

PLANNING

Date: Monday 16 March 2020
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, Sheldon, Sutton and Sparkes

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 10 February 2020.

(Pages 5 -
18)

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. 19/0650/OUT - The Old Coal Yard, Exmouth Junction, Mount Pleasant Road, Exeter**

To consider the report of the Service Lead City Development. (Pages 19 - 40)

6 **Planning Application No. 19/1676- FUL - St. Andrews Yard, Willeys Avenue, Exeter**

To consider the report of the Service Lead City Development. (Pages 41 - 52)

7 **Planning Application No. 19/0733/FUL - 7-9 and 10 Blackboy Road, Exeter**

To consider the report of the Service Lead City Development. (Pages 53 - 70)

8 **List of Decisions Made and Withdrawn Applications**

To consider the report of the Service Lead City Development. (Pages 71 - 96)

9 **Appeals Report**

To consider the report of the Service Lead City Development. (Pages 97 - 98)

10 **SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 7 April 2020 at 9.30 a.m. The Councillors attending will be Councillors Lyons, Foale and Branston.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 27 April 2020** 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.

Follow us:

www.twitter.com/ExeterCouncil

www.facebook.com/ExeterCityCouncil

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.

This page is intentionally left blank

PLANNING COMMITTEE

Monday 10 February 2020

Present:-

Councillor Lyons (Chair)

Councillors Williams, Bialyk, Branston, Foale, Ghusain, Harvey, Mrs Henson, Mitchell, M, Morse, Sheldon and Sutton

Also Present

Chief Executive & Growth Director, Director (BA), Principal Project Manager (Development) (PJ), Principal Project Manager (Development) (HS), Highways Development Management Officer and Democratic Services Officer (Committees)

15 MINUTES

The minutes of the meetings held on 6 and 13 January 2020 were taken as read, approved and signed by the Chair as correct.

16 DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

17 PLANNING APPLICATION NO. 19/0733/FUL - 7-9 AND 10 BLACKBOY ROAD, EXETER

The Principal Project Manager (Development) (PJ) presented the application for the retention of the Sorry Head public house and demolition of the vehicular servicing centre and re-development with a three/four storey building comprising of a ground floor retail unit (Class A1), purpose built student accommodation development (72 bedspaces) above, one warden's flat and associated private amenity space, secure cycle storage and landscaping.

The Principal Project Manager (Development) stated that several revisions had been made to the proposal including a reduction in height and the setting back of the development into the site. It was considered to be acceptable in the setting of the Belmont Conservation Area with the retention of the frontage of the Sorry Head also making a positive contribution. The appropriate use of render and brick would be addressed within the conditions.

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

- local residents accept the need to re-develop the site but disappointed that it is identified for student housing rather than affordable accommodation to help contribute to the character of the area;
- the development will have an adverse impact on existing heritage assets including the Sorry Head, the Moose Hall and the neighbourhood has particular sensitivities because of the 15th Century St Anne's Chapel as there will be an impact on the view of this building;
- the development is detrimental to local residents' amenity, outlook, light and quality of life;
- roof design is incongruous to existing buildings in the area;
- removal of parking bays to enable dropping off and picking up of occupants

will result in an increase in on-street parking in the area particularly as some students may still bring cars;

- development will contribute to the over saturation of student accommodation/houses in multiple occupation in the area and tip the balance in respect of late night noise etc. already experienced;
- fire safety is a concern and a report from the Devon and Somerset Fire and Rescue Authority is necessary;
- the proposal is an overdevelopment of the site and shadow analysis has confirmed the adverse light impact on properties and gardens resulting in the loss of outlook for neighbours. This, in turn, will impact on the health and wellbeing of residents;
- a gap of 17 metres from the rear of the development to some neighbouring properties falls short of the 22 metres standard; and
- it is a regressive and anachronistic proposal which does not reflect the ambitions of the City Council's Liveable Exeter Garden Vision and should be rejected on grounds of design, scale, height and impact on residents and their quality of life

Mr Summers spoke against the application. Referring to a series of sectional drawings and photographs of his garden and the surrounding area he raised the following points:-

- the four-storey block replaces a much lower building on the site impacting on the amenity of 116 Old Tiverton Rd. The proposed new building is very tall and close and will have a detrimental effect on the outlook from the back;
- the new building will significantly interfere with sunlight and daylight as evidenced by a shadow analysis. This analysis differs from that of the architect as it used British Standard Time not Greenwich Mean Time; and
- the proposed development does not allow residents to enjoy good quality outlook because the existing properties are entirely dominated by the proposed building.

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

- one Member was supportive of the design;
- other Members, with one suggesting that the location could possibly be acceptable for student accommodation, were opposed to the appearance, scale and massing, considering the building to be overbearing and having an oppressive impact on neighbours including their back gardens;
- the scale and massing to the rear rather than the front was of concern;
- a report from the Fire Safety Officer was sought; and
- some concern was raised in respect of the frontage elevational treatment.

RESOLVED that the application for the retention of the Sorry Head public house and demolition of the vehicular servicing centre and re-development with a four storey building comprising of a ground floor retail unit (Class A1), purpose built student accommodation development (72 bedspaces) above, one warden's flat and associated private amenity space, secure cycle storage and landscaping. be **DEFERRED** for the following issues to be addressed:-

- impact of the development on the street scene;
- loss of light and outlook to neighbouring properties;
- revisions to rear elevation and rear amenity space;

- provision of secure cycle parking; and
- to seek the views of the Devon and Somerset Fire and Rescue Authority.

18

PLANNING APPLICATION NO. 19/0962/FUL - LAND OFF PULLING ROAD, PINHOE, EXETER

The Principal Project Manager (Development) (PJ) presented the application for residential development for 40 dwellings with associated access, landscaping, open space and infrastructure.

The Principal Project Manager (Development) reported that:-

- the applicants were promoting zero carbon housing for the whole scheme, a consequence being an increase in the building cost per dwelling (estimated at approximately £27,700);
- the applicants had offered a provision of only 15% affordable housing whilst the policy required a 35% provision, that is, an offer of six affordable housing out of a total of 40. They had submitted a viability report stating that the combination of zero carbon dwellings and highway and educational contributions had resulted in the policy compliant level of 35% provision being unachievable. This conclusion of the viability assessment had been accepted by the Council's independent viability assessor as an acceptable compromise; and
- a request could be made for the provision of a footpath to the boundary but there was no guarantee that this would be continued should the adjacent site be developed.

Responding to a Member's query, the Highways Development Management Officer advised that a Pinhoe Area Access Strategy had been produced identifying mitigation measures across the highways network in this area including the E4 Cycle route, improvements to the pedestrian network and enhanced bus provision together with the proposed Langaton Lane Link Road.

Mrs Radford spoke against the application. She raised the following points:-

- object to yet a further development in an area where there has been a significant number of other developments impacting adversely on the green belt land and wildlife corridor;
- major increase in population causing additional sewage, drainage, light pollution and impact on ground stability;
- Pinhoe suffers from severe traffic congestion particularly around commuter and school traffic periods and the present road infrastructure is inadequate to cope with further developments;
- the road is too narrow and additional properties will lead to highway safety issues;
- noise will be generated from the heat pumps; and
- detrimental impact on residential amenities, schools, medical surgery etc.

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

- Verto has operated for 10 years and its key goal is to change the way people live and to provide a radical change in the South West housing market;
- wishes to encourage a carbon zero lifestyle and use of clean renewable energy away from fossil fuel, CO₂, gas burners and wood burners; and

- reflects the City Council goal of becoming carbon neutral by 2030.

He responded as follows to Members' queries:-

- can look to reduce car parking provision to help development proceed but acknowledge that a car free offer can hinder sales;
- at previous schemes a slight premium has been added because of the sustainable nature of the properties and as a response to demand;
- heat pumps will not be noisy and will not be audible outside properties;
- will seek to add two electric car charging points in each household port; and
- would be open to the suggestion to review affordable housing provision.

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

Members expressed the following views:-

- disappointment that affordable housing provision was less than the City Council policy compliant level of 35%;
- the balance between the construction of zero carbon dwellings and affordable housing provision should be revisited;
- cumulative impact of developments in Pinhoe as well as East Devon is detrimental to the highway network and leading to increased congestion. A car free development would therefore be preferable; and
- further consideration should be given to both increasing the affordable housing provision and reducing car parking spaces.

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

RESOLVED that the application for residential development for 40 dwellings with associated access, landscaping, open space and infrastructure be **DEFERRED** for the applicant to respond to the requirements for increased provision of affordable housing and reduced car parking provision.

19

PLANNING APPLICATION NO. 19/1460/OUT - LAND OFF PENNSYLVANIA ROAD, EXETER

The Principal Project Manager (Development) (PJ) presented the application for outline application for residential development for up to 26 dwellings with all matters reserved except access.

The Principal Project Manager (Development) reported the receipt of further representations from the applicant's agents objecting to the reasons in the report for refusing the application and requesting the deferral of the application. He advised that the report's recommendation that the site for housing would have a detrimental impact on the character and appearance of the area identified as important for landscape setting remained and that the protection of the landscape outweighed the need for housing. The request for deferral therefore was not warranted.

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

- the safety of local residents will be compromised as an additional development will increase the dangerous traffic conditions along

Pennsylvania Road which lacks footpaths on both sides. Motorists often miss the speed limit sign which is located outside the built up area. There are a number of incidents where debris has been collected resulting from accidents and there has been one fatality;

- the road is not safe for pedestrian and cyclists and there is a long walk to the nearest bus stop in Stoke Valley Road;
- the site is close to two stables and the safety and health of horses may be compromised;
- adverse impact on bio-diversity of the area;
- an additional settlement will adversely affect water supply in the area as well as causing additional flooding during periods of high run off; and
- there will be an adverse impact on the landscape setting and character of the green hills.

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

RESOLVED that outline planning permission for residential development for up to 26 dwellings with all matters reserved except access be **REFUSED** for the following reasons:-

1. The development is contrary to Policy LS1 of the Exeter Local Plan First Review and Policy CP16 of the Exeter Core Strategy. The development would result in harm to the character and local distinctiveness of this rural area evidenced in the Exeter Landscape Sensitivity and Capacity Study and the Devon Landscape Character Area Assessment by reason of it contributing to the urbanisation of the area and detracting from the rural green hillside setting.
2. The development is contrary to Policies LS1 & LS4 of the Exeter Local Plan First Review and CP16 of the Exeter Core Strategy. The creation of vehicular access for the site to the serve the residential units in this location would result in the loss of a substantial section of hedge bank fronting onto Pennsylvania Road detrimental to the visual landscape character and appearance of the area and harmful to the biodiversity of the area located with a site of local interest for nature conservation.
3. In the absence of sufficient highway information, particularly in respect of a Road Safety Audit regarding pedestrian access to and from the site, the Local Planning Authority as advised by the Local Highway Authority is unable to confirm that the scheme meets necessary highway safety standards onto the existing highway network and therefore is contrary to Policy DG1 of the Exeter Local Plan First Review and Policy CP9 of the Exeter Core Strategy.

20

**PLANNING APPLICATION NO. 19/1621/FUL - WHIPTON BARTON HOUSE,
VAUGHAN ROAD, EXETER**

The Principal Project Manager (Development) (HS) presented the application for demolition of existing buildings and construction of 92 apartments, access and parking, landscaping and associated infrastructure/highways works.

The Principal Project Manager (Development) reported:-

- the comments of the Police Architectural Liaison Officer on additional design issues;
- an updated condition two;

- objections in respect of tree planting;
- the use of Passivhaus construction techniques throughout;
- car parking limited to 46 spaces including five disabled spaces and five for electric car club cars on Vaughan Road and Hill Lane. Five hire bikes would be provided together with 118 cycle parking spaces. Charging points would be installed for electric vehicles. There would be eight units of a wheelchair accessible design and eight scooter charging points;
- in respect of affordable housing, a viability assessment had been carried out by Plymouth City Council which advised that the return would be less than that expected by a commercial developer and that, whilst the scheme would be required to make a CIL contribution, it would not be able to support affordable housing sought by Core Strategy Policy CP7 or Section 106 developer contributions. The scheme would therefore be considered as from a planning perspective as 100% market housing with restrictions on occupation or disposal. Whilst no affordable housing would be secured through the planning system it was the applicant's intention that 60 of the 92 units would be delivered as affordable housing with third party funding.

Mr Tarbet spoke in objection to the application. He raised the following points:-

- the RD&E had made a Section 106 claim under the Town and Country Planning Act 1990 worth £118,000 in December 2019 but the Council officers had rejected the claim based on no justification and insufficient information;
- legal opinion states that health is a material consideration and the National Planning Policy Framework (NPPF) covers healthy communities;
- approximately 1,000 houses require £1 million to deliver health service per annum which is considered reasonable and fair and is related in scale and kind to the development;
- a failure to mitigate will result in lower quality care and higher costs of vital health services; and
- a detailed model used elsewhere in the UK had been provided as evidence.

He responded as follows to Members' queries:-

- support is sought for secondary care not primary;
- with regard to timing and expectation behind the request, the NHS has only recently considered the need for contributions because of the growth in housing developments nationwide and is considered legitimate in law. Although a contribution of £1,000 would be the average sought for a property, when aggregated, the contribution for 50,000 new homes would require a £50 million contribution without which the performance of hospitals would be expected to dip. Contributions would not be just for A and E but towards patient flow through the hospital; and
- similar approaches are being made to neighbouring authorities with a lead being sought from Exeter. A Teignbridge contribution was being sought in respect of Torbay Hospital.

The Principal Project Manager (Development) reiterated Members empathy with the NHS on the funding situation. He agreed that health provision was capable of being a material consideration and advised that robust evidence in respect of any funding sought should properly be tested at local planning examination following public consultation, including with the development industry, supported by viability analysis of the plan provisions as a whole. Such representations had not been made in the preparation of the Core Strategy which had been adopted in 2012.

Representation had been made and contributions secured for some primary care and to safeguard land for GP provision as part of new development. The request in this case was not considered to meet the tests and guidance in respect of CIL and Section 106 contributions. It was noted that a similar request for contributions made in respect of a recent appeal for a housing development in the city had been declined by the Inspector. The NHS Trust was encouraged to continue working with the City Council on this issue particularly as the Greater Exeter Strategic Plan progressed.

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

- the design set a new standard for public housing in Exeter and the region. It will be one of the most sustainable developments in the country outside London. Using Passivhaus principles of construction - energy management and high levels of insulation - flats will cost less than £200 per year to run;
- provides high quality spaces and places for people to live;
- the ambition is to create a community that is part of Whipton Village.
- the apartments are collected around a community garden which will be accessible to everyone and the landscape will promote wildlife and biodiversity and includes fruit trees and vegetable gardens;
- will be an inclusive neighbourhood that promotes social interaction;
- will be managed as a mix of tenures but tenure blind, except for eight adapted flats, designed for accessibility, with more generous circulation areas and eight covered parking bays for electric buggies; and
- described by the South West Design Review Panel as exemplary in conception and design.

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

Members:-

- welcomed the means of providing affordable housing as set out in the report and praised the consultation process undertaken with local residents;
- referred to the provision of homes which would help residents live healthier, longer lives; and
- supported ongoing engagement with the NHS on the issue of financial contributions towards health care provision.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 securing the following obligations under a CIL/Section 106 Agreement:-

- Arrangements for the ongoing management of communal spaces, landscaping, means of enclosure, access controls and open spaces;
- Travel Plan measures;
- Completion of agreements with the Highway Authority for works in the Highway; and
- Habitats Mitigation payments (where any CIL exemption is sought).

planning permission for demolition of existing buildings and construction of 92 apartments, access and parking, landscaping and associated infrastructure/highways works be **APPROVED**, subject also to the following conditions which may be varied or removed as necessary if the conditions are satisfactorily resolved prior to the issue of the decision notice, or switched between

the conditions and Section 106 Agreement:-

- 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 18 November 2019, and 28 and 30 January 2020 (including dwgs listed below) as modified by other conditions attached to this consent.

18/505/010 Ground Floor Site Plan Rev C
18/505/020 Block A Ground and First Floor Rev B
18/505/021 Block A Second and Third Floor Rev -
18/505/022 Block A Roof Plan Rev -
18/505/025 Block B1 Floor Plans Rev B
18/505/026 Block B1 Roof Plan Rev -
18/505/030 Block B2 Ground and First Floor Rev B
18/505/031 Block B2 Second and Third Floor Rev -
18/505/032 Block B2 Roof Plan Rev -
18/505/035 Blocks C1 and C2 Floor Plans Rev B
18/505/060 Block B1 Elevations Rev B
18/505/061 Block B2 Elevations Rev B
18/505/062 Block A Elevations Rev B
18/505/063 Block C1 Elevations Rev A
18/505/064 Block C2 Elevations Rev A
Arb Impact Assessment and Tree Protection Plan Rev A

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

- 3) Notwithstanding the approved plans no development, other than the demolition or stripping-out of the existing buildings, shall commence on site until the detailed matters listed below have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details.
 - a) Detailed design of the bins stores and entrances into buildings from Vaughan Road, Hill Lane and Pinhoe Road.
 - b) Means of enclosure within the site.
 - c) Cycle stores
 - d) External lighting

Reason: In the interests of visual amenity and the living conditions of future occupiers.

- 4) No development, other than the demolition or stripping-out of the existing buildings, shall take place until details of the proposed finished floor levels and overall heights of the proposed building, as indicated on the approved drawings and set in relation to an agreed fixed point or Ordnance Survey datum, has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

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

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

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

- 6) No development, other than the demolition or stripping-out of the existing buildings, 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 protection of human health and the natural environment.

- 7) 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 monitor and control the emission of dust and dirt during construction.
- h) No burning on site during construction or site preparation works.
- i) Measures to monitor and minimise noise/vibration 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 the protection of human health and the natural environment.

- 8) No development, other than the demolition or stripping-out of the existing buildings, shall take place until the applicant has 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 the living conditions of future occupiers of the site.

- 9) Noise from all building services plant shall not exceed a rating noise level of 39dB (07:00 to 23:00) and 30dB (23:00 to 07:00) (measured at the façade of any noise sensitive property in accordance with BS4142:2014).
Reason: In the interests of protecting the neighbouring occupiers from noise nuisance.
- 10) No development, other than the demolition or stripping-out of the existing buildings, shall take place on site until an air quality assessment has been carried out in accordance with a programme and methodology to be agreed in writing by the Local Planning Authority and the results, together with any mitigation measures necessary, have been agreed in writing by the Local Planning Authority. The development shall not be occupied until the approved mitigation measures have been implemented.
Reason: In the interests of protecting human health and the natural environment.
- 11) A sustainable surface water management strategy for the site shall be submitted to and approved in writing by the Local Planning Authority before development, other than the demolition or stripping-out of the existing buildings, commences on site. The approved strategy shall subsequently be implemented on site before any building is occupied.
Reason: In the interests of sustainable drainage.
- 12) No part of the development hereby approved shall be brought into its intended use until details of vehicular access points have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the access points have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times.
Reason: To provide a safe and suitable access for vehicles, pedestrians and cyclists in accordance with Paragraph 108 of the NPPF.
- 13) No part of the development hereby approved shall be brought into its intended use until the raised crossing on Vaughan Road and relocated crossing point on Vaughan Road, as indicated on Drawing No. SK08 have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority
Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108/110 of the NPPF and CP9 of the Exeter City Council Core Strategy
- 14) No development, other than the demolition or stripping-out of the existing buildings, shall take place on the application site until details of the relocated bus stop has been provided and made available for use in accordance with detailed drawings which shall previously have been submitted to an approved in writing by the Local Planning Authority in consultation with Devon County Council as the Local Highway Authority and Stagecoach. No apartments comprised in the development shall be occupied until the bus stop location has been fully agreed/relocated in accordance with the approved details

Reason: To provide a safe and suitable access for buses, pedestrians and cyclists in accordance with Paragraph 108 of the NPPF

- 15) No part of the development hereby approved shall be brought into its intended use details of a raised crossing at Summer Lane, changes to Hill Lane (i.e. surface materials/street furniture) and the removal of guardrail/bollards on Pinhoe Road have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the crossing, materials and the details to the changes in the vicinity of the signalised crossing on Pinhoe Road have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times.

Reason: To provide a safe and suitable access for vehicles, pedestrians and cyclists in accordance with Paragraph 108 of the NPPF

- 16) No part of the development hereby approved shall be brought into its intended use until details of pedestrian access on Hill adjacent to the Co-Car spaces have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the pedestrian access have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times.

Reason: To provide a safe and suitable access for vehicles, pedestrians and cyclists in accordance with Paragraph 108 of the NPPF

- 17) No part of the development hereby approved shall be brought into its intended use until the 5 Co-Car spaces, e-bike docking stations (including 5 bikes) and the sheltered secure cycle spaces as indicated on Drawing No. RF-083-001 Rev C have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108/110 of the NPPF and CP9 of the ECC Core Strategy.

- 18) Prior to occupation of the development hereby permitted, a travel pack/car park management plan shall be provided informing all residents of walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car sharing schemes and car clubs, as appropriate, the form and content of which shall have previously been approved in writing by the Local Planning Authority. The travel plan shall include provisions for the ongoing monitoring and control of the sustainable measures.

Reason: To ensure that all occupants of the development are aware of the available sustainable travel options, in accordance with Paragraph 111 of the NPPF.

- 19) Before commencement of construction of the superstructure 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 or other equivalent standard as may be agreed in writing by the Local Planning Authority can be achieved. The measures necessary to achieve the 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.

- 20) No development, other than the demolition or stripping-out of the existing buildings, 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.

- 21) Any trees, shrubs and/or hedges on or around the site, other than those shown as being removed on the Arboricultural Impact Assessment and Tree Protection Plan rev A received 28.01.2020 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.

- 22) 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.

- 23) 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.

- 24) The development shall only be carried out in accordance with the avoidance, mitigation and compensatory measures in the Conservation Action Statement appended to the Wildlife Survey report version 002, including (unless otherwise agreed in writing) the installation of bat boxes (minimum 4 no.), swift nesting bricks (minimum 48 no. cavities) and sparrow terraces (minimum 4 no.) in the completed development. These shall be retained thereafter unless previously agreed in writing by the Local Planning Authority.

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

Informative

- 1) 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.
- 2) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website. It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (i.e. 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.
- 3) A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.
- 4) 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 Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. 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 fund 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).

21

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Service Lead City Development was submitted.

RESOLVED that the report be noted.

22

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

23

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 3 March 2020 at 9.30 a.m. The Councillors attending will be Councillors Ghusain, Harvey and Mrs Henson.

(The meeting commenced at 5.30 pm and closed at 7.53 pm)

Chair

DRAFT

Agenda Item 5

COMMITTEE DATE: 16/03/2020

APPLICATION NO: 19/0650/OUT

APPLICANT: Eutopia Homes (Exeter) Limited

PROPOSAL: Outline application for the construction of 400 residential dwellings (Class C3), 65 senior living with care units (Class C2), new public open and green spaces, access road, refurbishment and extension of locally listed former water tower, and associated works (Landscaping reserved for future consideration).

LOCATION: The Old Coal Yard, Exmouth Junction, Mount Pleasant Road, Exeter, Devon, EX4 7AE

REGISTRATION DATE: 10/05/2019

RELATED DOCUMENTS: <https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=19/0650/OUT>

HISTORY OF SITE

86/0869/FUL -	Use of former wagon repair workshop & yard as warehouse & distribution centre of fertilisers & associated products	REF	14.11.1986
89/0672/FUL -	Erection of four bulk screening hoppers and canopy	WDN	02.01.1991
EN/92/00053 -	New building been erected, tank erected and lights on all night.	CLOSED	28.05.1992
EN/95/00363 -	Waste Disposal Depot	CLOSED	24.10.1995
EN/96/00009 -	Change of use class.	CLOSED	23.01.1996
EN/96/00077 -	Untidy site	CLOSED	05.03.1996
EN/97/00167 -	Unauthorised building work	CLOSED	04.07.1997
EN/98/00147 -	Unloading of earth and hardcore	CLOSED	28.10.1998
98/1017/CMA -	Temporary waste transfer facility (12 months)	RNO	17.02.1999
EN/99/00010 -	Untidy site	CLOSED	07.01.2000
EN/99/00042 -	Builders Yard / Tarmac Business	CLOSED	26.05.2000
99/0886/CMA -	Temporary (6 months) waste transfer facility	RNO	15.12.1999
00/1276/CMA -	Temporary (6 months) waste transfer facility	WDN	04.10.2000
EN/00/00348 -	Untidy building	CLOSED	15.08.2002
EN/01/00116 -	Installation of grey metal fence over 1 metre tall	CLOSED	06.04.2001
EN/01/00573 -	Untidy site, abandoned railway buildings.	CLOSED	14.03.2002
02/0305/CTY -	Temporary storage site for used refrigerators for up to 2/3 years	WDN	25.04.2002
EN/02/00103 -	Dumping of rubble in former coal yard	CLOSED	19.08.2002
ENF/10/00077 -	Unauthorised advertisements	CLOSED	25.02.2011
10/1735/ADV -	Non-illuminated double sided freestanding sign at junction with Mount Pleasant Road and 2 road safety/security signs on access road	PER	08.02.2011
16/0769/SO -	EIA screening opinion request for 240 dwellings (outline application with all matters reserved except access)	EIANOT	08.07.2016

18/1614/SO - Request for Environmental Impact Assessment EIANOT 01.02.2019
Screening – Outline application for
approximately 412 dwellings (Use Class C3)
and a 55 unit care home facility (Use Class C2),
with appearance and landscaping reserved

DESCRIPTION OF SITE/PROPOSAL

The site comprises part of the site that was used historically as a railway depot to the north of Exmouth Junction, where the Exmouth branch line diverges from the main railway line. It's most recent use has been as a storage site, including the storage of motorhomes and caravans. The site is bounded by St James' Church and the Prince Charles Road allotments to the north, Morrisons supermarket to the east, the railway line to the south with housing and Priory Park beyond, and housing to the west. The site is largely sunken and below the level of the surrounding uses except for an access road running along the north boundary, which connects to Mount Pleasant Road to the west. A second vehicular access point is on the east boundary connecting to the road serving Morrisons, but apart from these there are no other existing access points. The site is mainly rectangular in shape and measures approximately 700 metres east to west and 100 metres north to south, although it narrows to the east where Network Rail wish to retain some land. A wooded slope separates the main part of the site from the access road. The overall site area is 5.95 hectares. The site is in Pennsylvania ward.

The site is unallocated and undesignated in the adopted Core Strategy (2012) and Local Plan First Review (2005), but the western part of the site is allocated for housing in the emerging Development Delivery DPD (2015). The site is in Flood Zone 1 (land assessed as having less than 1 in 1,000 annual probability of river or sea flooding), although there are a few small areas at risk of surface water flooding from heavy rainfall. There are no heritage assets on the site or within the vicinity apart from a disused water tower building, which is locally listed. The site has been identified as being potentially contaminated from previous land uses. Prince Charles Road running parallel with and on the other side of the allotments has been designated part of the E3 strategic cycle route by Devon County Council, which connects the University of Exeter with Exeter Science Park and other growth point areas to the east of the city.

The proposed development is to redevelop the site to provide a mixed housing scheme comprising 465 units in total. A mix of dwelling sizes and tenures is proposed to meet a variety of housing needs and to create a balanced community. A 5 storey apartment block with 66 apartments (28 no. 1-beds, 28 no. 2-beds and 10 no. 3-beds) will be sited to the west of the site at its lowest point, closest to Mount Pleasant Road. Next to this will be 104 no. 4-bed townhouses, arranged in four perimeter blocks with gardens backing onto each other. To the east of the townhouses will be a 'Village Green' (0.025ha), including a children's play area and other amenity areas, which will act as the heart of the new community. To the east of the Village Green will be two blocks comprising a total of 230 Build to Rent apartments. The first block will comprise 177 apartments (75 no. 1-beds, 71 no. 2-beds and 31 no. 3-beds) and will be part 3/4/5 storeys; it will also have a central courtyard, described as a 'Community Garden' in the Design and Access Statement (DAS). The second block will comprise 53 apartments (28 no. 1-beds, 17 no. 2-beds and 8 no. 3-beds) and will be part 4/5 storeys. To the north of this block will be a hard landscaped square, referred to as 'Pump House Square' in the DAS, and framing this to the north will be the converted and extended water tower building, which will contain a management suite and social hub for the Build to Rent apartments. Several other communal facilities will be situated around the square, including a fitness suite, lounge and 'tech hub' offering shared work space. To the east of the second Build to Rent block (at the far east of the site nearest to Morrisons) will be a part 4/5 storey block containing 65 'senior living with care' apartments

(17 no. 1 beds, 39 no. 2-beds and 9 no. 3-beds). Whilst an operator for this facility has not yet been identified, this block will provide residential accommodation for older people requiring a certain amount of personal care. It will include a lounge/dining area on the ground floor, as well as reception, consultation room, wellbeing suite and staff room. It will also provide outdoor amenity space in the form of a rear courtyard/garden and rooftop terrace.

Vehicular access to the site will be provided from the road serving Morrisons to the east. The existing access to/from Mount Pleasant Road will be made into a pedestrian/cycle access point only, except for emergency vehicles. The street hierarchy will consist of a primary route running the length of the site east to west, with secondary routes off of this providing access to the blocks north to south. These secondary routes will take the form of new streets designed using 'home zone' principles to reduce the dominance of the car and prioritise pedestrian movement and activities. The primary route will run along the base of the wooded slope on the site, whilst the pedestrian/cycle route linking to Mount Pleasant Road will run along the top. This will slope down to the primary route and link with it near the converted water tower building. A footpath will run through new woodland areas planted along the edge of the site to the west and south, which will connect with the pedestrian/cycle route and Village Green to form a recreational walking circuit for residents and visitors. The highways on the site will be privately managed enabling higher quality surface materials to be used, except for the initial part of the primary route to the east which will be adopted by Devon County Council. Vehicle control barriers will be placed at the base of the pedestrian/cycle route and across the primary route in front of the Build to Rent properties to ensure only registered and emergency vehicles can access the site.

The scheme has been designed as a low car parking scheme to encourage more sustainable modes of travel, including walking, cycling and public transport, as well as reduce the dominance of cars visually within the streetscene. Each of the townhouses will have one designated car parking space, either on-plot or in bays on-street. A row of 22 car parking spaces will be provided to the west of the western apartment block, including 5 disabled spaces and 5 electric charging point spaces. 8 parallel spaces will be provided adjacent to the main Build to Rent apartment block and 8 disabled spaces will be provided adjacent to the smaller Build to Rent apartment block. 18 car parking spaces will be provided for the 'senior living with care' apartment block in two areas either side of the building. A small car park with 24 spaces will be provided near the site entrance for general use. A car club will be provided adjacent to the management suite in the water tower building with 8 spaces, 4 of which will include electric charging points. There will be a total of 192 car parking spaces across the scheme as a whole representing a car parking to dwelling ratio of 1:2.42 (41%). This is skewed more towards the for sale units.

Conversely over 1,000 cycle parking spaces will be provided across the scheme. Each of the townhouses will have a combined bike/bin store to the front of the plot. The apartment blocks will have internal bike stores with double stacking racks (778 spaces). External covered bike stores will be provided adjacent to the management suite and to the rear of the 'senior living with care' block (120 spaces). Groups of Sheffield bike stands will also be provided in various areas around the site (140 spaces). An electric bike hire facility will also be provided within the Build to Rent complex. (See pages 42 and 44 of DAS for further details).

Each of the townhouses and the apartment blocks will have refuse stores on the ground floors. Estate bins will be provided along the primary access route and two recycling banks will also be provided. (See page 43 of DAS for further details).

The application has been submitted in outline with details of landscaping as a reserved matter only. However, an Illustrative Landscape Masterplan has been submitted with the application and a Landscape Strategy has been provided as part of the DAS (see Section

7.0) to indicate the design intent with regards to hard and soft landscaping. 'Green roofs' are proposed on each of the apartment blocks to enhance biodiversity, as well as solar panels (see page 51 of the DAS).

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Design and Access Statement (Darling Associates, April 2019)
- Statement of Community Involvement (Darling Associates, April 2019)
- Community Benefit & Social Value Report (Darling Associates, April 2019)
- Planning Statement (CBRE, April 2019)
- Heritage Statement (CBRE, April 2019)
- Arboricultural Survey (Advanced Arboriculture, 12th April 2019)
- Environmental Site Investigation & Outline Remediation Strategy (John F Hunt Remediation, July 2018)
- Transport Assessment (AECOM, April 2019)
- Travel Plan (AECOM, April 2019)
- Air Quality Impact Assessment (AECOM, 2019)
- Flood Risk Assessment and Drainage Strategy Report (AECOM, April 2019)
- Noise and Vibration Report (AECOM, April 2019)
- Preliminary Ecological Appraisal (PEA) (AECOM, April 2019)
- Light Assessment (AECOM, April 2019)
- Energy Assessment (AECOM, April 2019)
- Accommodation for the Elderly (class C2) BREEAM Pre-Assessment (AECOM, April 2019)
- Outline Construction Management Plan (AECOM, April 2019)
- Construction Resource Management Plan (AECOM, April 2019)

Additional Information Submitted During Application

- Air Quality Impact Assessment Revision 1 (AECOM, 18/06/19)
- Updated Noise and Vibration Report (AECOM, April 2019)
- Flood Risk Assessment and Drainage Strategy Report Revision 3 (AECOM, 02.08.19)
- Reptile Report (Wardell Armstrong, July 2019)
- Invasive Non-Native Species Report, August 2019)
- Technical Note – Stoke Hill Roundabout Scheme Financial Contribution Revision 3 (AECOM, 02/09/2019)
- Bat Report 2019 (Wardell Armstrong, October 2019)
- Confidential Update Badger Report (Wardell Armstrong, October 2019)
- CBRE letter 21 October 2019
- Response to DCC Highways Requests for Further Information (Darling Associates, October 2019)

REPRESENTATIONS

40 representations were received during the publicity period, including 32 objections and 8 neither supporting nor objecting. The following issues were raised:

- Inadequate car parking provision.
- Buildings too high.
- Dislike industrial design.
- Too high density.
- Impact of traffic generation on Morrisons roundabout.

- Dislike architectural design.
- Overcrowded and oppressive.
- Overdevelopment.
- No visible controls to stop parking on pavements, footpaths and cycleways.
- Needs to be designated cycle route within the site.
- Pedestrian access to Mount Pleasant Road and Old Tiverton Road is inadequate.
- There should be more sets of steps and disabled path up the wooded slope.
- Risk of increase in accidents and casualties at Stoke Hill roundabout.
- Additional traffic will have a detrimental impact on local highway network.
- Capacity of schools and medical practices to accommodate additional people.
- Contributions to public transport infrastructure.
- Impact of congestion on air quality.
- Design not in keeping with local residential area.
- Impact on foul drainage.
- Industrial or park and ride uses would be better than high density housing.
- Impact on existing community.
- Inadequate Transport Assessment.
- Impact on St James' Church Hall car park.
- Schools at capacity.
- If children cannot walk to school, parents will be forced to drive them.
- Overspill parking on roads without parking controls.
- Applaud use of brownfield site to deliver affordable homes.
- Not enough provision to protect mature trees on the site.
- Some materials not in keeping with area.
- Applaud retention of trees and concept of green spaces.
- Does not meet CS objectives of 'providing decent homes for all', 'promoting development that contributes to a healthy population' and 'protecting and enhancing the city's character'.
- Lack of cycling infrastructure to the city centre.
- Should be more open space, low rise buildings and more car parking.
- Should be one allocated parking space per dwelling.

One of the representations was from a firm of solicitors on behalf of the Royal Devon and Exeter NHS Foundation Trust providing evidence for s106 developer contributions for services. The Trust are seeking £515,745 from the 400 dwellings and £53,580 from the 65 'senior living with care' apartments towards the delivery of health care services during the first year of occupation of each unit.

In addition to the representations above, 45 objections were received against Devon County Council's request as Local Highway Authority to provide two pedestrian/cycle shared footpath links to the site through the Prince Charles Road allotments site. This included an objection from the management committee of the Prince Charles Road Allotment Association. The majority of the objections raised the same points copied below:

- At least two and probably three allotment plots will be become unviable when there is a waiting list for plots at our site.
- The allotment site has Asset of Community Value (ACV) status under The ACV (England) Regulations 2012. As such, our main use is to further the social wellbeing or social interests of the plot holders and could do so in the future. The Localism Act states that 'social interests' includes recreational interests. Option 2, splitting the site into two areas will have an adverse impact on our ability to provide this function.
- Currently the site has some 86 plots, many of which are divided into two. There are then some 120 tenants on the site. Given family and friends help out and we have

two community plots, the site probably provides social, recreational and wellbeing facilities for some 300 people ranging from 8 months old to over 80. Any loss or diminution of these facilities is a retrograde step.

- Both options will mean loss of mature trees from Prince Charles Road. Trees potentially affected by the proposal may have recently been felled.
- Both options would increase the risk of vandalism attacks on the allotment site and the Trading Hut, which has been broken into on a number of occasions.
- Both options, with formed surfaces, increase the barrier to wildlife known to be on and using the site from moving between areas in the wildlife corridor e.g. badgers, foxes, frogs, toads, slow worms and common lizards, some of which are protected.
- There would be potential drainage issues with both options increasing the rainfall run-off from the site, which could adversely impact on the development site.
- Option 2 will cut the allotment site into two separate areas. This will make managing the site more difficult and severely impact on its community spirit and ethos.
- With Option 2 there is the risk of accidents with cyclists travelling at speed not expecting to meet vehicles on the pathway.
- The Option 2 will make lorry deliveries of bulk items (compost, grow bags and manure) to the Trading Hut impractical, if not impossible. There will be similar difficulties and issues with manure deliveries by tractor and trailer.
- Option 2 has the path being close to an allotment that currently houses a number of bee hives. Keeping of bees on this plot may become unviable if the hives are too close to the public. Having the bees on site aids pollination of our crops and flowers.
- The benefits in shortening the access to Prince Charles Road and Stoke Hill Infant and Nursery School are marginal. Neither achieves the recommended maximum walking distance of 400 metres
- Option 3 would reduce the car parking spaces available at the west end of the site.

CONSULTATIONS

Local Highway Authority (Devon County Council): The proposed development results in a substantial increase in trips onto the highway network using the TRIC's database. The site is in a sustainable location and sustainable travel should be promoted. A £500k contribution is required towards improvements to Stoke Hill roundabout, which is already congested and prone to accidents. The other roundabouts within the vicinity – Prince Charles Road/Calthorpe Road and Morrisons – have capacity. More details are required in relation to the onsite roundabout, the pedestrian/cycle/emergency access onto Mount Pleasant Road and eastern access point to demonstrate they are acceptable in highways terms. A £522k contribution is required towards the provision of two pedestrian/cycle links to the north through the allotments site, which should be constructed before occupation of any of the new dwellings to avoid a reason for refusal. A Traffic Regulation Order (TRO) is required to prohibit vehicles using the access from Mount Pleasant Road. There are a lack of links within the site to the pedestrian/cycle route. It is unclear whether the public will be able to walk/cycle through the site. Residents parking permits will not be given to serve the development. A £25k contribution is requested towards a review of existing residential parking zones. The proposed electric vehicle charging points and electric car club cars are welcomed; further details should be included in the travel plan. Private management of the roads is acceptable in principle, but residents parking must be managed. A Travel Plan contribution is not sought, however the preparation of updated travel plans for the development should be conditioned. In the absence of the further information requested, the highway authority would be minded to recommend refusal.

Natural England: Mitigation will be required to prevent the development from harming the Exe Estuary SPA in accordance with the South East Devon European Sites Mitigation Strategy (SEDEMS) and the Joint Approach of Exeter City Council, Teignbridge District Council and East Devon District Council. Permission should not be granted until such time

as the implementation of these measures has been secured. An appropriate assessment in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) may be necessary. Figure 3 in the Exeter Area and East Devon Growth Point Green Infrastructure Strategy – Phase II shows the linear vegetation alongside the railway line as a habitat link in the investment programmes. This application provides the opportunity to secure new wildlife corridors. The green spaces and landscaping proposals should strengthen this green network for wildlife movement. Any permission must secure appropriate management to encourage biodiversity and wildlife movement. Opportunities to achieve a measurable net gain for biodiversity should be sought through the delivery of this development.

Lead Local Flood Authority (Devon County Council): Initially raised concerns with the drainage calculations and principle of connecting into the existing historic culvert under the site, however withdrew this following the submission of further information. Recommended pre-commencement conditions to secure details relating to: the detailed design of the systems (permanent and construction stages), exceedance pathways and overland flow routes, adoption and maintenance arrangements, and a detailed survey of the culvert.

Network Rail: Requested conditions securing: full details of the drainage plans before development commences and consultation with Network Rail on this; provision of a steel palisade fence at least 1.8m in height adjacent to Network Rail's boundary; and details regarding lighting and consultation with Network Rail on this. Provided other advice relating to the site layout, the Party Wall etc. Act 1996, excavations/earthworks, plant scaffolding and cranes, encroachment, and access to railway.

Environment Agency: Planning permission should only be granted provided a verification report condition and unsuspected contamination condition are added.

RSPB: Bird/bat boxes should be secured in the built fabric of the buildings. A Landscape and Ecological Management Plan (LEMP) should be conditioned.

Sport England: Sport England encourages the Council to consider spending CIL receipts on new and improved facilities for sport, e.g. floodlighting adult rugby pitch at the Arena site. Sport England commend the use of the 'Active Design' guide (October 2015) in the masterplanning process for new residential developments.

Police Designing Out Crime Officer (Devon and Cornwall Police): Welcome barriers to control car movements. The 'woodland walk' could be misused, due to limited surveillance and footfall. The management and maintenance of the route is crucial. The Village Green had good surveillance, which should not be hampered by extensive tree canopies. Onsite security is encouraged in order to provide some guardianship of the development. A suitable boundary treatment is needed around the Village Green and play space. There must be a clear demarcation between public and private space. Street furniture should be well overlooked and vandal resistant. The Community Garden should be restricted to legitimate users. Appropriate access control systems needed for apartments. Defensive planting should be utilised wherever possible around ground floor windows. External site lighting should comply with BS 5489:2013. Cycle and bin storage should follow 'Secured by Design – Homes 2019' guidance. It should be considered that if there is a significant increase in vehicles associated with the development which cannot be accommodated there, the impact and conflict it could potentially have on the development and surrounding area.

Devon & Somerset Fire & Rescue Service: No objections provided the development complies with the functional requirements of Approved Document B (ADB) or similar standards. The key points for ourselves are:

- Emergency vehicle access throughout the site as stated in ADB.
- High Reach vehicle access (as stated in ADB)
- Water supplies (Hydrants)
- Firefighting measures for Blocks of Flats and Townhouses (if access does not meet requirement within ADB)
- Consideration to install residential sprinklers

Devon County Council: Requested education contribution totalling £972,299, however this was latterly superseded (see Local Education Authority below).

The Planning Statement has omitted the Devon Waste Plan as forming part of the development plan. A Waste Audit Statement has not been submitted, however the required information has been submitted in other supporting documents. The Construction Resource Management Plan provides a consideration of waste to be generated during the demolition and construction phases and the applicant has sought to demonstrate how suitable space for waste segregation and storage has been incorporated to the design of the development as set out in the Refuse Strategy outlined within the Design and Access Statement. This is welcomed and will support the achievement of sustainable waste management during the lifetime of the development. However, neither of these documents refer to the Devon Waste Plan or the requirements of Policy W4: Waste Prevention and should be amended accordingly.

The County Council in its role as Mineral Planning Authority has no objection to the application.

The historic environment team at Devon County Council has no comments to make.

(Comments provided on surface water flooding – see Lead Local Flood Authority above.)

The public health department at the County Council is encouraged by the application's focus to deliver a development that:

- Encourages active travel.
- Promotes opportunities for physical activity.
- Aspires to deliver sustainable development and the use of renewable energies.
- Provides an element of affordable housing.
- Provides adaptable housing.
- Provides employment opportunities.

Given the scale and density of the development, a defibrillator should be provided. The fitness suite should make provision for use by those living with disabilities. Hybrid boilers could be used to help tackle fuel poverty and reduce the impact on the environment. The County Council would support proposals which provide access to the allotments and provisions to enable residents to grow their own food. The County Council would support proposals to connect the site to the local cycle network.

The site is an appropriate location for an extra care housing scheme, but it is not clear whether the 65 'senior living with care' apartments would be considered as affordable, extra care housing, a form of accommodation promoted by the County Council. The County Council would welcome discussions with the applicant and City Council to explore the opportunity.

The Devon Partnership Gypsy and Traveller accommodation assessment of 2015 identifies there to be a projected need for an additional 18 pitches in Exeter by 2034 while there is a

total additional need for 287 pitches within the Partnership area. Given this is a large application in the context of the city, it is recommended that the potential for the inclusion of an area of pitches is investigated for provision within this site.

The proposed development would fall under the catchment area of Mount Pleasant surgery in Exeter. The practice attended the initial planning meeting and are supportive of the proposal. The current surgery has insufficient capacity to accommodate the additional patients from the development. There will be a requirement of 58.62m of additional floor space at the practice. A sum of £134,767 is sought by NHS Devon CCG, which will be used to expand the facility to provided additional consulting rooms.

Local Education Authority (Devon County Council): The development will generate an additional 67.25 primary pupils and 40.35 secondary pupils which would have a direct impact on the primary and secondary schools in Exeter. The following contributions are requested accordingly:

- £39,060 towards additional primary and secondary SEN provision.
- £185,257 towards the expansion of Willowbrook and/or St Leonards Primary Schools.
- £759,854 towards new secondary provision at South West Exeter releasing capacity at secondary schools in the East of Exeter to serve Monkerton and surrounding development.
- £67,250 towards new provision at Trinity Primary & Nursery School.

All contributions will be subject to indexation using BCIS, it should be noted that education infrastructure contributions are based on March 2015 prices and any indexation applied to contributions requested should be applied from this date.

NHS Devon Clinical Commissioning Group: Responded to request by the applicant for further information to justify the £134,767 contribution requested as part of Devon County Council's response to the application. Stated that further discussions have taken place between the CCG and the Mount Pleasant surgery practice manager. Stated that reconfiguration of the building to provide additional clinical capacity is not possible, therefore the facility will need to be expanded.

Exeter Cycling Campaign: Welcome how developer has endeavoured to build sustainable transport into the design of the scheme. The pedestrian/cycle access to Mount Pleasant Road is welcomed, but safe access needs to be built for people cycling into/out of the east of the site, opened up to the north and considered to the south. A physical modal filtering solution must be implemented at the Mount Pleasant Road access to prevent motorised traffic (except emergency vehicles) using it. The desire line from the buildings to this access (up the slope) should be catered for with dedicated pedestrian and cycle paths. A cycle path should be provided from the east of the site to join up to the cycle paths at the east end of Prince Charles Road. Consideration should be given to providing a connecting cycle path from the site to the E4 cycle route. Contributions should be sought towards a cycle path along Mount Pleasant Road and the extension of the E4 cycle route from Prince Wales Road to Union Road. Concur with Design Review Panel recommending additional pedestrian and cycle connections to the north. Consideration should be given to connecting the Village Green to Priory Park over the railway line. Seen little in the proposals that will actively disable the parking of cars in the development – physical measures should be used to inhibit this. There should be a designated cycle route within the site.

Living Options Devon: The application appears to cater for all who may reside here. It is hoped that the scheme will be closely monitored throughout to ensure all 'statements' are

met including all outside areas being fully accessible (including the play areas where disabled and elderly people may wish to go to watch/assist their children play).

Environmental Health (Exeter City Council): Requested additional information on contaminated land, noise and air quality. Conditions recommended (CEMP, contaminated land, sound insulation and plant noise).

Arboricultural Officer (Exeter City Council): There are many semi-mature trees across the site that individually are not particularly important, but collectively provide a high degree of visual amenity. As the trees are distributed across the site it will not be practical to retain all the trees if the site is to be developed. Owing to the above, attempts should be made to retain the trees on or close to the perimeter of the site and to incorporate new planting into any proposed development. It is important that new tree planting is designed into any new development so that it makes an important visual contribution, rather than planting in left over and/or inappropriate locations.

Place Making Officer (Exeter City Council):

- The proposals are consistent with the pre-application discussions with the developer's team and demonstrate an informed response to the constraints and opportunities of the site which have led to a coherent and believable masterplan with the aspiration to create a high quality residential development.
- The design strategy is a logical response to the linear character of the site whilst taking advantage of the site character and assets.
- The sub-division of the site would allow the creation of a number of character areas supported by the location of the two different building types, namely, townhouses and apartment blocks the arrangement of which would help to generate a credible streetscape.
- The illustrated height and massing indicates a measured approach which would enhance the creation of the spaces within the site and the vehicle and pedestrian/cycle routes.
- The illustrations of the elevations of the proposed townhouses indicates a modern interpretation of local terraced housing in terms of scale, vertical emphasis and a co-ordinated palette of brick colours and detailing. However, the layout is based on back-to-back building distances of 20m (minimum 22m in Res. Des. SPD) and further detailed consideration would be required to determine whether the overall design was sufficient to mitigate for this shortfall.
- The apartment blocks would share similar details but with the addition of large windows and balconies which would help to reduce the apparent scale of the additional height. However, with regard to Block A (western end of site) I have concerns that the proposed double window balconies would have an 'add-on' appearance which could detract from the overall design of the building: consideration should be given to the use of integral balconies or the self-supporting balconies shown for the single windows at the corners of the building.
- Pump House: the Pump House would be retained as part of a new square. The design of the proposed extension would need to be carefully considered.
- The street hierarchy would be supported by the hardworks strategy but clarity about ownership and responsibility would be needed before proposals are fully developed to ensure that the objectives can be realised.
- The proposed pedestrian movement reflects the limited access to the site but further consideration may need to be given to another link between the primary and secondary routes to the north of the site.
- Building materials: whilst the indicative choice of brick is generally appropriate full details of combinations of all materials would be required.

- Landscape strategy: the illustrative landscape masterplan, character areas and hardworks and softworks strategies are coherent and co-ordinated and would complement the proposed buildings, open spaces and roads.
- Communal space: clarification is needed that sufficient space would be available for the apartment blocks particularly Block A (western end of site).

PLANNING POLICIES/POLICY GUIDANCE

Government Guidance

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

Core Strategy (Adopted 21 February 2012)

Core Strategy Objectives

CP1 – Spatial Strategy
 CP2 – Employment
 CP4 – Density
 CP5 – Mixed Housing
 CP7 – Affordable Housing
 CP9 – Transport
 CP11 – Pollution
 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
 E3 – Retention of Employment Land or Premises
 H1 – Search Sequence
 H2 – Location Priorities
 H7 – Housing for Disabled People
 L4 – Provision of Playing Pitches
 L10 – Allotments
 T1 – Hierarchy of Modes
 T2 – Accessibility Criteria
 T3 – Encouraging Use of Sustainable Modes
 T8 – Safeguarding Former Railway Land and Access to Rail
 C3 – Buildings of Local Importance
 LS2 – Ramsar/Special Protection Area
 LS3 – Sites of Special Scientific Interest
 LS4 – Nature Conservation
 EN2 – Contaminated Land
 EN3 – Air and Water Quality
 EN4 – Flood Risk
 EN5 – Noise
 DG1 – Objectives of Urban Design
 DG2 – Energy Conservation
 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

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
DD3 – Retention of Employment Land
DD7 – Allocated Housing Sites
DD8 – Housing on Unallocated Sites
DD9 – Accessible, Adaptable and Wheelchair User Dwellings
DD13 – Residential Amenity
DD19 – Safeguarding Railway Land and Former Railway Land
DD20 – Accessibility and Sustainable Movement
DD21 – Parking
DD22 – Open Space, Allotments, and Sport and Recreation Provision
DD25 – Design Principles
DD26 – Designing out Crime
DD28 – Conserving and Managing Heritage Assets
DD30 – Green Infrastructure
DD31 – Biodiversity
DD32 – Local Energy Networks
DD34 – Pollution and Contaminated Land

Exeter City Council Supplementary Planning Documents

Affordable Housing SPD (April 2014)
Sustainable Transport SPD (March 2013)
Planning Obligations SPD (April 2014)
Public Open Space SPD (Sept 2005)
Residential Design Guide SPD (Sept 2010)
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. Affordable Housing
3. Access and Impact on Local Highways
4. Parking
5. Design and Landscape
6. Impact on Heritage Assets
7. Residential Amenity
8. Impact on Amenity of Surroundings

9. Impact on Trees and Biodiversity
10. Contaminated Land
11. Impact on Air Quality
12. Flood Risk and Surface Water Management
13. Sustainable Construction and Energy Conservation

1. The Principle of the Proposed Development

The planning status of the land is unclear, as planning permission was not obtained for either the current or historic uses. The site is currently used for a mix of open air storage and the sale of motor vehicles. The storage use began on 1 August 2010 according to the information on the company's website meaning this use will not have become lawful through the '10 year rule'. The car sales business describes itself as being located within the storage business, so is assumed to have begun at a later date. The prior uses according to the submitted information were as a concrete works and coal concentration depot, and as a railway maintenance yard, which are considered to fall within Class B2 (General industrial). Therefore, officers consider that the lawful use of the land is still B2.

The proposal is to redevelop the site for residential development. Whilst the site is not allocated for this use in the adopted Core Strategy or Local Plan First Review, the majority of the site to the west is allocated for housing in the emerging Development Delivery DPD. The remaining part to the east is safeguarded railway land in this document, however as Network Rail are seeking to dispose of it officers are satisfied that there is no demand for its use for transport related purposes.

Policy CP2 states that alternative uses may be acceptable (on employment sites) where it is demonstrated that employment use is not viable or needed to meet current and long term needs or where there are unacceptable amenity impacts for local residents. Saved Policy E3 states that the loss of employment land or premises will not be permitted where it would harm business or employment opportunities in the area. Officers do not consider that continued employment use of the site is needed to meet current and long term needs. This is evidenced by the fact that the majority of the site has been allocated for housing in the emerging DPD. Furthermore, residential development is considered to be a better 'fit' for the site given the surrounding residential uses and potential for industrial use to impact the amenity of local residents.

In addition, at present the Council cannot identify a 5 year supply of deliverable housing sites. The development will deliver a significant number of new homes on a brownfield site within 10-15 minutes walking distance of the city centre. The presumption in favour of sustainable development (NPPF 2019 para. 11) therefore applies and should be afforded significant weight.

In conclusion, the proposal to redevelop the site for residential development is considered to be acceptable in principle.

2. Affordable Housing

Policy CP7 requires 35% affordable housing, subject to considerations of viability and feasibility. The development mix is: 170 no. for sale units, 230 no. Build to Rent units and 65 no. 'senior living with care' units. The developer considers that the 'senior living with care' units fall within Class C2 (Residential institutions), i.e. use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 (dwelling houses)), which excludes them from Policy CP7. Officers accept this provided their use is restricted to Class C2 only in a s106 legal agreement. Planning Practice Guidance on affordable housing for Build to Rent states that 20% is generally a suitable benchmark for

the level of affordable private rent homes to be provided (and maintained in perpetuity) without a specific policy dealing with this type of housing. In accordance with the NPPF, affordable private rent must set the rent in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable). Therefore the total number of affordable dwellings sought is 105.5 (35% of 170 and 20% of 230).

The developer submitted a Financial Viability Assessment that concluded that no affordable housing or obligations were viable except for CIL. In accordance with the Planning Obligations SPD, officers obtained third party advice from an independent valuer who concluded that it would be viable for the development to include affordable housing, as well as various other obligations and CIL. Based on further discussions with the independent valuer and taking into account the guidance on distribution and design of affordable housing within the Affordable Housing SPD, officers have requested the following affordable housing provision as part of the scheme:

- 33 no. affordable units in Block A (i.e. half the building), at least 70% social rented, 3 units of which to be wheelchair accessible in accordance with Part M4(3)(2)(b) of the Building Regulations.
- 15 no. affordable townhouses, at least 70% social rented.
- 57 no. Affordable Private Rent units in Blocks B and C.
- TOTAL = 105 affordable dwellings (28% of 170 and 25% of 230).

The developer has yet to agree to this and an update will be provided on the Additional Information Sheet before committee.

3. Access and Impact on Local Highways

The Local Highway Authority has raised no concerns with the proposed access to the site in principle, but has requested additional technical drawings/information to demonstrate that the accesses and adopted highways will be acceptable in highways terms. This has yet to be submitted and should be secured to the satisfaction of the Local Highway Authority before planning permission is granted.

The Local Highway Authority has also requested a £522,000 contribution to deliver two shared use pedestrian/cycle paths to connect the development to Prince Charles Road through the allotments to the north. These would cut the walking/cycling distance between the development and the bus stops and E3 strategic cycle route along Prince Charles Road, and the schools to the north. This has generated 45 objections from users of the allotments and others, but the Local Highway Authority has stated that the application should be refused if these links are not provided before occupation.

'Link 2' would utilise the existing track on the allotments site for the majority of its length and part of a single allotment plot to the north, although at the time of the officer site visit this part of the plot was not in use. This link would pass the allotments trading hut. An informal car parking area has developed on the adjoining plot and this could be reconfigured to compensate for the part of the allotment plot that would be lost. This link is 100m long and would align with an existing crossing point on Prince Charles Road. The distance to get to the same point to the west is 980m and to the east is 670m.

'Link 3' would run alongside the boundary of the allotments site with St James' Church. It would utilise the allotment plot at the far end of the site and part of the formal car park. It would require the existing vehicle access to be relocated. This link is 55m. The distance to get to the same point to the west is 256m and to the east is 1,388m.

The policy justification to provide these links is strong: Policy CP16 states that opportunities to enhance cycling and walking opportunities will be implemented. Policy CP17 states that all proposals for development will exhibit a high standard of sustainable design that is resilient to climate change, and the supporting text states that particular attention should be given to designing permeable layouts and pedestrian and cycle friendly places and routes. Saved Policy T3 states that development should be laid out and linked to existing or proposed developments and facilities in ways that will maximise the use of sustainable modes of transport. The Sustainable Transport SPD states that contributions may be required towards improving facilities for pedestrians and cyclists in the vicinity of the site, including the creation of links to reduce walking and cycling distances to public transport and other local facilities (paragraph 9.2.5). It goes on to state that for larger sites a pedestrian and cycle network should be devised across the whole site, in conjunction with connections beyond its boundaries, to minimise walking and cycling distances, especially between homes and local facilities, schools, parks, bus stops and rail stations (paragraph 10.2.6).

Conversely Policy CP10 states that facilities that meet Exeter's community, social, health, welfare, education, spiritual, cultural, leisure and recreation needs will be protected. It goes on to state that facilities which serve neighbourhood needs should, wherever possible, be located within or close to district or local centres or at locations easily accessible to the local community, particularly by foot or bicycle. Saved Policy L10 states that development that would result in the loss of allotments will not be permitted if it would harm allotment provision in the area.

Having weighed the above and taking into account the discussions with the developer over viability, officers consider that 'Link 2' should be provided and that the contribution to deliver this (£333,139) is necessary to make the development acceptable in planning terms. It is also considered to be directly related to the development and fairly and reasonably related in scale and kind to the development. 'Link 2' will provide greater sustainability benefits than 'Link 3' in terms of minimising walking and cycling distances between the development and bus stops, the strategic cycle route and schools. It will also be overlooked by the larger Build to Rent apartment block, making it safer and more secure, whereas 'Link 3' is more isolated. Contrary to the views of some objectors, it's considered that it will improve the security of the trading hut, due to enhanced natural surveillance from the people using it. It will also enhance the sustainability of the allotments site by making it more accessible by foot and bicycle.

Within the site, the Local Highway Authority has pointed out that there is a lack of pedestrian/cycle accesses to the pedestrian/cycle access along the north boundary, i.e. there is only a single set of steps traversing the wooded slope to the west and a connection adjacent to the converted water tower building. Officers consider that there should be at least one more connection traversing the wooded slope and it should be accessible for all, including cyclists and people with disabilities. Revised drawings have been requested and are yet to be submitted.

In terms of the traffic generation of the scheme and its impact on local highways, the Local Highway Authority has requested a £500,000 contribution to improve the capacity and safety of the Stoke Hill Roundabout, which already suffers from congestion and is prone to accidents. This is based on a scheme prepared by the Local Highway Authority to change the roundabout into a double mini-roundabout with zebra crossings on each of the arms. The developers have not prepared an alternative scheme to improve this roundabout and the works are considered necessary to make the development acceptable in planning terms. The contribution is therefore considered to be directly related to the development and fairly and reasonably related in scale and kind to the development.

In terms of other matters, the Local Highway Authority advises that a Traffic Regulation Order contribution is required to stop motor vehicles accessing the site along the proposed pedestrian/cycle route from Mount Pleasant Road (£5,000). It has no objections to the majority of the roads within the development being privately managed by the developer, although the developer should make provisions to manage parking within the development. Updated travel plans for the residential and C2 elements of the scheme should be secured by condition. A condition should also be added to ensure appropriate facilities for construction traffic are provided.

4. Parking

As described above, the proposed development is promoted by the developer as being a low car scheme. The car parking standard for residential development in the Residential Design SPD and Sustainable Transport SPD is 1.5 spaces per dwelling, although the former sets this as a maximum and the latter as indicative. This standard would result in 698 car parking spaces across the scheme, whereas 192 are proposed. The reason for this is mainly because very few spaces are provided for the apartments. Instead a car club is proposed, including electric vehicles, and other sustainable modes of transport will be promoted as an alternative to the private car. The Planning Statement states that parking on site will be managed to ensure that parking will only be allowed within designated spaces and residents will have permits. This will be enforced by a specialist management company that will patrol the site to ensure that vehicles are parked within designated spaces and to ensure that non-residents are not using the site to park.

The Local Highway Authority and officers consider that a low car scheme is appropriate on this site, given its close proximity to the city centre and the range of facilities and public transport options available there, as well as local centres including Sidwell Street/Blackboy Road and Mount Pleasant, and schools. It also fits in with the Corporate Strategy priority of tackling congestion and accessibility within the city. To ensure that car parking within the site does not exceed the proposed level, the management measures outlined above should be secured by condition and/or s106 legal agreement. To ensure that overspill parking from the development does not occur on local roads within the neighbourhood, the Local Highway Authority has requested a £20,000 contribution towards a review of the existing residential parking zones/making and implementing traffic orders as necessary, and has confirmed that residents of the scheme will not be entitled to residents parking permits. This contribution is considered to be fair and reasonable and to comply with the other 'tests'.

The Sustainable Transport SPD requires a minimum of 569 cycle spaces to be provided and as described above over 1,000 cycle spaces are proposed within the scheme. Therefore, the proposed level of cycle parking is acceptable and should be secured by condition.

5. Design and Landscape

The developer's team worked with officers and other bodies, such as the Design Review Panel, during an extensive pre-application phase to ensure that the design of the scheme was high quality and appropriate for the site. Officers encouraged a high density development in accordance with Core Strategy objective 1 and Policy CP4. The density of development is 78 dwellings per hectare (gross). The layout and street hierarchy are considered to be the appropriate response to the linear shape of the site. The scale of the buildings is considered appropriate and takes advantage of the site topography. The appearance of the buildings are locally distinctive and reference the character of Exeter and the industrial/railway heritage of the site. Landscaping is a reserved matter, but the overall strategy of retention and enhancement of existing green infrastructure combined with new hard and soft landscaped spaces is appropriate. A materials condition should be added.

6. Impact on Heritage Assets

The only heritage asset that will be affected by the development is the (non-designated) locally listed former water tower building on the site. This will be converted and extended to provide a management suite and social hub for the Build to Rent apartments. This will help conserve the building and prevent it from falling into disrepair. The design of the conversion/extension are considered appropriate and will complement the historic character of the building. The proposals will not in the opinion of officers have a harmful impact on the significance of the heritage asset.

7. Residential Amenity

All the proposed dwellings comply with the national internal space standard. Whilst the level of amenity space and its configuration may not conform exactly to the guidance in the Residential Design SPD (e.g. 1-bed apartments in Build to Rent blocks do not have balconies), it is considered to be acceptable for the scheme considering it has been designed as a high density development in accordance with Core Strategy objective 1 and Policy CP4. There is also a good mix of different types of amenity, both indoor and outdoor, and a clear commitment to ensure that it will have a high quality specification. The relationship between dwellings on the site in terms of consideration of the issues of privacy, light and outlook is also considered to be acceptable.

Environmental Health have recommended a pre-commencement condition to secure and implement a scheme for sound insulation in the buildings, due to the proximity to the railway line and retained Network Rail land. They have also recommended a plant noise condition to ensure that noise levels from building services plant do not exceed a certain level. These conditions should be added accordingly.

8. Impact on Amenity of Surroundings

The separation distance between the proposed buildings and surrounding land uses is fairly large, therefore the proposed development will not have a significant adverse impact on the amenity of surrounding land uses. A Construction Method Statement should be conditioned to ensure that the impacts of the construction phase are controlled in the interests of the amenity of the area.

9. Impact on Trees and Biodiversity

The proposals require the removal of a large proportion of the trees on the site, although the majority of these are poor quality. The better quality trees on the wooded slope will be retained. Minor tree works are also recommended for two Oak trees to maximise their future potential. The loss of trees will be mitigated by new tree planting in the scheme, the details of which will be determined separately as part of the landscaping reserved matter. The Arboricultural Officer has raised no objections. Tree Protection Plans and an Arboricultural Method Statement have been submitted and should be conditioned.

There are no protected or priority habitats on or adjoining the site. The most valuable features in biodiversity terms are the trees. A condition should be added requiring tree works to take place outside the bird nesting season, unless a check has been carried out by an ecologist. A number of protected species have been identified as using the site, such as bats and reptiles. Detailed survey reports have been submitted accordingly and conditions should be added securing the mitigation and enhancement measures therein. A condition should also be added requiring the submission of a Wildlife Plan to show how the development has been designed and will be managed to enhance the biodiversity value of the site long-term.

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 of the development it has been concluded that an AA is required in relation to the potential impact on the Exe Estuary Special Protection Area (SPA). This AA has been carried out and concludes that the development could have an impact in combination with other residential developments primarily associated with recreational activity of future occupants. However, this impact will be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils, and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the CIL collected in respect of the development being allocated to funding the mitigation strategy.

10. Contaminated Land

The site is contaminated from the previous industrial/railway uses. Environmental Health have recommended the standard full contaminated land condition accordingly. This requires a full investigation before development commences and approval of a remedial strategy, which must be implemented before occupation of any dwelling.

11. Impact on Air Quality

The revised Air Quality Impact Assessment stated that on the basis of the construction and operational assessments carried out, the overall effect of the proposed development on air quality is not considered to be significant and the proposals are considered to be compliant with relevant air quality planning policy. Environmental Health are satisfied with the report and don't require any conditions in this respect apart from a Construction Method Statement.

12. 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 is to construct a new drainage system that will collect runoff from the site and discharge it into an existing culvert running beneath the site at the greenfield runoff rate. The Lead Local Flood Authority has agreed this strategy in principle, subject to a pre-commencement condition securing the detailed design of the system. They have also recommended pre-commencement conditions securing the detailed design of the drainage system for the construction phase, details of the exceedance pathways and overland flow routes, details of the adoption and maintenance arrangements, and a detailed survey of the culvert.

13. Sustainable Construction and Energy Conservation

Policy CP15 requires residential development to be zero carbon from 2016. However, in light of Government announcements on the subject, the Council is still seeking Code for Sustainable Homes Level 4 in respect of energy and CO2 emissions, including a 44% CO2 emissions rate reduction from Building Regulations Part L 2006 as a minimum. The standard conditions should be added accordingly.

The site is not located within or near to a decentralised energy network area in the city, so connection is not possible at the current time. However, the submitted Energy Assessment has committed to providing a heat network to serve the apartment blocks within the scheme,

including the 'senior living with care' block. It also states that photovoltaic panels will be provided for the houses, flats and accommodation for the elderly.

CIL/S106

The following affordable housing and contributions have been requested by officers, following discussions over the viability of the proposed development:

- 33 no. affordable units from Block A (i.e. half the building) and 15 no. affordable townhouses (pepper potted) (equating to 28% of 170 units for sale) – 70% of each social rented in accordance with Policy CP7; 3 no. SR flats to be wheelchair accessible in accordance with Part M4(3)(2)(b) of the Building Regs.
- 57 no. Affordable Private Rent units (25% of 230 no. Build to Rent units) in Blocks B and C; APR at least 20% less than the private market rent (inclusive of service charges).
- £1,051,421 education contribution. (This includes £759,854 secondary contribution towards the new school at SW Exeter.)
- £500,000 towards Stoke Hill Roundabout improvements.
- £333,139 towards allotment link option 2.
- £25,000 towards TROs.
- £134,767 to expand Mount Pleasant Surgery.
- CIL liability on 295 no. OM sale/BTR units (CIL liability won't apply to Block D or affordable units).

At the present time this has not been agreed by the developer. An update will be provided on the Additional Information Sheet before planning committee.

Apart from the obligations listed above, the s106 legal agreement will also need to restrict the use of Block D to Class C2 use only.

NB. The obligation sought on behalf of the Royal Devon and Exeter NHS Foundation Trust is not sought, as it is not considered to comply with the 'tests' for obligations set out in the CIL Regulations/NPPF. This follows the advice made to Planning Member Working Group on 27 August 2019.

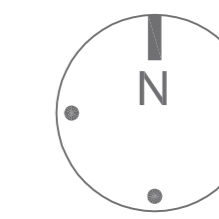
The proposed development is CIL liable, as it is for residential development. The rate for permission granted in 2020 is £119.29 per sq m. This is charged on new floorspace, but does not include social housing (including relevant communal spaces) provided a claim for social housing relief is made. As agreement has not been reached with the developer over the proportion and mix of affordable housing within the scheme, the CIL liability cannot be calculated at the current time. However, if CIL was charged on the total floorspace within the scheme (not including Block D) the liability would be £4,804,166.17.

RECOMMENDATION

APPROVE; subject to the submission and approval in consultation with the Local Highway Authority of additional technical drawings/information to demonstrate that the accesses and adopted highways will be acceptable in highways terms, and revised drawings incorporating an additional access traversing the wooded slope that is accessible for all; subject to completion of a s106 legal agreement to secure the obligations set out in this report or as amended on the Additional Information Sheet; and with the following conditions:

The recommended conditions will be provided on the Additional Information Sheet following consultation with the developer in accordance with national planning practice guidance.

This page is intentionally left blank

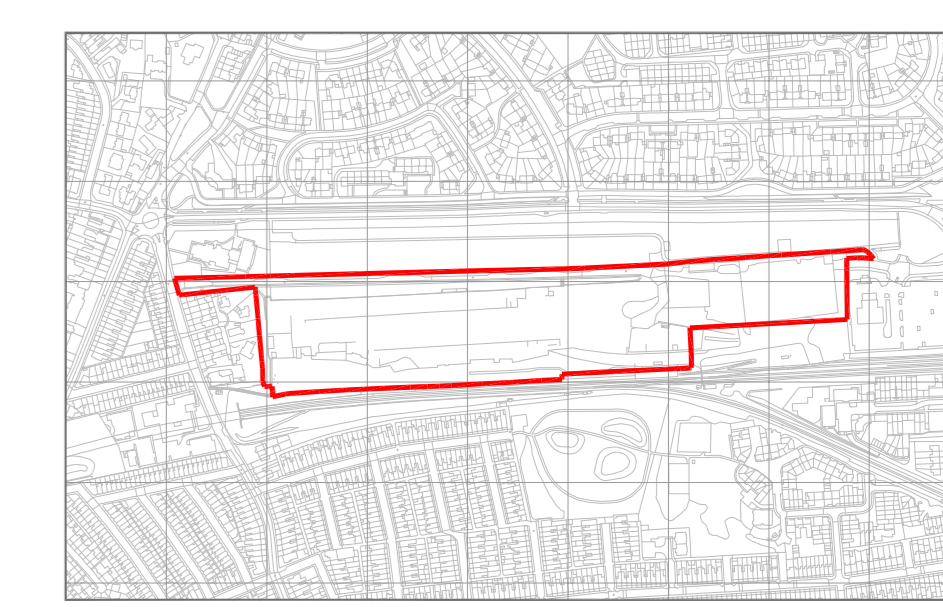


General Notes

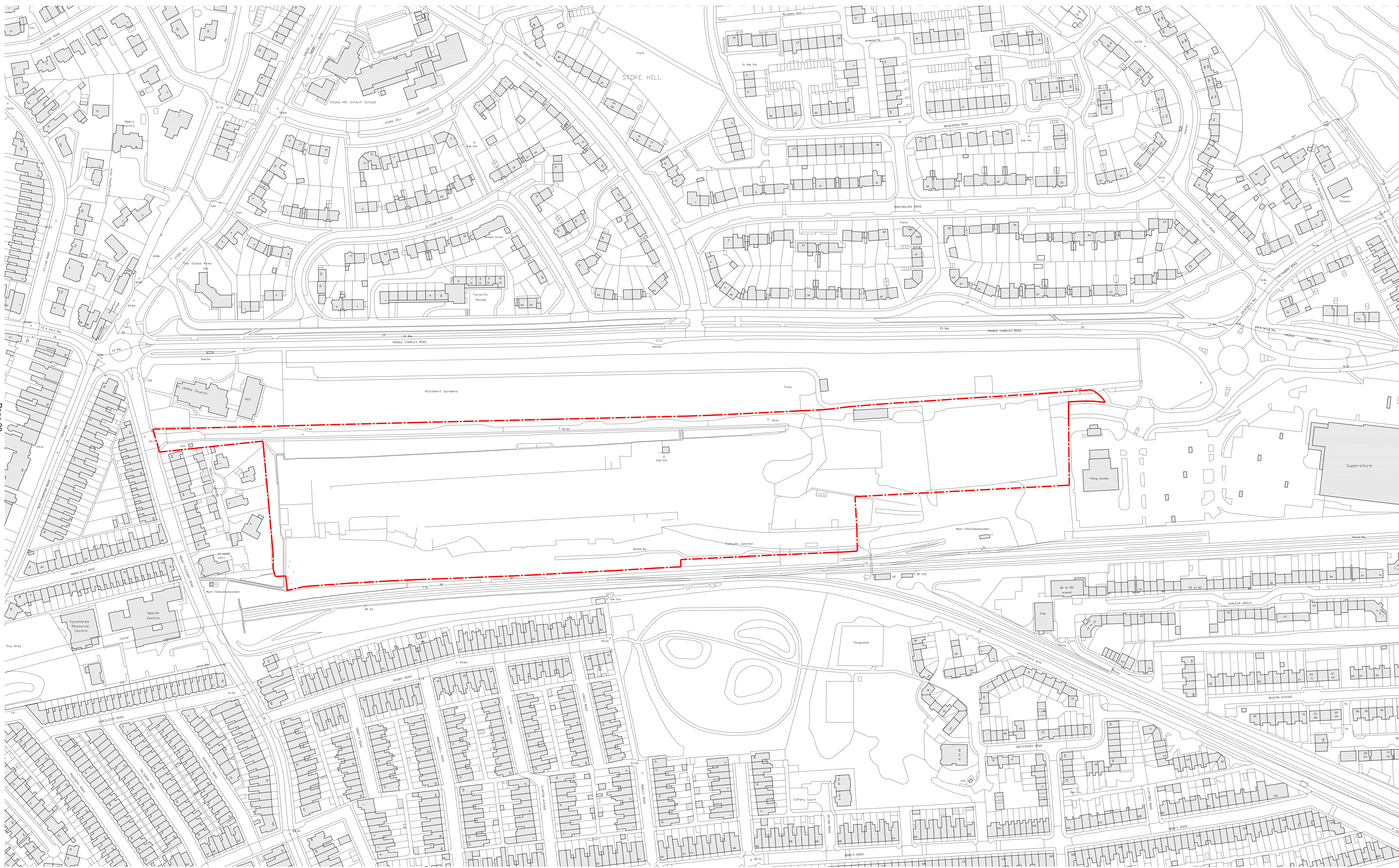
The drawing is copyright of Darling Associates. This drawing shall not be scaled. All dimensions are in mm unless otherwise stated. All dimensions shall be checked on site prior to commencing the works and any discrepancies to be reported to Darling Associates. All works shall conform to the current edition of the Building Regulations and other statutory requirements. All materials and workmanship shall conform with the relevant British Standard specifications and codes of practice. If this drawing forms part of an application for planning permission, it shall not be used for any other purpose without the express permission of Darling Associates. This drawing may incorporate information from other professionals. Darling Associates cannot accept responsibility for the integrity and accuracy of such information. Any clarification and/or additions that are required appearing on such information should be sought from the relevant profession or their appointed representative.

Drawings, specifications and schedules are to be read in conjunction with the following where applicable: Employer's Requirements documents, Agreements to Lease, Structural Engineer's drawings and specifications, Civil Engineer's drawings and specifications, Survey Drawings, Party Wall Boundary Awards, Other specialist design consultants' requirements as appointed by the Main Contractor. Other specialist design sub-contractors' requirements as appointed by the Main Contractor.

Key Plan



Notes



Page 33

PL1	Issued for Planning	26.04.2019	JW	TP
REV	NOTES	DATE	BY	AUTH

DARLING ASSOCIATES ARCHITECTS

1 Greencoat Row London SW1P 1DH UK
mail@darlingassociates.net www.darlingassociates.net +44 20 7630 0500

DRAWING STATUS		
Planning		
TITLE		
Site - Existing Site Plan		
PROJECT		
Exmouth Junction		
SCALE AT A0:	SCALE AT A2:	
1:1000	1:2000	
JOB NO.	DRAWING	REV
17050	(01)-P-S001	PL1

This page is intentionally left blank

COMMITTEE DATE 16th March 2020

<u>APPLICATION NO:</u>	19/1676/FUL
<u>APPLICANT:</u>	Mr Chilvers
<u>LOCATION:</u>	St Andrews Yard, Willeys Avenue, Exeter
<u>PROPOSAL:</u>	Demolition of existing single storey business premises and construction of new 9 dwelling residential apartment block
<u>REGISTRATION DATE:</u>	27/11/2019
<u>RELATED DOCUMENTS:</u>	https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=19/1676/FUL

HISTORY OF SITE

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).

A similar application (Ref 18/1610/FUL) was reported to Planning Committee on 29th July 2019 with an officer recommendation of approval. Members however resolved to refuse the application for the following reasons:

1) The proposal would be contrary to paragraph 127 (a, b, c, and d) and Paragraph 130 of the *National Planning Policy Framework (2019)*, objective 9 and Policy CP17 of the *Exeter Local Development Framework Core Strategy (2012)*, Policies DG1 (b, g, and h) of the *Exeter Local Plan First Review (2005)* and the *Residential Design Guide SPD (2010)* because:

i) by virtue of its scale and massing this apartment block would be dominant and visually intrusive within the streetscene, unsympathetic with and detrimental to the character of this established residential area.

ii) the proposed development represents poor design that would fail to take the opportunities to improve the character or quality of the area, would not contribute positively to the visual richness and amenity of the townscape and would not raise the quality of urban living through excellence in design.

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 151 sq metre situated to the rear of the plot.

Full planning permission is sought for the demolition of the existing office building and the redevelopment of this brownfield site to provide a 9 dwelling residential apartment block (5 two bed roomed and 4 one bed roomed apartments). The previous scheme proposed a development with a modern flat roof design with two and three storey elements. The revised scheme proposes a more traditional approach, which draws a design reference from the bay windows elements of the nearby terraced houses. A gated vehicular access would be

provided from Willeys Avenue, with 9 parking spaces, 18 cycle parking spaces, bin store and 175 sq metre of communal space to serve the development.

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

16 objections have been received raising the following issues:

- 1) No change in the scale and massing since the previous refused scheme;
- 2) Scale and massing still too large for the site;
- 3) Mansard roof out of character with the area;
- 4) Overall design incoherent, window grouping lack a sense of order;
- 5) Loss of sunlight to resident's garden;
- 6) Overbearing, dominating appearance within the street;
- 7) Increased noise from future residents;
- 8) Development too high and oppressive;
- 9) Three storey development out of character within the street;
- 10) Cramped form of development
- 11) Poor amenity for future residents;
- 12) Increased traffic noise to and from the site;
- 13) Add to the traffic congestion in the area;
- 14) Inadequate parking within the site;
- 15) Erode the character of the area;
- 16) Overdevelopment of the site;
- 17) Detrimental impact on wildlife i.e. slowworms, lizards, newts, bats, foxes and hedgehogs;
- 18) Loss of outlook;
- 19) Insufficient parking for 9 units.

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.

County Council Education officer has identified that a development up to 5 family type dwellings will generate an additional 1.25 primary pupils and 0.75 secondary pupils which would have a direct impact on the primary and secondary schools in Exeter. 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:

DCC have forecast that there is enough spare primary capacity to accommodate the number of pupils expected to be generated from this development. A contribution towards primary education will therefore not be sought against this development.

DCC have forecast that there is enough spare secondary capacity to accommodate 0.36 pupils at the local secondary schools and therefore we will request secondary education

contributions against the remaining 0.39 pupils expected to be generated from this development. The secondary contribution sought is £9,461 (based on the DfE new build rate of £24,261 per pupil). The contributions will be used towards new secondary provision at South West Exeter. This new provision will release capacity at existing secondary schools across the city.

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 at £1,250 (based on £250 per dwelling). This will be used to provide early years provision for pupils likely to be generated by the proposed development. These contributions will be used towards new early year's provision at South West Exeter.

Environmental Health raise 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 raise no objection in principle to the above proposal but due to the proposal being next to their land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

Environment Agency raised no objection to the previously refused scheme however their comments in response to this application are awaited.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework (NPPF)

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

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 SP
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.

Members will be aware of the previously refused scheme. This revised application does not seek to alter the quantum of development or the height and scale of the resultant building. However the applicant has sought to change the elevational treatment of the building to address one of the reasons for refusal.

Design and urban form

The application proposes a two and three story 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. The previous scheme proposed an apartment block with a modern flat roof which many residents felt was not in keeping with the traditional pitched roofs of the terraced properties. Consequently the revised scheme seeks to follow a more traditional approach, with distinctive bay window elements characteristic of the immediate vicinity. The layout shows 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. It is therefore considered that the revised scheme is appropriate in this location. 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. Previously residents were concerned about the impact of the front balconies in relation to the potential for overlooking, noise and disturbance. The revised scheme has deleted all the front balconies. 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 officers is 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 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. In the previous application 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 had no objection to the proposal. An updated response is awaited from the Environmental Agency but it is likely to repeat these comments given that the only change to the building is its elevational treatment.

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.

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 588 sq. metres and therefore CIL payable at the 2019 CIL rate (£119.29 per sq. m) is £70,142.52.

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.

It is acknowledged that the revised scheme essentially seeks to address only one of the two previous reasons for refusal. However as the report sets out the height, scale and massing of the building is considered acceptable in this location and the intention to pursue a more traditional elevational approach is appropriate and has addressed the second reason for refusal. Accordingly it is considered that the application should be approved.

DELEGATION BRIEFING

3 March 2020 – Members were updated of the amended plans which had been received in response to the previous refusal. Members noted the changes made but made no comment given the application was to be reported to Planning Committee.

RECOMMENDATION

Approval subject to a Section 106 Agreement for a financial contribution of £10,711 towards education and 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 20 February 2020 (including dwg.nos.) 553 SK 30 rev g; 31 rev c & 32 rev c).
Reason: In order to ensure compliance with the approved drawings.

3. Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform to the visual amenity requirements of the area.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

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. 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.

12. 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.

13. Prior to occupation of the building hereby approved place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

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

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

This page is intentionally left blank

notes:
 this document should not be relied on or used in circumstances other than those for which it was originally prepared and for which GJR Architects Ltd was commissioned. GJR Architects accepts no responsibility for this document to any party other than the person by whom it was commissioned. do not scale the drawing, use dimensions only. if in doubt ask for further information prior to incurring any time or cost penalties. all components to be site measured unless otherwise agreed in writing. the contractor is to cross check the architects drawings with those of other consultants and sub-contractors and to report any discrepancies prior to proceeding. for the purposes of planning drawings only all floor levels are ±300mm.
 © copyright gryffydd john ringe architects ltd

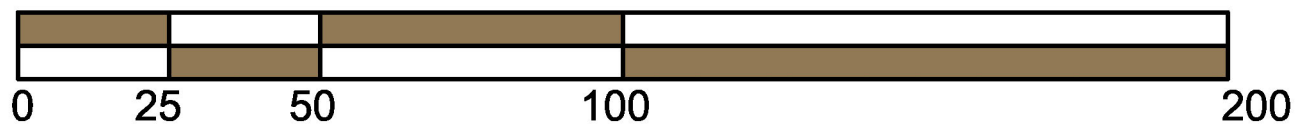


SITE LOCATION PLAN
 1:1250 at A3

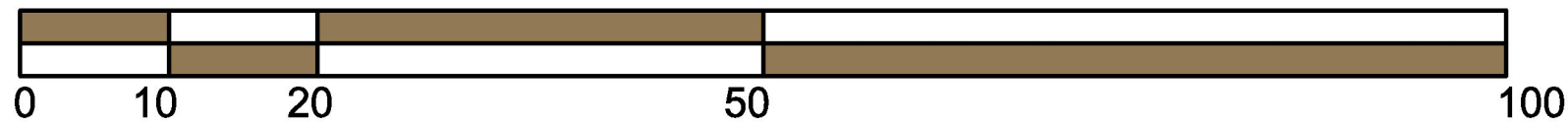


SITE BLOCK PLAN
 1:500 at A3

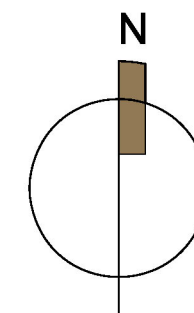
REVISION DETAILS:		
revision	date	note
A	11.10.2018	Planning issue.



SCALE BAR 1:1250



SCALE BAR 1:500



The Studio
 Yeo Business Park
 Clyst St Mary
 Exeter, EX5 1DP
 t +44 (0) 1392 363814
 www.gjrarchitects.co.uk



client
RIVIERA EQUITY LTD.

project
St ANDREWS YARD
WILLEY'S AVENUE, EXETER
 drawing title
SITE LOCATION AND BLOCK PLAN

date	drawn	checked
11.10.2018		AB

scale
 1:1250 and 1: 500 at A3

for planning

project no:	drawing no:	rev:
553	010	A

This page is intentionally left blank

COMMITTEE DATE: 16th March 2020

APPLICATION NO: 19/0733/FUL

APPLICANT: Urban Centric (Blackboy) Ltd

LOCATION: 7-9 and 10 Blackboy Road, Exeter

PROPOSAL: Retention of the Sorry Head public house and demolition of the vehicular servicing centre and redevelopment with a four storey building comprising of a ground floor retail unit (Class A1), purpose built student accommodation development (71 bedspaces) above, one wardens flat and associated private amenity space, secure cycle storage and landscaping.

REGISTRATION DATE: 28/05/2019

RELATED DOCUMENTS: <https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=19/0733/FUL>

HISTORY OF SITE

Planning permission was granted in July 2015 for a new retail unit with residential accommodation above on the site of the former garage/workshop (Ref 15/0492/FUL). This application did not include the Sorry Head public house.

UPDATE FROM PLANNING COMMITTEE DATED 10 FEBRUARY 2020

At the previous committee Members resolved to defer the application for the following reasons:

- a) impact of the development on the street scene;
- b) loss of light and outlook to neighbouring properties;
- c) revisions to rear elevation and rear amenity space;
- d) provision of secure cycle parking; and
- e) to seek the views of the Devon and Somerset Fire and Rescue Authority.

The agent has sought to address the issues raised by Members within revised plans as described below.

The front elevation has been amended changing the material of one of the new units from render to brickwork; dormer window to this unit reduced in width; headers and cills added to the proposed windows; plinths added to the base of the walls and cappings added to the top of the walls.

The rear elevation has been amended with the removal of the parapet from the townhouse block and replaced with a monopitch roof to reduce the overall height by approximately 0.65 metres. In addition, a second floor cluster flat to the rear has been removed and replaced with a mansard roof moving the highest point of this section of the building away from the rear by 1.3 metres.

The overall number of bedspaces has been reduced from 72 to 71.

DESCRIPTION OF SITE/PROPOSAL

The application site is located on the northern side of Blackboy Road approximately 90 metre from the roundabout with Western Way, Sidwell Street and Old Tiverton Road. The site lies between 6a Blackboy Road a long established rug shop with two storeys of residential accommodation above and 11/12 Blackboy Road a launderette with a two/three storeys of residential above. Spinning Path runs alongside the site to the east fronted by residential properties and leading towards Moose Hall which has recently been converted to flats. The site is located opposite a six storey student accommodation block.

The originally submitted application sought to demolish the Sorry Head public house and adjacent former garage/workshop site and replace with a retail unit and purpose built student accommodation to the rear and above. However following concerns raised about the loss of the public house, identified as a positive building in the conservation area, the revised scheme seeks to incorporate the existing building into the new commercial and student development. The commercial unit would provide approximately 252 sq metres of retail space fronting onto Blackboy Road and include an ATM.

This site is identified as being located in a local shopping district centre in the Exeter Local Plan First Review (although the former garage building is excluded). The student accommodation proposes to provide of 71 bedspaces in the form of 3 cluster flats (17 bedspaces in total); 2 townhouses (13 bedspaces in total), 41 studio flats and a warden's flat within an existing detached building to the rear of the site which is proposed to be renovated.

The scheme's street elevation has been designed into three distinct elements; the retention of the existing public house with extended roof; a new central four storey building with the main retail display window below and a three/four storey building situated alongside 6 Blackboy Road. The new buildings are to be constructed of a combination of brick, render and timber shiplap cladding with a single ply membrane roofing to the flat roof areas and roofing tiles to the pitch roofs. The windows are double glazed and dark grey in colour. The existing public house façade is proposed to be retained with a new roof in place of its current stepped arrangement

Access to the student accommodation will be achieved via an entrance directly through the former public house onto Blackboy Road. Covered bins and recycling facilities are provided within the site. In addition, the scheme indicates that an external storage area for bins for the benefit of residents in Spinning Path. The scheme provides space for 50 cycle stands (13 stored internally and 32 externally) on site for student use. Seven cycle spaces are provided for the retail unit to the front. Access to the retail unit and ATM are directly from Blackboy Road.

The overall height of the building has been reduced to the rear from the original submission following concerns regarding its impact on the amenities of residents living in Old Tiverton Road. This has resulted in the overall number of bedspaces being reduced from 88 to 71. In addition, the roof has been amended to a flat roof design to reduce its overall height from these properties. The proposed building varies in terms of its distance from properties in Old Tiverton Road from between 18 metres and 21 metres. Obscure windows are shown within the rear elevation to minimise potential issues of loss of privacy. In addition, the distance between the rear of the flats above the laundrette and the proposed townhouses is shown at between 12 and 17 metres with some angled and obscurely glazed windows within the new build. The revised scheme has also responded to previous concern about the proximity to existing properties in 3 to 6a Blackboy Road by setting in the upper floor to provide greater separation.

The site is located within the Belmont Conservation area. The Sorry Head public house is identified as making a positive contribution to the conservation area.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is supported by a Planning Statement, Design and Access Statement, Heritage Statement, Transport Statement, Noise Survey and Plant Noise Limits, Sound Insulation Assessment & Contamination, Geotechnical Desk Study Report and Bat & Bird Nesting Assessment.

REPRESENTATIONS

25 objections (including Devon Buildings Group) were received in response to the originally submitted scheme. Principal issues raised:

1. Noise disturbance from within courtyard;
2. Loss of natural light/sunlight/outlook to neighbouring properties;
3. Building too high onto Blackboy Road and will dominate the streetscene;
4. Retail element too close to residential properties;
5. Poor consultation from developer;
6. Too many students already in the vicinity;
7. Increased parking congestion in the area;
8. The Sorry Head pub should be retained;
9. Loss of outlook from properties in Old Tiverton Road;
10. Architectural design too modern out of character within the conservation area;
11. Loss of privacy;
12. Potential lack of monitoring for students bringing cars;
13. Noise/disturbance/parking problems increased with Unite Building opposite;
14. Increased problems of student congregation along Blackboy Road late night/early morning;
15. Potential anti-social activity from people associated with the retail use as experienced at Tesco store on Sidwell Street;
16. Loss of heritage asset which contributes to the city and the conservation area;
17. Unnecessary to remove Sorry Head pub as it is a positive contribution to the area;
18. Flat roof dormer windows unattractive and out of character within the surrounding developments;
19. Sorry Head should be used for another purpose rather than demolished;
20. Site should be for more social housing rather than student accommodation in the area;
21. Layout poorly designed for disabled users;
22. Potential for student bins to overflow onto Spinning Path;
23. Buildings too close existing properties;
24. Potential damage to party wall.

Additional emails/letters of objection following re-consultation on the revised scheme. 10 objections received (including the Devon Buildings Group and Exeter Cycling Campaign). Principal issues raised:

1. Too many students in the area already;
2. Development should be available for all not just for students;
3. Lead to more damage to properties and cars from increased students in the area;
4. Overdevelopment;
5. Not confident that the original building will remain;
6. Submitted information regarding student numbers incorrect;
7. Loss of parking bay will put further pressure on parking in the area;
8. Noise disturbance from delivery vehicles serving the retail units;

9. Retention of the façade only will undermine the integrity of this historic building;
10. Continuous roof ridge line would reduce its visual interest;
11. Existing building would be engulfed by the new development and appear awkward;
12. Monolithic flat roof new build would be unsuitable for this conservation area location;
13. Insufficient analysis provided in regard to the existing interior and rear of the building;
14. Retention of the pub building will still result in the loss of its use and as a music venue;
15. No enhancement of the adjacent area of public realm;
16. Impact on residential amenities for existing residents in respect of loss of outlook, privacy, overbearing and proximity;
17. Insufficient details in respect of the treatment of the warden flat;
18. Development must be car free;
19. Further details required of the proposed secure cycle parking within the site.

CONSULTATIONS

The **County Head of Planning Transportation and Environment** originally commented that principle of a retail unit and student accommodation in this location is acceptable. The majority of trips to the store are expected by foot, and the adjacent parking area provides suitable facilities to accommodate any residual car trips to the site. The student accommodation block is promoted to be car free which is also acceptable.

Pedestrian access is directly onto Blackboy Road which is acceptable. Access for cyclists is primarily taken from an at grade access to the east of the building facing onto Spinning Path (a private road). However, the number of spaces provided falls below the standard set out in the Sustainable Transport SPD. In addition, the applicant is not providing any cycle parking for the proposed A1 use. The applicant should be providing secure, sheltered, cycle parking that equates to the quantum set out in the Sustainable Transport SPD for both uses.

Loading arrangements

To provide for deliveries, servicing of the building and assist with student pick up/drop off the applicant have proposed a loading bay adjacent to the proposal. The loading will be achieved by marking a loading zone on the public highway. Tracking diagrams have been provided showing that when the loading bay is in use a vehicle is able to pass.

However, in order to achieve this, the applicant has amended the angle of the existing echelon parking. Making the angle steeper will make it more difficult for vehicles to get in and out of the bays, contrary to paragraph 108 of the NPPF, especially as the road narrows. The Highway Authority have suggested that in order to accommodate the loading bay, that a parallel space is moved and to lose the last echelon space (within the existing car parking layout). This would lose the need to change the angle of the existing echelon spaces, however, the Highway authority have yet to receive amended plans or indeed amended vehicle tracking.

Nevertheless, the loading bay will need to be accompanied by a Traffic Regulation Order (TRO) at a cost of £3,000 and this provides an opportunity to review the specific parking arrangements in the vicinity and potential for flexible uses of the layby.

Management

The proposed loading bay provides space for student pick up/ drop off at the end of term. Combined with the on-street and off-street parking immediately opposite the site, this is felt to provide adequate provision. The applicant is advised that the peak periods of student drop off and collection should be carefully managed to make best use of these spaces. These arrangements can be agreed through either a Travel Plan or a management plan.

Construction

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

Summary

The proposals are in a sustainable location; within walking & cycling distance to the City Centre and is well served by buses along the frontage to the site. National Policy is for the presumption of sustainable development and for safe and suitable access to be achieved.

In conclusion, further information is required to satisfy the highway authority that all of the proposed elements are acceptable. In particular, further information on cycle parking and loading arrangements (reconfiguration of the car park immediately in front of the proposed site). In the absence of this information then the highway authority, at this time, would be minded to recommend refusal.

17th January 2020

Since the response, the applicant has provided more information in response the highway authority's concerns raised.

It is noted that this is a revised scheme with the number of bedrooms reduced from 88 beds to 72. The principle of a car free scheme is acceptable with the access arrangements remaining the same. However, the applicant has submitted more information on loading and cycle parking.

Loading arrangements

As per the Highway Authority advice, the applicant has removed one of the echelon spaces from the existing carpark and have revised tracking diagrams showing that when the loading bay is in use, a vehicle is able to pass. However, there is some doubt over the existing parallel space that is to be relocated has been made slightly smaller – the loading details are acceptable in principle, but a relevant condition is attached to secure the details of the parallel space. The loading bay will still need advertising at a cost of £3000 towards a TRO.

Cycle Parking

The applicant has now provided cycle parking (7 Sheffield stands located behind the existing bus stop) for the A1 use and is welcomed. However, there is a lack of clarity as to what cycle parking will be provided for the student accommodation use and therefore an appropriate condition is recommended.

The Council's Environmental Health officer require further information in respect of noise as the development also has the potential to impact on existing neighbours, because of noise from mechanical plant and equipment and noise from patrons & occupants. It is considered that appropriate conditions will be needed in respect of noise levels and also contamination issues arising from the site's previous workshop use. In addition a condition will be needed for a construction and environmental management plan.

Devon and Cornwall Police Designing Out Crime officer raises no objection but makes a number of detailed comments in respect of access control measure to ensure safe movement for pedestrians and cyclists of the student block; surveillance including the installation of CCTV; secure boundary treatment; need for appropriate lighting; secure fitted

street furniture, bike and bin stores and measures put in place to prevent ram-raiding of the ATM.

In addition, given the location of the site, levels of anti-social and crime are relatively high and therefore effective and ongoing onsite management and maintenance is needed. A twenty four hour a day seven days a week dedicated management presence, whose responsibilities include security and matters, will help reduce crime and anti-social behaviour.

RSPB comment that no ecological report is included in the documentation but there is a distinct possibility that bats or birds might be nesting/roosting in the existing buildings. It is strongly recommended that an ecological report is submitted to enable an ecological mitigation plan to be formulated. In addition, it is considered that given the proposed elevations there would be opportunity for at least 24 bird boxes to be installed.

A bat and nesting bird assessment has been submitted which concludes that there are no bat roosts within the buildings and although no nesting birds were recorded the building could provide nesting opportunities. This could be addressed via condition.

South West Water raise no objection to the scheme and confirm that the proposed drainage strategy for both foul and surface water is acceptable and that the diversion of public sewers within the site will be required.

NHS has requested that a financial contribution is made towards providing additional health care services to meet patient demand. *A response has been given to the NHS to their request stating that there is a lack of policy justification for contributions at the current time, which are considered to be strategic in nature and not specific to any one site.*

City Council's Heritage Officer commented on the original scheme stating that it did not preserve the character and appearance of the Belmont Conservation Area, by virtue of the demolition of the Sorry Head buildings, which have been identified as making a positive contribution to the character and appearance of the conservation area. The new building as currently proposed also does not enhance the conservation area, in that the introduction of heavy dormers visually jars when compared with those of the adjoining buildings on the same frontage. As such it does not comply with the duty under s. 72 of the 1990 Act nor with Local Plan policy C1. The harm caused to the significance of the conservation area needs to be outweighed by a sufficient amount of public, not private, benefit to be acceptable in NPPF policy terms. No evidence has been provided of such public benefit to outweigh the harm caused by the loss of the Sorry Head buildings. The benefit of filling in the gap site and redeveloping the modern sheds can be achieved without incurring harm through demolishing the older Sorry Head buildings.

Following the submission of the revised scheme which seeks to retain the Sorry Head public house the Heritage officer has revised his comments:

He welcomes that at least the front part/range of the Sorry Head buildings are being largely retained, although some concern is expressed about the amount of new build at second floor level in particular and whether the present structure is sufficient to accommodate this without large parts having to be rebuilt, and in effect resulting in the near demolition of the building. A structural engineer's assessment should be required as to these issues and the practicalities involved.

Although the rear wing is of some significance, it is of two or three parts, and therefore if the principle of redeveloping/wrapping around the rear of the former pub is acceptable it would be difficult to retain these within a new scheme. If the application is granted then a more detailed record of these buildings and of the pub range at the front is required by condition.

In terms of the interior of the retained buildings, the Heritage Statement makes mention of the retention of features within the pub ground floor – these should be annotated as such on the scheme drawings to be approved. Consideration should also be given to trying to retain some of the historic joinery such as door architraves that still survive in this building, to at least retain a modicum of character internally.

The front elevation on to Blackboy Road now looks considerably better than the previous rendition, with the new build appearing less top heavy in terms of the dormers, and including the gradation in height of the windows. Consideration should also be given to replacing the crude UPVC windows on the front elevation of the Sorry Head with something more elegant and sustainable than plastic, and retaining the features referred to in the Heritage Statement.

Should the application gain consent the standard archaeological condition should be attached to ensure the recording of the buildings prior to and during any stripping out, and before demolition, and the completion of the programme of archaeological work necessary in respect of potential buried remains on the site.

Disability Access Champion (Living Options) comment that the development needs to ensure that it complies with Part M of the Building Regulations.

Devon and Somerset Fire and Rescue Authority views awaited.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework (February 2019)

- 3. Plan making
- 4. Decision-making
- 11. Making effective use of land
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy (Adopted 21 February 2012)

- CP2 Employment
- CP5 Meeting Housing Needs
- CP15 Sustainable Construction
- CP17 Design and Local Distinctiveness

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

- AP1 Design and Location of Development
- AP2 Sequential Approach
- H1 Search Sequence
- H2 Location Priorities
- H5 Diversity of Housing
- E3 Retention of Employment Land or Premises
- S1 Retail Proposal/Sequential Approach
- S3 Shopping Frontages
- T1 Hierarchy of Modes
- T2 Accessibility Criteria
- T3 Encouraging Use of Sustainable Modes
- C1 Conservation Area
- C5 Archaeology
- DG1 Objectives of Urban Design
- DG2 Energy Conservation

Development Delivery Development Plan Document (Publication Version)

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

DD1 Sustainable Development

DD12 Student Accommodation

Purpose built student accommodation will be permitted provided the proposal:

a) respects, and contributes positively towards, the character and appearance of the areas;

b) does not result in unacceptable harm to the amenity of neighbouring residents;

c) provides sufficient internal and external space for future occupiers;

d) makes appropriate provision for refuse storage, operational and disabled persons parking, servicing and cycle parking;

e) reduces the need to travel and would not cause unacceptable transport impacts; and

f) is accompanied by a suitable Management Plan secured by planning obligation to demonstrate how the property will be managed in the long term.

DD13 Residential Amenity

DD20 Sustainable Movement

DD25 Design Principles

DD28 Heritage Assets

Exeter City Council Supplementary Planning Documents

Sustainable Transport (March 2013)

Student Accommodation Development in Residential Areas (February 2008)

Belmont Conservation Appraisal and Management Plan (May 2007) states that the former garage site is identified as building that does not make a positive contribution to the character of the area. Former Sorry Head pub identified as making a positive contribution to the character of the area.

Blackboy Road Local Centre.

OBSERVATIONS

The application raises a number of issues which require careful consideration both in terms of the loss of the existing uses, the proposed uses and the built form given the context of the site. The proposal will result in the loss of existing commercial land and premise to be replaced with a retail and student use. In addition, the overall scale, height and footprint of the building will be increased from the site's current built form. This requires an assessment in terms of potential overdevelopment of the site within a designated conservation area; its relationship with existing buildings; impact on residential amenity for existing residents; the treatment of the existing public house.

Loss of employment use

The Local Plan First Review Policy E3 seeks to resist the loss of employment premises where it would harm business or employment opportunities in the area. Clearly the demolition of the existing workshop building could potentially conflict with this policy and therefore it cannot be automatically assumed that the principle of the change of use is appropriate. It is accepted that the site is in a periphery location to the main area of employment use and has been largely unused and vacant for some time. It is therefore considered that an alternative and more appropriate use should be sought for this site. It is accepted that given its close proximity to existing residential properties the garage/workshop use has the potential to have a detrimental impact on residential amenity. Consequently it is considered important that the site is put to efficient use and therefore it is relevant to consider alternative uses for the site particularly uses also deemed appropriate by development plan policies, which include retail and student accommodation.

Principle of retail use

The Sorry Head public house and frontage to the former garage are located within the Sidwell Street/Blackboy Road local shopping centre. Planning permission has previously been granted for a retail unit on the site of the former garage, which would strengthen this local centre and therefore be compliant with retail policies for the city. It was considered at the time that the loss of employment site would be compensated by this expansion of the retail function within the area. The increased footfall created by the extended retail function in this location would therefore be beneficial to the other smaller retail operators in the area. Accordingly it is considered that the principle of the retail use in place of the garage/workshop and is acceptable.

Principle of student use in this location

The principle of student accommodation in locations accessible to the University campus are supported by the Core Strategy, Local Plan Policy and the publication version of the Development Delivery Development Plan Document subject to certain criteria as set out in Policy DD12. Policy CP5 of the Core Strategy states that purpose built student accommodation should be provided to meet housing need. In paragraph 6.28 it states that *'75% or more of additional student numbers should be accommodated in purpose built student housing. New purpose built student housing should be located on, or close to, the University campuses, at sustainable locations at or near to major transport routes, or in the City Centre'*. Policy H5 of the Local Plan encourages student accommodation to be located so as to limit the need to travel to the campus by car. Whilst a number of objections have raised concern regarding the provision of additional purpose built student accommodation in the area, the University's plans for growth means that significantly more additional bedrooms will still be needed and therefore opportunities for new purpose built accommodation should be welcomed on appropriate sites. This site is well served by public transport and its location would comply with the objectives of the development plan. Indeed it is considered that accommodating more students throughout the city in purpose built student accommodation provides a greater opportunity for effective management of student residents to address real and perceived problems associated with student behaviour. Consequently it is considered that, in principle, the site represents a suitable location for student accommodation use.

Impact on Conservation Area/Streetscene

The application site is located within the Belmont conservation area. Under the Planning (Listed Building and Conservation Area) Act 1990 S72 where any application which affects a conservation area, there is a statutory requirement to pay special attention to the desirability of preserving or enhancing its character and appearance. In addition, under paragraph 192 of the NPPF it states that *'...in determining planning application, local planning authorities should take account of a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; c) the desirability of new development making a positive contribution to local character and distinctiveness'*.

A large part of the application site is either open in appearance or occupied by a workshop building in poor condition and consequently there is no issue in principle with redeveloping this part of the site in a manner that would enhance the character of the conservation area, as well as creating a more continuous frontage to the street scene. The application site does contain the former Sorry Head public house, which is identified in the adopted Belmont conservation area appraisal as making a positive contribution to the character and appearance of the conservation area. As such there is a clear policy presumption against

the intention of the original application for its demolition. The current proposal which seeks its retention is therefore to be welcomed.

The scheme seeks to 'repair' the streetscene in this location. The workshop building represents an inappropriate use in terms of the vehicular traffic attracted to an area of high pedestrian movement but also in respect of its impact on the character and appearance of the conservation area location. The existing workshop building and open yard is utilitarian in appearance and the opportunity to create an appropriate street frontage is a positive benefit of the scheme. The retention of the Sorry Head pub's frontage and ground floor layout provides a template against which the remainder of the development has been designed. As a consequence it is important that the opportunity to enhance the existing building is taken as part of this scheme. A suitable condition is therefore considered necessary to ensure that all the necessary structural measures are in place to safeguard the identified areas of the building for retention during the construction period. The Heritage officer has recommended a condition requiring the detailed recording of the building and site during construction and where appropriate internal features of the building should be retained. The scheme provides the opportunity for a replacement roof and windows which should be natural slate and timber respectively to take account of its conservation area location. Whilst some concern has been raised about the existing stepped roof arrangement being increased in height to align with the higher existing ridge height this is considered logical as it will create a better frontage relationship with the adjacent proposed four storey building.

The previous scheme proposed to remove the public house and effectively fill the resulting gap with a large building. The retention of the Sorry Head will enable an important building in the conservation area to be renovated and visually improved and has also dictated the design approach taken which better reflects the existing character and appearance of this section of Blackboy Road. The proposed three distinct units does provide the necessary visual interest the conservation area demands and therefore is considered acceptable. It is accepted that frontage buildings will screen what are essentially new flat roof buildings to the rear. However it is acknowledged that the rear roof design is used partly to reflect the contemporary nature of the proposed building but also to reduce the impact of the building on the occupants of neighbouring residential properties. It is therefore considered that the new buildings are complementary to the streetscene and coupled with the renovation of the existing public house create an appropriate scheme which will enhance the character and appearance of the conservation area.

Following comments raised by Members at the previous meeting the architect has sought to make further improvements to the front elevation treatment. Whilst the overall three unit approach has been retained the main alterations include the change of one of the units from render to brick and greater attention has been given to the fenestration detailing. It is considered that these changes are significant and will further enhance the appropriateness of these building within the Belmont conservation area.

Impact on neighbouring properties

The scheme seeks to maximise the full extent of the site and consequently brings the resultant building in close proximity to existing residential properties. The site already contains a varied collection of buildings predominantly single storey but with some two storey structures and extended height single storey workshops. Given its long established urban setting the existing relationship between buildings would not normally be considered appropriate if assessed against current planning guidelines. However the presence of existing buildings, as the current context of the site, is a material planning consideration.

The original submission indicated a four storey building to the rear of the site. Concern was raised about this relationship with properties in Old Tiverton Road and the adjacent Moose

Hall in respect of a detrimental impact on residential amenity. Amended plans were received which not only reduced the overall number of storeys to three but proposed a flat roof, included obscurely glazed windows facing toward the properties in Old Tiverton Road and set the building into the site and away from the rear boundary. It is considered that the proposed changes made are beneficial and do help to address the impact the residents of Old Tiverton Road would have experienced if the original scheme had been constructed. It is acknowledged that the outlook from these properties will significantly change as a result of a large and more dominant structure rather than the relatively low lying building which currently exist. However it is considered that the changes made are significant to these residents' amenities and therefore the impact is therefore, on balance, acceptable.

Following Member's comments at the previous meeting amendments have been made to the rear of the proposed building to reduce its impact on existing residents' amenities in Old Tiverton Road. This has led to the removal of the parapet wall to the townhouses and the loss of one unit at second floor level to enable the overall height of the building to be reduced nearest to the rear boundary. It is considered that this has improved the relationship of the proposed building with the neighbouring properties to the rear and accordingly acceptable.

The relationship between the rear of the properties above the existing laundrette and computer repair units have also been assessed against the townhouses proposed to the north east part of the site. Given that habitable room windows have been omitted to these proposed town houses on the northern side facing Old Tiverton Road they are inevitably proposed to face the rear of the existing flats in Blackboy Road. The distances retained are between 12 and 17 metres which fall below the normal requirement of 22 metres as specified in the Council's Residential Design SPD. It is accepted that these existing flats are already faced with windows serving residential flats located within a building to the rear of the Sorry Head pub but these are limited and currently only at two storey level. The new proposal would result in a significant increase in bedroom windows facing towards these flats and increase to three storeys in height. The presence of existing buildings and the high density context of the site does allow some relaxation of the distances between buildings increased and the latest plans do show angled windows within some of the townhouses to take account of the proximity to existing flats in Blackboy Road and therefore deemed to be acceptable.

To the south west corner of the site the proposed building would extend 10 metres beyond the adjacent property 6a Blackboy Road. The former workshop building does occupy the entirety of the boundary and therefore already these buildings have some detrimental impact on this property and the other properties in Blackboy Road which extend round the alleyway to Old Tiverton Road and therefore face towards the new building. Although there are no windows facing toward these existing properties in Blackboy Road the originally submitted building would create a dominating impact on these residents' amenities. Consequently the revised plans have stepped the block closest to these properties further into the site at the upper levels to create a more acceptable relationship. On balance the proximity to these properties is considered acceptable.

Given the proximity of the retail compound area and the student's outside communal area there is a potential for noise and disturbance to nearby residential properties. It is accepted that the previous vehicle workshop potentially had a detrimental impact on adjacent properties although this would mainly be within the building. Consequently it is considered that a condition should be imposed regarding a management plan specifically towards the retail and student use.

Highway/servicing/security arrangements

The County highway officer initially had concerns about details provided in respect of the loading arrangements and cycle parking provision for both the retail units and the students. These issues have been resolved to the highway officer's satisfaction subject to a financial contribution towards a traffic regulation order and suitable conditions being imposed. The scheme would generate a total of 50 on site cycle parking bays for students which would meet the Council's standards in respect of the Council's Sustainable Transport SPD. The applicant has indicated that the refuse storage would be contained within the site with a management regime provided to ensure that bins are returned to their onsite location following refuse collection. In addition, following comments made by the Council's refuse manager the applicant has indicated that an area will be made available for bin storage for residents of Spinning Path, as it is understood that there is currently a lack of space available which has resulted in bins being left on Blackboy Road.

The Police liaison officer has raised no objection to the scheme but has highlighted specific measures which need to be addressed such as on site management, secure boundary treatment, lighting and CCTV provision. In addition local residents have raised concern about the potential for anti-social behaviour from increased students in the area.

It is considered that the requirement of the cycle parking, management of student movement at the start and end of term, bin storage collection and potential for noise, disturbance and anti-social behaviour from the student occupants can be contained within a student management plan imposed with a planning condition.

Summary

The application represents an opportunity to redevelop an underused site which in part presents a negative impression within the conservation area. The principle of both retail and student use in this location is considered acceptable and would accord with the local plan policies. In addition, the principle of a three/four storey building in this location would be in character with the surrounding buildings. The revised plans contains several amendments made by the applicant to address the various issues raised by the case officer and neighbour/consultation responses.

The retention and renovation of the Sorry Head public house was an important and necessary change from the original submission. It is considered that this has informed the resultant frontage design and the creation of three distinct units does represent an appropriate approach to elevating the streetscene in this location. Further changes have been required during the course of the application given the objective to maximise the potential of the site whilst recognising the resultant close proximity to existing predominately residential neighbouring properties. It is considered that the scheme has taken sufficient account of the adjoining properties to be acceptable. Accordingly it is considered that subject to suitable conditions this application should be approved.

The application will receive a payment from CIL in respect of the additional building works created for out of centre retail use and student accommodation.

DELEGATION BRIEFING

8 October 2019 - Planning permission had previously been granted for a retail use but had not been implemented. This application proposes a retail use on the part of the ground floor with the remainder of this four storey building used for purpose built student accommodation. Since the original application was submitted revised plans have been submitted which has lessened in height from four to three storey to address the impact the development would have

on the neighbouring properties in Old Tiverton Road. To date the 25 objections had been received which included concerns regarding the impact on Belmont Conservation Area; impact on nearby listed buildings and general heritage aspects; and massing and height impacting adversely on the privacy of neighbours. Members noted that the application would eventually be considered by the Planning Committee.

3 March 2020 – Members were updated of the amended plans which had been received in response to comments raised at the previous Planning Committee meeting. Members noted the changes made but made no comment given the application was to be reported to Planning Committee.

RECOMMENDATION

Subject to a financial contribution of £3,000 towards a Traffic Regulation Order APPROVE subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out otherwise than in accordance with the submitted details received by on 17 January 2020 (dwg no. AS18.64 L.02.00 rev 05 & L.02.01 rev 05) and 26 February 2020 (dwg nos. AS18.64 L.01.02 rev 05; L.02.02 rev 06; L.02.03 rev 06; L.02.04 rev 06; L.04.00 rev 05; L.04.02 rev 05; L.04.01 rev 06; L.03.03 rev 02 & L.03.02 rev 02) the Local Planning Authority on as modified by other conditions of this consent.

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

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

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

4. No development (including ground works and demolition) 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.

For the avoidance of doubt, this condition allows for the submission and approval of separate Construction Method Statements for the demolition and construction phases of the proposed development, and for development to proceed on each phase following the approval of the Construction Method Statement for that phase.

Reason:- In the interests of the occupants of nearby buildings.

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

Reason:- In the interests of amenity of the occupants of the buildings hereby approved.

6. Pre commencement condition - Prior to commencement of the development a noise assessment shall be undertaken and submitted for approval in writing by the LPA. This assessment shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as future site users. If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the LPA and shall be implemented prior to and throughout the occupation of the development.

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

7. 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 both on-site work, and subsequent assessment, 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.

8. Pre-commencement condition: Unless otherwise agreed in writing by the Local Planning Authority the building hereby approved shall achieve a BREEAM 'Excellent' standard as a minimum. Prior to commencement of the development, excluding demolition, any works required to facilitate demolition and ground reprofiling work, the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be prepared by a licensed BREEAM assessor which shall set out the evidence to confirm that the minimum standard can be achieved. The building must be completed fully in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within twelve months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason for pre-commencement condition: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development. The design stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

9. Prior to the first occupation of the development hereby permitted a student management scheme shall be submitted to and approved in writing by the local planning authority. The

scheme shall include securing student only occupation; employment of a warden/student liaison representative to manage student behaviour; on-site CCTV management, lighting and restriction of student parking within the area. The plan shall be implemented in accordance with the agreed details thereafter unless other agreed in writing by the local planning authority.

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

10. Prior to occupation of the building hereby approved place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

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

11. No part of the development hereby approved shall be brought into its intended use until the seven cycle spaces, as indicated on *Drawing No. 19091 - 010 Rev C* have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority

Reason: To provide adequate facilities for sustainable transport

12. Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the student element of 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

13. No part of the development hereby approved shall be brought into its intended use until details of the parallel space within the existing car park as indicated on *Drawing No. 19091 - 010 Rev C* have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the parallel space lining have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times.

Reason: To provide a safe and suitable access in accordance with Paragraph 108 of the NPPF

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

Reason: To promote the use of sustainable transport modes and in the interest of highway safety, in accordance with paragraphs 111 of the NPPF.

15. Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:

- a) natural slate and timber windows within the public house front elevation;
- d) onsite external lighting;
- e) boundaries treatment within rear courtyard;
- f) boundary treatment retail and student refuse area;
- g) refuse storage facility on Spinning Path;
- h) recording and retention of internal architectural features within the public house;
- i) refuse management plan for the retail unit.

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

16. Prior to commencement of the development, details shall be submitted to the Local Planning Authority of programme of works including where necessary structural reports for the demolition and construction process in respect of the Sorry Head public house which shall be implemented and adhered to all times unless otherwise agreed in writing.

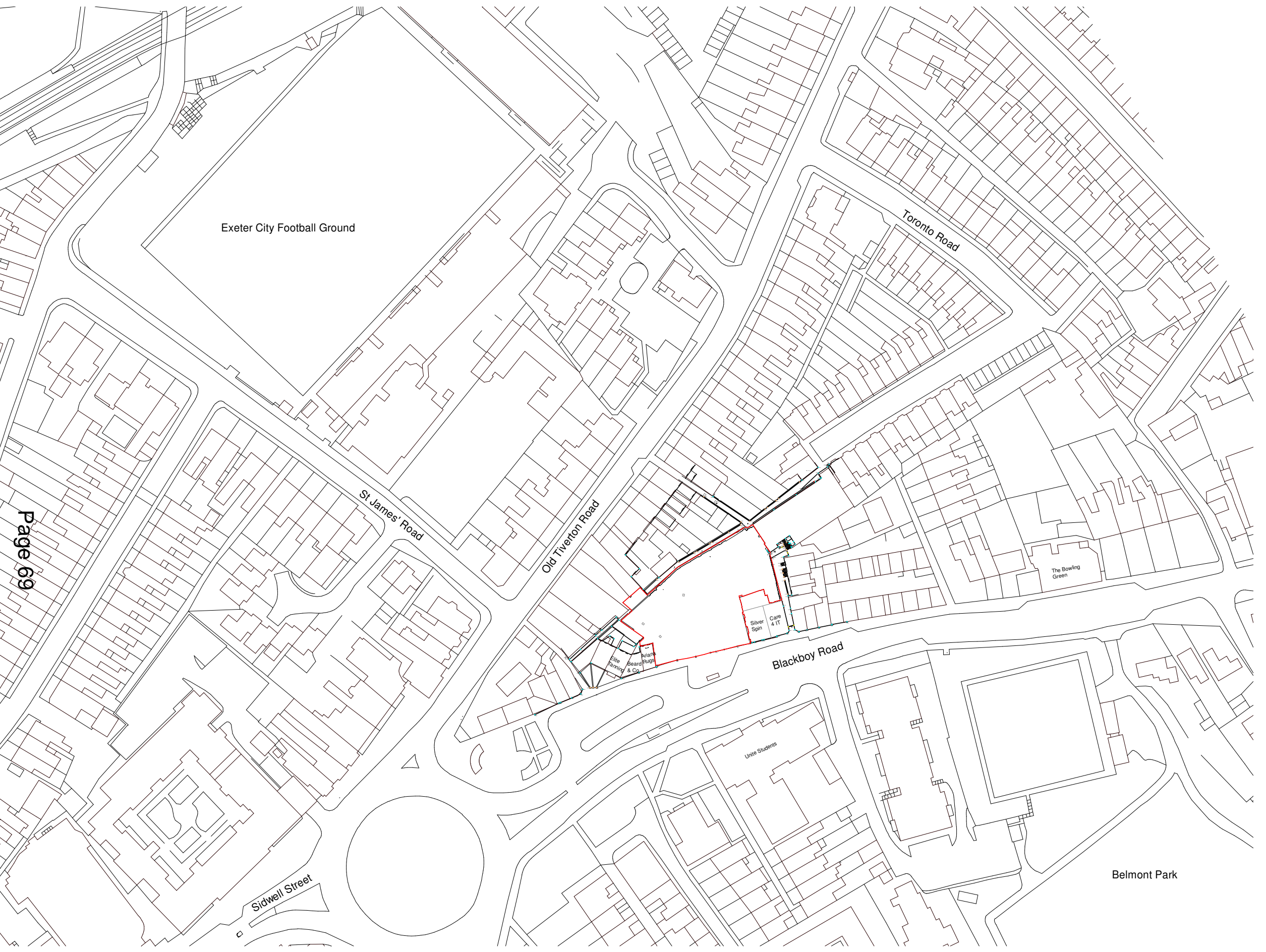
Reason: To protect the structural element of the building identified for retention.

INFORMATIVES

1) In accordance with paragraphs 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.

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

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



PA00 ISSUE FOR PLANNING 23.05.19 SD



Client
Urban Centric (Blackboy) Ltd

Job Title
Student Development,
7-9 and 10 Blackboy Road

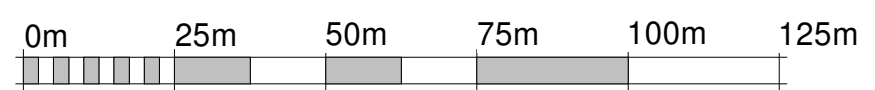
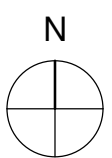
Drawing Title
Site Location Plan

Scale
1 : 1250 @ A3

Project Number Drawing Number Rev
AS18.64 L.01.00

Status
PLANNING

Application Boundary



VISUAL SCALE 1:1250 @ A3

This page is intentionally left blank

REPORT TO: PLANNING COMMITTEE**Date of Meeting: 16 March 2020****Report of: Service Lead City Development****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 Assistant 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

This page is intentionally left blank

Delegated Decision			
Application Number:	19/1480/FUL	Delegation Briefing:	21/11/2019
Decision Type:	Permitted	Date:	17/02/2020
Location Address:	14A Marsh Barton Road Exeter Devon EX2 8NT		
Proposal:	New internally illuminated fascia and totem advertisements and spotlight displays		
Delegated Decision			
Application Number:	19/1481/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	17/02/2020
Location Address:	14A Marsh Barton Road Exeter Devon EX2 8NT		
Proposal:	New internally illuminated fascia and totem advertisements and spotlight displays.		
Delegated Decision			
Application Number:	19/1495/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	31/01/2020
Location Address:	20 Hennock Road East Exeter Devon EX2 8RU		
Proposal:	Discharge of conditions 3, 5 and 6 of 19/0838/FUL		
Delegated Decision			
Application Number:	19/1600/FUL	Delegation Briefing:	19/12/2019
Decision Type:	Permitted	Date:	04/03/2020
Location Address:	Former Volvo Dealership Sigford Road Exeter Devon EX2 8NL		
Proposal:	Extension and refurbishment to previous (Vacant) Volvo Dealership for use as a Ferrari Dealership including alterations to parking areas and valet facility and the provision of a secure car storage facility to the rear.		
Delegated Decision			
Application Number:	19/1716/FUL	Delegation Briefing:	12/12/2019
Decision Type:	Permitted	Date:	19/02/2020
Location Address:	11 Bennett Close Exeter Devon EX2 8UL		
Proposal:	First floor side extension and ground floor rear extension		
Delegated Decision			
Application Number:	19/1754/FUL	Delegation Briefing:	09/01/2020
Decision Type:	Permitted	Date:	31/01/2020
Location Address:	103 Broadway Exeter Devon EX2 9NU		
Proposal:	Single storey front extension.		

Delegated Decision	
Application Number:	19/1775/FUL
Decision Type:	Refuse Planning Permission
Location Address:	Plot At 116 And 118 Broadway Exeter Devon EX2 9NT
Proposal:	Demolition of existing garage and construction of 1 new 3 bedroom dwelling on the subdivided plots of 116 and 118 Broadway.
Delegated Decision	
Application Number:	20/0009/CAT
Decision Type:	Permitted
Location Address:	Collingwood 41 Alphington Road Exeter Devon EX2 8HP
Proposal:	T2 - Holly Tree - pruneT3 - Magnolia - pruneT4 - Myrtle - pruneT5 - Hawthorn - pruneT6 - Bay - prune
Delegated Decision	
Application Number:	20/0094/TPO
Decision Type:	Permitted
Location Address:	Aldi Alphington Road Exeter Devon EX2 8HP
Proposal:	False Acadia (T5) Fell - Tree in terminal decline - Replant a Silver Birch.
Delegated Decision	
Application Number:	20/0104/CAT
Decision Type:	Permitted
Location Address:	Oak Barton Balls Farm Road Cowick Exeter Devon EX2 9JB
Proposal:	Letter from DCC regarding overgrown trees. Following a consultation with a local hedge company, we have been advised these trees are part of a conservation error and therefore require 6 weeks planning notice to cut them down. Will also require road access.
Delegated Decision	
Application Number:	20/0132/DIS
Decision Type:	Permitted
Location Address:	Unit 4 And 5 Stone Lane Retail Park Marsh Barton Road Exeter Devon EX2 8LH
Proposal:	Discharge of condition five (travel plan) of 19/1127/FUL
Delegated Decision	
Application Number:	20/0153/TPO
Decision Type:	Permitted
Location Address:	Higherbrook Barn Balls Farm Road Cowick Exeter Devon EX2 9RA
Proposal:	Crown reduction of a line of Alder trees and one Walnut tree by 25%.

Delegated Decision	
Application Number: 20/0061/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 27/02/2020
Location Address: 35-37 Sidwell Street Exeter EX4 6NS	
Proposal: Proposed amended internal layouts and external fenestration (non material amendment to 16/1530/FUL	
Delegated Decision	
Application Number: 20/0065/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 06/02/2020
Location Address: 25 West Avenue Exeter Devon EX4 4SD	
Proposal: T1 - Liquidambar - fell and replace	
Delegated Decision	
Application Number: 20/0099/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 18/02/2020
Location Address: 54 Springfield Road Exeter Devon EX4 6JL	
Proposal: Change of use from dwelling house (C3 use) to small HMO (C4 use) for up to six people	
Delegated Decision	
Application Number: 20/0149/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 25/02/2020
Location Address: 18 West Avenue Exeter Devon EX4 4SD	
Proposal: T1 - southern boundary prune T2 - Leylandii Cypress - fell or substantially reduce T3 - Copper Beech - crown lift	
Exwick	
Delegated Decision	
Application Number: 19/1216/FUL	Delegation Briefing: 30/01/2020
Decision Type: Permitted	Date: 18/02/2020
Location Address: 13 Holne Court Kinnerton Way Exeter Devon EX4 2NA	
Proposal: Replacement with white UPVC double glazed windows in same style. Installation of UPVC front and rear doors	
Delegated Decision	
Application Number: 19/1471/FUL	Delegation Briefing: 14/11/2019
Decision Type: Permitted	Date: 03/03/2020
Location Address: 26 St Albans Close Exeter Devon EX4 2NE	
Proposal: Construction of new terraced dwelling and associated landscaping works.	

Delegated Decision	
Application Number: 19/1578/FUL	Delegation Briefing: 09/01/2020
Decision Type: Permitted	Date: 03/02/2020
Location Address: 19 Meadowbrook Close Exeter Devon EX4 2NN	
Proposal: Front extension.	
Delegated Decision	
Application Number: 19/1675/VOC	Delegation Briefing: 02/01/2020
Decision Type: Permitted	Date: 31/01/2020
Location Address: 78 Rowan Way Exeter Devon EX4 2DT	
Proposal: Variation of condition 2 to retain and rebuild outhouse and garage and other minor exterior alterations (Ref. 16/0707/FUL granted 11-07-2016)	
Delegated Decision	
Application Number: 20/0076/TPO	Delegation Briefing:
Decision Type: Refuse Planning Permission	Date: 07/02/2020
Location Address: 6 Truro Drive Exeter Devon EX4 2DY	
Proposal: Oak (T1) Removal of dead wood and crown reduction.	
Delegated Decision	
Application Number: 20/0118/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 25/02/2020
Location Address: 7 Riverview Drive Exeter Devon EX4 2AE	
Proposal: T1 - Field Maple - No.1 - minor pruning by crown lifting and reduction.T1 - Ash - No.1 - minor pruning by crown lifting and reduction.	
Heavitree	
Committee Decision	
Application Number: 18/0878/ECC	Delegation Briefing: 05/07/2018
Decision Type: Permitted	Date: 24/02/2020
Location Address: Land Between 106 Hamlin Gardens And 65 Carlyon Gardens Hamlin Gardens Exeter	
Proposal: Construction of new apartment building (21 apartments) and associated landscaping, changes to highways and parking.	
Delegated Decision	
Application Number: 19/0685/FUL	Delegation Briefing: 30/01/2020
Decision Type: Permitted	Date: 04/03/2020
Location Address: 25 Roseland Crescent Exeter Devon EX1 2TJ	
Proposal: Side first-floor dormer to form bedroom and bathroom.	

Delegated Decision	
Application Number: 19/1607/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 18/02/2020
Location Address: 54 Fore Street Heavitree Exeter Devon EX1 2RR	
Proposal: Replacement signage	
Delegated Decision	
Application Number: 19/1608/LBC	Delegation Briefing: 16/01/2020
Decision Type: Permitted	Date: 18/02/2020
Location Address: 54 Fore Street Heavitree Exeter Devon EX1 2RR	
Proposal: External alterations including illuminated and non-illuminated signs	
Delegated Decision	
Application Number: 19/1688/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 18/02/2020
Location Address: Garages Between 28 And 36 Anthony Road Anthony Road Exeter EX1 2ST	
Proposal: Various minor changes to external levels, boundary treatments and patio sizes. (Non-material minor amendment to Planning Permission reference No. 18/0884/ECC granted on 11th September 2018)	
Delegated Decision	
Application Number: 20/0049/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 05/02/2020
Location Address: 45-47 Fore Street Heavitree Exeter Devon EX1 2QN	
Proposal: Replacement fascia sign and window display.	
Delegated Decision	
Application Number: 20/0054/PD	Delegation Briefing:
Decision Type: Prior Approval Required and Granted	Date: 02/03/2020
Location Address: 24 Roseland Avenue Exeter Devon EX1 2TW	
Proposal: Single storey rear extension extending a maximum 5.6m from rear elevation, height to eaves 3m and maximum overall height 4m.	
Delegated Decision	
Application Number: 20/0147/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 02/03/2020
Location Address: 1 Mowbray Court Butts Road Exeter Devon EX2 5TQ	
Proposal: Remove 2 main branches growing over driveway of Mowbray Court. 1 approx 13m long cut approx 23cm diameter, other branch 10m long cut 30cm diameter.	

Delegated Decision			
Application Number:	19/1766/LBC	Delegation Briefing:	09/01/2020
Decision Type:	Permitted	Date:	31/01/2020
Location Address:	6 St Leonards Road Exeter Devon EX2 4LA		
Proposal:	Revised boundary wall and driveway landscaping.		
Delegated Decision			
Application Number:	19/1777/DIS	Delegation Briefing:	
Decision Type:	Permitted	Date:	26/02/2020
Location Address:	12 Barnardo Road Exeter Devon EX2 4NE		
Proposal:	Discharge of condition three (materials - proposed door and window frames; proposed brickwork) of ref 18/1603/FUL		
Delegated Decision			
Application Number:	19/1792/FUL	Delegation Briefing:	23/01/2020
Decision Type:	Permitted	Date:	27/02/2020
Location Address:	9 Lower Summerlands Exeter Devon EX1 2LJ		
Proposal:	Replacement extension, replacement windows and doors and internal alterations.		
Delegated Decision			
Application Number:	19/1793/LBC	Delegation Briefing:	23/01/2020
Decision Type:	Permitted	Date:	27/02/2020
Location Address:	9 Lower Summerlands Exeter Devon EX1 2LJ		
Proposal:	Replacement extension, replacement windows and doors and internal alterations.		
Delegated Decision			
Application Number:	20/0002/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	31/01/2020
Location Address:	14 Leighdene Close Exeter Devon EX2 4PN		
Proposal:	T1 - Cedar - Reduce by up to 20%		
Delegated Decision			
Application Number:	20/0010/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/01/2020
Location Address:	Manna Ash Court Matford Lane Exeter Devon EX2 4PU		
Proposal:	T1 - Holm Oak - Crown lift by 1.5m.		

Delegated Decision	
Application Number: 20/0019/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 12/02/2020
Location Address: 3 Spicer Road Exeter Devon EX1 1SX	
Proposal: Discharge of Condition 3 (materials) for planning permission 18/0362/FUL granted 12 July 2018	
Delegated Decision	
Application Number: 20/0064/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/02/2020
Location Address: 78 Magdalen Road Exeter Devon EX2 4TR	
Proposal: T1 - Conifer - FellT2 - Sycamore - Fell	
Delegated Decision	
Application Number: 20/0073/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/02/2020
Location Address: 13 St Leonards Road Exeter Devon EX2 4LA	
Proposal: T1 and T2 - Apple - FellT3 - Elder - Fell	
Delegated Decision	
Application Number: 20/0140/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 28/02/2020
Location Address: 6 Buckerell Avenue Exeter Devon EX2 4RA	
Proposal: Single storey rear extension extending a maximum 3.5m from rear elevation, height to eaves 2.5m and max. overall height 2.7m.	
Delegated Decision	
Application Number: 20/0157/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 27/02/2020
Location Address: Cardinal Newman House Wonford Road Exeter Devon EX2 4PF	
Proposal: Removal of one Maple Tree.	
Delegated Decision	
Application Number: 20/0224/DIS	Delegation Briefing:
Decision Type: Condition(s) Partially Approved	Date: 26/02/2020
Location Address: Land Between Hollow Lane And Harts Lane Monkerton Exeter	
Proposal: Part-discharge of condition 3 (Brick Samples) of Planning Permission 19/0287/FUL - Construction of two-storey primary school with a nursery and associated play areas, sports pitch and parking.	

Delegated Decision	
Application Number: 20/0085/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 11/02/2020
Location Address: 44 St Johns Road Exeter Devon EX1 2HR	
Proposal: Single storey rear extension extending a maximum 4m from rear elevation, height to eaves 3m and max. overall height 4m.	
Delegated Decision	
Application Number: 20/0111/FUL	Delegation Briefing: 13/02/2020
Decision Type: Permitted	Date: 28/02/2020
Location Address: 166 Mincinglake Road Exeter Devon EX4 7DT	
Proposal: Reconstruction of bay window on front elevation.	
Delegated Decision	
Application Number: 20/0124/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 20/02/2020
Location Address: Morrison Supermarket Prince Charles Road Exeter Devon EX4 7BY	
Proposal: Canopy signage for new Click and Collect service in car park.	
Delegated Decision	
Application Number: 20/0156/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 25/02/2020
Location Address: 5 Higher Kings Avenue Exeter Devon EX4 6JP	
Proposal: T1 - Monterey Cypress - No.1 - crown lift	
Pinhoe	
Delegated Decision	
Application Number: 19/1105/FUL	Delegation Briefing: 22/08/2019
Decision Type: Permitted	Date: 04/02/2020
Location Address: Station Road Playing Fields Station Road Exeter Pinhoe EX1 3SA	
Proposal: Proposed New Community Hub Building to include; a library, sports changing rooms, cafe, multi-purpose function rooms and office space.	
Delegated Decision	
Application Number: 19/1411/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 13/02/2020
Location Address: Ex-Hill Barton Service Station 460 Pinhoe Road Exeter Devon EX4 8HN	
Proposal: 1 no. non illuminated double sided banner style sign.	

Delegated Decision	
Application Number:	19/1446/FUL
Decision Type:	Permitted
Location Address:	18 Church Hill Exeter Devon EX4 9EX
Proposal:	Proposed new dwelling on the land to the south east of 18 Church Hill, Pinhoe.
Committee Decision	
Application Number:	19/1461/OUT
Decision Type:	Permitted
Location Address:	Land North Of Honiton Road And West Of Fitzroy Road Exeter EX1 3RS
Proposal:	Mixed use development to provide town centre facilities comprising uses within some or all of Class A1 (Retail), Class A2 (Financial and Professional Services), Class A3 (Cafes and Restaurants) with associated Drive-Thru's, Class A5 (Hot Food Takeaways), Class D2 (Assembly and Leisure) with associated means of access, access roads, service yards, car parking, infrastructure, public realm and landscaping. (All matters reserved except access)
Delegated Decision	
Application Number:	19/1579/FUL
Decision Type:	Permitted
Location Address:	3 Chancel Lane Exeter Devon EX4 8PZ
Proposal:	Single storey rear extension for disabled bedroom/wet-room
Delegated Decision	
Application Number:	19/1759/FUL
Decision Type:	Permitted
Location Address:	33A Station Road Pinhoe Exeter Devon EX1 3SA
Proposal:	Garage and store, retention of existing patio.
Delegated Decision	
Application Number:	19/1762/FUL
Decision Type:	Permitted
Location Address:	Ashley House Old Pinn Lane Exeter Devon EX1 3RF
Proposal:	Detached double garage in garden
Delegated Decision	
Application Number:	20/0012/PD
Decision Type:	Prior Approval Not Required
Location Address:	10 Causey Lane Exeter Devon EX1 3SE
Proposal:	Single storey rear extension extending a maximum 3.496m from rear elevation, height to eaves 2.8m and max. overall height 3.87m.

Delegated Decision	
Application Number: 19/1271/FUL	Delegation Briefing: 03/10/2019
Decision Type: Refuse Planning Permission	Date: 20/02/2020
Location Address: Charlotte Mews Pavilion Place Exeter Devon EX2 4HA	
Proposal: Two additional floors on northern and eastern part of building to form 4 new residential units over existing units 5 and 6	
Delegated Decision	
Application Number: 19/1302/FUL	Delegation Briefing: 24/10/2019
Decision Type: Permitted	Date: 18/02/2020
Location Address: 23 Richmond Road Exeter Devon EX4 4JA	
Proposal: Change of use from offices (B1 use) to a single dwellinghouse (C3 use).	
Delegated Decision	
Application Number: 19/1394/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 24/02/2020
Location Address: LBD House 39 George Street Exeter Devon EX1 1DA	
Proposal: Projecting sign	
Delegated Decision	
Application Number: 19/1412/LBC	Delegation Briefing: 14/11/2019
Decision Type: Permitted	Date: 05/02/2020
Location Address: 48 The Quay Exeter Devon EX2 4AN	
Proposal: Outdoor condenser unit	
Delegated Decision	
Application Number: 19/1427/LBC	Delegation Briefing: 24/10/2019
Decision Type: Permitted	Date: 18/02/2020
Location Address: 23 Richmond Road Exeter Devon EX4 4JA	
Proposal: Change of use from offices (B1 use) to a single dwellinghouse (C3 use).	

Delegated Decision	
Application Number:	19/1436/VOC
Decision Type:	Permitted
Location Address:	50 Topsham Road Exeter Devon EX2 4NF
Proposal:	Variation of condition 2 of planning consent ref. 17/1640/FUL (Redevelopment of the Exeter Royal Academy for Deaf Education (eRADE) site to provide 146 new homes (C3), a care home and assisted living units (both C2), accommodation for a pre-school, access related works, provision of landscaping and open space and other associated works approved 28th June 2018) to make minor variations to the layout of the development including; substitution of some house types and variations to the design of others; changes to layout and mix of assisted living units (with associated changes to external appearance); layout of external areas to care home and assisted living elements of scheme, and variation of other conditions which refer to separate discharge in respect of different parcels of the site to reflect 3 parcels instead of 2.
Delegated Decision	
Application Number:	19/1531/DIS
Decision Type:	Permitted
Location Address:	Exeter College Further Education Hele Road Exeter Devon EX4 4JS
Proposal:	Discharge Condition 10 (Construction Method Statement) of pp. 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.
Delegated Decision	
Application Number:	19/1557/FUL
Decision Type:	Permitted
Location Address:	48 The Quay Exeter Devon EX2 4AN
Proposal:	One outdoor condenser unit
Delegated Decision	
Application Number:	19/1562/FUL
Decision Type:	Permitted
Location Address:	7 Friars Walk Exeter Devon EX2 4AY
Proposal:	Create opening at basement level to the rear onto a new patio and internal changes.
Delegated Decision	
Application Number:	19/1563/LBC
Decision Type:	Permitted
Location Address:	7 Friars Walk Exeter Devon EX2 4AY
Proposal:	Create opening at basement level to the rear onto a new patio and internal changes.

Delegated Decision			
Application Number:	19/1585/LBC	Delegation Briefing:	16/01/2020
Decision Type:	Permitted	Date:	17/02/2020
Location Address:	39D New Bridge Street Exeter Devon EX4 3AH		
Proposal:	Window repairs and replacement, render repairs, redecoration.		
Delegated Decision			
Application Number:	19/1642/LBC	Delegation Briefing:	12/12/2019
Decision Type:	Permitted	Date:	10/02/2020
Location Address:	Tuckers Hall 140 Fore Street St Davids Exeter Devon EX4 3AN		
Proposal:	Replacement railings and gates		
Delegated Decision			
Application Number:	19/1680/FUL	Delegation Briefing:	02/01/2020
Decision Type:	Permitted	Date:	04/03/2020
Location Address:	1 Comrie House Willeys Avenue Exeter Devon EX2 8EJ		
Proposal:	Change of use of ground floor flat and store building to two one-bedroom flats		
Delegated Decision			
Application Number:	19/1732/FUL	Delegation Briefing:	30/01/2020
Decision Type:	Permitted	Date:	27/02/2020
Location Address:	25 South Street Exeter Devon EX1 1EB		
Proposal:	Gates to parking area, canopy over Presbytery entrance and reinstatement of blocked-up window.		
Delegated Decision			
Application Number:	19/1733/LBC	Delegation Briefing:	30/01/2020
Decision Type:	Permitted	Date:	27/02/2020
Location Address:	25 South Street Exeter Devon EX1 1EB		
Proposal:	Gates to parking area, canopy over Presbytery entrance and reinstatement of blocked-up window.		
Delegated Decision			
Application Number:	19/1742/FUL	Delegation Briefing:	09/01/2020
Decision Type:	Refuse Planning Permission	Date:	12/02/2020
Location Address:	5 Friars Walk Exeter Devon EX2 4AY		
Proposal:	Enlargement of existing porch and first floor bathroom.		
Delegated Decision			
Application Number:	19/1743/LBC	Delegation Briefing:	09/01/2020
Decision Type:	Refuse Planning Permission	Date:	12/02/2020
Location Address:	5 Friars Walk Exeter Devon EX2 4AY		
Proposal:	Enlargement of existing porch and first floor bathroom.		

Delegated Decision	
Application Number: 19/1778/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 17/02/2020
Location Address: 202 High Street Exeter Devon EX4 3EB	
Proposal: Discharge Conditions 3, 4, and 5 of Planning Permission ref. 19/0803/FUL	
Delegated Decision	
Application Number: 19/1784/LBC	Delegation Briefing: 16/01/2020
Decision Type: Permitted	Date: 13/02/2020
Location Address: St Nicholas Priory The Mint Exeter Devon EX4 3BL	
Proposal: Installation of two serving pods and associated water connection.	
Delegated Decision	
Application Number: 19/1789/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 31/01/2020
Location Address: Quintana Gate Bartholomew Street East Exeter Devon EX4 4JW	
Proposal: A post completion BREEAM report, Final BREEAM Certificate.	
Delegated Decision	
Application Number: 20/0026/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 31/01/2020
Location Address: 3-5 Barnfield Road Exeter Devon EX1 1RD	
Proposal: Conifer (T1) - Removal of branches/foliage blocking street lamp and signage.	
Delegated Decision	
Application Number: 20/0028/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 02/03/2020
Location Address: Bendene Townhouse 15 - 16 Richmond Road Exeter Devon EX4 4JA	
Proposal: Discharge of Condition 5 (CEMP) for planning permission 18/0137/FUL granted on 21 May 2018	
Delegated Decision	
Application Number: 20/0029/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 02/03/2020
Location Address: Bendene Townhouse 15 - 16 Richmond Road Exeter Devon EX4 4JA	
Proposal: Discharge of Condition 3 (CEMP) for planning permission 18/1286/FUL granted on 21 December 2018	

Delegated Decision	
Application Number: 20/0050/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 31/01/2020
Location Address: 9 Colleton Crescent Exeter Devon EX2 4DG	
Proposal: T1, Sycamore: remove epicormic growth on lower limbs.T2, Holm Oak; remove lower branches and shape crown.T3. Gingko Biloba; remove low branch and dead wood.	
Delegated Decision	
Application Number: 20/0079/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 02/03/2020
Location Address: The Honiton 74 Paris Street Exeter Devon EX1 2JY	
Proposal: Discharge of Condition 6 (Heating and Cooling Systems); 7 (Loading bay); 8 (Cycle Parking) and 13 (Swift boxes) of planning application 16/1210/FUL granted 12 April 2017.	
Delegated Decision	
Application Number: 20/0135/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 03/03/2020
Location Address: 36 St Davids Hill Exeter Devon EX4 4DT	
Proposal: Two silver birch trees approx 22 ft high. One badly managed in the past, the other provides excess shade to the summer house. Remove both, new silver birch tree to be replanted.	
Delegated Decision	
Application Number: 20/0144/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 27/02/2020
Location Address: The Town House 54-54B St Davids Hill Exeter Devon EX4 4DT	
Proposal: Remove one plum tree.	
Delegated Decision	
Application Number: 20/0196/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 25/02/2020
Location Address: 76 South Street Exeter Devon EX1 1EQ	
Proposal: Alterations to shopfront and signage.	
St Loyes	
Delegated Decision	
Application Number: 18/1382/FUL	Delegation Briefing:
Decision Type: Decline to Determine	Date: 18/02/2020
Location Address: Land At Sidmouth Road/Nelson Way Exeter Devon EX2 5QH	
Proposal: Construction of dwelling, with associated access and parking.	

Delegated Decision	
Application Number:	19/1048/VOC
Decision Type:	Permitted
Location Address:	Unit 6 Rydon Lane Retail Park Digby Road St Loyes Exeter Devon EX2 7HX
Proposal:	Development of non-food retail warehouses (Class A1, 9,290 sq m/100,000 sq ft), restaurant, parking, highway works and landscaping (all matters reserved for future consideration) (Variation of condition 6 of Planning Permission 01/0084/OUT to allow the additional sale of arts and crafts goods).
Delegation Briefing:	03/10/2019
Date:	16/02/2020
Delegated Decision	
Application Number:	19/1049/FUL
Decision Type:	Permitted
Location Address:	Unit 6 Rydon Lane Retail Park Digby Road St Loyes Exeter Devon EX2 7HX
Proposal:	Installation of mezzanine floor of 743 sq m.
Delegation Briefing:	03/10/2019
Date:	16/02/2020
Delegated Decision	
Application Number:	19/1419/FUL
Decision Type:	Refuse Planning Permission
Location Address:	Land At Nelson Way/Ringswell Park Sidmouth Road Exeter Devon EX2 5QH
Proposal:	Construction of two storey dwelling
Delegation Briefing:	31/10/2019
Date:	25/02/2020
Delegated Decision	
Application Number:	19/1648/FUL
Decision Type:	Permitted
Location Address:	Former Digby Mortuary East Clyst Heath Exeter Devon
Proposal:	Conversion of former mortuary into office (Class B1)
Delegation Briefing:	16/01/2020
Date:	18/02/2020
Delegated Decision	
Application Number:	19/1649/LBC
Decision Type:	Permitted
Location Address:	Former Digby Mortuary East Clyst Heath Exeter Devon
Proposal:	Conversion of former mortuary into office (Class B1)
Delegation Briefing:	16/01/2020
Date:	18/02/2020
Delegated Decision	
Application Number:	19/1736/FUL
Decision Type:	Permitted
Location Address:	38 Knights Crescent Exeter Devon EX2 7TG
Proposal:	Two-storey side extension above existing garage.
Delegation Briefing:	30/01/2020
Date:	24/02/2020

Delegated Decision			
Application Number:	19/1771/FUL	Delegation Briefing:	09/01/2020
Decision Type:	Permitted	Date:	31/01/2020
Location Address:	32 Ringswell Avenue Exeter Devon EX1 3EF		
Proposal:	Two storey side extension with rear protrusion		
Delegated Decision			
Application Number:	20/0008/FUL	Delegation Briefing:	30/01/2020
Decision Type:	Permitted	Date:	02/03/2020
Location Address:	29B Apple Lane Exeter Devon EX2 7HA		
Proposal:	Install No.8 additional windows to the south and west elevations.		
Delegated Decision			
Application Number:	20/0178/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	27/02/2020
Location Address:	Fourwinds Heath Road Exeter Devon EX2 5JX		
Proposal:	Reduction of one large mature Oak tree by 20%		
St Thomas			
Delegated Decision			
Application Number:	19/1684/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	10/02/2020
Location Address:	5 Essex Close Exeter Devon EX4 1LS		
Proposal:	Rear flat roof dormer and roof lights to the front.		
Delegated Decision			
Application Number:	19/1729/FUL	Delegation Briefing:	09/01/2020
Decision Type:	Permitted	Date:	31/01/2020
Location Address:	16 Croft Chase Exeter Devon EX4 1TB		
Proposal:	Two storey side extension, single storey rear extension and provision of access for new detached garage (amendments to approved application 19/0530/FUL)		
Delegated Decision			
Application Number:	20/0119/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Partially Approved	Date:	02/03/2020
Location Address:	51A And 52 Church Road St Thomas Exeter Devon EX2 9BQ		
Proposal:	Discharge of conditions 3 (Materials), 4 (Landscaping Plan), 6 (Site investigation for contamination), 7 (Cycle parking), 10 (SAP Assessment/ energy efficiency standards) and 12 (Construction and Environmental Management Plan) pertaining to planning application ref. 18/0496/FUL approved 4th October 2019.		

Delegated Decision	
Application Number: 19/1741/FUL	Delegation Briefing: 23/01/2020
Decision Type: Permitted	Date: 14/02/2020
Location Address: 95 Newcourt Road Topsham Exeter Devon EX3 0BU	
Proposal: Single storey rear extension and raised roof to form full two storey.	
Delegated Decision	
Application Number: 19/1745/LBC	Delegation Briefing: 09/01/2020
Decision Type: Permitted	Date: 26/02/2020
Location Address: 11 Monmouth Hill Topsham Exeter Devon EX3 0JF	
Proposal: Replacement windows and gutters, replacement of window and door with French doors, replacement staircase, and internal alterations	
Delegated Decision	
Application Number: 19/1746/FUL	Delegation Briefing: 09/01/2020
Decision Type: Permitted	Date: 19/02/2020
Location Address: 12 Follett Road Topsham Exeter Devon EX3 0JP	
Proposal: Replacement of existing rear single storey extension	
Delegated Decision	
Application Number: 20/0023/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 19/02/2020
Location Address: The Coach House 45B The Strand Topsham Exeter Devon EX3 0BB	
Proposal: T1- Oak - prune T2- Rowan - remove and replace. T3 and T13- Blackthorn - reduction of width of two belts of blackthorn T4-T12- Elms - Fell T14 - 16- Walnut - Prune T17-T25 - Elm - Fell	
Delegated Decision	
Application Number: 20/0051/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 19/02/2020
Location Address: 2A Elm Grove Road Topsham Exeter Devon EX3 0BW	
Proposal: T1 - Monterey Cypress: fell.	
Delegated Decision	
Application Number: 20/0052/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/02/2020
Location Address: 15 Station Road Topsham Exeter Devon EX3 0DS	
Proposal: T1 - Ash - reduce crown to previous cuts	

Delegated Decision	
Application Number: 20/0069/DIS	Delegation Briefing:
Decision Type: Permitted	Date: 18/02/2020
Location Address: Meadow View Clyst Road Topsham Exeter Devon EX3 0DQ	
Proposal: Discharge of condition 3 (materials) of 19/0916/VOC Slate (Spanish slate) for the roofWindow frame sampleTrespa claddingPPC aluminium for dormers, fascia, and soffits, Board with some painted render	
Delegated Decision	
Application Number: 20/0077/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/02/2020
Location Address: 30 Monmouth Street Topsham Exeter Devon EX3 0AJ	
Proposal: T1 - Magnolia - Prune T2 - Magnolia - PruneT3 - Cherry - Prune	
Delegated Decision	
Application Number: 20/0106/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/02/2020
Location Address: 42 Altamira Topsham Exeter Devon EX3 0AQ	
Proposal: T1 - Lime - Crown lift	
Delegated Decision	
Application Number: 20/0155/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 25/02/2020
Location Address: Sanctuary House Mount Howe Topsham Exeter Devon EX3 0BG	
Proposal: T1 - Silver Birch - No.1 - crown lift and crown reduction	
Total Applications: 138	

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 16 March 2020
Report of: Service Lead City Development
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 **19/1037/FUL – 85 Newcourt Road, Topsham, Exeter.** This was an application for a ground and roof extensions to an existing bungalow.

A planning appeal has been dismissed by the Planning Inspectorate of a scheme to carry out ground and roof extensions to an existing bungalow, in order to create first floor living accommodation.

The proposed works included, an extension over the garage, to create a large gable end on the south east elevation, a first floor gable extension was proposed to the northeast and southwest elevation. The new ridge was to be 1.5 metres higher than the existing ridge and the gable 1.7 metres higher. The main issue with regards this application was the effect of the development on the character and appearance of the area.

Situated within a group of bungalows, the Inspector stated that mass of the proposed development at 85, would appear much greater than that of 83 and 87 Newcourt Road. This contrast would be especially apparent and unsympathetic when approaching the site from the north, as from here the long ridge and rectilinear form of the side elevation would be viewed relative to the much less bulky hipped form of no. 87.

The inspector concluded that the development would cause unacceptable harm to the character and appearance of the area, conflicting with Policy CP17 of the Core Strategy, which requires development to complement or enhance Exeter's character, and reflects Objective 9 of the Core Strategy, which seeks excellence in design; and policy DG1 of the Local Plan, which amongst other things requires that height, volume and shape of development relates well, and is appropriate to the visual richness and amenity of the townscape.

Of additional note, the Inspector also acknowledged that although the Exeter Local Plan First Review is now 15 years old, and predates the current NPPF, they see no fundamental conflict between the general design objectives set out in saved policy DGA, and those outlined in the Framework.

- 3.2 **19/0809/FUL – 28 Argyll Road, Exeter.** This application was for a proposed first-floor extension to front and new dormer to the rear of property, and new extension over existing playroom and associated works.

A planning appeal has been dismissed by the Planning Inspectorate of a scheme to carry out extensions and alterations. The alterations follow a contemporary design approach to modernise the property, proposed works include new dormers to the front and rear elevation of the property and a new extension over the single storey side extension. The existing property is a brick bungalow considered by the inspector to have some architectural merit, due to the legible design and arrangement of windows.

The main issue with regards this application was the effect of the development on the character of the existing building and the surrounding area. Although the alterations to the front elevation were considered to add some architectural interest, the development would relate poorly to the existing roof form, which was not fully integrated into the proposal. The roof of the existing side extension was considered to compliment that of the bungalow. The proposal to add an additional storey, which would appear from the side as a rectangular block, was considered to be visually jarring and disjointed particularly in relation to the largely unaltered rear elevation.

The appellant raised the merits of the proposal in terms of sustainability, with a desire to not rebuild the property. The Inspector acknowledged that compared with a new build, it was likely there would be benefits, however, there was little evidence with regards the scale of these benefits and therefore the inspector only gave this minimal weight.

The inspector concluded that the development would cause unacceptable harm to the character and appearance of the existing building, conflicting with Policy DG1 of the Local Plan, which amongst other things requires that designs contribute positively to the visual richness and amenity of townscape.

4. New Appeals

4.1 19/0634/LBC – 8 Clifton Hill, Exeter

Removal of pier between internal doors and adaptation to double door opening.

4.2 19/0635/LBC - 8 Clifton Hill, Exeter

Removal of one window and portion of wall.

4.3 19/0875/FUL - 328 Pinhoe Road, Exeter

Single storey rear extension to provide 6 bedrooms to residential care home.

Andy Robbins

Service Lead City Development

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