

PLANNING

Date: Monday 29 July 2019
Time: 5.30 pm
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

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

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

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

Membership -

Councillors Lyons (Chair), Williams (Deputy Chair), Bialyk, Branston, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Pierce, Sheldon and Sutton

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 meeting held on 24 June 2019.

(Pages 5 -
10)

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

- 5 **Planning Application No. 19/0543/OUT - Land north of Newcourt Road, Topsham**

To consider the report of the Service Lead City Development. (Pages 11 - 26)
- 6 **Planning Application No. 19/0315/OUT - Exeter College of Further Education, Hele Road Campus, Exeter**

To consider the report of the Service Lead City Development. (Pages 27 - 46)
- 7 **Planning Application No. 18/1610/FUL - St Andrews Yard, Willeys Avenue**

To consider the report of the Service Lead City Development. (Pages 47 - 58)
- 8 **Planning Application No. 19/0287/FUL - Application Land between Hollow Lane and Harts Lane**

To consider the report of the Service Lead City Development. (Pages 59 - 72)
- 9 **List of Decisions Made and Withdrawn Applications**

To consider the report of the Service Lead City Development. (Pages 73 - 88)
- 10 **Appeals Report**

To consider the report of the Service Lead City Development. (Pages 89 - 90)
- 11 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 20 August 2019 at 9.30 a.m. The Councillors attending will be Councillors Sutton, Sheldon and M Mitchell.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 2 September 2019** 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 24 June 2019

Present:-

Councillor Lyons (Chair)
Councillors Bialyk, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Sheldon and Sutton

Apologies

Councillors Williams, Branston and Pierce

Also Present

Service Lead City Development, Assistant Service Lead City Development and Democratic Services Officer

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MINUTES

The minutes of the meeting held on 15 April 2019 were taken as read, approved and signed by the Chair as correct.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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PLANNING APPLICATION NO. 18/1120/OUT - LAND ADJOINING 46 NEWCOURT ROAD, EXETER

The Assistant Service Lead City Development presented the application for outline planning permission for development of site to provide seven residential units (three open market and four self-build plots) with access from Newcourt Road (Appearance, Landscaping, Layout and Scale all reserved for subsequent approval). He reported further objections from the Topsham Society referring to a recent application for 23 dwellings on an adjoining piece of land to which it also objected asking for consideration of development issues in the wider area.

Ms Baddeley spoke in support of the application. She raised the following points:-

- scheme could deliver housing in a sustainable location without significant impacts. The site is located adjacent to the built-up area boundary of Topsham, in a sustainable location with good connections to its physical, social and community and green infrastructure;
- development of the site will not harmfully impact on the setting of either Topsham or Exeter and there are no technical reasons, including from highways perspectives, to withhold permission;
- contributes to the Council's five year housing land supply;
- the conclusions reached by the Inspector in the appeal decision in relation to land at Clyst Road are of key importance in determining the application;
- tenure is in line with existing and emerging policy as, in addition to four of the houses being self-build, only three would be open market;
- significant financial benefits to the Council as the application will trigger a significant monetary injection to deliver affordable housing in the City; and
- request the grant of planning permission, subject to the completion of a

Section 106 agreement.

Members expressed some concerns regarding traffic generation and were advised that the Highway Authority did not object as there would be minimal extra traffic from seven dwellings and that a condition requiring a footpath fronting Newcourt Road would be provided which would be replicated should the land to the north be developed. Reference was made to the continuing pressure on the 'Topsham Gap' and it was noted that the report concluded that the site did not make a significant contribution to the visual amenity of the urban fringe and that the development of this small site would not in itself lead to any material coalescence between Topsham and Exeter.

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

The Service Lead City Development agreed to consult with the Chair of this Committee in respect of any subsequent reserved matters applications received for this development.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure an affordable housing financial contribution, planning permission for seven residential units (three open market and four self-build plots) with access from Newcourt Road (Appearance, Landscaping, Layout and Scale all reserved for subsequent approval) 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. 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: 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. In respect of those matters not reserved for later approval, the development hereby permitted shall be carried out in accordance with drawing no. 48030-GA-001 and 246:1:01 G (in respect of the access arrangements and associated replacement Devon hedge bank contained within the red lines).
Reason - To ensure that the means of access to serve the development (which is not a reserved matter) are acceptable from a highway safety perspective.
4. Pre-commencement condition: Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure covered cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.

Reason: To provide adequate facilities for sustainable transport.

5. Pre-commencement condition: No part of the development hereby approved shall be commenced until details of the footway adjacent to the site (on Newcourt Road) and crossing point on Newcourt Road, have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

Reason: To provide a safe and suitable access in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and policy CP9 of the ECC Core Strategy

6. Pre-commencement condition: No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

7. Pre-commencement condition: No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

8. Pre-commencement condition: Prior to commencement of the development the applicant shall submit for approval in writing by the LPA an Acoustic Design Statement. Any mitigation measures required shall be implemented in full prior to occupation of the development, and maintained thereafter. The Professional Practice Guidance Note (ProPG): Planning and Noise for New Residential Development May 2017 (ANC, IoA and CIEH) describes the expected content and approach of an Acoustic Design Statement.

Reason: In the interests of residential amenity

9. Pre-commencement condition: Before commencement of construction of the development hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with

this condition.

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

10. Pre-commencement condition: Before commencement of the development details of a biodiversity management and enhancement programme for the site shall be submitted to and approved by the local planning authority and the programme shall be implemented and maintained thereafter in accordance with the approved details.

Reason: To enhance the biodiversity quality of the site.

11. 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.

12. The development shall not be carried out otherwise than in accordance with a surface water drainage scheme, which shall include details of the means of attenuation and disposal of surface water from the site, including through the use of sustainable drainage systems. Details of the scheme, a timetable for its implementation and details of its future management, shall be in general compliance with Drainage Strategy Statement – Rev A dated 10/12/18, and shall be submitted to and approved in writing by the LPA prior to the commencement of development. The scheme shall be implemented in accordance with the approved details and timetable for implementation.

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

13. 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.

Informatives

- 1) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Area (SPA), the Exe Estuary, which is a designated European site. 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 Community Infrastructure Levy (CIL) collected in respect of the development being allocated to funding the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism

(this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

- 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. 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.
- 4) In accordance with Paragraph 38 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
- 5) The submitted site plan (246:1:01 G) is indicative except in so far as it shows the access arrangements and it should not be assumed to show an acceptable layout.
- 5) The applicant's attention is drawn to the requirements of Network Rail set out in their emailed communication dated 16 October 2018.
- 6) The applicant's attention is drawn to the requirements of South West Water set out in their emailed communication dated 27 September 2018.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Service Lead City Development was submitted.

A Member asked for further information on the delegated decision in respect of Application No 17/1962/OUT – Tesco Stores Ltd, Russell Way, Exeter and was advised that a meeting between the Service Lead City Development and the Director was to be held on 25 June to discuss issues that had arisen on this application. A letter on the outcome would be circulated to the Councillors and Members of this Committee.

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 - ROTA FOR VISITS

The report of the Corporate Manager Democratic & Civic Support was submitted.

RESOLVED that the circulated rota of site inspection be approved, subject to any changes during the course of the year.

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SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 16 July at 9.30 a.m. The Councillors attending will be Bialyk, Branston and Foale.

(The meeting commenced at 5.30 pm and closed at 6.18 pm)

Chair

COMMITTEE DATE: 29/07/2019

APPLICATION NO: 19/0543/OUT
APPLICANT: PCL Planning Ltd and Blue Cedar Homes Ltd
PROPOSAL: Construction of up to 23 residential dwellings (including market, affordable and age-restricted dwellings), provision of access off Newcourt Road, open space and associated works (outline application with details of access only for approval with scale, layout, appearance and landscaping all reserved for future consideration).
LOCATION: Land north of Newcourt Road, Topsham, Exeter.
REGISTRATION DATE: 16.04.19

HISTORY OF SITE

None directly relevant to the application site but the following applications on adjoining land are considered relevant –

18/1120/OUT – Outline planning permission for development of site to provide 7 residential units (3 open market and 4 self-build plots) with access from Newcourt Road (Appearance, Landscaping, Layout and Scale all reserved for subsequent approval). This application was considered by the Planning Committee at its' meeting on the 24th June 2019 and the resolution was to grant conditional planning permission subject to a S106 Agreement relating to affordable housing.

17/1148/OUT - Outline planning permission for up to 155 residential units and a 64-bedroom residential care home. Means of access to be determined with scale, layout, appearance and landscaping reserved for future consideration. Refused 07/03/2018. Subsequently allowed on appeal by Planning Inspector's decision letter dated 14/01/2019.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises a 1.1 hectare field situated in the north side of Newcourt Road between it and the Exeter to Exmouth branch railway line.

Outline planning permission is sought for the development of the site with up to 23 dwellings comprising a mix of market, affordable and retirement homes served by an access from Newcourt Road. Approval of the means of access is sought now with matters relating to scale, layout, appearance and landscaping all reserved for future consideration.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting information –

- Planning Statement
- Design and Access Statement
- Blue Cedar Living System Statement
- Ecological Impact Assessment

- Dormouse Survey
- Phase 2 Bat Surveys
- Noise Assessment
- Arboricultural Impact Assessment Report
- Tree Survey
- Geophysical Survey Report
- Transport Statement
- Phase 1 Geo-Environmental Assessment

REPRESENTATIONS

31 representations/objections have been received raising the following issues –

- Newcourt Road – no through road for cars lacking pavements and of restricted width
- Increasingly popular route for walking and cycling, Inc. children on way to/from school
- Road too narrow to accommodate additional traffic which will have safety implications, esp. for cyclists/pedestrians
- Inadequate visibility on Newcourt Road generally, and inadequate visibility at junction of proposed site access
- Lead to increased traffic/congestion on road network with adverse safety implications, including from large construction vehicles during construction phase
- Many Newcourt Road properties are situated close to road with dangerous front access arrangements which will be exacerbated by more traffic
- Validity of assumptions in Transport Statement
- Cumulative impact – should be considered with application 18/1120/OUT on field next door (This application has already been determined)
- Too far from facilities for elderly residents to walk
- Inadequate infrastructure – roads, sewers, schools, policing and health care facilities
- Increased crime arising from increased population
- Drainage capacity, increased flooding risk
- Loss of hedgerow – impact on wildlife and character of road/lane
- Too many houses in ‘Topsham Gap’, overdevelopment and loss of open/green space
- Loss of agricultural land
- Increased air, light and noise pollution
- Contrary to Development Plan
- Valued landscape by local people
- Precedent for further development
- Piecemeal approach to development in area, premature to GESP and consideration of strategic development potential (Para 49 NPPF)
- Propensity for developers to change intentions once consent granted
- Will put pressure on Council representation.

CONSULTATIONS

Network Rail – No Objection in principle. Comment on various matters to be considered as part of detailed design including fencing, drainage, safety, layout, piling/excavations, noise and landscaping.

South West Water (SWW) – No objection being already aware of the proposal.

Police ALO – Comments upon relationship between design and crime, boundary treatments, benefits of natural surveillance, lighting, parking provision and design.

Devon & Somerset Fire & rescue Service – Comments as follows –

“It would appear that the proposed development would require the provision of additional fire hydrants to provide a water supply capable of supporting fire-fighting operations.

Vehicular access appears suitable, however, measurements have not been provided at this stage.

It is the Fire and Rescue Authority’s expectation that the above requirements will be addressed under Approved Document B of the Building Regulations, should planning permission be granted.”

DCC (Education) – Response as follows –

“Regarding the above planning application for 23 dwellings, Devon County Council would need to request an education contribution to mitigate its impact.

In order to make the development acceptable in planning terms, an education contribution to mitigate its impact will be requested. This is set out below:

Exeter City have set out that they intend school facilities to be funded through CIL. It should be noted that this development will create the need for funding of new school places and it is anticipated that these will require funding equivalent to £30,990.00 for primary school facilities, equivalent to 2.27 children and £39,457 for secondary school facilities, equivalent to 1.80 children.

In addition, a contribution towards Early Years provision is needed to ensure delivery of provision for 2, 3 and 4 year olds. This is calculated as £3,000 (based on £250 per family type dwelling). This will be used to provide early years provision for pupils likely to be generated by the proposed development.

This figure has been calculated in accordance with the county council’s education infrastructure plan and S106 approach and takes into account existing capacity in the surrounding schools. It is anticipated that these contributions would be provided for through CIL.”

County Head of Planning, Transportation and Environment – Highway officers have been in direct discussion with developers in relation to highway matters and have provided the following consultation response together with recommended conditions –

“The submitted outline application is for the construction of 23 residential dwellings, provision of access off Newcourt Road and associated works at the Land north of Newcourt Road, Exeter.

Trip Generation and Access

A transport statement has been submitted with the application; analysis from the TRICS database/ previously commissioned traffic surveys at a number of existing age restricted sites has been provided, gauging the likely traffic generation of the existing and proposed development.

The resultant vehicle trip rates and associated traffic generation indicate that there will be an increase 8 two-way trips in the AM Peak and an increase of 6 two-way trips on the PM Peak. The increase in traffic generation cannot be deemed as significant and cannot form a reason for refusal.

Vehicular access will be via a simple access onto Newcourt Road. This meets the relevant visibility standards for a 20mph limit (2.4 x 25m). The applicant proposes a 2m wide footpath which should be provided within the site's red line boundary providing a link along the whole site frontage and the proposed footway that will be provided by the adjacent development proposal (18/1120/OUT).

In addition to the proposed footway, the applicant should be making the adopted carriageway width available along the site frontage. Newcourt Road narrows at the section fronting the development; the carriageway varies in width between 3.8m and 4.3m which is insufficient for two vehicles to pass (MfS advocates that at least 4.8m is required). The applicant has provided a plan (Drawing Number 183916_G_03 RevA) indicating that the applicant will make at the least 5.5m of HMPE available to use to the site entrance and should be secured by condition. The vehicular access, proposed footpath adjacent to Newcourt Road and road widening will be subject to a S278/38 agreement.

Internal Roads and layout

Well-designed residential streets are central to sustainable development and therefore the design of the internal road layout must accord with the principles of Manual for Streets and appropriate sustainable design guidance.

The applicant is advised that car parking standards are set out in the Exeter City Residential Design Guide and that secure cycle parking facilities will need to be in accordance with chapter 5 of Exeter City Councils Sustainable Transport Supplementary Planning document. Reflecting the sites proximity to a number of primary cycle routes these standards should, where practical, be exceeded.

As an outline application these details are reserved for approval at a later stage. However, to ensure a suitable layout it is recommended that the applicant liaises with the highway authority prior to any application for reserved matters approval.

Travel Planning

In accordance with paragraph 111 of the NPPF and the Sustainable Transport SPD, the development will be required to have a Travel Plan. A simple Travel Plan should be introduced including details of walking and cycling routes, as well as public transport including maps, timetables, and information about ticket offers. It should also include information about car sharing schemes, car clubs, eco-driving and motorcycle safety. These measures should be encouraged to continue the promotion of non-car based travel.

Summary

*The applicant is advised that parts of the indicated area are HMPE and therefore permission must be obtained prior to **undertaking any work on the highway**. A Section 38/278 licence will need to be applied for."*

DCC (Lead Local Flood Authority- LLFA) – Initially raised some concerns in respect of the surface water drainage proposals and requested further information. This additional

information has now been provided and DCC as LLFA have provided the following consultation response –

“Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission.” The conditions referred to are condition nos. 11, 12 and 13 set out in this report.

Natural England – Highlight potential impact upon protected European site (SPA/SAC), and need for an appropriate assessment to be undertaken. Refer to standing advice regarding landscape and protected species matters.

Environmental Health – Recommends conditions relating to land contamination, Acoustic Design Statement and Construction and Environment Management Plan (CEMP).

Royal Devon and Exeter NHS Foundation Trust submitted a lengthy consultation response setting out the background and justification behind a request for a S106 financial contribution of £29,655 (based on 23 dwellings) towards the cost of providing capacity for the Trust to maintain service delivery during the first year of occupation of each unit in the development.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework (NPPF) – with particular regard to sections

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

National Planning Policy Guidance (NPPG)

Exeter Local Development Framework Core Strategy 2012

- CP1 – The Spatial Approach
- CP3 – Housing Distribution
- CP4 – Density
- CP5 – Meeting Housing Needs
- CP7 – Affordable Housing
- CP9 – Transport
- CP11 – Pollution and Air Quality
- CP12 – Flood Risk
- CP14 – Renewable and Low Carbon Energy in New Development
- CP15 – Sustainable Construction
- CP16 – Green Infrastructure, Landscape and Biodiversity
- CP17 – Design and Local Distinctiveness
- CP18 – Infrastructure
- CP19 - Strategic Allocations

Exeter Local Plan First Review 1995-2011 Saved Policies

AP1 – Design and Location of Development
AP2 – Sequential Approach
H1 – Search Sequence
H2 – Location Priorities
H5 – Diversity of Housing
H7 – Housing for Disabled People
T1 – Hierarchy of Modes
T2 – Accessibility Criteria
T3 – Encouraging Use of Sustainable Modes
T5 – Cycle Route Network
T9 – Access to Buildings by People with Disabilities
T10 – Car Parking Standards
C5 – Archaeology
LS1 – Landscape Setting
EN2 – Contaminated Land
EN4 – Flood Risk
EN5 – Noise
DG1 – Objectives of Urban Design
DG4 – Residential Layout and Amenity
DG5 – Provision of Open Space and Children’s Play Areas
DG6 – Vehicle Circulation and Car Parking in Residential Development
DG7 – Crime Prevention and Safety

Development Delivery Development Plan Document (Publication Version) (DDDPD):-

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

DD8 - Housing on unallocated sites
DD21 - Accessibility and sustainable movement
DD29 - Protection of landscape setting areas

Exeter City Council Supplementary Planning Documents

Residential Design SPD
Planning Obligations SPD
Sustainable Transport SPD
Trees in Relation to Development SPD
Archaeology and Development SPD

Other documents

Exeter Fringes Landscape Sensitivity and Capacity Study February 2007
Visual Land Parcel Evaluation for Potential Residential Sites in Exeter September 2013

OBSERVATIONS

There are a number of material planning considerations that need to be assess in connection with this application. However in terms of the overall context for determination of the application it is important to highlight the position in relation to the Council’s 5 year housing land supply and implications for relevant development plan policies.

Most recently this position has been highlighted in the consideration of an application for residential development of land in close proximity to the current application site, namely application 17/1148/OUT for land at Clyst Road that is only separated from the current application site by the intervening Exeter to Exmouth branch railway line. During this recent Public Inquiry it was accepted that the Council could only demonstrate a 5 year land supply of just over 2 years and 1 month. Although this has improved slightly recently the Council is still significantly short of being able to demonstrate a 5 year housing land supply. This is important when weighing up the planning balance in reaching a decision on the current application.

The current application site lies within an area identified as Landscape Setting in both the Adopted Local Plan and Core Strategy – Policies LS1 and CP16 respectively.

Policy LS1 states –

“Development which would harm the Landscape Setting of the city will not be permitted. Proposals should maintain local distinctiveness and character and:

- (a) Be reasonably necessary for the purposes of agriculture, forestry, the rural economy, outdoor recreation or the provision of infrastructure; or
- (b) Be concerned with change of use, conversion or extension of existing buildings;

Any built development associated with outdoor recreation must be essential to the viability of the proposal unless the recreational activity provides sufficient benefit to outweigh any harm to the character and amenity of the area.”

Whilst it is not considered that the proposed development would satisfy the requirements of this policy, in the Clyst Rd appeal mentioned above the Inspector referred to the policy as being based on outdated information, superseded by national policy and thereby concluded that conflict with this policy should be afforded limited weight. These comments are considered valid and as such it is equally considered that conflict with policy LS1 should be afforded limited weight in the determination of this application. The Inspector also attached no weight to policy DD29 of the emerging Development Delivery DPD due to the fact that it has not been progressed to submission and is likely to be delayed until sufficient progress has been made with the intended Greater Exeter Strategic Plan (GESP). It is accepted that no significant weight should be attached to DDDPD policies in the consideration of this current application

Therefore the critical policy against which to judge the merits of the principle of residential development of the application site is policy CP16. The relevant section of policy CP16 is its third paragraph which reads as follows -

“The character and local distinctiveness of the areas identified below, will be protected and proposals for landscape, recreation, biodiversity and educational enhancement brought forward, in accordance with guidance in the Green Infrastructure Strategy, through the Development Management DPD:

- the hills to the north and north west;
- Knowle Hill to the south west;
- the strategic gap between Topsham and Exeter;
- and the Valley Parks: Riverside, Duryard, Mincinglake, Ludwell, Alphington to Whitestone Cross, Savoy Hill and Hooper.”

The key consideration therefore in respect of the application proposal in terms of its acceptability from a policy context is considered to be –

- a) whether it would harm the landscape setting of the city by virtue of its impact upon the local distinctiveness and character of the area, and
- b) if it is determined that there is harm in this respect, whether taking into account other material considerations, such as the absence of a 5yr housing land supply, that harm/adverse impact significantly and demonstrably outweighs the benefits of the proposal in terms of the provision of much needed housing to meet identified needs.

Therefore a case specific assessment of the harm/impact arising from the scheme is required. The explanatory text to policy CP16 states the following in respect of the Topsham Gap –

“The strategic gap between Topsham and Exeter is also particularly important in that it forms an open break between the two settlements, thus preventing their coalescence, whilst also protecting Topsham’s attractive setting. Whilst this area has a low intrinsic landscape value, the role it plays makes it sensitive to development.”

The site does form part of the ‘Topsham Gap’ and whilst it is located more towards the northern fringes of the town it still contributes to the sense of separation from Exeter as part of the more open countryside to the north of Topsham. In terms of the Exeter Fringes Landscape Sensitivity and Capacity Study 2007 the land forms part of land parcel 21 which is identified as being of ‘medium’ landscape sensitivity. The site is also one of those assessed in the Visual Land Parcel Evaluation for Potential Residential Sites in Exeter (Sept 2013) as site no 68. The assessment of this site concludes that it does not make an important contribution to the visual amenity of the urban fringe, and has limited impact in views both of, and from the site. In terms of visual value and susceptibility the site is evaluated as being low and medium/low respectively, with no distinct features other than the hedge site boundaries. It is also identified as being of very low visual sensitivity.

Notwithstanding the above it is a fact that the scheme would result in development of part of the Topsham gap and landscape setting around Topsham, and would consequently harm the character of part of it. However, the development of this small site would not in itself lead to any material coalescence between the two settlements. Its visual sensitivity is identified as low and in the context of the character of the immediate vicinity of the site, and the fact that land adjoining the site on the other side of the railway line has recently been granted permission for residential development on appeal, it is not considered that this proposal would have a significant urbanising effect. There would still remain open land between the site and the Motorway and therefore whilst the ‘gap’ would be eroded its function in respect of preventing coalescence in terms of policy CP16 would be maintained and the remaining gap would continue to serve its purpose of separation. In this context the harm to the landscape setting arising from this particular proposal is considered minimal.

Even if a contrary view of the proposal with regard to the degree of harm resulting from it on the landscape setting and local distinctiveness and character of the area is adopted, it would be necessary to balance this against the Council’s inability to demonstrate a 5 year housing supply. In the recent appeal decision in respect of the Clyst Road site, despite considering that the scheme would not protect the character and local distinctiveness of the strategic gap in that case the Inspector concluded “in the light of the considerable housing shortfall, the contribution that the appeal scheme would make to the supply of housing is an important material consideration that is sufficient to outweigh the adverse effect that would be caused to the character and local distinctiveness of the strategic gap and conflicts with the relevant development plan policies in this instance.”

In light of the early stage of the GESP, which has not yet been subject to public consultation in respect of potential site allocations, it is not considered that a refusal of the current proposal on the grounds of prematurity could be sustained. It is necessary therefore to

consider the proposal in the context of the adopted Development Plan and the Council's position in respect of its 5 year housing land supply.

Given the above assessment of the merits of the scheme the proposal is considered acceptable from a landscape setting policy perspective.

Highways

Access is proposed in the form of a new road junction onto Newcourt Road at approximately the midpoint of the site frontage. This will involve the partial removal of the existing hedgerow north of the proposed access point and complete removal to the south in order to achieve required visibility splays. A new footpath will be provided across the site frontage as part of the formation of the access. On the site frontage to the north this footpath will run behind the retained section of hedgerow.

In considering the transportation merits of the proposal it is important to have regard to paragraph 109 of the NPPF (February 2019) which states –

“Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

The Highway Authority have no in principle objection to the scheme. The level of traffic generation from the proposed dwellings on this site is expected to be modest and the additional traffic generated is not a significant concern. The proposed access arrangements to serve the site are considered acceptable subject to conditions as set out in this report. With these conditions in place it is considered that this site, which is in close proximity to Topsham District Centre, can be considered a sustainable location for development, particularly in the light of the Inspector's conclusions regarding the Clyst Road site on the other side of the railway line to this application. Detailed matters relating to the internal layout of the development and vehicle/cycle parking provision will be addressed at reserved matters stage.

Affordable Housing

The proposal would provide 35% of the total number of dwellings provided on site as affordable housing in line with the Council's adopted policy. This provision would be secured through a Section 106 agreement.

Other matters

The scale, layout, appearance and landscaping of the proposed development are all reserved for subsequent approval. Based on the character of the surroundings, size of the site, and the juxtaposition of surrounding buildings, it is considered that the site would be capable of accommodating up to 23 dwellings that meet the required internal/external amenity standards and achieve an acceptable relationship to adjoining properties without any significant adverse impact upon the residential amenity of those properties.

Drainage – tests have demonstrated that infiltration is not an appropriate surface water drainage approach for this site. Consequently, an attenuated discharge to the existing surface water sewer will form the surface water drainage strategy. Foul drainage will be connected via a private on site pumping station and a new section of requisitioned sewer to the existing public foul sewer. This approach has been accepted by SWW.

Ecology – The application is accompanied by an Ecological assessment, dormouse and bat surveys. Mitigation measures set out in the ecological reports referred to above would ensure that no significant adverse impacts would result towards any protected habitats or species. Evidence of dormouse in the form of two nests were found within the roadside hedge bank. Creation of the new access will be preceded by a successful Natural England licence. New species rich hedge bank will be created adjacent to the railway boundary and will compensate for the loss of species poor hedge bank proposed to be removed alongside the road. Existing hedgerows and trees on other boundaries will be retained. Based on the above the ecological impact of the scheme is considered acceptable, and the scheme actually represents an opportunity to enhance the ecological interest of the site through the proposed landscaping of the site and the incorporation of integral bat/bird bricks within the design of the houses.

Financial Considerations

The proposal is CIL liable in respect of any dwellings constructed on the site. However, in the absence of any detailed information in respect of the size/design of the dwellings (which would follow at 'reserved matters' stage) it is not possible to quantify the amount of CIL that will be payable in association with the development.

All new dwellings would attract New Homes Bonus payments in line with legislation in force at the relevant time

Habitats Regulations Assessment

A Habitat Regulations Assessment has been undertaken. This concludes that whilst the development has the potential for have a significant effect on a European site, the impacts of the development can be mitigated through top-slicing receipts from CIL to contribute towards the implementation of measures in the South East Devon European Site Mitigation Strategy.

S106

A S106 agreement will be required to secure the affordable housing provision (35% of the total number of dwellings to be provided).

The request from the Royal Devon and Exeter NHS Foundation Trust for a financial contribution to be secured through a S106 agreement is one of a number of similar requests submitted by the Trust in respect of recent residential applications under consideration by the Council. Officers have responded generically to these requests outlining why it is considered that they are not considered to meet the necessary tests relating to S106 obligations, and consequently are not being sought in connection with these developments.

Conclusions

Having considered all the matters outlined above, with particular reference to the relatively modest impact of the development in terms of landscape setting policy, the conclusion that the development would not have any severe transport impacts and is sustainably located, the contribution that this site would make to housing delivery (including affordable housing), and having due regard to the weight to be attached to the fact that the Council is unable to demonstrate a 5 year supply of housing land, the proposal is considered acceptable.

RECOMMENDATION

Subject to completion of a S106 covering the matter referred to above APPROVE the application subject to the conditions listed below :-

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 be 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) In respect of those matters not reserved for later approval no part of the development hereby approved shall be brought into its intended use until the site access, including 2.0m footway fronting Newcourt Road, visibility splays and the vehicular access point, has been provided in accordance with the details as indicated on the following approved plans: drawing no. 183916_G_01 Rev E.

Reason: To ensure that the means of access to serve the development (which is not a reserved matter) are acceptable from a highway safety perspective and thereby provide a safe and suitable access in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and policy CP9 of the ECC Core Strategy.

4) No part of the development hereby approved shall be brought into its intended use until the at least 5.5m of HMPE carriageway width has been made available for public use on Newcourt Road as indicated on Drawing Number 183916_G_03 Rev A.

Reason: To provide a safe and suitable access in accordance with paragraphs 108 and 110 of the National Planning Policy Framework

5) Pre-commencement condition: No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason for pre commencement condition: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

6) Pre-commencement condition: No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) The site access point(s) of all vehicles to the site during the construction phase.
- b) The parking of vehicles of site operatives and visitors.
- c) The areas for loading and unloading plant and materials.
- d) Storage areas of plant and materials used in constructing the development.
- e) The erection and maintenance of securing hoarding, if appropriate.
- f) Wheel washing facilities.
- g) Measures to control the emission of dust and dirt during construction.

- h) No burning on site during construction or site preparation works.
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.
- j) No driven piling without prior consent from the LPA.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason for pre-commencement condition: In the interests of the occupants of nearby buildings. 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.

7) Pre-commencement condition: Prior to commencement of the development the applicant shall submit for approval in writing by the LPA an Acoustic Design Statement. Any mitigation measures required shall be implemented in full prior to occupation of the development, and maintained thereafter. The Professional Practice Guidance Note (ProPG): Planning and Noise for New Residential Development May 2017 (ANC, IoA and CIEH) describes the expected content and approach of an Acoustic Design Statement.

Reason for pre commencement condition: In the interests of residential amenity

8) Pre-commencement condition: Before commencement of construction of the development hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.

Reason for pre commencement condition: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.

9) 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.

10) Pre-commencement condition: Prior to the commencement of development a Biodiversity Mitigation and Enhancement Plan (BMEP) which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife, together with a programme of implementation, shall be submitted to and approved in writing by the Local Planning Authority. The BMEP shall incorporate the mitigation and enhancement measures set out in the following submitted documents prepared by J.L Ecology Ltd - Ecological Impact Assessment, Dormouse Survey, and Phase 2 Bat Surveys). The development shall be implemented and maintained in accordance with the approved Plan and programme of implementation.

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

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

Reason for pre-commencement condition: A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.

12) No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The application for the detailed drainage should be submitted and agreed at the same time that the reserved matters for layout are submitted and agreed. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk Assessment (Rev. B; dated 3rd July 2019). No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

13) At the reserved matters stage, 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 proposed surface water drainage management system must be submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the surface water runoff generated from rainfall events in excess of the design standard of the proposed surface water drainage management system is safely managed.

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: 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.

15) 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.

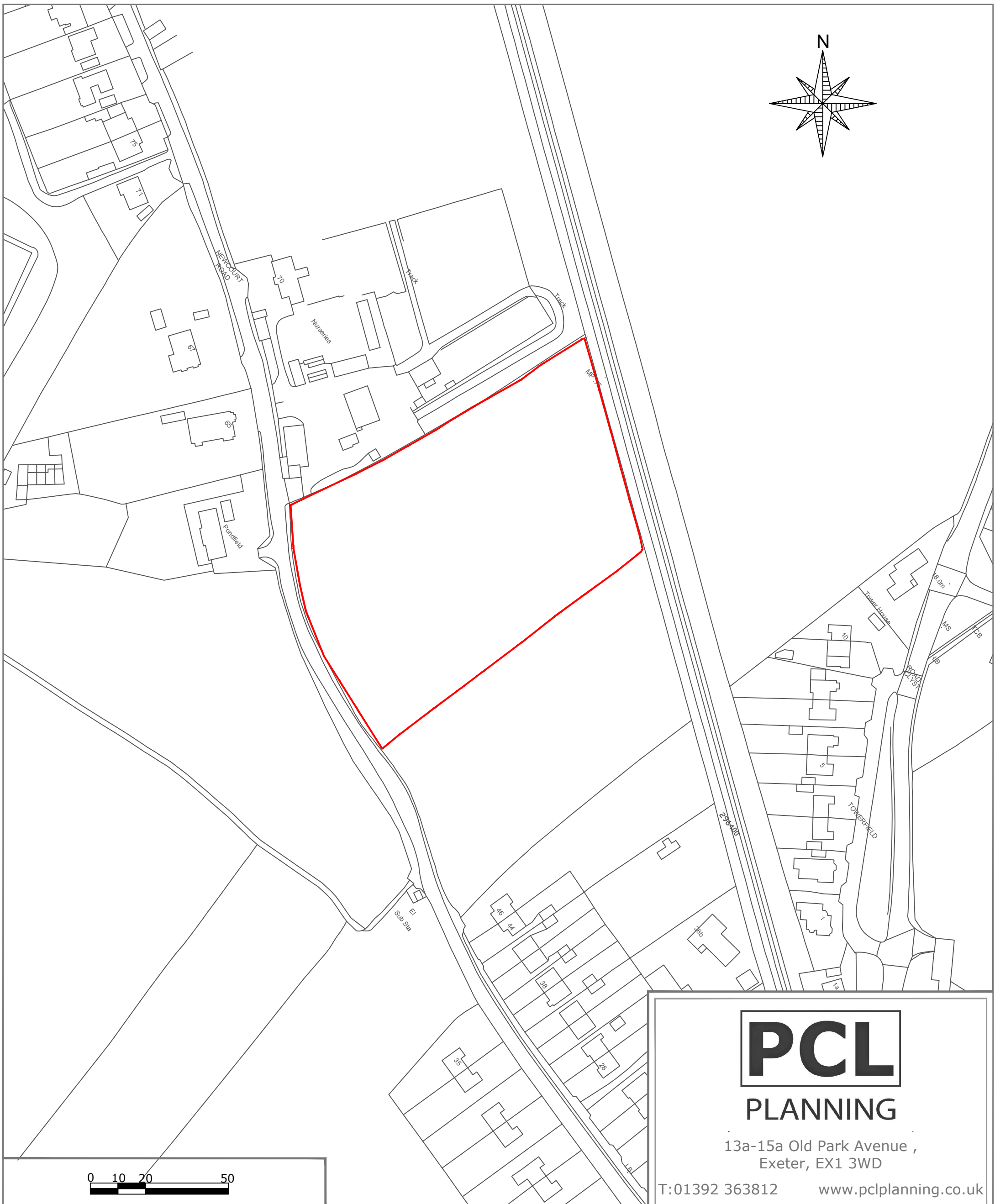
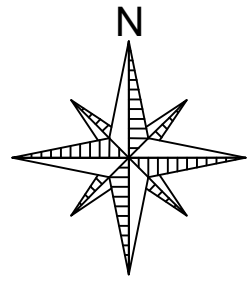
Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

16) 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.

17) No part of the development shall be occupied until a travel plan (including recommendations/arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the travel plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority

Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 111 of the NPPF.



Key
 Application Boundary

PCL

PLANNING

13a-15a Old Park Avenue,
Exeter, EX1 3WD

T:01392 363812 www.pclplanning.co.uk

PROJECT NAME:
Land at Newcourt Rd, Topsham

TITLE:
Site Location Plan

DATE:
March 2019

SCALE:
1:1250@A3

DRAWN:
DG

DRW REF:
01 - P

PROJECT NO:
1814

REV:
A

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Agenda Item 6

COMMITTEE DATE: 29/07/2019

APPLICATION NO: 19/0315/OUT

APPLICANT: Exeter College

PROPOSAL: Outline application for the redevelopment of the Exeter College Hele Road Campus (including demolition of some existing buildings) to deliver upgraded, purpose-built educational facilities, together with the provision of associated landscaping, pedestrian access improvements and associated infrastructure (with all matters reserved) (Exeter College Masterplan).

LOCATION: Exeter College Further Education, Hele Road, Exeter, Devon, EX4 4JS

REGISTRATION DATE: 01/03/2019

HISTORY OF SITE

14/1338/FUL -	The provision of 8 Temporary Classrooms for One Year - August 2014 to July 2015	PER	16.07.2014
17/0543/FUL -	Installation of plantroom containing replacement gas fired boilers for College campus with stainless steel flue on north elevation of Laurence Building and alterations to existing plantroom to covert to shed including removal of flues on roof.	PER	08.06.2017
17/1086/FUL -	Construction of 60 bed student accommodation building on corner of St David's Hill and Howell Road, with new pedestrian access on St David's Hill, footpath and landscaping. (Revised)	REF	06.12.2017
19/0134/SO -	Request for a screening opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for the proposed masterplan and redevelopment of Exeter College Hele Road Campus	EIANOT	26.03.2019
19/0330/FUL -	Construction of three storey extension to southern elevation of the existing Hele Building to deliver a new Digital and Data Centre (Institute of Technology) (Use Class D1), together with associated landscaping and a revised parking layout.	Pending	

DESCRIPTION OF SITE/PROPOSAL

The site comprises the Exeter College Hele Road Campus. The site is in St David's ward. The site area is 2.5ha. The site is bounded by Howell Road to the north, 1-24 Atwill's Almshouses and New North Road to the east, Hele Road to the south and St David's Hill to the west. Beyond this are the Lodge and The Coach House, residential properties in the grounds of The Imperial public house to the north, residential properties in Howell Road and Bury Meadow Park to the east, St David's Church to the south and residential properties in Eldertree Gardens and along St David's Hill to the west. Exeter St David's Station is within

easy walking distance of the site via St Clements Lane to the northwest. There are a number of bus stops around the site on New North Road, Hele Road and St David's Hill.

The site is within St David's Conservation Area. The Conservation Area Appraisal and Management Plan identifies landscaped area to the north of the site as an area of Important Treescape. There are no Tree Preservation Orders on the site. The former Hele's School buildings and Fordel House Lodge on the site are Grade II listed. Atwill's Almshouses adjacent to the site are also Grade II listed. The Imperial public house is Grade II* listed and its boundary wall facing the site along Howell Road is Grade II listed. St David's Church is Grade I listed. The Equestrian Statue of General Redvers Buller at the junction of Hele Road is Grade II listed.

The site is in Flood Zone 1. Flood Zones 2 and 3 lie beyond Eldertree Gardens to the west at a lower gradient. There is a small area of 1 in 100 year surface water flooding on the site to the west. New North Road to the east and the Hele Road junction are within the Air Quality Management Area (AQMA). The landscaped part of the site to the north is indicated as being potentially contaminated on the Council's GIS.

The site is within the City Centre on the Local Plan First Review Proposals Map. The site is not allocated for development and there are no designated areas affecting the site. The footpath through St David's Church connecting Hele Road with St David's Hill forms part of the Policy T4 Circular Walking Route. Howell Road to the north is defined as an existing cycle route (Policy T5).

The application has been submitted in outline with all matters reserved for future determination. The proposal is to redevelop the site for continued educational use by Exeter College following demolition of some of the existing buildings. The description states the purpose is to deliver upgraded, purpose built educational facilities, together with associated landscaping, pedestrian access improvements and associated infrastructure. Approximately 12,500 sq m of existing floorspace will be demolished and 19,600 sq m built resulting in a net gain of 7,100 sq m. The amount of car parking on the site will be reduced. The application includes a set of parameters plans, masterplan, Design Code and indicative elevations/sections. Outline permission is sought for an extended time period to submit reserved matters applications of 15 years, so that the development can be delivered in phases as funding becomes available. Phasing plans have also been submitted.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Design and Access Statement (KTA, February 2019)
- Planning Statement (Avison Young, February 2019)
- Statement of Community Involvement (KOR Communications, February 2019)
- Heritage Assessment (Cotswold Archaeology, February 2019)
- Landscape and Visual Impact Assessment (LHC, 22/02/2019) (Ref. RT01 rev A)
- Landscape Strategy (LHC, 15.02.19) (Ref. 18096/RT01 Rev A)
- Arboricultural Impact Assessment Report (Doug Pratt Tree Consultancy, 15th February 2019) (Ref. 18.070.AIA)
- Preliminary Ecological Appraisal Report Version 001 (Acorn Ecology, January 2019)
- FRA & Masterplan Drainage Strategy (Clarkebond, 18/02/19) (Ref. E04978/FRA)
- Phase 1 Preliminary Risk Assessment (Desk Study) (Clarkebond, 17/12/18) (Ref. E04978-CLK-00-XX-RP-GT-0001)
- Transport Statement (Jon Pearson, February 2019) (Ref. JP/TS/126/18 Rev. C)
- Sustainability Statement Planning Report Rev P02 (SDS Exeter, 22.02.19) (Ref. 04547E)
- Lighting Impact Assessment (SDS Exeter, 29.01.19) (Ref. 4548L)

- Utilities Capacity Assessment (SDS Exeter, 29.01.19) (Ref. 4549E)

REPRESENTATIONS

One representation was received in support of the application from InExeter. InExeter is the business improvement district representing over 600 businesses within the city centre. Stated the economic impact of the College, with over 1,000 employed is £42.3 million, so the developments proposed by the College will ensure the future prosperity of the city. This application needs to be supported to ensure the College remains in the heart of the city. The new Digital and data Centre (Institute of Technology) will help Exeter achieve its aim of becoming a recognised leader in science, data and technology. They welcome the demolition of the nine storey tower. Stated the outdoor spaces encourage flexible use space. Support new link from station and high quality landscaping.

CONSULTATIONS

Devon County Council – Local Highway Authority: The application is promoted as car-free, which is acceptable in principle for the location. Concerns with the vehicular arrangements of the Hele Road car park – vehicles will have to reverse onto Hele Road, which is unacceptable. A turning head is required. Tracking diagrams required for reserved matters. No details of refuse collection or drop off/pick up locations. Concerns also expressed regarding existing vehicular access point on Howell Road. The application will bring forward a significant increase of walking and cycling movements to the site, which the highway authority has great concerns with. The Clock Tower roundabout is an accident cluster spot – the increase in walking and cycling movements through this junction is a concern. A draft sketch of an improvement scheme for the roundabout has been shared with the applicant, the estimated cost of which is £950k. As the application will add significant amounts of extra non-vehicular movements onto this junction, a significant s106 contribution is sought to avoid a highway reason for refusal. This is in line with Core Strategy Policy CP9 and paragraph 109 of the NPPF.

The signalised pedestrian crossing of Hele Road is very busy, especially during lesson changeover, and the width is inadequate for the number of people using it. Mitigation works are required costing £15k.

The masterplan indicates new steps onto Hele Road. This will enhance permeability and access to the bus stops on Hele Road. However, concerns are raised that this will encourage people to cross Hele Road where there are no crossing facilities. Concerns also raised of no formal pedestrian crossing points on Queen's Terrace, as there are parked cars in the way. Appropriate crossing facilities could be incorporated at a reserved matters stage delivered through a s278, but more details are required.

The applicant is promoting the access on St David's Hill as a gateway from St David's Station to the city centre, therefore there should be facility for all users, including people with disabilities and cyclists. This would need to be factored into the detailed design at reserved matters stage.

More information is required from the applicant on the existing access to the southwest – there is a lack of tactile crossings. This may require a s278 agreement.

Concerns raised with the existing Howell Road access, if there is no alternative for cyclists/disabled users at the new St David's Hill access – no formal crossing point to the footway opposite. This will need to be addressed in the detailed design at reserved matters.

The route through the site promoted as a connection between the station and city centre needs to be an appropriate width to accommodate pedestrians and cyclists – condition recommended.

More information is required: tracking diagrams at Howell Road and Hele Road accesses; location and details of cycle parking; changing facilities for walkers/cyclists to the site in accordance with the Sustainable Transport SPD; and charging points for electric bikes/vehicles.

A Travel Plan and Construction method Statement should be secured by condition.

Summary: The walking and cycling access points are a fundamental concern. The main concern is the increase in pedestrian/cycle movements at the Clock Tower roundabout. DCC can commit to some funding, drawing on its own budget (which can be used as match funding), but this is unlikely to secure the scheme in its entirety. Therefore, the LHA expects the applicant to pay the cost of half the works, i.e. £475k which includes the cost of the mitigation works of the signalised crossing of Hele Road. This should be secured in a s106 agreement. Conditions recommended to secure sufficient information regarding walking and cycling access points, and other on-site matters stated above.

Historic England: Pleased to see the commitment of the college to a 10 year masterplan that has looked to provide a pragmatic response to the future development of the site. The masterplan demonstrates a scheme that could be brought forward that addresses the heritage constraints on site including some conservation gains, while also delivering the requirements of the college. The following key issue should be addressed through the condition process:

- The retention of the historic buildings (Hele School and Greystone) and the important contribution they make to the arrival on site with the bellcote forming an important aspect to the sense of arrival.
- In light of our comments regarding the IoT building, the creation of a better transition between the existing Hele Building and the proposed IoT buildings will help retain the Hele School's prominence within the welcome space into the site as well as better address the relationship with the grade I listed church.
- The loss of the tower block is a key conservation gain offered by the scheme and should be secured through the outline consent.
- The scale and massing of the building (B to G1) should not exceed the current height or footprint.
- Block A is particularly sensitive due to its proximity to the grade II* listed Imperial. Neither the stepped heights nor the footprint should be exceeded. The design and materials will require significant consideration and should respond to its surrounding context.
- The north east corner of the site, which should be retained as open space.
- Careful consideration should be given to the access and pedestrian route up from the train station. It should aim to retain the sense of enclosure around the boundary to the building and the green character within this section of the site.
- The design and materials should respond to the character and appearance of the conservation area.

The council should ensure that these points are captured and secured through the consent process so that they can inform the reserved matters applications that will come forward for the different phases of the site.

Devon County Council – Lead Local Flood Authority: No in-principle objections at this stage, subject to pre-commencement conditions for the detailed design of the proposed permanent surface water drainage management system and details of the adoption and maintenance arrangements of the system. The proposed strategy follows the pre-application advice provided and will offer a significant betterment to the surface water regime in the area due to restricted discharge rates as well as the separation of the combined network. The applicant has proposed innovative sustainable drainage techniques such as swales, blue/green roofs, rain garden, bio-retention area, under drained permeable paving and a rainwater harvesting system. It is recommended that these features are taken forward at detailed design stage.

Natural England: No comments. Refer to Standing Advice in regard to impacts on protected species and woodland and veteran trees. Also refer to SSSI Impact Risk Zones.

RSPB: No response.

South West Water: No objection – foul and surface water drainage proposals have been agreed.

Devon & Somerset Fire & Rescue Service: No objections. The following should be considered during the various stages/phases of the redevelopment:

- Fire service access – The current site is very confined and access is not ideal. During the design if improved access can be considered this would be beneficial for the College and ourselves. It should be noted that the non-worsing clause used by Building Control bodies is very applicable to this site as access is very limited currently.
- Installation of Sprinklers should be considered due to the limited access to the site for firefighting purposes, this would also give the College additional resilience and business continuity in the event of a fire/incident, it will also protect their assets.
- Consideration should be given to the evacuation strategy during the different phases of the development. This is to ensure suitable and sufficient escape routes are always available and maintained.
- We will be happy to pre-consult on any of the phases to help eliminate any issues and ensure fire safety and fire service access is given full consideration.
- I have not commented specifically on any of the phases or buildings as this will take place at Building Regulation consultation stage.
- When consultation takes place with whichever Building Control body appointed for the scheme(s), full plans, fire strategy would be appreciated.

Police Designing Out Crime Officer: Disappointing the Design and Access Statement does not make mention of or reference to designing out crime. No objection to additional access points, but what measures will be put in place to mitigate the risks associated with unrestricted access and casual intrusion? Welcome the masterplan seeks to resolve and improve the current layout. Routes should be clearly designated, well-overlooked, with good lines of sight, with clear rule setting signage that reinforces the site as a private space and directs safe movement via designated routes around the site. Planting next to footways should be low-growing with larger shrubs and trees planted towards the rear. Planting immediately abutting such paths should generally be avoided as shrubs and trees have a tendency to grow over the path creating pinch points, places of concealment and unnecessary maintenance. Lighting should be included to the relevant levels in BS5489:2013 – footpaths must be well-lit and maintained. Lighting should be provided by on building solutions or pole mounted luminaires. Bollard lighting should be minimised. Doors to bike stores should be orientated to face the building line to increase passive surveillance and

stores must be lit. CCTV should be distributed throughout the development with a clear Passport for Compliance document in place. Defensive planting should be utilised around ground floor windows wherever possible. Appropriate boundary treatments should be implemented to clearly define public and private space. Courtyard spaces should be restricted if they include valuable furniture, items etc. or otherwise covered by CCTV.

Exeter Cycling Campaign: Objects – Pleased to see an emphasis on sustainable transport in the various documents, however the masterplan fails to acknowledge or address the fact this area of Exeter is currently one of the worst parts of the city centre to walk and cycle. Object to:

- Lack of provision of a route into the site from the northwest that would enable access from the direction of St David's Station by those using cycles, mobility scooters, wheelchairs or push chairs through to the Hele Road entrance. Do not accept that ramped access cannot be achieved, e.g. zig-zag path.
- Inadequate detail regarding cycle parking has been provided. The masterplan should show where and how much additional cycle parking will be accommodated and reflect the aspirations of the ECC Corporate Plan. A minimum of 1 space per 20 FTE students plus 1 per 4 staff should be provided, as well as 1 short-stay space per 7 FTE students.
- The absence of a protected cycle lane on the main routes adjacent to the college (Hele Road and St David's Hill) as part of the overall development. The submission documents pay scant regard to cycling as a mode of transport to access the site.

The area around the station and the college is heavily congested. The College should work with the council as part of this development to improve walking and cycling links to St David's train station, the City Centre and the University via Bury Meadow.

Planning Sub-committee of Exeter Civic Society: The proposals give greater accessibility and, gradually, improved and safer facilities for the successfully growing College in a campus landscape which contributes to the City as a whole.

Environmental Health: Re air quality, will the existing Energy Centre remain or new boilers and flues be installed? Recommend approval with conditions (C/DEMP, Contaminated Land, Lighting, Air Quality Assessment – if required, Kitchen Extraction, Noise).

Arboricultural Officer: No arboricultural objections to the proposals.

Place Making Officer:

- The plans and drawings are consistent with the proposals presented and discussed in the series of meetings held between October and December 2018 and represent a comprehensive and coherent outline proposal for the redevelopment of Exeter College's principle site.
- The proposed height and footprint of the new buildings responds to the constraints of the site whilst the proposed location provides a template for the establishment of a central corridor space that creates a north-south axis connecting all parts of the campus and allowing the creation of a new link to St. David's Hill to the north-west.
- Proposed building heights and footprints should not exceed the Parameters Plan-heights (drwg No. --1864-SK408-P2) or the Building Footprints & GIA (drwg. No.--1864-SK200-P4).
- Whilst the location of most of the proposed buildings are sites currently occupied by existing buildings the proposed block A would be constructed beyond the present

northern building line and have an impact on the open green space in this part of the campus and potentially on the landscape setting of the listed Imperial Hotel.

- A building in this prominent location should be of exceptional design quality in terms of scale, massing, positioning, design detail and materials. In addition the associated new pedestrian link to St. David's Hill (and then to St. Clements Lane & St. David's Station) should match the quality of the building complemented by planting design that enhances the development and the character of the greenspace and designed as an integral part of the setting of the new building. The new access point on St David's Hill will need to be a legible and attractive entrance to the College Campus as well as dealing with the challenge of the considerable change of level between the road and block A and other constraints such as the significant presence of services cabinets at street level. Bearing in mind the importance of this site suggests that block A and the associated pedestrian route and landscape should be considered as an individual phase rather than included with the entirely separate blocks G and G1.
- The illustrations and elevation drawings submitted for block A and D have matching architectural language and range of materials which highlights the importance of establishing a coherent and coordinated approach to the design of the various phases over the lifetime of the master plan. Whilst the Design Code section in the Design and Access Statement provides some guidance for the character zones identified this is quite generalised. I would advise that a more detailed visually/graphically based Design Code for proposed buildings and spaces should be produced with the development of the proposals for blocks B and C to ensure that this is addressed.
- Whilst the Landscape Strategy document is generally useful, comprehensive hard and soft landscape proposals will be required for the whole of the phased development areas.

PLANNING POLICIES/POLICY GUIDANCE

Government Guidance

National Planning Policy Framework (NPPF) (February 2019)
Planning Practice Guidance (PPG)

Core Strategy (Adopted 21 February 2012)

Core Strategy Objectives

CP9 – Transport

CP10 – Meeting Community Needs

CP12 – Flood Risk

CP15 – Sustainable Construction

CP16 – Green Infrastructure, Landscape and Biodiversity

CP17 – Design and Local Distinctiveness

CP18 – Infrastructure

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

AP1 – Design and Location of Development

AP2 – Sequential Approach

L3 – Protection of Open Space

CS5 – Education and Training Facilities for Adults

T1 – Hierarchy of Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

C1 – Conservation Areas
C2 – Listed Buildings
C3 – Buildings of Local Importance
C5 – Archaeology
LS4 – Nature Conservation
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

Devon Waste Plan 2011 – 2031 (Adopted 11 December 2014) (Devon County Council)

W4 – Waste Prevention
W21 – Making Provision for Waste Management

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

DD1 – Sustainable Development
DD5 – Access to Jobs
DD13 – Residential Amenity
DD20 – Accessibility and Sustainable Movement
DD21 – Parking
DD22 – Open Space, Allotments, and Sport and Recreation Provision
DD23 – Other Community Facilities
DD25 – Design Principles
DD26 – Designing out Crime
DD28 – Conserving and Managing Heritage Assets
DD30 – Green Infrastructure
DD31 – Biodiversity
DD34 – Pollution and Contaminated Land

Exeter City Council Supplementary Planning Documents

Archaeology and Development SPD (Nov 2004)
Sustainable Transport SPD (March 2013)
Planning Obligations SPD (April 2014)
Public Open Space SPD (Sept 2005)
Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents

Minerals and Waste – not just County Matters Part 1: Waste Management and Infrastructure SPD (July 2015)

OBSERVATIONS

The key issues are:

1. The Principle of the Proposed Development
2. Access and Impact on Local Highways
3. Parking
4. Design and Landscape

5. Impact on Heritage Assets
6. Impact on Amenity of Surroundings
7. Contaminated Land
8. Impact on Trees and Biodiversity
9. Flood Risk and Surface Water Management
10. Sustainable Construction and Energy Conservation

1. The Principle of the Proposed Development

The application is for a 20-year masterplan for the Exeter College Hele Road Campus. It follows the publication of the 2016-2036 Property Strategy and Masterplan for the College estate in 2017. This document observed that the quality of the College's estate is generally good, however the buildings on the Hele Road Campus do not provide the quality of teaching spaces required for the future. There is also a need to provide additional teaching accommodation to meet projected student growth. This accommodation needs to be flexible, so that it can be utilised more efficiently.

The application follows extensive pre-application engagement by the College with officers of the Council, as well as Devon County Council and Historic England. Public consultation was also carried out earlier this year and the proposals were presented to the South West Design Review Panel.

As discussed and agreed with officers, outline planning permission is sought for an extended time period of 15 years to submit reserved matters applications in phases as and when funding becomes available. The purpose of the masterplan and supporting documents is to ensure that this development comes forward in a coordinated, well-designed way. The planning permission will provide investment certainty for the College, as well as a degree of flexibility to enable the College to refine individual proposals to meet specific needs in the future.

The proposed development is considered to be acceptable in principle. It will retain the main College Campus within the centre of the city and make more efficient use of previously developed land. It therefore accords with Policies CP10, AP1 and AP2. It should also be noted that the Government encourages local planning authorities to take a proactive, positive and collaborative approach with education providers in delivering and widening choice in education (NPPF paragraph 94).

Apart from the positive social and environmental aspects of the proposal, the development will also have economic benefits. The College is estimated to generate £842m for the local economy over the next 20 years with a further £73m when taking into account cumulative impact. In addition, the College currently supports around 1,100 jobs in the city and employs 874 people directly.

2. Access and Impact on Local Highways

Access is a reserved matter. However, planning legislation still requires the areas where access points will be situated to be stated. The masterplan shows that the existing access points to the site will be retained and two new pedestrian access points will be created from St David's Hill near the junction with Howell Road and from Hele Road. The purpose is to improve the permeability of the site and create an alternative route through the campus from Exeter St David's Station to the City Centre. This is considered to be acceptable in principle. The Local Highway Authority has raised some issues concerning the lack of crossing facilities on Hele Road and the need to ensure the access points are accessible to all users, including people with disabilities. The former has been addressed through the concurrent application for the proposed Digital and Data Centre (Institute of Technology) (ref.

19/0330/FUL) and the latter will be addressed at reserved matters stage. Improvements to the surrounding highway network that can be secured under s278 of the Highway Act will also be explored at reserved matters stage.

The proposal will gradually increase the numbers of pedestrian and cycle movements to/from the site and the Local Highway Authority has raised concerns with this, primarily in the context of the Clock Tower roundabout to the southeast. The roundabout is an accident cluster spot indicating it is already unsafe for pedestrians and cyclists. Paragraph 108 of the NPPF requires safe and suitable access to be achieved for all users when assessing planning applications and states in paragraph 109 that applications can be refused if there would be an unacceptable impact on highway safety. The Local Highway Authority has prepared an improvement scheme for the roundabout that will turn it into a T junction with increased public open space, which is estimated to cost £950k. The Local Highway has requested a contribution from the College of £475k towards this scheme and works to widen the existing pelican crossing at the junction of Hele Road and New North Road (estimated at £15k and to be subtracted from the overall £475k contribution).

The College has offered to pay £15k to upgrade the pelican crossing and £62,700 towards works to improve the Clock Tower roundabout. The latter is based on the increase in cyclists predicted to use the roundabout generated by the proposal, i.e. 6.6%. However, the College has pointed out that the safety issues are caused by vehicles, not cyclists. If the contribution was based on the increase in vehicles predicted to use the roundabout generated by the proposal, i.e. 0.5%, the contribution would be £4,750.

The College submitted its detailed response to the Local Highway Authority's comments on 17 July. Consequently officers have not had sufficient time before the publication of the committee report to review it with the Local Highway Authority. An update as to whether officers recommend that the higher sum requested by the Local Highway Authority should be secured by s106 legal agreement, or the lower sum offered by the College, or a different sum, will be provided on the formal Update Sheet before committee.

The Local Highway Authority has also recommended conditions to secure details of appropriate cycle parking facilities as part of the development, details of electric bikes/cars, a Travel Plan and a Construction Method Statement dealing with the access and timings/management of construction vehicles.

3. Parking

There are currently two car parks on the site, one accessed from Hele Road and the other from Howell Road. The masterplan proposes to remove the Howell Road car park and retain a smaller car park off Hele Road with disabled parking spaces only. The details of this car park have been submitted with the application for the proposed Digital and Data Centre (Institute of Technology) (ref. 19/0330/FUL).

The College does not provide student car parking on site and the intention of the masterplan is that the site will become vehicle-free apart from essential service and disability users. This is considered to be acceptable given the opportunities to utilise sustainable modes of travel in the locality and no concerns have been raised by the Local Highway Authority.

The Transport Statement states there are currently 70 cycle parking spaces on the campus, which are typically at 80% capacity on a daily basis. The Statement states that the College shall become more 'cycle centric' as part of the regeneration proposals. Exeter Cycling Campaign has objected, due to a lack of detail in the plans concerning the proposed access from the northwest, cycle parking and cycle parking facilities along Hele Road and St David's Hill. However, these are all matters that can be addressed at reserved matters stage.

4. Design and Landscape

The College and its representatives have worked with officers of the Council, Historic England and the South West Design Review Panel to produce the submitted masterplan. It is considered to be high quality and will greatly improve the physical environment on the site. It is based around the concept of improving access to and through the site, while protecting the more sensitive areas in historic and landscape terms to the north and southeast. The main feature is a central avenue running through the site from north to south. This will enhance permeability and legibility, with buildings fronting onto it providing a clear urban structure. This compares to the current layout where the buildings are arranged more haphazardly blocking ease of movement and sightlines.

All matters are reserved. Therefore, the detailed design of the buildings and public open spaces will be subject to future reserved matters applications. However, to ensure that the principles of the masterplan are not lost over time, a set of parameters plans have been submitted, together with a Design Code (as part of the Design and Access Statement), phasing plans and indicative drawings of the proposed buildings. Conditions should be added requiring any reserved matters applications to be within the maximum parameters set on the parameters plans, and the submission and adherence to a phasing plan for the site with flexibility to allow this to be updated with the agreement of the Local Planning Authority if necessary. A condition should also be added requiring the submission and adherence to a detailed Design Code for the site. This should build on the Design Code submitted as part of the Design and Access Statement, including graphical guidelines and imagery, taking into account the advice of the Place Making Officer. A further condition should be added requiring a statement to be submitted with each reserved matters application explaining how it responds to the parameters plans and detailed Design Code for the site.

A Landscape Strategy has also been submitted. This document includes a landscape framework for different zones across the site and various precedent images for the hard and soft landscape envisaged in these zones. It also includes a brief set of design principles for different types of landscape, such as trees and plants, surface materials, lighting and signage. It's considered that the principles in this document should be built on and incorporated into the detailed Design Code for the site discussed above.

A Landscape and Visual Impact Assessment has been submitted with the application. It concludes that the proposals are more sympathetic to the landscape/townscape than the existing buildings and views of the site will be beneficially impacted as a result. The masterplan was developed taking into account a number of mitigation measures designed to minimise the visual impact of the scheme. This included retaining the majority of the mature trees around the site boundary. A key improvement will be the removal of the 1960s tower block on the site that dominates the skyline.

5. Impact on Heritage Assets

The site contains and is surrounded by a number of listed buildings and is located within the St David's Conservation Area. Accordingly the application is accompanied by a detailed Heritage Assessment. It has assessed the impact of the proposals on the significance of the heritage assets in terms of their physical and non-physical effects, i.e. the impact on their settings.

In terms of physical effects, no significant known archaeological remains have been identified and there is considered to be a low potential for any significant unknown archaeological remains. However, the report suggests that the groundworks associated with

the construction of the Digital and Data Centre (Institute of Technology) and Building G may require monitoring by an archaeologist.

The report also states that the earthwork remains of the former terraced garden of Montpellier which survive in the north of the site are not considered to be of any great significance, as they cannot be readily appreciated as heritage assets from the site or adjacent roads.

In terms of non-physical effects, the report states that the proposal will introduce a degree of change to a small part of the wider conservation area, however with the adoption of appropriate and carefully considered siting, massing and design in a landscaped context, it is considered that such change would be minimised. Therefore, the proposal is not anticipated to result in any harm to the significance of the conservation area or the heritage assets overall. This takes into account that any low level harm identified will be balanced by the positive enhancement of the demolition of the existing buildings, including the tower which does not contribute positively to the conservation area, and the improvements to the immediate setting of some of the listed buildings and improved access to them.

The parameters plans set maximum parameters for the development and the detailed design of the buildings and public open spaces on the site will be subject to future reserved matters applications. No significant heritage issues have been 'flagged' at this stage and the impact of the reserved matters proposals on heritage assets will be a material consideration for each individual reserved matters application. A statement explaining the impact of the reserved matters proposal on the significance of heritage assets should be submitted with each reserved matters application and can be combined with the design statement discussed under '4' above. This should be conditioned.

Historic England is the statutory consultee for development that would affect the character and appearance of conservation areas on sites over 0.1ha. It has not objected to the application, but has raised issues it considers need to be captured and secured through the consent process, so that they can inform the reserved matters applications. It's considered that these issues can be considered and addressed in the heritage statement to be secured by condition for each reserved matters application, and through the conditions in relation to the parameters plans and phasing plan discussed under '4' above. If the statement identifies potential archaeological remains on the part of the site that could be affected by the reserved matters, a condition can be added to the reserved matters consent requiring archaeological monitoring.

6. Impact on Amenity of Surroundings

There are residential properties in close proximity to the site whose residential amenity could be impacted by the proposal during the construction and operational phases of the development. In terms of the impact of the proposal on the privacy, natural light and outlook of these properties, these issues will depend on the siting, scale and detailed appearance of the reserved matters applications and will be assessed at that stage. However, the masterplan has been developed with the amenity of neighbouring residential properties in mind and is not expected to give rise to any significant impacts in this regard.

Other impacts may arise in relation to noise, lighting and fumes/odours, e.g. from waste bins and kitchen extraction systems. There is insufficient detail to assess these impacts as part of this application, as it is in outline. In terms of noise, a Noise Impact Assessment has not been submitted and Environmental Health has recommended a condition to secure one before development commences, addressing noise from plant and equipment, deliveries, students and events. Policy EN5 states that noise generating development will not be permitted if it would be liable to increase adversely the noise experienced by the users of

existing noise sensitive development nearby, such as housing. While it is not anticipated that the proposal will increase noise on the site significantly compared to existing levels, the number of students on the site will increase and it will depend on the specific location and design of plant, activities in the new buildings and timings of deliveries. Therefore, the condition recommended by Environmental Health is considered to be appropriate, except it should be changed to relate to each phase of the development when the details for each phase are known.

A Lighting Impact Assessment has been submitted with the application. This has assessed the existing baseline lighting levels on the site and recommends lighting levels taking into account BS EN 12464 Part 2:2014 and CIBSE/SLL Lighting Guide 5: Lighting for Education. Environmental Health recommend a condition requiring all lighting to be designed in accordance with the guidelines for intrusive and nuisance light in the Lighting Impact Assessment. However, it's considered further details are required to ensure that nearby housing will not be adversely affected, i.e. details of the location, type and specification of lighting in each phase of the development, including isoline drawings of lighting levels and mitigation if necessary. These details will need to balance security, residential amenity and biodiversity issues. A condition should be added accordingly.

In terms of fumes/odours, Environmental Health has recommended a condition requiring details of equipment to control the emission of fumes and odours from any catering kitchen before it becomes operational on the site, and Policy W4 of the Devon Waste Plan requires a waste audit statement to be submitted. These matters should be conditioned for each phase of the development.

A condition should also be added requiring a Construction/Demolition Method Statement to be submitted for each phase to ensure the construction/demolition impacts will not have a significant adverse impact on the amenity of nearby residents.

7. Contaminated Land

A desk study has been submitted of the ground conditions on the site. This anticipates made ground on the site and localised contamination hotspots that may require removal. Environmental Health have therefore recommended the standard contaminated land condition. This is considered appropriate, but should be changed to relate to each phase.

8. Impact on Trees and Biodiversity

A tree survey of the site was carried out in January 2019 and an Arboricultural Impact Assessment Report has been submitted. There are many trees on the site, including 10 individual trees and two tree groups that have been categorised as 'A' quality. The redevelopment of the site will require the removal of some trees and mitigation planting should be carried out for each phase taking into account the guidelines in the detailed Design Code discussed under '4' above. This will be addressed at reserved matters stage as part of the reserved matter of 'landscaping'.

The Arboricultural Impact Assessment Report states that trees are dynamic organisms which change rapidly in condition over time. Therefore, the report and any recommendations arising from it are most valid for the 12-month period following the tree survey. Given the extended time period of the application, a condition should be added requiring a tree survey to be submitted alongside the reserved matters for each phase, together with a tree protection plan for any trees to be retained in that phase that must be adhered to during the construction period of the phase.

A Preliminary Ecological Appraisal Report has also been submitted. An extended Phase 1 habitat survey of the site was carried out in December 2018. A Preliminary Bat and Nesting Bird Survey of the buildings on the site was also carried out. The site was found to have the potential to be used by badgers, roosting bats, nesting birds, hedgehogs and toads. Further surveys are required for roosting bats, badgers and to verify the absence of Japanese knotweed. The report also recommends biodiversity mitigation, compensation and enhancement measures in an Interim Conservation Action Statement.

Conditions should be added requiring the above survey work prior to commencement of the development. Given the extended time period of the application, a condition should also secure an additional survey for each phase prior to the commencement of development in each phase to ensure that protected species will not be affected. This follows Natural England's Standing Advice for multi-phased developments. A condition should also secure the implementation of an updated Conservation Action Statement for each phase, following the completion of the additional surveys.

With reference to The Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.

9. Flood Risk and Surface Water Management

Policy EN4 does not permit development if it would be at risk of flooding. The site is within Flood Zone 1 and the proposed use is classified as 'more vulnerable' (see PPG). 'More vulnerable' uses are appropriate in Flood Zone 1, therefore the proposal accords with Policy EN4.

Policy CP12 requires all development proposals to mitigate against flood risk utilising SUDS where feasible and practical. The proposed surface water drainage strategy will primarily use underground attenuation for the main storage of flows prior to discharge, although there are opportunities for the extensive use of Blue/Green roofs, bio-retention areas and a swale to be incorporated within the development layout to provide SUDS benefits. Devon County Council as Lead Local Flood Authority has no in-principle objections at this stage, subject to pre-commencement conditions for the detailed design of the proposed permanent surface water drainage management system and details of the adoption and maintenance arrangements of the system. These conditions should be added. It's considered that a further condition should be added requiring details of the system for each phase to be submitted with the relevant reserved matters together with a statement on how a SUDS betterment has been achieved for the phase through the use of natural SUDS techniques or why this was not feasible for the development.

10. Sustainable Construction and Energy Conservation

Policy CP13 requires new development with a floorspace of at least 1,000 sq m to connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution. While the development is over 1,000 sq m, it is not located in or in reasonable proximity to one of the current network areas. However, given the extended time period of the application, it's considered that the development should be constructed so that it is capable of being connected to a Decentralised Energy Network that may be developed in the area in the future, e.g. around Exeter St David's Station. This chimes with the Sustainability Statement, which states that plant space and pipework infrastructure are proposed to enable future district heating connection.

In addition, the Utilities Capacity Assessment explains that there is already a partial district heating network on the site and there is an opportunity to provide a complete heat network for the site in 3-5 years when existing heating pipework needs to be replaced.

Taking the above into account and in the interests of reducing the impact of the development on climate change, a condition should be added requiring a complete district heating network on the site prior to the occupation of the final phase of the development, which is capable of connecting to a wider district heating network in the area. In addition, a condition should be added requiring a statement to be submitted with each reserved matters application for new buildings to show how the design of the building has taken into account the requirements of the aforementioned condition.

Policy CP15 requires all non-domestic development to achieve BREEAM 'Excellent' standards from 2013. A condition should be added securing a BREEAM design stage assessment report with each reserved matters application for new buildings and a post-completion report to ensure Policy CP15 is complied with.

CIL/S106

The development is not CIL liable.

A s106 legal agreement is required to secure a contribution to Devon County Council to implement a scheme to improve the safety of the Clock Tower roundabout for pedestrians and cyclists. The sum of the contribution shall be confirmed on the formal Update Sheet before committee following discussions with the Local Highway Authority.

RECOMMENDATION

APPROVE with the following conditions:

1. Non-standard Time Limits – Outline Planning Permission

Application(s) for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 15 years from the date of the permission and the development hereby permitted shall be begun before the expiration of five years from the date of the permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved whichever is the later.

Reason: To ensure compliance with sections 91 - 93 of the Town and Country Planning Act 1990.

2. Reserved Matters

Details of the access, 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: 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. Approved Plans

The development hereby permitted shall be carried out on the land outlined in red on drawing number EC-KT-XX-XX-DR-A-XX-1864-SK100-P2 ('Site Location Plan'). The access points to the development shall be in the areas shown on drawing number EC-KT-XX-XX-

DR-A-XX-1864-SK403-P2 ('Masterplan as Proposed (Sheet 04)'). The development shall not be carried out otherwise than within the parameters shown on drawing numbers:

- EC-KT-XX-XX-DR-A-XX-1864-SK408-P2 ('Parameters Plan – Heights')
- EC-KT-XX-XX-DR-A-XX-1864-SK409-P2 ('Parameters Plan – St David's Elevation')
- EC-KT-XX-XX-DR-A-XX-1864-SK410-P1 ('Parameters Plan – Howell Rd Ele')
- EC-KT-XX-XX-DR-A-XX-1864-SK411-P1 ('Parameters Plan – Development Zones').

Reason: To ensure compliance with the approved drawings.

4. Phasing Plan

Either with or in advance of the first reserved matters application a Phasing Plan setting out the phasing of construction of the development, including landscaping, shall be submitted to the Local Planning Authority for approval. The development shall not commence until the Phasing Plan has been approved in writing by the Local Planning Authority and the development shall be implemented in accordance with the approved Phasing Plan. Any amendment to the Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on any undeveloped phases.

Reason: To ensure the practical delivery of the development, including demolition of existing buildings, construction of new buildings and landscaping.

5. Design Code

Either with or in advance of the first reserved matters application a Design Code for the development of the site shall be submitted to the Local Planning Authority for approval. The Design Code shall fit the description of 'Design code' in Annex 2: Glossary of the National Planning Policy Framework (NPPF) (February 2019). The development shall not commence until the Design Code has been approved in writing by the Local Planning Authority.

Reason: To ensure consistency in design across all phases of the masterplan.

The following conditions shall be completed on the formal Update Sheet before committee:

Information Requirements for Reserved Matters Applications

Design/Heritage Statement

Waste Audit Statement

Up-to-date Tree Survey/Arboricultural Impact Assessment/Tree Protection Plan

SUDS Statement

District Heating Network Statement

BREEAM Design Stage Assessment Report (for new buildings)

Noise Impact Assessment/Statement

External Lighting Details

Cycling Facilities

Pre-commencement Details

Protected Species Surveys

Permanent Surface Water Drainage Management System – Detailed Design

Permanent Surface Water Drainage Management System – Adoption/Maintenance Arrangements

Pre-commencement Details – Individual Phases

Extended Phase 1 Habitat Re-Survey (and Protected Species Re-Surveys if necessary)

Conservation Action Statement

Contaminated Land Investigation

Construction Method Statement

Air Quality Assessment (if necessary, depending on nature of development in phase)

Pre-specific Works

Bird Nesting Season

Pre-occupation – First Phase

Site Wide Travel Plan

Site Wide Cycle Parking Scheme

Pre-occupation – Individual Phases

Kitchen Ventilation Details (if necessary, depending on presence of kitchens in phase)

Pre-occupation – Final Phase

District Heating Network Completion

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Contractors to check all dimensions on drawings.
 Any discrepancies must be reported to KTA 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 is © KTA.

Revision Schedule			
Revision Number	Revision Date	Revision Description	Issued/ Authorised by
P2	FEB 2019	PLANNING ISSUE	MC/AC
P1	FEB 2019	Draft Planning Issue	MC/AC



PLANNING ISSUE



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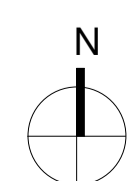
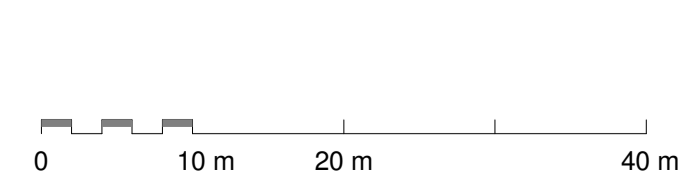
Project
**Exeter College
 Masterplan**

Title
SITE PLAN AS EXISTING

as proposed Author MC Checked by AC
 Date 08/02/2019 09:53:51 Scale As indicated © A1
 Project 1864 Status Pre Construction
 Drawing number
 EC-KT-XX-XX-DR-A-XX-1864-SK101-P2

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EXISTING SITE LAYOUT
 1 : 500



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COMMITTEE DATE: 29/07/2019

APPLICATION NO: 18/1610/FUL
APPLICANT: Mr Chilvers
PROPOSAL: Demolition of existing single storey business premises and construction of new 9 dwelling residential apartment block
LOCATION: St Andrews Yard, Willeys Avenue, Exeter
REGISTRATION DATE: 27.02.19

SITE HISTORY

There is no planning history relating directly to this proposal. However, in 2002, planning permission was refused for a change of use from office and store (B1, B8) to motor vehicle sales and storage (02/0075/FUL).

DESCRIPTION OF SITE/PROPOSAL

The application site comprises a car sales premises of approx. 800 square metres on the south side of Willeys Avenue. The site is triangular in shape and bounded by Network Rail land to the rear, an end terrace dwelling to the east and other terraced properties on the opposite side of Willeys Avenue. The site includes a single storey office building with a floor area of about 151m² situated to the rear of the plot.

Full planning permission is sought for the demolition of the existing office building and the re-development of this brownfield site to provide a 9 dwelling residential apartment block (5 two bed roomed and 4 one bed roomed apartments). The development has a modern flat roof design with two and three storey elements. A gated vehicular access would be provided from Willeys Avenue, with 9 parking spaces and 14 cycle parking spaces to serve the development. Revised plans have been submitted.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The following documents have been submitted in support of the application -

- Design and Access Statement
- Level 2 Flood Risk Assessment
- Geo-environmental Desk Study and Ground Investigation Report
- Results of a Desk-Based Assessment & Walkover Survey (Archaeology)
- Environmental Noise Assessment
- Ecological Impact Assessment (Bats and Birds)

REPRESENTATIONS

15 objections (including one from the Civic Society) have been received to the original scheme raising the following issues –

- Design incongruous, not in keeping with area and utilising low quality materials
- Harmful to the character and appearance of the locality and in conflict with Policy CP17 of the Core Strategy

- Height, size and massing not appropriate for the site
- Overbearing, loss of sunlight/daylight and loss of views and outlook (and absence of Daylight Impact Assessment)
- Overdevelopment of site and inappropriate density contrary to policy CP4 of the Core Strategy
- Potential impact on railway line
- Development too close to pavement
- Privacy will be lost contrary to Policy DG4 of the Exeter Local Plan First Review, particularly as a result of balconies and roof terrace
- Noise and disturbance
- Lack of living space for residents of flats
- Highways safety, lack of parking, congestion and disturbance from vehicles
- Ecology impacts and lack of sustainability features incorporated
- Lack of affordable housing
- CIL should be spent on opening a safe footpath under the railway bridge on Alphington Road for cyclists and pedestrians and provision of a play area
- Other uses are more appropriate for this site

A further 14 objections were received in relation to the revised scheme. Whilst some neighbours recognised and welcomed the changes made, most objections were maintained and four new objections received. In addition to the issues listed above, in relation to the amended scheme, the following matters were raised:

- Building remains excessively large
- Building remains unsympathetic to the architectural aesthetics of the neighbourhood and materials not in keeping with the character of the street
- The roof terrace still results in loss of privacy and potential for noise/disturbance
- Rear balconies remain and will have amenity impacts
- Development will encroach on the pavement

CONSULTATIONS

County Head of Planning, Transportation and Environment – No objections in principle of re-development of the site. Access for vehicles, pedestrians and cyclists is considered acceptable. The level of traffic generation from the site is expected to be modest and the parking provision is sensible especially given the proximity to public transport. Conditions are recommended to ensure parking, turning area and cycle parking provision.

Devon Country Council also seek an education contribution (provided through CIL) to mitigate to for the impacts of the development.

Environmental Health – No objections in principle subject to conditions requiring a Construction Environment Management Plan (CEMP), contamination investigation, and sound attenuation in accordance with the submitted Environmental Noise Assessment.

Network Rail – No objections in principle to this proposal but make recommendations for considerations to be taken into account to protect railway infrastructure.

Environment Agency – The Environment Agency originally objected to this application on flood risk grounds as the drawings did not demonstrate that people and property would be safe from flooding over the lifetime of the development.

However, following the revision of the design and layout and the submission of a FRA addendum the Environment Agency accept the conclusions and recommendations to deal with Flood Risk and remove their objection.

The Environment Agency also recommend a contamination condition to protect controlled waters.

Exeter Cycling Campaign – Objected to the original proposal on the basis of insufficient provision for people who wish to use bikes. They state that the minimum provision to accord with the Sustainable Transport SPD is 18 spaces.

Principle Project Manager (Heritage) – The original church building has been destroyed and the present building does not retain sufficient interest to merit retention; the submitted assessment represents a sufficient record of it. The only likely archaeological interest on the site will be in the form of potential prehistoric or later palaeochannels; if present such deposits should be recorded and analysed in lieu of the impact on them caused by new development

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework (NPPF) – with particular regard to sections

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

National Planning Policy Guidance (NPPG)

Exeter Local Development Framework Core Strategy 2012

- CP1 – The Spatial Approach
- CP3 – Housing Distribution
- CP4 – Density
- CP5 – Meeting Housing Needs
- CP7 – Affordable Housing
- CP9 – Transport
- CP11 – Pollution and Air Quality
- CP12 – Flood Risk
- CP14 – Renewable and Low Carbon Energy in New Development
- CP15 – Sustainable Construction
- CP16 – Green Infrastructure, Landscape and Biodiversity
- CP17 – Design and Local Distinctiveness
- CP18 – Infrastructure
- CP19 - Strategic Allocations

Exeter Local Plan First Review 1995-2011 Saved Policies

AP1 – Design and Location of Development

AP2 – Sequential Approach

H1 – Search Sequence

H2 – Location Priorities

H5 – Diversity of Housing

H7 – Housing for Disabled People

T1 – Hierarchy of Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

T5 – Cycle Route Network

T9 – Access to Buildings by People with Disabilities

T10 – Car Parking Standards

C5 – Archaeology

LS1 – Landscape Setting

EN2 – Contaminated Land

EN4 – Flood Risk

EN5 – Noise

DG1 – Objectives of Urban Design

DG4 – Residential Layout and Amenity

DG5 – Provision of Open Space and Children's Play Areas

DG6 – Vehicle Circulation and Car Parking in Residential Development

DG7 – Crime Prevention and Safety

Development Delivery Development Plan Document (Publication Version) (DDDPD):-

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

DD8 - Housing on unallocated sites

DD13 – Residential Amenity

DD21 - Accessibility and sustainable movement

DD25 – Design Principles

DD26 – Designing out crime

Exeter City Council Supplementary Planning Documents

Residential Design SPD

Planning Obligations SPD

Sustainable Transport SPD

Trees in Relation to Development SPD

Archaeology and Development SPD

OBSERVATIONS

The application proposes re-development of an unattractive brownfield site within the urban area and in close proximity to sustainable means of transport. The principle of residential development on this site is therefore considered appropriate. The other main considerations in respect of this proposal are design, amenity, highways issues and flood risk.

Design and urban form

The application proposes a two and three storey development graduating up from the adjacent two storey terraced properties. Whilst many residents have objected in principle to a three storey development, and would prefer to see traditional two storey terraced properties, the National Planning Policy Framework and the Statutory Development Plan require that we make efficient use of brownfield sites and maximise the contribution they make to the housing shortfall. Paragraph 118 states that Local Planning Authorities should 'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively'. Paragraphs 122 and 123 of the NPPF also stress the importance of achieving appropriate densities. This site is in close proximity to public transport and three and four storey development already exists on this street; therefore it would not be reasonable to object to the proposed form and massing of this proposal.

The existing car sales site is unattractive and has a negative impact on the appearance of the area. Whilst the application proposes an apartment block with a modern flat roof that many residents feel is not in keeping with the traditional pitched roofs of the terraced properties, the revised plans show a development with good design detailing. The revised plans also show a development that is set back from the pavement edge for most of the development frontage and this will allow for planting to soften the appearance of the development. There is also movement in the frontage as it steps back and down and this adds interest. The proposed materials pick up on the red brick and buff brick of the adjacent terraced properties. Accordingly the development is considered to comply with the NPPF paragraph 127 and policy DG1 of the Local Plan First Review, and policy CP17 of the Core Strategy.

Conditions will be attached to ensure the materials are appropriate and that landscaping is provided to the frontage and to the open areas.

Amenity Issues

Neighbours have voiced concerns regarding the overbearing, overlooking and loss of outlook and privacy that will result from this two and three storey development. However, most dwellings in the urban area have properties on the opposite side of the road and often two storey development faces three storey development; whilst this relationship does result in some adverse amenity impacts it not considered abnormal or unacceptable.

Of particular concern to neighbours was the impact of the front balconies in relation to the potential for overlooking at noise and disturbance. The revised scheme has deleted all the front balconies and replaced these with Juliette style windows. Most of the development frontage has also been set back from the pavement giving a greater degree of separation (similar to the window to window distances between the existing terraced properties). However, the revised proposal still includes a roof terrace for the top floor apartment and whilst significantly reduced in size, this remains a concern for neighbours. Whilst there will be some potential for overlooking and perceived overlooking, the roof terrace is set back 3 metres into the development and includes a 1.8m screen to the side and is obscure glazed to the front and side. On balance therefore the overlooking is considered acceptable. Some neighbours are also concerned about the rear facing balconies; however, the rear balconies look over the railway and are screened from neighbouring residential properties.

It is considered that the residents of the proposed development will have reasonable levels of amenity. The National space standards are met for all the apartments, a communal garden area will be provided and Environmental Health are satisfied that that the

development can be constructed in such a way as to ensure acceptable noise levels. Bin storage is provided in accordance with Council standards.

Highways Issues

The development provides 9 parking spaces (one for each apartment) on the ground floor of the development through a gated access. The access position is unchanged and the Highways Authority consider the visibility is acceptable. The level of parking provision is considered reasonable and the Highways Authority state that given the previous use there is likely to be a slight positive highway impact. Therefore whilst a number of local residents are concerned about highway issues the development appears acceptable in this regard.

The level of cycle provision was not clear on the original proposal and Exeter Cycling Campaign objected on this basis. The revised plans show a development with safe covered parking for 18 cycles and this meets the standards set out in the Sustainable Transport SPD.

Flood Risk

The site is Flood Zone 3 wherein there is a high risk of flooding (a 1 in 100 or greater annual probability of river flooding). The development must therefore pass the sequential test and the exception test.

Whilst there are sites at lower flood risk the council considers that this brownfield site within the urban area and in a highly sustainable location meets the sequential test. The first part of the exception test is also passed as the development is considered to offer wider sustainability benefits that outweigh the flood risk. The Environment Agency initially advised that the development did not satisfy the second part of the Exception Test; however, following revisions to the design and layout the Environment Agency confirmed it has no objection to the proposal.

Other issues

Ecology: The Ecology Assessment for bats and birds concludes that the site was of low ecological interest with no adverse impacts predicted on roosting bats or other protected/notable species. The works should be carried out in accordance with the timing and mitigation and enhancement measures outlined in the Assessment, and this will be required by condition.

Heritage Assets: Although the recent history of the site as a mission church and hall is interesting, the original church building has been destroyed and the present building does not retain sufficient interest to merit retention; the assessment represents a sufficient record of it. To ensure any archaeological remains are recorded a condition should be attached to the grant of planning permission.

Financial Considerations: The CIL 'Liability Assumption' form and the 'Additional Information Requirement Form' have both been submitted. The net additional gross internal floorspace is 588m² and therefore CIL payable at the 2019 CIL rate (£113.57 per sq m) is £66,779.16. The development will also generate New Homes Bonus.

Appropriate Assessment: A Habitat Regulations Assessment has been undertaken. This concludes that whilst the development has the potential for have a significant effect on a European site, the impacts of the development can be mitigated through top-slicing receipts from CIL to contribute towards the implementation of measures in the South East Devon European Site Mitigation Strategy.

Conclusion

The principle of redevelopment of this brownfield site in a highly sustainable location is acceptable. In accordance with the NPPF it is important that we seek to maximise density and delivery of homes on this type of site. With reference to this guidance and also to the contribution that this site would make to housing delivery (having due regard to the weight to be attached to the fact that the Council is unable to demonstrate a 5 year supply of housing land), the proposal for 9 apartments is considered acceptable.

RECOMMENDATION

Approval 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 strict accordance with the submitted details received by the Local Planning Authority on 25 June 2019 (including dwg. nos. 553 003 C, 553 004 E, 553 005 E, 553 006 E, 553 007 D, 553 040 A) and the Ecological Impact Assessment and the Flood Risk Assessment Addendum received on 4th July 2019 as modified by other conditions of this consent.

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

3. Pre-commencement condition: No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

4. No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) The site access point(s) of all vehicles to the site during the construction phase.
- b) The parking of vehicles of site operatives and visitors.
- c) The areas for loading and unloading plant and materials.
- d) Storage areas of plant and materials used in constructing the development.
- e) The erection and maintenance of securing hoarding, if appropriate.
- f) Wheel washing facilities.
- g) Measures to control the emission of dust and dirt during construction.
- h) No burning on site during construction or site preparation works.
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.

- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
- k) No driven piling without prior consent from the LPA.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason – In the interests of residential amenity.

5. Pre-commencement condition: No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of the amenity of the occupants of the buildings hereby approved and to protect controlled waters.

6. Pre-commencement condition: Before commencement of construction of the development hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.

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

7. No part of the development hereby approved shall be brought into its intended use until vehicular spaces and turning area as indicated by *Drawing Number 553 030 REV E* have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

Reason: To provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework.

8. No part of the development hereby approved shall be brought into its intended use until secure covered cycle parking provision as indicated by Drawing Number 553 XXX REV X has been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

Reason: To provide adequate facilities for sustainable transport.

9. Prior to the first occupation of the development hereby permitted, a Management Scheme, to cover management and maintenance of communal areas, including communal landscaped gardens, car and cycle parking and bin storage, shall be submitted to and approved in writing by the Local Planning Authority. The content of the Management Scheme shall include:

- a) details of areas to be managed

- b) aims and objections of the Scheme
- c) management actions
- d) delivery mechanism
- e) the body responsible for implementation of Scheme

The Management Plan shall also include details of the legal and funding mechanism to ensure long-term implementation. All post-construction site management shall be undertaken in accordance with the Scheme.

Reason: In the interests of the amenity of residents and the character and appearance of the area.

10. 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.

11. The development as built shall achieve at least the level of sound insulation specified in the submitted report (Acoustic Associates South West, 31 August 2018, Environmental Noise Assessment for New Flats, St Andrews Yard), including the provision of an attenuated mechanical air supply.

Reason: In the interests of residential amenity

Informatives:

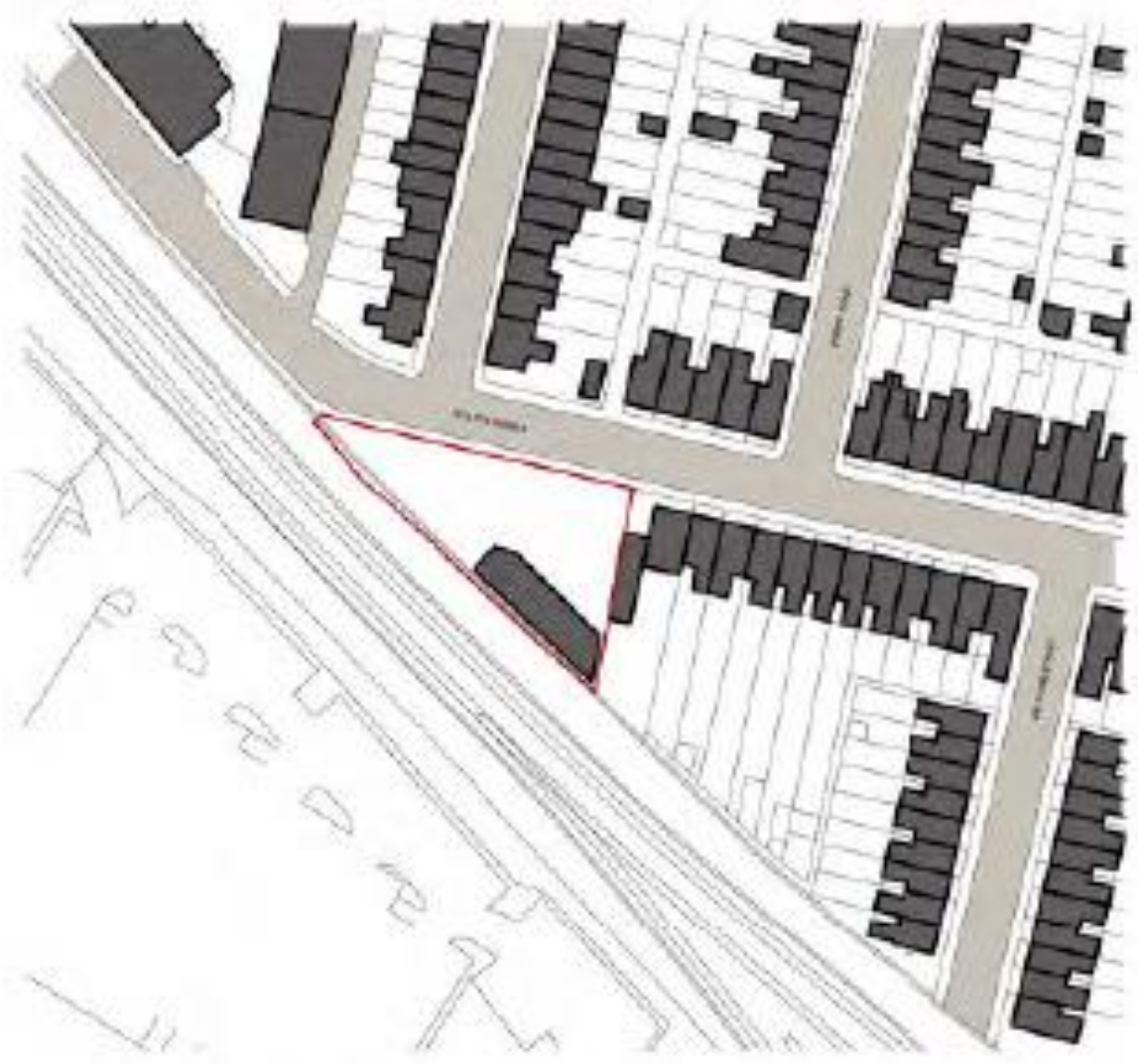
1) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Area (SPA), the Exe Estuary, which is a designated European site. 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 Community Infrastructure Levy (CIL) collected in respect of the development being allocated to funding the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

3) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. 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.

4) In accordance with Paragraph 38 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

5) The applicant's attention is drawn to the requirements of Network Rail set out in their emailed communication dated 23 April 2019.



SITE LOCATION PLAN
1:1250 at A3

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COMMITTEE DATE: 29/07/2019

APPLICATION NO: 19/0287/FUL

APPLICANT: ISG Plc

PROPOSAL: Construction of a two storey primary school with a nursery and associated play areas, sports pitch and parking

LOCATION: Land between Hollow Lane and Harts Lane, Monkerton, Exeter

REGISTRATION DATE: 25.02.2019

PLANNING HISTORY

Ref.	Description	Decision
DCC/4004/2017	Construction of an access road for new primary school at Monkerton, Exeter	Approved 08/08/2017
DCC/3624/2014	Outline Application for new 630 pupil primary school at land between Hollow Lane and Harts Lane, Monkerton, Exeter	Approved 01/05/2014

DESCRIPTION OF SITE / PROPOSAL

The application relates to an open undeveloped green field site north of Hollow Lane. It is identified in the Council's Core Strategy as part of the Monkerton Urban Extension, a strategic allocation of land for housing development and associated infrastructure. The application site is specifically identified as the site for a new primary school. This supersedes the site's earlier designation as Landscape Setting set out in the Exeter Local Plan 1995-2011, which still forms part of the Council's development plan.

To the north of the application site, new housing is currently under construction, which will also provide a new access to the field. To the west is a secondary school, St Luke's Sport and Science College. To the east, the site is separated from a major link road called Cumberland Way by a small number of detached dwellings and land with planning permission for additional housing. To the south is Ellen Tinkham School, which caters for children with special needs.

The site is bound on three sides by mature landscaping – the old hedgerows on the boundary with Hollow Lane forming part of a wider Site of Local Interest for Nature Conservation, which the Green Infrastructure Strategy shows as contributing towards a network of wildlife corridors in and out of the city.

The Green Infrastructure Strategy, as well as the Council's Core Strategy and Monkerton and Hill Barton Masterplan, also identifies Hollow Lane as part of a Green Infrastructure Route, or 'greenway', providing cycling and pedestrian links from Exeter to developments in the east, including the Science Park and Cranbrook. Consequently, Hollow Lane, which has the characteristics of a narrow country lane, has limited vehicular access.

The Monkerton and Hill Barton Masterplan identifies the site as being part of a distinctive ridgeline within the urban extension. Both it and the Green Infrastructure Strategy set out aspirations to reinforce and celebrate this ridgeline through the development of the area.

The Masterplan also states that a new primary school will be required in the urban extension to support housing growth. It earmarks the application site as the location for this school. In 2014, Devon County Council granted outline planning permission for a primary school with up to 630 pupils, to be run by the Local Education Authority (Ref. DCC/3624/2014). A later permission granted in August 2017 (Ref. DCC/4004/2017) established the acceptability of an access road to the site from the new housing development to the north.

This application seeks planning permission for a new primary school for up to 420 pupils with a nursery for a further 60 pupils and associated sports pitches, vehicle and cycle parking areas and landscaping. The School would be delivered under the Department for Education's Free School Programme and would be run by the Cornerstone Academy Trust.

CONSULTATION RESPONSES

The Lead Local Flood Authority objects to the application because the scheme does not satisfactorily mitigate against flood risk and utilise sustainable drainage systems, where feasible and practical. It considers that the soakaway solution has not been adequately tested to demonstrate its workability on the site nor are there sufficient details about the proposed swale to treat the run off from the car park area – including its volume.

The School Infrastructure and Place Planning Officer at Devon County Council supports the scheme. Devon's Education Infrastructure Plan 2016-2033 highlights the need for a new primary school in the period 2016-2026.

The Local Highway Authority at Devon County Council does not object to the scheme. It notes that the proposed School would have fewer pupils than the school granted outline permission in 2014. The Authority had not objected to the original application and so does not do so here as the transport impacts should be reduced. 'Keep Clear' signs/road markings may be required outside the entrance. In the interests of safeguarding, the applicant is required to provide a contribution of £3000 to enable Devon County Council to monitor the situation and install signs if needed.

The Council's Environmental Health team has no objections to the scheme but recommends conditions are added to any approval relating to the Construction Method Statement, the recommendations of the Environmental Noise Assessment and further investigations of the land for contamination. It is requested that further information is provided on kitchen plant/extraction.

The Police Designing Out Crime Officer at Devon and Cornwall Police has no objections to the scheme but makes a number of observations about how the scheme could be improved. Much of this focuses on ensuring reception staff have greater supervision over the entrance area and on clearer demarcations between roadways and footways and public and semi-public spaces. If parts of the school will be used by the community out of hours (i.e. the sports facilities), then consideration needs to be given to ensuring that access to the wider part of the school is restricted during such times in order to maintain its security.

The Devon Children & Families Partnership Board (Safeguarding Board) supports the application.

REPRESENTATIONS

Exeter Civic Society objects to the proposals. It considers the buildings to have a warehouse character that would be overbearing and bleak for children in this age range.

It also expresses the view that the School Travel Plan contains inaccurate assumptions about the catchment area for the school and the number of staff that will be required. There is an excess of staff parking provision and a lack of visitor parking and cycle storage facilities. The entrance gives priority to car users rather than pedestrians and cyclists. In its view, the Travel Plan should be more ambitious in encouraging sustainable forms of transport.

Exeter Cycling Campaign objects to the application. The group makes a series of points on the details of the scheme, many of which have been addressed by subsequent amendments. In broad terms, it considers that the northern entrance signals that the car has dominance and it raises concerns that the proposals are insufficient to make cycling to the destination safe, attractive and easy. It is particularly concerned about whether Hollow Lane is safe for children cycling to school owing to the use of the road by vehicles. It states that measures are needed to prevent parents driving their cars down Hollow Lane to drop off their children. The Hollow Lane access also needs to be kept car free.

One further representation has been received, expressing concerns about the use of blue cladding, which will be visible from Church Hill in Pinhoe.

RELEVANT PLANNING POLICIES FOR THIS APPLICATION

National Planning Policy Framework

Sections 2, 4, 8, 9, 12 and 16

Exeter Local Development Framework Core Strategy

The Vision

Objectives 1, 5, 6, 7, 8, 9 and 10

CP10 – Meeting Community Needs

CP11 – Pollution

CP12 – Flood Risk

CP13 – Decentralised Energy Networks

CP15 – Sustainable Construction

CP16 – Green Infrastructure

CP17 – Design and Local Distinctiveness

CP18 – Identifying Key Strategic Infrastructure Requirements

CP19 – Strategic Allocations

Exeter Local Plan First Review 1995-2011

AP1 – Design and Location of Development

T1 – Hierarchy of Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

C5 – Archaeology

LS1 – Landscape Setting

LS4 – Local Nature Conservation Designations / RIGS

EN2 – Contaminated Land

EN3 – Air and Water Quality

DG1 – Objectives of Urban Design

OBSERVATIONS

The principle of a new school being built on this site has already been established as acceptable. The Council identified the need for a new primary school, and this land as the site, in both the 2012 Core Strategy and the 2010 Monkerton and Hill Barton Masterplan. A subsequent decision in 2014 by Devon County Council to grant outline planning permission (ref. DCC/3624/2014) for a new school on this site confirmed this.

A planning permission granted by Devon County Council in 2017 (Ref. DCC/4004/2017) similarly established the acceptability of the proposed access. Given the development plan's strategic aim of using Hollow Lane as part of the 'greenway' from Exeter to the new developments in the east, the most likely vehicular route into the site was always likely to be from the north. Given the lack of any objection either from the Local Planning Authority when consulted on that application, or indeed from the Local Highway Authority either then or now, it is considered that this matter has been settled. The main focus of this report will therefore be on design details.

Design, Layout and Landscaping

The proposed school would be a two/one storey building on a north-south orientation comprising a number of simple rectangular forms. All of the classrooms would be housed in the two storey block towards the rear of the site with the reception, sports hall and kitchen in the single storey sections at the front. The lower parts of the building would be constructed in a grey brick with the upper parts in a mix of black and green metal cladding with a standing seam appearance. The windows would be set in reveals about 15 cm back from the line of bricks; the cladding would overhang the bricks by around 10 cm. Overall, it is considered that the layered approach, both in respect of the different heights of various parts of the building and the elevational treatment, would help to break up the basic rectangular forms of the school and supply visual interest. A projecting canopy over the entrance would also provide a positive intervention as well as clearly signalling the way into the building.

All that said, Officers have expressed some concerns about the fact that the school effectively turns it back on the entrance to the site by locating the sports hall towards the front of the building. The result is large areas of unbroken blank walls that give the school an overly solid appearance and reduces the sense of arrival to the development. On the other hand, as the sports hall would be made available to the wider community outside of school hours, there is a logical practical reason to locate the sports hall here in order to ensure it is in close proximity to the car park. The security of the building is protected if users of the sports hall do not need to venture deeper into the site.

In considering whether the design of the building is acceptable, others factors have been taken into consideration. For instance, because the school would be located within a relatively self-contained site, the building would not be a key feature in any street scene. What is more, although the school would be located on the ridgeline, it is unlikely to have a significant imposing presence on any skyline - it would be most visible from the playing fields on the adjacent St Luke's site. Landscaping around the car park and outside the reception

entrance, as well as, once designed, a school logo on the green cladding on the sports hall, would also help to improve the visual impact. On balance, therefore, it is considered that whilst the sense of arrival is not ideal, it is not so harmful as to justify refusing planning permission for the entire scheme.

In terms of the wider site, the majority of the space west of the building would be given over to a playing field and a hard surfaced Multi-Use Games Area. To the south there would be a further PE/playground area and an attenuation tank in the ground. To the north, the entrance area would consist of a car park, cycle parking facilities and paved/landscaped areas that would provide social spaces at the beginning and end of the day. There are no objections to the principle of any of these elements. Rather, throughout the process, Officers have emphasised the importance of a high quality landscaping scheme – both to achieve the objective of celebrating the ridgeline and ensuring that the quality of the scheme is significantly enhanced by its natural features. The importance of this has been increased by the need to alter the ground levels on the site to ensure, for example, that the playing pitch is not on a slope.

An Ecological Assessment has been submitted with the application. During survey work carried out on the site, it was recorded that the field was used by bats (though mainly for passing through rather than foraging), badgers, foxes and some common birds such as robin, wrens and blackbirds. In order to mitigate the impacts of the development on, and enhance, biodiversity on the site, the report recommends the creation of 10 metres dark wide commuting corridors along the north and west boundaries. These would provide foraging opportunities and connecting corridors for a range of species including bats, badgers, foxes and hedgehogs. They would also link into the existing green infrastructure network / wildlife corridor along Hollow Lane. The scheme includes some of the recommendations in the Ecological Assessment including corridors on the north and western boundaries. Current deficiencies in the existing hedgerow on the northern boundary would be addressed and the established landscaping on the eastern and southern boundaries would be retained, albeit with some appropriate maintenance. In addition to all of this, there would be further enhancements through additional tree and shrub planting around the site, including, most importantly, in the areas around the car park and reception. In order to ensure the site is secure, security fencing is proposed around the periphery of the site but this be largely mesh style fencing that would not be overly solid or visually intrusive, especially against a green backdrop. This has the potential to provide positive benefits for biodiversity, celebrate the ridgeline, create a strong landscape setting and enhance the overall design quality of the development. However, Officers are continuing to discuss a number of matters with the developer and therefore more will be reported to the Planning Committee through the update sheet.

Sustainable Development

The scheme will connect to the local decentralised energy network in the area. A condition is proposed to ensure this connection is secured.

More widely, in order to obtain funds from the Education and Skills Funding Agency, the scheme will need to meet high standards of sustainable construction set out in an Output Specification. The developers have compared these requirements with BREEAM standards and confirmed that the scheme would reach the equivalent of level “Excellent”, which is the threshold required in Policy CP15 of the Core Strategy. In light of the fact that the developers will need to follow a separate process, the Council does not intend to insist that a separate

BREEAM assessor is appointed. Nonetheless, a condition is recommended requiring that a report is sent to the Council post-completion setting out how the standards have been met.

Policy CP12 of the Core Strategy requires that all development proposals must mitigate against flood risk utilising SUDS where feasible and practical. The developer has faced some problems in achieving a straightforward SUDS scheme on the site because of the clay character of the soil and therefore is still in discussions with the Council and the Lead Local Flood Authority at Devon County Council on this matter. These matters will be reported to the Planning Committee further via the update sheet.

Transport Matters

A Transport Assessment has been submitted with the application. The report uses information and a similar methodology to that used in the Assessment that accompanied the consented scheme from 2014. It also makes use of available schools-related data from the 2011 census. It predicts that around 39.5% of trips to the school involving pupils could be by car. In total, 231 car trips are estimated in the morning peak period. This is set out as a worst case scenario as the application also includes a School Travel Plan, which intends to reduce these impacts by encouraging the use of sustainable modes.

Over a five year period, using a range of measures, it is intended to reduce car trips to the range of 25-31%. Partly this would be achieved through promoting walking (through buddy schemes and 'walk to school' weeks), which given the location of the school, at the heart of the Monkerton urban extension, should account for around 60% of all trips. A good network of local cycle lanes, including along Cumberland Way and Hollow Lane, together with on-site shared footpaths and cycle parking facilities for up to 80 bicycles, would help to make cycling to school an attractive option. The school intends to promote cycle training and provide maps of safe cycle routes to its pupils. Car sharing would also be encouraged through matching schemes. The Plan, which includes a range of other measures, would be subject to annual monitoring and review.

The Local Highway Authority has considered these matters in the round and concluded that the assumptions made on trip generation are reasonable. Whilst it would like the School Travel Plan to show greater ambition, particularly on encouraging more pupils to cycle to school, and has requested further clarity on some of the finer details, it regards the package as broadly acceptable. It also has no objections to the provision of 36 car parking spaces on the site.

At the meeting of the Delegation Briefing on 2 July 2019, Members requested further information on the highway impacts of the development, which largely focused on the amount, and management, of traffic in the school site and on the access road and whether there was sufficient capacity to avoid tailbacks onto Cumberland Way. Discussions with the developer are ongoing and these matters and therefore there will be more on this matter in the update sheet.

Other Matters

Flood Risk

A Flood Risk Assessment has been submitted with the application and concludes that the site is at low risk from flooding. Given its location, away from any watercourses, the Council accepts these findings. However, in relation to more localised flooding matters, specifically surface run-off, the outcome of the design of the SUDS scheme is awaited (see 'Sustainable Development').

Land Contamination

Preliminary ground investigations have been carried out on site and the findings reported in the submission. No significant contamination has been identified. The Council's Environmental Health team has considered the reports and recommends a condition is added to ensure that appropriate assessment and remediation is carried out in the event of unforeseen contamination being found on the site.

Air Quality

An Air Quality Assessment has been submitted with the application. It concludes that there would be no significant harmful impact on air quality arising from traffic but that there is potential for harm, arising from dust during the construction phase, if the project is poorly managed. The Council's Environmental Health team has examined the report and offered no objections. Nonetheless, it observes that the recommendations of the Assessment, in relation to the construction phase, must be incorporated into the Construction Environmental Management Plan (CEMP). At present, this is not the case. Therefore, a condition is proposed requiring the submission of an acceptable CEMP. If the necessary amendments are made prior to decision, the condition will be exchanged for one requiring the development to be undertaken in line with the CEMP.

Noise

An Environmental Noise Assessment has been submitted with the application. This confirms that the developer has considered, and is able to demonstrate, how to create a suitable and appropriate learning environment for the pupils of the school.

In respect of the impact of noise from the school on neighbouring residential properties, discussions remain ongoing and therefore a further report to the Planning Committee will be added to the update sheet.

Archaeology

An Historic Environment Desk-Based Assessment has been submitted with the application. The Council's Principal Project Manager for Heritage has considered the report and notes that it identifies some potential for prehistoric features that should be properly identified and recorded, and excavated as necessary, by an archaeologist before construction or enabling works commence. A condition is therefore proposed to secure this.

Delegation Briefing (2 July 2019)

Members requested further information on the highway impacts of the development, which largely focused on the amount, and management, of traffic in the school site and on the access road and whether there was sufficient capacity to avoid tailbacks onto Cumberland Way. Because of the concerns around traffic, Members asked that the application be reported to the Planning Committee.

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

RECOMMENDATION

APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:-

1) 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 12 July 2019 (dwg. nos. FS0622-HYD-00-ZZ-DR-C-7010 Rev. P03, FS0622-SBA-00-XX-DR-A-0010 Rev. P4, FS0622-SBA-00-XX-DR-A-1002 Rev. P3, FS0622-SBA-00-XX-DR-A-1003 Rev. P3, FS0622-HYD-00-ZZ-DR-C-7200 Rev. P07 and 1353-01 Rev. F and Design and Access Statement), 14 June 2019 (dwg. nos. FS0622-SBA-00-XX-DR-A-0008 Rev. P2, FS0622-SBA-00-XX-DR-A-1006 Rev. P3, FS0622-HYD-00-XX-DR-E-8500 Rev. P07 and FS0622-HYD-00-XX-DR-E-8501 Rev. P04 and cladding materials Reynobond Reynolux Sample 2423G/18 in copper patina and Tata Steel Colorcoat Prisma in Anthracite), 7 June 2019 (Air Quality Assessment and Arboricultural Impact Assessment), 26 April 2019 (dwg. no. FS0622-HYD-00-XX-DR-C-7400 Rev. P04 and FS0622-SBA-00-XX-DR-A-0026 Rev. P1, Logistics Plan and Phase 2a Preliminary Ground Investigation) and 25 February 2019 (Site Waste Management Plan) as modified by other conditions of this consent.

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

3) Prior to their use on site, samples of the bricks and any paving materials shall first be submitted to, and approved by, the Local Planning Authority. The proposed cladding materials have already been submitted and approved as part of this consent. If a subsequent change is required, samples of alternative cladding must first be submitted to, and approved by, the Local Planning Authority. The approved materials must thereafter be used in the construction of the development.

Reason: To ensure the materials are of a quality that is not harmful to the character and appearance of the area.

4) 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 the building shall not 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 ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.

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

Reason: To ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.

6) **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 the Arboricultural Impact Assessment received on 7 June 2019 and the Landscape Strategy (dwg. no. 1353-01 Rev. F) received on 12 July 2019. 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 construction phase of the development.

7) Unless otherwise agreed by the Local Planning Authority, the building hereby approved must achieve a level of sustainability that is equivalent to BREEAM excellent and shall be constructed in accordance with the commitments made in the submitted Sustainability Statement and BREEAM Pre-Assessment Report (received on 7 June 2019). A post-completion report shall be submitted to the Local Planning Authority, within three months of completion of the scheme, setting out how the development has met the minimum standards required by this condition.

Reason: In the interests of delivering sustainable development.

8) The habitable building comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that the fixed internal systems for space and water heating are capable of being connected to the local energy network. Prior to occupation of the building, the necessary on-site infrastructure (including pipework, plant and machinery) for connection of the building's internal systems to the network shall have been put in place in a manner agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposal complies with Policy CP13 of the Council's adopted Core Strategy and paragraph 153 of the National Planning Policy Framework and in the interests of delivering sustainable development.

9) **Pre-commencement condition:** No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) The site access point(s) of all vehicles to the site during the construction phase.
- b) The parking of vehicles of site operatives and visitors.
- c) The areas for loading and unloading plant and materials.
- d) Storage areas of plant and materials used in constructing the development.
- e) The erection and maintenance of securing hoarding, if appropriate.
- f) Wheel washing facilities.
- g) Measures to control the emission of dust and dirt during construction.
- h) No burning on site during construction or site preparation works.
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
- k) No driven piling without prior consent from the Local Planning Authority.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

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.

10) 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.

11) 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 to, 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: 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.

12) Before occupation of the development, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full and maintained thereafter.

Noise from mechanical building services plant should not exceed a rating noise level (measured in accordance with BS4142:2014) of 36dB at 1m from any noise sensitive receptor.

Reason: In the interests of amenity and to ensure that noise does not have an unacceptable impact on any neighbouring noise-sensitive development.

13) No part of the development hereby approved shall be brought into its intended use until the vehicular access, vehicular spaces and turning area as indicated on the Proposed Site Plan (dwg. no. FS0622-SBA-00-XX-DR-A-0010 received on 12 July 2019) have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

Reason: To provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework.

14) No part of the development hereby approved shall be brought into its intended use until the 3m width path from Hollow Lane running down the eastern side of the site, the cycle storage facilities and visibility splays with Hollow Lane (details of which shall first be submitted to and approved by the Local Planning Authority) have been provided and made available for use. Thereafter, these items shall be maintained for these purposes at all times.

Reason: To provide adequate facilities to promote the use of sustainable modes.

15) The School Travel Plan, received on 7 June 2019, shall be implemented in accordance with the submission hereby approved and reviewed on an annual basis. Any amendments

identified in the annual review shall be submitted to, and agreed in writing by, the Planning Authority and shall thereafter form part of the approved plan.

Reason: To promote the use of sustainable transport modes, in accordance with paragraph 111 of the National Planning Policy Framework.

16) **Pre commencement condition:** No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason for pre commencement condition: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

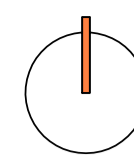
17) Unless otherwise agreed with the Local Planning Authority, the development shall be undertaken in line with the Recommendations of the approved Ecological Assessment received on 7 June 2019.

Reason: In the interests of protecting and enhancing biodiversity on the site.

18) Prior to installation on site, details of any external lighting and enclosure for the sub-station shall be submitted to, and approved by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: In the interests of biodiversity and the overall design quality of the development.

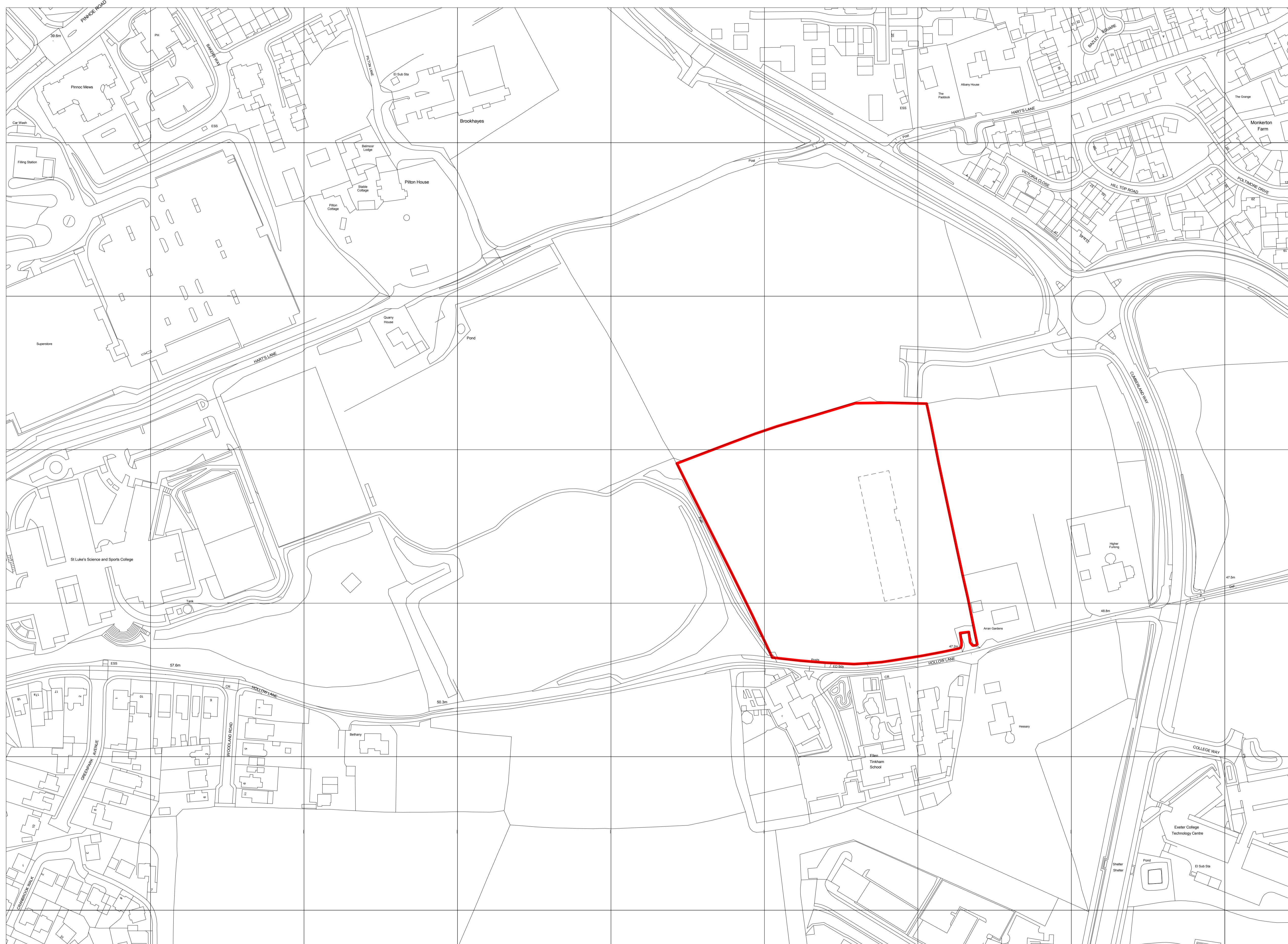
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metres 25 50 75 100 125

Application site

Building outline



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Revision	Description	Date	Drawn	Checked
P1	Issued for planning submission	15.02.2019	PJ	SU



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Client's Name
 ISG Plc



Job Title
 PRIMARY DIGITAL ACADEMY
 MONKERTON

SB Project No.
 17880

Drawing Title
 SITE LOCATION PLAN

Scale
 1 : 1250 @A1

Client Project No.- Originator-Zone- Level- Type- Role- Number
FS0622- SBA-00-XX-DR-A-0003

Status
 PLANNING

Suitability Code
 P1

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REPORT TO: PLANNING COMMITTEE

Date of Meeting: 29 July 2019

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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**All Planning Decisions Made and Withdrawn Applications
between 13/06/2019 and 17/07/2019**

Alphington	
Delegated Decision	
Application Number: 19/0240/ADV	Delegation Briefing:
Decision Type: Refuse Planning Permission	Date: 26/06/2019
Location Address: Unit 1 Stone Lane Retail Park Marsh Barton Road Exeter Devon EX2 8LH	
Proposal:	Consent to display 2no. Internally illuminated fascia signs and 4No. Externally illuminated fascia signs to front elevation. 1No. internally illuminated fascia sign to side and 2No. non illuminated fascia signs to rear elevation.
Delegated Decision	
Application Number: 19/0445/FUL	Delegation Briefing: 04/04/2019
Decision Type: Permitted	Date: 26/06/2019
Location Address: 1 Ashwood Road Exeter Devon EX2 8JP	
Proposal:	Single storey extension at side of dwelling
Delegated Decision	
Application Number: 19/0591/FUL	Delegation Briefing: 09/05/2019
Decision Type: Permitted	Date: 18/06/2019
Location Address: 24 Courtenay Gardens Exeter Devon EX2 8UJ	
Proposal:	Rear extension with raised deck area.
Delegated Decision	
Application Number: 19/0593/FUL	Delegation Briefing: 16/05/2019
Decision Type: Permitted	Date: 21/06/2019
Location Address: 9 Waybrook Crescent Exeter Devon EX2 8XF	
Proposal:	Additional dwelling within existing garden
Delegated Decision	
Application Number: 19/0688/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 24/06/2019
Location Address: Unit 1 Stone Lane Retail Park Marsh Barton Road Exeter Devon EX2 8LH	
Proposal:	Discharge condition 5 (travel plan) relating to planning application granted under the reference: 19/0084/FUL for the installation of a mezzanine floor (Use Class A1) within Unit 1.

Delegated Decision	
Application Number:	19/0714/NMA
Decision Type:	Permitted
Location Address:	Emmanuel Church Okehampton Road Exeter Devon EX4 1EH
Proposal:	Non-material amendment to Planning Permission Ref. 17/1662/FUL, granted 12 February 2018, to relocate rooflight at Flat 5 and revise design of dormer windows

Heavitree

Delegated Decision	
Application Number:	19/0636/FUL
Decision Type:	Permitted
Location Address:	6 South Avenue Exeter Devon EX1 2DZ
Proposal:	Single storey rear and side extensions, alterations to internal floor levels and general alterations.

Delegated Decision	
Application Number:	19/0797/NMA
Decision Type:	Permitted
Location Address:	9 Mont Le Grand Exeter Devon EX1 2PD
Proposal:	Non material amendment sought (to approved scheme 18/1753/FUL) to increase the length of the proposed garage and car port

Newtown And St Leonards

Delegated Decision	
Application Number:	18/0659/FUL
Decision Type:	Permitted
Location Address:	Dove Tree House 89-91 Heavitree Road Exeter Devon EX1 2ND
Proposal:	Replacement windows and doors to whole property

Delegated Decision	
Application Number:	19/0214/FUL
Decision Type:	Permitted
Location Address:	St Petrocks Close Exeter Devon
Proposal:	Bike shed to north of No. 9 St Petrocks Close.

Delegated Decision	
Application Number:	19/0392/ADV
Decision Type:	Permitted
Location Address:	9 Verney Street Exeter Devon
Proposal:	Di-bond panels above front door entrance and windows. - Text to include property name, student accommodation and key information such as address and facilities Contravention to windows and front door - including contact information, images, direction to front door. Frosted vinyl to other windows - no text

Delegated Decision			
Application Number:	19/0403/FUL	Delegation Briefing:	18/04/2019
Decision Type:	Permitted	Date:	19/06/2019
Location Address:	7 Lower Summerlands Exeter Devon EX1 2LJ		
Proposal:	Rear extension and alterations to listed building		
Delegated Decision			
Application Number:	19/0509/FUL	Delegation Briefing:	25/04/2019
Decision Type:	Permitted	Date:	18/06/2019
Location Address:	Royal Devon And Exeter Hospital (heavitree) Gladstone Road Exeter Devon EX1 2ED		
Proposal:	Installation of air handling unit, condensing units (6 no) and structural frame		
Delegated Decision			
Application Number:	19/0529/FUL	Delegation Briefing:	06/06/2019
Decision Type:	Permitted	Date:	12/07/2019
Location Address:	10 Wayland Avenue Exeter Devon EX2 4PR		
Proposal:	Single storey rear extension.		
Delegated Decision			
Application Number:	19/0564/FUL	Delegation Briefing:	30/05/2019
Decision Type:	Permitted	Date:	24/06/2019
Location Address:	22 Clifton Street Exeter Devon EX1 2EH		
Proposal:	Increase in ridge height of building		
Delegated Decision			
Application Number:	19/0572/FUL	Delegation Briefing:	23/05/2019
Decision Type:	Permitted	Date:	21/06/2019
Location Address:	3 Elmside Exeter Devon EX4 6LR		
Proposal:	Side and rear extension.		
Delegated Decision			
Application Number:	19/0582/FUL	Delegation Briefing:	16/05/2019
Decision Type:	Refuse Planning Permission	Date:	21/06/2019
Location Address:	10 Clifton Hill Exeter Devon EX1 2DL		
Proposal:	Replacement front gate		
Delegated Decision			
Application Number:	19/0583/LBC	Delegation Briefing:	16/05/2019
Decision Type:	Refuse Planning Permission	Date:	21/06/2019
Location Address:	10 Clifton Hill Exeter Devon EX1 2DL		
Proposal:	Replacement front gate.		

Delegated Decision	
Application Number:	19/0677/FUL
Decision Type:	Permitted
Location Address:	1 The Quadrant Exeter Devon EX2 4LE
Proposal:	Change of use from private healthcare (D1) and a maisonette (C3) to a single domestic dwelling (C3).
Delegation Briefing:	06/06/2019
Date:	02/07/2019
Delegated Decision	
Application Number:	19/0680/FUL
Decision Type:	Permitted
Location Address:	Rear Of The Footpath Adjacent To The Junction Of Heavitree Road And Gladstone Road Exeter EX1 2LX
Proposal:	Replacement 15m high telecommunication mast with associated internal antennas, equipment cabinet and ancillary works.
Delegation Briefing:	06/06/2019
Date:	08/07/2019
Delegated Decision	
Application Number:	19/0742/FUL
Decision Type:	Permitted
Location Address:	13 Matford Avenue Exeter Devon EX2 4PW
Proposal:	Two storey/single-storey rear extension and widening of front entrance.
Delegation Briefing:	06/06/2019
Date:	28/06/2019
Delegated Decision	
Application Number:	19/0745/FUL
Decision Type:	Permitted
Location Address:	89 Portland Street Exeter Devon EX1 2EG
Proposal:	Ground floor and first floor rear extensions.
Delegation Briefing:	06/06/2019
Date:	08/07/2019
Pennsylvania	
Delegated Decision	
Application Number:	18/1387/LED
Decision Type:	Was not lawful use
Location Address:	32 Prince Charles Road Exeter Devon EX4 7EF
Proposal:	An existing 2 bed house has been converted into 2 one bed flats each with kitchen and bathroom. The conversion was carried out in 2005.
Delegation Briefing:	
Date:	28/06/2019
Delegated Decision	
Application Number:	19/0568/FUL
Decision Type:	Permitted
Location Address:	34 Elizabeth Avenue Exeter Devon EX4 7EH
Proposal:	Rear porch, replacement canopy over front door and extended raised patio area
Delegation Briefing:	09/05/2019
Date:	10/07/2019

Delegated Decision	
Application Number: 19/0638/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 17/07/2019
Location Address: 7 Thompson Road Exeter Devon EX1 2UB	
Proposal: Hip-to-gable roof extension, rear dormer and front roof light.	
Delegated Decision	
Application Number: 19/0679/FUL	Delegation Briefing: 06/06/2019
Decision Type: Permitted	Date: 03/07/2019
Location Address: 17 Rosebarn Avenue Exeter Devon EX4 6DY	
Proposal: Single storey side extension and single storey rear extension.	
Pinhoe	
Delegated Decision	
Application Number: 19/0303/FUL	Delegation Briefing: 14/03/2019
Decision Type: Permitted	Date: 19/06/2019
Location Address: 384 Pinhoe Road Exeter Devon EX4 8EF	
Proposal: Two storey rear extension	
Delegated Decision	
Application Number: 19/0514/FUL	Delegation Briefing: 23/05/2019
Decision Type: Permitted	Date: 12/07/2019
Location Address: 85 Summerway Exeter Devon EX4 8DJ	
Proposal: One and two storey rear extension.	
Delegated Decision	
Application Number: 19/0561/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 25/06/2019
Location Address: Land To The North Of College Way And East Of Cumberland Way	
Proposal: Discharge conditions 6 (Acoustic Design Statement) and 8 (BREEAM report) of pp. 18/0683/FUL - Development of 32 bed nursing home and 8 close-care living units (Use Class C2), with associated access, parking and landscaping.	
Delegated Decision	
Application Number: 19/0655/PDS	Delegation Briefing:
Decision Type: Prior Approval Required and Granted	Date: 21/06/2019
Location Address: Apex Pinbrook Industrial Estate Chancel Lane Exeter Devon EX4 8JU	
Proposal: Change of use from Class B1 (Office/Light Industry) to state-funded school (Notification for Prior Approval)	

Priory**Delegated Decision**

Application Number: 19/0301/FUL Delegation Briefing: 14/03/2019
Decision Type: Permitted Date: 12/07/2019
Location Address: 3 Wilford Road Exeter Devon EX2 5LD
Proposal: Replacement Rear/ Side Extension

Delegated Decision

Application Number: 19/0423/FUL Delegation Briefing: 28/03/2019
Decision Type: Permitted Date: 01/07/2019
Location Address: Wonford House Hospital Dryden Road Exeter Devon EX2 5AF
Proposal: Alterations to access and private driveway, including new pavement, crossings and parking bays.

Delegated Decision

Application Number: 19/0588/FUL Delegation Briefing: 23/05/2019
Decision Type: Permitted Date: 19/06/2019
Location Address: 10 Burns Avenue Exeter Devon EX2 6BX
Proposal: Rear extension

Delegated Decision

Application Number: 19/0604/FUL Delegation Briefing: 13/06/2019
Decision Type: Permitted Date: 05/07/2019
Location Address: Wonford House Hospital Dryden Road Exeter Devon EX2 5AF
Proposal: Proposed new external entrance platform lift.

Delegated Decision

Application Number: 19/0605/LBC Delegation Briefing: 13/06/2019
Decision Type: Permitted Date: 05/07/2019
Location Address: Wonford House Hospital Dryden Road Exeter Devon EX2 5AF
Proposal: Proposed new external entrance platform lift.

Delegated Decision

Application Number: 19/0715/FUL Delegation Briefing: 06/06/2019
Decision Type: Permitted Date: 02/07/2019
Location Address: 25 Well Oak Park Exeter Devon EX2 5BB
Proposal: Single storey extension to the rear of the property replacing existing conservatory

Delegated Decision

Application Number: 19/0719/LPD Delegation Briefing:
Decision Type: Was lawful use Date: 18/06/2019
Location Address: 14 Millstream Exeter Devon EX2 6GD
Proposal: Part garage conversion and rear extension

Delegated Decision	
Application Number: 19/0610/FUL	Delegation Briefing: 23/05/2019
Decision Type: Permitted	Date: 24/06/2019
Location Address: Flat 10 Colleton House Melbourne Place Exeter Devon EX2 4AX	
Proposal: Replacement rear access gate.	
Delegated Decision	
Application Number: 19/0611/LBC	Delegation Briefing: 23/05/2019
Decision Type: Permitted	Date: 24/06/2019
Location Address: Flat 10 Colleton House Melbourne Place Exeter Devon EX2 4AX	
Proposal: Replacement rear access gate	
Delegated Decision	
Application Number: 19/0644/FUL	Delegation Briefing: 06/06/2019
Decision Type: Permitted	Date: 05/07/2019
Location Address: Stephens Scown LLP Curzon House Southernhay West Exeter Devon EX1 1RS	
Proposal: Replace concrete ridge on slate roof with a metal flashing.	
Delegated Decision	
Application Number: 19/0721/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 19/06/2019
Location Address: Ground Floor South Block Broadwalk House Southernhay West Exeter Devon EX1 1TZ	
Proposal: Removal of existing signage and installation of new signage including: individual face non illuminated letters and logo sign; 2no. externally illuminated projecting signs; ATM surround with internally illuminated letters and heather halo illumination; non-illuminated Welcome Sign; vinyl window graphics and manifestation.	
Delegated Decision	
Application Number: 19/0758/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 02/07/2019
Location Address: 10 Feltrim Avenue Exeter Devon EX2 4RP	
Proposal: Proposed single storey rear extension, extending a maximum 6m from rear elevation, height to eaves 3m and max. overall height 3.25m.	
Delegated Decision	
Application Number: 19/0806/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 17/06/2019
Location Address: 233 High Street Exeter Devon EX4 3NE	
Proposal: Removal an replacement of fascia signage with larger logo	

Delegated Decision	
Application Number:	19/0880/LBC
Decision Type:	Permission not required
Location Address:	Guildhall Shopping Centre Queen Street Exeter Devon EX4 3HP
Proposal:	Minor stone repairs to eroded columns at roof level above the restaurant thoroughfare from Queen Street into the Guildhall Shopping Centre

St Leonards

Delegated Decision	
Application Number:	19/0687/FUL
Decision Type:	Permitted
Location Address:	Ground Floor Flat 78 Topsham Road Exeter Devon EX2 4RS
Proposal:	Proposed detached garage and associated drive

St Loyes

Delegated Decision	
Application Number:	18/1007/FUL
Decision Type:	Withdrawn by Applicant
Location Address:	Police Headquarters Devon And Cornwall Constabulary Police Training College Alderson Drive Exeter Devon EX2 7HQ
Proposal:	Demolition of existing buildings and construction of a mixed use development comprising Class A1 retail units; Class A1/A3/A5 food and drink units with drive through facilities; Class D2 health & fitness use; management office, customer toilet facilities, and associated access, parking, and landscaping.

Delegated Decision	
Application Number:	19/0606/FUL
Decision Type:	Permitted
Location Address:	12 Birchy Barton Hill Exeter Devon EX1 3ET
Proposal:	Single storey front extension

Delegated Decision	
Application Number:	19/0670/LPD
Decision Type:	Was lawful use
Location Address:	33 Sullivan Road Exeter Devon EX2 5RB
Proposal:	Fit dormer to rear of property; two roof lights on front elevation and replace front porch.

Delegated Decision	
Application Number:	19/0692/FUL
Decision Type:	Permitted
Location Address:	102 Honiton Road St Loyes Exeter Devon EX1 3EQ
Proposal:	Single storey rear extension, front porch extension and associated alterations.

Delegated Decision	
Application Number:	19/0280/RES Delegation Briefing: 28/03/2019
Decision Type:	Permitted Date: 25/06/2019
Location Address:	Seabrook Orchards (Adjacent To Trinity CofE Primary And Nursery School) Topsham Road Exeter EX2 7DU
Proposal:	Reserved Matters Application (Pursuant to the Outline Planning Permission Ref 11/1291/OUT) for the approval of the layout, scale, appearance of buildings, means of access to buildings and landscaping for Seabrook Square - consisting of 23 homes (including 6 affordable homes), community facility and associated infrastructure.
Delegated Decision	
Application Number:	19/0289/FUL Delegation Briefing: 28/03/2019
Decision Type:	Permitted Date: 21/06/2019
Location Address:	5 Underhill Terrace Topsham Exeter Devon EX3 0HG
Proposal:	Single storey side extension.
Delegated Decision	
Application Number:	19/0367/FUL Delegation Briefing: 23/05/2019
Decision Type:	Permitted Date: 21/06/2019
Location Address:	3 Monmouth Street Topsham Exeter Devon EX3 0AJ
Proposal:	Single storey rear extension, various internal alterations, roof alterations and new bin store.
Delegated Decision	
Application Number:	19/0428/NMA Delegation Briefing:
Decision Type:	Permitted Date: 27/06/2019
Location Address:	Land To North Of Exeter Road And Adjacent To Topsham Rugby Club Exeter
Proposal:	Proposing to add a room in the roof of plots 18 & 19 only. This is to turn the 2 bed into a 3 bed unit with the addition of roof lights to the bedroom and bathroom. There will be no additional parking for this plot and the only change is to the internal layout.
Delegated Decision	
Application Number:	19/0491/LBC Delegation Briefing: 23/05/2019
Decision Type:	Permitted Date: 17/06/2019
Location Address:	15 High Street Topsham Exeter Devon EX3 0EA
Proposal:	Internal alterations on all floors to create utility/wc, bathroom and additional bedrooms.
Delegated Decision	
Application Number:	19/0558/FUL Delegation Briefing: 23/05/2019
Decision Type:	Refuse Planning Permission Date: 18/06/2019
Location Address:	85 Newcourt Road Topsham Exeter Devon EX3 0BU
Proposal:	Ground floor and roof extensions.

Delegated Decision	
Application Number: 19/0603/FUL	Delegation Briefing: 23/05/2019
Decision Type: Permitted	Date: 25/06/2019
Location Address: 42 High Street Topsham Exeter Devon EX3 0DU	
Proposal: Re-build parts of gable wall, replace two side windows, and alterations to covered shelter in rear yard.	
Delegated Decision	
Application Number: 19/0624/LBC	Delegation Briefing: 30/05/2019
Decision Type: Permitted	Date: 24/06/2019
Location Address: 56A Fore Street Topsham Exeter Devon EX3 0HW	
Proposal: Removal of internal wall between kitchen and living room.	
Delegated Decision	
Application Number: 19/0681/FUL	Delegation Briefing: 06/06/2019
Decision Type: Permitted	Date: 02/07/2019
Location Address: 19 Newcourt Road Topsham Exeter Devon EX3 0BT	
Proposal: Proposed single storey side and rear extension.	
Delegated Decision	
Application Number: 19/0689/FUL	Delegation Briefing: 13/06/2019
Decision Type: Refuse Planning Permission	Date: 05/07/2019
Location Address: 21 Riverside Road Topsham Exeter Devon EX3 0LR	
Proposal: Proposed new garage and conversion of existing garage into living accommodation.	
Delegated Decision	
Application Number: 19/0901/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 04/07/2019
Location Address: 15 Higher Shapter Street Topsham Exeter Devon EX3 0AW	
Proposal: Non-material amendment to proposed rear roof as part of planning application 18/1058/FUL granted on 18 June 2019.	
Total Applications: 76	

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REPORT TO: PLANNING COMMITTEE
Date of Meeting: 29 July 2019
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. Appeal Decisions Received

- 3.1 **19/0220/FUL - 48 St Davids Hill, Exeter – The application was for a loft conversion including raising of roof height and rear dormer.**

The Planning Inspectorate has allowed an appeal in respect of the above.

The Council had refused consent to raise the ridge by 300mm and add a full width flat roof rear dormer to this mid terrace property. The reasons for refusal related to, unsympathetic development, detrimental to the character and appearance of the dwelling and streetscene (particularly as it was visible from Heavitree Pleasure Ground); and that it would set a precedent for further poor development. The Council argued that the development would be clearly visible from Heavitree Pleasure Ground, where dormers were not the dominant character on the rear of this terrace, and the dormers present were most likely constructed under permitted development. It was also argued that the proposed full width dormer, which would dominate the roof slope, and was not set below the ridge level, along with raising the ridge, were harmful to the character of the dwelling, and failed to comply with the Householders Extension SPD.

The Inspector concluded that the raising of the ridge level would not be harmful due to the brief and/or distant views of the front of the property, the alterations would be mitigated due to the parapet walls and chimneys in the terrace, and proximity of the higher ridge at 147 Fore Street. To the rear, the Inspector noted several dormer windows, and described them as a characteristic feature, in a variety of forms. He considered views from Heavitree Pleasure Ground to be distant and limited, and given the visibility of other roof alterations, considered the proposal would not cause harm.

While he acknowledged the proposal conflicted with the adopted Householders Extension SPD, he assessed the case on its merits. He also considered that the proposal would not set a precedent as each case should be assessed on its merits.

- 3.2 **18/0920/FUL – Gipsy Hill Hotel, Gipsy Lane, Exeter – The application was for an extension to existing hotel accommodation block to form 9 serviced 1 bedroom apartments following partial demolition of building and demolition of bungalow.**

This follows an earlier application that was also dismissed at appeal.

The appellant changed the description of the proposal to a development with 9 no. 1-bed serviced apartments instead of 9 no. 2-bed serviced apartments and re-labelled the second bedrooms on the plans as 'studies', although in the appeal statement the appellant stated that they could still be used as second bedrooms. The appellant also showed a number of bedrooms in the hotel as being 'decommissioned' and argued that a condition restricting the occupation of bedrooms on the site to a maximum of 48 would mean that there would be no additional traffic generated. In the earlier appeal, the appellant stated there were 37 hotel bedrooms on the site, but the appellant took into account a number of rooms that had been used as bedrooms in the past.

Since the previous appeal decision, the adjoining land has been granted planning permission with a new segregated shared cycle path. The Local Highway Authority requested a small area of the overflow car park of the Hotel in order to extend this path the full length of Gipsy Hill Lane. The Local Highway Authority offered to fund these works. However, the appellant declined and stuck to the condition argument.

The Inspector supported the LPA's and LHA's position stating the requested improvements are necessary to enable the proposal to proceed. Therefore, the appeal was dismissed. The Inspector also supported the LPA's position that the habitats contribution must be paid at pre-commencement, not pre-occupation stage.

4. New Appeals

4.1 18/1201/FUL – 48 St Davids Hill, Exeter

Proposed single storey dwelling, extension and refurbishment of existing ground floor flat and renovation to existing rear elevation.

4.2 18/1202/LBC - 48 St Davids Hill, Exeter

Proposed single storey dwelling, extension and refurbishment of existing ground floor flat and renovation to existing rear elevation of this listed building.

4.3 19/0240/ADV – Unit 1, Stone Lane Retail Park, Marsh Barton Road

Consent to display 2no. Internally illuminated fascia signs and 4No. Externally illuminated fascia signs to front elevation. 1No. internally illuminated fascia sign to side and 2No. non illuminated fascia signs to rear elevation.

4.4 19/0621/FUL – Land Adjacent To 2A Newcourt Road, Topsham, Exeter

Proposed single storey dwelling.

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