

PLANNING

Date: Monday 3 September 2018
Time: 5.30 pm
Venue: Rennes Room - Civic Centre

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 Sutton (Chair), Lyons (Deputy Chair), Bialyk, Branston, Denham, Edwards, Foale, Harvey, Mrs Henson, Morse, Prowse, Thompson and Vizard M

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 approve and sign the minutes of the meetings held on 23 July and 13 August (Pages 5 - 2018. 22)

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 10am on the Thursday before the meeting (full details available on request from the Democratic Services Officer.)

5 **Planning Application No. 18/0998/RES - Sandy Park Road, Old Rydon Lane**

To consider the report of the City Development Manager. (Pages 23
- 34)

6 **Planning Application No 18/0884/ECC - Garages between 28 and 36 Anthony Road, Exeter**

To consider the report of the City Development Manager. (Pages 35
- 42)

7 **Planning Application No. 18/1031/ECC - Former Restaurant, Magdalen Street, Exeter**

To consider the report of the City Development Manager. (Pages 43
- 50)

8 **Planning Application No.18/1032/ECC - Howell Road Car Park, Exeter**

To consider the report of the City Development Manager. (Pages 51
- 56)

9 **List of Decisions Made and Withdrawn Applications**

To consider the report of the City Development Manager. (Pages 57
- 82)

10 **Appeals Report**

To consider the report of the City Development Manager. (Pages 83
- 84)

11 SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 18 September at 9.30 a.m. The Councillors attending will be Councillors Morse, Prowse and Vizard.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 1 October 2018** 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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PLANNING COMMITTEE

Monday 23 July 2018

Present:-

Councillor Sutton (Chair)
Councillors Lyons, Bialyk, Branston, Denham, Edwards, Foale, Harvey, Mrs Henson, Morse, Prowse, Thompson and Vizard M

Also Present

City Development Manager, Principal Project Manager (Development) (HS), Development Manager Highways and Transport and Democratic Services Officer

151

MINUTES

The minutes of the meeting held on 25 June 2018 were approved and signed by the Chair as correct.

152

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

153

PLANNING APPLICATION NO. 18/0534/FUL - LAND WEST OF RINGSWELL AVENUE

The City Development Manager presented the application for the construction of 48 dwellings (Use Class C3), means of access, public open space and associated infrastructure. He explained that, in line with this Committee's decision on 25 June for the applicant to further discuss access and land ownership issues, these had been undertaken with the County Council and the applicant wished to proceed with the original application, as an alternative access via Ribston Avenue was impractical for technical, legal and cost reasons.

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

Councillor Holland, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- the application should be considered jointly with the forthcoming proposal for the adjoining land for an independent hospital, the location of which next to a school is questionable;
- endorse use of brownfield site for housing development, but concerned for boundary usage;
- unacceptable disruption to existing wildlife corridor to the rear of Warwick Road. The pedestrian/cycle link to be provided along this boundary should be adequately illuminated;
- existing traffic congestion at the Honiton Road/Ringswell Avenue junction will be exacerbated and proactive measures necessary to improve this junction; and
- associated signage as part of the construction management plan should be in place at an early stage to control timing and movement of construction vehicles.

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

- although discussions have taken place with the County Council on land ownership the applicant's stance remains unchanged and wishes to proceed on their own terms citing cost and legal difficulties in amending the proposal;
- do not accept the measurements referred to by the applicant in respect of the capability of Ribston Avenue to be widened to adoptable standards; and
- as requested at the June meeting, the views of residents should be listened to particularly their concerns in respect of child safety of those children attending the Saint Nicholas Catholic Primary School and fears regarding emergency vehicles accessing Ribston Avenue.

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

- only matter to consider is that of access and discussions had been held with the County Council regarding access via Ribston Avenue and, whilst an offer of land had been made by the County, it was not without complications. In particular, the legal process and consequent re-design of the scheme would result in significant programme delay and cost;
- even if the land ownership issues could be resolved, then a minimum width of only nine metres would be available for the formation of the alternative access road. This was below the 9.5 metres minimum adoption requirements and the 10.5 metres advisable minimum construction width;
- traffic congestion during school dropping off and picking up hours is considered to be no different than around other schools in the City; and
- benefits will include development of a brownfield site to deliver 48 homes, 17 of which are affordable and a CIL contribution of £404,000.

He responded as follows to Members' queries:-

- have used TRICS data, an industry accepted formula for predicting traffic movements, which showed 15 traffic movements generated by residents during the morning peak which would coincide with school generated traffic;
- the County Council had not proposed the widening of Ringswell Avenue; and
- the work on the access from Ribston Avenue for construction vehicles will be temporary and therefore not as rigorous as for a road suitable for adoption the provision of which is restricted for the stated reasons. Vehicle movement will be subject to a construction management plan.

The Development Manager Highways and Transport explained that improvements to the Honiton Road/Ringswell Avenue junction would require significant investment and he also provided information on TRICS - trip rate calculations of traffic/people movements in and out of developments – the average being 5-7 movements per day.

Members considered that the development would impact adversely on the existing traffic congestion on Honiton Road which, in light of recent statistics, was considered to be one of the worst in the country and should therefore be categorised as "severe" in line with national planning policy guidelines. It was also noted that reference to lower traffic generation associated with a previous permission approved for this site could not be used as evidence as the permission was some six years old. It was remarked that the County Council, the previous owner of this and the adjoining site identified for an independent hospital, should

have sought to facilitate improved access via Bramley Avenue and Ribston Avenue in advance of the applications coming forward. Members were also very concerned regarding the safety of children along Ringswell Avenue.

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

RESOLVED that the City Development Manager, subject to prior consultation with the Chair, be authorised to **REFUSE** planning permission for the construction of 48 dwellings (Use Class C3), means of access, public open space and associated infrastructure for the following reasons:-

- (1) the increased congestion that will result along Honiton Road, particularly at the Ringswell Avenue junction; and
- (2) safety risks to children of the Saint Nicholas Catholic Primary School along Ringswell Avenue.

154 **PLANNING APPLICATION NO. 17/1788/OUT - FORMER EXWICK MIDDLE SCHOOL**

The City Development Manager presented the outline application for a residential development with vehicular access from Gloucester Road via Higher Exwick Hill (All detailed matters relating to access, appearance, landscaping, layout and scale of development reserved for future consideration).

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

- do not object to the principle of housing development on this site;
- amended plans have been provided since the publication of the report which show different and unacceptable changes to the access to the site from Gloucester Road;
- the ecological appraisal and updated ecological walkover survey was produced by an individual who is no longer a member of the relevant chartered institute
- the tree survey is not fit for purpose as the development will lead to the unacceptable loss of a number of trees which remain in a good condition and proposes the removal of some trees in other people's gardens. Some roots will impact on houses and construction traffic accessing the site will be affected by low hanging branches of some trees; and
- the current access of three metres is inadequate and should be widened to the required minimum of six metres or an alternative access identified.

The City Development Manager stated that, as the application was outline, access details would be determined when the reserved matters were before the Planning Committee. Members asked that traffic issues in the area be fully addressed as part of the final determination.

Members also requested a report to the Planning Member Working Group on technical highway matters discussed in planning applications at this Committee including TRICS and Traffic Regulation Orders for the Development Manager Highways and Transport to brief Members.

The recommendation was for approval, subject to the conditions as set out in the report. The principle of residential development of this brownfield site within the built up area was considered acceptable and compliant with relevant development plan policies.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 requiring the following matters -

- in the event that the number of dwellings exceeds 10, or the combined floor space exceeds 1,000m² affordable comprising 35% of the total number of units will be provided with a tenure split 70%/30% social rented/intermediate, and 5% of affordable units as wheelchair accessible housing, built in accordance with the Council's Wheelchair Accessible Housing Design Standards;
- a Traffic Regulation Order contribution of £5,000;
- a Travel Plan contribution of £500/dwelling; and
- the provision of open space with public access and on-going management/maintenance arrangements

planning permission for a residential development with vehicular access from Gloucester Road via Higher Exwick Hill (All detailed matters relating to access, appearance, landscaping, layout and scale of development reserved for future consideration) be **APPROVED**, subject also to the following conditions:-

- 1) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun not later than two years from the final approval of the last of the reserved matters to be approved.
Reason - To comply with Section 92 rule 2 of the Town and Country Planning Act 1990 as amended.
- 2) **Pre-commencement condition:** Details of the appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason for pre-commencement condition: To safeguard the rights of the local planning authority in respect of the reserved matters. This information is required before development commences to ensure that the development is properly planned with appropriate regard to the reserved matters.
- 3) No construction activities associated with the development hereby approved (other than the formation of the access itself) shall take place on the application site until a safe and suitable vehicular and pedestrian access to the site from Gloucester Road via Higher Exwick Hill has been provided and made available for use in accordance with detailed drawings which shall previously have been submitted to and approved in writing by the Local Planning Authority in consultation with Devon County Council as the Local Highway Authority. No dwellings comprised in the development shall be occupied until the access has been fully completed in accordance with the approved details.
Reason - To ensure that a safe and suitable access to the site is provided for all users in accordance with Paragraph 32 of the NPPF.
- 4) **Pre-commencement condition:** No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in

accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason for pre-commencement condition - To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

- 5) **Pre-commencement condition:** A Construction Environmental Management Plan 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.

- 6) **Pre-commencement condition:** Prior to the commencement of the development hereby approved an Air Quality Impact Assessment incorporating proposed mitigation measures to minimise the air quality impacts of the development shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the proposed and agreed mitigation measures shall be fully implemented prior to the occupation of any dwellings comprised in the development.

Reason for pre-commencement condition: - To ensure that the potential impacts of the development on air quality are fully considered and appropriately mitigated.

- 7) **Pre-commencement condition:** The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of all dwellings and the final levels of all roads forming part of the development, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details

Reason for Pre-commencement condition: In the interests of the visual amenities of the area and the residential amenities of future occupants of the development and the occupants of existing neighbouring properties.

- 8) **Pre-commencement condition:** No part of the development hereby

approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

Reason for pre-commencement condition: To ensure that adequate on-site facilities are available for the construction traffic attracted to the site. 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.

- 9) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no dwelling or building shall be occupied until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

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

- 10) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

- 11) Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.

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

- 12) The development hereby approved shall be carried out in strict accordance with the findings and mitigation measures identified in the submitted Ecological Appraisal by Sunflower International dated July 2016 as updated by the additional report dated 13th March 2018 prepared by Richard Green Ecology Ltd. The additional survey work identified in the aforementioned documents should be carried out prior to the commencement of the development. Any licences required from Natural England in respect of the mitigation measures identified shall be obtained prior to the commencement of the development.

Reason - To ensure that the development is implemented in a manner that minimises the direct ecological impact of the construction of the development.

- 13) Prior to occupation of any dwelling hereby approved a Wildlife Plan which demonstrates how the proposed development has been designed to enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out

and managed strictly in accordance with the approved measures and provisions of the Wildlife Plan.

Reason - In the interests of protecting and improving existing, and creating new wildlife habitats in the area.

- 14) If during development contamination not previously identified is found to be present at the site then no further development unless otherwise agreed in writing with the Local Planning Authority shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
Reason - In the interests of the amenity of the occupants of the buildings hereby approved.
- 15) No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, National Planning Policy Guidance and the Department for Environment, Food and Rural Affairs Sustainable Drainage Systems Non statutory technical standards for sustainable drainage systems, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- Reason** - To ensure the satisfactory drainage of the development.
- 16) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
Reason - To protect the amenity of the locality, especially for people living and/or working nearby.
- 17) No part of the development hereby approved shall be brought into its intended use until further details of pedestrian/cycle linkages/facilities from the site boundary to the existing highway network as indicated on the "site access points" drawing (Drawing No 23939-GA-004 Rev P01) have been

submitted to and approved in writing by the Local Planning Authority. Thereafter the three pedestrian/cycle connections shall be completed in accordance with the approved details prior to the occupation of any dwellings comprised in the development.

Reason - To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the NPPF

- 18) Prior to the construction of any retaining wall within 5m of public highway, a detailed Approval In Principle for that section of retaining wall shall be submitted and approved in writing by the Local Highway Authority (Devon County Council).

Reason - To ensure the integrity of adjacent structures and land, and to formalise any necessary easements.

- 19) The development shall be implemented in accordance with the submitted Flood Risk Assessment and Drainage Strategy prepared by Clarkebond (report ref WE04300/Exwick/FRAand DS).

Reason - To ensure the satisfactory drainage of the development.

INFORMATIVES

- 1) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
- 2) A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.
- 3) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

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.

In the event that the Section 106 Agreement is not completed within six months of the date of this committee meeting, authority be delegated to the City Development Manager to **REFUSE** permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the Section 106 Agreement.

the demolition of existing buildings (Transport Club and Exeter Auto Centre) and re-development to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements. The proposed development was for 111 student bedrooms, arranged as 102 bedrooms in cluster flats and nine in studios. The proposal included ground floor retail/business/leisure uses arranged as two units with landscaping and public realm.

In response to Members' questions, the Principal Project Manager advised that the dropping off and picking up of students would be facilitated through laybys in adjoining streets with residents also able to park in the nearby NCP carpark. Responding to a Member, he advised that the building was not within a Conservation Area.

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

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

- the block, set on the former Transport Club and Exeter Auto Centre, would complement the adjoining purpose built student accommodation set for completion in August 2019, representing the second phase of the overall development of the site
- the design approach sought an appropriate structure to complement the evolving Grecian Quarter;
- a presentation had been made to the Planning Member Working Group in March 2018 and a public consultation exercise held;
- occupants would share the first phase bin and bicycle storage and internal amenity area;
- development would help meet demand for additional student accommodation and offered lower rent than the first phase; and
- it provided employment opportunities and was a sustainable development.

He responded as follows to Members' queries:-

- the public consultation had involved a letter drop to 500-600 local residences and businesses, advertisement in the Express and Echo and a public exhibition; and
- because of the constrained nature of the site it had not been possible to continue the pitched roof approach of the first phase. The two phases could not be built simultaneously because of the inability of the developer to acquire this site at an appropriate time and concomitant assembly difficulties.

Members supported the principle of this development. However, the majority of Members felt that the "block" appearance of the design provided an unacceptable contrast to the first phase of the development and, as such, detracted from the overall urban appearance of the area. It was also stated that it would adversely affect neighbouring residential properties already impacted on by large, purpose built student blocks in the vicinity.

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

RESOLVED that planning permission for the demolition of existing buildings (Transport Club and Exeter Auto Centre) and redevelopment to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes

A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements be **REFUSED** as the appearance and shape of the proposed development relate poorly to the first phase of which it is an integral part and, as such, the proposals are considered not to be visually attractive or good design, and to be contrary to the aims of policy DG4 of the Exeter Local Plan First Review, the objectives of the Exeter Core Strategy and Chapter 7 of the NPPF.

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PLANNING APPLICATION NO. 18/0872/FUL - 3 DUNVEGAN CLOSE

The City Development Manager presented the application for a single storey rear and side extension.

A Member raised concern about the proximity of a sewer. The City Development Manager confirmed that South West Water had been consulted and an informative relating to the sewer recommended by South West Water would be added to the consent.

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

RESOLVED that planning permission for a single storey rear and side extension be approved, 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 and 92 of the Town and Country Planning Act 1990.
- (2) The development hereby permitted shall not be carried out otherwise than in accordance with the submitted details received by the Local Planning Authority on 14 June 2018 (including dwg. no. Bennett/PL 04A) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8 am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

157

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

158

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 21 August 2018 at 9.30 a.m. The Councillors attending will be Foale, Thompson and Branston.

(The meeting commenced at 5.30 pm and closed at 7.33 pm)

Chair

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PLANNING COMMITTEE

Monday 13 August 2018

Present:-

Councillor Sutton (Chair)
Councillors Lyons, Bialyk, Branston, Denham, Edwards, Foale, Mrs Henson, Morse, Prowse, Thompson and Vizard M

Apologies

Councillor Harvey

Also Present

City Development Manager, Principal Project Manager (Development), Development Manager Highways and Transport, Assistant Highways Development Management Officer (Exeter) and Democratic Services Officer.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

161

PLANNING APPLICATION NO. 18/0076/OUT - LAND NORTH OF HONITON ROAD AND WEST OF FITZROY AND WEST OF FITZROY ROAD

The Principal Project Manager (Development) (MD) presented the application for mixed use development to provide town centre facilities comprising retail units (food and non-food) (Use Class A1) and restaurant units with ancillary drive-throughs (Use Class A3), together with associated access, access roads, service yards, car parking, infrastructure and landscaping (all matters reserved except access). The application has been submitted in outline with all matters reserved except access.

He set out the context of the application, detailing how the application differed from a similar application by the applicant refused in 2014 and subsequently dismissed by the Secretary of State in 2016 and referring to four other current major applications for retail development on out of town centre sites in Exeter, being those on the WDP Depot, Moor Lane, the B & Q site at Avocet Road, a bulky goods proposal on the Police Headquarters Middlemoor site which was subject to a holding objection from Highways England and a non-food retail unit on part of the existing Tesco Car Park, Russel Way.

He reported that 40 representations had been received, including 24 objections and 14 in support. Objections had been received from the Hill Barton Consortium, Legal and General UK Property Fund (owners of Exe Bridges Retail Park), East Devon New Community partners (developers of Cranbrook New Community), East Devon District Council, Exeter Civic Society, the Exeter Cycling Campaign and Stagecoach. A further late letter of objection had been received from Legal and General. The majority of the letters of support had been received from businesses in the area, including Exeter Science Park Ltd. The Exeter Chamber of Commerce and Industry was also in support.

The update sheet covered further objections from Persimmon Homes and the Crown Estate who owned Princesshay and a newly submitted planning application to vary a condition of planning permission of the former Toys R Us site in order to sell any non-food products from part of the floorspace.

The City Development Manager commented on the differences in the application to that previously refused and the changed retail landscape referring to greater sector uncertainty and challenging market conditions, particularly with the growth of on line shopping. He stated that further information was required in respect of the competing schemes before they could be brought to Committee and that this application was fully funded and operator supported.

He advised that a deferral of the application to consider the cumulative impacts of the development with the other out-of-centre retail applications would not be appropriate and that the view of the applicant that the proposal would deliver the objectives of the Monkerton and Hill Barton Masterplan by providing facilities for the local community, including the local business community was a satisfactory reason to determine this application before the other applications.

He referred to potential economic, social and environmental benefits the scheme could offer including linkage to the district heating network although there was no timetable yet for its implementation. He advised that the provision of a local centre even for the additional two and a half thousand homes in the Monkerton area had not been delivered to date and could be difficult to achieve.

The City Development Manager also explained that the Environmental Health Officer felt that mitigation options proposed by Stagecoach of widening the bus lanes along the Heavitree corridor and changing the bus lane hours to ease the passage of buses along this route as well as upgrading buses along this route would be beneficial. The applicant had offered to upgrade all the buses on the 4/4A/4B route from Euro III to Euro VI standard by providing a financial contribution of £294,000. In addition, they had proposed to double the number of vehicle electric charging points in the development from 20 to 40 which was considered satisfactory to mitigate the air quality impacts of the development. Members noted, however, that it was not possible to quantify the impact of widening bus lanes on air quality of vehicles travelling along East Wonford Hil.

The applicants had not carried out a sequential test or impact assessment of the proposal on Cranbrook Town Centre. This, however, was not a policy requirement, in part, because Cranbrook was not officially designated as a town centre.

Mr Lewis of Exeter Civic Society spoke against the application. He raised the following points:-

- Exeter Civic Society objects to this proposal. Many of the retail outlets are too large with a large car park aimed at customers further afield. Support development of an appropriate local centre aimed at the local residents and businesses;
- the Hill Barton Consortium, the Cranbrook Consortium and East Devon Council believe the proposals ignore established policy and the needs of carefully planned communities. Proposals are excessive in scale, will generate significant traffic and have a negative impact on the well-being of residents of the adjoining homes;
- this application is worse than those refused before with more A1 and convenience retailing and lacking local services and facilities of previous proposals;

- vehicular access from the adjoining housing development is blocked;
- the impact and sequential tests in respect of the retail hierarchy for the area is considered only in limited fashion and only related to Exeter's city centre;
- Cranbrook has a planned town centre with infrastructure and development land in place and will be three times larger and the potential occupiers;
- many businesses support the application citing a need for local facilities but this would justify a local centre but not this proposal;
- the application undermines local residents, policies of Exeter and East Devon local plans, and the progressive growth and sustainability of Cranbrook; and
- a broad range of public and private bodies urge refusal.

Responding to a Member, he re-iterated the value of a local centre to the residential and business community, pointing out that there were options for such a centre in the Monkerton/Hill Barton area and suggesting also that the application site could better accommodate residential use.

Mr Ridgway of CPG, the developer promoting Moor Exchange spoke in support of the application. He raised the following points:-

- a reduced version of the previous scheme is presented with the retail element of the bus station development no longer proceeding and East Exeter has continued to expand significantly, with new residential and employment developments as well as a rapidly changing retail market,. Retailers such as Next and Boots embrace bricks and mortar but only want modern new attractive stores in the right locations and Moor Exchange fits the bill;
- terms are agreed with Next for a new Duel format store which will be a major coup for the City , Boots, TK Max and Homesense, Costa and McDonalds also identified.
- the scheme has changed in content with a better balance of food and comparison uses and includes a large Boots chemist;
- clear need for a new retail hub to serve the growing business and residential communities to the east of Exeter and Moor Exchange has continued to enjoy significant local business support from major organisations such as Exeter Science Park;
- much of the key building blocks for Moor Exchange are already in place with 60% of the development pre-let. It will create 520 new jobs, 160 spin off jobs in the wider economy and 260 construction jobs, a Community infrastructure levy payment of £2.2m and £1.1m annually in business rates; and
- will result in widened bus lanes to Honiton Road, the provision of a new bus link into the adjacent residential development, a contribution of £294,000 to fund the full upgrade cost to Euro VI (6) standard of buses, 40 electric vehicle charging points and a new pedestrian crossing at Honiton Road.

He responded as follows to Members' queries:-

- terms had been agreed with Next following Board approval and planning permission was awaited;
- uncertainty remained in respect of the other retail proposals, issues including the length of the B&Q lease, little information in respect of the Western Power proposal and any alternative site for re-location and the holding objection from Highways England in respect of the Middlemoor site, whereas the Moor Exchange was ready to go with air quality mitigation

measures agreed;

- the application offered additional shops to that of the City Centre and would serve the east of Exeter. The Next City Centre store was vibrant and would remain;
- anticipate that half of the electric charging points would be free with sponsorship from the stores with Next committed to this;
- footpath to the rear of the service yard will follow the existing road configuration in line with health and safety requirements as any new access would conflict with loading/unloading bays;
- CCTV equipment incorporates number plate recognition so that car parking can be limited to three hours and Stagecoach buses can operate without need for a gated system

The recommendation was for approval, subject to a Section 106 Agreement under the Town and Country Planning Act 1990 and to the conditions as set out in the report.

Members expressed a number of concerns, the principal being the conflict with Policy CP19 and Policy CP8, as it was felt that the proposal still went beyond the interpretation of a local centre noting that this had been a key reason why the Inspector concluded that the previous proposal could not be a local centre. The current proposal was considered less like a local centre as the mix of uses has reduced. Members believed that there remained a potential impact not only on the City Centre, where there were currently some vacant units in the Princesshay development, but also the St Thomas District Centre with one Member also referring to the community around Pinhoe served by the shops in that area as well as Sainsbury's. Members referred to a number of other towns where developments of this nature had led to noticeable declines in the respective town centres.

Some Members also felt that the proposal would still fail the sequential test with reference made to the Bus and Coach Station still being available and sequentially preferable. Although it was not a requirement for the application to provide information relating to future provision at Cranbrook Town Centre, the cumulative impact of this application, allied to the potential progress at the Middlemoor site and, possibly, other developments, could adversely affect the City and District Centres. Members also referred to increasing Government concerns over City Centre viability in general across the country and that the grant of permission could be premature pending any Government policy based response to a report on the future of city centres. It was also suggested that there could be an adverse impact on neighbouring towns.

Although some mitigation measures in respect of air quality had been proposed, given the existing problem along the Heavitree Road corridor, it was considered that additional traffic generated would further increase the problem on this route into the City Centre. Concern was also expressed that the highway improvements proposed did not include the roundabout off Wilton Way, especially as there was now a question mark over the improvements mooted for this roundabout given the uncertainty over the Middlemoor proposal. It was suggested that there were a number of sites across the City currently vacant such as the Bus and Coach Station site and Marsh Barton where additional, higher quality jobs could be generated particularly as this application offered fewer skilled opportunities. Concerns were also raised regarding the size of the car parking proposed with the development and the likely noise impact from the loading and unloading bay on the neighbouring residential area. Another Member referred to the objections raised by the Exeter Cycling Campaign especially the impact on air quality and negative

impact on vulnerable road users.

RESOLVED that planning permission for mixed use development to provide town centre facilities comprising retail units (food and non-food) (Use Class A1) and restaurant units with ancillary drive-throughs (Use Class A3), together with associated access, access roads, service yards, car parking, infrastructure and landscaping (all matters reserved except access) be **REFUSED** as the application conflicts with Core Strategy Policy CP19. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, section 70(2) of the Town and Country Planning Act 1990, and Paragraph 12 of the National Planning Policy Framework it should therefore be refused as other material considerations do not indicate otherwise and, subject to prior consultation with the Chair, the City Development Manager be authorised to agree further reasons for refusal based on the concerns raised by Members.

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair

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Agenda Item 5

COMMITTEE DATE: 03/09/2018

APPLICATION NO: 18/0998/RES
APPLICANT:
PROPOSAL: Approval of the details of the proposed 250 bed hotel i.e. for the reserved matters of scale, layout, appearance and landscaping (pursuant to outline planning permission granted on 26th June 2018, reference 17/0665/OUT).
LOCATION: Sandy Park Lodge (Formerly Primrose Orchard) Old Rydon Lane, Topsham, Exeter, Devon, EX2 7JP
REGISTRATION DATE: 28/06/2018
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
17/0665/OUT -	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 matters reserved)	PER	26/06/2018

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. The site has outline planning permission for a hotel.

Approval is now sought for the 'reserved matters' comprising the appearance, landscaping, layout and scale of the proposed hotel. The access arrangements to serve the hotel were not reserved and were approved as part of the outline planning permission and the current reserved matter application is consistent with the outline approval.

The submitted reserved matter application comprises a 250 bedroom hotel with associated ancillary gym/spa facilities, meeting rooms, coffee bar/lounge and roof level bar/kitchen/restaurant extending over 9 floors.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents –

- Design & Access Statement
- Site Travel Plan
- Air Quality Assessment
- Noise Impact Assessment
- Landscape and Ecology Management Plan
- BREEAM Guidance note GN13: Relating ecologist's report and BREEAM
- Drainage Strategy Statement
- Statement of Archaeological Potential, Impact and Mitigation
- Car Park Management Plan
- BREEAM New Construction 2014 (Other: Hotel) Pre-assessment Report
- Match Day Access Strategy
- Waste Audit Statement

REPRESENTATIONS

54 letters of representation have been received raising the following issues –

- Concern about access arrangements – impact on Old Rydon Lane and Newcourt Way which has already experienced increased problems since opening of IKEA
- Old Rydon Lane – narrow and inappropriate for any access associated with Hotel, especially HGVs – lack of footpaths/passing places
- Necessity of measures to prevent service vehicles from being able to turn right into hotel site from Old Rydon Lane – why has traffic island been dropped?
- Traffic generation – question basis of outline decision
- Will exacerbate existing highway problems/dangers with consequent safety implications for all road users
- Advocate all traffic associated with hotel to access via A379/Sandy Park
- Increase parking pressures in surrounding residential area
- Lack of adequate parking facilities
- Need for residents' parking to be brought in locally
- Cycle infrastructure/parking including electric bike charging facilities
- Need for double yellow lines in Old Rydon Lane
- Noise pollution from traffic
- How will construction be managed?
- Adverse visual impact – too high

CONSULTATIONS

Environmental Health – Recommend condition regarding kitchen ventilation system details.

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

“At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy CP12 (Flood Risk) of Exeter City Council’s Core Strategy (2012) which requires all developments to mitigate against flood risk and utilise sustainable drainage systems, where feasible and practical. The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

In the absence of a finalised surface water drainage strategy, the applicant should submit an alternative attenuation based strategy including calculations.

When borehole infiltration testing and groundwater monitoring is complete, results should be submitted along with the trial pit infiltration testing results.

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.

The applicant must submit details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the surface water drainage management system.

However, following the publication of the Flood Risk Assessments: Climate Change Allowances document (dated 19th February 2016) by central government, the applicant will be required to use a climate change uplift value of 40% when sizing the proposed surface water drainage management system for this development.”

Highways England – Comment as follows –

“Thank you for providing Highways England with the opportunity to comment on the details submitted in support of reserved matters and planning conditions for the Sandy Park Hotel development. Of particular interest to us are those documents submitted in support of:

Condition 5 – surface water management

Condition 6 – MS boundary landscaping

Condition 7 - updated site wide travel plan

Condition 8 – Match Day Access Strategy

Condition 5 – Surface Water Management

We have noted the drainage strategy statement prepared by Sands. This would suggest that whilst they have considered the potential interaction of surface water drainage with Highways England’s drainage asset, the likely design is going to involve an underground storage feature which then connects to a SWW drain.

On the basis of this statement, there would appear to be no issues in relation to the impact on highways drainage systems at this time. However, as the actual drainage designs have not yet been completed and the proposed hardworks plan shows a lot of permeable paving, we would be interested to see how they will connect that drainage to an underground storage feature as opposed to leaving surface water it to infiltrate towards the motorway. We will therefore need to review the final drainage plan once submitted before we can consider the discharge of condition 5.

Condition 6 – MS boundary landscaping

We have reviewed the information provided within the planting plans reference 528/02 Rev A and 528/03 Rev A. We are generally satisfied with the proposed band of woodland planting within the length of the development site adjacent to the motorway boundary.

However, in order to ensure that the planting does not cause future maintenance issues we would recommend some variations to the proposed planting mix as follows:

- no Pinus sylvestris (Scots pine) or Betula pendula (Silver birch) should be planted within 10m of the highway boundary;*
- remove Quercus robur (oak) as this is too big a species for a planting belt;*
- reduce the levels of Crataegus monogyna (at high numbers this species creates access difficulties) and Corylus avellana (which requires intensive maintenance if future problems are to be avoided);*
- increase the levels of Ilex aquifolium (say by 10%);*
- introduce Tilia cordata (small leaved lime) - which is aesthetic, easy to manage, relatively quick to grow but stable; and*
- introduce Taxus baccata (yew) and Malus sylvestris (wild crab apple) - both of which are excellent screening plants with high ecological value and good aesthetics.*

We would therefore welcome sight of a revised planting plan prior to recommending the discharge of condition 6.

Condition 7 – Updated site wide travel plan & Condition 8 – updated Match Day Access Strategy

We have identified a number of issues with the updates to both the Travel Plan and Match Day Access Strategy. We are currently in dialogue directly with the applicant to address these issues and further revisions are expected to be submitted in due course.”

East Devon District Council – Comments awaited.

Devon and Somerset Fire & Rescue Service – Comment as follows –

“I sent observations to the previous consult (17/0665) which can be found below, which still apply. In addition to those observations my points below also apply:

Access for Emergency vehicles is only found at level -2, based on this single access point will requirements of BS 9999 or ADB be met.

My areas of concern relate to the following requirement from Approved Document B (which similar requirements will be also in BS 9999). The focus for now is on B5 Access and

Facilities for the Fire and Rescue Service and the requirements of each section are met. Please provide details of how those requirements will be met.

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) – Formal comments awaited. Informally it is understood that DCC as Highway Authority have no objection to the proposals and are awaiting minor clarification over some detailed elements of the proposal.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework (NPPF):-

2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

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

Background

Outline planning permission (application reference no. 17/0665/OUT) for a hotel with up to 250 bedrooms and associated facilities including a new footbridge providing pedestrian access from

Sandy Park Stadium car park was granted on the 26th June 2018 following completion of a S106 Agreement. This has established the principle of this site being acceptable for a hotel comprising up to 250 bedrooms.

Access to serve the hotel was not one of the matters reserved for subsequent approval at the outline stage and the access arrangement were therefore approved at that time. The access arrangements forming part of the outline approval and agreed time comprise the following –

- A vehicular access from Old Rydon Lane into the site for servicing vehicles and access to staff only parking facilities,
- Parking on the Sandy Park Stadium site allocated specifically for the use of hotel guests with a pedestrian bridge over Old Rydon Lane directly into the hotel,
- A 3 metre wide footpath across the frontage of the site on Old Rydon Lane together with road crossing (secured by a planning condition)
- Introduction of a one way system (east bound only) along a stretch of Old Rydon Lane between the railway bridge and the site (this is secured by a planning condition and facilitated by a contribution towards the costs of implementation via a S106 Agreement).

These access arrangements were considered acceptable to serve the development by the Highway Authority and subsequently formed part of the outline planning permission. Consequently the access arrangements to serve the development are not up for reconsideration as part of this application. Therefore whilst the majority of representations/objections received relate to highway matters, this element of the proposal has already been considered and determined acceptable.

Many of the representations refer to a proposal for a traffic island preventing a right turn for westbound traffic on Old Rydon Lane into the staff car park/servicing area for the hotel having been dropped from the proposals and consider this to be an essential pre-requisite to the acceptability of the scheme. For clarity, although this proposed at one stage by the applicant it was not considered an essential element of the access arrangements to serve the hotel by the Highway Authority and did not form part of the approved access arrangements. Therefore the representations referring to this having been dropped from the scheme are factually incorrect. Notwithstanding this the applicant has indicated that they would be willing to include such an arrangement if it was required by the Highway Authority and can be accommodated within the highway without compromising the delivery of the overall development. This matter will be discussed further with the Highway Authority as part of their consultation on the reserved matters application.

Reserved Matters for which approval is sought

Scale

The reserved matter application submitted is consistent with the parameters established through the outline consent. The proposal comprises a 250 bedroom hotel with associated ancillary facilities, on site staff parking and servicing with direct access from Old Rydon Lane and designated customer parking on the Sandy Park stadium site with a pedestrian bridge over Old Rydon Lane providing the main access into the hotel itself. The building extends over 9 floors and essentially adopted an L-shaped form with the principle elevation fronting Old Rydon Lane. The submitted sections demonstrate that the overall height of the building will be comparable to the roof of the rugby stadium. Given the extent of the application site, and surrounding constraints such as existing landscaping, it is inevitable that a hotel comprising 250 bedrooms

on this site would comprise a building of significant height. However, in the context against which it would be viewed from surrounding vantage-points, i.e. the substantial building comprising the stadium itself and the changing character of this area of the city edge as part of the Newcourt Strategic Allocation (Core Strategy policy CP19), the scale and massing proposed is considered acceptable. It will also serve as a landmark building viewed from the adjacent motorway and clearly mark the arrival at the City.

Layout

The building is located in close proximity to the road frontage. The lower ground floor is partially dug into the ground and is therefore not visible from Old Rydon Lane. It has level access from the staff parking and servicing area to the rear of the building and incorporates plant areas, bin store, staff facilities, and a gym/spa for guests. The ground floor (level with Old Rydon Lane) and first floor each contain 43 bedrooms arranged either side of a central corridor, together with back of house storage area, 3 stairwells and lift shafts. The second floor is at the same level as the adjoining stadium car park (where the allocated hotel guest parking is situated) and is the main arrival floor for guests. It is at this level that the pedestrian bridge over Old Rydon Lane enters the building and this floor comprises, entrance lobby/reception, coffee bar/kitchen and coffee lounge, associated office accommodation and a large meeting room. Floors 3, 4, 5 and 6 are a repetition of the ground and first floor providing the remainder of the bedrooms. The top floor comprises the hotel restaurant and bar/lounge area, with associated kitchen facilities and WCs. Part of the restaurant area towards the north-east end of the building has a glazed roof light above. At the opposite end of the building (and thereby furthest away from Old Rydon Lane) part of the roof is cut away to provide an external terrace area.

Externally the staff parking and service areas are located to the rear of the building served by an access from Old Rydon Lane located to the east of the building. Consequently these elements of the proposal will be largely screened from view from public vantage-points. Confining the built form to the northern part of the site preserves the opportunity to create a landscape setting and grounds to the building.

Appearance

Given the nature of the proposal the most efficient built form in terms of minimising the footprint of the building comprises a central access corridor serving guest bedrooms on either side. By its very nature the development also has a repetitive floor plan and distribution of windows in terms of the provision of bedrooms within the hotel. The number of bedrooms, ancillary facilities such as restaurant/bar, customer gym/spa and 'back of house' accommodation inevitably translate into a building of significant scale and height which will become a prominent addition to the local landscape.

The approach to the design of the building has sought to break up its massing through the articulation of different elements of the building and the use of a variety of materials. Principally the main entrance lobby and stairwell/lift core are pulled forward of the main building and treated in a different external material (horizontal zinc and glazing). This adds visual character to the building and creates a feature to the corner of the building. The external material for the lower ground, ground and first floors comprises stone cladding which provides a strong/solid appearance to the base of the building. The rest of the exterior of the building comprises glazed curtain walls and shaped vertical metal/aluminium fins which not only give the building a more 3

dimensional feel but also have a functional purpose in the of providing solar shading to the guest rooms.

Finally the top floor is inset from the edges of the rest of the building and comprises glazed curtain walls with an overhanging roof structure. This gives the top floor a much less solid and light appearance.

The building design also incorporates integral bat/bird boxes.

The building will be linked to the parking facilities located on the stadium site opposite by a pedestrian bridge over Old Rydon Lane. This will comprise a glazed link surrounded by metal fins similar to those used on the main structure. This approach provides a strong public entrance to the building and ties the design of this element into the overall building.

Overall the external appearance proposed is considered acceptable and will create a building of visual interest whilst at the same being an efficient design in terms of provision of the accommodation and site coverage.

Landscaping

A hard and soft landscaping scheme has been evolved in conjunction with the design of the building. In respect of the areas around the building itself, and the staff parking /servicing areas, these will be finished in different types of pavements, which along with the incorporation of stone faced planters, will serve to break up the expanse of hard surfacing and provide an attractive setting to the building. Stone faced planters will also be provided along the edge of the customer parking facilities adjoining the bridge entrance to the hotel. This will provide an attractive public approach into the building.

A significant amount of soft landscaping is proposed comprising a native hedge bank along the site frontage and western site boundary incorporating specimen trees, shrub and tree planting within the planters referred to above, and significant woodland tree planting along the eastern boundary with the motorway, and in the southern part of the site. This will provide a landscape setting to the building, and as the planting matures a landscaped screen to the lower elements of the building when viewed from more distant vantage-points.

The landscaping along the motorway embankment boundary has been amended in response to comments from Highways England who had requested a condition requiring their approval of the scheme in the interests of the protecting the structural integrity of the motorway embankment. Subject to confirmation from Highways England that they are satisfied with the amended scheme this would also be sufficient to discharge the relevant landscaping conditions.

Consultation responses

As well as seeking approval of the reserved matters outlined above, the submission also sought to discharge some of the conditions attached to the outline permission. However, the detailed drainage design, including surface water drainage arrangements need further consideration in the light of the consultation responses from the Lead Local Flood Authority and Highways England, so this will be dealt with separately by way a of discharge of condition application in due course. This also applies to the Travel Plan, Match Day Access Strategy and other conditions requiring approval of specific matters of detail.

In response to the consultation response from the Fire Service the applicant has confirmed that the design is compliant with the relevant Building Regulations requirements. It will incorporate a dry riser and an area has been provided within the site for a fire applicant to be stationed at the front of the building, and the staff car park to the rear could accommodate further appliances in

the event of an emergency. It has also been confirmed that the hotel will be fitted with an automatic sprinkler system.

Conclusion

The proposal is consistent with the parameters established through the outline planning consent, both in terms of the consented number of bedrooms and the access arrangements to serve the hotel. Whilst it is inevitably a large building, and one that will become a prominent new feature in the locality visible from distant vantage-points, the proposal is considered acceptable in terms of its scale, layout, appearance and landscaping. Consequently approval of this reserved matters application is recommended.

RECOMMENDATION

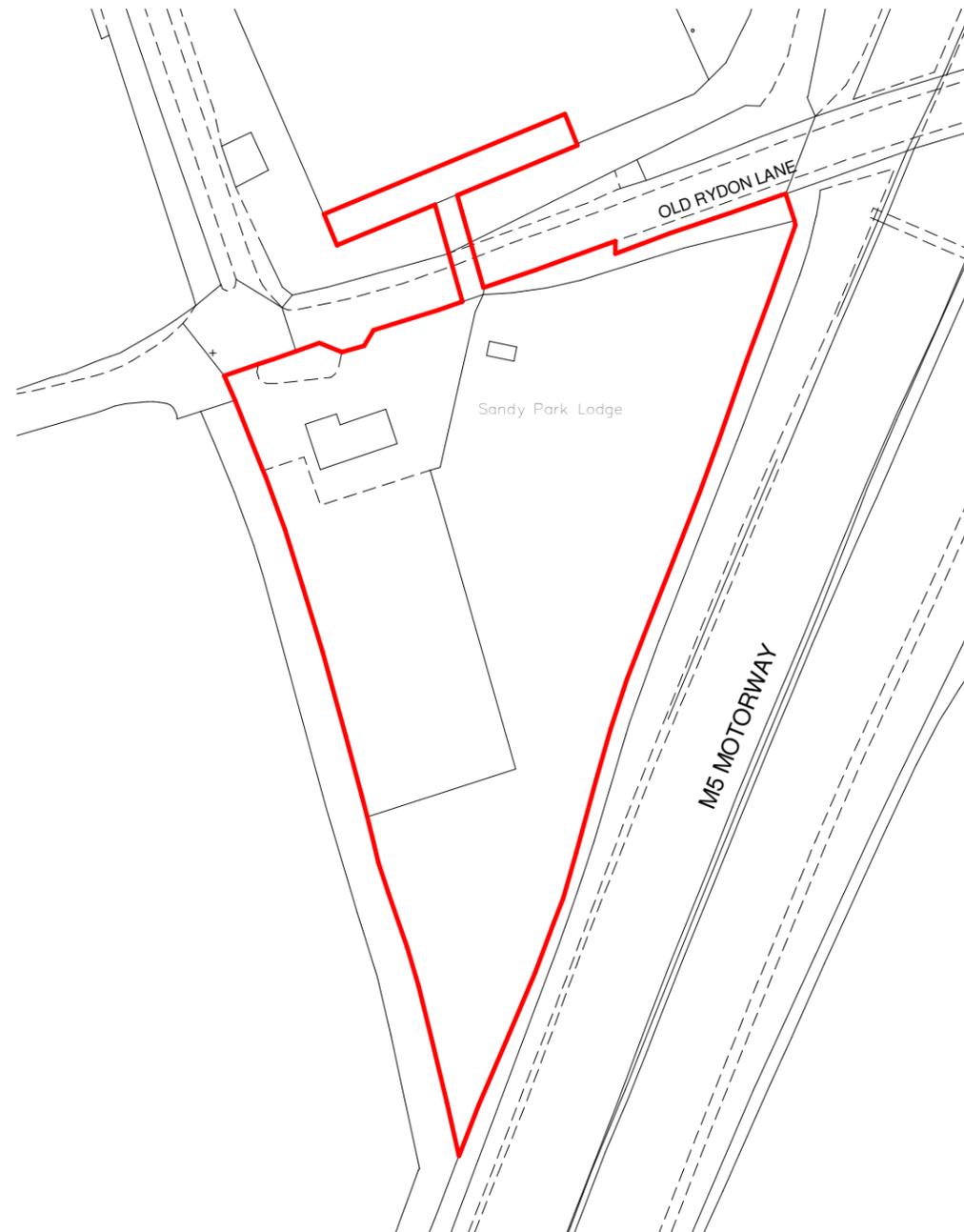
Approval subject to the following conditions:

- 1) 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 ##### (including dwg. nos. #####) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 2) Prior to the commencement of the use hereby permitted, the kitchen ventilation system for the unit shall be installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The details shall include drawings of the location and design of the system, and information on how odour emissions shall be controlled, including abatement if necessary, and how the system shall be maintained to ensure it does not adversely affect the amenity of surrounding uses. (*The applicant should be advised that further guidance on the required information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'*)
Reason: In the interests of the amenity of the area, especially nearby residential uses.

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

Background papers used in compiling the report:

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



Location Plan
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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COMMITTEE DATE: 03/09/2018

APPLICATION NO: 18/0884/ECC

APPLICANT: Mr Gary Stenning

PROPOSAL: Demolition of 13 no. garages and construction of three 3 bed terraced houses and associated parking and access.

LOCATION: Garages Between 28 And 36 Anthony Road,
Anthony Road, Exeter, EX1 2ST

REGISTRATION DATE: 07/06/2018

EXPIRY DATE:

HISTORY OF SITE

13/4323 - Demolition of 13 no. garages and erection of 3 no. new 3 bed 4 person terraced houses and associated parking and access. Approved 29/11/2013.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises a parcel of land measuring 405 m² situated between numbers 28 and 36 Anthony Road. It is currently occupied by 13 garages which are accessed from North Lawn Court. Both sides of the site are bounded by access lanes which serve the rear of the existing properties on Anthony Road.

Full planning permission is now sought for the redevelopment of the site to provide three 3 bedroom dwellings with associated gardens and parking facilities. The proposed dwellings will be lifetime home compliant and constructed to a highly energy efficient design based on Passivhaus methodology. Each garden will contain a shed suitable for cycle storage and incorporate direct access to the rear gardens which will also contain a single parking space. Vehicular access would be obtained via North Lawn Court.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents -

- Design and Access Statement & Planning Statement
- Demolition Design Information
- Land contamination assessment

REPRESENTATIONS

3 letters of objection have been received raising the following issues -

- Concern regarding asbestos release during demolition
- Noise/dust pollution during construction
- Further pressure on limited street parking arising from loss of garages, and parking requirements of residents of new units
- Insufficient parking provided for residents of new dwellings

- Design out of character – visually overbearing
- Overshadowing
- Overlooking/privacy impact
- Disregard of community wishes
- Undesirable to fill all bits of space in established residential areas

CONSULTATIONS

SWW - Confirm water supply available to serve the development. State foul drainage only to be connected to public foul or combined sewer, and that surface water will discharge as high up hierarchy of drainage options as is reasonably practicable.

Environmental Health – No objection in principle – recommends conditions relating to Construction Environment Management Plan (CEMP) and contaminated land.

County Head of Planning, Transportation and Environment (Highways) – Comments as follows and raise no objection subject to cycle parking being provided (this has now been incorporated into the scheme by the provision of sheds within the rear gardens.

“The site is situated on namely Anthony Road. It is in a residential area which benefits from standard visibility, slow moving traffic with on-street parking along Anthony Road providing good traffic calming. The proposed site provides dedicated off carriageway parking which will meet the criteria of Exeter City Councils supplementary planning document. I would like to see in addition, a dedicated cycle parking facility for each dwelling to encourage sustainable travel. New dwellings are unable to apply for additional blue parking permits to utilise on-street parking, in order to encourage sustainable travel within Exeter.”

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
NPPF – National Planning Policy Framework

Exeter Local Development Framework Core Strategy
CP1 - The Spatial Approach
CP3 - Housing Distribution
CP4 - Density
CP9 - Transport
CP11 - Pollution and Air Quality
CP15 - Sustainable Construction
CP16 - Green Infrastructure
CP17 - Design and Local Distinctiveness
CP18 - Infrastructure

Exeter Local Plan First Review 1995-2011
AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence

H2 - Location Priorities
H7 - Housing for Disabled People
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
T10 - Car Parking Standards
EN2 - Contaminated Land
DG1 - Objectives of Urban Design
DG2 - Energy Conservation
DG4 - Residential Layout and Amenity
DG6 - Vehicle Circulation and Car Parking in Residential Development
DG7 - Crime Prevention and Safety

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

DD1 - Sustainable Development
DD8 - Housing on Unallocated Sites
DD9 - Accessibility, Adoptable and Wheelchair User Dwellings
DD13 - Residential Amenity
DD20 - Sustainable Movement
DD21 – Parking
DD25 - Design Principles
DD26 - Designing Out Crime
DD30 - Green Infrastructure
DD31 - Biodiversity
DD34 - Pollution

Exeter City Council Supplementary Planning Document
Residential Design Guide (adopted September 2010)
Sustainable Transport

OBSERVATIONS

The main consideration in respect of the application relate to compliance with relevant national and local planning policy, the relationship to surrounding properties, visual impact and highway/transportation impacts.

The proposal will assist in the provision of a wide choice of quality homes within the Exeter area, particularly in terms of addressing an identified and pressing need for further housing, and constitutes a quality design incorporating sustainable objectives. In this context the proposal is considered to be consistent with the NPPF and local plan policies. Although two of the gardens are marginally below the standards set in the Residential Design SPD they are comparable with existing gardens in the locality and in this context are considered acceptable. Furthermore, the internal space standards are generous and exceed the minimums in the SPD and this is considered to outweigh the minor deficiencies in external amenity space. Overall it is considered that the proposed dwellings will provide a decent standard of residential amenity.

Each dwelling will also be provided with a storage shed within the rear garden and purpose built refuse storage facilities located at the front of the property in a convenient position for collection. The dwellings are designed to Passivhaus and Lifetime Homes Standards.

The scale and massing of the proposed dwellings, and their proximity to existing properties, is considered acceptable and would not give rise to any significant adverse overlooking or overshadowing. Whilst it is acknowledged that the prevailing material in the area is brick there are examples of render. In this context the proposed render finish for the dwellings is considered acceptable and the terrace of 3 dwellings will form a discreet element on the street scene of Anthony Rd and will constitute a significant improvement upon the appearance of the rear end of a block of garages that currently form an unfortunate break in the street scene. Concerns about potential impact during the construction process can be minimised by a condition restricting working hours. It is inevitable that any construction project will have some adverse impact upon the locality in which it takes place but it is not considered that the issues raised in the representations will be so significant as to warrant refusal. Asbestos removal associated with the demolition of the garages would be covered by separate regulations.

Whilst the proposal will result in a loss of general parking facilities in the area the proposed dwellings are all provided with a single off-street parking space. This level of provision to meet the needs of the new dwellings is considered acceptable. It is acknowledged that some displaced parking associated with the existing garages will have to compete for existing on-street parking in the area. However it is not considered that this would amount to a reason to refuse this scheme. Furthermore, the loss of a relatively small number of parking spaces needs to be weighed against the overwhelming need for additional housing. Given the relatively low level of usage of the access road leading to the development it is considered that the proposed accesses and visibility are satisfactory to serve this level of development. Overall it is not considered that the proposal would have any significant long term adverse impact upon conditions of highway safety in the locality.

Sustainability

The buildings are designed based on 'Passiv-Haus' principles. A passive house is a building in which a comfortable interior climate can be maintained without active heating and cooling systems. The buildings heats and cool themselves. The principles were developed in Germany and are used to achieve the highest levels of energy efficiency and ecological design standards. Increased insulation standards, exceptional levels of air tightness and a compact building skin mean that heat losses can be reduced to a minimum resulting in a requirement for very low space heating. By choosing the best orientation for the buildings and by optimising solar gains, the energy performance of the proposed design has been improved so that a conventional heating system is not required. The proposal has also been designed such that part of the roof space of each dwelling is suitable for future provision of solar panels, and the level of provision possible would be sufficient to offset all remaining carbon emissions associated with the dwellings. Notwithstanding that the design of these dwellings is highly sustainable and will perform significantly above the standards required by the Building Regulations this future proofing of the design is welcomed.

Ecology matters

This development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature of the development it has been concluded that an AA is required in relation to potential impact on the relevant SPA's. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of

East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the CIL collected in respect of the development being allocated to funding the mitigation strategy.

The proposal incorporates the provision of integral bat/bird bricks within the fabric of the building in line with advice contained within the Council's Residential Design SPD.

Financial Considerations

The proposal will be CIL liable and generate New Homes Bonus.

Conclusion

This proposal will help to meet the demand for additional housing within the city and contribute to meeting the shortfall in the Council's 5 year housing land supply. It is considered to represent sustainable development and therefore approval is recommended subject to conditions.

RECOMMENDATION

Approve 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 7th June and 9th August 2018 (*dwg. nos. AL (0) 10/501 Rev C2, AL(0)101 AR Rev P3, LL(0) 400-AR Rev PT2, E1206-GSA-TR-DR-A-2206 Rev C1, 170501/AR/110, 170501/AR/100 and 170501/AR/101*), as modified by other conditions of this consent.

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

3) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

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

4) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.

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

5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. AL(0)10/501 Rev C2, and the cycle parking shall be maintained at all times thereafter.

Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.

6) Construction Environment Management Plan (CEMP) condition.

7) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851a, July 2017) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

8) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of local amenity.

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

Background papers used in compiling the report:

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



Location Plan
Scale 1:1250

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Agenda Item 7

COMMITTEE DATE: 03/09/2018

APPLICATION NO: 18/1031/ECC
APPLICANT: Ms Lynda Smith
PROPOSAL: Change of Use to winter night shelter and community facility for homeless people (Sui Generis).

LOCATION: Former Restaurant, Magdalen Street, Exeter, EX2 4HZ

REGISTRATION DATE: 04/07/2018

EXPIRY DATE:

SITE HISTORY

Reference	Proposal	Decision	Decision Date
11/0337/ADV	Externally illuminated fascia signs on north and south elevations, non illuminated fascia signs on west (2) and east elevations.	PER	24.01.2012
01/1303/ADV	Externally illuminated and non illuminated signs (13 No.in total)	PER	26.10.2001
94/0089/FUL	External alterations including provision of new entrance on north elevation	PER	24.03.1994

DESCRIPTION OF SITE/PROPOSAL

Permission is sought for the use the existing building situated on Magdalen Street, at the eastern end of the Acorn car park, as a winter night shelter and community facility for homeless people in Exeter.

Winter Night Shelter

Sleeping accommodation would be provided between October until end of March. It would in the form of dormitory style rooms on the first floor with either two or three sets of bunk beds per room providing a total of 18 bed spaces. A further 8 beds will be located on the ground floor. In the event of the Severe Weather Emergency Protocol being declared there would be additional capacity available at the shelter.

Community Facility for the Homeless

The community facility will provide educational and recreational opportunities for homeless people in the city, promoting and improving general health and wellbeing. The use of the Community facility is mainly proposed during the period when the building is not used as a winter Night Shelter during April until September.

The Building and Site

The site is within the City Centre boundary. The vacant building was formerly the Spice Island Restaurant on the ground floor with living accommodation above. The old Acorn Inn, in the same location, was demolished and a new public house built 1964 with internal and external alterations in 1994. The building is located within Southernhay and The Friars Conservation

Area and is deemed to have a Negative Contribution to the area. The site, including the Acorn carpark and the roads surrounding the building, are also noted within the conservation area appraisal noted as Negative Spaces. The site is within the area of Environmental Air Quality Management. The nearby Hotel du Vin (Former Exeter Eye Hospital) is Grade II listed.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Planning Letter

Tender Documentation

REPRESENTATIONS

Four representations have been received. There are two objections and two representations in support for the application.

The letters of objection had the following concerns and reasons to refuse the proposed use:

- Noise, disturbance and nuisance
- Overlooking
- Lack of outside provision causing congregation
- Fear of crime of and drugs
- Unsafe environment
- Anti-social behaviour
- Negative impact on business

The objectors also argued that this was not the right location for the proposed use.

The letters of support had the following reasons for granting permission for the proposed use:

- Positive to the creation of a night shelter
- Suitable location
- Situated on a traffic island and former pub so difficult to see it causing problems
- Common decency, leaving people to suffer and potentially die of exposure of winter when it can be prevented is inhumane
- Path to receive necessary help with health, some with mental health issues, thereby contributing to the health in the community
- It will help in tackling inequalities in health, social care, housing and education & improving access to health and social care
- Night shelter should be provided all year round, not having access to freezers, cooking and bathing facilities can be a severe problem
- People will struggle to leave behind homelessness if there are not accessible routes to doing so and this project looks like it will help offer opportunities for such

CONSULTATIONS

Devon and Cornwall Police - Designing Out Crime Officer has no objection to the change of use but has offered to meet with the applicant to discuss their advice in more detail.

Highway Development Management Officer (Exeter) at Devon County Council has no objections to the change of use.

The Environmental Health Officer has no objection to the change of use.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2018

Exeter Local Development Framework Core Strategy 2012

CP10 – Community facilities

CP11 – Pollution and air quality

CP17 – Design and local distinctiveness

Exeter Local Plan First Review 1995-2011 Saved Policies

AP1 – Design and location of development

AP2 – Sequential approach

T9 – Access to building by people with disabilities

C1 – Conservation areas

C2 – Listed buildings

EN3 – Air and water quality

DG4 – Residential layout and amenity

DG7 – Crime prevention and safety

Exeter Development Delivery Document – Publication Version 2015

DD13 – Residential Amenity

DD26 – Designing out Crime

DD28 – Heritage Assets

DD34 – Pollution

Exeter City Council Supplementary Planning Documents

Residential Design SPD 2010

Conservation Area Appraisals and Management Plans

Southernhay and the Friars 2002

OBSERVATIONS

The change of use to a winter night shelter and community facility for homeless people is regarded as a Sui Generis use. The use for this building has previously been a public house but this was difficult to sustain and more recent uses have been as a restaurants, bars and take-away, as well as serving alcohol. The change of use is not irreversible because no internal alterations but the future for this site will unlikely include the existing building. The conservation area appraisal proposed that the building “should be considered for the enhancement of the conservation area by the removal, redevelopment or remodelling”.

As well as providing a community facility for homeless people it will also be compliant with the protection and provision of community use in the Exeter Local Development Framework Core Strategy Policy CP 10. The proposed use will, with regard to CP10, meet the community needs by promoting social inclusion and reduce deprivation. The policy also states that facilities that serve the city as a whole should be located in the city. Social inclusion can be defined as the act of making all groups of people within a society feel valued and important. To be able to convert an existing building the winter into night shelter and community facility for homeless people is therefore preferred when compared with alternatives that only provide night shelter in mobile and temporary buildings.

The central location is very suitable for the proposed use. In view of its suitable location it can

be an alternative to rough sleeping in the central part of Exeter. During the rest of the year the location enables the support of the community of homeless people in Exeter. The location is also suitable with regard to residential amenity and neighbouring properties. The overlooking is not contrary to the guidance in the Residential Design SPD. Overlooking between the hotel and proposed night shelter is minimal and no more detrimental than the former use of the building. Although the site is within the area of Environmental Air Quality Management due to the nature of this as temporary short stay shelter during the winter months, sleeping accommodation is acceptable for the use with no objection from the Environmental Health Officer.

The former use had late opening times, served alcohol and even had a take-away. It is therefore difficult to see how the proposed use would be more detrimental to the surrounding area than the former use. The area outside the building is the same as when it was used as public house except a small area to congregate is created at the south entrance of the building. The location of the building is also in a noisy area situated on a frequently used car park surrounded by busy roads.

The night shelter will be staffed by a minimum of two workers during opening hours. The staff would also have responsibility for ensuring the safety of service users throughout the night as well as monitoring behaviour to ensure compliance with the accommodation rules; and work closely with the surrounding community and ensure that all efforts are made to reduce the impact on community and businesses. Any nuisance from congregation outside the building will be dealt with as part of these rules. To ensure compliance with the above a condition will be added to the planning permission that requires a Management Scheme that will deal with anti-social behaviour, noise, fires and other emergencies.

Crime and fear of crime is a material planning consideration and it is acknowledged that some residents and the nearby hotel are apprehensive about such a facility operating in the area. In their consultation response, Devon and Cornwall Police have not objected to the proposed scheme and have offered to work with the applicants to give advice with the set up of the facility in order to reduce the risk of crime and anti-social behaviour. The fear of crime and personal safety is raised by objectors but the result might actually be the opposite giving the homeless an alternative to rough sleeping and support in their current situation. The existing issues with rough sleeping in the City Centre could well be reduced. The change of use does conform to Policy DG7 – Crime Prevention and Safety in Exeter Local Plan First Review 1995-2011 by the prevention measures for the site and surroundings; and also with the purpose of the policy by improving the situation for rough sleepers in general.

Although the proposed use has primarily a social objective it does have an impact how people visiting or work experiencing the City with less rough sleepers. How people experience a City which does care for homeless people could have a direct impact on shopping and tourism but could also influence how attractive the City is to work and live in.

The change of use will conform to NPPF, Exeter Local Development Framework Core Strategy, Exeter Local Plan First Review 1995-2011, Exeter City Council Supplementary Planning Document and Exeter City Council Development Delivery DPD. The conclusion is that the change of use will have a minor impact on the surrounding area but a great public benefit by contributing to social inclusion, reduce deprivation and support homeless and rough sleepers when they are most vulnerable and at risk of becoming seriously ill or even die due to exposure to freezing temperatures.

A planning decision must be made in accordance with material considerations and taking

account of the positives and negatives of granting consent for this proposal, the conclusion is that the positives heavily weigh in favour for the proposed change of use.

RECOMMENDATION

APPROVE with 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 and 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 4 July as modified by other conditions of this consent.

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

3) The use hereby permitted shall not commence until the Local Planning Authority has agreed in writing a Management Scheme submitted by the applicant and the agreed measures have been put in place. The Management Scheme shall include the following: A) details of the management arrangements for the property, including procedures for dealing with (i) management problems, (ii) anti-social behaviour, (iii) noise and (iv) fires or other emergencies; and, B) the maximum number of bed spaces to be occupied at any one time. Occupation shall be managed in accordance with the approved scheme.

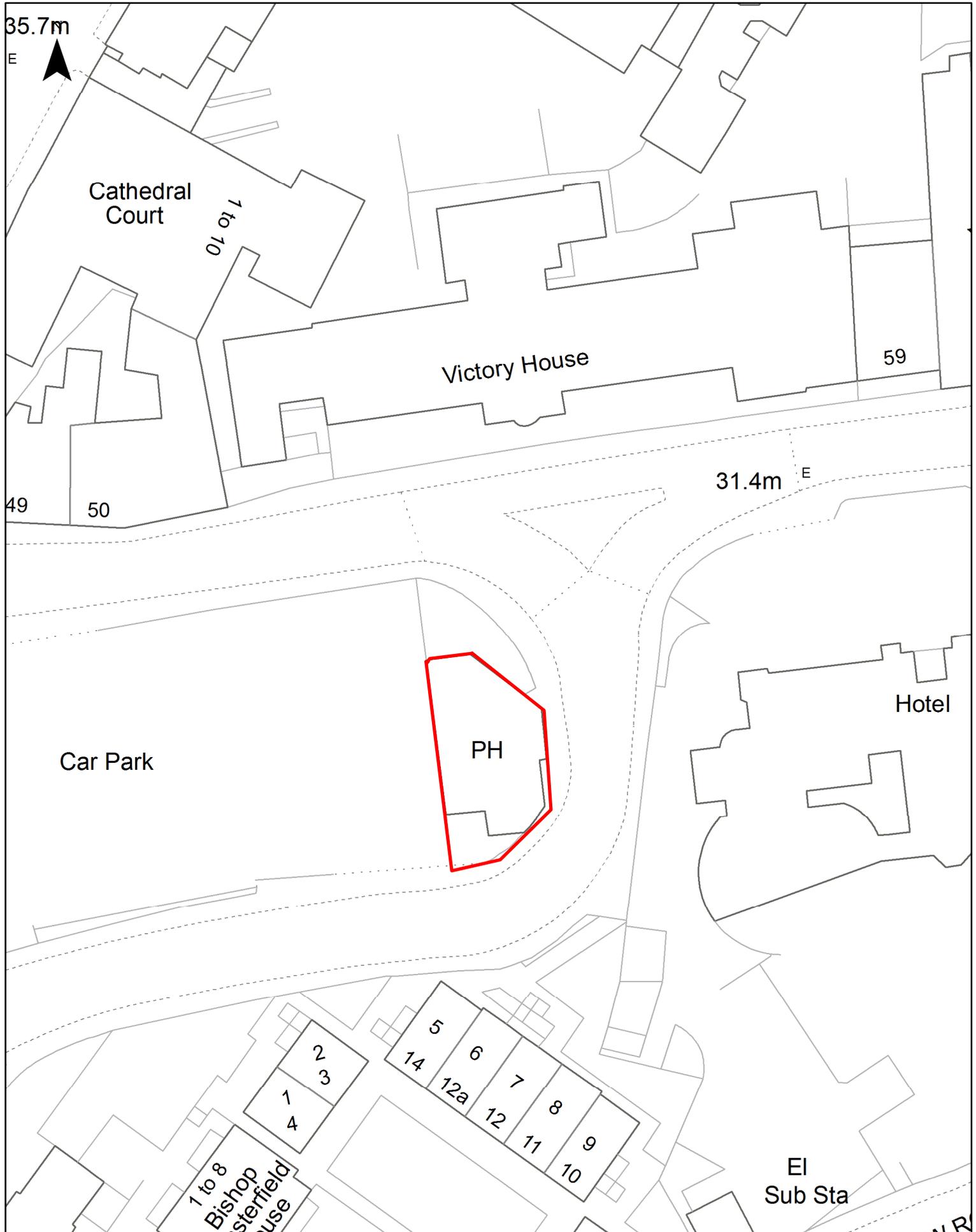
Reason: To help protect the existing residential amenity standards currently enjoyed by neighbouring properties.

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

Background papers used in compiling the report:

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

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LOCATION PLAN

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Date: 3/7/18

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Agenda Item 8

COMMITTEE DATE: 03/09/2018

APPLICATION NO: 18/1032/ECC
APPLICANT: Ms Lynda Smith
PROPOSAL: Temporary installation of modular building and separate toilet block used as a Winter Night Shelter for Homeless People between 1 October 2018 and 31 March 2019.

LOCATION: Howell Road Car Park, EX4 4LZ

REGISTRATION DATE: 04/07/2018

EXPIRY DATE:

DESCRIPTION OF SITE/PROPOSAL

Temporary installation of modular building and separate toilet block used as a Winter Night Shelter for Homeless People between 1 October 2018 and 31 March 2019.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Planning Letter
Tender Documentation

REPRESENTATIONS

One representation was received which had the following concerns regarding the proposed use:

- Noise, disturbance and nuisance
- Congregation on the car park
- Fear of crime and unsafe environment
- Anti-social behaviour and reports
- CCTV and lighting
- Police/council patrols
- Designated car spaces
- Cleaning and rubbish collection
- Alternative location

CONSULTATIONS

South West Water although the temporary buildings is within 3 metres of a public sewer or lateral drain SWW have no objection subject to a condition that they have free access to their control apparatus.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance
National Planning Policy Framework 2018

Exeter Local Development Framework Core Strategy 2012

CP10 – Community facilities

CP17 – Design and local distinctiveness

Exeter Local Plan First Review 1995-2011 Saved Policies

AP1 – Design and location of development

AP2 – Sequential approach

T9 – Access to building by people with disabilities

DG4 – Residential layout and amenity

DG7 – Crime prevention and safety

Exeter Development Delivery Document – Publication Version 2015

DD13 – Residential Amenity

DD26 – Designing out Crime

Exeter City Council Supplementary Planning Documents

Residential Design SPD 2010

OBSERVATIONS

The central location is suitable for the proposed use. As winter shelter it can because of its central location be an alternative to rough sleeping in the central part of Exeter.

The location is also suitable with regard to residential amenity and neighbouring properties. The overlooking is not contrary to the guidance in the Residential Design SPD.

The night shelter will be staffed by a minimum of two workers during opening hours. The staff would also have responsibility for ensuring the safety of service users throughout the night as well as monitoring behaviour to ensure compliance with the accommodation rules and work closely with the surrounding community and ensure that all efforts are made to reduce the impact on community and businesses. Any nuisance from congregation outside the building will be dealt with as part of these rules. To ensure the compliance with above a condition will be added to the planning permission that require a Management Scheme that shall deal with anti-social behaviour, noise, fires and other emergencies.

A condition to allow South West Water free access to their control apparatus will be added to the planning permission.

Although the proposed use has primarily a social objective it does have an impact how people visiting or work experiencing the City with less rough sleepers. How people experience a city which does care for homeless people could have a direct impact on shopping, and tourism, but also influence how attractive the City is to work and live in.

The change of use will conform to NPPF, Exeter Local Development Framework Core Strategy, Exeter Local Plan First Review 1995-2011, Exeter City Council Supplementary Planning Document and Exeter City Council Development Delivery DPD. The conclusion is that the change of use will have a minor impact on the surrounding area but a great public benefit by supporting homeless and rough sleepers when they are as most vulnerable and at risk to become seriously ill or die due to exposure to freezing temperatures.

As a planning decision must be made in accordance with material considerations and taking

account of the positives and negatives of granting consent for this proposal, the conclusion is that the positives are heavily weighing in favour for the proposed change of use.

RECOMMENDATION

APPROVE with 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 and 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 4 July as modified by other conditions of this consent.

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

3) The use hereby permitted shall not commence until the Local Planning Authority has agreed in writing a Management Scheme submitted by the applicant and the agreed measures have been put in place. The Management Scheme shall include the following: A) details of the management arrangements for the property, including procedures for dealing with (i) management problems, (ii) anti-social behaviour, (iii) noise and (iv) fires or other emergencies; and, B) the maximum number of bed spaces to be occupied at any one time. Occupation shall be managed in accordance with the approved scheme.

Reason: To help protect the existing residential amenity standards currently enjoyed by neighbouring properties.

4) If not otherwise agreed with the LPA development hereby approved shall be designed and built to meet the needs for ambulant disabled people in accordance with M1/M3 of the Building Regulations Access to and Use of Building Approved Document M, 2015 edition.

Reason: To increase choice, independence and longevity of tenure in accordance with Policy CP5 point three of the Exeter Core Strategy.

5) The development shall allow South West Water free access to their control apparatus at the north boundary. Before the works with fencing off the site a plan of these works shall be submitted and approved by the LPA.

Reason: In the interest of South West Water and the control in these respects.

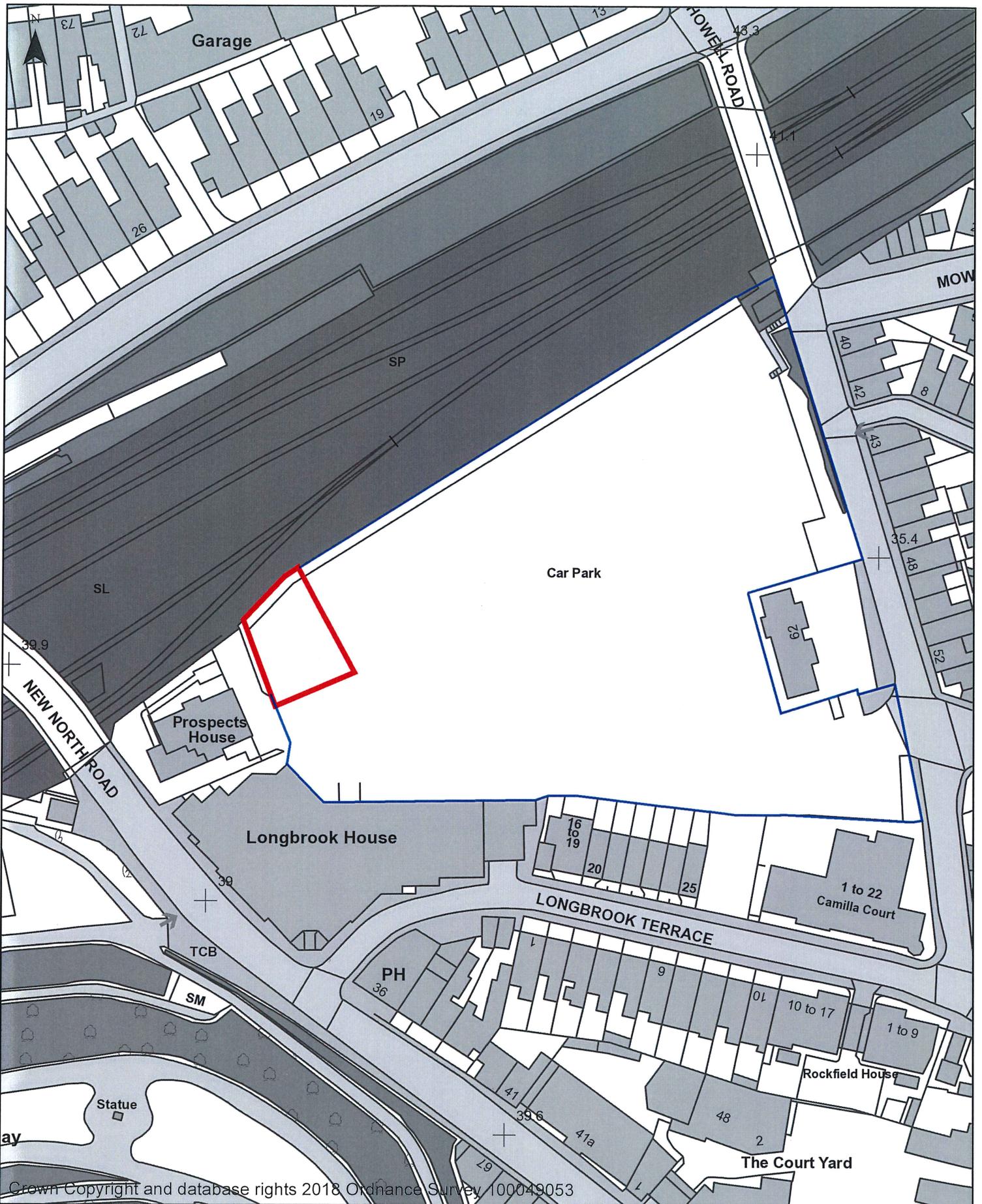
Local Government (Access to Information) 1985 (as amended),

Background papers used in compiling the report:

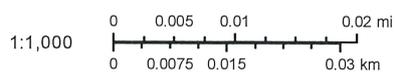
Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter. Telephone 01392 265223

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Site Location Plan



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REPORT TO: PLANNING COMMITTEE**Date of Meeting: 3 SEPTEMBER 2018****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: 18/1042/DEM Delegation Briefing:

Decision Type: Prior Approval Required and Refused Decision Date: 01/08/2018 Delegated Decision

Location: Site Off Alphin Brook Road & Hennock Road Marsh Barton Trading Estate Exeter EX2 8RP

Proposal: Prior approval for demolition of industrial/warehouse units

Application Number: 18/1044/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 12/07/2018 Delegated Decision

Location: Land Adj 19 Willsdown Road Exeter Devon EX2 8XE

Proposal: Discharge of conditions 5 and 6 pursuant of planning approval (ref. 15/1404/03) concerning air tightness and energy efficiency.

Application Number: 18/1045/FUL Delegation Briefing: 19/07/2018

Decision Type: Permitted Decision Date: 15/08/2018 Delegated Decision

Location: 55 Parkway Exeter Devon EX2 9NE

Proposal: Rear single storey and two storey extension.

Application Number: 18/1161/LPD Delegation Briefing:

Decision Type: Was lawful use Decision Date: 10/08/2018 Delegated Decision

Location: 58 Broadway Exeter Devon EX2 9LY

Proposal: Lawful development certificate sought for hip-to-gable and rear dormer roof extensions.

Application Number: 18/1183/DEM Delegation Briefing:

Decision Type: Prior Approval Required and Granted Decision Date: 08/08/2018 Delegated Decision

Location: Site Off Alphin Brook Road & Hennock Road Marsh Barton Trading Estate Exeter EX2 8RP

Proposal: Prior approval for demolition of industrial/warehouse units

Duryard And St James

Duryard And St James

Application Number: 17/1943/FUL Delegation Briefing: 21/12/2017

Decision Type: Withdrawn by Applicant Decision Date: 24/07/2018 Delegated Decision

Location: The Book CoverPortland HouseLongbrook StreetExeterDevonEX4 6AH

Proposal: The Book Cover is an existing bar and restaurant with an A3 license. The proposal is to change the use to an A4 class establishment. There are no changes to the site itself, all structure, materials and finishes to remain as existing.

Application Number: 18/0279/FUL Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 17/07/2018 Delegated Decision

Location: 41 Howell RoadExeterDevonEX4 4HA

Proposal: Dormer window extension on front and rear elevation

Application Number: 18/0320/FUL Delegation Briefing: 28/06/2018

Decision Type: Permitted Decision Date: 25/07/2018 Delegated Decision

Location: 105 Pennsylvania RoadExeterDevonEX4 6DT

Proposal: 2 storey extension to Southwest elevation to form new entrance, single storey bay window extension to Southeast elevation with balcony over replacement windows.

Application Number: 18/0402/FUL Delegation Briefing: 28/06/2018

Decision Type: Permitted Decision Date: 23/07/2018 Delegated Decision

Location: 3 Linden ValeHowell RoadExeterDevonEX4 4LF

Proposal: Ground floor and first floor rear extensions

Application Number: 18/0457/FUL Delegation Briefing: 26/07/2018

Decision Type: Permitted Decision Date: 17/08/2018 Delegated Decision

Location: 64 Wrefords LaneExeterDevonEX4 5BS

Proposal: Construction of decking on rear elevation and associated works

Duryard And St James

Application Number: 18/0670/VOC Delegation Briefing: 10/05/2018

Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: Exeter City Afc LtdSt James ParkStadium WayExeterEX4 6PX

Proposal: Demolition of existing and replacement with new grandstand and away stand with associated spectator facilities; improved facilities for players/managers/referees under the main stand and new wc facilities for Big Bank stand; removal of car storage and existing buildings and replacement with new purpose built student accommodation blocks up to a maximum height of 6 storeys comprising 312 cluster/studio/disabled rooms with associated facilities including parking, cycle storage, landscaping, new internal road and pedestrian access between 20 & 21 Old Tiverton Road and change of use of 20 Old Tiverton Road to 6 No. student rooms with associated shared facilities.

Application Number: 18/0724/LED Delegation Briefing:

Decision Type: Was lawful use Decision Date: 16/07/2018 Delegated Decision

Location: 11 Thornton HillExeterDevonEX4 4NN

Proposal: Use of property as a 7 bedroom House of Multiple Occupation (HMO) (sui generis)

Application Number: 18/0835/FUL Delegation Briefing: 07/06/2018

Decision Type: Permitted Decision Date: 17/07/2018 Delegated Decision

Location: 8 Powderham CrescentExeterEX4 6DA

Proposal: Double garage at rear.

Application Number: 18/0876/FUL Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 19/07/2018 Delegated Decision

Location: 7 Powderham CrescentExeterEX4 6DA

Proposal: Single Storey Rear Extension.

Application Number: 18/0942/TPO Delegation Briefing:

Decision Type: Permitted Decision Date: 17/07/2018 Delegated Decision

Location: HoneywoodBelvidere RoadExeterDevonEX4 4RR

Proposal: Cut back overhanging branches from wooded area.

Duryard And St James

Application Number: 18/0985/NMA Delegation Briefing:

Decision Type: Permitted Decision Date: 18/07/2018 Delegated Decision

Location: Exeter City Afc LtdSt James ParkStadium WayExeterDevonEX4 6PX

Proposal: Non-material amendment to planning application 15/1283/03 granted 13 May 2016 and 17/0188/37 granted 1 March 2017 in respect of retention of BT pole; relocation of refreshment kiosk and wc blocks; repositioning of club crest; alterations to boundary wall and gates fronting Well Street.

Application Number: 18/1029/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 26/07/2018 Delegated Decision

Location: Exeter City Afc LtdSt James ParkStadium WayExeterDevonEX4 6PX

Proposal: Discharge of Conditions 6 (Archaeology); 7 (Contamination); 13 (Travel Plan); 19 (Cooking Equipment) and 22 (Public Announcement System) of planning application 17/0188/03 granted 1 March 2017.

Application Number: 18/1033/LBC Delegation Briefing: 12/07/2018

Decision Type: Permitted Decision Date: 03/08/2018 Delegated Decision

Location: 23 Old Tiverton RoadExeterDevonEX4 6LG

Proposal: Replacement staircase window

Exwick

Application Number: 17/1928/OUT Delegation Briefing: 11/01/2018

Decision Type: Permitted Decision Date: 31/07/2018 Delegated Decision

Location: Newbery Car BreakersRedhillsExeterDevonEX4 1SS

Proposal: Outline application for five dwellings (All Matters Reserved)

Application Number: 18/0308/FUL Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: 5 High MeadowsExeterDevonEX4 1RJ

Proposal: Single storey extension to provide ancillary accommodation

Exwick

Application Number: 18/0571/FUL Delegation Briefing: 05/07/2018
Decision Type: Permitted Decision Date: 10/08/2018 Delegated Decision
Location: 49 Farm Hill Exeter Devon EX4 2LW
Proposal: Loft conversion

Application Number: 18/0899/DIS Delegation Briefing:
Decision Type: Permitted Decision Date: 19/07/2018 Delegated Decision
Location: Chunky Monkey Weircliffe Park St Andrews Road Exeter Devon EX4 2AF
Proposal: Discharge of Condition 3 (materials), 6 (contamination), 7 (temporary arrangements) and 9 (landscaping) of planning permission 15/0672/FUL granted on 6 August 2015.

Heavitree

Application Number: 18/0937/FUL Delegation Briefing: 28/06/2018
Decision Type: Permitted Decision Date: 20/07/2018 Delegated Decision
Location: 2 Anthony Road Exeter Devon EX1 2ST
Proposal: Detached garage building in rear garden

Mincinglake And Whipton

Application Number: 18/0312/FUL Delegation Briefing: 14/06/2018
Decision Type: Permitted Decision Date: 23/07/2018 Delegated Decision
Location: 2 Heath Brook Mews Beacon Heath Exeter Devon EX4 8QA
Proposal: Conversion of the existing garage into a family room with en-suite wc/shower room. Removal of the 2 garage doors to replace with windows.

Application Number: 18/0374/FUL Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision
Location: 13 Ilex Close Exeter Devon EX4 9JZ
Proposal: Front porch

Mincinglake And Whipton

Application Number: 18/0403/FUL Delegation Briefing: 28/06/2018
Decision Type: Permitted Decision Date: 20/07/2018 Delegated Decision
Location: Hill TopCheynegate LaneExeterDevonEX4 9HZ
Proposal: Demolition of existing bungalow and replacement dwelling

Newtown And St Leonards

Application Number: 17/1953/FUL Delegation Briefing: 25/01/2018
Decision Type: Permitted Decision Date: 31/07/2018 Delegated Decision
Location: 147 Magdalen RoadExeterDevonEX2 4TT
Proposal: Internal and external amendments to Baring House and Willowdene and the reduction in number of residential units at Willowdene from three to one family dwelling.

Application Number: 17/1954/LBC Delegation Briefing: 25/01/2018
Decision Type: Permitted Decision Date: 31/07/2018 Delegated Decision
Location: 147 Magdalen RoadExeterDevonEX2 4TT
Proposal: Internal and external amendments to Baring House and Willowdene and the reduction in number of residential units at Willowdene from three to one family dwelling.

Application Number: 18/0288/LBC Delegation Briefing: 07/06/2018
Decision Type: Permitted Decision Date: 24/07/2018 Delegated Decision
Location: 4 St Leonards RoadExeterDevonEX2 4LA
Proposal: Internal alterations and remodelling of rear extension.

Application Number: 18/0362/FUL Delegation Briefing: 15/03/2018
Decision Type: Permitted Decision Date: 12/07/2018 Delegated Decision
Location: Land Situated Between Nos 2 And 4 Spicer Road ExeterEX1 1SX
Proposal: Proposed construction of apartment block comprising four residential units with associated car parking spaces, amenity space, bin store, cycle store and associated works. Part demolition of existing wall fronting the public highway.

Newtown And St Leonards

Application Number: 18/0545/FUL Delegation Briefing: 19/04/2018

Decision Type: Refuse Planning Permission Decision Date: 02/08/2018 Committee Decision

Location: Land At Summerland Street ExeterDevonEX1 2LB

Proposal: Demolition of existing buildings (Transport Club and Exeter Auto Centre) and redevelopment to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements.

Application Number: 18/0780/FUL Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 16/07/2018 Delegated Decision

Location: 1 Claremont GroveExeterDevonEX2 4LY

Proposal: Installation of 14 in-roof integrated Solar Panels to rear of garage roof

Application Number: 18/0781/LBC Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 16/07/2018 Delegated Decision

Location: 1 Claremont GroveExeterDevonEX2 4LY

Proposal: Installation of 14 in-roof integrated Solar Panels to rear of garage roof

Application Number: 18/0840/FUL Delegation Briefing: 26/07/2018

Decision Type: Permitted Decision Date: 21/08/2018 Delegated Decision

Location: 4 Matford LaneExeterDevonEX2 4PS

Proposal: Removal of 0.6m wide section of front wall and partial removal of terrace behind front wall to widen existing access.

Application Number: 18/0866/ADV Delegation Briefing:

Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: Exeter Bus And Coach StationParis StreetExeterDevonEX1 2JP

Proposal: Poster images applied to temporary construction site hoardings including images and text from Exeter City Council promoting the community facilities being developed in the the site and other material, also images and text promoting local community focused enterprises and organisations including Exeter Chiefs Rugby Club, Exeter College and the Met Office.

Newtown And St Leonards

Application Number: 18/0947/TPO Delegation Briefing:

Decision Type: Permitted Decision Date: 16/07/2018 Delegated Decision

Location: 20 Lister CloseExeterEX2 4SD

Proposal: Pine (T21) - Prune back overhanging branches by approximately 1-2 metres to pruning points.

Application Number: 18/0984/CAT Delegation Briefing:

Decision Type: Permitted Decision Date: 18/07/2018 Delegated Decision

Location: 31 Matford AvenueExeterDevonEX2 4PL

Proposal: T1 Hazel - fell - because it has fallen over,T2 Cherry - fell - the tree has been heavily reduced in the past and has lost its aesthetic value. It is also beginning to threaten the wall it is growing next to. T2 Cherry - reduce by circa 1.5 meters to keep tree a suitable size

Application Number: 18/0996/FUL Delegation Briefing: 12/07/2018

Decision Type: Permitted Decision Date: 07/08/2018 Delegated Decision

Location: 152 Heavitree RoadExeterDevonEX1 2LZ

Proposal: Replacement ground floor and first floor rear extensions.

Application Number: 18/0997/LBC Delegation Briefing: 12/07/2018

Decision Type: Permitted Decision Date: 07/08/2018 Delegated Decision

Location: 152 Heavitree RoadExeterDevonEX1 2LZ

Proposal: Replacement ground floor and first floor rear extensions

Application Number: 18/1000/FUL Delegation Briefing: 12/07/2018

Decision Type: Permitted Decision Date: 03/08/2018 Delegated Decision

Location: 174 Sidwell StreetExeterDevonEX4 6RH

Proposal: Change of use from A1 to mixed A1, A3 and A4 cafe, delicatessen and bar, use of exterior pavement for seating and installation of air extraction from existing first floor kitchen with an exterior flue to the rear of the property

Newtown And St Leonards

Application Number:	18/1110/LED	Delegation Briefing:		
Decision Type:	Was lawful use	Decision Date:	15/08/2018	Delegated Decision
Location:	27 Sandford WalkExeterDevonEX1 2ES			
Proposal:	Lawful development certificate sought for existing C4 (small HMO) use.			

Pennsylvania

Application Number:	18/0271/FUL	Delegation Briefing:	24/05/2018	
Decision Type:	Permitted	Decision Date:	18/07/2018	Delegated Decision
Location:	51 Rosebank CrescentExeterDevonEX4 6EH			
Proposal:	Single storey rear extension; two storey front bay window			

Application Number:	18/0395/FUL	Delegation Briefing:	28/06/2018	
Decision Type:	Permitted	Decision Date:	23/07/2018	Delegated Decision
Location:	98 Rosebarn LaneExeterDevonEX4 5DU			
Proposal:	First floor side extension and single storey rear extension.			

Application Number:	18/0448/FUL	Delegation Briefing:	14/06/2018	
Decision Type:	Permitted	Decision Date:	17/07/2018	Delegated Decision
Location:	18 Sylvan RoadExeterDevonEX4 6EW			
Proposal:	Conversion of building housing 3 flats to housing 5 flats			

Application Number:	18/0521/FUL	Delegation Briefing:	19/07/2018	
Decision Type:	Permitted	Decision Date:	10/08/2018	Delegated Decision
Location:	170 Pennsylvania RoadExeterDevonEX4 6DX			
Proposal:	Re-design of driveway and internal re-arrangement.			

Pennsylvania

Application Number: 18/1069/NMA Delegation Briefing:

Decision Type: Permitted Decision Date: 19/07/2018 Delegated Decision

Location: 28 Rosebarn Avenue Exeter Devon EX4 6DY

Proposal: Non material amendment to change the rear elevation 1.8m wide double door to a 3.6m wide bifold door (amendment to 16/1065/FUL approved 13/10/2016)

Pinhoe

Application Number: 18/0232/FUL Delegation Briefing: 22/02/2018

Decision Type: Permitted Decision Date: 17/08/2018 Delegated Decision

Location: Gipsy Hill Hotel Gipsy Lane Exeter Devon EX1 3RJ

Proposal: Resurfacing and lighting of overflow car park

Application Number: 18/0239/RES Delegation Briefing: 31/05/2018

Decision Type: Permitted Decision Date: 16/07/2018 Delegated Decision

Location: Land At Hollow Lane Exeter

Proposal: Reserved matters application (appearance, landscaping, layout and scale following Outline permission 15/1131/OUT) for 4 dwellings and associated works.

Application Number: 18/0342/FUL Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: 2 Sidbury Close Exeter Devon EX1 3GD

Proposal: Single storey rear extension

Application Number: 18/0825/FUL Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 30/07/2018 Delegated Decision

Location: 2 Rock Gardens Pinn Lane Exeter Devon EX1 3RP

Proposal: Single storey side extension

Pinhoe

Application Number: 18/0869/NMA Delegation Briefing:

Decision Type: Permitted Decision Date: 23/07/2018 Delegated Decision

Location: Land Known As Monkerton Farm On Western And Eastern Sides Of Cumberland Way Exeter

Proposal: Non-material amendment to 13/4984/01 - Variation of condition 8 so it refers to and becomes a pre-commencement condition; delete ", together with a programme of planting and the timing of implementation of the scheme" from condition 10; and removal of condition 30 as it is no longer applicable.

Application Number: 18/1119/PD Delegation Briefing:

Decision Type: Prior Approval Not Required Decision Date: 16/08/2018 Delegated Decision

Location: 21 Orchard Close Exeter Devon EX1 3SN

Proposal: Single storey rear extension extending a maximum of 3.5m from rear elevation, height to eaves 2.85m and max. overall height 3.65m.

Application Number: 18/1121/PD Delegation Briefing:

Decision Type: Prior Approval Required and Granted Decision Date: 16/08/2018 Delegated Decision

Location: 18 Pinn Lane Exeter Devon EX1 3QU

Proposal: Single storey rear extension extending a maximum of 3.500m from rear elevation, height to eaves 2.950m and max. overall height 2.950m.

Priory

Application Number: 17/0782/FUL Delegation Briefing: 20/07/2017

Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: Land Adj 45 Wonford Street Exeter EX2

Proposal: Construction of a new dwelling (revisions to approved scheme ref. 16/0843/03)

Application Number: 18/0313/RES Delegation Briefing: 05/07/2018

Decision Type: Permitted Decision Date: 16/08/2018 Delegated Decision

Location: Land At The Rear Of 15 And 17 Southbrook Road Exeter Devon

Proposal: Detached bungalow (Application for reserved matters access, appearance, landscaping, layout and scale following outline permission Ref. 17/1347/OUT granted 15 November 2017)

Priory

Application Number: 18/0491/FUL Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 17/07/2018 Delegated Decision
Location: Royal Devon And Exeter Hospital Barrack Road Exeter Devon
Proposal: Construction of single storey infill extension to east elevation of Kenn Ward, to include air handling unit at roof level.

Application Number: 18/0579/FUL Delegation Briefing: 05/07/2018
Decision Type: Permitted Decision Date: 26/07/2018 Delegated Decision
Location: The Countess Wear Public House 398 Topsham Road Exeter Devon EX2 6HE
Proposal: Replacement windows

Application Number: 18/0853/FUL Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 15/08/2018 Delegated Decision
Location: West Of England College Topsham Road Exeter Devon EX2 6HA
Proposal: Provision of temporary portable classroom block for a maximum period of 5 years.

Application Number: 18/0971/PD Delegation Briefing:
Decision Type: Prior Approval Not Required Decision Date: 24/07/2018 Delegated Decision
Location: 539 Topsham Road Exeter Devon EX2 7DL
Proposal: Single storey rear extension extending a maximum of 4.335m from rear elevation, height to eaves 2.986m and max. overall height 3.257m.

Application Number: 18/1097/FUL Delegation Briefing: 19/07/2018
Decision Type: Withdrawn by Applicant Decision Date: 16/08/2018 Delegated Decision
Location: Almernes Bridge Road Exeter Devon EX2 7AA
Proposal: Retrospective planning permission for a single storey extension, dormer window and associated works.

St Davids

St Davids

Application Number: 17/1734/FUL Delegation Briefing: 25/01/2018
Decision Type: Permitted Decision Date: 18/07/2018 Delegated Decision

Location: The Rougemont Hotel Queen Street Exeter Devon EX4 3SP

Proposal: Demolition of existing bar/restaurant and construction of replacement single storey bar/restaurant

Application Number: 18/0109/LBC Delegation Briefing: 01/03/2018
Decision Type: Permitted Decision Date: 27/07/2018 Delegated Decision

Location: 43-45 High Street Exeter Devon EX4 3DJ

Proposal: Fire damage remedial works: repair/ reinstatement of various internal elements; restoration and replacement of timber sash windows.

Application Number: 18/0301/FUL Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: Ask5 Cathedral Close Exeter Devon EX1 1EZ

Proposal: Retrospective application for retention of kitchen extract equipment and fire escape staircase over single storey rear extension, retention of mesh screens over kitchen windows on rear extension and part replacement of parquet flooring with ceramic tiles.

Application Number: 18/0302/LBC Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: Ask5 Cathedral Close Exeter Devon EX1 1EZ

Proposal: Retrospective application for retention of kitchen extract equipment and fire escape staircase over single storey rear extension, retention of mesh screens over kitchen windows on rear extension and part replacement of parquet flooring with ceramic tiles.

Application Number: 18/0365/ADV Delegation Briefing:
Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: 5 Cathedral Close Exeter Devon EX1 1EZ

Proposal: Replacement signage:- 1no. non-illuminated entrance sign, 1no. externally illuminated projection sign, 1no. internally illuminated menu box sign, and 9no. non-illuminated blinds with restaurant logo.

St Davids

Application Number: 18/0373/LBC Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision
Location: 5 Cathedral CloseExeterDevonEX1 1EZ
Proposal: Replacement signage:- 1no. non-illuminated entrance sign, 1no. externally illuminated projection sign, 1no. internally illuminated menu box sign, and 9no. non-illuminated blinds with restaurant logo.

Application Number: 18/0408/LBC Delegation Briefing: 12/07/2018
Decision Type: Permitted Decision Date: 03/08/2018 Delegated Decision
Location: 17 The QuayExeterDevonEX2 4AP
Proposal: Replacement cellar doors (like for like)

Application Number: 18/0508/FUL Delegation Briefing: 05/07/2018
Decision Type: Permitted Decision Date: 30/07/2018 Delegated Decision
Location: Colleton Lodge10 Colleton CrescentExeterDevonEX2 4DG
Proposal: Garage to rear/side of Colleton Lodge

Application Number: 18/0509/LBC Delegation Briefing: 05/07/2018
Decision Type: Permitted Decision Date: 30/07/2018 Delegated Decision
Location: Colleton Lodge10 Colleton CrescentExeterDevonEX2 4DG
Proposal: Garage to side/rear of Colleton Lodge

Application Number: 18/0640/FUL Delegation Briefing: 31/05/2018
Decision Type: Permitted Decision Date: 25/07/2018 Delegated Decision
Location: Wagamama16 Bedford StreetExeterDevonEX1 1LL
Proposal: Construction of a single-storey rear extension.

St Davids

Application Number: 18/0657/FUL Delegation Briefing: 17/05/2018
Decision Type: Permitted Decision Date: 08/08/2018 Government Department
Location: 75 Queen StreetExeterDevonEX4 3RX
Proposal: Change of use of first floor (A1 use) and second floor (B1 use), to provide two, 2 bedroom apartments. First floor extension for beauty salon, and other alterations.

Application Number: 18/0658/LBC Delegation Briefing: 17/05/2018
Decision Type: Permitted Decision Date: 08/08/2018 Delegated Decision
Location: 75 Queen StreetExeterDevonEX4 3RX
Proposal: Conversion to provide two apartments. First floor extension for beauty salon and internal/external alterations to ground floor and basement.

Application Number: 18/0666/FUL Delegation Briefing: 07/06/2018
Decision Type: Withdrawn by Applicant Decision Date: 27/07/2018 Delegated Decision
Location: Senate CourtSouthernhay GardensExeterDevonEX1 1UG
Proposal: New build residential top floor, comprising 5 units with associated terraces

Application Number: 18/0738/ADV Delegation Briefing:
Decision Type: Permitted Decision Date: 03/08/2018 Delegated Decision
Location: 92 South StreetExeterDevonEX1 1EN
Proposal: Replacement signage and alterations to shopfront.

Application Number: 18/0752/FUL Delegation Briefing:
Decision Type: Permission not required Decision Date: 03/08/2018 Delegated Decision
Location: 8 Bagshot AvenueExeterDevonEX2 4RN
Proposal: Loft conversion with gable extension, including roof-lights in front elevation roof and a full width dormer extension to rear.

St Davids

Application Number: 18/0871/FUL Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 19/07/2018 Delegated Decision
Location: Platform Linacre HouseSouthernhay GardensExeterDevonEX1 1UG
Proposal: Minor external works to include entrance canopy, satellite dish on roof, and additional utilities equipment

Application Number: 18/0935/CAT Delegation Briefing:
Decision Type: Permitted Decision Date: 30/07/2018 Delegated Decision
Location: 6 Riverside CourtColleton CrescentExeterDevonEX2 4BZ
Proposal: T1 - Ash - crown lift 5.2m for highways clearance and 2m reduction of crown. Removal of lowest limb.T2 - Mountain ash - crown clean removing dead / crossing / rubbing branches and general thin.

Application Number: 18/1057/ADV Delegation Briefing:
Decision Type: Permitted Decision Date: 21/08/2018 Delegated Decision
Location: 250 High StreetExeterDevonEX4 3PZ
Proposal: 1no replacement fascia sign and 1no new projecting sign.

Application Number: 18/1076/FUL Delegation Briefing: 19/07/2018
Decision Type: Permitted Decision Date: 10/08/2018 Delegated Decision
Location: Flat 33 RocksideSt DavidsExeterDevonEX4 4EA
Proposal: Replacement of 2 wooden windows with UPVC to match neighbouring flats. Replacement skylight.

St James

Application Number: 18/1171/NMA Delegation Briefing:
Decision Type: Permitted Decision Date: 21/08/2018 Delegated Decision
Location: 3 Linden ValeHowell RoadExeterDevonEX4 4LF
Proposal: Non-material amendment to planning permission Ref. 18/0402/FUL (granted on 23 July 2018) to change patio doors to bi-fold doors with side window on rear elevation.

St Loyes

St Loyes

Application Number: 17/0268/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 24/07/2018 Delegated Decision

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

Proposal: Discharge of conditions 3, 5, 7, 9, 10, 12, 17 and 18 of Planning Permission 16/0972/03 granted 23 January 2017

Application Number: 18/0449/FUL Delegation Briefing: 21/06/2018

Decision Type: Permitted Decision Date: 19/07/2018 Delegated Decision

Location: Unit 1 Philip House Honiton Road St Loyes Exeter Devon EX1 3RU

Proposal: Change of Use from Class A1 (Retail), to Class A1 and A3 (Restaurants and cafes) with ancillary Class A5 (hot food takeaways).

Application Number: 18/0527/FUL Delegation Briefing: 28/06/2018

Decision Type: Permitted Decision Date: 23/07/2018 Delegated Decision

Location: 15 Bishops Way Exeter Devon EX2 7PF

Proposal: Conservatory to rear

Application Number: 18/0534/FUL Delegation Briefing: 03/05/2018

Decision Type: Refuse Planning Permission Decision Date: 09/08/2018 Committee Decision

Location: Land West Of Ringswell Avenue, Comprising Part Of The Grounds Of The Former St Luke's Sch

Proposal: Construction of 48 dwellings (use class C3), means of access, public open space and associated infrastructure.

Application Number: 18/0678/FUL Delegation Briefing: 26/07/2018

Decision Type: Permitted Decision Date: 16/08/2018 Delegated Decision

Location: 141 Honiton Road St Loyes Exeter Devon EX1 3EP

Proposal: Alterations, replacement side extension and new extension to rear

St Loyes

Application Number: 18/0863/FUL Delegation Briefing: 21/06/2018
Decision Type: Permitted Decision Date: 23/07/2018 Delegated Decision
Location: Lower Ground FloorScottish And Southern EnergyHeron RoadExeterDevonEX2 7FB
Proposal: Change of use to creche.

Application Number: 18/0926/FUL Delegation Briefing: 28/06/2018
Decision Type: Permitted Decision Date: 25/07/2018 Delegated Decision
Location: 9 Van Buren PlaceRussell WayExeterDevonEX2 7TJ
Proposal: Construction of greenhouse

Application Number: 18/0964/FUL Delegation Briefing: 28/06/2018
Decision Type: Permitted Decision Date: 31/07/2018 Delegated Decision
Location: 23 Broadfields RoadExeterDevonEX2 5QX
Proposal: Rear single storey extension

St Thomas

Application Number: 18/0444/FUL Delegation Briefing: 28/06/2018
Decision Type: Permitted Decision Date: 27/07/2018 Delegated Decision
Location: 19C Princes SquareExeterDevonEX2 9AN
Proposal: Conservatory to rear of property

Application Number: 18/0455/FUL Delegation Briefing: 22/03/2018
Decision Type: Permitted Decision Date: 19/07/2018 Delegated Decision
Location: 8 Kerswill RoadExeterDevonEX4 1NY
Proposal: Single storey side and rear extension.

St Thomas

Application Number: 18/1003/PD Delegation Briefing:

Decision Type: Prior Approval Not Required Decision Date: 24/07/2018 Delegated Decision

Location: 34 Myrtle RoadExeterDevonEX4 1QA

Proposal: Conservatory extending a maximum of 5.070m from rear elevation, height to eaves 2.425m and max. overall height 3.760m.

Application Number: 18/1117/FUL Delegation Briefing: 02/08/2018

Decision Type: Permitted Decision Date: 21/08/2018 Delegated Decision

Location: 3 Victoria MewsCowick RoadExeterDevonEX2 9FA

Proposal: Ground floor front extension and alterations to rear roof

Topsham

Application Number: 17/1932/FUL Delegation Briefing: 01/02/2018

Decision Type: Permitted Decision Date: 01/08/2018 Delegated Decision

Location: Meadow ViewClyst RoadTopshamExeterDevonEX3 0DQ

Proposal: Construction of detached dwelling following demolition of garage block and construction of new access and parking area for existing dwelling.

Application Number: 18/0492/FUL Delegation Briefing: 28/06/2018

Decision Type: Permitted Decision Date: 27/07/2018 Delegated Decision

Location: 2 TophayesElm Grove RoadTopshamExeterDevonEX3 0BW

Proposal: Proposed removal of existing conservatory and construction of a new single storey sitting room extension

Application Number: 18/0588/FUL Delegation Briefing: 12/07/2018

Decision Type: Permitted Decision Date: 03/08/2018 Delegated Decision

Location: Owls Hoot23 Sunhill AvenueTopshamExeterDevonEX3 0BP

Proposal: Side extension

Topsham

Application Number: 18/0779/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 08/08/2018 Delegated Decision

Location: Land To The Rear Of Five Acres Exeter Road Topsham Exeter EX3

Proposal: Discharge of Condition 13 (Boundary treatments) of application 16/0081/03.

Application Number: 18/0811/FUL Delegation Briefing: 28/06/2018

Decision Type: Permitted Decision Date: 03/08/2018 Delegated Decision

Location: 42 The StrandTopshamExeterDevonEX3 0AY

Proposal: Proposed rear extension and general alterations

Application Number: 18/0812/LBC Delegation Briefing: 28/06/2018

Decision Type: Permitted Decision Date: 03/08/2018 Delegated Decision

Location: 42 The StrandTopshamExeterDevonEX3 0AY

Proposal: Proposed rear extension and general alterations

Application Number: 18/0879/NMA Delegation Briefing:

Decision Type: Permitted Decision Date: 14/08/2018 Delegated Decision

Location: Exeter Golf And Country Club Practice Ground Land To The South Newcourt Drive

Proposal: Amendment to orientation of dwellings on plots 57 and 58 and enlargement of house type on plot 57 (Non-Material Minor Amendment to Planning Permission ref 17/0006/FUL granted on 22nd November 2017).

Application Number: 18/0924/FUL Delegation Briefing: 28/06/2018

Decision Type: Permitted Decision Date: 24/07/2018 Delegated Decision

Location: 45 Trafalgar RoadExeterDevonEX2 7GF

Proposal: Conservatory on rear elevation

Topsham

Application Number: 18/0973/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 13/07/2018 Delegated Decision

Location: Playing Fields OffWear Barton RoadExeterDevon

Proposal: Discharge of Condition 9 (archaeology) of planning application 16/0849/01 granted on 6 December 2016.

Application Number: 18/1012/NMA Delegation Briefing:

Decision Type: Permitted Decision Date: 15/08/2018 Delegated Decision

Location: Land North Of Exeter RoadTopshamExeterEX3 0LX

Proposal: Amendments to various house types as follows H2B4P-887 Alterations to fenestration, H3B5P-1079 Alterations to internal layout and associated fenestration changes, H3B6P-1135 Alterations to internal layout and associated fenestration changes including addition of new rear door on plots 3, 8, 9 and 49, H4B7P- 1627 Alterations to fenestration including removal of juliet balcony, H5B10P Alterations to internal layout and associated fenestration changes. (Non-material Minor Amendment to reserved matters consent ref 17/1091/RES granted on 12th December 2017).

Application Number: 18/1047/LBC Delegation Briefing: 12/07/2018

Decision Type: Permitted Decision Date: 10/08/2018 Delegated Decision

Location: Midships20 Monmouth HillTopshamExeterDevonEX3 0JQ

Proposal: Replacement of two windows

Application Number: 18/1087/VOC Delegation Briefing:

Decision Type: Permitted Decision Date: 16/07/2018 Delegated Decision

Location: Countess CrossRydon LaneExeterDevonEX2 7AW

Proposal: Variation of condition to approve ammended plans for the addition of a dormer window to increase headheight (Ref. 17/1021/FUL approved: 17 August 2017)

Application Number: 18/1156/DIS Delegation Briefing:

Decision Type: Permitted Decision Date: 01/08/2018 Delegated Decision

Location: 30 Victoria RoadTopshamExeterDevonEX3 0EU

Proposal: Discharge of condition 3 (location of water pump) relating to planning application reference 18/0162/FUL granted on 1 May 2018

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REPORT TO: PLANNING COMMITTEE
Date of Meeting: 3 SEPTEMBER 2018
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

No appeal decisions have been received since the last report.

4. New Appeals

Three new appeals have been received.

4.1 13B St James Road – Application Ref: 18/0663/FUL. The application sought an extension to the dwelling by conversion of a storage building and erection of a covered link.

4.2 Grove Hill House, Topsham – Application Ref: 17/1879/FUL. The application sought a new dwelling in the grounds of the house.

4.3 20 Cornflower Hill – Application Ref: 18/0445/FUL. 20 Cornflower Hill. The application sought retrospective permission for a single storey extension.

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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