

## PLANNING

Date: Monday 30 October 2017  
Time: 5.30 pm  
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

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

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

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

### *Membership -*

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

## 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 meetings held on 24 and 31 July, 4 September and 2 October 2017.

#### **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.

#### **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. 17/0750/FUL - The King Billy, 26-28 Longbrook Street, Exeter**

To consider the report of the City Development Manager. (Pages 5 - 20)

#### 6 **Planning Application No - 17/0848/FUL - Gipsy Hill Hotel, Exeter**

To consider the report of the City Development Manager. (Pages 21 - 34)

#### 7 **Planning Application No. 17/0665/01 - Sandy Park Hotel, Exeter**

To consider the report of the City Development Manager. (Pages 35 - 54)

#### 8 **List of Decisions Made and Withdrawn Applications**

To consider the report of the City Development Manager. (Pages 55 - 78)

#### 9 **Appeals Report**

To consider the report of the City Development Manager. (Pages 79 - 80)

#### 10 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 21 November 2017 at 9.30 a.m. The Councillors attending will be Denham, Lyons and Newby,

### **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 4 December 2017** 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.

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**ITEM NO.**

**COMMITTEE DATE:** 30/10/2017

**APPLICATION NO:**

17/0750/FUL

**APPLICANT:**

Mr James

**PROPOSAL:**

Demolition of the King Billy pub to build a mixed use development scheme comprising of ground floor commercial units (use classes A1, A3 and A4) with 108 bed space student accommodation above over 6 and 7 storeys

**LOCATION:**

The King Billy  
26-28 Longbrook Street  
Exeter  
EX4 6AE  
10/05/2017

**REGISTRATION DATE:**

**EXPIRY DATE:**

**UPDATE FROM PLANNING COMMITTEE 2 OCTOBER 2017**

The application was deferred from the previous meeting following Member's concern about the potential fire risks for the occupants of the proposed building and the existing building in the area, in particular John Lewis. The applicant has now submitted a Fire Risk Strategy, which has been assessed by the Devon and Somerset Fire Service and raised no objection.

**HISTORY OF SITE**

Planning permission was granted in 1989 and subsequently renewed in 1994 for a three storey building comprising of a shop/office for financial and professional services (Use Class A2) on the ground floor and first/second floor for office use (Class A2).

An application for a nine storey building comprising of a retail unit on the ground floor, office at first floor and 13 two bedroomed apartments was withdrawn in 2008.

Planning permission was granted in March 2016 (ref 15/0645/03) on the garage/workshop part of the application site for 25 units for student accommodation within a six storey building.

**DESCRIPTION OF SITE/PROPOSAL**

The application site is located on the eastern side of Longbrook Street between the John Lewis building and 34 Longbrook Road. Part of the site was previously used as a vehicle repairs garage, which has since been demolished and consequently the site has remained open and vacant for several years. In addition, this application seeks to demolish the existing King Billy public house.

The rear section of the site includes part of the historic boundary wall, which is to be retained although additional openings will be created to provide pedestrian access into the new building.

The application site is adjacent the John Lewis building. To the north of the site lies a three storey row of terraced properties, albeit with some properties incorporating dormer windows within the roofspace, containing a mixture of retail and financial/professional service use on the ground floor with residential and/or storage uses above. On the opposite side of Longbrook Street, Portland House comprises student accommodation within a six and seven storey

building reducing to four storeys on the lower part of Longbrook Street, which eventually leads into the Longbrook Street Conservation Area. The application site occupies a prominent location at the top of Longbrook Street and approximately 40 metres to the south the Conservation Area. The new building would also be viewed against the backdrop of the John Lewis building.

The original planning application proposed a total of 124 bedrooms within a building of seven, eight and nine storeys but following concerns raised by Members, public comments and the case officer the scheme has been revised.

The amended application seeks to provide a new retail unit on the ground floor frontage adjacent to 34 Longbrook Street; student entrance/office/reception and restaurant/bar alongside the John Lewis building. The rear ground floor contains student cycle storage; storage for commercial units; laundry/bin storage for student use and pedestrian access to serve all three uses. The proposed first floor comprises of 4 cluster flats with a total of 12 student flats (1 no. two bed unit; 2 no. three bed units and 1 no. four bed unit). The second, third, fourth and fifth floor comprises 5 cluster flats each with a total of 18 student flats (3 no. three bed units; 1 no. four bed unit and 1 no. five bed units). The sixth and seventh floor each comprise of 3 cluster flats each with a total of 12 rooms (1 no. three bed unit, 1 no. four bed unit and 1 no. 5 bed unit). The overall total number of cluster flats is 30 comprising a total of 108 bedrooms. Each of the cluster flats have a communal living area and shared bathroom facilities. The eighth floor has the external plant room and a communal student lounge with an outside roof terrace.

The proposed building would be 6 storeys where it abuts 34 Longbrook Street with a height of 18.6 metres, which is the same as previously approved under the extant planning application 15/0645/03. The building increases in height to 23.6 metres above the student entrance and this height is maintained until it meets the John Lewis building. The building would be set approximately 1 metre below the John Lewis 'podium' which aligns with their café area. The total height of the proposed building would be a maximum height of 26 metre incorporating the roof top communal lounge and plant room, although this is set back from the front of the building by 2 metres at its closest point.

The ground floor front elevation is predominantly glazed fronting onto Longbrook Street with double height glazing to serve the proposed restaurant/bar. The lower section of the building comprises of red/brown bricks with a stepped detailing to define the commercial lower part of the building. The remainder of the building is predominately glazed with mid grey coloured cladding panels and blue/grey spandrel panels.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

A Design and Access Statement, Travel Plan, Heritage Statement, Drainage Assessment, Noise Assessment and Service Yard Access Strategy have been submitted with the application.

### **REPRESENTATIONS**

9 letters/emails of objection/comment, and one from the Exeter Civic Society have been received which cover the following issues:-

- 1 Proposed building too big for the site in terms of height, scale and massing;
2. Too much student accommodation already in the City;
3. Site should be developed for a range of affordable and private housing for Exeter citizens/families rather than students;

4. Contrary to the St James Neighbourhood Plan as it affects the community balance of the area;
5. Insufficient regard has been made of the St James Neighbourhood Plan;
6. Need to ensure that parking restrictions are imposed to reduce planning congestion from increased student numbers in the area;
7. Potential increase in the amount of illegal rubbish dumping in the area;
8. Over-dominance on the adjacent commercial premises;
9. Potential problems in maintaining adjacent buildings;
10. Concern regarding inadequate access/delivery arrangements for neighbouring commercial units such as John Lewis and Sainsburys;
11. Need for further information on contamination issues given that the site was previously used as a workshop/vehicle garage.

St James Neighbourhood Forum comment that the scheme for additional student accommodation would lead to a further worsening of community imbalance in the St James area and be contrary to the aims of the Neighbourhood Plan. The Forum also has concerns over the mass, scale and dominance of the proposed development and fears that the arrangements for dropping off and collecting students at the ends of the academic year will be inadequate. Similarly the access arrangement in and out of hours for the restaurant/pub are a concern.

Exeter Cycling Campaign comment that they support the principle of the proposed development but suggest improvements in relation to cycle and sustainable transport in respect of the internal layout, lighting and details of the access door to the cycle store. Although no details are provided on the number of cycle spaces, a minimum of 67 spaces should be provided for 124 bedrooms to comply with the Sustainable Transport SPD. In addition, a number of Sheffield cycle stands should be located near the entrance to Longbrook Street for visitors. It is considered that the rear service yard shared with John Lewis is poor in quality both in terms of layout and servicing and connects poorly to the highway network. In particular the footway turning left out of the service yard towards Longbrook Street should be widened. A financial contribution to improve cycle safety should be sought towards improving primary routes to the University campuses via Pennsylvania Road/Union Road, Paris Street and Heavitree Road.

One letter received from John Lewis which raises no objection in principle to the development but make the following comment:-

Service yard – The continued and undisrupted use of the service yard is fundamental to the day to day operation of the existing store. It is noted that discussions have already taken place regarding this issue. JL are keen to ensure that sufficient measures are in place through the planning process to ensure that the proposed development does not give rise to any detrimental impacts on the operation of the service yard, both during the construction phase and once the building is occupied.

Given the constraints, an effective Construction Management Plan will be required to effectively manage the construction process of any development permitted at this site. This Management Plan should be secured as a pre-commencement condition and JL would welcome the opportunity to actively engage in its preparation.

It is important to ensure that the servicing requirements of the existing store are afforded sufficient consideration within any Access Strategy; particularly at those peak times for the proposed student accommodation (i.e. the start and end of term arrival and departure days when vehicle movements will be significant and potentially involving longer dwell times). An Access Statement should be secured by way of a pre-commencement planning condition.

Daylight and Sunlight – JL have advised that the stairwell currently relies largely in natural lighting from these windows and the opportunity for enhanced internal lighting is restricted by physical constraints of the existing buildings. Concern is raised that the development will lead to unacceptable lighting levels within the stair core, which consequently have negative health and safety implications for users of the stairwell.

## **CONSULTATIONS**

**The County Head of Planning, Transportation and Environment** comment that the site is well located to access a variety of amenities by sustainable modes. The site is located next to a signalised crossing facility on Longbrook Street/New North Road to the south of the site and a zebra crossing to the south of the site.

It should also be noted that as part of the bus station works, a signalised crossing will be delivered where King William Street meets Longbrook Street. These facilities provide safe access for users of varying mobility and are suitable for the level of development proposed.

Pedestrian access for students and customers for the ground floor commercial units is primarily taken from Longbrook Street. As a prominent retail area, Longbrook Street is busy pedestrian thoroughfare with an active frontage - the primary pedestrian access (directly off Longbrook Street) is similar to other properties in the vicinity (i.e. cafés, bars and local businesses); and is therefore acceptable.

However, it is noted that a lighting column is located immediately adjacent to the proposed building line and it is recommend that the lighting head is attached to the new building; maximising the footpath width and thereby removing an obstacle. The applicant should contact the DCC street lighting team. The submitted ground floor plan also shows a tree in the public footway on Longbrook Street - this is very much undesirable, as it not only compromises the footway width, but adds maintenance costs to the County Council; therefore it is requested for this tree to be removed.

A secondary pedestrian access point is located to the rear of the proposal – this provides pedestrian permeability and is therefore welcomed. As such the applicant intends provide/extend a footway from the rear of the King Billy to King William Street, as shown in the proposed service yard strategy. However, pedestrians leaving the service yard and turning left towards Longbrook Street immediately encounter a narrow pinch point where a brick wall encroaches onto the footway. It is recommended that widening of this pinch point should be investigated further – such works may require work on the highway and the applicant is reminded that they must apply & receive permission before undertaking any such works on the highway.

Access for cyclists is primarily taken from an entrance located to the rear of the building, where a dedicated cycle store with direct access to the cluster flats on the upper floors is provided. This gives a convenient access for users who wish to cycle to and from the student accommodation block. Parking for 67 cycles should be provided in accordance with the Exeter City Council Sustainable Transport Supplementary Planning Document and is acceptable. However, the details of what type of parking are not provided and therefore not explicitly clear how 67 spaces are achieved.

In addition, secure cycle parking should be provided for staff (for both the commercial unit and the student accommodation block). Such facilities could be achieved by either expanding the proposed cycle store and/or providing Sheffield stands (which could be used for visitors too). As



such, these details should be provided for approval in advance of commencement and in place prior to occupation.

#### Loading/Management

To provide for deliveries to the commercial units and the servicing of the building, the applicant intends to use the existing services yard to the rear, accessed off King William Street. Although on private ground, the applicant has detailed arrangements within the "Service Yard Access Strategy", which in principle is acceptable – it outlines the current arrangements for existing business and how the applicant intends to manage the requirements needed to serve this development. This has given confidence that there will be no overspill onto the highway network and that safe arrangements are in place.

This service yard will also be used to serve student pick up/drop off at the end of term. Combined with the off street parking in the vicinity (multi-storey car park opposite) to the site, this is felt to provide adequate provision. The applicant is advised that the peak periods of student drop off and collection should be carefully managed to make best use of the designated spaces. These arrangements can be agreed through either a Travel Plan or a management plan as part of any legal agreements attached to the site.

#### Construction

The proposals will require demolition/construction work adjacent to a busy environment. To protect the safety of users of the public highway it is essential that the construction arrangements are carefully managed and that appropriate space is available off the highway for all construction plant/vehicles. A condition is recommended to ensure this and the applicant is advised to meet to agree suitable working arrangements prior to commencement.

In summary, the impact of the development is acceptable in highway terms and suitable loading facilities are proposed for the traffic attracted to the site. Conditions as part of any planning approval are therefore recommended to ensure adequate on secure cycle parking facilities, suitable pedestrian facilities on the rear service yard, Travel Plan and to agree construction management arrangements.

**Natural England** comment that a thorough evidence based Habitat Regulation Assessment should be carried out to justify why the recreational impacts of students can be exempt from paying mitigation contributions (*Natural England has previously been sent a HRA which addresses this issue and no further observations were received*).

**Environmental Health Officer** recommend that conditions should be imposed in respect of hours of a Construction and Environmental Management Plan, contamination land, kitchen extraction and noise.

**County Flood Risk Officer** comment on the need to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered. Subsequent comment received from the Flood Officer following the receipt of additional information now raises no objection subject to the imposition of a planning condition regarding the design of the surface water drainage management system.

**Devon and Somerset Fire and Rescue Service** comment that their full comments will be made under the building regulations application process in due course, although do comment that it is not clear if fire appliance access can be fully met to the rear of the property. (*This has subsequently been confirmed as achievable by the agent*). In addition, it is strongly advised that

a residential sprinkler installation is considered for this block as there is clear evidence that sprinklers can be effective in rapidly controlling and stopping fires and fire spread. Further comment has been received from the Fire Service in response to the receipt of the Fire Risk Strategy on 18 October. The Fire Safety Officer has raised no objection to report received, commenting that the design documents being referred to (BS 9991 and BS 9999) are applicable and it is assumed that the developer will be adopting this strategy. In addition comment is made that the strategy will have implications on how the building is managed once occupied. *(In response to this comment a condition is imposed to ensure the scheme is developed in accordance with the recommendations of this Fire Risk Strategy)*

**Wales and West Utilities** comment that they have pipes in the area and their apparatus may be affected and at risk during construction works and should the application be approved then it will be necessary for the promoter of these works to contact Wales and West Utilities directly to discuss requirements in detail. Should diversion works be required these will be fully chargeable.

**Heritage Officer** comments that there is a need for archaeological work in respect of this application but this can be controlled by planning condition. In addition there is a need for agreed and enforceable protection measures for the underground passages during demolition and construction works.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance - National Planning Policy Framework**

- 4. Promoting sustainable transport
  - 6. Delivering a wide choice of high quality homes
  - 7. Requiring good design
  - 8. Promoting healthy communities
- Plan making  
Decision making

### **Exeter Local Development Framework Core Strategy**

- CP5 - Student Accommodation
- CP8 - Retail Development
- CP15 - Sustainable Construction
- CP17 - Design and Local Distinctiveness

### **St James Neighbourhood Plan March 2013**

- D1 - Good Quality Design
- D2 - Retail and Commercial Frontages
- C2 - Large Scale Purpose Built Student Accommodation
  - a) *that are not predominantly characterised by intact streets of traditional terraced, semi-detached and detached forms of 2-3 storey residential development;*
  - b) *where the servicing and parking requirements could be achieved with no unacceptable impact on the amenity of the adjacent area for residents;*
  - c) *where the scale and massing of any purpose built accommodation proposed would be broadly similar to that of surrounding buildings.*
- SD4 - Adapting to Climate Change

T1 - Sustainable Transport

### **Exeter Local Plan First Review 1995-2011**

AP1 - Design and Location of Development

AP2 - Sequential Approach

H1 - Search Sequence

H2 - Location Priorities

H5 - Diversity of Housing

- a) *the scale and intensity of use will not harm the character or the... locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on street parking problem.*
- b) *the proposal will not create an over concentration of the use in any one area of the City which would change the character of the neighbourhood or create an imbalance in the local community;*
- d) *student accommodation is located so as to limit the need to travel to the campus by car.*

S1 - Retail Proposal

S3 - Shopping Frontages

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

C5 - Archaeology

EN2 - Contaminated Land

EN5 - Noise

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG7 - Crime Prevention and Safety

### **Development Delivery Development Plan Document (Publication Version)**

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

DD1 - Sustainable Development

DD12 – Purpose Built Student Accommodation

- a) *it responds well to the local context and reinforces local distinctiveness*
- b) *appropriate provision is made for refuse storage, parking for disabled persons and cycle parking;*
- c) *sufficient internal and external amenity space is provided such that students feel at ease and comfortable;*
- d) *it does not detract from the amenity of neighbouring residents; and*
- e) *a suitable management plan is submitted to demonstrate how the property will be managed in the long term to ensure acceptable amenity levels for occupiers and neighbouring residents.*

DD13 - Residential Amenity

DD20 - Sustainable Movement

DD21 - Parking

DD25 - Design Principles

Exeter City Council Supplementary Planning Documents:-

## **OBSERVATIONS**

The proposed scheme is for a mixed use development comprising a retail unit and restaurant/pub use on ground floor but the predominant use is for student accommodation. Although the retail/pub use would be outside the City Centre's designated primary and secondary shopping area it would be within an established retail parade and indeed the restaurant/pub units would replace the well-established King Billy public house. Consequently these commercial units would add to the vitality and viability of the area and would be wholly appropriate in this location. The principal consideration for this application is therefore the appropriateness of a student accommodation use in this location, the impact of the proposed building on the character and appearance of the area and the overall use of the rear service by both the existing and proposed uses.

The principle of student accommodation in a City Centre location is supported by Exeter's development plans including the Core Strategy, St James Neighbourhood Plan, Exeter Local Plan, University Supplementary Planning Guidance and the publicised version of the Development Delivery Development Plan Document subject to certain criteria. Policy CP5 of the Core Strategy states that purpose built student accommodation should be provided to meet housing need. In paragraph 6.28 it states that *'75% or more of additional student numbers should be accommodated in purpose built student housing. New purpose built student housing should be located on, or close to, the University campuses, at sustainable locations at or near to major transport routes, or in the City Centre'*. Whilst some concern has been raised regarding the potential over-provision of student accommodation the fact remains that the University is still growing and the adopted policy relates to minimum rather than maximum figures. Therefore if appropriate sites are available opportunity for new purpose built accommodation should be welcomed provided they meet the relevant development plan policies. The detailed considerations of the policies are contained within the St James Neighbourhood Plan, Exeter Local Plan and the Development Delivery Development Plan Document.

The city centre location for this student scheme minimises the relevance of many of the criteria which are set out in the above policies. The St James Neighbourhood Plan, Local Plan and Development Delivery Development Plan Document in part seek to address issues raised when new purpose built accommodation is located close to existing residential properties. In this location the area is of mixed uses but predominantly commercial in character, as expected within a city centre setting. Consequently it is considered that impact of the use in the area would be acceptable, particularly given the presence of an existing student scheme in Portland House, located on the opposite side of the road. It is not considered that the combined number of students in this area would result in an over concentration in the immediate locality, given the overall activity associated within a city centre location. Indeed the provision of additional student numbers within a central location and away from the more established residential area is to be welcomed and accordingly minimises the amenity concerns which the criteria within the relevant policies seek to address. In conclusion, it is considered that the principle of student use in this location is acceptable representing a site which is easily accessible to the University campus and with limited impact, in terms of use, on the surrounding existing commercial and residential occupants.

Whilst it is considered that the provision of student accommodation in this central location is supported, further assessment is needed to address issues relating to external appearance

of the building within Longbrook Street against the relevant development plan policies. A fundamental issue for this application is the height and external treatment of the proposed building and its appropriateness within this location. The wider setting of the area comprises taller buildings and in particular the John Lewis store. However it would not be appropriate to use the John Lewis buildings as the guiding reference point in terms of height, as clearly a building of a similar height would be inappropriate for this site. Consequently an assessment is needed as to the appropriate scale of building when viewed within its more immediate setting and in particular its location approximately 40 metres from the Longbrook Street Conservation Area. The Inspector who allowed the appeal for an additional storey at the Portland House building opposite commented in 2014 that *'the building is located at the southern end of Longbrook Street, in close proximity to a number of other tall buildings. In this context the impact of the limited additional mass created at 6<sup>th</sup> floor height would be unexceptional. There would be no adverse impact on the character and appearance of the Conservation Area'*. Whilst it should be noted that this related to an existing building rather than a new building, as is the case for this application, the acknowledgement of the building height characteristics of the area is important. It is considered that the site requires a building of significant presence to match the changing character of the area as reflected by the John Lewis refurbishment and the Portland House development. Whilst the proposed building is higher than the adjacent three storey terraced parade it does not overly dominate these buildings. The proposed height of the building would create the necessary presence required by this site without over-dominating the immediate neighbouring building.

In addition to the height of the building, its elevational treatment is an important consideration to ensure the successful integration of the building into the surrounding area. The scheme proposes a combination of red brick and metal clad finish. This will in part reflect the material found with the adjacent terraced parade and although clearly of contrasting heights to the north will help to visually link the new and old buildings. Whilst the use of red brick could be considered a 'safe' option given that many buildings in the area use a similar material, it is considered that the inclusion of metal infill panels and windows and stepped brick detailing will create an acceptable contemporary design in this location. In conclusion, it is considered that the combination of the building's scale and proposed external materials would create an appropriate building within this location. Whilst the site is located outside the Conservation Area, clearly its height would inevitably mean that it would be seen from inside and within the setting of the Longbrook Street Conservation Area located approximately 40 metres away. It is considered that the assessment of the building's design takes account of the conservation area's proximity and accordingly represents a building which will preserve and enhance the character and appearance of the area.

The owners of the neighbouring hairdressers have raised concern about loss of light to their rear studio area as a result of the scale and massing of the building. Unfortunately the development of this site will inevitably result in loss of light to this room and to eliminate this problem completely would require a complete redesign which could make the site undevelopable. Given the length of time that the site has remained vacant and the need for a scheme which contributes to the character and appearance of the area this is not a preferred option. Whilst creating a lighter coloured material closest to the affected roof light windows would be beneficial, this option has been explored with the architect and unfortunately if introduced would be considered detrimental to the overall design approach for the building.

The scheme does involve the renovation and reduction of the historic boundary wall to the rear of this site as well as additional openings to serve the new uses. The Heritage Officer has assessed the detailed submitted with the application and included within the Heritage Statement and concluded that subject to an archaeological condition being imposed the scheme is

acceptable. As a result of additional comments made by the Heritage Officer further investigation work was undertaken in respect of the underground passages but concluded that the proposed building will have no impact on these existing structures.

The applicants have commissioned a rear service yard access strategy given the concerns raised regarding the potential conflicting uses between the new commercial units, student accommodation and existing users such as John Lewis, Sainsburys and Poundland. The applicant states that discussions between the new and existing uses have taken place resulting an access strategy, which ensures the overriding principles of public/employee safety, minimal disruption for the existing users and ease of use for all services are met. The report concludes that subject to clearer demarcation of the area through line painting and the establishment of a service yard management/coordination committee the requirements of all users can be met. Clearly the increasing intensive use of this area will need continued discussion between all user groups but this is outside the remit of planning control. However the details of the report has been assessed by the County Highway Officer and subject to a suitable condition is considered acceptable. In addition, the requirement for a student management scheme as part of the Section 106 agreement to address the particularly busy times at the start/end of term time coupled with the details set out in the access strategy will minimise potential conflict and disruption in this area to an acceptable level.

The comment made by the Exeter Cycle Campaign group in respect of the widening of the footway outside the site has been considered by the Highway Officer. Whilst this highway improvement works would be considered desirable, the land in question is outside the application site and within private ownership. Consequently it would be difficult to secure these works within the remit of this application. The Highway Officer has however stated that this issue could be looked at again as part of the overall highway works planned for this area.

A Section 106 Agreement will be required for a student management plan and to provide a financial contribution towards district heating in the area.

In conclusion, it is considered that the scheme represent an opportunity for the site, which has remained, in part, vacant for many years to be developed for uses which are appropriate for this location. Whilst initial concerns were raised about the height of the buildings and use of the rear service area, these issues have now been satisfactorily resolved and the scheme is considered acceptable. The development will generate a Community Infrastructure Levy payment and provide the City Council with a New Homes Bonus amount.

### **DELEGATION BRIEFING**

20 July 2017 – The Principal Project Manager explained the application which sought to demolish the King Billy Pub in Longbrook Street to provide a mix of 124 students' accommodation and commercial proposals for the ground floor. There had been six objections (including one from St James Neighbourhood Forum) concerning issues of inappropriate scale, massing and height of building, potential conflict with existing commercial operators which also use the service yard to the rear and too many student blocks already built or proposed in the City. Members were informed that the application would be reported to Planning Committee at a later date.

It was considered that the relationship of the proposed scheme with John Lewis was a concern in terms of the height and the fact that the new building would essentially abut the John Lewis building. Members agreed that this issue should be discussed with the architect which would lead to a revision to the plans. In addition concern was raised about the rear service area and how the

users of the commercial units and the student accommodation would use this rear space and avoid potential conflicts. This issue would be raised with the agent prior to being reported to Planning Committee.

12 September 2017 - The two main issues were design (height/scale/massing/height and appearance) and the rear access arrangements. Revised details proposed a reduction in the number of units from 124 to 108 and with a reduced height so that the structure would be stepped down to reduce its impact on the Longbrook Street terrace and the John Lewis building. The revised elevation indicates a building approximately 1 metre lower than the John Lewis "podium". Further detailed drawings would be provided on the design for the Committee Members to consider.

Regarding access and parking arrangements, the applicant has consulted with John Lewis, Poundland and Sainsburys as there was concern regarding potential hazards resulting from delivery vehicles as well as refuse lorries.

### **RECOMMENDATION**

Subject to the completion of a Section 106 Agreement securing a Student Management Plan (to include a noise assessment from the roof terrace) and a financial contribution towards the delivery of District Heating in the area and a Traffic Regulation Order **APPROVE** the application subject to the following conditions:-

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) 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 28 July 2017 (dwg nos 1191/PL100; PL101; PL103; PL110A; PL111A; PL112A; PL113A; PL114A; PL116A and PL200A) as modified by other conditions of this consent.

**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 with the visual amenity requirements of the area.

4) Pre-commencement condition: A Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and traffic routing, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.

**Reason for pre-commencement condition:** In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

5) Pre-commencement condition: 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 buildings 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 for pre-commencement condition:** In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

6) Pre-commencement condition: No development related works shall take place within the site 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 for pre-commencement condition:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

7) Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.

**Reason:** To provide adequate facilities for suitable transport

8) No part of the development hereby approved shall be brought into its intended use until the pedestrian footway on the rear service yard as indicated on Appendix A of the "Proposed service yard strategy" have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

**Reason:** To provide suitable facilities for the traffic attracted to the site.

9) 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 interests of highway safety, in accordance with paragraphs 32 and 36 of the NPPF.

10) Prior to occupation of any dwelling hereby approved, details of provision for nesting swifts shall be submitted to and approved in writing by the Local Planning Authority in consultation



with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

**Reason:** In the interests of preservation and enhancement of biodiversity in the locality.

11) Before the cafe/bar hereby permitted opens, a scheme for the installation of equipment to control the emission of fumes and smell from the restaurant/bar use 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 be thereafter be operated and maintained in accordance with the manufacturer's instructions.

**Reason:** To protect the amenity of nearby occupants.

12) Before commencement of the student accommodation development the applicant or the developer shall submit a SAP calculation which demonstrates that a 14% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of the student accommodation the developer of the student accommodation will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.

**Reason:** In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.

13) No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes and quality, of the surface water runoff from the construction site.

**Reason:** To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

14) No development shall commence until a noise assessment report, including noise from the any plant machinery (not to exceed the following noise levels 07:00 to 19:00 43dB (LAr); 19:00 to 23:00 41 dB (LAr) and 23:00 to 07:00 35 dB (LAr) as show 1m from the façade of any residential receptor) has been submitted to and approved in writing by the Local Planning Authority providing details of any sound insulation measures and mitigation measures required and shall thereafter be provided in accordance with such details:

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

15) 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:** To ensure that the proposal complies with Policy CP14 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

16) The development hereby approved shall comply with the recommendations as stated within the Rear Service Yard Access Strategy dated September 2017 produced by IESIS unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure this area remains operational for all users.

17) The development hereby approved shall comply with the recommendations as stated within the Fire Safety Report dated October 2017 produced by International Fire Consultants Limited unless otherwise agreed in writing by the Local Planning Authority.

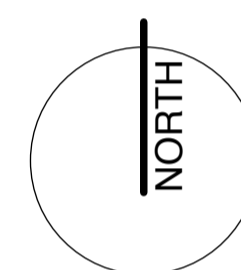
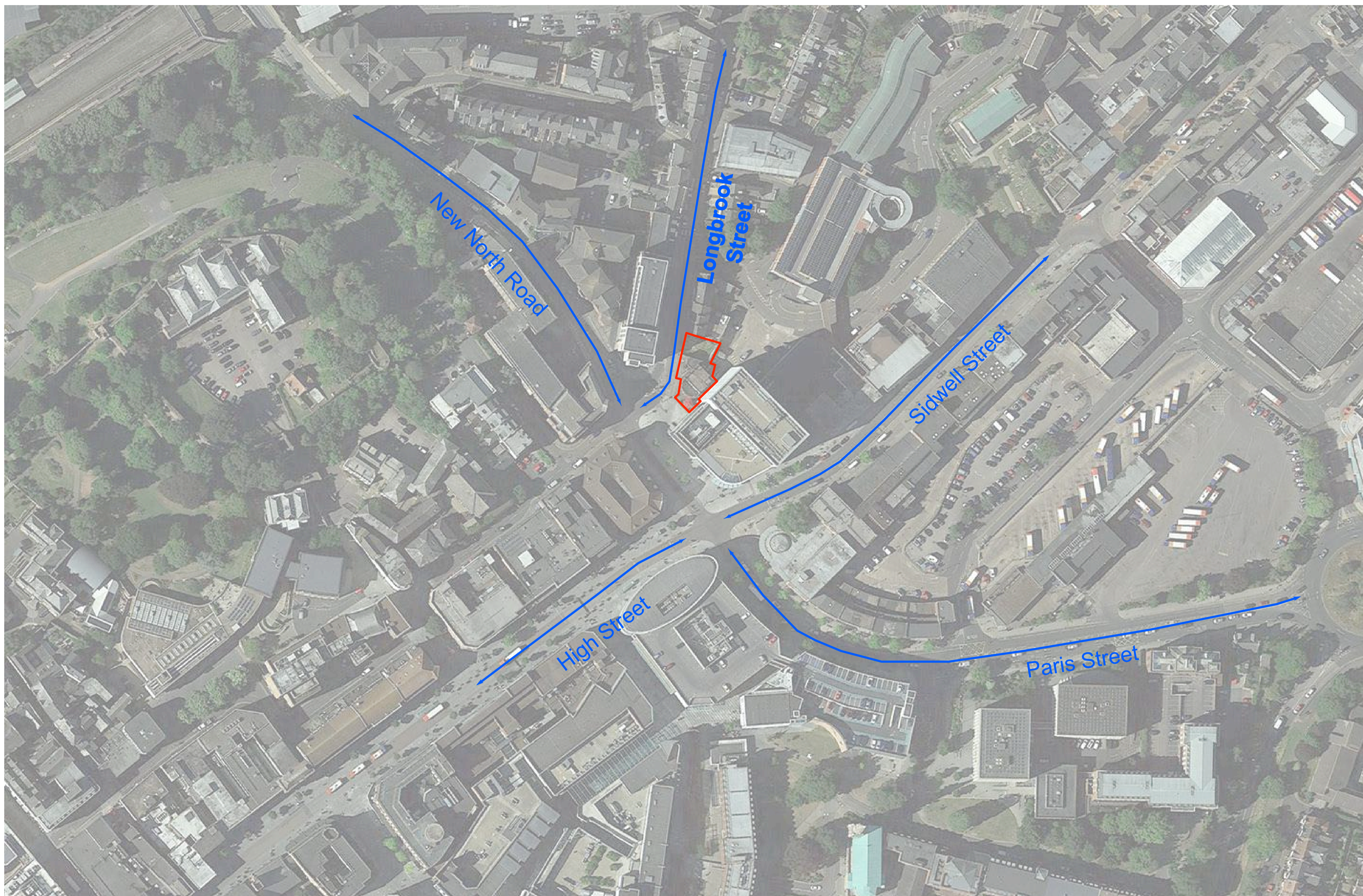
**Reason:** To ensure the building meets fire safety requirements.

### **INFORMATIVE**

1) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. A Liability Notice is attached to this permission.

It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid Commencement Notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see [www.exeter.gov.uk/cil](http://www.exeter.gov.uk/cil).





Rev	Date	Description	Author
/	09 May 17	Submitted to Planning	jpc

grainge architects

**PLANNING**  
 Longbrook Street -  
 Student Accommodation  
 for  
 Summerfield Developments  
 Location Plan

Scale: 1:1000@ A1 (1:2000 @ A3)  
 Drawing No: 1191 / PL100  
 The Boat Shed, Michael Browning Way  
 Exeter EX2 8DD  
 01392 438051 mail@g-auk.com



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# Agenda Item 6

**ITEM NO.**

**COMMITTEE DATE:** 30/10/2017

**APPLICATION NO:**

17/0848/FUL

**APPLICANT:**

Mrs Carleton

**PROPOSAL:**

Extension to hotel accommodation block to form 9 self-catering holiday apartments and 4 new hotel bedrooms (net gain 2), following partial demolition of building and demolition of bungalow.

**LOCATION:**

Gipsy Hill Hotel, Gipsy Hill Lane, Exeter, EX1

**REGISTRATION DATE:**

30/05/2017

**EXPIRY DATE:**

**HISTORY OF SITE**

89/0259/03 -	Change of use of dwelling to hotel	PER	12/05/1989
EN/97/00168 -	Formation of car park without consent	PND	08/08/1997
01/0889/21 -	Installation of telecommunication tower (15 m high) and equipment cabin	WDN	10/07/2001
03/1960/03 -	Ground floor extension on north east elevation	PER	19/01/2004
10/1143/03 -	Replacement store adjacent to north elevation of Hotel.	PER	15/09/2010

**DESCRIPTION OF SITE/PROPOSAL**

The site comprises the western part of the Gipsy Hill Hotel site adjacent to Gipsy Hill Lane. The site area is 800 sq m. The site includes an accommodation block with 14 bedrooms (one staff) and a bungalow with 3 bedrooms. To the east is the main hotel building. The main site entrance is to the south with access from Gipsy Hill Lane. Gipsy Hill Lane connects to Pinn Lane to the west and the Redhayes (pedestrian/cycle) Bridge across the M5 to the east. The site is bounded by Gipsy Lane to the west, which becomes an informal footpath connecting to the Tithebarn Link Road to the north. The land to the west of Gipsy Lane/north of Gipsy Hill Lane is currently subject to a live planning application (ref. 17/1320/FUL) for 61 dwellings. To the north is a dwelling with a large garden that has outline planning permission (all matters reserved except access) for 16 additional dwellings (ref. 14/2155/01); this includes conditions prohibiting development until a vehicular access has been provided from the adjoining development site to the north and prohibiting vehicular access from Gipsy Hill Lane. Apart from the hotel, Gipsy Hill Lane provides access to 9 existing dwellings.

The site is within the Monkerton/Hill Barton Strategic Allocation (Policy CP19) in the Core Strategy (adopted February 2012). This supersedes the Landscape Setting designation (Policy LS1) in the Local Plan First Review (adopted March 2005). Gipsy Hill Lane is shown as a Green Infrastructure Route in the Core Strategy and has subsequently been adopted as a 'green street' in the Sustainable Transport SPD (March 2013) (taken from the approved Monkerton Masterplan (November 2010)). It is also a 'primary' cycle route as part of the adopted (in principle) Strategic Cycle Network for Exeter (Devon County Council Cabinet Meeting 8 June 2016). For information, it is also shown as part of the Proposed Primary (Cycle) Network in the Local Transport Plan (April 2011) and a Greenway in the Green Infrastructure Strategy – Phase II (Dec 2009). The site is in Flood Zone 1 and there are no above ground heritage assets within the vicinity.

The proposed development is to extend the existing hotel accommodation block to the west and north, following partial demolition of the building and demolition of the bungalow, in order to provide 4 new hotel bedrooms and 9 no. 2-bed self-catering, serviced holiday apartments. 3 bedrooms will be lost in the bungalow and 3 in the existing block (one staff), resulting in a net loss of 2 hotel bedrooms. Overall there will be a net gain of 16 bedrooms. The extension to the west will be 2 storeys and contain the 4 new hotel bedrooms; these will be accessed from the existing block. The extension to the north will be 3 storeys and contain the 9 self-catering apartments; these will have independent accesses. The extension to the north will include a basement with a gym, store and plant room.

Members should note that the applicant has submitted an appeal for non-determination within the statutory time period.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

- Design and Access Statement (TFQ Architects, May 2017)
- Draft Transport Impact Assessment (13 November 2016)

#### **Additional Information Submitted During Application**

- Noise Emission Limit Report (Clarke Saunders – Acoustics, 24 July 2017)
- Drainage statement for extension to hotel accommodation (Teignconsult, 25.08.17)
- Copy of Exeter Cycle Strategy Cabinet Report of the Head of Planning, Transportation and Environment, Devon County Council (8 June 2016)
- Conference Sales Gipsy Hill Hotel data 31.08.07 – 31.08.17
- Summary Gipsy Hill Conference Sales May 17 and May 08
- Gipsy Hill Hotel vehicle arrivals (12.09.17) / departures (13.09.17) data

### **REPRESENTATIONS**

One letter of support has been received from the occupiers of Pinhoe Lodge, Gipsy Hill Lane welcoming investment in the hotel. No other representations have been received, but Members should note the objections received for application ref. 17/1320/FUL ('Sandrock') regarding increased traffic using Pinn Lane.

### **CONSULTATIONS**

**Devon County Council (Local Highway Authority): Object** – the applicant was advised to submit a professionally written Transport Statement, but this advice has not been followed. Using TRICS the proposed development is expected to generate approximately 7 two way peak hour trips and 70 vehicle trips per day. Consistent with the previous advice provided for the adjoining site, increasing the number of trips using Gipsy Hill Lane is still a major concern. Gipsy Hill Lane now forms part of the primary cycle route between the East of Exeter and Exeter. This route is set out as a Primary route in the Exeter Cycle Map within the Local Transport Plan 3 and Exeter Cycle Strategy. It is also identified as a Green Infrastructure Route in the Exeter Core Strategy. As such, this route is vital in widening transport choice and achieving the low trip rates that are central to the Monkerton allocation. Increasing the number of vehicular trips on a cycle route is contrary to NPPF Para 41. In addition, by not providing facilities for pedestrians and cyclists, but intensifying the use of Gipsy Hill Lane raises concerns on public safety, contrary to NPPF Para 32. Upon site inspection, pedestrians and cyclists were observed giving

way to vehicles (one time a cyclist needed to lean into the hedge), therefore in its current status the access into the site is unsafe for all users. However, following pre-application discussions with the developers of the adjacent site (Sandrock) there may be a scheme in the pipeline that will overcome the above concerns, i.e. provision of a segregated pedestrian/cycle route through the adjacent site. DCC is currently investigating this, but there is uncertainty when it will be provided. Therefore, at the current time the application is recommended for refusal based on NPPF Paras 32 and 41. When there is clear evidence that this segregated route will be provided, DCC will be content to recommend approval with a Grampian condition. Should the Local Planning Authority approve the application, DCC requests reconsideration on suitable conditions and contributions.

**Natural England:** Stated that insufficient information has been provided, as no assessment has been provided of the potential impacts that the proposed development and its net increase in tourist accommodation will have on the Exe Estuary Special Protection Area (SPA), the East Devon Pebblebed Heaths Special Area of Conservation (SAC) and the East Devon Heaths Special Protection Area. There is therefore currently insufficient information to undertake a Habitats Regulation Assessment of the proposed development. Under the Joint Approach (Exeter City, Teignbridge and East Devon) to secure mitigation for recreational impacts, tourist accommodation was included alongside housing and other types of accommodation. Natural England would expect to see a Habitat Mitigation Contribution for this development in order to avoid a Likely Significant Effect. Likewise, no assessment has been provided of the potential impacts on the Exe Estuary SSSI and East Devon Pebblebed Heaths SSSI, however provided appropriate mitigation is secured as above, there should be no additional impacts upon the SSSI interest features.

**Devon County Council (Lead Local Flood Authority):** Objected originally, due to a lack of information, however this was withdrawn following the submission of a suitable outline surface water management scheme comprising a rainwater harvesting system with an overflow soakaway, subject to appropriate infiltration testing. Pre-commencement conditions recommended accordingly.

**Devon & Somerset Fire & Rescue Service:** No comments on layout of buildings other than the height of the self-catering apartment block may require provision of a dry riser fire main to facilitate firefighter access to the upper level. Despite the narrowness of the access lane to the site, believe vehicular access with pump appliances should be achievable and there is adequate turning within the site. If the development were to proceed, the above matters would be given further consideration under the Building Regulations. At this stage more detailed information would be expected to confirm that access requirements can be met.

**Environmental Health (ECC):** Required additional information on plant noise. Following the submission of a noise report, recommended a pre-commencement condition requiring details of all building services plant, including predicted noise levels, and restricting the noise level of the plant.

**Exeter Cycling Campaign: Object** – the E4 strategic cycle route between Black Horse Lane in East Devon and Cumberland Way in Exeter is the only traffic free route in and out of Exeter to the east. It is therefore critically important to sustain the growth of Exeter and its hinterland, providing the only active alternative to the private car. The importance is reflected in the strong policy protections that ECC and DCC have afforded it. The proposed development would directly increase vehicle traffic on this route and would not constitute sustainable development.

It would also have serious safety implications on both Pinn Lane and Gypsy Hill Lane, contributing to a dangerous environment on a supposedly safe route to school and work.

**Living Options Devon:** Pleased the proposal includes more accessible accommodation for disabled people and agree with the statement there is a shortage within the Exeter area. Asked if access to the gym can be created for people who cannot use stairs.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Government Guidance**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

### **Core Strategy (Adopted February 2012)**

Core Strategy Objectives

- CP1 – Spatial Strategy
- CP9 – Transport
- CP12 – Flood Risk
- CP13 – Decentralised Energy Networks
- CP15 – Sustainable Construction
- CP16 – Green Infrastructure, Landscape and Biodiversity
- CP17 – Design and Local Distinctiveness
- CP18 – Infrastructure
- CP19 – Strategic Allocations

### **Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)**

- AP1 – Design and Location of Development
- AP2 – Sequential Approach
- TM2 – Tourist Accommodation in Residential Areas
- T1 – Hierarchy of Modes
- T2 – Accessibility Criteria
- T3 – Encouraging Use of Sustainable Modes
- T9 – Access to Buildings by People with Disabilities
- LS2 – Ramsar/Special Protection Area
- LS3 – Sites of Special Scientific Interest
- EN5 – Noise
- DG1 – Objectives of Urban Design
- DG2 – Energy Conservation
- DG7 – Crime Prevention and Safety

### **Development Delivery Development Plan Document (Publication Version, July 2015)**

- DD1 – Sustainable Development
- DD5 – Access to Jobs
- DD13 – Residential Amenity
- DD16 – Protection and Enhancement of Tourist and Cultural Facilities
- DD17 – Hotels
- DD20 – Accessibility and Sustainable Movement



DD21 – Parking  
DD25 – Design Principles  
DD26 – Designing out Crime  
DD30 – Green Infrastructure  
DD31 – Biodiversity  
DD32 – Local Energy Networks  
DD34 – Pollution and Contaminated Land

## **Exeter City Council Supplementary Planning Documents**

Sustainable Transport SPD (March 2013)  
Planning Obligations SPD (April 2014)

### **OBSERVATIONS**

The key issues are:

1. Sequential Test and Economic Growth
2. Access and Impact on Local Highways
3. Parking
4. Design
5. Impact on Amenity of Neighbouring Properties / Noise Impact
6. Biodiversity
7. Flood Risk and Surface Water Management
8. Energy Conservation / Sustainable Construction

#### 1. Sequential Test and Economic Growth

Tourism development, including hotels, is defined as a main town centre use in the NPPF. The NPPF promotes a 'town centres' first approach to main town centre uses and states local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The PPG states that it is for the applicant to demonstrate compliance with the sequential test (and failure to undertake a sequential assessment could in itself constitute a reason for refusing permission). The applicant has not submitted a sequential assessment, however this was not raised by officers during pre-application discussions. This is because whilst applicants should demonstrate flexibility when assessing alternative sites, the PPG states that the application of the test should be proportionate and appropriate for the given proposal. It also says that use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. In this case officers understand that the proposed development is intended to form part of the hotel and will support the overall business. Therefore, officers accept that this site is the only appropriate location in terms of the sequential test and the proposed development is considered to be acceptable in land use terms accordingly.

The NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and significant weight should be placed on the need to support economic growth (Para 19). It states to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21<sup>st</sup> century (Para 20). In this case, the economic benefits of the proposed development should be taken into account in the overall planning

balance. The hotel has suffered from a loss of trade since the recession and more recently since the construction of the Tithebarn Link Road and closure of Pinn Lane to through traffic, primarily conference sales. The proposed development is intended to diversify trade and redress the loss of revenue. However, in accordance with the NPPF economic growth must be sustainable and therefore the other paragraphs of the NPPF (18 to 219), which, taken as a whole, constitute the Government's view of sustainable development, must also be given due consideration. This is particularly relevant with regards to access and highways issues discussed below.

## 2. Access and Impact on Local Highways

Access to the site will be the same as existing via Pinn Lane and Gipsy Hill Lane. These are narrow lanes with no pedestrian footways and limited lighting. The junction between Pinn Lane and Gipsy Hill Lane has limited visibility, due to a sharp bend and high hedgebanks. Both lanes are adopted green streets in the Sustainable Transport SPD/approved Monkerton Masterplan. Green streets are defined as footpaths and cycleways with no access for motorised traffic, and should be at least 3 metres wide. Gipsy Hill Lane is also a primary cycle route.

The Local Highway Authority (DCC) has recommended refusal of the application. It calculates that the proposed development will generate approximately 7 two way vehicle trips per peak hour (8am – 9am) and 70 extra vehicle trips per day. Consequently it raises concerns over public safety and is contrary to paragraphs 32 and 41 of the NPPF. The former states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people, and the latter states that local authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice. Clearly there is robust evidence to protect Pinn Lane and Gipsy Hill Lane as pedestrian and cycle routes.

The planning history of the adjoining site supports this recommendation. In 2005 the Council refused permission to develop 3 dwellings on the site to the north (The Vines), partly 'because the road giving access to the site is, by reason of its inadequate width, capacity and the poor visibility at the junction with Pinn Lane, unsuitable to accommodate safely the additional traffic which the proposed development would generate.' This decision was upheld by the Inspector at appeal. In February this year, planning permission was granted for 16 additional dwellings on this site, but with conditions prohibiting development until a vehicular access has been provided from the site to the north and prohibiting vehicular access from Gipsy Hill Lane. It should be noted that the applicant for the current application objected to this earlier application, in part because they considered that access to the site was not safe and suitable for all people (contrary to paragraph 32 of the NPPF) and Gipsy Hill Lane is a strategic cycle corridor.

However, the applicant argues that the proposed development will result in increased group bookings, which will decrease the amount of traffic generated by the hotel. They also argue that there is potential to increase traffic generation by intensifying the hotel's current trade, which will not be necessary if the proposed development is carried out. The Local Highway Authority does not accept the applicant's Draft Transport Impact Assessment and is unclear where some of the figures it contains have come from. It has therefore used the TRICS database to estimate traffic generation, which is a common methodology in planning. It's considered that limited weight should be given to the figures in the submitted Draft Transport Impact Assessment accordingly. Furthermore, there is no guarantee that the proposed development will result in a decrease in vehicle trips to the site. The Draft Transport Impact Assessment says that it is an expectation that the number of rooms sold to groups will increase following the completion of the proposed

development, but this may not be the case. The Inspector weighed up a similar argument in 2005 stating, 'While I accept the presence of the Hotel may generate considerable traffic movements, and that the Hotel and its conference accommodation may not necessarily always be used at full capacity, I do not consider that this justifies further residential development and associated traffic movements which would use the hazardous junction alignment and the below standard local road network.' Put simply, the proposed development will result in a net increase of 16 bedrooms, which will generate more vehicle movements along Pinn Lane and Gypsy Hill Lane. Even if the applicant's argument was accepted, it's assumed that the reason increased group bookings may decrease traffic is due to more coach trips and this is clearly unacceptable on pedestrian/cycle routes, where cyclists already need to give way to cars (sometimes leaning into the hedge) and raises significant concerns over safety and suitability.

Therefore, officers agree with the recommendation of the Local Highway Authority that the application should be refused, as it is contrary to paragraphs 32 and 41 of the NPPF. These issues are considered to outweigh the economic benefits of the proposed development and consequently the economic growth is not sustainable. The proposed development is also considered to conflict with the following development plan policies:

- CP17 – Development at Monkerton and Hill Barton will be orientated on the sustainable movement network and designed so as to reduce the dominance of vehicles within the public realm.
- AP1 – Development should be designed and located to... reduce the need for car travel. Proposals should be located where safe and convenient access by public transport, walking and cycling is available or can be provided.
- T3 – Proposals should ensure that all existing and proposed walking and cycle routes are safeguarded or that alternative reasonably convenient routes are provided.
- DG1 – Development should be compatible with the urban structure of the city, connecting effectively with existing routes and spaces and putting people before traffic.

The proposed development also conflicts with the following emerging policies in the Development Delivery Plan, although these have very limited weight at the current time:

- DD20 – Development as appropriate to its location, scale and form should:
  - a) give priority to the needs of pedestrians, cyclists and users of public transport over private motorised vehicles;
  - b) avoid prejudicing the delivery of, and where appropriate contribute to development or improvement of, the primary cycle routes and key local cycle/pedestrian links;
  - c) provide safe, sufficient and convenient means of access to existing and proposed transport networks, without conflicting with the existing function or safety of those networks;...
- DD25 – Planning permission will be granted for development that addresses, where relevant, the following factors:
  - ...
  - g) contributes to the delivery of the Exeter Green Infrastructure Strategy;...

In light of Policy T3, officers have been working with the Local Highway Authority in order to provide a segregated pedestrian/cycle route to Gypsy Hill Lane through the Sandrock site. Subject to detailed design, this will overcome many of the above concerns. However, at the current time there is not enough certainty that it will be delivered, therefore it will not be lawful to

permit the proposed development and add a Grampian condition prohibiting development until this infrastructure is provided.

### 3. Parking

Indicative car parking standards for different uses inside and outside the pedestrian priority zone are included in the Sustainable Transport SPD, however there is no standard for hotels. As discussed below, it's considered that the nature of the apartments means that they could be used as independent dwellings, unless their use is restricted. The indicative standard for residential is 1.5 spaces per dwelling, which would equate to 14 spaces for the apartments. Notwithstanding access issues discussed above, it's considered that there would be sufficient space on the hotel site to accommodate this parking.

The Sustainable Transport SPD also contains minimum cycle parking standards. The standard for staff is 1 per FTE for the first 4 FTEs and 1 per 7 FTEs (minimum 4 spaces) for subsequent staff. The standard for visitors is equal to staff parking for overnight guests and 1 per 20 peak period visitors for day visitors. Should the application be approved, a suitably worded condition should be added to secure appropriate cycle parking for the proposed development.

### 4. Design

The design of the proposed development is considered to be acceptable and will improve the outward appearance of the hotel from the public realm. Should the application be approved, suitably worded conditions should be added requiring the approval of external facing materials (including doors and windows) and rainwater goods prior to construction.

The Building Control Officer advises that the design appears acceptable, subject to the detail of a Building Regulations application. No major changes are needed to the design to achieve compliance with the Building Regulations, including fire safety.

### 5. Impact on Amenity of Neighbouring Properties / Noise Impact

It's considered that the proposed development will not harm the amenity of neighbouring properties in terms of loss of privacy or overshadowing. The first and second floor windows on the north elevation facing the neighbouring dwelling will have external, angled screens fitted to prevent overlooking. Whilst the proposed development will cause some overshadowing of the neighbouring property, this will only be for part of the day and is not considered significant enough to justify a reason for refusal.

The basement of the apartment block will include a plant room. Environmental Health officers have recommended the following condition, which should be added should the application be approved:

“The rated noise level from the proposed building service plant shall not exceed  $L_{Ar,Tr}$  43 dB between the hours of 07:00 – 23:00 and  $L_{Ar,Tr}$  33 dB between the hours of 23:00 – 07:00 at the nearest noise sensitive receiver. Details of all building services plant, including predicted noise levels, shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.”

## 6. Biodiversity

Natural England state that they would expect to see a habitats mitigation contribution for the proposed development to secure mitigation for recreational impacts on the Exe Estuary Special Protection Area (SPA), the East Devon Pebblebed Heaths Special Area of Conservation (SAC) and the East Devon Heaths Special Protection Area. This is collected as part of CIL for residential development in the city. The Council does not collect CIL for hotel development in the city. However, following the publication of a report entitled 'Tourist use of the Exe Estuary, Dawlish Warren and East Devon Heaths' for East Devon District Council and Teignbridge District Council in March 2017, officers consider that it is appropriate to apply a habitats mitigation contribution to self-catering holiday apartments in the city. It's considered that visitors using this form of accommodation are more likely to visit the European sites for recreation. The contribution should be the same amount as the amount taken from CIL for residential development in the city. This varies from £343 per dwelling in Zone A to the west to £749 per dwelling in Zone C to the east. The proposed development is in Zone C.

The above applies if the proposed apartments are restricted to holiday use only. However, given the nature of the apartments (i.e. size, independent accesses) it's considered that they could be used as independent dwellings. Therefore, without a restriction on the apartments to ensure that they will not be used as permanent dwellings, it's considered that they fall within Use Class C3 (Dwellings) and are therefore CIL liable.

There are no natural features on the site that would be affected by the proposed development, other than a single tree that will need to be removed. Should the application be approved, a condition should be added securing a suitable replacement tree.

## 7. Flood Risk and Surface Water Management

The site is within Flood Zone 1. Policy CP12 states that all development proposals must mitigate against flood risk utilising SUDS where feasible and practical. Policy EN4 prevents development if it will increase the likelihood of flooding through the discharge of additional surface water or if it will be at risk from flooding. The proposed development is not at risk of flooding and a suitable surface water drainage strategy has been agreed with the Lead Local Flood Authority (DCC), subject to appropriate infiltration testing. Should the application be approved, conditions should be added securing the appropriate infiltration testing and approval of the detailed design of the system, in consultation with the Lead Local Flood Authority.

## 8. Energy Conservation / Sustainable Construction

Policy CP13 requires new development with a floorspace of at least 1,000 sq m to connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution. The site is located in one of the network areas and the proposed gross internal floor area is 1,049.2 sq m, therefore a condition is required to ensure the building is connected to the network or is constructed to be connected in the future. Policy CP15 promotes sustainable construction. Residential development is currently required to achieve an energy standard of 44% reduction from 2006 Part L Building Regulations. All non-domestic development is required to achieve BREEAM 'Excellent' standards from 2013. The Design and Access Statement describes a number of strategies to ensure that the scheme design will be as sustainable as economically feasible, including use of photovoltaic and solar thermal panels. Should the application be approved, a suitably worded condition should be added securing details of how the requirements of this Policy will be met.

## **CIL/S106**

The nature of the proposed apartments means that they could be used as independent dwellings. Residential use of the site would be acceptable in land use terms. Therefore, without a restriction placed on the apartments to ensure they will not be used as permanent dwellings, it's considered they are CIL liable. The rate for permission granted for residential development in 2017 is £102.14 per sq m. The gross internal area of the apartments (not including the basement) is 838.4 sq m. The gross internal floor area proposed to be demolished is 153.6 sq m. The net gain in gross internal floor area is 684.8 sq m, so the total liability is £69,945.47. As the CIL liability is more than £50,000, it can be paid in the following instalments provided an assumption of liability notice form and commencement form are submitted prior to commencement:

1. £50,000 within 60 days after the date on which development commences
2. £19,945.47 within 1 year after the date on which development commences

If these forms are not submitted prior to commencement of the development, the right to pay in instalments will be lost.

Provided the applicant enters into a s106 legal agreement to restrict the occupancy of the apartments so that they cannot be used as permanent residential dwellings, then the proposed development will not be CIL liable. However, a habitats mitigation contribution of £6,741.00 will be necessary and must be secured in the agreement (£749 per apartment). This is the equivalent amount that is top sliced from CIL for residential development in Zone C to the east of Exeter towards habitats mitigation.

The applicant does not wish to enter into a s106 agreement to restrict the occupancy of the apartments. Therefore, the proposed development will be CIL liable, which includes habitats mitigation.

## **SITE INSPECTION (17 OCTOBER 2017)**

Members walked from Cumberland Way to Redhayes Bridge along Hollow Lane and Gipsy Hill Lane to view the character and width of the strategic cycle route. During the visit, a number of vehicles passed along the route and it was noted that it would be very difficult for a cyclist or pedestrian to pass a motor vehicle safely in certain places. The site inspection panel was very concerned that additional motor vehicle traffic using this route would conflict with pedestrian and cycle safety on this important strategic green route in and out of the city.

## **RECOMMENDATION**

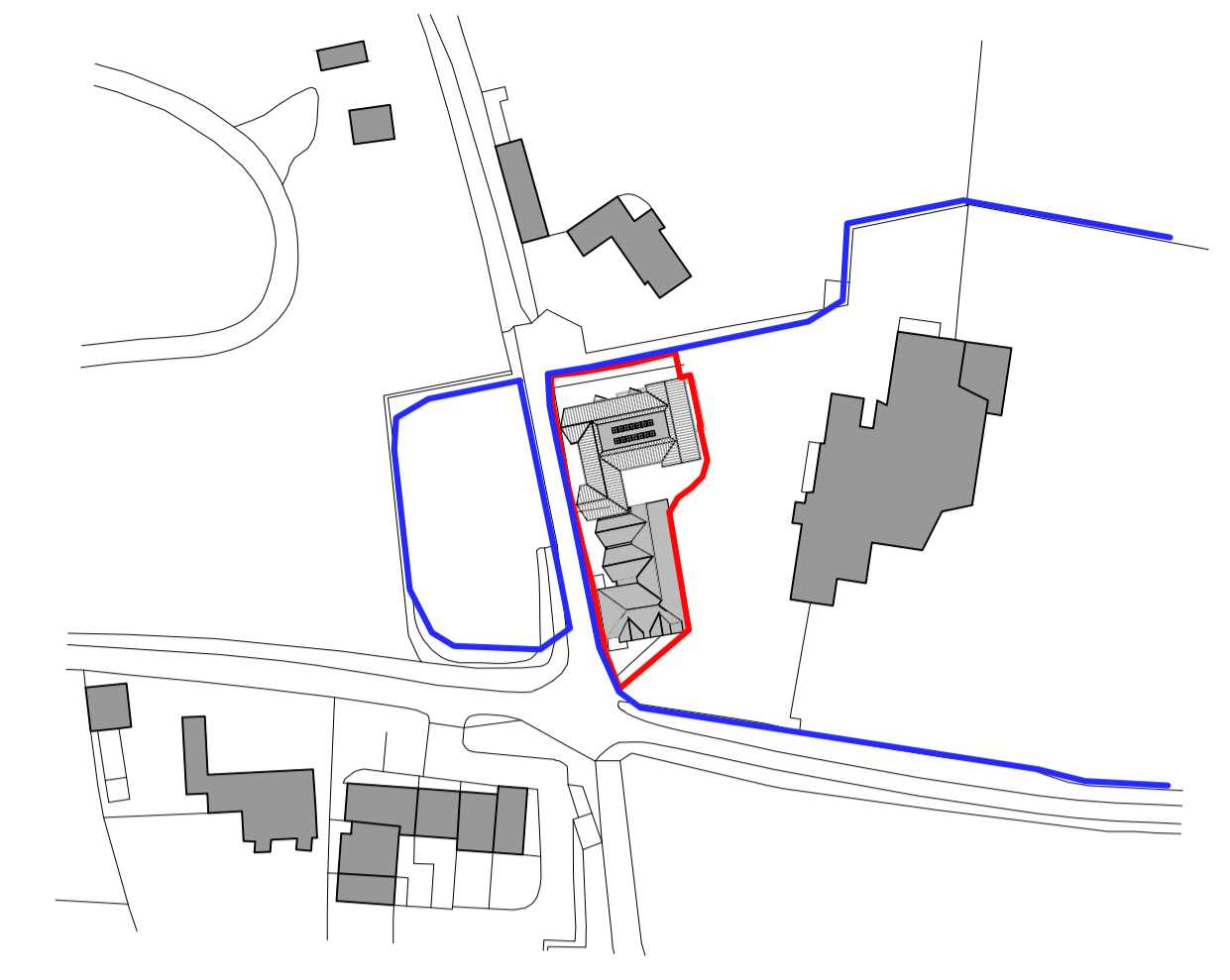
**REFUSE** for the following reason(s):

The proposal is contrary to National Planning Policy Framework paragraphs 32 and 41, Exeter City Council Core Strategy policy CP17, Exeter Local Plan First Review 1995-2011 saved policies AP1, T3 and DG1, and emerging Development Delivery Development Plan Document (Publication Version) policies DD20 and DD25 because:

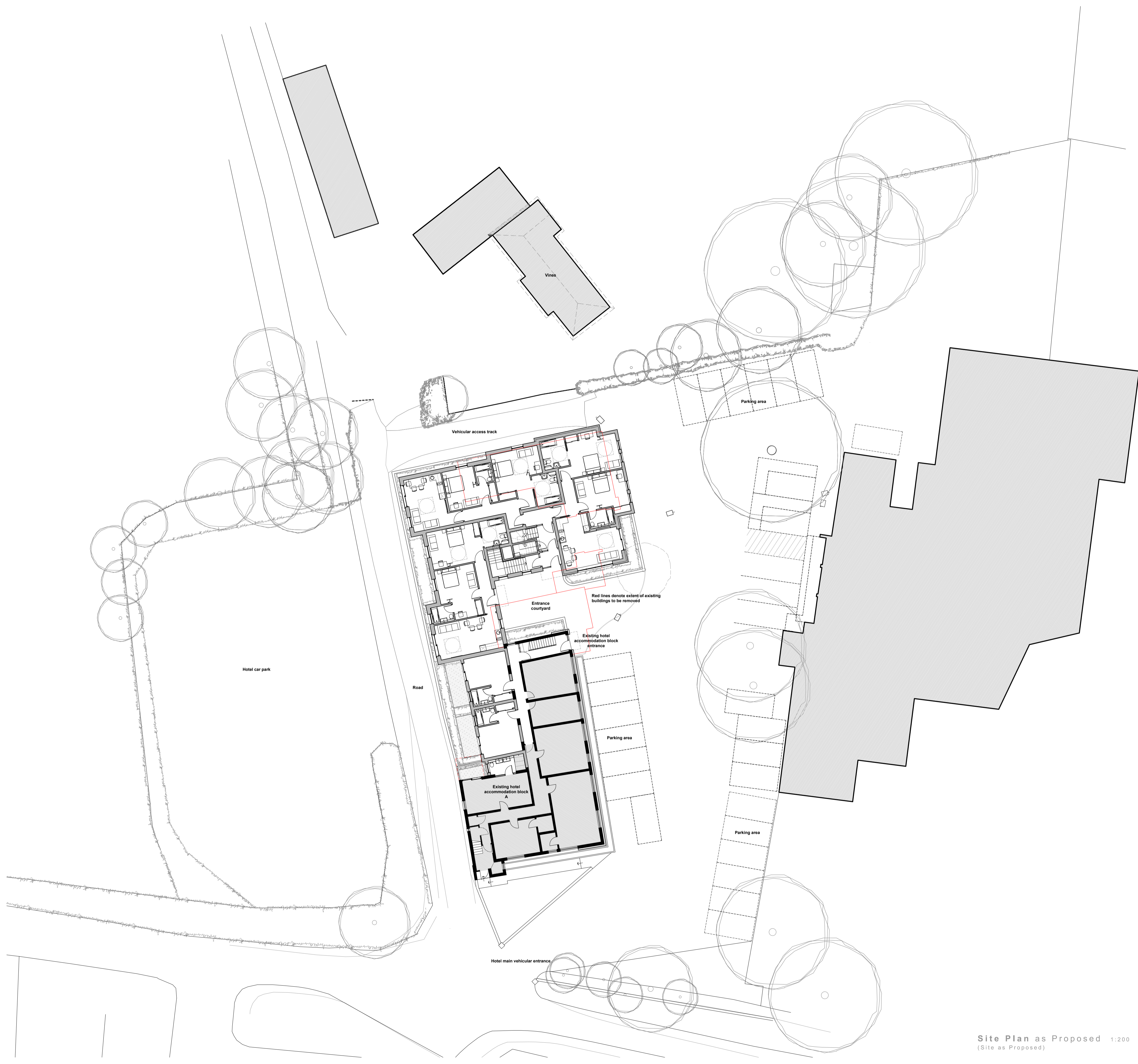
- i. The road giving access to the site (Gipsy Hill Lane), by reason of its inadequate width, visibility, lack of footways and street lighting does not form a safe and suitable access to the site for all users; and,
- ii. The additional traffic generated by the proposed development will reduce the attractiveness of a key strategic cycle route that is critical in widening transport choice.

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Site Location Plan as Proposed 1:1250  
(Site as Proposed)



Site Plan as Proposed 1:200  
(Site as Proposed)

Contractors must check all dimensions on site. Existing formations subject to further investigation. Discrepancies must be reported to Architects to avoid instructions before proceeding. IF IN DOUBT - ASK

SCALE 1:200

SCALE 1:1250

Rev:	Date:	Description:
edit	edit	edit

Rev:	Date:	Description:

<b>Status</b>	Planning Application
<b>Scale</b>	1:200 @A1
<b>Date</b>	June 2017
<b>Drawn</b>	YJ

**Project**  
Gipsey Hill Hotel - New Hotel Self Catering Apartment Block Together With Refurbishment And Extension To Existing Hotel Accommodation Block.

<b>Drawing</b>	Site Plan and Site Location Plan (As Proposed)
<b>Drwg no</b>	16025-09
<b>Rev</b>	

armada house  
odhams wharf  
topsham  
exeter  
EX3 0PB  
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**ITEM NO.**

**COMMITTEE DATE:** 30/10/2017

**APPLICATION NO:**

17/0665/OUT

**APPLICANT:**

**PROPOSAL:**

Demolition of Existing Bungalow to allow construction of New Hotel with up to 250 Bedrooms and associated facilities including new pedestrian foot Bridge link as main entrance at high level via Sandy Park Stadium Car Park. (Outline application with all ma

**LOCATION:**

Sandy Park Lodge (Formerly Primrose Orchard), Old Rydon Lane, Exeter, EX2 7JP

**REGISTRATION DATE:**

24/04/2017

**EXPIRY DATE:**

**HISTORY OF SITE**

98/0135/03 -	Single-storey front and rear extension, detached double garage to replace existing, additional access to highway and ancillary works	PER	05/03/1998
02/1826/01 -	Detached bungalow (all matters reserved for future consideration).	REF	23/01/2003
05/0255/03 -	Ground floor extension on east elevation	PER	07/04/2005

**DESCRIPTION OF SITE/PROPOSAL**

The application site comprises a single storey detached residential property and curtilage on the south side of Old Rydon Lane. The site, which is triangular in shape, is located opposite existing car parking serving the Sandy Park Stadium which lies to the north of the site. The south-east boundary of the site abuts the embankment of the M5 motorway.

Outline planning permission is sought for the demolition of the existing dwelling and erection of a new hotel with up to 250 bedrooms. The submitted feasibility plans depict a raised pedestrian bridge over Old Rydon Lane linking the proposed hotel to the stadium site and associated parking, an L-shaped building over 8 storeys, on site staff parking and servicing access from Old Rydon Lane. The outline application seeks to establish the principle of the development with all detailed matters relating to access, appearance, landscaping, layout and scale reserved for subsequent approval.

**SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is accompanied by the following supporting documents –

- Planning Statement
- Design & Access Statement
- Ecological Appraisal
- Statement of Archaeological Potential, Impact and Mitigation
- Transport Statement
- Travel Plan

- Flood Risk Statement
- Noise Impact Assessment
- Air Quality Assessment
- Waste Audit Statement

## **REPRESENTATIONS**

A total of 53 representations have been received (47 Objections and 6 Support) raising the following issues –

### Objections

- Highway Safety Issues
  - Increased traffic on local roads that aren't adequate to cope with it, especially heavy goods vehicles/coaches
  - Lack of pavements on roads
  - Conflict between vehicles and pedestrians/cyclists, especially on match days
  - Narrowness of Old Rydon Lane
  - Vehicles speeds – frequent flouting of speed limits
  - Indiscriminate parking, particularly on match days – impact on safety
  - “Accident waiting to happen”
  - Use of Old Rydon Lane as a ‘rat run’
- Adverse impact of additional traffic on amenity of local residents
- Access arrangements – particularly vis Clyst St Mary roundabout
- Question practicalities of Statement regarding majority of access being via Stadium site over proposed pedestrian bridge – Enforceability
- Why such significant levels of staff parking
- Parking arrangements – insufficient and conflict with existing operations i.e. matches and consented conference facilities
- Should investigate providing level road link between site and stadium
- Construction traffic impacts Old Rydon Lane/Clyst Road
- Will reduce sustainable travel opportunities e.g. by making cycling less attractive
- M5 J30 already dysfunctional – will be made worse by this, as will other nearby roads
- Delivery vehicles/day to day operational vehicles – local roads inadequate
- Lack of proper vehicular access
- Conflict with Newcourt Master Plan comments regarding managing Old Rydon Lane to make it more attractive to pedestrians/cyclists
- Old Rydon Lane should be made residents only access
- Problems of Old Rydon Lane need to be fully understood and addressed before any further traffic generating development in locality is permitted
- Conflict between hotel operation and stadium access
- Massive increase in traffic from recent housing development and more to come with IKEA
- Adverse impact on delivery of Strategic Cycle route
- Lack of adequate cycle parking
- Question assumptions in Transport Statement regarding travel and parking patterns likely to be associated with hotel
- 8 Storeys is too high – oppressively tall and detract from rural character of area
- Ugly building/design – incongruous and ‘blot on the landscape’
- Query need for a hotel in this location - more favourable site for hotel exist e.g. Winslade House

- Contrary to Draft Development Delivery DPD policy DD17 regarding size of hotel – policy refers to up to 120 bedrooms – 250 bed spaces is too large
- Visual impact - long range views
- Distraction to drivers
- Noise pollution
- Light Pollution
- Air Pollution
- Adverse impact of flora and fauna in locality
- Exacerbate existing flooding associated with drainage in locality
- Question whether room on site for an adequate SUDS scheme
- Council use of social media about application prejudiced in favour of applicant

#### Support

- Economic benefits – fantastic opportunity to bring investment and jobs to Exeter
- Help to secure future success of Exeter Chiefs who are ambassadors for Exeter and enhance its investment appeal, add to existing services at Sandy Park as a hub for business and rugby
- Recent infrastructure improvements have facilitated access
- Promote Exeter as a destination
- Address lack of a decent hotel in the locality
- Scale is appropriate for a motorway hotel

### **CONSULTATIONS**

**Environmental Health** – Recommends conditions relating to CEMP, Mechanical plant noise limits and general noise impact. In terms of noise impact from motorway on potential hotel residents the application is accompanied by a Noise Impact Assessment which makes recommendations in respect of the detailed building design and construction that would secure a suitable internal environment for customers.

**Wales & West Utilities** – draw attention to location of gas pipes and need for developer to liaise direct with them to ensure development proceeds in appropriate manner.

**SWW** – highlight location of public sewer, confirmation clean potable water services capable of being provided, highlight need for sustainable approach to surface water disposal, and advise condition that only foul drainage shall be connected to public foul or combined sewer.

**DCC (Lead Local Flood Authority)** – Comment as follows –

“The applicant should provide a scaled plan to identify that there is sufficient space to locate the proposed attenuation features within the proposed development area. It is noted that the strategy is proposing below ground attenuation, these underground systems cannot be considered as truly sustainable means of drainage because they do not provide the required water quality, public amenity and biodiversity benefits, which are some of the underpinning principles of SuDS. Consequently, above-ground SuDS components should be utilised unless the applicant can robustly demonstrate that they are not feasible; in almost all cases, above- and below-ground components can be used in combination where development area is limited. Indeed the submitted Design and Access statement highlights the area to the East for use of open attenuation features within the Green Infrastructure area therefore further consideration of this area is required.

The applicant should also note that in accordance with the SuDS Management Train, surface water should be managed at source in the first instance. The applicant will therefore be required to explore the use of a variety of above-ground source control components across the whole site to avoid managing all of the surface water from the proposed development at one concentrated point (e.g. a single attenuation pond). Examples of these source control components could include permeable paving (which could be underdrained), formalised tree pits or other bioretention features such as rain gardens, as well as green roofs, swales and filter drains.

It is proposed to discharge to an existing motorway ditch to the eastern boundary of the site at Qbar, although the discharge rates are acceptable confirmation from Highways England should be obtained to confirm that they are happy to except a formalised discharge into their drainage network. The applicant should also provide a plan showing the ditch network connectivity to identify the final outfall location.”

**Highways England** – Initially Highways England imposed a Holding Direction preventing determination of the application for a period of 6 months to allow the applicant to submit additional information to address concerns about potential impact on the Strategic Road Network (SRN), and operational issues relating to drainage and screening/landscaping. Following the receipt of additional information Highways England removed their Holding Direction and recommended conditions commenting as follows –

#### “Statement of Reasons

##### Assessment of Traffic Impact

Highways England provided a formal recommendation dated 25 May requesting that further information be submitted in relation to the assessment of traffic impact from the proposed development. Our response below should be read in conjunction with those earlier comments.

We have now considered the further information provided by the applicant’s consultants, Parsons Brinckerhoff, and are now in a position to confirm that no further capacity assessment of M5 junction 30 will be required. Subject to the updating of the site wide Sandy Park Travel Plan and Match Day Access Strategy to incorporate the proposed hotel development, we are satisfied that the traffic impact from the proposed development on the strategic road network will not be severe as defined by the NPPF. We are therefore recommending planning conditions in relation to the updating of both the travel plan and Match Day Access Strategy.

##### Operational Issues

Dft Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development, paragraph 50, states that in order to ensure the integrity of the highway drainage systems, no water runoff that may arise due to any change of use will be accepted into highway drainage systems, and there shall be no new connections into those systems from third party development and drainage systems. The Flood Risk Assessment submitted with the application makes clear that the natural direction of flow will be towards the motorway embankment and it will be necessary to ensure that appropriate measures are implemented to mitigate surface water run off to protect both the highway drainage system and integrity of the motorway embankment. We are therefore recommending a planning condition in relation to the submission of a surface water management plan.

As the development site is adjacent to the motorway boundary, we would also want to consider any proposed landscape planting to ensure that the planting is appropriate and does not include any invasive species and so ensure the existing motorway soft estate is not adversely affected and to avoid potential future maintenance issues. We are therefore also recommending a planning condition to that effect.”

**East Devon District Council – Comment as follows -**

“I refer to the above mentioned planning application which East Devon District Council has been consulted upon as the proposed development lies in close proximity of the boundary between the two authorities.

From a planning perspective we have the following comments to make:

**Access and parking**

Whilst all matters are reserved for subsequent approval the application indicates that the guests would access the hotel from the adjacent Sandy Park Stadium car park via a new footbridge over Old Rydon Lane.

However, the red edge on the location plan does not cover any proposed spaces for guests in this car park and neither is the car park within the blue edge (land under control of the applicant), therefore concerns are raised that there would be insufficient parking for guests of the up to 250 bedroom hotel particularly on match days or other corporate event days. The absence of any mechanism to secure any of these spaces for use by the hotel raises significant concerns that residents of the hotel would either park along Old Rydon Lane or further afield within East Devon District creating congestion concerns on the local highway network.

Furthermore, it is not clear from the submitted information how guests will be directed to the hotel (or advised to park in the stadium car park). Increased use of Clyst Road and Old Rydon Lane could be detrimental to highway safety and residential amenity. There are already serious traffic concerns in this area on match days and considerable inconvenience for local residents.

The emergency access route to the west of the proposed pedestrian bridge would need to remain for such purposes only, not for any regular vehicular traffic exiting the stadium or hotel onto Old Rydon Lane which is considered to be substandard to support a significant increase in traffic.

In summary, we recommend that access be controlled from the A379 only, and adequate car parking be secured at the adjoining car park to ensure that Clyst Road and Old Rydon Lane do not become congested, particularly during match days. Please share these comments from Devon County as the Highway Authority so that they can assess the impact within their response to the application.

**Scale**

The illustrative plans for the hotel indicate a sizeable ‘L’ shaped structure that would be a very noticeable feature when using both the strategic and local highway networks. Concern is expressed regarding its relative height compared to the rugby stadium (acknowledged to be lower than the stadium), however on approach it would appear significantly out of scale with anything else in its surroundings when viewed from East Devon District. The visual impact requires careful consideration.

**Drainage**

The drainage strategy indicates that Suds would be advocated on site, however, given the constrained nature of the site it is advocated that more information is provided at the outline stage to ensure Suds will work on site.

I hope that the above information is of assistance and will be taken into account as part of the application.”

**Devon and Somerset Fire & Rescue Service** – Comments as follows -

- There is no objection on our part as long as the hotel design is in line with the appropriate guidance/standards for new build commercial premises. Documents normally used are Approved Document B or BS9999.
- The key aspects at this stage of the process is to ensure suitable and adequate access for fire service vehicles along with sufficient water supplies. (In line with the guidance mentioned above)
- Due to the height of the hotel, consideration must be given to access for High reach appliances, including suitable turning circles as required.
- At this stage we would also recommend the installation of sprinklers for a development of this size.
- It should also be noted that access is unavailable to all sides of the building.
- Finally we are happy to consult on the hotel fire safety design/fire safety strategy as part of the ongoing process or as a pre-consultation.

**County Head of Planning, Transportation and Environment (Highways)** – Comments as follows –

*“The submitted application is an outline application (with all matters reserved) for the demolition of and existing bungalow and for the construction of a 250 bed hotel at Sandy Park Lodge, Old Rydon Lane, Exeter. The application includes associated facilities which include a new pedestrian foot bridge overhanging Old Rydon Lane.*

*Background*

*The County Council, as highway authority, was initially consulted on the proposals in May 2017 (through pre-application advice), where concerns were raised over the impact on Old Rydon Lane. Plans showed staff along with deliveries associated to the hotel, would be accessed via Old Rydon Lane - the highway authority considered this unacceptable (due to the narrow nature of the road, raising concerns on public safety and intensifying vehicular movements on a Green Infrastructure Route) and therefore asked the applicant to provide an alternative solution.*

*Vehicular Access and Trip Generation*

*The primary vehicular access to the hotel will be from the recently upgraded full movement signalised junction from the A379. Guests will access the hotel through the existing Sandy Park Car Park, via a proposed footbridge which overhangs Old Rydon Lane providing a direct link to the main reception. The footbridge will enable guests to access the Hotel without the need to cross Old Rydon Lane. This is acceptable in principle.*

*In order to assess the impacts of the development on the A379 and the local road network, the anticipated traffic generated by the site has been calculated using trip rates derived*



*from the TRICS database. The trip rates used are considered to be robust and are acceptable. The analysis shows that in the AM Peak, 93 two way trips are generated and in the PM Peak, 70 two way trips are generated during a typical weekday.*

*The upgrading of the Sandy Park junction was identified in the adopted Exeter Core Strategy as part of the Newcourt allocation, set out within the accompanying Infrastructure Delivery Plan and included in the Newcourt Transportation access strategy. Extensive modelling has been undertaken to assess the capacity of the junction (existing and in future scenarios, including IKEA and consented development in the area). Based on this analysis a successful business case was put together receiving the granting of LTB money. Subsequently, the junction has been through cabinet stating that the junction can accommodate 8.3 hectares of employment and 400 dwellings. Given that modelling has been conducted showing that junction operates within capacity, the addition traffic generated by the development at this junction is not of concern.*

*To service the hotel, deliveries will be taken from Old Rydon Lane. Discussions with the developer indicate that approximately 14 vehicles (assumed to be small box vans/LGV) will serve the hotel per day. The applicant could not provide the exact number of deliveries as it was dependent on the hotel operator (which has not been agreed at this point on time). The level of traffic associated with deliveries is not significant and does not form a reason for refusal. However, the planning application presented still shows a staff car park accessed off Old Rydon Lane.*

*The applicant proposes a forty space staff car park (as required by a potential hotel operator) to which the highway authority has raised concerns (in particular the section of Old Rydon Lane west of the Hotel site, towards Newcourt). This section is narrow in places with pinch points in the carriageway width (4.1m wide in some places), forms part a Green Infrastructure Route within the Newcourt Strategic Allocation (as identified in the ECC Core Strategy) and is identified as a to access the Clyst Valley. The Exeter Area and East Devon Growth Point Green Infrastructure Strategy (Phase 2) specifically indicate that Old Rydon Lane will be a key walking & cycling corridor and as such, in accordance to the above policies, vehicular movements should be discouraged (especially when the carriageway width is narrowed).*

*To minimise the volume of traffic using this section, the applicant proposed that as part of the employment contract, all staff members would have to access the staff car park via Clyst Rd (and not via Newcourt). However, given that there is no formal Traffic Regulation Order (TRO) restricting this movement; the highway authority has questioned its enforcement. Subsequently, there is still a risk for staff trips to intensify the use of Old Rydon Lane towards Newcourt.*

*It is pointed out that the access onto Old Rydon Lane will change in the future as part of the application for 450 residential dwellings at the land east of the Exmouth Branch Line (planning application numbers: 14/1451/01 and 14/2007/01). The highway authority has already identified the concerns relating to the intensification on Old Rydon Lane and these comments can be found below:*

*“using residential trip rates and distributions taken from the Newcourt Access Strategy, identified that this spare capacity would be used up by just over 150 dwellings at the proposed site. Beyond this, an alternative access through to an upgraded Sandy Park junction would be required.”*

And

*“Concern has been by local residents about the suitability of Old Rydon Lane as the main access point for such levels of development, and reference is also given to this in the Newcourt Access Strategy. The proposed condition to protect the operation of the Clyst Road above is considered sufficient to overcome such concerns.”*

*The additional traffic generated (staff journeys and deliveries to the Hotel) on Old Rydon Lane is therefore in **contradiction** to the planning conditions accepted for planning application numbers: 14/1451/01 and 14/2007/01 and policies outlined in the above text. Hence, a recommendation of refusal is put forward by the highway authority.*

#### *Future Access points*

*A number of discussions have been held regarding the potential for a one way system along Old Rydon Lane. An eastbound only section will go some way to appease the concerns identified; such a scheme would reduce the number of vehicles using Old Rydon Lane (and control the traffic associated with the Hotel) and has the potential to provide cycle infrastructure, meeting the objectives set out in the ECC Core Strategy – these initiatives have been looked at as part of Holland Park Phase 3 which has now been granted planning consent. However, the application submitted does not include any infrastructure changes and therefore, at this moment in time, a refusal is recommended.*

*Should the applicant resubmit a revised planning application, such infrastructure/financial contributions will need to be considered under that future application. It is also noted that if an eastbound only system was to be included in the future application revised junction assessments will be required (all staff and delivery movements will need to access the site from Clyst Road).*

#### *Parking*

*Parking for guests and staff will utilise the existing onsite car park at Sandy Park, which compromises of 536 spaces. However, due to a number of changes (which include the provision of a footbridge); the car park will reduce in size to 494 spaces.*

*A parking accumulation study has been undertaken to estimate the maximum number of vehicle trips that would stay in the car park at the same time on a given day as a result of the proposal. This study is based upon the TRICS output used to estimate trip generation for the proposed hotel development. The results show that when the hotel is full, 80-90 spaces will be required during the day, with a maximum of 137 spaces needed overnight.*

*The submitted evidence shows that the when conference are held, 391 vehicular spaces are required (this level of parking has been accepted when the conference centre planning application was put forward). The Hotel requires 80-90 spaces during the day and therefore there are sufficient spaces to accommodate both uses. It should be noted that the Conference Centre is not in use for events on match days.*

*On match days, the existing car park is fully utilised – spaces are allocated to park & ride buses, an area for a TV compound and some staff/spectator parking. Due the hotel requiring 137 spaces proposed parking approach during a Match Day changes; this is*

*achieved reallocating spaces and reducing the number of permits that are provided to spectators and attendants on match days.*

*With the above comments in mind and a potential operator of the hotel requiring forty spaces, an additional car park is needed. However, the applicant will need to reconsider the access arrangements as outlined in the previous section of this highway response.*

#### *Summary*

*The primary vehicular access point onto Sandy Park junction is not of concerns as DCC modelling has shown this operates within sufficient capacity to adequately accommodate traffic generated without severe impacts on the operation or safety of the public highway. However, there are fundamental concerns over the impact and the intensification of vehicular movements on Old Rydon Lane. With the current access arrangements to the staff car park in mind, a refusal is recommended, but the highway authority may change its position if another application were to be submitted.*

*Were the Local Planning Authority to approve the submitted application, against my recommendation, I would request to be re-consulted on suitable conditions (such as a travel plan, an AIP for a structure over the highway and a revised Match Day Access strategy etc.) and/or contributions to attach to any permission.*

#### **Recommendation:**

**THE COUNTY ENVIRONMENT DIRECTOR, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT PERMISSION BE REFUSED FOR THE FOLLOWING REASONS:-**

1. *The road giving access to the staff car park and route for delivery vehicles (Old Rydon Lane immediately west of the proposed hotel site), by reason of its inadequate width, visibility, lack of footways and street lighting does not form a safe and suitable access to the site for all users, and increases traffic on a Green Infrastructure Route, contrary to Section 4 of the NPPF and the ECC Core Strategy.”*

### **PLANNING POLICIES/POLICY GUIDANCE**

#### **Central Government Guidance**

National Planning Policy Framework (NPPF):-

Achieving sustainable development

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
5. Supporting high quality communication infrastructure
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment

*Paragraph 11 - Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.*

*Paragraph 14 - At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking...For decision taking this means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.*

### **Exeter Local Development Framework Core Strategy 2012**

CP1 – Spatial approach  
CP9 – Strategic transport measures to accommodate development  
CP10 – Meeting Community Needs  
CP11 – Pollution and air quality  
CP12 – Flood risk  
CP14 – Renewable and low carbon energy  
CP15 – Sustainable design and construction  
CP16 – Strategic green infrastructure  
CP17 – Design and local distinctiveness  
CP18 – Infrastructure requirements and developer contributions  
CP19 - Strategic Allocations

### **Exeter Local Plan First Review 1995-2011 Saved Policies**

AP1 – Design and location of development  
AP2 – Sequential approach  
T1 – Hierarchy of modes of transport  
T2 – Accessibility criteria  
T3 – Encouraging use of sustainable modes of transport  
T10 – Car parking standards  
C5 – Archaeology  
EN2 – Contaminated land  
EN3 – Air and water quality  
EN4 – Flood risk  
EN5 – Noise  
DG1 – Objectives of urban design  
DG2 – Energy conservation  
DG7 – Crime prevention and safety

### **Development Delivery Development Plan Document (Publication Version):-**

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

DD1 - Sustainable Development  
DD13 - Residential Amenity

DD17 - Hotels  
DD20 - Sustainable Movement  
DD21 - Parking  
DD25 - Design Principles  
DD26 - Designing Out Crime  
DD28 - Heritage Assets  
DD30 - Green Infrastructure  
DD31 - Biodiversity  
DD33 - Flood Risk  
DD34 - Pollution

### **Exeter City Council Supplementary Planning Documents**

Archaeology and Development SPG 2004  
Planning Obligations SPD 2009  
Sustainable Transport SPD 2013

Other documents

Exeter Hotel Study 2007

### **OBSERVATIONS**

#### Context/Background

The application site lies to the south of Old Rydon Lane with a direct vehicular access off it serving the dwelling currently occupying the site. It is directly opposite Sandy Park stadium and its associated parking facilities. The Sandy Park complex comprises a David Lloyd Leisure Centre and Rugby Stadium for the Exeter Chiefs. Accommodation within the main stand of the rugby stadium is also used for Conferences and social events. Since its original construction the capacity of the ground has been extended through various applications including most recently application 12/1030/03 which permitted new stands and an increase in capacity to 20600. This application also included a new conference centre behind the south stand containing a 1000 seat conference suite.

Only outline approval for the principle of a hotel of up to 250 bedrooms on this site is sought at this stage, with all detailed matters relating to access, appearance, landscaping, layout and scale reserved for subsequent approval. However, the submitted feasibility plans suggest an indicative scale of 8 storeys and an access strategy comprising staff and servicing only parking/traffic on the site itself, with customer parking on the opposite side of Old Rydon Lane on part of the existing stadium complex car park. Customers would then access the hotel itself via a pedestrian bridge over Old Rydon Lane leading directly into the hotel reception area which would be on the floor level with the stadium complex site.

#### Main Issues

- Principle of development/
- Transportation issues
- Design/visual/impact
- Ecological impact/Suds

- Amenity issues – light, noise, air pollution, scale

### Principle of development

A hotel is considered a ‘main town centre use’ in the context of the NPPF and would therefore ordinarily be subject to a sequential test as set out in paragraph 24 which reads as follows –

“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”

The NPPF also advises that in drawing up Local Plans, local planning authorities should set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres. The Council recognised that hotel facilities are increasingly important to service corporate needs, and that with the development taking place to the east of Exeter that this demand was likely to grow. As part of the evidence base for the Core Strategy a Hotel Study was carried out in 2007 to review demand for hotels in the Exeter area and make recommendations about the scale and nature of future provision which is required to service the area and contribute to its economic prosperity. The study identified strong hotel developer interest in Exeter and this has resulted in the provision of additional hotel bed spaces. Notwithstanding this there is continuing pressure for release of sites in other uses for hotel development both in the city centre and on the edge of the city, particularly along the motorway corridor. Utilising the evidence from the Hotel Study, and recognising the developments that have already been completed and those that benefit from planning permission, it was considered that an additional 120 bedroom hotel facility, located within reasonable walking distance of the conference facilities at Sandy Park, could be supported. Hence the Development Delivery DPD (Publication Version) incorporates the following policy –

**DD17:** Planning permission for Hotel development (Class C1) will be granted in the city centre and at the quayside. Planning permission will be granted for a hotel comprising up to 120 bedrooms located within reasonable walking distance of Sandy Park to complement the conference facilities. Elsewhere the sequential test will be applied.

As the document has reached publication stage it is a material consideration in the determination of this current application and can be considered to have some, albeit limited, weight.

The application site lies within the boundary of the Newcourt Strategic Allocation (Core Strategy policy CP19) which earmarks this area for development/expansion of the City with around 3500 dwellings and 16 hectares of employment land and all associated infrastructure. Originally it was envisaged that a hotel might form part of employment development brought forward on land north of Old Rydon Lane immediately next to the Sandy Park stadium complex. However that has not materialised to-date whereas this proposal for a hotel on land just south of Old Rydon Lane has been submitted. This site is within close proximity to Sandy Park and certainly fulfils the criteria of being ‘within reasonable walking distance of Sandy Park’ as set out in the above policy.

The submitted proposal is for a significantly greater number of bed spaces than indicated in the policy. However the proposal is in outline and seeks approval in principle for a hotel of up to 250 bed spaces. The final number of spaces, up to that maximum number, would come forward as part of any subsequent 'reserved matters' and would be shaped by market demand/analysis undertaken by the developer in conjunction with any hotel operating development partner. That said, it is recognised that with the consented expansion of the stadium both in terms of spectator capacity and conferencing facilities, other potential employment related development to come forward within the Newcourt strategic allocation area and east of Exeter generally, there is likely to be demand for a larger hotel specifically in this general location that would not be as conveniently served by further hotel provision within the city centre, or edge of centre locations. Even so, given that policy DD17 effectively earmarks a 120 bed hotel in this area, it could be advocated that any issues regarding assessment in relation to existence of a sequentially preferable site would only apply to provision over and above the 120 bed spaces referred to in the policy. Nonetheless, this proposal is seen as meeting a specific locational related need which if met on a more centrally located site would be liable to generate potentially significant travel movements associated with spectators/patrons of the rugby stadium/conference facilities, and future employment developments in the vicinity, having to travel out to this site on the edge of the city.

#### Transportation Issues

Highways England initially imposed a holding direction on the determination of the application to allow additional information to be submitted to address concerns about the potential impact of a large hotel on this site upon the Strategic Road Network (SRN). Upon consideration of the further information provided Highways England confirmed that no further capacity assessment of M5 junction 30 was required in connection with this proposal. It was also confirmed that subject to updating of the site wide Sandy Park Travel Plan and Match Day Access Strategy to incorporate the hotel development Highways England was satisfied that the traffic impact from the proposed development on the strategic road network will not be severe as defined by the NPPF. Highways England have incorporated conditions within their recommendation to secure the above along with other matters relating to surface water management and landscaping details in so far as they might impact on the motorway embankment adjoining the site.

Therefore the remaining transportation concerns relate to the more localised highway network, particularly in relation to the potential impact on Old Rydon Lane and the aspirations relating to the future management of Old Rydon Lane to make it more attractive to pedestrians/cyclists, and its function as part of a strategic cycle route.

Access arrangements to the hotel are one of the key matters and hence this is no longer to be reserved for subsequent approval. It is essential to enable the potential transportation impacts of the scheme to be assessed that the overall access strategy is considered at the outline stage. The approach put forward comprises the use of part of the existing stadium complex park as dedicated parking to serve customers of the hotel, with a raised pedestrian bridge over Old Rydon Lane giving access from the parking directly into the reception area of the hotel which would be located on a floor level building (that would be commensurate with the car park level). Access to the customer parking would thereby be via the newly constructed all movements junction off the A379. The aim of such an approach is to limit the use of Old Rydon Lane by vehicles associated with the proposed hotel to staff and servicing traffic only. This is considered an appropriate approach in terms of the access arrangements for potential customers. It is accepted that there is sufficient car parking available on the stadium site to accommodate the

predicted parking needs of both the proposed hotel and the previously approved expanded conference facilities. A specific part of the existing car park will be dedicated to hotel guests. It is noted that the conference facilities are not in use for events on match days, and therefore with some adjustment to the management of match day parking it is considered the level of parking provision to service the hotel and stadium would be sufficient. In the event of the application being approved conditions would be required regarding the detailed design of the proposed pedestrian bridge over Old Rydon Lane and its height (clearance) above the existing carriageway.

The feasibility plans submitted incorporate a vehicular access from Old Rydon Lane into the site that allows for access and turning for the anticipated type of service related vehicles, and access to a staff car park.

It is difficult to be definitive about the level of servicing traffic likely to be generated by the proposal as only outline permission is sought at this stage and no end operator has yet been identified. However, at this stage the submission predicts approximately 14 vehicles/day will service the hotel. This predicted level of service traffic has not been challenged by the Highway Authority in its consultation response and can therefore be considered a reasonable assumption. Furthermore, the Highway Authority consultation response states “The level of traffic associated with deliveries is not significant and does not form a reason for refusal.”

In terms of staff parking the initially submitted drawings depicted 50 staff parking spaces reflecting the nature of staff shift patterns and numbers of staff associated with a likely hotel of this size. DCC as Highway Authority have raised concerns about the development from the perspective of the potential impact on Old Rydon Lane arising from increased vehicular usage associated with a hotel development, both from a safety aspect bearing in mind significant pedestrian usage of Old Rydon on match days (access to and from the Newcourt rail halt), and the impact this would have on the aspiration to make Old Rydon Lane more attractive to cyclists/pedestrians in the longer term. Until such time as the new section of road linking the Sandy Park junction of the A379 with the allocated land to the south (comprising land immediately adjoining the stadium complex, and land south of Old Rydon Land including the current application site) the County Council as Highway Authority remain concerned about development generating further traffic on Old Rydon Lane

The particular concern/issue in respect of the proposal is the staff parking arrangements and their impact on Old Rydon Lane. Initially the proposal was for a 50 staff car parking spaces on the actual site of the hotel south of Old Rydon Lane however in response to the Highway Authority’s concerns the applicant has reduced the number of staff parking spaces proposed to 40. (The site already accommodates 10 parking spaces so the traffic must be assessed once the existing usage has been discounted)

The Highway Authority’s position on this matter is summarised in the following paragraph of their formal consultation response –

“The applicant proposes a forty space staff car park (as required by a potential hotel operator) to which the highway authority has raised concerns (in particular the section of Old Rydon Lane west of the Hotel site, towards Newcourt). This section is narrow in places with pinch points in the carriageway width (4.1m wide in some places), forms part a Green Infrastructure Route within the Newcourt Strategic Allocation (as identified in the ECC Core Strategy) and is identified as a to access the Clyst Valley. The Exeter Area



and East Devon Growth Point Green Infrastructure Strategy (Phase 2) specifically indicate that Old Rydon Lane will be a key walking & cycling corridor and as such, in accordance to the above policies, vehicular movements should be discouraged (especially when the carriageway width is narrowed).”

Through negotiations with the applicant the potential to alleviate concerns about the impact on Old Rydon Lane until such time as the new road is delivered have been explored, including –

- the introduction of a partial section of one-way traffic on Old Rydon Lane west of the hotel site back towards the railway bridge through a Traffic Regulation Order (TRO) (allowing eastbound movements only for vehicles)
- associated road markings and signage, including a demarcated cycle/pedestrian lane

The applicant has formally confirmed agreement to a financial contribution of £40,000 towards the implementation of the above measures. Whilst this is considered a potential solution to the Highway Authority’s reservations they are concerned about the potential for the TRO process to fail thereby leaving staff related traffic free to move in both directions along the narrow section of Old Rydon Lane with the consequent adverse impacts identified in their consultation response. The Highway Authority do not consider it appropriate to make any consent conditional upon the implementation of the TRO due to the fact that its ultimate delivery is not within the control of the applicant, and could thereby result in a consent that it would not be possible to implement.

The applicant has also stated that employment contracts for staff would stipulate that they must only enter and leave the staff car park via the east section of Old Rydon lane. Whilst this is noted, it would not be enforceable in planning terms and therefore should not be given weight in determining the acceptability of the proposal from a transportation impact perspective.

#### Design/visual impact

It is inevitable, given the size and shape of this site, that to accommodate a hotel of up to 250 bed spaces will involve a building of substantial scale and height. Indeed the feasibility plans submitted in support of the application depict a building extending to 8 storeys in height. The site occupies a prominent location and is highly visible from both the M5 motorway (which runs alongside the south-eastern boundary of the site) and the wider area beyond the eastern boundary of the City (i.e. land falling within the neighbouring authority of East Devon). That said, the site does not form part of a protected landscape, and has no landscape designation in the development plan. The site is effectively ‘white’ land and is included within the Newcourt Strategic Allocation boundary in the adopted Core Strategy. As such it is considered suitable in principle for development.

A building comprising a hotel of up to 250 bedrooms with associated ancillary accommodation will be a very prominent new visual feature in the landscape. From some vantage points it would be seen against the backdrop of the existing large scale built/urban forms of Sandy Park Stadium itself, and the David Lloyd leisure facility. A proposed hotel on this site represents a unique opportunity to design a new high quality landmark building on the fringe of the built up area marking the arrival at Exeter. Whilst the building would be significantly greater in terms of its massing than almost all other buildings in the locality (other than the Stadium complex) its contribution as a potential new landmark is considered a positive feature. It is acknowledged that a large hotel on the site will result in a new source of light emanating from buildings in the locality, and that inevitably this will be perceived over a significant area. Whilst this will be a change to the local environment it is not considered that the visual impact of lighting associated with the building would render the proposal unacceptable.

The exact appearance/design of the building is a 'reserved matter' for subsequent consideration and approval at a later date. No doubt this will be influenced to some degree by the Corporate image of the eventual operator but given the prominence of the site a high quality design will be sought through negotiations in connection with any 'reserved matters' scheme.

Landscaping is also a 'reserved matter' but there are opportunities to integrate the building into the landscape through the development of an appropriate landscaping scheme as part of any subsequent 'reserved matters' application. Treating the landscaping as part of an overall design philosophy presents an opportunity to enhance the visual contribution of the site to the surroundings and could incorporate some softening and screening of the building where appropriate, as well as introducing new tree planting to enhance the overall visual contribution of the site to its wider setting.

#### Ecological Impact/SuDs/Sustainability

The Ecological Appraisal submitted in respect of the application concludes that the site is "of relatively low ecological interest, with some adverse impacts predicted on foraging bats and breeding birds in the short term, whilst having potential to provide a net gain in biodiversity if enhancements have been incorporated." Emergency surveys in respect of the potential of the existing bungalow as a bat roost have been carried out and no activity was recorded. Overall it is not considered that the proposal would have a significant adverse ecological impact, and that with appropriate mitigation could actually result in an enhancement of the sites ecological interest. This can be secured through an appropriate condition requiring a biodiversity mitigation and enhancement plan.

A surface water drainage strategy will need to be developed for the site. This will be done in conjunction with the development of the detailed design of the scheme and can be conditioned to be submitted for approval. Subject to ground conditions being appropriate this is likely to involve infiltration techniques. Where this is either not possible due to ground conditions, or there is insufficient space/capacity, on site attenuation will be required with appropriately controlled discharge rates. The interests of Highways England with regard to any potential impact on the motorway embankment would be protected by the conditions recommended by them.

In terms of sustainable design, in accordance with Core Strategy policy CP15, it would be a condition of any approval that the development is designed to achieve a BREEAM standard of 'Excellent'.

#### Amenity Issues

It is not considered that a large hotel on this site would have any significant direct impact on the residential amenities of nearby surrounding properties in terms of potential overlooking/privacy or loss of light. Currently the nearest properties are some distance away either further along Old Rydon Lane or the other side of the motorway. Although the land adjoining the proposed hotel site is allocated for development (falling within the Newcourt Strategic allocation) it only currently benefits from a resolution to grant outline permission for residential development subject to a section 106 agreement which has not yet been completed or signed. In any event, it is not considered that development of a hotel on this site would significantly compromise the ultimate layout of the adjoining site or any residential properties provided on it.

As acknowledged above, a building of significant scale on this site will introduce a new light source to the locality. However it is again considered, that by virtue of the separation distance between the site and the nearest surrounding dwellings, this would not be likely to have any significant adverse impact on the residential amenities of the occupants of existing surrounding properties.

The site is located in close proximity to the motorway and as such does experience associated traffic noise. However in terms of the potential impact of this upon customers of the hotel it is considered that with appropriate glazing and building construction there is no reason why an acceptable environment could be created within the building. In terms of noise associated with the hotel impacting on surrounding residents the submitted documents make recommendations in respect of associated mechanical plant noise, and these together with potential disturbance associated with deliveries etc., can be controlled by appropriate conditions attached to any approval.

### Conclusions

There is emerging policy support (DDDPD policy DD17) for a hotel within walking distance of Sandy Park, albeit for a smaller number of bed spaces than the current proposal. It is recognised that the current proposal represents a market led scheme in terms of the proposed scale of building and number of bed spaces. There is also recognition of the importance of the delivery of a hotel in the Sandy Park area to the implementation of the approved expansion of conferencing facilities at Sandy Park, the continued success of the Exeter Chiefs Rugby Club, and wider employment related development to the east of the City. Both the hotel and the conferencing/employment related development are important to the future development and reputation of the City and will generate substantial revenue via associated business rates.

The proposal is considered acceptable in all material respects aside from the Highway Authority's concerns regarding the impact of traffic on Old Rydon Lane. During negotiations it appeared that the applicant's offer to fund a traffic order making a section of the lane one-way and an improvement to cycle facilities offered a solution so it is disappointing that the County's recommendation is one of refusal. Indeed it could be argued that the recommendation is a little baffling given the acceptance of a similar solution to the accommodation of traffic generated from the Heritage Homes scheme a short distance along the lane – a solution which is also dependent on the success of a Traffic Regulation Order.

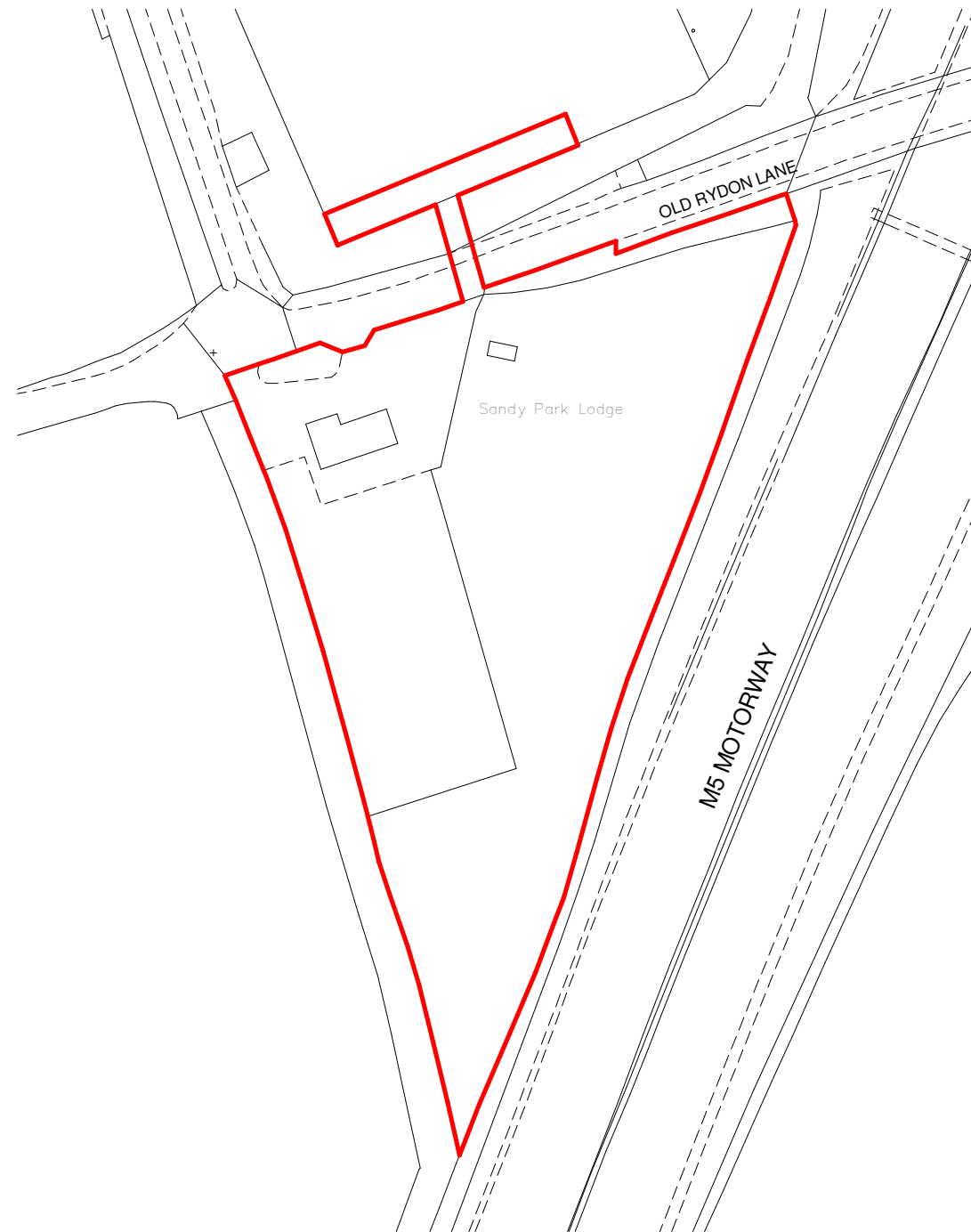
On the face of it traffic generation from the site appears modest and arguably does not amount to a 'severe' impact in terms of NPPF guidance (para 32). One must also assume from the recommendation that almost any alternative traffic generating use of the site would be unacceptable until such time as the link road is provided. There appears to be no intention on the part of the adjacent landowner to bring the link road forward soon and the County's nervousness over the success of the traffic order to address the issues during the interim period is particularly disappointing given that such an order would also help address the vehicle/pedestrian conflict that arises on Old Rydon Lane post Chief's matches.

Nonetheless in the face of objection from the County Council as Highway Authority and statutory consultee the officer recommendation has to be one of refusal as advised in their formal consultation response.

### **RECOMMENDATION**

**REFUSE** for the following reason –

- 1) The road giving access to the staff car park and route for delivery vehicles (Old Rydon Lane immediately west of the proposed hotel site), by reason of its inadequate width, visibility, lack of footways and street lighting does not form a safe and suitable access to the site for all users, and increases traffic on a Green Infrastructure Route, contrary to Section 4 of the NPPF and the ECC Core Strategy.



**Location Plan**  
1 : 1250

Contractors to check all dimensions on drawing.  
Any discrepancies must be reported to Kensington Taylor or the contract administrator before proceeding.  
Do not scale from planning drawings, work to figured dimensions.  
This drawing must be read in conjunction with all relevant consultants drawings.  
This drawing © Kensington Taylor Architects.

Revision Schedule

Revision Number	Revision Date	Revision Description
A	21.04.17	Issue for outline planning

**KensingtonTaylor**  
CHARTERED ARCHITECTS • URBAN DESIGNERS  
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Project  
**Sandy Park Hotel**

Title  
**Location Plan**

Designer Author AP Checked by RC

Date 24/04/2017 10:34:50 Scale 1 : 1250 @ A3

Drawing number **1632 L01.04** **A**

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**REPORT TO: PLANNING COMMITTEE**

**Date of Meeting: 30 October 2017**

**Report of: City Development Manager**

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

## **3 PLANNING APPLICATION CODES**

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

OUT	Outline Planning Permission
RES	Approval of Reserved Matters
FUL	Full Planning Permission
TPO	Works to Tree(s) with Preservation Order
ADV	Advertisement Consent
CAT	Works to Tree(s) in Conservation Area
LBC	Listed Building Consent
ECC	Exeter City Council Regulation 3
LED	Lawfulness of Existing Use/Development
LPD	Certificate of Proposed Use/Development
TEL	Telecommunication Apparatus Determination
CMA	County Matter Application
CTY	Devon County Council Application
MDO	Modification and Discharge of Planning Obligation Regulations
NMA	Non Material Amendment
EXT	Extension to Extant Planning Consent
PD	Extension - Prior Approval
PDJ	Office to Dwelling - Prior Approval

- 3.2 The decision type uses the following codes:

DREF	Deemed Refusal
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

**ANDY ROBBINS**  
**CITY DEVELOPMENT MANAGER**

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## Alphington

Application Number: 17/1336/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 13/10/2017 Delegated Decision  
Location: 2 Bate Close Exeter Devon EX2 8US  
Proposal: Single storey rear extension and widening of garage.

Application Number: 17/1454/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 04/10/2017 Delegated Decision  
Location: The Villa Cowick Lane Exeter Devon EX2 9HY  
Proposal: T1 - Holm Oak: Fell

Application Number: 17/1505/NMA Delegation Briefing:  
Decision Type: Permitted Decision Date: 18/10/2017 Delegated Decision  
Location: 6 Christow Road, Marsh Barton Trading Estate, Exeter, EX2 8QP  
Proposal: Non material amendment for the relocation of car parking spaces and stocking areas to existing builders merchants. Approved under application no: 07/0660/03.

Application Number: 17/1515/AGF Delegation Briefing:  
Decision Type: Permission Required Decision Date: 25/09/2017 Delegated Decision  
Location: 1 Crabb Lane Exeter Devon EX2 9JD  
Proposal: Agricultural building for the housing of livestock

## Cowick

Application Number: 17/1182/VOC Delegation Briefing:  
Decision Type: Permitted Decision Date: 16/10/2017 Delegated Decision  
Location: Pumping Station Site Dunsford Road Exeter  
Proposal: Variation of Condition 2 on Planning Ref. 15/0223/03 (granted 20 April 2015) to alter access and layout, additional terracing and amendments to all elevations of dwelling

## Duryard And St James

## Duryard And St James

Application Number: 16/1530/FUL Delegation Briefing:

Decision Type: Permitted Decision Date: 04/10/2017 Delegated Decision

Location: 35-37 Sidwell Street And Land To The Rear Of 32-34 Sidwell Street, Exeter, EX4 6NS

Proposal: Retention of retail / commercial uses at ground floor with change of use and extension to Nos. 35-37 Sidwell Street to provide 27no. bed purpose built student accommodation alongside 9no. self-contained dwellings (Class C3). Associated refuse / recycling storage and cycle parking (revised).

Application Number: 17/0944/FUL Delegation Briefing:

Decision Type: Permitted Decision Date: 18/10/2017 Delegated Decision

Location: 70 Longbrook Street, Exeter, EX4 6AP

Proposal: Change of use from ground floor flat and first/second floor maisonette to single dwelling house; re-roof rear extension plus roof light; new casement window to rear elevation; insertion of powder-coated aluminium bi-fold doors and windows in the rear extension; roof light (retrospective); and partial demolition of front boundary wall.

Application Number: 17/0945/LBC Delegation Briefing:

Decision Type: Permitted Decision Date: 18/10/2017 Delegated Decision

Location: 70 Longbrook Street, Exeter, EX4 6AP

Proposal: Change of use from ground floor flat and first/second floor maisonette to single dwelling house; re-roof rear extension plus roof light; new casement window to rear elevation; insertion of powder-coated aluminium bi-fold doors and windows in the rear extension; roof light (retrospective); and partial demolition of front boundary wall.

Application Number: 17/1246/LBC Delegation Briefing:

Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision

Location: 14 New North Road Exeter Devon EX4 4HF

Proposal: Courtyard enlargement, infilling beneath first floor rear extension, renovation of first floor extension and internal works.

Application Number: 17/1354/P Delegation Briefing:

Decision Type: Withdrawn by Applicant Decision Date: 04/10/2017 Delegated Decision

Location: Trees Prince Of Wales Road Exeter Devon EX4 4PR

Proposal: Demolish existing 4 bedroom bungalow to build specifically designed student accommodation

## Duryard And St James

Application Number: 17/1375/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 19/10/2017 Delegated Decision  
Location: 1 Elm Grove RoadSt JamesExeterDevonEX4 4LL  
Proposal: Alterations to front boundary wall.

Application Number: 17/1474/TPO Delegation Briefing:  
Decision Type: Permitted Decision Date: 10/10/2017 Delegated Decision  
Location: HoneywoodBelvidere RoadExeterDevonEX4 4RR  
Proposal: T1 - Holm Oak - Re-pollard stems overhanging Honeywood garden to old pollard points at @ 6 to 8m above ground level.

Application Number: 17/1544/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 10/10/2017 Delegated Decision  
Location: 1 Elm Grove RoadSt JamesExeterDevonEX4 4LL  
Proposal: T1: Holly - reduce height by 5 feet

Application Number: 17/1545/NMA Delegation Briefing:  
Decision Type: Permitted Decision Date: 02/10/2017 Delegated Decision  
Location: 13 Highcross RoadExeterDevonEX4 4NP  
Proposal: Non-material amendment to add skylight to flat roof of dormer roof extension

Application Number: 17/1552/DIS Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: 31 HorseguardsExeterDevonEX4 4UU  
Proposal: Discharge of Condition 3 of planning reference 17/0827/LBC granted on 30 August 2017 relating to the internal door

## Duryard And St James

Application Number: 17/1616/P Delegation Briefing:  
Decision Type: Permission Required Decision Date: 18/10/2017 Delegated Decision  
Location: 7 Devonshire Place Exeter Devon EX4 6JA  
Proposal: Dropped kerb and alterations to driveway entrance

## Exwick

Application Number: 17/1012/P Delegation Briefing:  
Decision Type: Permission not required Decision Date: 12/10/2017 Delegated to Planning Officer  
Location: 49 Farm Hill Exeter Devon EX4 2LW  
Proposal: Velux loft conversion and flue (on a wall)

Application Number: 17/1074/P Delegation Briefing:  
Decision Type: Permission Required Decision Date: 16/10/2017 Delegated Decision  
Location: 5 High Meadows Exeter Devon EX4 1RJ  
Proposal: Planning permission enquiry re: one storey extension to property- possible separate unit of residential accommodation.

Application Number: 17/1251/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 06/10/2017 Delegated Decision  
Location: 44 Lavender Road Exeter Devon EX4 2PT  
Proposal: Rear conservatory

Application Number: 17/1449/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 16/10/2017 Delegated Decision  
Location: 11 Medley Court Exwick Exeter Devon EX4 2QN  
Proposal: Roof lights to front and rear elevations.

## Exwick

Application Number: 17/1591/LPD Delegation Briefing:  
Decision Type: Was lawful use Decision Date: 12/10/2017 Delegated Decision  
Location: 14 Coventry Road Exeter Devon EX4 2DW  
Proposal: Single-storey side extension.

## Heavitree

Application Number: 17/0737/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 02/10/2017 Delegated Decision  
Location: 2 Bicton Place, Exeter, EX1 2PF  
Proposal: Summerhouse in rear garden

Application Number: 17/0778/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 10/10/2017 Delegated Decision  
Location: 14 South Avenue Exeter Devon EX1 2DZ  
Proposal: Single storey rear extension

Application Number: 17/0835/LBC Delegation Briefing:  
Decision Type: Permitted Decision Date: 02/10/2017 Delegated Decision  
Location: 2 Bicton Place, Exeter, EX1 2PF  
Proposal: Expand existing cellar by excavating down

Application Number: 17/1155/P Delegation Briefing:  
Decision Type: Pre-Application Advice Given Decision Date: 27/09/2017 Delegated Decision  
Location: 15 Avondale Road Exeter Devon EX2 5HE  
Proposal: Loft conversion, changing roof from hip to gable ended and adding rear flat roof dormer

## Heavitree

Application Number: 17/1203/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 16/10/2017 Delegated Decision  
Location: Garage To Rear Of 113 Fore StreetHeavitreeExeterDevonEX1 3BR  
Proposal: Minor alterations to existing garage unit to be used for commercial and ancillary domestic storage.

Application Number: 17/1260/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: 29 StanweyExeterDevonEX1 3DR  
Proposal: Single storey rear extension, raised decking and replacement single storey workshop.

Application Number: 17/1309/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 26/09/2017 Delegated Decision  
Location: 16 Georges CloseExeterDevonEX1 3LA  
Proposal: Demolition of two existing outbuildings to allow construction of a two storey side extension.

Application Number: 17/1310/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 02/10/2017 Delegated Decision  
Location: 32 Meadow WayExeterDevonEX2 5BJ  
Proposal: Construction of one new detached house within the curtilage and to the rear of 32 Meadow Way

## Mincinglake And Whipton

Application Number: 17/1461/TPO Delegation Briefing:  
Decision Type: Permitted Decision Date: 04/10/2017 Delegated Decision  
Location: 3 Heath Brook MewsBeacon HeathExeterDevonEX4 8QA  
Proposal: T1 Willow - To be felled, tree is dead (TPO no: 633)

## Newtown And St Leonards

## Newtown And St Leonards

Application Number: 17/1096/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 21/09/2017 Delegated Decision  
Location: 4 Spicer RoadExeterDevonEX1 1SX  
Proposal: Single storey rear extension to provide a new kitchen and dining area; single storey side extension to provide garage/storage/workshop; and side canopy to provide a covered parking area.

Application Number: 17/1113/CONR Delegation Briefing:  
Decision Type: Permitted Decision Date: 10/10/2017 Delegated Decision  
Location: Exeter Occupational Health And Safety Service79 Heavitree RoadExeterDevon  
Proposal: Discharge of conditions 7, 10 and 12 of Application No. 17/0459/03

Application Number: 17/1165/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 13/10/2017 Delegated Decision  
Location: 19 Matford AvenueExeterDevonEX2 4PL  
Proposal: Single storey side extension and addition of staircase enclosure

Application Number: 17/1180/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 29/09/2017 Delegated Decision  
Location: 3 Lister CloseExeterDevonEX2 4SD  
Proposal: Rear conservatory

Application Number: 17/1212/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 12/10/2017 Delegated Decision  
Location: 18 Veitch CloseSt LeonardsExeterDevonEX2 4AF  
Proposal: Creation of parking spaces within rear garden and access from Gras Lawn



## Newtown And St Leonards

Application Number: 17/1289/TPO Delegation Briefing:

Decision Type: Permitted Decision Date: 26/09/2017 Delegated Decision

Location: 147 Magdalen RoadExeterDevonEX2 4TT

Proposal: Holm oaks (T1 & T2) - Crown lift/reduce back off highway up to 5.2 metres to comply with highway regulations.

Application Number: 17/1313/CAT Delegation Briefing:

Decision Type: Permitted Decision Date: 25/09/2017 Delegated Decision

Location: 15 Wonford RoadExeterDevonEX2 4LH

Proposal: T1 - Fell - Lime tree.

Application Number: 17/1318/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 29/09/2017 Delegated Decision

Location: The Lodge22 Spicer RoadExeterDevonEX1 1SY

Proposal: Discharge of Condition 9 of Planning Permission Ref: 16/0010/FUL granted on 29 March 2016 relating to internal and external lighting

Application Number: 17/1335/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 05/10/2017 Delegated Decision

Location: Stagecoach Devon Ltd Belgrave RoadExeterEX1 1LB

Proposal: Demolition of existing buildings. 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.

Application Number: 17/1393/CAT Delegation Briefing:

Decision Type: Permitted Decision Date: 03/10/2017 Delegated Decision

Location: 5 St Leonards RoadExeterDevonEX2 4LA

Proposal: T1 - Holm Oak - Fell.

## Newtown And St Leonards

Application Number: 17/1408/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 21/09/2017 Delegated Decision  
Location: The New House2A Wonford RoadExeterDevonEX2 4EQ  
Proposal: T1 - Silver Birch, tree to be felled and replaced with a Cherry or Yew

Application Number: 17/1409/ADV Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: Ernsborough CourtFairpark RoadExeterDevonEX2 4HL  
Proposal: One post mounted metal sign.

Application Number: 17/1436/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 25/09/2017 Delegated Decision  
Location: 1 Romsey DriveExeterDevonEX2 4PB  
Proposal: T1 - Lime - Prune second and third order branches.

Application Number: 17/1445/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 13/10/2017 Delegated Decision  
Location: Flat 123 Belmont RoadExeterDevonEX1 2HF  
Proposal: Norway Spruce in rear garden- to be felled as too large for current position; Magnolia in front garden-remove lateral branches hanging over road and garden, and reshape crown

Application Number: 17/1516/DIS Delegation Briefing:  
Decision Type: Permitted Decision Date: 04/10/2017 Delegated Decision  
Location: 9 Verney StreetExeterDevonEX1 2AW  
Proposal: Discharge of Condition 7 of 16/0894/FUL

Application Number: 17/1535/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: Maynard School For GirlsDenmark RoadExeterDevonEX1 1SJ  
Proposal: Tree maintenance - see associated documents for details

## Newtown And St Leonards

Application Number: 17/1537/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 12/10/2017 Delegated Decision  
Location: 1 Claremont GroveExeterDevonEX2 4LY  
Proposal: T1,2 & 3 Leylandii - to be felled. T4 Yew - Reduce height by 6m and trim sides to shape

Application Number: 17/1540/LPD Delegation Briefing:  
Decision Type: Was lawful use Decision Date: 19/10/2017 Delegated Decision  
Location: 3 Lucas AvenueExeterDevonEX4 6LZ  
Proposal: Loft conversion with flat roofed rear dormer extension and a small single storey rear kitchen extension on the ground floor, along with associated internal alterations.

Application Number: 17/1548/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 11/10/2017 Delegated Decision  
Location: 6 Victoria Park RoadExeterDevonEX2 4NT  
Proposal: T1 Maple - Reduce crown to previous level, T2 Cryptomeria - To be felled

Application Number: 17/1549/DIS Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: The Lodge22 Spicer RoadExeterDevonEX1 1SY  
Proposal: Discharge of Condition 7b of Planning Application 16/0010/FUL granted 29 March 2016 relating to staff travel plan

## Pennsylvania

Application Number: 17/1100/LBC Delegation Briefing:  
Decision Type: Permitted Decision Date: 05/10/2017 Delegated Decision  
Location: 6 Pennsylvania ParkExeterDevonEX4 6HB  
Proposal: Remodelling, refurbishment and repair of building.

## Pennsylvania

Application Number: 17/1123/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 16/10/2017 Delegated Decision  
Location: 9 Greyfriars RoadExeterDevonEX4 7BS  
Proposal: Rear two storey and single storey extension

Application Number: 17/1190/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: 8 Daleside RoadExeterDevonEX4 6EP  
Proposal: Removal of existing conservatory and construction of a single storey rear extension, alterations to detached garage and internal alterations.

Application Number: 17/1278/ADV Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: Morrisons Car Park PolsloePrince Charles RoadExeterDevonEX4 7BY  
Proposal: Rebranding external signage

Application Number: 17/1344/LED Delegation Briefing:  
Decision Type: Was lawful use Decision Date: 28/09/2017 Delegated Decision  
Location: 12 Sylvan AvenueExeterDevonEX4 6ES  
Proposal: Certificate of lawfulness sought for existing single storey rear extension.

## Pinhoe

Application Number: 17/1211/P Delegation Briefing:  
Decision Type: Pre-Application Advice Given Decision Date: 27/09/2017 Delegated Decision  
Location: 30 Warwick WayExeterDevonEX4 8ER  
Proposal: Proposed loft conversion, including changing roof from hipped to gable ended.

## Pinhoe

Application Number:	17/1270/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	09/10/2017	Delegated Decision
Location:	23 Huntsham RoadExeterDevonEX1 3GH			
Proposal:	Single storey rear extension			

## Priory

Application Number:	17/1037/OUT	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	29/09/2017	Delegated Decision
Location:	51 Salters RoadExeterDevonEX2 5JQ			
Proposal:	Outline application for demolition of existing detached dwelling and construction of 4 new terraced dwellings (with all matters reserved).			

Application Number:	17/1184/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	06/10/2017	Delegated Decision
Location:	Vehicle Maintenance DepotKing George V Playing FieldsBridge RoadExeter			
Proposal:	Ground floor extensions and alterations to south-western end of building			

Application Number:	17/1208/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	02/10/2017	Delegated Decision
Location:	75 Wonford StreetExeterDevonEX2 5DF			
Proposal:	Provision of fire escape access over flat roofed rear kitchen extension, combining to form additional external amenity space			

Application Number:	17/1294/P	Delegation Briefing:		
Decision Type:	Pre-Application Advice Given	Decision Date:	03/10/2017	Delegated Decision
Location:	3 Mortimer CourtBishop Westall RoadExeterDevonEX2 6NN			
Proposal:	Extension of property beyond boundary line into public space			

## Priory

Application Number: 17/1322/FUL Delegation Briefing:

Decision Type: Permitted Decision Date: 06/10/2017 Delegated Decision

Location: 8 Well Oak Park Exeter Devon EX2 5BB

Proposal: Construction of rear conservatory and partial conversion of garage. Conversion of half of attached double garage (half adjoining house). Work to include replacing one garage door with dwarf wall and window above, replacing back garden door with a window and creating door from garage into main house.

## St Davids

Application Number: 17/0980/P Delegation Briefing:

Decision Type: Withdrawn by Applicant Decision Date: 22/09/2017 Delegated Decision

Location: Gater House Gater Lane Exeter Devon EX1 1JL

Proposal: Convert building into student accommodation with 4 flats on each of the two upper floors and associated storage on the ground floor

Application Number: 17/1015/P Delegation Briefing:

Decision Type: Pre-Application Advice Given Decision Date: 26/09/2017 Delegated Decision

Location: 1 Barnfield Crescent Exeter Devon

Proposal: Convert offices to 4 x 2 bed luxury apartments

Application Number: 17/1060/FUL Delegation Briefing:

Decision Type: Permitted Decision Date: 10/10/2017 Delegated Decision

Location: 19-21 Cathedral Yard Exeter Devon EX1 1HB

Proposal: Change of use of the second floor of 19-21 Cathedral Yard from Class B1a (office) to Class A3 (food and drink) to create a single unit at basement, ground, first and second floor.

Application Number: 17/1254/LBC Delegation Briefing:

Decision Type: Permitted Decision Date: 13/10/2017 Delegated Decision

Location: 16 Southernhay West Exeter EX1 1PJ

Proposal: Internal and external alterations to convert basement store to shower room/w.c.

## St Davids

Application Number: 17/1331/LBC Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: 20 Richmond RoadExeterDevonEX4 4JA  
Proposal: Convert existing office storage area to create w.c. and shower area, replace uPVC dormer windows with new wooden windows and insert boiler flue in back wall

Application Number: 17/1353/LBC Delegation Briefing:  
Decision Type: Withdrawn by Applicant Decision Date: 29/09/2017 Delegated Decision  
Location: 7 Bartholomew TerraceExeterDevonEX4 3BW  
Proposal: Removal and replacement of large windows on first floor

Application Number: 17/1363/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 05/10/2017 Delegated Decision  
Location: 7 WynardsMagdalen StreetExeterDevonEX2 4HX  
Proposal: T1 - Tri stemmed Birch Tree (Bethula Pendula): Fell and replace with a broad leaf tree.

Application Number: 17/1400/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 25/09/2017 Delegated Decision  
Location: Lawn HouseFriars GreenExeterDevonEX2 4DB  
Proposal: Fell two Robina trees

Application Number: 17/1460/TPO Delegation Briefing:  
Decision Type: Permitted Decision Date: 03/10/2017 Delegated Decision  
Location: 17 Melbourne StreetExeterDevonEX2 4AU  
Proposal: T1 Quince - Crown reduction of 40%

Application Number: 17/1463/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 04/10/2017 Delegated Decision  
Location: 30 Southernhay EastExeterDevon  
Proposal: T1 Magnolia: 1.5 metre reduction

## St Davids

Application Number: 17/1481/TPO Delegation Briefing:  
Decision Type: Permitted Decision Date: 10/10/2017 Delegated Decision  
Location: 50 Topsham RoadExeterDevonEX2 4NF  
Proposal: T1: Horse ChestnutT2: Crab Apple Tree T1 and T2 to be felled as obstructing traffic view (TPO no:596)

Application Number: 17/1522/CONR Delegation Briefing:  
Decision Type: Permitted Decision Date: 13/10/2017 Permitted Development  
Location: 117 Fore StreetSt DavidsExeterDevonEX4 3JQ  
Proposal: Discharge of Conditions 3, 4 and 8 on Planning Permissions (Refs. 17/0580/FUL and 17/0581/LBC) granted 12 September 2017.

Application Number: 17/1533/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 10/10/2017 Delegated Decision  
Location: Colleton Lodge10 Colleton CrescentExeterDevonEX2 4DG  
Proposal: T1 - Oak - Reduce crown by 25% and remove epicormic growth; T2 - Luccombe Oak - Crown lift on side by road and reduce height by 20%.

## St Leonards

Application Number: 14/4814/DIS Delegation Briefing:  
Decision Type: Permitted Decision Date: 13/10/2017 Delegated Decision  
Location: Former St Margarets School, 147 Magdalen Road, Exeter, EX2 4TS  
Proposal: Discharge of conditions 3,4,6,7,8,9,14 & 15 of planning permission 14/1608/03 granted planning permission on 9 December 2014.

## St Loyes

Application Number: 17/0738/LBC Delegation Briefing:  
Decision Type: Permitted Decision Date: 06/10/2017 Delegated Decision  
Location: 12 Honiton RoadExeterEX1 3ED  
Proposal: Replacement windows and render and raise height of chimneys to 1.8 metres above thatched roof



## St Loyes

Application Number: 17/0975/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 06/10/2017 Delegated Decision  
Location: Discovery HousePynes HillExeterDevonEX2 5AZ  
Proposal: Change of use of first floor office to nursery

Application Number: 17/0978/P Delegation Briefing:  
Decision Type: Permission not required Decision Date: 06/10/2017 Delegated Decision  
Location: 27 Clyst HeathExeterDevonEX2 7TA  
Proposal: Convert garage into a living room; bring front door out by approx 3ft to be level with the front wall

Application Number: 17/1027/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: Mortuary Building (West)North GrangeClyst HeathExeter  
Proposal: Full refurbishment and change of use of existing mortuary building (C2) to therapeutic workshop (D1).

Application Number: 17/1029/LBC Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision  
Location: Mortuary Building (West)North GrangeClyst HeathExeter  
Proposal: Full refurbishment and change of use of existing mortuary building (C2) to therapeutic workshop (D1).

Application Number: 17/1316/FUL Delegation Briefing:  
Decision Type: Withdrawn by Applicant Decision Date: 06/10/2017 Delegated Decision  
Location: 1 Laxton AvenueExeterDevonEX1 3UB  
Proposal: Remove boundary hedges and replace with 1.8m high wall/fence

## St Loyes

Application Number: 17/1333/TPO Delegation Briefing:  
Decision Type: Permitted Decision Date: 27/09/2017 Delegated to Planning Officer

Location: Street Record Avocet Road Sowton Industrial Estate Exeter Devon

Proposal: G2 Willow and Sycamore; copice and felled as required for 10 metre clearance of power lines

Application Number: 17/1369/TPO Delegation Briefing:  
Decision Type: Permitted Decision Date: 22/09/2017 Delegated Decision

Location: Chichester House (Flats) 33 Coates Road Exeter EX2 5RW

Proposal: side pruning and crown lifting of trees that are overhanging and below the statutory 2.4m clearance for pedestrian path ways remove dead elms and 1 x dead monterey cypress prune 1x cherry

Application Number: 17/1380/CONR Delegation Briefing:  
Decision Type: Permitted Decision Date: 02/10/2017 Delegated Decision

Location: Bocm Pauls Ltd Bittern Road Exeter Devon EX2 7LN

Proposal: Variation of Condition 2 of Application No: 15/0958/03 to provide additional height to the loading bay for the feed mixer unit.

Application Number: 17/1432/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 13/10/2017 Delegated Decision

Location: 12 Quarry Park Road Exeter Devon EX2 5PH

Proposal: Two storey side extension and single storey rear extension

Application Number: 17/1477/DIS Delegation Briefing:  
Decision Type: Permitted Decision Date: 04/10/2017 Delegated Decision

Location: Land East Of Railway Line Between Apple Lane And A379, Apple Lane, Exeter, EX2

Proposal: Discharge of Condition 18 (Archaeology) of planning permission 16/0972/03 granted on 23 January 2017.

## St Loyes

Application Number:	17/1489/TPO	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	01/10/2017	Delegated Decision
Location:	Tesco GarageRussell WayExeterDevonEX2 7EZ			
Proposal:	G1- To reduce the canopies of a small group of 3 trees; 1x Silver birch by circa 1m, 1x Copper Beech by 2.5m and 1x Apple tree by circa 1.5m.			

## St Thomas

Application Number:	17/1228/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	10/10/2017	Delegated Decision
Location:	38 Locarno RoadExeterDevonEX4 1QE			
Proposal:	First floor rear extension			

Application Number:	17/1280/TPO	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	03/10/2017	Delegated Decision
Location:	5 Eagles NestExeterDevonEX2 9PZ			
Proposal:	T 86 Sycamore - crown lift over drive to 5m, T 87 Sycamore - remove stem over drive, T 88 Oak - cut back limb to fence line, T 89 Sycamore - remove two branches over drive at 5m 7m			

Application Number:	17/1442/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	10/10/2017	Delegated Decision
Location:	6 Barley Farm RoadCowickExeterDevonEX4 1NN			
Proposal:	Two storey rear and single storey rear and side extensions (re-submission of 17/0408/FUL).			

## Topsham

Application Number:	17/0845/FUL	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	11/10/2017	Delegated Decision
Location:	Riversmeet HouseRiversmeetTopshamExeterEX3 0BE			
Proposal:	Extension on north elevation of boathouse			

## Topsham

Application Number: 17/0964/VOC Delegation Briefing:  
Decision Type: Permitted Decision Date: 28/09/2017 Delegated Decision  
Location: Sanctuary House Mount Howe Topsham Exeter Devon EX3 0BG  
Proposal: Variation of condition 2 of Planning Permission 17/0344/03 to allow alterations to construction access arrangements.

Application Number: 17/1001/P Delegation Briefing:  
Decision Type: Withdrawn by Applicant Decision Date: 16/10/2017 Delegated Decision  
Location: 2 Monmouth Street Topsham Exeter Devon EX3 0AJ  
Proposal: Modification of the top flight of stairs and removal of a ground floor wc (internal works to Grade 2 Listed Building)

Application Number: 17/1004/P Delegation Briefing:  
Decision Type: Withdrawn by Applicant Decision Date: 27/09/2017 Delegated Decision  
Location: 2 Chapel Place Fore Street Topsham Exeter Devon EX3 0HS  
Proposal: Connection of the outbuilding to the main property with glass walkway

Application Number: 17/1267/P Delegation Briefing:  
Decision Type: Permission not required Decision Date: 13/10/2017 Delegated Decision  
Location: Riversmeet Cottage Bowling Green Road Riversmeet Topsham Exeter Devon EX3 0BE  
Proposal: 1: Construction of children's treehouse. 2: Build lean-to greenhouse. 3: Modification of the front door porch

Application Number: 17/1268/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 17/10/2017 Delegated Decision  
Location: 485 Topsham Road Exeter Devon EX2 7AQ  
Proposal: Proposed front porch

## Topsham

Application Number: 17/1275/VOC Delegation Briefing:  
Decision Type: Permitted Decision Date: 28/09/2017 Delegated Decision

Location: Sanctuary House Mount Howe Topsham Exeter Devon EX3 0BG

Proposal: Variation of condition 2 of Planning Permission 17/0344/03 for revised drawings for replacement dwelling and outbuilding

Application Number: 17/1284/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 09/10/2017 Delegated Decision

Location: 22 Monmouth Avenue Topsham Exeter Devon EX3 0AF

Proposal: Single storey rear extension

Application Number: 17/1307/FUL Delegation Briefing:  
Decision Type: Permitted Decision Date: 06/10/2017 Delegated Decision

Location: The Glasshouse Medical Centre Glasshouse Lane Exeter Devon EX2 7BT

Proposal: Extension and alterations to provide additional consulting/examination space for surgery

Application Number: 17/1343/CAT Delegation Briefing:  
Decision Type: Permitted Decision Date: 22/09/2017 Delegated Decision

Location: 43 Higher Shapter Street Topsham Exeter Devon EX3 0AW

Proposal: T1 - Silver Birch fell, T2 - Contorted Willow, reduce by 30% and reshape laterals by 15-20% to improve form

Application Number: 17/1345/PD Delegation Briefing:  
Decision Type: Prior Approval Not Required Decision Date: 22/09/2017 Delegated Decision

Location: 3 Sunhill Avenue Topsham Exeter Devon EX3 0BP

Proposal: Larger home extension: Single storey rear extension, width 6.1m, length 5.1m, max. height 3.4m, height to eaves 3m.

## Topsham

Application Number: 17/1358/TPO Delegation Briefing:

Decision Type: Permitted Decision Date: 25/09/2017 Delegated Decision

Location: 5 Sunhill LaneTopshamExeterDevonEX3 0BR

Proposal: T1 -Blue Atlas Cedar - Crown lift.

Application Number: 17/1362/LBC Delegation Briefing:

Decision Type: Permitted Decision Date: 04/10/2017 Delegated Decision

Location: 95 Fore StreetTopshamExeterDevonEX3 0HQ

Proposal: Internal alterations to include the addition of a bathroom and wardrobe at second floor level.

Application Number: 17/1370/LBC Delegation Briefing:

Decision Type: Permitted Decision Date: 06/10/2017 Delegated Decision

Location: 77 Fore StreetTopshamExeterDevonEX3 0HQ

Proposal: Removal of external signage and an external ATM

Application Number: 17/1392/CAT Delegation Briefing:

Decision Type: Permitted Decision Date: 21/09/2017 Delegated Decision

Location: Furlong19 Ferry RoadTopshamExeterDevonEX3 0JN

Proposal: T1 - Copper Beech - Fell

Application Number: 17/1397/FUL Delegation Briefing:

Decision Type: Permitted Decision Date: 29/09/2017 Delegated Decision

Location: 78 Glasshouse LaneExeterDevonEX2 7BZ

Proposal: Alterations to conservatory, including flue

Total Number of Decisions Made

112

**REPORT TO: PLANNING COMMITTEE**

**Date of Meeting:** 30 October 2017

**Report of:** City Development Manager

**Title:** 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 latest decisions received and new appeals since the last report.

**2. Recommendation:**

- 2.1 Members are asked to note the report.

**3. Summary of Decisions received:**

- 3.1 No decisions have been received since the last report.

**4. New Appeals:**

- 4.1 Two new appeals have been received since the last report:

**Application Ref: 17/0031 – 77 Thornpark Rise**

The application sought a single storey rear extension with raised decking.

**Application Ref: 17/0032 – 21 Elliot Close**

The application sought a new infill dwelling on the existing plot.

**CITY DEVELOPMENT MANAGER**

**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. Tel: 01392 265275

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