

## PLANNING COMMITTEE

Monday 31 July 2017

### Present:

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

### Apologies:

Councillor Mrs Henson

### Also Present:

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

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### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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### PLANNING APPLICATION NO. 17/0862/03 - LAND OFF EXETER ROAD, TOPSHAM

The Principal Project Manager (Development) (HS) presented the application for a re-orientation of car park, revised landscaping and vehicle/pedestrian access to plots 23-28 as amended to The Retreat Drive.

In response to Members, he confirmed that part of Retreat Drive was in the ownership of Devon County Council following transfer from Highways England, although not adopted, and clarified the access arrangements from the car park onto Exeter Road which would be cycle/pedestrian only. One Member expressed concern that the new access onto Retreat Road and then onto Exeter Road could create dangerous traffic conditions.

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

**RESOLVED** that planning permission for a re-orientation of car park, revised landscaping and vehicle/pedestrian access to plots 23-28 as amended to The Retreat Drive be **APPROVED**, subject to the following conditions:-

- (1) A01 – Time Limit – full
- (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 31st May 2016 (including drawing nos. EXRD-012-SITE PLAN & EXRD-020-LOC PLAN) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.

**PLANNING APPLICATION NO. 17/0946/03 - THE QUAY BRIDGE, THE QUAY, EXETER**

The Principal Project Manager (Development) (HS) presented the application for the Exeter Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system.

The previously approved wider flood relief works included a barrier upstream of Quay Bridge. Furthermore, the original proposals were made to provide 1 in 100 year probability but the Environment Agency were stating that, following detailed surveys and design work, the parapet walls of the Quay Bridge could not withstand an event of greater than 1 in 75 year probability and issues arising from the location of services.

Alternative options including sliding/rolling floodgates to be provided on the western side of Quay Bridge to act as part of the flood defence system had been explored but it was not felt that the Environment Agency had demonstrated that no alternative option was feasible.

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

- planning permission granted in 2015 for the wider flood defence scheme funded by local and national money and delivered by the Environment Agency, Exeter City Council and Devon County Council to provide a common standard of flood protection 1 in 100 chance of occurring in any one year;
- scheme is 60% complete but in the area of Quay Bridge there is need to change the currently consented design due to the dense arrangement and condition of existing services and the fragility of the existing bridge;
- the Environment Agency needs to balance many, sometimes conflicting factors when designing schemes. At Quay Bridge such matters include; engineering practicalities, the interests of local people, heritage and other environmental impacts and value of public money. It understands and shares the need to protect the valuable heritage of the Quay and has spent 11 months and considerable funds fully investigating options. The alternative option of roller gates has been considered and rejected on technical grounds;
- the only viable option which achieves the necessary balance is building the new defence structure across the Leat just south of the existing Quay Bridge. It provides a 1 in 100 year standard for the people, property and infrastructure of Shillhay in common with the rest of the City;
- it will be built to a high-quality specification (inc masonry-cladding, glass parapets and timber decking) as developed by landscape and heritage experts in collaboration with Council's Heritage/Landscape Staff and Historic England;
- it incorporates pedestrian and cycle access to allow future use as an alternative to the current Quay Bridge road bridge and minimises the disruption to residents, businesses and visitors during construction and means Quay Bridge can stay open;
- refusal or deferral would mean proceeding with constructing those parts of the currently consented design that are practical to build and omit those parts that are not. This would result in reduced flood protection (1 in 75 year or 1.33% of happening in any one year) and would leave this community disadvantaged in relation to the remainder of the City. It would have the disadvantages of extensive disruption to people and businesses from the temporary closure of Quay Bridge as access to the constricted area would be from the bridge; and

- eager to provide the best long-term standard for all. Climate change will erode this standard such that it will fall below the 'insurable' level in a matter of a few years;

He responded as follows to Members' queries:-

- the overall cost of the flood prevention works was £32 million;
- service water flooding in the leat upstream of Quay Bridge was pumped out during periods of flooding;
- statutory service providers would not permit works detrimental to their services which were too close to the original proposed scheme;
- a number of meetings had been held with interested parties but there are insurmountable technical problems associated with the original scheme so it was not an issue of seeking cost savings;
- a one in 100 year solution will, with further global warming, reduce to 1 in 75 by 2060/2065 and a scheme that would provide a 1 in 75 year solution would result in insurers revising standards leading to increases in premiums; and
- the new flood control structure will be two metres away and not touch the Bridge;
- the Environment Agency cannot enter in to a period of prolonged further option consideration as this would cause delays (third winter on the Quay), cost more money and is unlikely to reach a different conclusion;
- the Environment Agency is of the view that the public benefits of the application significantly out-weigh the 'harm' of moving the defence from one side of Quay Bridge to the other; and
- the new structure will provide a valuable additional vantage point with glass parapets from which to view the historic buildings. The Quay Bridge remains fully visible.

The recommendation was for refusal for the reasons as set out in the report.

Members felt that the introduction of a new 'bridge' structure ahead of the existing historic bridge would detract from the grouping of the existing bridge with the Grade I Listed Custom House, to the detriment of the character and appearance of the Conservation Area. It was also believed that all options had not been properly assessed and that a more satisfactory scheme would help protect the legacy of the area better.

**RESOLVED** that planning permission for the Exeter Flood Defence Scheme. Variation to approved scheme at Quay Bridge (ref. 15/0172/03): Introduction of a headwall to leat downstream of Quay Bridge. Masonry-clad headwall with bottom-hinged flap gate, glass parapet and access walkway, together with a connecting demountable flood defence barrier system be **REFUSED** for the following reasons:-.

- (1) it has not been demonstrated in the application that alternative means of protecting residential properties in this area to a 1 in 100 standard, if desired, cannot be achieved by alternative means that result in significantly less harm to the setting of listed buildings or to the desirability of preserving or enhancing the character or appearance of the Riverside Conservation Area;
- (2) it has not been demonstrated in the application that the benefits of an increase from 1 in 75 year (1% annual probability) to 1 in 100 year (1.3% annual probability) standard of flood protection outweighs the harm to the setting of listed buildings or to the desirability of preserving or enhancing the character or appearance of the Riverside Conservation Area; and

- (3) on balance, the proposals are considered to be contrary to the aims of Exeter Local Plan First Review 1995-2011 Policies C1 and C2, Exeter Core Strategy Policy CP17 and Paragraph 132 of the NPPF.

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**LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the City Development Manager was submitted.

**RESOLVED** that the report be noted.

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**APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

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**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 22 August at 9.30 a.m. The Councillors attending will be Foale, Newby and Spackman.

(The meeting commenced at 5.30 pm and closed at 6.25 pm)

Chair