road, the latter being a Grade II listed building. To the immediate south is a modern single storey community building called The Dorothy Holman Youth Centre. Between this and the River Exe is a site belonging to South West Water. This application seeks planning permission for the replacement of the existing scout building with a new structure. The proposed building would have three tiers and would be part single storey and part 2 storey. It would have a contemporary design and appearance with a distinctive roof that seeks to replicate sails.

REPRESENTATIONS RECEIVED

29 letters of support have been received. Amongst the responses, the urgent need to replace the existing building is emphasised. There is also much support for the innovative design of the building and for the continued success of the sea scouts organisation in Topsham.

20 letters of objection have been received. The Topsham Society has also written a letter with various comments and concerns. The main points raised are:-

- The proposed building is too large, too high, too ambitious and too grandiose. Its design is not appropriate in the conservation area. The proposed materials are out of keeping with the local area.
- The building has a design and uses materials that will be easy targets for graffiti. The boat storage area would be visible and may invite anti-social behaviour.

- The building's roof is not sensible in this location and could present a hazard. The building will be exposed to gale force winds.
- The building will obscure access to, and block from view, The Dorothy Holman Youth Centre and make it difficult for the centre to attract interest from hirers.
- The building will dwarf the cottages opposite it and have a detrimental impact on both the setting of the listed building and on the residential amenities of the occupiers of those cottages, particularly in terms of loss of light and outlook.
- Properties in Halyards will be overlooked by the first floor windows on the east elevation resulting in a loss of privacy.
- There is no parking provision on site meaning there will be parking and traffic problems in Ferry Road caused by this development. This will be exacerbated by the proposed greater intensity of use of the building and by the fact that there will be significant use of the new building by disabled persons.
- There is no need for another general community building in Topsham. There are already plenty of underused community spaces for hire available in the town.
- The Sea Scouts should join up with the Dorothy Holman Youth Centre to produce a combined project.
- Part of the building appears to encroach into the park.
- The finished floor level of the building is not clear. There are inconsistencies and inaccuracies in the submission with different figures cited in the planning statement and the flood risk assessment.
- The Sea Scouts organisation has not maintained the current building. There is therefore little confidence that this building will not be looked after and that it will deteriorate through lack of care.
- The organisation has not listened to the concerns of residents raised at previous consultation meetings.
- The building will block the views of the road when children leave the park, thereby creating a safety hazard.
- Why do the Scouts need such a building? In 2008, the organisation obtained planning permission for a much more modest scheme. What has changed?
- The Planning Statement does not address how the proposal complies with planning policies. It does not explain why the existing building needs to be demolished rather than refurbished. It also does not mention that the building will be used by two other charities and, in order to provide further funds, will be made available for general hire.
- It is likely that the building will be used later in the evening and at weekends causing a loss of amenity to neighbouring residents as a result of noise and disturbance. No hours of opening are declared in the application.
- There is no provision for landscaping on the site.

CONSULTATION RESPONSES

The Local Highway Authority at Devon County Council does not object to the proposal. It is expected that the number of additional trips would be modest. There is no evidence of traffic accidents in the vicinity of the site and it is not anticipated that this would change as result of this proposal. However, the Authority requests that cycle parking spaces are provided for the development as required by the Local Planning Authority's development plan. A condition is also proposed to ensure that construction works are not carried out on the highway.

The Council's Environmental Health team recommends three conditions are added to any permission relating to hours of construction, land contamination and the need for a noise

assessment to ensure the impact of noise from activities, events and plant does not have an adverse impact on local residents.

The Case Officer took advice from the Environment Agency. It advised that on the basis that the Council is satisfied that the proposal met the Sequential Test set out in the National Planning Policy Framework, then it would have no objections to the proposal in terms of flood risk.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Core Planning Principles 2, 4, 6, 10 and 11
Sections 7, 8, 10, 12

Exeter Local Development Framework Core Strategy

Objectives 1, 6, 8 and 9
CP10 - Meeting community needs
CP15 - Sustainable Construction
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

T1 - Hierarchy of Modes
T3 - Encouraging Use of Sustainable Modes
C1 - Conservation Areas
C2 - Listed Building
EN2 - Contaminated Land
EN4 - Flood Risk
EN5 - Noise
DG1 - Objectives of Urban Design

Development Delivery Development Plan Document Publication Version

DD1 - Sustainable Development
DD13 - Residential Amenity
DD25 - Design Principles
DD28 - Conserving and Managing Heritage Assets
DD33 - Flood Risk
DD34 - Pollution and Land Contamination

Topsham Conservation Area Appraisal and Management Plan
Topsham: A Framework for a Local Plan (2012)

OBSERVATIONS

The existing Sea Scout hut is a relatively modest building of simple form. However, after around 60 years of use, there is a widespread acceptance, including from objectors to this particular scheme, that it is reaching the end of its life and that a new structure is required. A recent flood, in 2014, has only served to speed up the need for development. The question, therefore, is whether the proposed building is an acceptable replacement.

The scheme presented in this application is for a very different building to the one that currently occupies the site. The maximum height of the existing building is around 4.6 metres; the new building would be 10.6 metres at its highest point and have some ancillary

office space at first floor level. Its overall size and massing would also be increased, partly by the greater height but also by additional width (10.7 metres compared to 7.9 metres) and length (22.5 metres and 18 metres). The building has also been given a contemporary architectural design solution making use of modern materials that are not present elsewhere in the area. Consequently, the scheme has divided local opinion with many people writing to express objection to, or support for, the proposal.

In cases such as these matters of personal taste can get in the way of objective assessment. However, it should be noted that Paragraph 13.23 of the Council's Local Plan does encourage contemporary design approaches although it is accepted that there should be clear sensitivity to the existing townscape. If schemes are well designed, a clear contrast between old and new can be more appropriate than a poor copy of an historic form.

In respect of this scheme, it should be noted that much of the immediate surrounding townscape is modern. Neighbouring Halyards is a large housing development that dominates this part of Ferry Road. The proposed scheme, even at its highest point, would not be higher than the buildings in Halyards nor would its front building line come forward of that already established in the street. Furthermore, the very presence of Halyards would mean that the proposed building would have a very limited impact on the Ferry Road street scene on the approach from Follett Road. Because the structure would have three tiers, the highest being at the back of the site, the lowest at the front, the main visual impact of the building would be seen from the recreational ground and from the part of Ferry Road between Haven Villas and the site itself. From here, it is considered that the open parkland would help to give the building a positive spacious setting, which would lessen the impact of the greater massing and allow the distinctive appearance of the building to shine.

Whilst most of the local townscape is modern, there are two historic cottages opposite the site, one of which, No. 2-3 Ferry Road, is a Grade II listed building. The Council must have regard to the impact of the development on the listed building in assessing this application. The proposed scheme would come closer to this building, by around 2 metres, although most of this would be to provide a low level covered external area, and would have greater height and massing in the round. However, at the front of the site, the building would be lower than would be the case at the back of the site. The roof of the first tier would rise up from a height of around 4.4 metres (i.e. below the height of the current building) to 8.5 metres, by which point the roof would be almost 24 metres from the listed building. Overall, it is considered that the impact of the building would not have a harmful impact on the setting of the building. Indeed, the contrast between a striking and distinctive modern building and a traditional historic cottage should provide a more vibrant relationship than that which exists between the listed building and Halyards. The existing scout building is identified as having a neutral impact on the Topsham Conservation Area in the Council's Topsham Conservation Area Appraisal and Management Plan. It is considered that the proposed building would, as a minimum, match this grading. Therefore, it is concluded that the proposed development would pass the test of either preserving or enhancing the character and appearance of the Topsham Conservation Area.

In terms of the impact on neighbouring residential properties, it is considered that the impact on Nos. 1 and 2-3 Ferry Road is acceptable for the same reasons given in the above paragraph relating to the setting of the listed building. There would be a very different view from the windows of these properties but given the distances from the properties to the highest parts of the building, it is difficult to argue that there would be a significant adverse impact in terms of loss of light or outlook.

The scheme that was initially submitted to the Council contained first floor windows on the side elevation facing Halyards. These windows would have overlooked a number of back gardens and provided views into the buildings themselves. After the Case Officer raised his concerns with the applicant's agent, the windows were relocated to the back of the building so as to avoid any harmful impacts on neighbouring residential amenities.

Many objections refer to the fact that the proposed building would be more intensively used than the existing scout hut. It is certainly the case that The 1st Topsham Sea Scout Group intends to share the building with two other charities – namely Community Action South West (CASW) and Community, Equality, Disability and Action (CEDA). In fact, the project represents a joint venture between these three groups, all of which encourage local children to develop and challenge their physical, mental and social skills through a wide range of activities. As a general rule, it is expected that the Sea Scouts, as the existing occupiers of the site, would have priority usage, mainly during the evenings and at weekends. This marks a return to the pattern of activity that existed before the current hall was closed. The other two users would make use of the building when it is empty, particularly during weekday daytimes. CEDA would occasionally use the building during the day at weekends.

In assessing this application, it would be difficult to argue that the proposed use is unacceptable given the history of the site. Such a use has existed here for at least 50 years. Furthermore, it seems that the intensification of use of the building would occur mainly during the daytime when an otherwise empty building would be used by CEDA and CASW. There does not seem to be any case for concluding that this is unacceptable.

Some of the concerns relate to the building being made available for general hire and therefore competing with the adjacent Dorothy Holman Youth Centre or other community spaces in Topsham for this kind of business. It is not the role of the planning system to interfere in competition between venues and, having concluded that this use is acceptable in this location, the Local Planning Authority would not seek to intervene to prevent the building from being hired out to other parties. However, in reality, it would appear that opportunities for general hire would be limited given the needs of the other users of the building. In response to the Case Officer's question on this matter, the applicant's agent has stated:-

“There may be a few times when the hut is not being used by either group. If this occurs, it may be offered for hire by small community groups on short term programmes.”

On balance, the Council does not consider that this will amount to a significant amount of usage of the building.

In respect of hours of operation, the applicant's agent advises that it is unlikely to be very different to previous operations. Most activities cease by 10pm with occasional Friday / Saturday events continuing until 11.30pm. Some small scale overnight weekend camping has also been carried out by the Scouts in the past. In broad terms, these hours of operation compare favourably to, say, local pubs in the area, which have more regular late night openings despite being located close to residential properties. If there were significant levels of disturbance arising from this development, the Council would be able to address these using its powers of enforcement provided through environmental health legislation.

The greater intensification of use of the building has also raised concerns about the impact of the development on traffic attracted to the site and on parking in Ferry Road. It is certainly the case that Ferry Road is a narrow road with limited numbers of passing points and parking spaces. Indeed, Devon County Council as Local Highway Authority is currently reviewing

parking arrangements in this road. However, the site is in a sustainable location in the heart of Topsham and it is expected, particularly given the lack of availability of parking in the area, which the majority of users of the building would walk to the site.

In respect of CASW and CEDA, it is anticipated that minibuses will be used to transport people. South West Water has agreed, in principle, to its adjacent site being used to accommodate the minibuses whilst users alight and board. Topsham Rugby Football Club has accepted that the minibuses can be parked on its grounds for an agreed fee.

The Local Highway Authority has been consulted on the application and has offered no formal objection to the plans. However, it wished to see cycle parking provision incorporated into the scheme, which has now been included. It also sought assurances that the development can be constructed without any impact on the highway. The applicant has now agreed terms that will allow South West Water's adjacent land to be used during the construction phase.

In terms of flood risk, the proposed development should help to improve the current situation and ensure that a building on this site is not easily flooded in the foreseeable future. The Ordnance Datum point that has been used is 3.0m, which is located at the point where Follett Road meets Ferry Road. The Flood Risk Assessment that has been submitted with the application states that in 2065, a 1 in 200 year flood would have a level of 3.78m above ordnance datum (AOD). It is proposed that this building would have a floor level for the main hall of 4.2m AOD, i.e. above the 1 in 200 year flood level for the next 50 years. In the space beneath this floor level, there would be a storage area for boats. The Council is satisfied that the proposals would not increase flood risk in the area. Nonetheless, the Case Officer asked the Environment Agency to check the accuracy of the document after a number of queries were raised by objectors during the public consultation. The Agency has confirmed that the Assessment is acceptable.

With regard to land contamination, the applicant's agent accepts that assessment would be required once works begin on site. Therefore, there is no dispute with the Council's Environmental Health team, which recommends that an investigation is carried out and appropriate remedial works are implemented.

In order to ensure that the development is sustainable, the Council would normally expect the scheme to meet BREAMM Excellent standard. In this case, this is not possible as the process needs to begin at a very early stage, which did not happen. BREAMM points cannot be gained retrospectively. Nonetheless, although the best that can be achieved is a Very Good rating, the applicant's agent has confirmed that the building will be equivalent to an Excellent standard. Given that the outcome is more important than the paperwork on this matter, there are no objections to this.

In conclusion, therefore, for the reasons set out above, it is recommended that planning permission be granted for this scheme.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 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 4

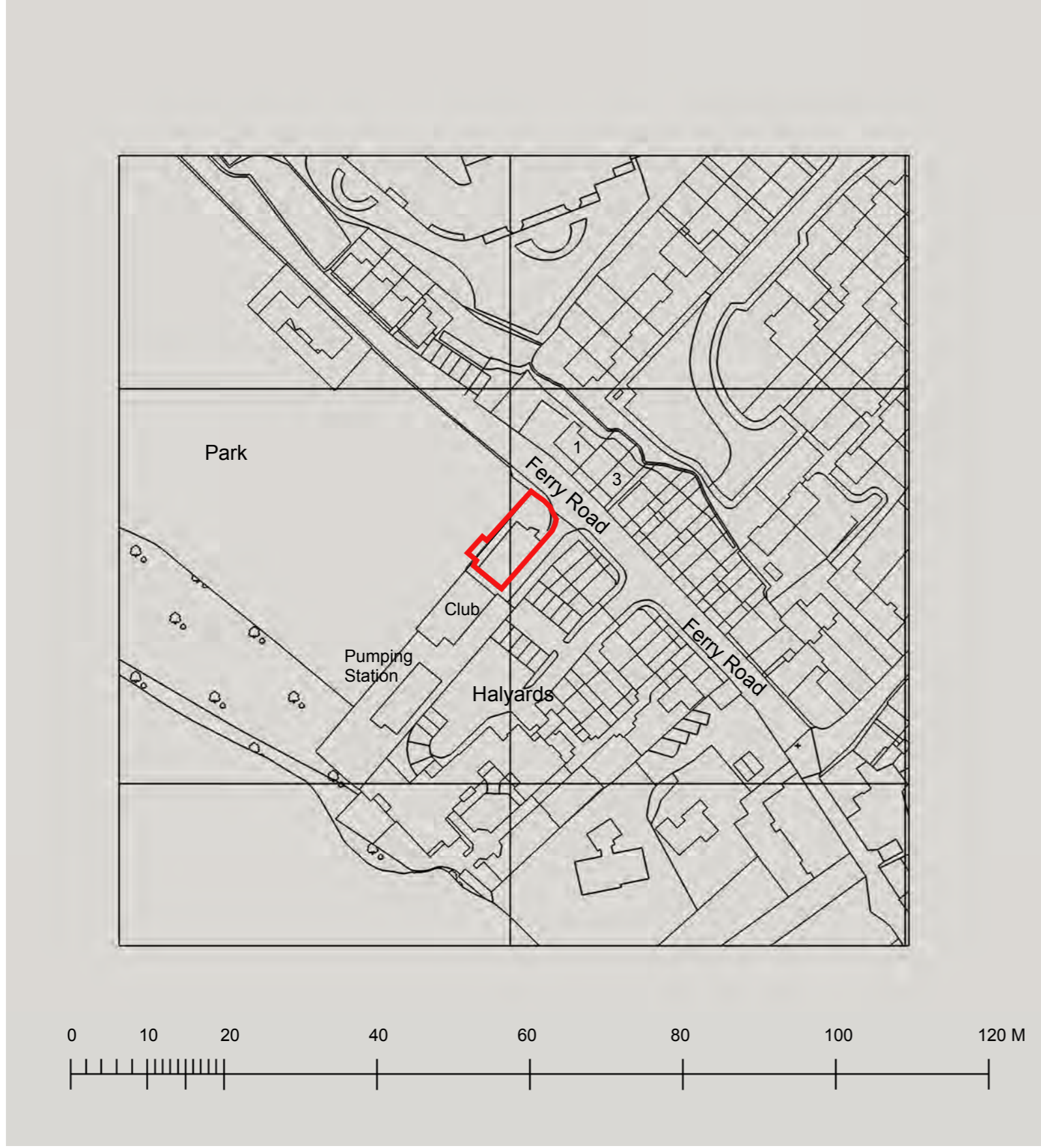
April 2016 (dwg. nos. B01 and B16 and e-mail from Steve Eastland to the Case Officer), 21 March 2016 (dwg. no. 210 L(-01)11) and 8 January 2016 (Flood Risk Assessment) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved details.

- 3) C17 - Submission of Materials
- 4) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: In the interests of the amenity of the occupants of the building hereby approved.
- 5) No part of the development hereby approved shall be commenced until adequate areas to accommodate operatives' vehicles, construction plant and materials off of the public highway have been made available in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes during the construction period.
Reason: To ensure that adequate facilities are available for the construction traffic attracted to the site, in the interest of public safety.
- 6) No part of the development shall be occupied until the cycle parking facilities have been provided and maintained in accordance with the approved details and retained for those purposes at all times.
Reason: To provide adequate facilities for sustainable transport.
- 7) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of amenity.
- 8) Unless otherwise agreed in writing by the Local Planning Authority the building hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1st January 2019. Prior to commencement of development of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.
Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre,
Civic Centre, Paris Street, Exeter: Telephone 01392 265223



Location Plan - Scale 1 /1250@ A3

DRAWN BY
SJE
DESCRIPTION
Location plan

PROJECT NO.
210

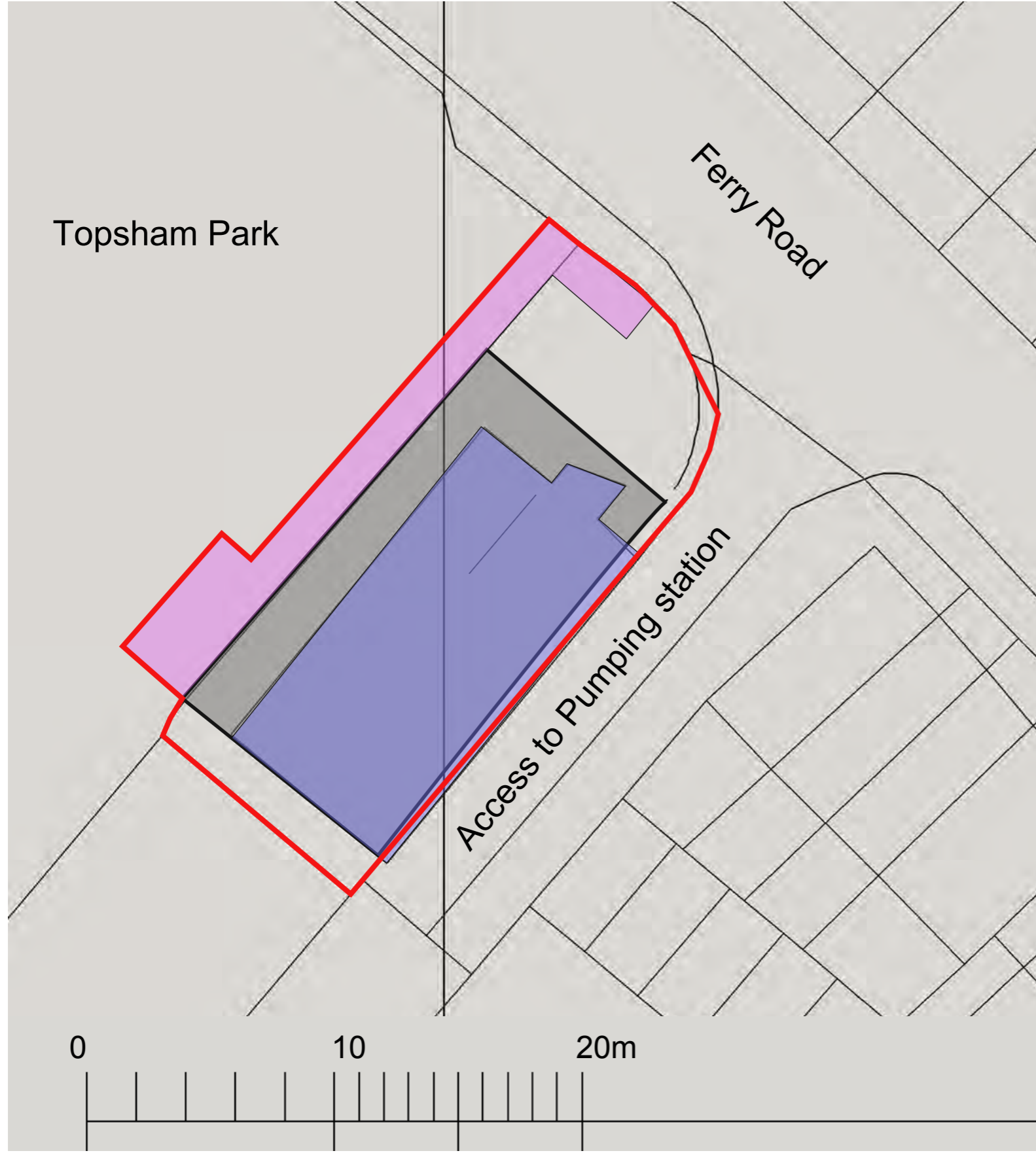
ISSUE
RE-ISSUE


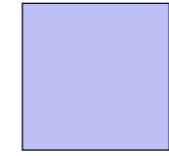
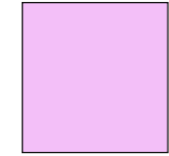
CLIENT
Topsham
Sea Scouts
Topsham Scout
Hut

PROJECT
New Building For
1st Topsham
Scouts

Steve Eastland Design Ltd
Hope house, Kerswell, Devon
EX15 2EL.
Tel (0044) 01884 266437
e Steve@steveeastlanddesign.com





-  Footprint of proposed Building
-  Footprint of Existing Building
-  Footprint of ramp (Porous finish)

Block Plan - Scale 1 /200@ A3



Steve Eastland Design Ltd
Hope house, Kerswell, Devon
EX15 2EL
Tel (0044) 01884 266437
e Steve@steveeastlanddesign.com

PROJECT
New Building For
1st Topsham
Scouts

CLIENT
Topsham
Sea Scouts
Topsham Scout
Hut

ISSUE
RE-ISSUE

PROJECT NO.
210

DRAWN BY
SJE
DESCRIPTION
Planning
Drawings



Agenda Item 7

ITEM NO.

COMMITTEE DATE: 23 MAY 2016

APPLICATION NO: 15/0870/03 FULL PLANNING PERMISSION
APPLICANT: Mr Strang
Exeter College
PROPOSAL: Creation of a new external sports pitch (3G artificial grass pitch) with perimeter fencing, floodlights, and storage container for maintenance equipment.
LOCATION: Exwick Sports Hub, Exwick Road, Exeter, EX4 2BQ
REGISTRATION DATE: 06/08/2015
EXPIRY DATE: 01/10/2015

HISTORY OF SITE

Planning permission (ref 10/1370/03) was granted for the provision of six tennis court and floodlights on 12 November 2010.

Planning permission (12/1635/03) was granted in February 2013 to replace the existing two storey Civil Service Club with a new single storey purpose built facility to meet the requirements of Exeter College who had acquired the site. The Civil Service Club closed in 2012 with the building at that time in poor condition and unfit for purpose. It was the College's intention to retain and enhance the facilities but with more direct association to their sports related courses. The College aim was to create a new sports hub creating an environment where the classroom based sporting learning was located adjacent to the sports pitches to enable an arrangement where theory could be put into practice in a more convenient manner. This has been achieved with the creation of the Exwick Sport Hub which also continues to allow outside sporting organisation to use the facility.

DESCRIPTION OF SITE/PROPOSAL

The Exwick Sports Hub is located on the southern side of Ennerdale Way which is situated off Exwick Lane. The building and associated pitches are principally used by Exeter College, although Exwick Villa FC and Exwick Cricket Club also use the facilities. The proposal seeks to replace the existing grass pitch with a new 3G Artificial Grass Pitch with associated floodlighting. The new pitch would measure 100 metres by 62.5 metres orientated with the goals being on an east to west axis. A three metre strip is located around the playing pitch. The pitch would be contained within perimeter dark green mesh fencing measuring 4.5 metres in height along the east, south and west elevation reducing to 2.2 metres in height facing towards the existing Exwick Hub building. The proposal includes a total of eight 15 metre high floodlights; one positioned at each corner with the remaining four equally spaced along either side of the length of the pitch. The perimeter fencing is located approximately 17 and 27 metres from the closest property (25 & 7 Guys Road respectively) and located approximately 35 metres from the recently built properties in Ennerdale Way.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Design and Access Statement

Purpose and use- The provision of the new external Artificial Grass Pitch (AGP) will provide increased usage in comparison to the existing grassed football pitch, for the benefit of Exeter College during the day and partner clubs and local groups during the evening and at weekends via pre-arranged and structured community access.

The new AGP will offer a variety of football pitches and training areas within the same enclosed playing space to support development plans into grassroots football as well as providing a venue for competitive league football.

The pitch will be capable of support youth U17/U18 & over 18s (1 pitch 100m x 64m); youth U11/U12 (2 pitches); mini football U9 & U10 (2 pitches); mini football U7 & U8 (4 pitches) and training areas.

The FA has prioritised this development and has identified a need for improvement in football facilities in and around the Exeter area.

Layout -The 3G AGP is positioned in an optimum siting to reduce impact to adjacent residential properties.

The remaining playing field is not capable (in spatial terms) of supporting a playing pitch but will be utilised for football training post development.

The location will also afford convenient pedestrian, maintenance and emergency access as well as providing for suitable management, supervision and security.

The close proximity of onsite car parking is ideal for community involvement and participation.

Scale - New perimeter fencing is required around the 3G AGP to provide an adequate ball stop to retain balls within the field of play and also to offer a degree of security to the facility. The proposed overall height for the new dark green open steel mesh fencing and entrance will be 4.5 metres above ground level.

Floodlights are required around the pitch to facilitate use during the evenings and throughout the winter months, thereby enabling the facility to be used to its full potential.

The proposed floodlight system comprises eight 15 metre high masts each with two lights to provide 16 luminaries in total.

Landscaping - It is acknowledged that the proposed development will replace a proportion of the existing grassed playing field.

Hard landscaping treatment around the facility is restricted to macadam paving necessary to form clean access for pedestrians and vehicular access for maintenance as well as emergencies.

Appearance - The intention is to develop the pitch with minimal visual impact when viewed from any adjacent properties looking into the 3G AGP which is necessary to satisfy local policies which seek to ensure that proposals are sympathetic to its surroundings and will not impact on the visual amenity of the neighbouring residents.

Planning Statement

Principle of development

To enable Sport England's informed assessment of exception policy E5 of Sport England's playing fields policy 'A Sporting Future for the Playing Fields of England 1997'. The policy states that 'the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields'. The aim of the policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demands of the pitch sports.

The following details are provided to enable an assessment:-

The applicant states that Exception E5 is in essence a cost/benefit analysis exercise which seeks to balance the sporting benefits associated with a facility against the costs to pitch sports associated with the loss of playing fields. In support of the application:

- Whilst the area of playing field which will be lost is of sufficient size to accommodate a cricket pitch with outfield and a football pitch, Exeter College will retain playing fields where pitch sports can still be played and accommodating both existing winter and summer playing pitches at the Exwick and Flowerpot playing fields;
- The proposed 3G AGP is designed in accordance with the FA's current technical guidance;
- Exeter College will establish community use agreements with key partners to facilitate delivery of the Football Development Plan;

- The provision of the new external 3G AGP will provide increased usage in comparison to the existing grassed pitches, for the benefit of Exeter College and its partner organisations and community groups during the daytime and evening time;
- This extended use is possible because the proposed floodlit 3G AGP is more resilient during winter weather conditions and with new floodlights, evening activities will enable the facility to be used to its full potential.

Exeter College continues to develop new partnership in sport to benefit both its students and the wider city community. The college is working in partnership with the city council and is finalising discussions on taking on the running and maintenance of sports pitches at Exwick Playing Pitches and Flowerpots Playing Field, currently owned and run by Exeter City Council. The college would take out a long term lease on the pitches, paying for their management and upkeep for many years to come.

In response to para 74 of the NPPF the applicants state that genuine beneficial outcomes are as follows:-

- *Implement social, recreational and cultural facilities and services for community needs to enhance the sustainability of Exeter College and the surrounding Exeter area;*
- *Provide access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities;*
- *Compensate the loss of a usable playing field resulting from the proposed development by an equivalent, better provision by more robust/resilient 3G AGP.*

Impact Mitigation

Existing onsite parking provision can accommodate the expected vehicular traffic both during normal school hours and during evenings and weekends for community users;

Green travel opportunities including walking and cycling as well as the use of public transport will also continue to be prompted by Exeter College whenever possible;

Limitation of the lighting impact will be controlled by the strict management of permitted opening times;

The finish of the 3G artificial turf playing surface will offer a similar appearance to amenity grass;

The dark green open steel mesh ball stop fencing will be discreet against a rural background;

The 15 metre high floodlight masts will offer a slim-line profile, which will minimise daytime impact;

Fence panels will be insulated from the posts using rubber washes to be fitted to every fence post/mesh fixing to aid noise reduction by reducing rattle and vibration from the ball impacts;

Playing lines shall be permanently marked 3 metres minimum away from the pitch perimeter to mitigate balls impacting onto the fence;

The proposed artificial lighting design complies with the requirements for Environmental Zones E2, which is low district brightness, for example a village or relatively dark outer suburban locations;

The front glass of every floodlight is limited to a low fitted angle above the horizontal plane, resulting in a minimal floodlight appearance with reduced area of reflector visible to onlookers.

Statement of Community Involvement:-

KOR Communications concluded that following consultation at the pre-application stage the two main issues were raised the effects of the floodlights and increased use of the facilities at the Sport Hub.

Floodlights - one respondent was concerned about whether the floodlights would shine into their home, one opposed the principle of floodlights' and a third was concerned about floodlighting in residential areas in general and the impact of 'direct and ambient light' on people's routines. The applicants have responded stating that the hours of operation of the floodlights and their type will be carefully considered, monitored and reviewed to ensure minimal disruption to neighbouring properties.

Increased use of the Sports Hub - The applicants have responded that the use of the Sports Hub and new pitch will be monitored and reviewed to consider the concerns of and impacts on the neighbours.

Flood Risk Assessment:-

Concludes that the surface water will be discharged into a new adequate onsite soakaway; Onsite attenuation is provided by the granular pitch substrate offering onsite containment and attenuation within the granular sub-base, before surface water enters the proposed outfall; Proposals are to design surface water drainage to accommodate a 1 in 5 year storm event. Based on the above, providing the above strategies are implemented, the developed site will improve flood risk status to the development area thus satisfying the principles of the National Planning Policy Framework.

Statement for construction over public sewer:-

Statement concludes that there is no reason why the artificial pitch facility cannot be constructed over the public sewer which is located within the eastern side of the site. The design has been adjusted so that no abnormal loads are placed on the sewer and the college accept the abnormal cost of any reinstatement should the sewer ever have to be excavated.

Lighting Impact Statement

Concludes that the proposed floodlighting system is specifically designed to fulfil sports lighting requirements and is particularly suited to applications where low light pollution is essential.

Performance of the proposed floodlighting system complies with an Environmental Zone E2 (ILP) which is rural surroundings with low district brightness, for example a village or relatively dark outer suburban locations.

Control switches and time clocks shall be installed to the floodlights to ensure they do not remain on any later than the permitted curfew hour and therefore mitigate impact to the surrounding environment.

Noise Assessment

The assessment includes the prediction of noise emission from the artificial grass pitch at the nearby noise sensitive properties based on noise level data from activities measured at existing artificial grass pitches. The predicted noise level is compared to current relevant noise guidance.

Noise from the artificial grass pitch has been predicted at the nearby noise sensitive residential properties. The predicted equivalent noise level is 49dB for an hour of the pitches use.

This is below the level of community noise for moderate community annoyance in outside living areas (such as gardens) stated in World Health Organisation 1999 of 50dB.

On the basis the proposal is considered acceptable in environmental noise terms. Noise emission is adequately controlled at the nearby residential properties and is not expected to adversely affect nearby residents.

Feasibility Study on relocation of cricket square from Exwick Sports Hub

Executive summary states that:-

- *It is in principle feasible, with limited costs to move the cricket square from its current position at the Exwick Sports Hub to the adjacent recreation ground (Flowerpots). The site is slightly limited for space but a minimum outfield should be able to be achieved.*
- *The proposed new construction would involve removal of top soil, excavation of sub soil, perimeter drainage, replacement of top soil and replacement of cricket loam. This similar to the current square. An artificial wicket would be installed to one edge.*
- *The construction would need to occur during the summer months due to the need to work and move the clays in dry conditions and should the square be seeded by August 2016 it would be partially playable, particularly by using the artificial wicket during mid to late 2017 and a grass square by the 2018 season. This is due to the need for a square to consolidate and fully establish before intensive use occurs and the likelihood of settlement or damage to the surface.*
- *The cricket square would need to be constructed by a competent sports turf contractor and maintained to a strict specification to bring it into established use.*

Section 106 Agreement

The applicant has submitted a draft Section 106 to accompany the application. A summary of the issues covered are that:-

- Exeter College will make the 3G Pitch available for use no later than 2 years after the lease of the management of the Flowerpot playing fields has been agreed with the Council;
- Within 3 months of the granting for the Flowerpot playing fields lease Exeter College will seek a further agreement with the Council to provide a new replacement cricket pitch and new football pitch;
- Exeter College will operate the use in accordance with a Public Participation Strategy which has previously been agreed with the Football Association;
- Exeter College will agree to the ongoing maintenance and up keep of the 3G pitch;
- Exeter College shall not use the 3G pitch until the replacement cricket pitch has been fully marked out and fit for purpose (except if a situation arises where the Flowerpot playing field has not be granted planning permission within 6 months of the date of the agreement);
- Exeter College shall not use the 3G pitch until the new football pitch has been fully marked out and is fit for purpose (except if a situation arises where the Flowerpot playing field has not be granted planning permission within 6 months of the date of the agreement).

Other relevant supporting information

A key element of the application will be to put in place more formal arrangements for the management and maintenance of the recreational areas. At present the Exwick site is managed by Exeter College and the Flowerpot playing fields managed and maintained by the Council.

Discussions are ongoing with the Council in relation to a new lease for the management and maintenance of the Flowerpot playing site to be undertaken by Exeter College.

REPRESENTATIONS

1 letter of objection regarding the detrimental impact of glare from the proposed floodlights.

CONSULTATIONS

The County Head of Planning Transportation and Environment raises no comment.

Sports England have commented twice (15 September 2015 and 11 May 2016) on the proposed scheme given the submission of further information received in connection with the replacement cricket pitch.

11 May 2016

Sport England objects to the planning application on the grounds of the existing cricket pitch affected by the proposed 3G Artificial Grass Pitch without an adequate replacement cricket pitch that is equivalent or better standard in terms of quality and is not in a suitable location.

Sport England – Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England'.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply. The comments from a Statutory Consultee should be given significant consideration in the decision making process.

Playing fields have also been given greater protection and recognition by the Government through the NPPF (paragraph 74):

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Sport England registered an objection to the application in our letter dated 15th September 2015 regarding the loss of the cricket pitch. The applicant has engaged discussions with the ECB and has now submitted plans on the feasibility of a cricket pitch on the adjacent site at 'Flowerpots'. Not detailed design specifications.

Assessment against Sport England Policy/NPPF

Sport England has considered the application for a 3G artificial grass pitch (AGP) on the Exeter College site as E5 which states that '*The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields*'.

Given the negative impact on the cricket at the site we cannot agree that E5 has been met. The applicant is now proposing an amendment to the application which sees the provision of a 7 natural turf cricket table and a synthetic turf strip with outfield on existing playing field land adjacent (same number of wickets as existing). The cricket table is proposed between two football pitches – with the football pitches acting as the cricket outfield. The proposed boundaries are tight but meet minimum standards. The proposed site for cricket is also considered as public open space as well as being the City's flood defence system.

Sport England has a number of comments and concerns with the cricket proposal:

- The current cricket pitch site is located within a secure playing field site managed by the College (former Civil Service club site). The replacement site is not. It is located on public open space, popular with walkers, dog walkers and cyclists. There is significant concern with public safety that needs to be addressed by the applicant. A full and detailed risk assessment needs to be carried out. Ball stop netting might be required as mitigation. Will this be netting of permanent or temporary nature? Other measures may also be deemed as necessary.
- The proposed site is also part of the City's flood defence system with further flood defence works planned that could affect the 'relocated cricket pitch' in the future. Potentially outside the planning system.
- There is no ancillary building proposed within close proximity for the cricket teams to use on matchdays. The proposed existing changing building at Flowerpots is a considerable distance from the proposed cricket pitch.
- The final full specification for the proposed cricket table has not yet been devised nor submitted. A traditional cricket square construction includes the excavation a foot of soil (325ml), importing loam (high clay content) and a perimeter drainage system around the square. Sport England's technical guidance on cricket square and pitch construction can

be found in 'Natural Turf for Sport' (2011) and the ECB's guidance is set out in 'TS4 – Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfield at all levels of the game'.

- Given the excavating and importing needed to create a cricket square we question whether this needs planning permission? As well as agreement from the Environment Agency given the proposed location on the flood defence system?
- We note that the site will be maintained by the College's maintenance team who plan not to put drainage into the cricket outfield (existing football pitches), but to vertidrain the site as part of its maintenance. A maintenance schedule has not been produced to assess its adequacy.
- It would appear that there are plans to provide the replacement cricket pitch prior to loss of the existing site, to be confirmed in writing. A planning condition would also be needed to ensure this replacement provision to ensure appropriate phasing to allow continuity of use without disruption to the club.

The ECB advise that the eastern boundary of the proposed new cricket ground is very close to the flood relief channel. As such a lot of balls will be lost in that channel during any one game. Additionally there is a public footpath next to the channel which has no line of sight to the cricket pitch. As such balls would frequently land in this area and members of the public would not even see them coming. The ECB advised the College to look into getting a risk assessment done by Labosport to look at some form of netting, what height it would need to be, to mitigate against this. This document has not been produced to review at this time. Equally the local authority or College will need to undertake a risk assessment of the whole site due to the number of public footpaths close to the boundary of the proposed cricket pitch. This is important at this stage as if this risk assessments concludes the site is not safe for cricket then further mitigation would need to be proposed and conditioned as part of this application.

The pavilion is located a considerable distance from the outfield. This provides significant issues for hosting league cricket and providing a like for like replacement of the current site. There needs to be an area for scorers, scoreboard, players to pad up and shelter away from the elements. The existing changing block is too far away to do this, roughly 55m from the boundary edge.

The ECB is open to discussions with the applicant to secure adequate mitigation by planning condition.

In light of the above, Sport England maintains its objection to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF. The proposed AGP whilst having sports development benefits for football will negatively impact cricket on the College's Exwick sports ground site. The proposed relocated cricket pitch is not of equivalent or better provision in terms of quality and is not in a suitable location.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

However, if the Council are minded to approve the application we advise that planning conditions are part of the decision notice to ensure the issues raised in this letter regarding cricket pitch construction specification review and implementation, the production of a risk assessment including appropriate mitigation measures (ball stop netting), a new cricket building to serve the site to meet the requirements of match play cricket and the replacement cricket pitch to be provided prior to loss of the existing site. Sport England and the ECB would be happy to review draft planning conditions to ensure correct wording to ensure positive outcomes for cricket.

15 September 2015

Sport England raised objection to the scheme given the loss of the cricket pitch contrary to Sport England Policy Playing Fields Policy: 'A Sporting Future for the Playing Fields of England' and the National Planning Policy Framework paragraph 74. This was on the basis that no replacement pitch scheme had been submitted with the application. On this basis Sport England provided the following comments:-

In order for the principle of the development to be considered acceptable, it must accord with Sport England's Playing Field Policy and the National Planning Policy Framework. When considering an application of this nature we need to be satisfied that the proposal meets one of the exceptions of the above policy (E.5) in that: *The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.*

The proposal is for an artificial grass pitch with 3G playing surface for football use (matches and training), lights and fencing designed in accordance with FA guidance. The existing well drained natural turf pitch for football and cricket will be lost forever if this proposal is granted planning permission. Some sports require a grass surface and once grass is lost the chances of the land ever returning to grass are extremely remote. Artificial surfaces do not necessarily provide a direct replacement for grass pitch use as they only make a limited contribution to competitive grass pitch sports use. They are expensive to provide and require a significant revenue support. It is necessary to allocate significant budgets for on-going maintenance requirements. In addition a year on year sinking fund is required to ensure facilities are replaced when they are "worn out".

The FA advise that the site is currently used by Exwick Villa adult 1st and 2nd teams – they currently play at Step 7 and have aspirations to gain promotion to Step 6. There is one full 3G football Turf Pitch in Exeter, this based at the University and is at capacity with little room for community use. There is no playing pitch strategy in place to give further evidence of strategic need. All technical elements of the 3G are being designed in accordance with the 3G Framework that is managed by the Sport England. Football Foundation so will be technically compliant to meet the FIFA 1* performance standard. The ability to improve the facility to step 6 needs to be clarified by the applicant and the technical consultants.

The ECB advise that the site is currently used by Exwick CC who have been using this ground as their home for a very long time. The club have both senior and junior teams and currently pull its membership from the local community, within about a 3km radius of the ground. The club used this site in 2015 and are currently on a year by year agreement with Exeter College to remain at the site. The fact that the club pull its membership from the local community means that any relocation away from the Exwick area would have a substantial negative impact on the club, and possibly result in it folding.

There are currently about four cricket clubs in Exeter of which Exwick CC is one. For a city of its size this is a very limited number of clubs and protecting all four clubs is a priority for Devon Cricket Board and the ECB. Plymouth and Exeter have been highlighted by the Devon Cricket Board as the two highest priority areas for securing long term provision for cricket. Another ex Exeter club, Countess Wear CC, were forced to move to Winslade Park and this site is now at potential risk of closure. Therefore the overall picture of cricket provision in Exeter is being challenged and it is imperative to protect the existing provision to meet current demand for cricket.

The loss of the cricket pitch would have a significant negative impact on cricket in the City. In the design and access statement it mentions that an agreement has been reached with ECB to relocate Exwick CC onto the Flowerpot playing fields. This is not correct and so far no agreement has been reached. The applicant has met with the ECB and Devon Cricket Board

to discuss the relocation of Exwick CC onto the Flowerpot Playing Fields and in these meetings it has been clearly stated that before the ECB agree to any such relocation a full details of the relocation plan need to be provided.

Full details would need to include the following; a detailed design and layout of the new cricket ground; a specification of works for the new square and outfield; a building to service the site with full plans and specifications if required; a timetable of works to ensure the mitigation is in place before the club are displaced from their existing ground. Please note a cricket square can only be used 12 to 18 months after construction; a maintenance and management plan on how the new site will be sustainable in the long term and a costed plan and how it will be financed to ensure the long term future of the cricket club.

Although the relocation of the cricket ground onto Flowerpot Playing Fields is possible it has not been determined yet if it even feasible. The site is bordered on one side by a public footpath and the other by the river. Using very rudimentary tools on google images the site looks tight to be able to accommodate an adult cricket pitch, hence the need for far more detail before the ECB can agree, even in principle, to such a relocation. As such the ECB strongly object to this application due to the detrimental impact it will have on cricket and the fact that no mitigation plan is place to replace the lost cricket pitch within the Exwick area.

Environment Health Officer comments that the lighting design appears to comply with the Institute of Lighting Engineers (ILE) guidance on the reduction of obtrusive light. As such it is unlikely to materially affect the amenity of local residents by light trespass, or intrusion. In respect of noise it is noted that the submitted report attempts to predict noise levels from the proposed facility. Given the nature of the facility this is difficult to do, but the assessment made suggests that noise will not reach a significantly adverse level. The proposal will intensify the use of an existing sporting facility, and extend the hours of use. As such, it will be noisier than the current arrangement. It would therefore be preferable if the pitch could be located as far from residential properties as possible. If this is not possible, the applicant should be aware that although noise levels are unlikely to be significant, it could still cause some disturbance to local residents, and may result in complaints. In addition it is requested conditions are imposed in respect of hours of use for both the construction of the facility and its subsequent use.

Environmental Agency raise no objections to the proposal providing development proceeds in accordance with the submitted Flood Risk Assessment (ground levels unchanged. On a point of accuracy the whole of the site is in Flood Zone 3, not part of the site as mentioned in the FRA.

Devon County Council Flood Risk Management Team comment that sufficient information has not been provided in relation to the disposal of surface water from the site to enable us to make observations on the proposal. Although the FRA refers to appropriate surface water management (although it should be designed to higher return period), no detail of this has been provided or evident on the proposed drawings.

Wales and West Utilities comment that they have pipes in the area and that their apparatus may be affected and at risk during construction works. Should the planning application be approved then Wales and West require the promoter of these works to contact them directly to discuss what requirements are needed before any work commences on site. Should diversion works be required these will be fully chargeable.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework

4. Promoting sustainable transport
7. Requiring good design

- 8. Promoting healthy communities
- 11. Conserving and enhancing the natural environment

Plan making

Decision making

Paragraph 74 of NPPF states that:-

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirement; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Exeter Local Development Framework Core Strategy

CP10 - Meeting Community Needs

CP12 - Flood Risk

Exeter Local Plan First Review 1995-2011

L1 - Valley Park

L3 - Open Space

L6 - Intensive Use Facilities

Proposals for synthetic turf pitches or multi use games areas and for associated floodlighting will be permitted provided that the levels of noise, light usage and traffic generation will not harm local residential amenity.

LS1 - Valley Parks

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

EN2 - Contaminated Land

EN5 - Noise

DG1 - Objectives of Urban Design

Development Delivery Development Plan Document (Publication Version) 2015

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 - Sustainable Development

DD20 - Sustainable Movement

DD25 - Design Principles

DD34 - Pollution

Exeter City Council Supplementary Planning Documents:-

Sustainable Transport March 2013

Sport Englands Playing Field Policy

Relevant Policies:-

E4 - The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better

quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of the development.
E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

OBSERVATIONS

The application seeks to create a new artificial playing pitch at the Exwick Sports Hub to replace the existing football/cricket pitch. Since Exeter College's occupation of the site in 2013 their overall objective has been to improve the on-site teaching provision in connection with their sports related programme. The application for a new playing pitch with its all-weather surface and floodlights will represent a further enhancement of this facility. Whilst the improvement of sporting provision in the area is to be welcomed, it is necessary to consider the impact of this new pitch against the NPPF and local development policies and in respect of the loss of the grass pitch for football/cricket use in the light of Sport England's comments.

The new full sized artificial pitch will effectively prevent the site from being used in the future as a full sized grass pitch. Sport England have raised concern regarding this issue stating that '*...some sports require a grass surface and once grass is lost the chances of the land ever returning to grass are extremely remote...*' However the proposed artificial pitch will be all-weather surface which coupled with the proposed floodlighting will greatly extend periods of play particularly into the evening during winter months. This is considered to be a significant benefit and accordingly the principle of this use is supported. In addition, the location of the Exwick Sports Hub alongside the existing playing pitches of Flowerpot Playing Pitches is a relevant consideration. Whilst a grass pitch would be lost as a result of this development Exeter College are in discussions with the Council to take on the maintenance and management of the Flowerpot playing field, which includes, it is proposed, to provide an additional grass pitch adjacent to the existing Frisbee area. Consequently it is considered the provision of an improved artificial pitch and the new grass pitch would satisfy the existing football pitch provision in the area in terms of quality and quantity and therefore is acceptable.

The proposed development would lead to the loss of the cricket pitch at the Exwick Sports Hub, which is currently used by Exwick Cricket Club. Sport England have raised objection to this element of the scheme being contrary to NPPF and Sport England's Playing Field Strategy. The NPPF paragraph 74 states that existing open space and playing fields should not be developed unless '*...the loss resulting from the proposed development would be replaced by equivalent of better provision in terms of quantity and quality in a suitable location..*' In addition Sport England accept the loss of playing field only in exceptional circumstance subject to E5 of their Playing Field Policy which states that '*... the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields*'.

To address this issue the applicants have recently submitted details of a replacement cricket pitch to be located within the adjacent Flowerpot playing fields. This has been assessed by local representative of the English Cricket Board in conjunction with the Exwick Cricket Club and an updated objection has been received from Sport England, as set out in the consultation response dated 11 May 2016. Whilst it is understood that the principle of this replacement is generally considered to be acceptable, it is clear that details of the pitch are currently unavailable/or unknown to enable these bodies to be satisfied that it represents a pitch of an equivalent quality. Sport England are concerned that the lack of details submitted means that suitability of the replacement pitch cannot be guaranteed. In effect concern is raised that the scheme would not satisfy their Playing Pitch Policy E4 which seeks playing fields lost to be replaced by an equivalent in terms of number, quality, be within a suitable location, include a better management arrangement and be delivered prior to the

commencement of the artificial pitch. The applicant has sought to address the provision of a replacement cricket pitch, its management arrangements and timings as to when the works are to be carried out within a draft 106 Agreement. It is considered that this will address some of Sport England's concerns. However whilst it is anticipated that the detailed specifications of the pitch, its future maintenance regime and a risk assessment should be relatively easy to produce, the comment about the distance from the proposed replacement pavilion/changing rooms to the cricket square does require further investigation. Accordingly it is considered that, as currently submitted, there is a deficiency in the level of detail needed for the replacement cricket pitch to be deemed acceptable. Consequently whilst it is accepted that the replacement cricket pitch could be appropriate, the detailed matters as raised by Sport England will need to be addressed before the application could be granted permission. This is particularly important as, given their objection, the application would have to be referred to the Secretary of State to determine whether it should be called in, if their concerns remain.

Exeter Local Plan Policy L6 states that artificial pitches can provide a significant increase in opportunities for sport and therefore are encouraged. However this is subject to the impact the use and associated facilities have on the amenities of nearby local residents. The new pitch would be located close to existing residential properties in Ennerdale Way and Guys Road. The use of the site for sports pitches will remain unchanged as a result of this scheme. However given the artificial pitches purpose is to have greater use due to it being an all weather surface coupled with the proposed floodlights its use will be prolonged. Consequently it is considered that a time limit to 10pm is reasonable to protect the amenities of nearby residents. In addition, the floodlights have been designed to ensure that light spillage is minimised and the submitted details are considered acceptable by the Environmental Health officer. Accordingly it is considered that the development will not result in loss of residential amenities and therefore the requirements of Policy L6 are met.

The application has been considered in terms of Local Plan Policy L3 regarding development on open space and Policy L1 due its location adjacent to the Riverside Valley Park. Given that the use of the site will remain unchanged as a playing pitch, it is not considered that the scheme will harm the site's open character or the Valley Park. Whilst it is acceptable that the floodlights in terms of their structure and illumination will represent a visual change to the appearance of Exwick the poles would be viewed against the backdrop of the urban area and the lights would be suitably controlled through a condition regarding hours of use. Consequently it is considered the use would fulfil the aims of both policies which seek to promote recreational enhancement of the area and therefore are acceptable.

In conclusion, it is considered that the proposed represents an enhancement of the existing facilities at the Exwick Sports Hub which will ultimately benefit Exeter College and sports teams in the area. The application is accompanied by supporting information which states that the grass football pitch and cricket pitch 'lost', as a result of the new artificial pitch proposal, can be replaced on the adjacent Flowerpots playing fields. Subject to confirmation that replacement pitch and associated facilities are suitable in terms quality and location in line with Sport England's comments, this is considered an appropriate arrangement. The Section 106 Agreement will be important to ensure that these replacements are achieved.

RECOMMENDATION

That delegated authority be given to Assistant Director of City Development to **APPROVE** the application subject to the applicant addressing the requirements of Sport England including details of the cricket pitch construction specification, implementation and maintenance; a risk assessment including appropriate mitigation measures and an appropriately sited cricket pavilion. In addition the application requires the completion of a Section 106 Agreement to cover the replacement football pitch, cricket pitch and associated management measures to ensure the new pitches are available prior to use of the new artificial pitch.

Given the objection raised by Sport England the application should be referred to the Secretary of State, via the National Planning Casework Unit in accordance the Town and County Planning (Consultation) (England) Direction 2009 to determine whether the application should be called in.

- 1) C05 - Time Limit - Commencement
- 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 6 August 2015 (dwg nos. SS1832 03 02; SS1832 04 02; SS1832 05 02; SS1832 06 01; SS1832 07 02; SS1832 08 00 & SS1832 09 02) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) The use hereby approved shall not be carried on other than between the hours of 0900 to 2200 on any day and shall not be carried on at all on public or Bank Holidays unless otherwise agreed in writing the Local Planning Authority.
Reason: So as not to detract from the amenities of the near-by residential property.
- 4) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of residential amenity.

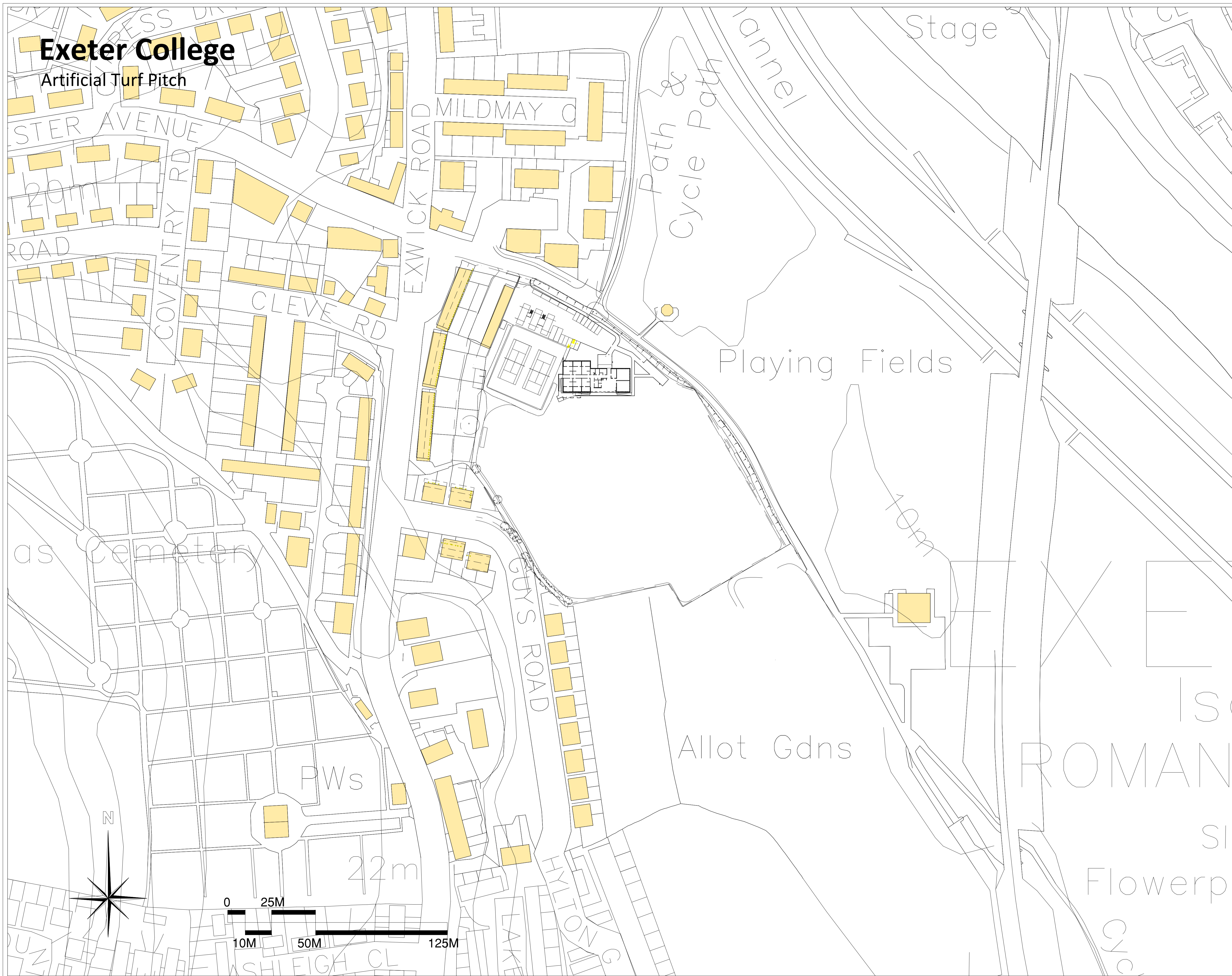
Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

This page is intentionally left blank

Exeter College

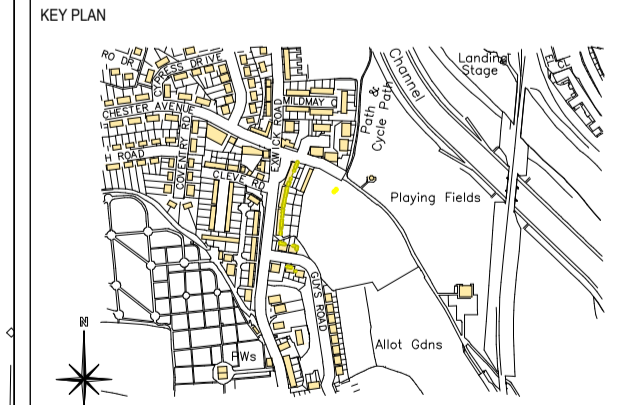
Artificial Turf Pitch



- 1 - DO NOT SCALE FROM DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.
- 2 - THIS DRAWING IS COPYRIGHT TO SURFACING STANDARDS LTD
- 3 - ALL PERSONNEL SHOULD BE AWARE OF THE HEALTH AND SAFETY PLAN WHICH IS RETAINED IN THE SITE MANAGERS OFFICE.

NOTES

REV	DESCRIPTION	BY	CHK	DATE
00	PLANNING ISSUE	WB		02.07.15



AUTHOR
Sam McDonald

TITLE
Exeter College
Artificial Turf Pitch
Existing Site Location

PROJECT	SCALE	SIZE
SS1832	1:1000	A1
DRAWING No	REVISION	
01		01

This page is intentionally left blank

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 23 May 2016
Report of: Assistant Director City Development
Title: Delegated Decisions

1 WHAT IS THE REPORT ABOUT

- 1.1 This report lists planning applications determined and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by ward.

2 RECOMMENDATION

- 2.1 Members are requested to advise the Assistant City Development Manager Planning (Roger Clotworthy) or City Development Manager (Andy Robbins) of any questions on the schedule prior to the meeting of the Planning Committee.
- 2.2 Members note the report.

3 PLANNING APPLICATION CODES

- 3.1 The latter part of the application reference number indicates the following type of application:

01	Outline Planning Permission
02	Approval of Reserved Matters
03	Full Planning Permission
04	Works to Tree(s) with Preservation Order
05	Advertisement Consent
06	Works to Tree(s) in Conservation Area
07	Listed Building Consent
14	Demolition in Conservation Area
16	Exeter City Council Regulation 3
17	Lawfulness of Existing Use/Development
18	Certificate of Proposed Use/Development
21	Telecommunication Apparatus Determination
25	County Matter Application
26	Devon County Council Application
27	Modification and Discharge of Planning Obligation Regulations
37	Non Material Amendment
38	Extension to Extant Planning Consent
39	Extension - Prior Approval
40	Office to Dwelling - Prior Approval

- 3.2 The decision type uses the following codes

DTD	Declined To Determine
NLU	Was Not Lawful Use
PAN	Prior Approval Not Required
PAR	Prior Approval Required
PER	Permitted
REF	Refuse Planning Permission
RNO	Raise No Objection
ROB	Raise Objections
SPL	Split Decision
WDN	Withdrawn by Applicant
WLU	Was Lawful Use
WTD	Withdrawn - Appeal against non-determination

RICHARD SHORT
ASSISTANT DIRECTOR CITY DEVELOPMENT

This page is intentionally left blank

Exeter City Council

23/05/2016

**All Planning Decisions Made and
Withdrawn Applications Between 11/4/2016 and 12/5/2016**

Application Number:	16/0522/05	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	09/05/2016 DEL
Location:	250-251 High Street, Exeter, EX4 3QD		
Proposal:	4No of existing signs above self service machines to be replaced with new non illuminated signs.		

Application Number:	16/0505/04	Delegation Briefing:	
Decision Type	Withdrawn by Applicant	Decision Date:	11/05/2016 DEL
Location:	11 Veysey Close, EXETER, EX2 6AS		
Proposal:	The trees are 30+ trees mixture of Scots Pine and Maple in my garden and very close to the house		

Application Number:	16/0218/05	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	11/04/2016 DEL
Location:	29 High Street, Exeter, EX4 3LN		
Proposal:	New fascia sign and projecting sign.		

ALPHINGTON

Application Number:	15/1382/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	11/05/2016 DEL
Location:	60-64 Isca Road, Exeter, EX2		
Proposal:	Redevelopment of site to provide 4 semi-detached dwellings		

Application Number:	16/0459/37	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	05/05/2016 DEL
Location:	1 Veitch Gardens, Exeter, EX2 8AB		
Proposal:	Non-material amendment to application ref: 15/1224/03 to alter the windows		

Application Number: 16/0205/03 **Delegation Briefing:** 19/04/2016 0
Decision Type Permitted **Decision Date:** 09/05/2016 DEL
Location: Cotfield, Dawlish Road, Exeter, EX2 8XR
Proposal: Creation of new vehicular access onto A379

Application Number: 16/0206/07 **Delegation Briefing:** 19/04/2016 0
Decision Type Permitted **Decision Date:** 09/05/2016 DEL
Location: Cotfield, Dawlish Road, Exeter, EX2 8XR
Proposal: Creation of new vehicular access onto A379

Application Number: 16/0277/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/04/2016 DEL
Location: The Briars Nursing Home, Crabb Lane, Exeter, EX2 9JD
Proposal: T21 - Monterey Pine - Reduce limb to East

Application Number: 16/0319/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/04/2016 DEL
Location: Rosemont Court, Church Road, Alphington, Exeter, EX2
Proposal: T1 - Scotts Pine - Prune back from building by 2M

Application Number: 16/0119/03 **Delegation Briefing:** 22/03/2016 0
Decision Type Permitted **Decision Date:** 21/04/2016 DEL
Location: Waterside, Haven Road, Exeter, EX2
Proposal: Replacement of windows from timber to uPVC and anodised aluminium

Application Number: 16/0423/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 25/04/2016 DEL
Location: 5 Oak Ridge, Alphington, Exeter, EX2 8YS
Proposal: T4 - Oak - Remove lower branch

Application Number: 16/0429/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016 DEL
Location: The Briars Nursing Home, Crabb Lane, Exeter, EX2 9JD
Proposal: Cut back yew by 3 metres and shape and fell one large ash

Application Number: 16/0258/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 29/04/2016 DEL
Location: 51 Ebrington Road, Exeter, EX2 8JG
Proposal: Single storey rear extension, loft conversion, side elevation dormer window and roof lights.

Application Number: 16/0363/04 **Delegation Briefing:**
Decision Type Refuse Planning Permission **Decision Date:** 03/05/2016 REF
Location: 17 Willsdown Road, Exeter, EX2 8XA
Proposal: T1 - Holm Oak - Fell

Application Number: 16/0332/03 **Delegation Briefing:**
Decision Type Refuse Planning Permission **Decision Date:** 04/05/2016 DEL
Location: Hatherleigh House, Alphington Road, Exeter, EX2 8NA
Proposal: Erection of a summerhouse

Application Number: 16/0333/07 **Delegation Briefing:**
Decision Type Refuse Planning Permission **Decision Date:** 04/05/2016 DEL
Location: Hatherleigh House, Alphington Road, Exeter, EX2 8NA
Proposal: Listed building consent for the erection of a summerhouse

COWICK

Application Number: 16/0437/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016 DEL
Location: Land between Eton Walk and Barley Lane School, Barley Lane, Exeter
Proposal: Works to trees
T1.002 Fell group of three Elms
T1.001 & T1.004 Remove 2 Lawson Cypress trees

Application Number: 16/0482/18 **Delegation Briefing:**
Decision Type Was lawful use **Decision Date:** 22/04/2016 DEL
Location: 66 Broadway, Exeter, EX2 9LY
Proposal: Conversion of roof space to living accommodation with rear dormer window and gable wall.

Application Number: 16/0425/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/04/2016 DEL
Location: 1 Little Johns Cross Hill, Exeter, EX2 9PJ
Proposal: Works to lime tree: crown lift branches by 4 feet

Application Number: 16/0360/03 **Delegation Briefing:** 19/04/2016 0
Decision Type Permitted **Decision Date:** 20/04/2016 DEL
Location: 11 Orchard Hill, Exeter, EX2 9ND
Proposal: Demolition of conservatory and construction of single storey extension

Application Number: 16/0387/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 10/05/2016 DEL
Location: 30 Dunsford Gardens, Exeter, EX4 1LN
Proposal: Proposed replacement garage

Application Number: 16/0426/06 **Delegation Briefing:**
Decision Type Withdrawn by Applicant **Decision Date:** 09/05/2016
Location: Little Johns Lodge, Dunsford Road, Exeter, EX2 9PW
Proposal: Works to poplar tree: cut back branches to boundary of Exe View and remove low limb touching roof of neighbouring garage

DURYARD

Application Number: 16/0236/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 09/05/2016 DEL
Location: Belvidere House, Argyll Road, Exeter, EX4 4RX
Proposal: Porch and rear balcony

Application Number: 16/0335/18 **Delegation Briefing:**
Decision Type Was lawful use **Decision Date:** 10/05/2016 DEL
Location: 54 Argyll Road, Exeter, EX4 4RY
Proposal: Single storey rear extension

Application Number: 16/0395/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/05/2016 DEL
Location: 2 Wrefords Close, Exeter, EX4 5AY
Proposal: Single-storey extension to side elevation of detached residential dwelling.

Application Number: 16/0228/02 **Delegation Briefing:** 07/04/2016 0
Decision Type Permitted **Decision Date:** 15/04/2016 DEL
Location: Land adjacent to 157 Pennsylvania Road, Exeter, EX4 5DF
Proposal: Reserved matters pursuant to the granting of planning permission ref:
14/4716/01 for the proposed erection of a dwelling on land to the west of
Pennsylvania Road

EXWICK

Application Number: 16/0182/03 **Delegation Briefing:** 19/04/2016 0
Decision Type Permitted **Decision Date:** 22/04/2016 DEL
Location: Foxhayes Post Office, 123 Exwick Road, Exeter, EX4 2BH
Proposal: Proposed change of use from A1 Retail to A5 Hot Food Takeaway. Installation of
a flue and associated alterations.

Application Number: 16/0121/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016 DEL
Location: 48 Knowle Drive, Exeter, EX4 2DG
Proposal: T1 - Oak - Remove lower branches

Application Number: 16/0324/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 04/05/2016 DEL
Location: 44 Larch Road, Exeter, EX2 9DG
Proposal: Variation of condition 2 of planning permission 15/0925/03 to provide an
additional rooflight and a substitution of roof/wall materials

Application Number: 16/0346/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016 DEL
Location: 2 Ely Close, Exeter, EX4 2EY
Proposal: T1 - Monterey Pine - Crown lift to 6M

Application Number: 16/0359/03 **Delegation Briefing:**
Decision Type Refuse Planning Permission **Decision Date:** 27/04/2016 DEL
Location: 47 Winchester Avenue, Exeter, EX4 2DL
Proposal: Demolition of existing garage, formation of replacement parking space and construction of new 2 storey dwelling and garage

HEAVITREE

Application Number: 16/0269/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/04/2016 DEL
Location: 149 Hamlin Lane, Exeter, EX1 2SG
Proposal: Creation of dropped kerb and associated works to provide off road parking

MINCINGLAKE

Application Number: 16/0364/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 15/04/2016 DEL
Location: 14 Ilex Close, Exeter, EX4 9JZ
Proposal: Single-storey extension to front of property (revised from 16/0068/03 to allow a slightly larger extension)

NEWTOWN

Application Number: 16/0281/05 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 15/04/2016 DEL
Location: 118 Sidwell Street, Exeter, EX4 6RY
Proposal: Installation of 1No. Fascia Sign and 1No. Projecting Sign

Application Number: 16/0391/18 **Delegation Briefing:**
Decision Type Was lawful use **Decision Date:** 10/05/2016 DEL
Location: 12 Gordon Road, Exeter, EX1 2DH
Proposal: Alterations and raised roof line to existing single storey rear extension

Application Number: 16/0372/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/05/2016 DEL
Location: 47 Blackboy Road, Exeter, EX4
Proposal: Extensions and alterations to the rear of the property

PENNSYLVANIA

Application Number: 16/0169/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/04/2016 DEL
Location: 48 Lower Kings Avenue, Exeter, EX4 6JS
Proposal: Erection of two storey rear extension and associated works

Application Number: 16/0220/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/04/2016 DEL
Location: The Pool House, Pennsylvania Road, Exeter, EX4 5BJ
Proposal: New entrance porch to north elevation

Application Number: 16/0180/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 06/05/2016 DEL
Location: Exe View Meadow, Stoke Hill, Exeter, EX4
Proposal: Erection of temporary mobile home

Application Number: 16/0379/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 22/04/2016 DEL
Location: 59 Prince Charles Road, Exeter, EX4 7EE
Proposal: Single storey side and rear extension and side porch

PINHOE

Application Number: 16/0273/03 **Delegation Briefing:** 07/04/2016 0
Decision Type Permitted **Decision Date:** 22/04/2016 DEL
Location: 12 Broadparks Close, Exeter, EX4 9HB
Proposal: Single storey rear and side extension.

Application Number: 16/0523/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016 DEL
Location: 7 Tithebarn Copse, Exeter, EX1 3XP
Proposal: Prune 1no Ash tree.

Application Number: 16/0245/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 19/04/2016 DEL
Location: 20 Grasslands Drive, Exeter, EX1 3XY
Proposal: Erection of single storey extension, loft conversion and associated roof alterations

Application Number: 16/0449/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/04/2016 DEL
Location: Beacon Downe, Church Hill, Pinhoe, Exeter, EX4 9JB
Proposal: Two additional windows to north elevation (Non material amendment to 14/1671/03)

Application Number: 16/0156/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/04/2016 DEL
Location: 11 Causey Gardens, Exeter, EX1 3SR
Proposal: Erection of a fence

Application Number: 16/0290/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 09/05/2016 DEL
Location: Montreux, Main Road, Pinhoe, Exeter, EX4 9HD
Proposal: Front and side elevation dormer windows.

Application Number: 16/0510/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 28/04/2016 DEL
Location: 22 Park Lane, Exeter, EX4 9HL
Proposal: Alterations to decking (Non-Material Amendment to planning permission Ref. 15/0139/03 granted 12 March 2015)

Application Number: 16/0295/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/04/2016 PER
Location: 23 Parkers Cross Lane, Exeter, EX1 3TA
Proposal: Proposed 2 storey extension to side

POLSLOE

Application Number: 16/0284/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/04/2016 DEL
Location: 10, Watermore Court, Pinhoe Road, Exeter, EX4 7HQ
Proposal: Installation of PVC-u windows.

Application Number: 16/0192/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/04/2016 DEL
Location: 23 Ladysmith Road, Exeter, EX1 2PU
Proposal: Demolition of existing single storey rear extensions, erection of single storey rear extension and associated works

Application Number: 16/0160/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/04/2016 DEL
Location: 31 East Avenue, Exeter, EX1 2DX
Proposal: Erection of single storey rear extension

Application Number: 16/0183/03 **Delegation Briefing:** 07/04/2016 0
Decision Type Permitted **Decision Date:** 27/04/2016 DEL
Location: 46A Polsloe Road, Exeter, EX1 2DR
Proposal: Partial demolition of wall, new gates and 1no. parking space.

Application Number: 16/0322/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 21/04/2016 DEL
Location: Selsdon House, Mont Le Grand, Exeter, EX1 2PD
Proposal: Convert car port to Garden Room

PRIORY

Application Number: 16/0383/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 22/04/2016 DEL
Location: 9 School Lane, Exeter, EX2 6LB
Proposal: Single storey front extension

Application Number: 16/0032/03 **Delegation Briefing:** 07/04/2016 0
Decision Type Permitted **Decision Date:** 28/04/2016 DEL
Location: 28 School Lane, Exeter, EX2 6LB
Proposal: Variation of Condition 2 - Development to be carried out in accordance with drawings 303/02, 03, 04, 05, 06, 07, 08 & 09

Application Number: 15/0945/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 03/05/2016 DEL
Location: 396 Topsham Road, Exeter, EX2 6HE
Proposal: Rear extension of ground floor, loft conversion and creation of 3 No. self contained flats on the ground floor

Application Number: 16/0233/03 **Delegation Briefing:** 22/03/2016 0
Decision Type Permitted **Decision Date:** 18/04/2016 DEL
Location: 38 Bovemoors Lane, Exeter, EX2 5BP
Proposal: Erection of two storey rear extension and increase in roof height of existing dwelling to form additional bedroom

Application Number: 16/0177/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 21/04/2016 DEL
Location: 17 Chaucer Avenue, Exeter, EX2 6BR
Proposal: Erection of extensions

Application Number: 16/0422/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 19/04/2016 DEL
Location: Millbrook Village, Topsham Road, Exeter, EX2 6EP
Proposal: Non-material amendment to Condition 8 to remove the requirement for the development to comply with Code for Sustainable Homes Code level 4 with regard to all matters with the exception of Energy and CO2 emissions. (Non-material Amendment to Planning Permission Reference No. 13/3429/03 granted on 6th March 2014).

Application Number: 16/0194/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/04/2016 DEL
Location: 35 Hurst Avenue, Exeter, EX2 5LF
Proposal: Erection of 1.7m high fence to replace existing 1.1m picket fence

Application Number: 16/0132/03 **Delegation Briefing:** 07/04/2016 0
Decision Type Permitted **Decision Date:** 12/04/2016 DEL
Location: 20 Exe Vale Road, Exeter, EX2 6LD
Proposal: Conversion of bungalow to dwellinghouse and associated works

Application Number: 16/0402/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 09/05/2016 DEL
Location: 9 Glasshouse Lane, Exeter, EX2 7BJ
Proposal: Single storey rear extension and 2 storey side extension (Revised scheme)

Application Number: 16/0408/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/05/2016 DEL
Location: The Cedars, Dryden Road, Exeter, EX2 5SN
Proposal: Proposed vehicular access with associated turning head to new patient access to the Cedars Hospital

ST DAVIDS

Application Number: 16/0199/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/04/2016 DEL
Location: Unit 12, Guildhall Shopping Centre, Queen Street, Exeter, EX4
Proposal: Change of use from Class A3 to Class A4

Application Number:	16/0217/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	11/04/2016	DEL
Location:	29 High Street, Exeter, EX4 3LN			
Proposal:	Cladding of the existing windows frames with satin stainless steel plates.			
Application Number:	16/0248/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	11/04/2016	DEL
Location:	39-40 High Street, Exeter, EX4			
Proposal:	3no. fascia signs and 2no. hanging signs.			
Application Number:	16/0249/07	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	11/04/2016	DEL
Location:	39-40 High Street, Exeter, EX4			
Proposal:	Alterations to shopfront.			
Application Number:	16/0530/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	11/05/2016	DEL
Location:	246 High Street, Exeter, EX4 3NZ			
Proposal:	Installation of 2 ATM Surrounds and two new ATM machines.			
Application Number:	16/0356/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	10/05/2016	DEL
Location:	1 Market Street, Exeter, EX1 1BW			
Proposal:	Installation of two fascia signs and two projecting signs.			
Application Number:	16/0369/03	Delegation Briefing:	03/05/2016	0
Decision Type	Permitted	Decision Date:	09/05/2016	DEL
Location:	Devonia Garage, Richmond Road, Exeter, EX4			
Proposal:	Change of use to boxing gym/fitness studio			

Application Number: 16/0239/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/04/2016 DEL
Location: 63 New North Road, Exeter, EX4 4EP
Proposal: New rear dormer and replacement rear windows

Application Number: 16/0490/05 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 19/04/2016 DEL
Location: Exeter St Davids Railway Station, St. Davids, Exeter, EX4 4NT
Proposal: ATM surround sign

Application Number: 16/0253/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 18/04/2016 DEL
Location: Canon House (Block G), Friary Court (Block H) & Bedford House Extension (Block K), Princesshay, Exeter, EX1
Proposal: Replacement of existing roof covering to Block G (Canon House), Block H (Friary Court), and Block K (Bedford House Extension) and installation of rainwater downpipe to the northwest elevation of Block H including extended decorative cladding.

Application Number: 16/0254/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 18/04/2016 DEL
Location: Canon House (Block G), Friary Court (Block H) & Bedford House Extension (Block K), Princesshay, Exeter, EX1
Proposal: Replacement of roof covering to Block G (Canon House), Block H (Friary Court), and Block K (Bedford House Extension) and installation of rainwater downpipe to the northwest elevation of Block H including extended decorative cladding

Application Number: 16/0427/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 28/04/2016 DEL
Location: 5 Dinham Crescent, Exeter, EX4 4EF
Proposal: Works to trees
T1 - Sycamore - Reduce height by 50% and shorten lateral branches by 30-40%
T2 - Lawson Cypress - Fell

Application Number: 16/0390/06 **Delegation Briefing:**
Decision Type Withdrawn by Applicant **Decision Date:** 19/04/2016
Location: 38 Commercial Road, Exeter, EX2 4AE
Proposal:

ST JAMES

Application Number: 16/0213/05 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016
Location: Elmbrook House, New North Road, Exeter, EX4 4LA
Proposal: Erection of 1no. display cabinet advertisement.

Application Number: 16/0337/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016 DEL
Location: 63 Union Road, Exeter, EX4 6HT
Proposal: T1 -2 -Oak - Crown lift to 5M over car park

Application Number: 16/0327/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 04/05/2016 DEL
Location: 72 Longbrook Street, Exeter, EX4 6AP
Proposal: Regularisation of various internal and external alterations as part of refurbishment

Application Number: 16/0187/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 18/04/2016 DEL
Location: 4 Queens Crescent, Exeter, EX4 6AY
Proposal: Erection of two-storey rear extension and associated works

Application Number: 16/0384/40 **Delegation Briefing:**
Decision Type Prior Approval Not Required **Decision Date:** 20/04/2016 DEL
Location: 18 Sidwell Street, Exeter, EX4 6NN
Proposal: Prior approval from office (Use Class B1) to dwelling house (Use Class C3)

Application Number: 16/0287/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/04/2016 DEL
Location: 2 Thornton Hill, Exeter, EX4 4NS
Proposal: T1 - Ginkgo - Fell

Application Number: 16/0558/05 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/05/2016 DEL
Location: Wat Tyler House, 3 King William Street, Exeter, EX4 6PD
Proposal: Illuminated signage on front elevation

ST LEONARDS

Application Number: 16/0428/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 10/05/2016 DEL
Location: 3 Claremont Grove, Exeter, EX2
Proposal: Fell 3no trees and prune 1no tree.

Application Number: 16/0231/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 06/05/2016 DEL
Location: 23 Cedars Road, Exeter, EX2 4NA
Proposal: Loft conversion

Application Number: 16/0241/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/04/2016 DEL
Location: 7 Norwood Avenue, Exeter, EX2 4RT
Proposal: Single-storey rear extension

Application Number: 16/0480/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 15/04/2016 DEL
Location: 7 St. Leonards Road, Exeter, EX2 4LA
Proposal: Fell sycamore and prune yew tree

Application Number: 16/0230/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 15/04/2016 DEL
Location: 19 Egham Avenue, Exeter, EX2 4RQ
Proposal: Single storey side and rear extension

Application Number: 16/0272/18 **Delegation Briefing:**
Decision Type Withdrawn by Applicant **Decision Date:** 15/04/2016 DEL
Location: 18 Knightley Road, Exeter, EX2 4SR
Proposal: Certificate of lawfulness for proposed rear extension.

Application Number: 16/0382/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/04/2016 DEL
Location: 21 Barnardo Road, Exeter, EX2 4ND
Proposal: T1 - Robinia - Crown reduce by 0.5M and reduce branches overhanging neighbours property

Application Number: 16/0330/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 27/04/2016 DEL
Location: 78 Magdalen Road, Exeter, EX2 4TR
Proposal: Replacement verandah on rear elevation, new windows and other minor works

Application Number: 16/0331/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 27/04/2016 DEL
Location: 78, Magdalen Road, Exeter, EX2 4TR
Proposal: Replacement verandah on rear elevation, internal reconfigurations and new windows

Application Number: 16/0421/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 25/04/2016 DEL
Location: 13 Kimberley Road, Exeter, EX2 4JG
Proposal: Non-material amendment to planning approval ref: 15/0604/03 to allow for a change in materials of the walls from timber with a render finish to timber with a grey Menards cement board finish

ST LOYES

Application Number: 16/0226/18 **Delegation Briefing:**
Decision Type Was lawful use **Decision Date:** 15/04/2016 DEL
Location: B & Q, Avocet Road, Sowton Industrial Estate, Exeter, EX2 7JF
Proposal: Proposed subdivision and use of the main B&Q Warehouse building for unrestricted Class A1 non-food and drink retail sales (Lawful Development Certificate for a Proposed use or development)

Application Number: 16/0247/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 19/04/2016 DEL
Location: 2 Lewis Crescent, Exeter, EX2 7TD
Proposal: Front porch

ST THOMAS

Application Number: 16/0351/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 19/04/2016 DEL
Location: 67 Cowick Street, Exeter, EX4 1HW
Proposal: Partial Change of use: Residential to retail (stock) Renewal of pharmacy fenestration

Application Number: 16/0347/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 29/04/2016 DEL
Location: St. Thomas Station, Cowick Street, Exeter, EX4
Proposal: Installation of a 3m x 2m printed aluminium panel showing horticultural landmarks of the St. Thomas area on the rear wall of the Grade II former Railway Station building

Application Number: 16/0232/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 05/05/2016 DEL
Location: Cedar Lodge, 43 Okehampton Road, Exeter, EX4 1EH
Proposal: Change of use of 45 and 47 Okehampton Road from Hotel (Use Class C1) to 2 Houses of Multiple Occupation (Sui Generis)

TOPSHAM

Application Number: 16/0450/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 05/05/2016 DEL
Location: Ferryside, Ferry Road, Topsham, Exeter, EX3 0JN
Proposal: Non-material amendment to application ref: 15/0140/03 to allow for alterations to the fenestration

Application Number: 16/0491/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 06/05/2016 DEL
Location: 46 River Plate Road, Exeter, EX2 7FD
Proposal: Single storey rear extension.

Application Number: 16/0104/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/05/2016 DEL
Location: 36 The Strand, Topsham, Exeter, EX3 0AY
Proposal: Construction of new garden studio, garden sheds and new entrance gates.

Application Number: 16/0345/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/05/2016 DEL
Location: 81 Newcourt Road, Topsham, Exeter, EX3 0BU
Proposal: Front and side extension with loft conversion

Application Number: 16/0235/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 11/04/2016 DEL
Location: 2-3 Ferry Road, Topsham, Exeter, EX3 0JW
Proposal: Reconstruction of front wall.

Application Number: 16/0456/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/04/2016 DEL
Location: 30 Victoria Road, Topsham, Exeter, EX3 0EU
Proposal: Cut back Fig Tree to ground level.

Application Number: 16/0282/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/04/2016 DEL
Location: 8a, Parkfield Way, Topsham, Exeter, EX3 0DP
Proposal: T1 - Pittisporum - Fell

Application Number: 16/0081/03 **Delegation Briefing:** 22/03/2016 0
Decision Type Permitted **Decision Date:** 12/04/2016 COM
Location: Land to the rear of Five Acres, Exeter Road, Topsham, Exeter, EX3
Proposal: Development comprising change of use to Golf Driving Range including erection of an 8 bay + 2 training bay driving range building incorporating reception and tractor store; associated flood lighting, 2m high mesh security fencing and 10m high netting; associated car parking and access.

Application Number:	16/0196/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	12/04/2016 DEL
Location:	The Old Bakehouse, 36A Fore Street, Topsham, Exeter, EX3 0HR		
Proposal:	Part demolition, extension and refurbishment of dwelling		

Application Number:	16/0197/07	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	12/04/2016 DEL
Location:	The Old Bakehouse, 36A Fore Street, Topsham, Exeter, EX3 0HR		
Proposal:	Part demolition, extension and refurbishment of a dwelling		

Application Number:	16/0424/04	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	26/04/2016 DEL
Location:	19 Ark Royal Avenue, EXETER, EX2 7GP		
Proposal:	Prune 2no trees.		

Application Number:	16/0414/06	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	04/05/2016 DEL
Location:	Eleanors Bower, Follett Road, Topsham, Exeter, EX3 0JP		
Proposal:	T1 Crown reduction of Birch tree by 2-3 metres over entire crown T2 and T3 Cherry trees removed to ground level and T4 Elder removed to ground level		

Application Number:	16/0128/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	03/05/2016 DEL
Location:	21 Exeter Road, Topsham, Exeter, EX3 0LX		
Proposal:	Loft conversion and associated roof alterations, and alterations to front elevation		

Application Number:	16/0129/18	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	03/05/2016 DEL
Location:	21 Exeter Road, Topsham, Exeter, EX3 0LX		
Proposal:	Certificate of Lawfulness for proposed loft conversion and associated roof alterations, and alterations to front elevation		

Application Number: 15/1187/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 04/05/2016 DEL
Location: 62,63 & 64, High Street, Topsham, Exeter, EX3
Proposal: Change of use from takeaway/ restaurant (in part) to residential accommodation comprising conversion to 2 flats at ground floor, creation of a four person attached house to rear and alterations to the frontage.

Application Number: 16/0288/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/04/2016 DEL
Location: 31 The Strand, Topsham, Exeter, EX3 0AY
Proposal: T1 - Silver Birch - Reduce by 3M
 T2 - Robinia - Crown reduce and lift by 2.5M

Application Number: 16/0304/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/04/2016 DEL
Location: The Old Coach House, Bridgehill Garth, Topsham, Exeter, EX3 0ER
Proposal: Bay window to front elevation

Application Number: 16/0323/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/04/2016 DEL
Location: 37 Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Insertion of heritage velux window in rear elevation

Application Number: 16/0298/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 14/04/2016 DEL
Location: 24 Fore Street, Topsham, Exeter, EX3 0HB
Proposal: Minor alterations to front and rear of property

WHIPTON BARTON

Application Number: 16/0343/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 15/04/2016 DEL
Location: 11 Woodland Road, Exeter, EX1 3PL
Proposal: Extension of existing single garage to a double garage

Application Number: 15/0457/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 14/04/2016 COM
Location: Hill Barton House, 133 Hill Barton Road, Exeter, EX1 3PP
Proposal: Development of 19 dwellings and associated works.

Application Number: 16/0321/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/04/2016 DEL
Location: Unit 2, Land north of EDF Energy between Pinn Lane & Junction 29 (M5), Exeter, EX1
Proposal: Non-material amendment to application 07/0050/02 to allow cladding on elevations

Application Number: 16/0115/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 19/04/2016 DEL
Location: 17 Hamlin Lane, Exeter, EX1 2SB
Proposal: Retention of dropped kerb and associated works

Application Number: 16/0286/03 **Delegation Briefing:** 19/04/2016 0
Decision Type Permitted **Decision Date:** 20/04/2016 DEL
Location: 145a, Sweetbrier Lane, Exeter, EX1 3DG
Proposal: Two storey side and rear extension, loft conversion and new porch

Application Number: 16/0394/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 29/04/2016 DEL
Location: 5 Cranbrook Walk, EXETER, EX1 3GE
Proposal: Erection of a conservatory

Application Number: 16/0316/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 22/04/2016 DEL
Location: 11 Huntsham Road, EXETER, EX1 3GH
Proposal: Single storey rear extension.

Total Number of Decisions Made:

130

Local Government (Access to Information) 1985 (as amended)

Background papers used in compiling the report:

Files of Planning Applications available for inspection from:

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1NN

Telephone No: 01392 265223

This page is intentionally left blank

REPORT TO: PLANNING COMMITTEE

Date of Meeting: 23 May 2016

Report of: Assistant Director City Development

Title: Public Inquiry/Appeals Report

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

1.1 The report provides Members with information on the latest Public Inquiry decision and Appeal received and new appeals since the last report.

2. Recommendation:

2.1 Members are asked to note the report.

3. Summary of Public Inquiry Decision

3.1 The decision regarding the Public Inquiry following an appeal made by Waddeton Park Limited in respect of application 14/2066/01 was announced on 27 April. The application was for a 60 bed residential care home; 47 assisted living apartments and 55 age restricted dwellings on Land north of Exeter Road, Topsham. The appeal was allowed and permission granted subject to conditions.

The Inspector considered that there were two main issues to be considered. Firstly whether there is a 5 year supply of housing land within the City Council area and secondly the effect of the development on the setting and separate identity of Topsham.

Five Year Land Supply

Whether or not such a supply exists in Exeter depends on whether the provision of purpose built accommodation (PBSA) is included in the calculation. The Government's own Planning Practice Guidance (PPG) says that all student accommodation can be included *based on the amount of accommodation it releases in the housing market* (my emphasis).

The Council argued that it was not necessary to demonstrate that housing occupied by students is being returned to the market because student in-migration was included in the demographic data on which the Council's Core Strategy housing need figure of 12000 was derived.

The Inspector considered that there were a number of deficiencies in this approach.

Firstly that the PPG, in using the specific phrase italicised above requires there to be evidence of accommodation being released into the housing market and that despite concerns being expressed at the Core Strategy Inquiry that student numbers were becoming a concern, there had been "no on-the-ground evidence to demonstrate that the provision of student accommodation has directly released accommodation in the housing market". He further pointed out that Council tax data suggested the contrary.

He also was sceptical about the Council's evidence which argued that student housing needs were included in historic demographic data stating that "evidence that it constitutes a substantial component is unconvincing" and stating that the ONS data used by the Council was inherently unreliable. Whilst acknowledging improvements to the methodology behind more up to date data he points out that this supports the conclusion that the earlier data is flawed.

He also supported the appellant's assertion that the ONS trend-based projections failed to pick up the acceleration in student in-migration and ultimately concluded that the Council had not demonstrated that the Core Strategy housing requirement included student housing at the level which would have been required to release accommodation into the market. Thus neither PBSA that has been constructed or is planned to be built over the plan period counts towards meeting the housing requirement and therefore "there is a serious shortfall in the 5 year housing land supply".

Effect on the setting and identity of Topsham

The Inspector noted the strongly held local view that the open area between Topsham and the M5 has considerable importance as an open break in development on leaving Exeter and entering Topsham. He acknowledged that development of the gap per se would by definition harm the character of part of it but concluded that the degree of harm would be relatively modest. In coming to this view he was of the opinion that the site is more strongly influenced by the "suburban fringes of the Topsham built up area" than the open land to the west. His conclusion was that "enough openness would remain to provide a more than adequate appreciation of leaving one settlement before entering another".

The Inspector's Conclusions

Whilst noting that the scheme would conflict with policies of the Core Strategy and Local Plan which sought to protect the strategic gap between Topsham and Exeter he considered the impact on the gap "modest". He considered that "the circumstances of a significant housing shortfall, the need to boost the supply of housing, and the contribution that the appeal scheme would make to housing supply, are very important material considerations which significantly outweigh the conflict with the development plan" and concluded that permission should be granted.

Costs Application

The Inspector granted a partial award of costs against the Council in respect of its position on housing land supply and student accommodation. He criticised the Council for providing no evidence of direct release of accommodation in the market resultant from construction of PBSA and found the Council's evidence in respect of student housing need being contained within the Core Strategy to be "contradictory and unreliable". Consequently he concluded that the Council had acted unreasonably and caused the appellant unnecessary expense in bringing evidence on the issue.

The appellants also argued that the council had behaved unreasonably in its application of policies affecting the strategic gap but this argument was dismissed by the Inspector.

There will be a further report to Members on the implications of the Public Inquiry in due course.

4 Summary of decisions received

- 4.1 In addition to the Public Inquiry decision, two further decisions have been received since the last report:

15/0661/03 Land adj 16 Barnardo Road, Exeter. Permission allowed subject to conditions attached to the decision for the construction of two semi-detached dwellings.

15/0346/18 32 Danes Road, Exeter. Permission allowed for change of use from small HMO (Use Class C4) to large HMO (sui generis).

5. New Appeals

- 5.1 One new appeal has been received re 18 Sheppard Road. The application relates to a new conservatory at the front of the property. Application Reference 15/1408/03.

Assistant Director City Development

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report:

Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

Contact for enquiries
Democratic Services (Committees)
Room 2.3
01392 265275

This page is intentionally left blank

REPORT TO: PLANNING COMMITTEE
DATE OF MEETING: 23 May 2016
REPORT OF: Corporate Manager Democratic and Civic Support
TITLE: Planning Site Inspections

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

1.1 To agree a schedule of dates and rota of Members for site inspection parties.

1.2 Normally inspections will commence at 9.30 a.m.

2. Recommendations:

2.1 that the schedule of dates be approved.

3. Reason for the recommendation:

3.1 To advice Members in advance of meeting dates

4. Report Details:

Proposed dates and rota for site inspections are:-

Tuesday 14 June 2016	Councillors
Tuesday 12 July 2016	Councillors
Tuesday 23 August 2016	Councillors
Tuesday 20 September 2016	Councillors
Tuesday 18 October 2016	Councillors
Tuesday 22 November 2016	Councillors
Tuesday 20 December 2016	Councillors
Tuesday 31 January 2017	Councillors
Tuesday 7 March 2017	Councillors
Tuesday 11 April 2017	Councillors
Tuesday 9 May 2017	To be advised

**Local Government (Access to Information) Act 1985 (as amended)
Background Documents**

None

**CORPORATE MANAGER DEMOCRATIC AND CIVIC SUPPORT
13 MAY 2016**