

## **PLANNING COMMITTEE**

Monday 3 October 2016

### Present:

Councillor Sutton (Chair)  
Councillors Lyons, Bialyk, Edwards, Foale, Gottschalk, Harvey, Mrs Henson, Morse, Newby, Prowse and Spackman

### Apologies:

Councillor Denham

### Also Present:

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

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### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

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### **PLANNING APPLICATION NO. 16/0405/16 - BELGRAVE ROAD, EXETER**

The Principal Project Manager (Development) (HS) presented the revised scheme for demolition of existing buildings and redevelopment to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), D1 (non-residential institutions) and D2 (assembly and leisure), with cycle parking provision and public realm improvements.

Members were circulated with an update sheet - attached to minutes. The Principal Project Manager (Development) (HS) reported that the revisions to the scheme would also affect the Community Infrastructure Levy (CIL) and New Homes Bonus (NHB) that the City Council receives. New Homes Bonus that would be paid to Exeter City Council on the revised scheme was £211,868.86 per year currently paid for six years which would total £1,271,213.10. The Community Infrastructure Levy Payable on the revised scheme would be £947,888.36. He also advised that the suggested condition 2 would be amended to list the approved plans.

Ms Goddard spoke against the application. She raised the following points:-

- represent the Deltic Group as General Manager of Unit 1;
- Deltic Group has operated this very successful late-night leisure venue since June 2007. The venue opens between 10pm until 2.30am Mondays to Thursdays and 10pm to 3.30am on Friday and Saturdays. It has a capacity of 850 people and the site has operated as a licensed venue since before 2000. Believe Unit 1 is Exeter's biggest and best nightclub. It has a massive dancefloor, incredible visuals and a state of the art sound system;
- the immediate local area has always had a mix of commercial businesses which generally traded during the daytime and were closed at night. Local residential properties existed beyond the immediate area and so historically have not been affected by the club;

- this situation recently changed with the approval of a large student accommodation complex on the adjoining site at Townsend Printers in Western Way, Exeter. Noise surveys undertaken were totally inadequate for purpose and the noise attenuation measures within the new development have proved to be totally inadequate. This has generated noise complaints from the occupants of the new student accommodation;
- the current planning application has a potential for future noise and disturbance to new residents at the application site. Unit 1 lies immediately adjacent to the application site and complaints from future residential occupiers of the application site could lead to calls for possible restrictions on business and opening hours;
- it is essential that further consideration is given to the proposed development, as there would be a clear conflict between the nightclub and the residential units. The imposition of conditions has failed to address the noise issues raised at the Printers site and may similarly be insufficient in this case. The issue of potential noise impact is fundamental to the principle of development in this case;
- Deltic Group have appointed specialist acoustic consultants to review the recently submitted noise comments from the applicant's noise consultants. This review has identified a number of flaws in the applicant's evidence on noise;
- no additional noise measurements have been undertaken so the assessment is based on the measurements obtained on a Tuesday night at 4.5 metres above ground – which may underestimate the level of noise break-out via the roof;
- recommendations are now provided for glazing and ventilation units for all of the courtyard from gridlines 3 to 11, which is assumed refers to both the north and south sides of the courtyard;
- still no recommendations for courtyard rooms between gridlines C and D. As a minimum these should be the same as recommended for gridlines 7 to 3;
- the noise report indicates that ventilation units will be provided for background ventilation and cooling, although windows may be still be openable for rapid ventilation. Consequently, there will be noise issues when windows are opened;
- the proposed development is located at a similar distance from the Unit 1 nightclub as an accommodation block in the Printworks where complaints due to night-club music break-out have arisen and where recent tests have shown that the night-club music (especially bass beats) are clearly audible with windows open;
- overall, the night club use has not been adequately addressed in the submitted Noise Assessment, with the risk that future occupants will be exposed to excessive noise;
- in summary, it has not been demonstrated that the proposed residential units can be adequately constructed to be wholly attenuated against the nature and type of noise peaks in the vicinity late at night. Indeed, even if the proposed residential units are constructed with triple glazed windows, fixed windows to the elevations adjacent to the noise-generating uses, air conditioning and all noise-sensitive rooms are located away from the noise-generating uses, this may still be insufficient to protect the amenities of future residential occupants from peak noise incidents.

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

- the company takes very seriously its desire to provide quality student accommodation in the City;
- following deferral at the previous meeting to consider further issues relating to noise, height and massing further discussions were held with officers and it is believed that a satisfactory solution has been found within a revised scheme;
- heights have been reduced which increases light into the courtyards;

- impact of views from various distances have been reduced and the development will sit better within the Grecian Quarter;
- a full noise impact assessment has been undertaken and discussion held between the company's head of property and Unit 1's acoustic consultants. Noise levels have been fully addressed and mitigation measures identified and set out in conditions.

He responded as follows to Members' queries:-

- recognise that student parking is an emotive issue in university cities and believe that it is more a problem with houses in multiple occupation than purpose built student accommodation. Believe that effective control can be maintained through the management company who will run the blocks and effective community liaison. Moreover, parking can be controlled by effective conditions in the lease agreements whereby student give an undertaking not to bring cars and this will be included in the leases for this scheme. In the past 15 years one student has been evicted from purpose built accommodation run by the company for failing to abide by this requirement;
- views of building designs are subjective and it is believed that this is a quality design and has already been considered by the Devon Design Review Panel, who are supportive. Are of the view that the proposal will improve the overall build environment and complement the future development of the Grecian Quarter. Great care has been taken to ensure that the development complies with the Grecian Quarter SPD;
- service and acoustic engineers are confident that mitigation measures, including the ventilation strategy, will be satisfactory and that the occupants will not be disturbed by outside noise. Important to ensure that no adverse comments from students are disseminated through social media.

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

**RESOLVED** that, subject to a Section 106 Agreement under the Town and Country Planning Act 1990 to secure:-

- a District Heating Contribution of £86,447;
- student management plan;
- off-site highway works; and
- traffic order costs

the Assistant Director City Development be authorised to **APPROVE** the application for the demolition of existing buildings and redevelopment to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), D1 (non-residential institutions) and D2 (assembly and leisure), with cycle parking provision and public realm improvements on the basis of the amended plans being secured by an amended condition 2, and subject also to following conditions, which may be varied or supplemented as appropriate:-

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

**Reason:** To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

- 2) Condition 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 as listed below and as modified by other conditions of this consent.

Floor and roof plans AP099 rev 03, AP100 rev 03, AP101 rev 03, AP102 rev 03, AP103 rev 03, AP104 rev 03, AP105 rev 03, AP106 rev 03, AP107 rev 03, AP108 rev 03 received 26 September 2016.

Elevations AP112 rev 00, AP120 rev 03, AP121 rev 03, AP122 rev 03, AP123 rev 03, AP124 rev 03, AP125 rev 03, AP126 rev 03, and AP127 rev 03 received 26 September 2016.

Sections drawings AP110 rev 03, and AP111 rev 02 received 3 Oct 2016

Landscape Framework Plan 5098 L94.01 rev P9 received 12 July 2016

**Reason:** In order to ensure compliance with the approved drawings.

- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

**Reason:** To ensure that the materials conform to the visual amenity requirements of the area.

- 4) A detailed scheme for landscaping and ecological enhancement of the site, including the planting of trees and/or shrubs, the use of surface materials and opportunities for wildlife shall be submitted to the Local Planning Authority and the development shall not be brought into use until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping and ecological enhancement measures shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

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

- 5) 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.

- 6) No development related works, with the exception of demolition works, shall take place until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the

results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

- 7) No development approved by this planning permission (excluding demolition), shall take place 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 scheme shall include the following components:
- a) A preliminary risk assessment which has identified: All previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
  - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - c) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** To protect human health and controlled waters.

- 8) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason:** To protect human health and controlled waters.

- 9) No development shall take place, including any works of demolition and any earthworks, until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. This shall address the following issues: Noise, dust, vibration, construction access, hours of work, dirt on the highway, protection of the public, protection from contamination, waste management and ecology. 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) Noise and dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.
- d) Noise and dust monitoring shall be undertaken to an agreed programme.
- e) Site hoarding shall be kept clear of graffiti and fly-posting.
- f) Details of access arrangements and timings and management of arrivals and departures of vehicles

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

- 10) Details of the storage and management of waste for each unit and the residential accommodation shall be agreed in writing by the Local Planning Authority before that part of the development is first occupied.

**Reason:** In the interest of public health and amenity and to ensure footways are not obstructed.

- 11) The applicant shall submit a scheme for protecting occupiers of the development from noise. This shall be submitted to and approved by the Local Planning Authority before construction commences and shall be implemented before any part of the residential accommodation is first occupied.

**Reason:** In the interests of the living conditions of future occupiers.

- 12) Before any unit is brought into an A3 use, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

**Reason:** In the interests of public and residential amenity.

- 13) Before any unit is brought into an A3 or A4 D1 or D2 use, a scheme for the management of noise and external spaces shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented. The use of that unit shall thereafter be carried out in accordance with an approved management scheme.

**Reason:** In the interests of residential amenity.

- 14) Noise from mechanical building services plant shall not exceed the limits set in Table 14 of the Kimber Acoustics Ltd Noise Assessment Report for The Land between Belgrave Road and Bampfylde Street, Exeter Issue 4 dated 24 June 2016.

**Reason:** In the interests of residential amenity.

- 15) The CHP engine, plant and chimney shall be constructed in accordance with the submitted details and shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of protecting air quality.

- 16) Notwithstanding condition no. 3 no work shall commence on any phase under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority in so far as they relate to that phase and the following shall thereafter be provided in accordance with such details:

- a) Detailed layout(s) of plant rooms associated with the space heating and provision of hot water to the building.
- b) Sustainable fit-out guidance for landlord and tenant areas.
- c) Detailed design of eaves and roof edges
- d) Detailed design of windows, doors and panel cladding systems.

**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

- 17) No part of the development hereby approved shall be brought into its intended use until the pedestrian crossing improvement to Bampfylde Street as indicated on Landscape Framework Plan Rev P8, or other scheme as agreed in writing by the Local Planning Authority, has been provided in accordance with details and specifications approved in writing by the Local Planning Authority.

**Reason:** To provide safe and suitable access for traffic generated by and attracted to the site.

- 18) No part of the development hereby approved shall be brought into its intended use until the loading bays on Belgrave Road and Bampfylde Street and Landscaping proposals outlined on the Landscape Framework Plan Rev P8, have been provided in accordance with details and specifications that shall have been approved in writing by the Local Planning Authority.

**Reason:** To provide safe and suitable access and adequate facilities for traffic attracted to the site.

- 19) Travel Plan measures including the provision of sustainable transport welcome packs and details of the arrangements of how student pick up/drop off will be managed, shall be provided in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.

**Reason:** To promote the use of sustainable transport modes and in the interest of highway safety, in accordance with paragraphs 32 and 36 of the NPPF.

- 20) Prior to commencement of the development (excluding demolition), details of secure cycle parking provision for the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be occupied until the secure cycle parking facilities have been provided in accordance with the submitted details.

**Reason:** To provide adequate facilities for sustainable transport.

- 21) No part of the residential accommodation shall be brought into its intended use until the secure cycle parking facilities have been provided in accordance with the submitted details and maintained for these purposes at all times.

**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.

- 22) The residential accommodation shall be constructed with centralised space heating and hot water systems that have been designed and constructed to be compatible with a low temperature hot water District Heating Network in accordance with the CIBSE guidance "Heat Networks: Code of Practice for the UK". The layout of the plant room, showing provision for heat exchangers and for connection to a District Heating Network in the Highway shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented on site unless otherwise agreed in writing.

**Reason:** In accordance with the requirements of policy CP13 of the Exeter Core Strategy 2012 and in the interests of sustainable development.

- 23) The development hereby approved shall not commence, with the exception of demolition works, until details of the proposed finished floor levels and overall ridge heights, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

**Reason:** In the interests of the visual amenities of the area.

- 24) Unless otherwise agreed in writing by the Local Planning Authority the A and D class units hereby approved shall achieve an overall BREEAM scoring of 60 percent or greater for shell and core only. Unless otherwise agreed in writing by the Local Planning Authority the residential units hereby approved shall achieve an overall BREEAM scoring of "excellent" (70 percent or greater). Prior to commencement of development the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved. Where this does not meet the above requirements the developer must provide details of what changes will be made to the development to achieve that standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of any such building hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.

**Reason:** To ensure that the proposal is in accordance with the aims of Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

- 25) Construction of the development hereby approved shall only be carried out in accordance with the recommendations in the submitted Explosive Ordnance Desk Top Study for Stagecoach Bus depot, Belgrave Road, Exeter (Project 15200 EOD Contracts Ltd dated 11/05/2015) received 31 March 2016.



**Reason:** In the interests of public safety.

- 26) No part of the approved development shall be occupied until the drainage works have been completed in accordance with the approved plans.

**Reason:** To ensure the satisfactory drainage of the development.

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**PLANNING APPLICATION NO. 16/0849/01 - PLAYING FIELD OFF WEAR  
BARTON, EXETER**

The City Development Manager presented the application for an outline planning application for the development of up to 101 houses, a new sports pitch and changing facility, public open space including children's play areas and associated highways and drainage infrastructure at Wear Barton and re-provision of senior football pitch at Exwick Sports Hub with all matters reserved except for means of access.

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

**RESOLVED** that the application for the development of up to 101 houses, a new sports pitch and changing facility, public open space including children's play areas and associated highways and drainage infrastructure at Wear Barton and re-provision of senior football pitch at Exwick Sports Hub with all matters reserved except for means of access be **DEFERRED** for consideration to be given to the draft conclusions of the Exeter Playing Pitches audit and external legal advise.

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**PLANNING APPLICATION NO. 16/0963/03 - EXETER ROAD, EXETER**

The Project Manager (Planning) (KW) presented the application for the erection of a B1 Office Building, access and associated infrastructure works.

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

Councillor Baldwin attended the meeting and spoke on this item under Standing Order No. 44. She made the following points:-

- this application is the final phase of a three phase history of this and two adjoining sites, all strategically important in terms of the Topsham Gap open space. In anticipating opposition, Heritage Homes circulated an information leaflet as part of its public consultation, albeit only three to four days before submitting its first planning application for the land fronting Exeter Road (Phase I) stating that it would provide affordable, eco-friendly homes, taking account of the character and local distinctiveness of the Gap;
- as well as protecting and enhancing the character of the surrounding area, Heritage Homes undertook to "provide an area of green open space between the proposed development and the motorway";
- following the granting of permission for Phase I, in which the number of homes increased from 23 to 28, Phase II, where the number of homes increased from nine to 22 was also granted permission, the density being close to the permissible maximum. At this stage, the issue of open space provision had become blurred and sidelined when a Section 106 Agreement under the Town and Country Planning Act 1990 requiring a contribution of £40,500 to improve open space generally in the Topsham area was agreed;

- for the area originally proposed as open space a change to BI use for a four storey building higher than the M5 motorway is now proposed contrary to comments given during the development of Phases I and II;
- it has a relatively small footprint and will be higher than the surrounding residential area with a roof garden some 23 metres from the motorway bridge, which in itself will not be pleasant to use;
- although the report states that the development is adjacent to a commercial boatway, Seabrook Gardens and the new Aldi store, the former is low level and totally screened and the two others sites are the other side of the bridge, the visible boundary between Exeter and Topsham;
- the offices will be visually intrusive in a sensitive landscape and will spoil the view of the Exe estuary from the motorway;
- whilst the residential use can be considered in the context of the wider need for housing in the City, this office will set a precedent for commercial development on the other side of Exeter Road adding further pressure on the Topsham Gap. The office should be located in a business park;
- whilst the report stated that the use of this land for open space was negated by the provision of open space in Phase II, that provision is limited to a small area under the protected tree and the Section 106 monies for wider open space provision in Topsham, should also be utilised on this development site;
- the building will be obstructive visually rather than iconic and will not be screened by the motorway bridge;
- over 100 objections received to this commercial office block in a sensitive and strategic landscaped area contrary to promises in circulated leaflet; and
- if not refused, request deferral for referral to the Devon Design Review Panel.

Councillor Leadbetter attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- support comments of Councillor Baldwin and the need to protect the Topsham Gap and agree that the scheme should be referred to the Devon Design Review Panel;
- the Topsham Gap has been under assault for a number of years and it is vital that what green space remains should be protected;
- suggest access should be on to Retreat Road not Exeter Road; and
- request deferral and referral to the Panel.

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

- over 100 local people objected to this proposal. The Topsham Society's objection, is that the proposal;
- is on land the applicant previously designated as open space and on which residents were consulted and wished to be retained as such;
- is simply too big, too heavily grained, too corporate in appearance and is wholly out of character for this edge of small town location;
- the officer report reveals a striking difference of principle between the town and the Council;
- the City Council appear to regard this as a scruffy piece of spare land which can accommodate any development proposal, with little scrutiny. The town see its highly urbanised form as fundamentally wrong for the town fringe;
- the City disregard their own landscape setting policy, overlooking when advertising the application. They stated that the proposal would have no impact on the City, but make no reference to the impact on Topsham. The North Gap appeal Inspector criticised the City Council for undermining it's key policy by approval of the South lands. The town asks, would it be competent to jeopardise this further?;

- the City Council states that the proposal is iconic. Topsham says it doesn't want/need an Icon - and in any case, it is merely a standard development";
- the City Council states that the proposal is three storey. But it is a big four storey commercial development. The City Council does not take into account that the proposal is 4 metres higher than the M5 – the previous ECC height limit on development;
- the City Council states that the building is of similar style to recently approved housing. The town see the overly commercial aesthetic with mass glazing as wholly out of keeping with existing or recently approved residential buildings;
- whilst previously approved adjacent schemes were too urban, the Society understood the Council was under pressure to achieve housing numbers. There is no similar driver to approve this application. It offers no local employment benefit and is isolated from non local need commercial uses;
- the town are stunned by the recommendation to approve and would question what level of "grossness" has to come forward before the Council takes action to stand against inappropriate development blighting the environment of Council Tax payers, in favour of developers' profit;
- the Society have suggested that the scheme be referred to the Devon Design Review Panel;
- given the clear doubts about the schemes suitability and that the application cannot be determined today in any case, this would have minimal impact on timescale and would assure the town that appropriate scrutiny had been given; and
- the Topsham Society urge the Committee to at least, defer today and refer the application to the Panel.

He responded as follows to Members queries

- the Devon Design Review Panel is a voluntary group of architect and the built environment specialists advising local authorities on contentious schemes;
- the consultation before the submission of the first scheme was fairly misleading and glib and undertaken just to show that there had been consultation;
- population of Topsham is 4,700; and
- would accept views of the Panel.

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

- the application is vitally important to Heritage as a local company and to its employees. It will allow the business to grow within the City and to accommodate additional new employees and new jobs to cater for the future growth of the company. Heritage Homes is not a big PLC and so the only affordable alternative to this is for Heritage to move to a less expensive building away from Exeter, with a significant loss of jobs to the City;
- both the NPPF and Policy E5 of the Exeter Local Plan recognize the compatibility of business use such as offices within a residential area. In fact Southernhay now has numerous examples of offices mixed with residential dwellings;
- the proposed office building will be a good neighbour to the adjoining residential dwellings; It will cause no disturbance and no additional traffic to Retreat Drive;
- this is a scrappy piece of land, which is ill suited to any other use. It has been the subject of fly tipping and is wholly unsuited to use for open space as nobody would wish their children to play there or sit exposed to the noise from both Exeter Road and the M5 Motorway with the backdrop of a huge motorway embankment which this proposal will hide;
- the building has been designed by a fully qualified RIBA Architect of many years' experience;

- it has been deliberately designed to have an interesting visual appearance with the extensive use of glass to lighten the appearance and mass of the building, which is specifically supported by the City Council's own approved policy for office buildings. It has been designed to match the contemporary architecture of the development opposite and it will use high quality matching materials, which will stand the test of time; and
- this is a good efficient use of a piece of poor quality land within the City next to other existing commercial uses, namely the Retreat Boatyard and a new Aldi supermarket. It will result in the area being well maintained and well managed with a high quality building and landscaping whilst, at the same time, generates jobs.

He responded as follows to Members queries:-

- the office development will be a similar height to residential developments nearby;
- as open space provision within Phase II exceeds the 10% requirement there is no longer a need to utilise this small area of land for open space. Furthermore, it is a mess, subject to fly-tipping and has no trees. It does little to add to the landscaping of the area and has no effect on the land on the other side of the road;
- the site will be landscaped with trees and shrubs to soften the impact of the building;
- it was sensible to provide open space under the tree in Phase II, the design of this Phase also being acceptable to the residents of Wessex Close. With a financial offer of £40,500 there was no longer a need for this area to be landscaped for open space use. It is now a surplus area which no other party would have an interest in to take on and improve;
- office use would be an acceptable neighbour to the residential properties, assist in their sale because of its quality design and will be a quiet area at night time;
- views of designs are subjective, This proposal was designed by a qualified RIBA architect, the glass element will help reduce the heaviness of the building and it will sit well with adjacent residential developments. There is no other use for this site;
- only the three storeys and parapet lip, but not the fourth floor, are visible from Retreat Road and the building is not visible from the motorway;
- additional staff will be employed; and
- have been straightforward in the application process for all three sites and use of this area of land for open space became redundant after permission was granted for Phase II with its area of open space.

The City Development Manager noted that the Council may need to bear the cost of the referral to the Design Review Panel.

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

**RESOLVED** that planning permission for the erection of a B1 Office Building, access and associated infrastructure be deferred for the proposal to be considered by the Devon Design Review Panel.

#### **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the Assistant Director City Development was submitted.

**RESOLVED** that the report be noted.

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**APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

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**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 18 October 2016 at 9.30 a.m. The Councillors attending will be Harvey, Lyons and Prowse.

**Additional Information Circulated after Agenda Dispatched - circulated as an appendix**

(The meeting commenced at 5.30 pm and closed at 7.17 pm)

Chair

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**PLANNING COMMITTEE  
3 OCTOBER 2016**

**ADDITIONAL INFORMATION**

**Correspondence received and matters arising following preparation of the Agenda**

**Item 4 : Application Ref: 16/0405/16 : Pages 5-28**

**Belgrave Road  
Exeter**

To secure that development is only carried out in accordance with the revised plans, the wording of condition 2 should be amended from that contained in the report to Planning Committee of 5 September:

Condition 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 26 September 2016 as modified by other conditions of this consent.

**Reason:** In order to ensure compliance with the approved drawings.

The revisions to the scheme will also affect the Community Infrastructure Levy (CIL) and New Homes Bonus (NHB) that the City Council receives.

New Homes Bonus that would be paid to Exeter City Council on the revised scheme is £211,868.86 per year currently paid for six years. This totals £1,271,213.10.

Community Infrastructure Levy Payable on revised the scheme is £947,888.36.

**Item 5 : Application Ref: 16/0849/01 : Pages 29-60**

**Playing Field off Wear Barton Road  
Exeter**

Following the receipt of the draft conclusions of the Exeter Playing Pitch Audit and external legal advice, it is considered appropriate to reassess the application in order to incorporate this recently available information. For this reason it is recommended that consideration of the application be deferred until the next meeting.

**Item 6 : Application Ref: 16/0963/03 : Pages 61-70**

**Land bounded by Exeter Road and The Retreat Drive  
Topsham**

**Advertisement:** It is noted that the application was not advertised as a Departure from the Local Plan First Review 1995-2011. If Members are minded to approve the application, it would be necessary to revise the recommendation to include the re-advertisement of the application for 3 weeks and that authority be delegated to the Assistant Director of City Development in consultation with the Chair of the Planning Committee to approve the application if satisfied that any further objections received do not raise and significant new issues.

**Highways England:** No objection.

**DCC Highways:**

**Access –** Proposed via a dropped kerb onto Exeter Road, this meets the relevant visibility standards for the 85<sup>th</sup> percentile speed on Exeter Road (55m for 35mph). Although acceptable in principle it is advised that:

The dropped kerb will need to be built in accordance with DCC specification;  
Uncontrolled discharge of water over a footway is contrary to S163 of the Highways Act 1980 and any new access will need to be designed to prevent this;  
Permission must be applied for and approved before undertaking any such works on the highway;  
Adjacent bus stop will be relocated as part of the works on land north of Wessex Close (16/0114/03).

**Parking/Trip Generation** – Plans show provision for 16 car parking spaces – given that 20 staff are expected to be employed, this seems sensible. The level of traffic generation from the site is expected to be modest and the additional traffic is not a significant concern. Cycle parking in accordance with the standards set out in the Exeter City Council Sustainable Transport SPD are achieved.

**Construction** – To mitigate the impact on Exeter Road, adequate space will need to be made available within the site for construction traffic.

**Conclusion** – A number of objections have been raised by local residents regarding the safety of the proposed access, the parking provision and the additional traffic generated by the development. However, the relevant visibility requirements have been met and adequate vehicular parking has been provided. Therefore subject to conditions for provision of access facilities, vehicle and cycle parking and provision of space for construction vehicles and materials, no objection.

**Objections:** An additional 27 objections have been received to the application which reiterate the comments already received and noted in the Committee Report. The Exeter Civic Society have also advised that they concur with the views expressed by the Topsham Society.

**Landscape Setting:** As a point of clarification, it is confirmed that the site does lie within the Landscape Setting designation (Policy LS1 Local Plan, Policy CP16 Core Strategy and DD29 DDDPD). Whilst the development would appear to be contrary to this designation, the recent approvals of the residential development on the adjacent site and Aldi on the other side of the M5 embankment mean that the retention of this small section of land would not contribute to the setting of the City. It is therefore considered, that on balance, the development of this site would not further harm the open land to the rear of the site or on the opposite side of Exeter Road. Additional landscaping would be sought through condition for the perimeter of the proposed development in order to soften the development and reintroduce trees and plants that were previously on this site.

**The Design Review Panel:** A ward Member has requested that the application be referred to The Design Review Panel to provide greater design expertise. Topsham Society have written in support of this request.