

PLANNING

Date: Monday 19 February 2024

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 Pierre Doutreligne, Democratic Services Officer (Committees) on 01392 265486.

Entry to the Civic Centre can be gained through the rear entrance, located at the back of the Customer Service Centre, Paris Street.

Membership -

Councillors Knott (Chair), Asvachin (Deputy Chair), Bennett, Jobson, Ketchin, Miller, Mitchell, M, Patrick, Sheridan, Vizard, Wardle, Warwick, Williams, M and Begley

Agenda

Part I: Items suggested for discussion with the press and public present

1 Apologies

To receive apologies for absence from Committee members.

2 Minutes

To approve and sign the minutes of the meetings held on 5 December 2023 and 15 January 2024. (Pages 5 - 26)

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. 23-1174-RES - Land Off Spruce Close And Celia Crescent, Spruce Close, Exeter**

To consider the report of the Director City Development. (Pages 27 - 82)

6 **List of Decisions Made and Withdrawn Applications**

To consider the report of the Director City Development. (Pages 83 - 106)

7 **Appeals Report**

To consider the report of the Director City Development. (Pages 107 - 114)

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 25 March 2024** at 5.30 pm in the Civic Centre.

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PLANNING COMMITTEE

Tuesday 5 December 2023

Present:-

Councillor Knott (Chair)

Councillors Asvachin, Bennett, Jobson, Ketchin, Miller, Mitchell, M, Patrick, Sheridan, Vizard, Wardle, Warwick and Williams, M

Apologies

Councillors Hannaford

Also Present

Director of City Development, Service Lead City Development, Principal Project Manager (Development) (HS), Principal Officer - Urban Design and Landscape, Planning Solicitor and Democratic Services Officer (SLS)

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MINUTES

The minutes of the meeting held on 13 November 2023 were taken as read, approved and signed by the Chair as correct, subject to the amendment in Minute 71 which should show that “a Member requested an amendment to the application in relation to an existing condition and this was not allowed.

77

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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PLANNING APPLICATION NO. 22/1145/FUL - HAVEN BANKS RETAIL PARK, HAVEN BANKS, EXETER

The Principal Project Manager (Development Management) (HS) presented the application for a comprehensive redevelopment to deliver a new, mixed use neighbourhood, comprising demolition of existing buildings and construction of four residential-led mixed use buildings of two to six storeys, including retail, cafe/restaurant and flexible commercial units (Class E), residential (Class C3) and co-living (Sul Generis) accommodation, pedestrian square and public realm, amenity areas, landscaping, access, parking, servicing and associated works (revised plans).

He set out the detail of each of the key site sections, commenting on the interrelationship, scale, height, and massing. Members were also provided with the detail through a site plan, site photos, an indicative site plan and indicative elevations and set out the following key elements:-

- the application was for a residential mix of development between two and six storeys with 184 co-living and 239 flats;
- the 1.7 hectares site at Haven Banks was currently a retail park and included a number of empty retail units, a bowling alley, which was still in operation and a car park.
- the site was allocated for regeneration as part of the larger Water Lane development and emerging Local Plan policy;

- policy constraints included the whole area located within a floodplain but it was noted that there had been no historic flooding associated with this site, and
- the site was adjacent to a conservation area which included the locally listed Electricity Generating Building.

The Principal Officer Urban Design and Landscape Officer (MP) also provided the history of the area and Canal Basin. He referred to the existing character and gradual change from rural to a post industrial phase. He also referred to national and local planning policies which encourage the optimum use of brownfield sites. Currently there was little public realm, but the site which was adjacent to the Water Lane area, including the Quay and Canal. He presented detail which guided Members through an orientation of the site, which included a sustainable pattern of movement within the four blocks and the skyline.

The recommendation was for approval, subject to the conditions set out in the report and the update sheet.

Responding to Members' queries, the Principal Project Manager (Development Management) (HS) advised that:-

- the loss of trees in the centre of the site was to be determined, any retention of the trees on the existing car park would reduce capacity of the site. The application had been amended to retain some of the trees on the north west boundary and included a condition for new tree planting if required.
- the number of properties moderately affected by the loss of light had been reduced, with two properties having reduced internal light levels and the light of a garden space of another. The majority of properties on the boundary of the site retained a good level of direct sunlight and the application met the BRE (Building Research Establishment) standard.
- a flood evacuation plan had been submitted with the application, and officers continued to work with the Environment Agency over concerns of potential flooding, but in flood risk terms due to the mitigation proposed, this development would provide a benefit to the area.
- a request for funding from the Royal Devon and Exeter Healthcare Trust had been received for acute care provision relating to the first year of occupation relating to this development.
- a Section 106 contribution for walking and cycling improvements could also be used in connection with the Mallison Bridge, or around the Alphington Street and Water Lane junction.
- the presentation illustrated a number of sections to demonstrate the interrelationship of the blocks, showing the separation, height and relative position.
- the site would be serviced from Water Lane with a dedicated service bay for refuse, and space for delivery vehicles at the rear of Blocks C and D.
- although Co-cars and Co-bikes had gone into administration, an alternative provider is currently being procured through Devon County Council.
- the design of apartments in Block C had been revised with entrances from the ground floor through corridor change, now included a hallway.
- the co-living units contributed to housing supply using a national multiplier of 1.8 to calculate the dwelling equivalent. The application made optimal use of density of an urban brownfield site to help address the shortfall in the five year land supply.
- the Principal Highway Development Management Officer (Exeter) advised that the area surrounding the development would be subject to a Traffic

Regulation Order. Residents who reside in this development would not be able to join the Residents' Parking schemes in the surrounding area, but there would be consideration of extending private parking residents' schemes in the local area.

- the management plan would secure occupation restrictions in tenure duration and manage occupant behaviour.
- this scheme compartmentalised the co-living building into two sections, with further division by floor, with a kitchen in each of the subsections offering an opportunity to actively manage groups within the scheme. The kitchen sizes were adequately sized to the 'London' standard.
- Affordable Housing for Build to Rent was set at a 20% level and would be managed within the scheme, with a representative split across the unit types.
- adjacent dwellings with solar panels should not experience significant drop in levels of light.
- a technical specification for tree grading was put together by an arboriculturist. The detail included the amenity value and health of the trees on site and anticipated length of life. Any retained trees that might be damaged or did not prosper would be replaced.
- the Police Architectural Liaison Officer had provided detailed advice regarding that security measures.
- a small play space would be provided within the site, with a Section 106 contribution for off-site enhancement.
- a management plan would be secured as part of the legal agreement.
- a right to walk through the managed central space would be in place through the legal agreement.
- five small commercial units would more likely attract local businesses as occupants.
- consultation was carried out on the revised scheme, and
- a minimum 10% biodiversity net gain was being implemented nationally next year. The application included a metrics level of 24%.

The Principal Officer Urban Design and Landscape Officer (MP) added that the point raised of the blocks experiencing significant windy conditions was not deemed to be a particular issue.

Councillor Moore, having given notice under Standing Order No. 44, attended the meeting to speak on the item as a Ward Member. She also sought permission to offer comments from Councillor Read as a fellow Ward Member:-

- that this proposal for a Build to Rent proposal would not help Exeter meet its stated aim of building balanced communities.
- light levels for neighbouring properties would be reduced and be below acceptable limits in winter.
- she commented on a proven biodiversity net gain, which was now a requirement for all major developments.
- the development was out of character with the nearby Heritage Harbour.
- the application should be rejected as it had not demonstrated suitability for this area of Exeter, nor suitability with the stated policies of Exeter City Council.

Councillor Moore raised concerns on the following points:-

- that whilst some form of residential development on this site in this iconic part of Exeter would be acceptable, the complexity of the application and concerns from residents should be sufficient grounds for refusal.

- in referencing the Exeter Design Quality Partnership (EDQP) changes to the application had been welcomed, but information on how the scheme would fulfil its ambition and principle on the site were sought.
- Liveable Exeter sought mixed and balanced communities.
- a Section 106 contribution towards improvements to pedestrian and cycling safety were sought for the locality, around Mallison Bridge.
- the development would impose an additional demand on healthcare services, and detrimentally affect safety and care quality for both new and the existing local population. The contribution to GP surgeries was inadequate.
- a shared amenity space was a key element of the co-living model, but the potentially transient occupation of residents may not create a feeling of community.
- there had been no response from Infrastructure :Wales and West Utilities over connection issues.
- an assurance that all areas, reaching more than Part L of the building regulations (BREEAM excellent standards) across the whole of the site to demonstrate quality marks had been sought.
- the EDQP commented on future connection to a future District Heat Network.
- the temperature of the accommodation may fluctuate and overheating should be balanced with the approach to ensuring daylight was adequate in dwellings.
- occupants would not have parking permits, and there were no car ownership rights in the area.
- the developer had failed to properly consider and manage the traffic impact of deliveries, which would be beyond the expected 21 deliveries per week suggested by the applicant. With over 590 residents, that could equate to 839 parcels per week or 119 per day.
- the busy junction with Alphington Street and Haven Road would not cope with the existing traffic at peak times. Traffic control/calming measures for pedestrian traffic would further exacerbate the risk of serious injury resulting from a road traffic collision. The management plan for the building was unacceptable.
- the developers had advised that light levels for adjacent occupiers would be below limits in winter. One suggestion was to relieve the massing of Block C to admit more sunlight into the central spaces and routes. A wind study and flood evacuation should be conducted.
- the redesign was not acceptable and the scale of the scheme would still be overbearing on Stream Court and Diamond Road in particular.
- the height of the development remained significantly too high, with an impact on existing neighbourhoods. The Water Lane SPD had no status as yet, but it has specified that the height of new buildings should be no more than two stories higher than adjacent buildings.
- the development would have a significant impact and reduction in direct sunlight or diffuse light levels to properties in Stream Court, Greenford Villas, Water Lane, Waterside, Chandlers Walk, Maritime Court, Diamond Road, and the Coolings. One property would have the level of sunlight in the garden reduced by half, and four properties would have a 50% reduction to two hrs of sunlight. Loss of in building privacy or overbearing impact was also raised, together with an impact on the income generation of some solar panels.
- this density per hectare was above the LDA Design's 2021 'Exeter Density Study which recommends a minimum for future development in this area at 120 dwelling per hectare (dph).
- 423 units had been proposed, and the fact that there was no conventional shared external amenity space associated with Block B was contrary to the

City Council's amenity guide Policy DG4.

- this application would be an overdevelopment and not acceptable or sustainable in planning terms.
- 20% of the Build-to-Rent flats and the co-living units were Affordable Housing which was consistent with other Build to Rent developments in the city. It did not accord with the Council's own policy of a rate of 35% affordable homes. The 84 homes were welcomed, but the affordable rents were not affordable and should be conditioned to the local housing allowance level.
- concern that the development would harm views from the Grade II Listed Colleton Crescent, as well as the character of the Canal Basin, and an effect on the historic quay/ heritage harbour status.
- none of the existing trees on the site should be lost without good reason. The amended site layout had failed to retain significant and important trees, on the Haven Road and Water Lane frontages. There will be minimal space to larger tree planting due to the footprint of the development.
- a study was being commissioned as part of the options for a Flood Risk Assessment (FRA), Flood Warning and Evacuation Plan would include consideration of the creation of a strategic Southern Safe Access and Egress route. She understood the flood plan would not be developed when this site was built, and only developed once other sites were bought forward, with a general plan for the area. It was important to ensure the flood mitigation measures and the flood escape routes were in place with the Environment Agency.
- in conclusion, this was an unsuitable development and she suggested a number of planning grounds to refuse this application included: flood risk, loss of tree, overbearing, design, massing, density, overshadowing, insufficient infrastructure, and lack of community cohesion.
- Members would be making an extremely important decision and would be the first test of the Liveable Exeter principles and she referred to the future of Water Lane along its whole length and not just this site. She referred to the test of the Liveable Exeter principles to inform a decision that could inspire the residents of Haven Banks to agree or those residents objecting to poorly designed developments that fail to deliver the homes the communities need.

Councillor Moore responded as follows to queries from Members:-

- she had responded to the draft Local Plan and the Water Lane Supplementary Planning document consultations and welcomed the principle of higher density living and the use of brownfield sites. She referred to comments on density and of creating decent homes for Exeter residents. It was important to make sure the Liveable Exeter principles inform good design and development on brownfield sites.
- there was little ability or inclination for the expansion of any of the GP surgeries, despite the £187,000 sum allocated for that purpose. The local GP surgeries in St Thomas, Barnfield Hill and Alphington had no plans for expansion. There had not been a GP surgery in the St David's ward for a number of years and new dedicated facilities were needed.

The meeting was adjourned at 8.00pm and the meeting resumed at 8.07pm.

Councillor Pearce having given notice under Standing Order No. 44, spoke on the item. He confirmed that he was in attendance as the Portfolio Holder for Communities and Homelessness Prevention in the city and raised the following points: -

- Exeter had over 8,000 social rent homes and over 2,400 individuals were on

- the Devon Home Choice register;
- this development would address the number one need for one and two bedroom flats;
- there were only 100 affordable, one and two bedroom flats in the city and this proposal would deliver an additional 50 affordable rent homes and increase the options for those renting;
- Exeter was a thriving city, but the supply of homes of all types remained a challenge. Property prices were now 9.8 times the average salary and beyond the reach of many people in the community;
- this development offered the opportunity for accommodation at an affordable rent to enable people to live, work and contribute to a growing and thriving city;
- the cherished green space was not being taken away;
- there was a local shift to develop brownfield sites;
- over 1,000 licensed HMO's could also be seen as co-living properties, but those existing HMO's were often in older properties, with limited community space and a poor energy rating;
- this development would have lower running costs for the occupants, lower maintenance for the landlords, encouraging investment in other areas such as ensuring the green space would be maintained, provision for cycle storage and good access to public transport;
- the reality of increased delivery traffic was likely to be unfounded;
- Members should support the application to deliver some of the much needed homes in the community.

Councillor Pearce responded as follows to queries from Members:-

- the 35% affordable housing level related to market housing for sale, and the 20% figure related to Build to Rent schemes.
- the affordable rent classification of 80% referred to market rent. The level of building in the last decade had not kept pace with the population growth and the supply side had driven up rents and the cost of buying homes.

Councillor Bialyk having given notice under Standing Order No. 44, spoke on the item. He spoke as the Leader of the Council with an overarching vision for the city. He raised the following points:-

- there had been long standing plans to rejuvenate this area of the city as most of the industry had gone, leaving in the main derelict and contaminated land, which did not accord with a modern successful city like Exeter;
- he understood the bowling alley business was looking to move;
- the whole area, including Water Lane was ready for change and using a brownfield site, saved the hills of Exeter and created good urban living;
- the accommodation would address police concerns about anti-social behaviour;
- the Quay offered a vibrant and waterfront community and be a great place to live and work;
- the Quay had seen many changes and the development of the site in Haven Banks and the Piazza Terracina had similar blocks of accommodation in terms of height;
- the choice of a developer investing in this area and contributing to the next phase of regeneration was a massive vote of confidence for the city;
- Members were in a major strategic position to signal taking the city forward.
- the views around Colleton Crescent remained important;
- the aim was to build a decent city urban environment;

- Exeter had the biggest travel to work area outside of London and people wanted to come to Exeter to live, shop and play;
- this would be a co-living development and not student accommodation;
- there could be 300 or 400 people living there, renting those properties for a period of time;
- families would be accommodated to provide a balanced community;
- some of the co-living room sizes may be smaller but the accommodation would provide all that occupants would want;
- the 20% affordable accommodation with 80% of accommodation for rent would help those people, who do not qualify for social housing;
- the application sent a signal to the developers and others of what the City Council is doing to address the housing crisis in the city.
- he commended the support in the negotiations by officers which demonstrated the commitment and care taken over the application.

Councillor Bialyk responded to a Member's observation of the level of objections from local residents.

Richard Smith attended and speaking against the application, on behalf of the Haver Banks Residents' Group raised the following points: -

- the Haven Banks Residents' Group had over 150 members, not just in their neighbourhood, but from every ward in the city. He referred to the 353 public objections to this application.
- the Quay and Heritage Canal were used by people throughout Exeter and their friends, family, colleagues and local businesses care about what happens there.
- the Group did want to see housing development on Brownfield land including this site, which forms a 1.7 hectare portion of the wider 36 hectares earmarked for around 1600 homes as part of the Water Lane site. The applicant was proposing to put a 5th of the 1600 homes, on less than a 20th of the site which was a massive over development.
- there should not be five and six story blocks next to two story dwellings in any part of the city. This proposal should be rejected outright on density, appearance, height and massing.
- the delay in the proposed dry flood escape route floods was a concern. The area had flooded twice with heavy rain which fell in September resulting in flood water covering both the road and the pavement. The Environment Agency's computer modelling statement was accepted in July, two months prior to the flooding event. It was a public safety issue which could not be ignored. There was an actual risk to life, which needed to be properly investigated and signed off by the Environment Agency.
- if Members felt they were unable to refuse on either of the overdevelopment or flood risk, he suggested that the decision be deferred until after a balloon study was carried out, so that the enormity of the proposals could be seen on the ground. The accommodation would overshadow its neighbours, impact on residents' daylight and solar panels and be detrimental to two conservation areas, as it would be seen from Colleton Crescent. A large part of the precious views of the hillside would be lost as well, as the views from the neighbourhood up to the Cathedral and tower, over the climbing centre and waterside development and 'stick out like a sore thumb'.
- it was not a dangerous site to walk through at night despite some comments made at the meeting.
- he added that the occupants of the bowling alley had no intention of moving from the site.

- in summary the application should be refused, based on the height, density, massing and appearance, on public safety grounds and risk to life due to the concerns of flooding.

He responded as follows to Members' queries:-

- the flash floodwater in September may have been surface water run off from Haven Road, as there was normally water standing on the junction following heavy rain, which would follow the direct escape route for the site. He had not received a response to an email sent to the Environment Agency about the flood event, which he said was unsafe.
- he was not aware that any CCTV cameras had been put down the drain by the water company.
- there would be limited time to evacuate residents in the event of a flood and the only route proposed may quickly result in a search and rescue operation. It was unsafe and the Environment Agency would need to sign off on this before any approval was given.
- a neighbour had described the potential loss of light to their property, suggesting it would be akin to be living in a cave. The daylight report referred to the significant impact on residents, and the effect on solar panels.
- the 35% affordable housing policy would not apply to the homes for rent.
- there would be 423 homes, some of which are co-living, which will be 17.5% of the 1600 homes on the wider Water Lane. That equated to 1.7 hectares out of 32 hectares or 4.7% of the available land, which was an overdevelopment. He suggested reducing the development by two storeys.
- the view from some residents' back gardens would change. His property would be effected and he would look out on a brick wall, rather than trees and the waterside development, as the application was significantly higher than the existing properties.
- the wider Water Lane application was only at outline planning stage, and it was likely to be a number of years before a safe escape route for flooding would be built over the railway line. He acknowledged that a contribution would be made, but it was not clear how that contribution would be calculated or when the scheme would be put in place.

Colin McQuestion of Copland Estates speaking in support of the application, thar Members for the opportunity to present and raised the following points: -

- the application would reinvigorate an underused and predominately redundant retail park into a vibrant and sustainable new neighbourhood, that would kickstart Exeter City Council's Liveable Exeter Vision.
- the proposal would offer a comprehensive, well designed residential redevelopment. It would contribute a significant number of new homes within a high-quality development and fulfil an Exeter housing need and address the shortfall in the five year land supply.
- the development would include a range of accommodation including studios, one, two and three bedroom homes on a sustainable brownfield site close to the city centre. It would provide a new form of tenure in this part of Exeter, with professionally managed accommodation including 84 of those homes being provided as affordable, in compliance with City Council policy.
- the application would bring significant investment into the Water Lane area. The £75 million construction budget would filter down to the local sub contractor market, and the scheme when completed would contribute an estimated £2.5 million of additional local expenditure.
- they had been working on the application for over two years with close

collaboration with officers and stakeholders, which was reflected in the quality and sustainability of the development.

- extensive consultation had been undertaken with varied comments resulting in a number of changes to the scheme over the course of the consultation.
- every effort had been made to address concerns, but they could not incorporate all feedback and adhere to local and national policy in delivering the scheme. He added that through a managed process, they would be open to meeting any resident formally or informally to discuss the proposals.
- in conclusion, a car light approach had been adopted and in acknowledging alternative modes of transport along with improved pedestrian connections and significant cycling provision and access to car parks.

He responded as follows to Members' queries: -

- it was intended to provide 20% affordable homes across the whole range of accommodation including co-living.
- the affordable housing accommodation would not be placed in one block.
- the play spaces and boulevard were part of the landscaping with an element of children's play space with grass and gravel in the active areas. The Section 106 contribution would be for facilities elsewhere.
- the car parking management had yet to be determined. He suggested the occupants of the co-living accommodation may not require parking, with demand coming from the family accommodation. The tenants will be aware from the commencement of the scheme, of the limited or no car parking space. Considerable time had been spent researching similar schemes across the country with a shift to other modes of transport.
- the height of the blocks in the immediate locality, including other housing stock and the Waterside development had been carefully considered. The application had taken a long time to achieve, and the Build to Rent product would come with a significant management and community facility.
- as a developer they were subject to all legal approvals and the next step would be to build and identify a partner who would own the buildings long term. The Build to Rent product would offer more security than renting for tenants, with options for leasing for a number of years.
- the blocks would all be under the same ownership.
- there was no exact timing of when the affordable housing element would be released, but a mechanism would be established at commencement and was included in the financial modelling.
- another operator for replacement Co-bikes would hopefully be identified when the development comes forward.

The Director City Development made the following points:-

The Liveable Exeter Schemes would be seeking the highest level of quality. This application was for a flagship site, and the first Liveable Exeter Scheme coming forward for development. It was a critical moment for the Council and the brownfield first approach, would be a key test of that strategy. The site was largely derelict and offered little amenity to the community and had a negative impact on the area of Haven Banks, Water Lane and the Quay. The application would have an overwhelming positive impact, not just on Water Lane, but on the whole city. This application offered an alternative and transformational opportunity.

The detailed report contained a full technical assessment of all the issues with the involvement of experts in the field, including the negotiation and collaboration achieved with the developers. The Environment Agency had conducted detailed

modelling to test the application. The 423 homes would provide Build to Rent apartments, with co-living studios offering a new form of housing for this area, complementing the housing there. The proposal would provide accommodation for single people, couples, and families with access to terraces, balconies and private amenity space. The four to six storeys were expected to complement and respect the character of the area. This development would enhance connectivity with its streetscapes, pedestrian thoroughfare and public spaces as expected in mixed use communities, creating a safer environment and encouraging walkability.

In conclusion he thanked the Planning team, who had spent 18 months working on the design of the scheme, which had evolved significantly and was now ready for Members to consider.

Members debated the application and made the following comments: -

- whilst development on brownfield sites should be supported, the density and massing of the accommodation provided in this application would not offer a family friendly environment. The lack of a formal children's play area was a concern, with older children particularly affected. A Section 106 off site contribution could not be considered sufficient development. The affordable housing element would not be affordable for those on low wages, but aimed at those in professional occupations. The Environment Agency's flood report was signed off before the September flooding occurred. There was concern over the loss of light and overlooking of rear gardens for some adjacent properties. The environment of the co-living hotel style accommodation effectively offered a bedsit and could isolate some residents. The Member was grateful to the officers for their work on the application, but she would not be voting in favour, and suggested that the scheme be deferred to give more opportunity for the developer to continue discussions with local residents.
- development on a brownfield site should be welcomed along with a Build to Rent and co-living in this location, but remained concerned about the massing and density of the site, and the impact that would have on the community. He referred to the issues raised by Councillor Moore and suggested that if only half of the many points she had raised were considered, it would offer grounds to consider if this gain was needed. The application would be setting a standard for brownfield development in Exeter, and it was important to be right. The Member would be voting against the application and hoped that further discussion could take place to achieve a scheme that meets the needs of the community.
- Exeter needs more homes, and this application offered an opportunity for a range of different accommodation. The Member referred to comments made on the lack of opportunity for play and referred to the proximity to nearby play parks, playing fields, the Valley Park and other options including the climbing centre and water sports. Co-living was a newer concept and not something that many people will have experienced, but the amenity and shared community it can create will suit some people. A suggestion that any isolation might impact mental health could occur in any HMO or bedsit. The Member said she would be supporting the application, which would provide much needed housing in a sensible location.
- that officers should be congratulated on the efforts made negotiating this application to provide 423 homes, including 84 affordable homes on a sustainable brownfield site. The following comments were made which included - being reassured by the agreed conditions in relation to flooding; acknowledging the concern over the scale and density, disappointment of the loss of light for adjacent residents which had not been entirely overcome, noting the benefit of the varied travel options and the traffic calming

measures in Haven Road; welcoming any new opportunity for co car and co bike rental; improved safety; public permeability of the site and with the progressive design the opportunity for increased surveillance. He noted the enhanced biodiversity net gain of 25% urban greening and the prospect of further tree planting. The views from the Quay would change, but would be protected. The Section 106 contributions could be used to improve pedestrian and cycle safety features in the locality. There had been some scepticism regarding co-living, but it was not for Members to comment on how people should live and there was a need for different types of homes. The Member would be supporting the application despite those reservations.

- it was appropriate to give due consideration to this important decision and a Member acknowledged the comments on density and massing. The effect on local heritage, as well as residents' comments on the application being out of keeping with the character of the area. The issues of affordability, loss of privacy, and loss of natural light and potentially trees were all a concern. He commented on the five-year supply, national planning policy framework implications and agreed with the need for a quality development whilst addressing and seeking mitigation where possible for the concerns raised by residents. The contributions to local education and health provision were helpful. The sustainable transport links would ensure the accommodation would be a good place to live. This would be a keystone application for the Water Lane development and encourage people to come to live in Exeter and enjoy the benefits of a growing city. The Member was concerned about the loss of light, but he was supportive of the application, and commended the work carried out by officers.
- the Member was satisfied that concerns over flooding had been addressed. She welcomed the co-living aspect and although comments had been made on the transient nature of occupants, possible isolation and loneliness, this could be an issue with any kind of accommodation. Officers had taken care and worked with the developer in a sympathetic way. The effect of loss of light for nearby residents was noted.
- this was the first Liveable Exeter application on a brownfield site, which had imagination and utilised the space to the maximum, and was the only way to protect the countryside from development. He suggested the developers could make contact with those residents whose level of daylight was effected to discuss the likely effects.
- the impact on existing residents and the city must be balanced. A Member welcomed the imaginative design, which would be a significant improvement to the existing site. The accommodation would deliver new homes for residents, improvements in biodiversity and Section 106 contributions for local benefit. There were concerns over the density, loss of trees and loss of light for nearby residents. The work by officers had resulted in a well considered application and the Member stated she would be supporting the application.
- the balance of high standards needed for this very constrained site with many existing residences around it had been met.
- this was a well designed project and a Member felt he could really visualise how this could deliver a great community. He would be voting against the application as it was the simple dynamic of whether this application was acceptable or not. He thanked officers for their hard work.
- concern that the lack of mature trees on the site would have an effect on the future biodiversity, but further areas of planting would allow insects to thrive.
- there was recognition of the hard work by officers in preparing the application. The use of a brownfield site for redevelopment rather than the city's green fields was also welcomed. The Member was reassured by the conditions in respect of the flood risk, but the loss of light for neighbouring

properties, density and height of the build and impact on the existing residents in the area remained a concern.

- there had been 353 objections, with a significant number quoting very valid, but emotive rather than planning issues. The majority of the blocks were four storeys high, matching the height of the surrounding buildings along with the six story block, and the visualisation and modelling should be trusted. This proposal had created a good use of the site and co-living could offer a good opportunity for someone starting off renting. The Member hoped that the proposed landscaping would become a reality.

The recommendation was moved, seconded and CARRIED.

RESOLVED that delegation be made to the Service Lead (City Development) to grant permission subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure development contributions the following:-

- Sustainable Transport measures contribution £100,000.00 towards pedestrian and cycle improvements in the vicinity of the site.
- On-site Affordable Housing at 20% for Build to Rent.
- Contribution, in combination with other developments in the Water Lane Area, to the delivery of Strategic Flood Escape Route for Water Lane Area in a timely manner. Sum to be confirmed following options appraisal and technical design.
- £76,448.84 – towards provision of Equipped Children’s Play Space, and Informal Youth Facilities,
- Provision of five car club vehicles with parking spaces and charging infrastructure.
- Provision of 6 electric hire cycles, parking and charging infrastructure.
- Travel Plan for residents, including provision of initial period car club membership to residents.
- £243,983.00 (£187,255.95) for GP surgeries expansion
- £533,006.25 to Devon County Council Education towards the provision of primary school infrastructure
- £25,250.00 towards Early Years education to ensure delivery of provision for 2-, 3- and 4-year-olds
- Access control Improvements and additional tree planting in Piazza Terracina, £52,000.00
- Traffic Orders
- Management Plan (co-living)
- Securing pedestrian rights of way through development
- Habitats Mitigation for CIL exempt residential development.

be **APPROVED**, subject to the conditions and the S106 Agreement set out in the report.

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

80

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Director City Development was submitted.

RESOLVED that the report be noted.

81

UPDATE SHEET

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(The meeting commenced at 5.30 pm and closed at 10.00 pm)

Chair

DRAFT

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PLANNING COMMITTEE

Monday 15 January 2024

Present:-

Councillor Knott (Chair)

Councillors Asvachin, Bennett, Jobson, Ketchin, Miller, Mitchell, M, Patrick, Sheridan, Vizard, Warwick and Williams, M

Apologies

Councillors Hannaford and Wardle

Also Present

Director of City Development, Service Lead City Development, Democratic Services Officer, Planning Solicitor, Principal Project Manager (Development) (HS) and Assistant Planning Manager (HS) and Democratic Services Officers (PMD and SLS)

Councillor Wood attended under Standing Order No 44.

1

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

2

PLANNING APPLICATION NO. 23/0490/FUL - LAND AT SUMMERLAND STREET (BETWEEN RED LION LANE AND VERNEY STREET), EXETER

The Principal Project Manager (Development) (HHS) presented the application for the demolition of existing buildings and construction of a 145 bedspace co-living Development (up to 6 storeys in height) and associated works.

He provided the following information:-

- The proposed development comprised the demolition of existing buildings and the construction of a five and six storey co-living residential building;
- The proposed development would feature communal facilities on the ground floor, with a further kitchen and dining space and a roof terrace at the uppermost floor, with 145 bedspaces in ensuite rooms on the first to sixth levels;
- The building was arranged with perimeter block and internal court on upper levels and a ground floor that had roof lights from the rear court to give natural light to the rearmost spaces with more active uses arranged on street frontages;
- The main entrance would be on Summerland Street with service accesses from Red Lion Lane and Verney Street;
- The application has been revised since first submitted to reduce the height by one storey and reduce the number of rooms by 22;
- Communal kitchen-diner spaces on each floor have been amalgamated to be provided at ground and uppermost floors.

Members received a presentation which included detailed location photographs, floor plans, street views and aerial views, room layouts, elevations, sustainability as well as highway, heritage and sustainability considerations. The presentation concluded with a summary of the potential benefits and harms of the project.

The application was recommended for approval subject to completion of a S106 Agreement relating to the matters identified and subject to conditions as set out in

report, but with secondary recommendation to REFUSE permission in the event the S106 Agreement was not completed within the requisite timeframe.

In response to queries from Members, the Principal Project Manager (Development) (HHS) clarified that:-

- the revised scheme reducing the height by one story was now the maximum acceptable;
- any scheme increasing height over the existing would have impact in terms of daylight;
- reducing the size (as opposed to height) of the project would only yield marginal benefits in terms of daylight;
- the NHS had been consulted but had not requested a Section 106 contribution;
- noise levels from the Unit 1 nightclub had been considered;
- the design for the submitted project had been considered;
- the type of accommodation offered by the project was not an in principle reason for refusal;
- the national guidance for affordable housing for build-to-rent schemes was 20%.

Mr Petrou, speaking against the application on behalf of Acland House residents, made the following points:-

- eight properties would see a total loss of 100% winter annual probable sunlight hours;
- no attempt had been made to mitigate the impact on light for the residents at the front of Acland House through the design of the building;
- the new development would be directly overlooking Acland House, diminishing the privacy of many of its residents;
- the height of the proposal was not in keeping with the surroundings and the lay of the land;
- there was no critical need for housing in the area; and
- the demolition of the extant buildings scheme would cause a worrying amount of noise.

Responding to questions from Members, he clarified that he was not opposed to the principle of a development on the site but that the one proposed would adversely affect Acland House residents.

Mr Ruddle, speaking in support of the application, made the following points:-

- the proposal would offer high-quality housing to young professionals, with EPC 'A' accreditation;
- there had been a rigorous consultation process, which had resulted in significant reduction in height;
- the developer acknowledged the issue around loss of daylight for Acland House residents and had, as a result, carried out detailed assessments.

He responded as follows to queries from Members:-

- the London guidance around room sizes in communal living developments was the only guidance available in the country;
- the freehold of the property was owned by Exeter City Council;
- on the issue of loss of light, mitigation was the only option;
- the development was not aimed at students;
- bathrooms would have a 'pod' configuration;
- there would be an on-site manager available 24/7;
- the opening hours for the roof garden would be decided by the

- management company;
- it was expected that the 20% of affordable housing in the development would cover different sizes and price points and not just the cheapest option;
- no surcharge to tenants would be made for the cost of the management company or use of any of the communal facilities on site; and
- the developer had currently included no definitive restriction on having more than one occupant per room.

The Director City Development made the following concluding points:-

- the developer had significantly revised the original proposal;
- the expectation was that there would be a development on the site;
- communal living did make a contribution towards addressing housing needs and was an attractive proposition to young people;
- everything rested on planning balance;
- although the ownership of the freehold was irrelevant to the professional assessment of the City Development team, it was a fact that Exeter needed such a project.

During debate, Members expressed the following views:-

- the issue around loss of daylight was overwhelming;
- any building of two storeys would have an impact on daylight for Acland House residents;
- no detailed analysis had been provided on whether such types of occupations were needed;
- the room sizes and communal spaces were inadequate;
- NHS support was noted;
- the proposed development would help workers facing difficulty in finding accommodation in Exeter;
- the emotional comments from the objector were compelling;
- the site was clearly a development site and the real question was needed to be done with such brownfield sites and how the city could be serviced;
- development of this site was envisaged at the time that neighbouring flats were built; and
- the development was sustainable.

The Chair moved the recommendation for approval which was seconded, voted upon and CARRIED.

RESOLVED that the application for Demolition of existing buildings and the construction of a 145 bedspace co-living Development (up to 6 storeys in height) and associated works be **APPROVED** subject to completion of a S106 Agreement relating to the matters identified and subject to conditions as set out in the report.

3

PLANNING APPLICATION NO. 22/1548/FUL - EXELAND HOUSE, TUDOR STREET, EXETER

The Service Lead - City Development presented the application for Renovation, conversion and change of use from retail unit and office to form a co-living scheme of thirty-four units including communal facilities and a co-working office space, front extension with four floors, link building, public plaza on the existing car park and renovation of existing bridge link to New Bridge Street.

He provided the following information:-

- The application sought full planning permission for the change of use and extension of Exeland House to provide co-living accommodation;
- The proposals would convert the existing Exeland House into sixteen residential rooms across three floors, retaining the building's exterior. New window openings would be formed internally between existing windows. Dormer windows were proposed to the rear roof slope;
- A part three, part four storey extension was proposed to the front of Exeland House. This would be linked to the existing building via a new glazed atrium entrance. The extension would provide a further eighteen co-living rooms
- The residential floors would be grouped into six clusters, each having a communal kitchen;
- The extension would have a red brick facade and use traditional proportions. The top floor would be set back and finished in standing seam zinc cladding. The proposed extension aimed to respect the scale of adjacent buildings and provide a transition between Exeland House and the more contemporary Frog Street development;
- The existing frontage would be re-landscaped to provide a new public plaza, residents' cycle parking and co-working office accommodation on the ground floor. Vehicular access would be maintained via Hick's Court at the rear.

Members received a presentation which included detailed location photographs, the existing site plan, street views and aerial views, historic streetscapes, the isometric view, room layouts, elevations, proposed site plan, the New Bridge Street entrance, floor plans and various illustrative views. The presentation was concluded with a summary of key issues as well as the full, revised recommendation. He also advised that:-

- the Environment Agency were close to withdrawing their objection; and
- if significant changes were required, the scheme would come back in front of the Committee.

The revised recommendation was for approval subject to the conditions as set out in the update sheet.

In response to queries from Members, the Service Lead - City Development clarified that:-

- there would be a vehicular right of way across the site but no dedicated bay was planned for deliveries and emergency vehicles;
- the average room size was 19sqm;
- Historic England has praised the modern element of the project; and
- cycle parking and electric bike charging were compliant with Exeter City Council standards.

No objectors had registered to speak at the meeting.

Mr Collar, speaking in support of the application, made the following points:-

- discussions had been taking place for years with the Service Lead - City Development and Historic England;
- the location was highly sustainable for a co-living scheme;
- he expected the Environment Agency to withdraw their objection imminently;
- there would be no bedrooms on the ground floor;
- there would be a kitchen and lounge for every six bedrooms; and

- a layby would be available for delivery and emergency vehicles to park.

He responded as follows to queries from Members:-

- affordability across the spectrum of rooms could be negotiated as part of the Section 106 agreement;
- the layby contained a single bay which could host a lorry-sized vehicle;
- there was also a disabled parking bay;
- the concierge service – intended to be available 24/7 - would alleviate police concerns;
- there would be no cooking facilities inside the rooms; and
- the specific glazed features outside the concierge area would deter rough sleeping and anti-social behaviour.

The Director City Development made the following concluding points:-

- this was a well-considered scheme responding to very exacting requirements from Historic England;
- the Environment Agency did not have any concerns in principle;
- any significant changes to the scheme would result in it being brought back to the Committee;
- many issues and concerns could be addressed in the Section 106 agreement; and
- regardless of personal considerations about the type of accommodation, the proposed development did meet a need in the city.

During debate, Members expressed the following views:-

the scheme would suit car-free living;
 the design of the scheme would improve the area;
 some of the concerns raised by the police remained and could possibly be addressed by the Section 106 agreement;
 co-living had strict rules, which would facilitate eviction in case of rule-breaking;
 no objections had been received from ward Councillors;
 loss of privacy was the only contentious element to the scheme; and
 the design of the proposed development had risen to the challenge.

The Chair moved the recommendation for approval which was seconded, voted upon and CARRIED.

RESOLVED that planning permission for renovation, conversion and change of use from retail unit and office to form a co-living scheme of thirty-four units including communal facilities and a co-working office space, front extension with four floors, link building, public plaza on the existing car park and renovation of existing bridge link to New Bridge Street be **APPROVED** subject to completion of a S106 Agreement relating to the matters identified and subject to conditions as set out in the update sheet.

4

PLANNING APPLICATION NO. 22/1223/FUL - 58 MAIN ROAD, PINHOE, EXETER

The Assistant Service Lead - City Development (HSS) presented the application for replacement of existing garage, forecourt and retail units with a mixed-use development including residential and commercial (revised plans).

She reminded Members of the planning history for the scheme and provided the following information:-

- The proposal included ground floor commercial use and would provide residential development in close proximity to local amenities such as shops and schools;
- The proposal was for a two-and-a-half-storey development consisting of 1 no 4-bedroom dwellinghouse, 4 no. 2-bedroom flats and 4 no. 1-bedroom flats, 447.82sqm of commercial development and associated landscaping and parking for the commercial use;
- The site was situated within an eight-minute walking distance of Pinhoe railway station and within a fourteen-minute walking distance of a large supermarket.

Members received a presentation which included detailed location and existing site photographs, floor plans, back to back distances, proposed sections, street views and aerial views, elevations, landscaping as well as neighbour consultation. The presentation concluded with a summary of the proposed uses for the various components of the development.

The application was recommended for approval, subject to the conditions set out in the report.

In response to queries from Members, the Assistant Service Lead - City Development (HSS) clarified that:-

- the house had parking facilities;
- the proposal had originally been presented to a Delegation Briefing but referred to the Planning Committee because of concerns from Devon County Council Highways;
- the mature ash tree would be removed after a tree officer had assessed that it suffered from ash dieback;
- the landscape conditions could be negotiated;
- there were no plans to set the buildings back as the proposal had already been revised; and
- there would be 10 cycle parking spaces for eight dwellings.

Speaking under Standing Order 44, Councillor Duncan Wood made the following points:-

- the site was prominent in Pinhoe and was currently unattractive;
- as a brownfield site, the location was suitable for development;
- condition #13 in the recommendation failed to mention the approved business hours for the commercial properties;
- some of the current businesses on the site caused heavy car use;
- it was not strictly true that this was a zero-car development;
- parking was currently at a premium in Pinhoe and the proposed development could make the situation even more difficult;
- two driveways in the proposed development led to a tight curved road, which was concerning;
- the house inset instead of aligned with the other properties in the development;
- the food kiosk was not a walk-past facility and customers required parking.

The Assistant Service Lead - City Development (HSS) explained that there was a layby and that the new proposal would make parking in the tight curved road more difficult.

Cllr Wood responded as follows to queries from Members:-

- although this was the best proposal he had seen for this site, illegal parking

- would increase as a result;
- there was a private car park nearby, where people could park for one hour for free;
- the concept of the proposal was good but required better public transport options; and
- there was no guarantee that people moving into the development wouldn't want to use the car.

Mr Collar, speaking in support of the application, made the following points:-

- as a Pinhoe resident himself, he felt strongly about the unattractive nature of the site in its current state;
- the boundaries of the existing site were particularly poor;
- the back-to-back distances were acceptable as the angle of the properties backing onto each other was 45 degrees;
- the house was set back slightly so as to create some defensible space against the main road; and
- the proposal would make the site an example of a sustainable location.

He responded as follows to queries from Members:-

- he would consider moving the house if its location was a ground for refusal;
- the site seemed like an ideal location for car-free living; and
- he was unsure whether there would be a communal back passage.

During debate, Members expressed the following views:-

- there was no reason not to approve the scheme;
- the supporter had given solid answers to probing questions;
- some concerns remained about the Langaton Rd entrance;
- the scheme would deliver much needed flats in the area; and
- other options were available in Pinhoe for people who were determined to drive.

The Chair moved the recommendation for approval which was seconded, voted upon and CARRIED.

RESOLVED that the application for replacement of existing garage, forecourt and retail units with a mixed-use development including residential and commercial (revised plans) be **APPROVED**, subject to the conditions as set out in the report.

5 LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

6 APPEALS REPORT

The Director City Development advised that there was a slight inaccuracy in the report, namely that, while the appeal for 22/1177/FUL Land Adjacent to Gras Lawn and Fleming Way had been allowed, costs had not been awarded. Further details would be provided at the earliest opportunity.

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

(The meeting commenced at 5.30 pm and closed at 8.31 pm)

Chair

DRAFT

Planning Committee Report 23/1174/RES

1.0 Application information

Number: 23/1174/RES

Applicant Name: Mr Daniel Jessop, Edenstone Homes Ltd.

Proposal: Approval of reserved matters of layout, scale, appearance and landscaping pursuant to planning permission ref. 20/0538/OUT for the erection of 93 dwellings with associated access, drainage, open space, play area and landscaping.

Site Address: Land Off Spruce Close And Celia Crescent
Spruce Close
Exeter

Registration Date: 25 September 2023

Link to Documentation: <https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=23/1174/RES>

Case Officer: Catherine Miller-Bassi

Ward Member(s): Cllr Naima Allcock, Cllr Emma Morse, Cllr Ruth Williams

REASON APPLICATION IS GOING TO COMMITTEE

The Service Improvement Lead – City Development considers the application to be a significant application that should be determined by the Planning Committee in accordance with the Exeter City Council Constitution.

2.0 Summary of recommendation

GRANT permission subject to conditions as set out in the report and subject to submission of satisfactory drainage details.

3.0 Table of key planning issues

Issue	Summary
Principle of development	Acceptable – established by Outline consent, 20/0538/OUT
Character and appearance	Acceptable subject to further conditions
Residential amenity	Acceptable subject to further conditions
Heritage	Acceptable
Highways	Acceptable subject to further conditions
Biodiversity	Acceptable subject to further conditions

Issue	Summary
Contamination	Acceptable
Flood risk and drainage	Further information required
Sustainable construction	Acceptable
Affordable housing	Acceptable
CIL & developer contributions	Acceptable – S106 agreed at Outline
Other	Acceptable

4.0 Reason for the recommendation

The principle of the erection of 93 dwellings on this site and the proposed access arrangements have been approved at the Outline stage.

The proposal accords with the parameter plans approved under consent ref. 20/0538/OUT.

The reserved matters scheme has been amended during the course of this application in response to Officer concerns and these original issues are considered to have been resolved satisfactorily.

2no. public consultations have been undertaken and 30no. objections have been received.

Overall, no adverse impacts of this proposal are considered to outweigh the benefits, when assessed against the policies in the Development Plan taken as a whole.

On balance, therefore, this application is recommended for approval.

5.0 Description of site

The application site comprises two fields bounded by mature trees and hedges lying to the northeast of Celia Crescent and northwest of the Council-owned Land at Pinwood Meadow public open space that leads off Juniper Close and Spruce Close.

The red outlined site boundary also includes an access route to the southeast, leading off Pinwood Meadow Drive via Spruce Close and through the open space to the main site area.

The submitted Site Location Plan also shows a blue outlined area, indicating land owned by the applicants, to the north, northwest and northeast of the application site. This land comprises 3no. fields also bounded by mature trees and hedges, together with a wooded area along the west boundary of the blue outlined area.

6.0 Description of development

This application seeks approval of reserved matters of layout, scale, appearance and landscaping pursuant to planning permission ref. 20/0538/OUT for the erection of 93 dwellings with associated access, drainage, open space, play area and landscaping.

Outline application ref. 20/0538/OUT was recommended for approval by Officers and refused at the Planning Committee dated 11/10/21 by reason of non-compliance with the spatial strategy. The application was allowed at appeal, with a decision date of 25/08/22, following an inquiry.

The proposed access details were approved under the Outline consent as follows:

- 1no. access route off the southwest boundary of the main site, leading from the existing spur off Celia Crescent adjacent a detached block of garages.
- 1no. access route off the southeast boundary of the main site, leading southwest across the public open space and through an existing grassed tract between no.17 Spruce Close and no.12A Juniper Close to link into Pinwood Meadow Drive via the existing grassed amenity area on the northeast side of Spruce Close.

The submitted Design & Compliance Statement Rev.A. notes that:

- The site is currently greenfield which is privately owned and has no formal rights of way.
- The site has a gross developable area of 3.9 ha with an additional 9.13 ha allocated as new valley park.

The reserved matters scheme was taken to an Independent Design Review by Design West for Exeter City Council on 13/06/23. The proposal was amended in response to the Design Review prior to submission.

The reserved matters scheme has been further amended during the course of this application in response to Officer comments.

As confirmed by email from the applicants dated 12/01/24, the key revisions include:

- *Affordable mix revised to: 10 no. 1 bed apartments or maisonettes, 9 no. 2 bed houses, 11 no. 3 bed houses and 2 no. 4 bed houses. This is a significant change to the affordable housing mix to closely align with the Local Housing Needs Assessment, as required by the Section 106 agreement for the site.*
- *Clustering approach revised so that largest cluster is now 9 no. units*
- *Revised configuration of northern open space, introduction of community orchard on route from scheme to the New Valley Park*
- *Plot 60 and 61 now dual aspect for natural surveillance. Boundary treatments and landscaping added to side of properties for security.*
- *Open SUDS-type feature introduced to the street adjacent to Plots 33-36 to provide consistent and legible route between Juniper Green in the south and the new open space in the north. North-south route width maintained and to be planted up.*

- *Plots 43-47 now form gentle concave introducing interest along street scene*
- *Boundary treatments added to prevent access to maintenance corridor behind Plots 42-49 and Plots 1-41.*
- *Plots 19 and 20 reorientated to add interest to street scene*
- *Plot 67 amended to from 3-bed Wye to 4-bed Idris*
- *M4(3) Plot 69 and 74 have direct access to amenity space and dedicated parking adjacent to dwelling*
- *Car park re-designed for Plots 67-74 to remove no-mans land to north and integrate tree planting into car park*
- *Plots 67-74 garden sizes increased and each unit has private space, semi-formal space to the front of the block*
- *Landscape entrance feature introduced to in front of 67-74.*
- *Plot 77 amended from 2-bed Ogmore to 3-bed Wye*
- *Bridge type feature introduced over southern SUDS feature, rather than previous land bridge*
- *Generally reduction in frontage parking in favour of parking to the side of dwellings wherever possible*
- *All dual aspect units have 4 windows on side elevation to ensure natural surveillance*
- *Materials palette amended as per officer feedback*
- *Revised configuration of Plots 85-93 to enable garden access to be obtained directly from ground floor, remote gardens for First Floor Plot 88 and 91 are now accessible from front door and residents car park.*
- *Car park configuration amended*
- *Additional planting around south-eastern SUDS pond.*

7.0 Supporting information provided by applicant

The following documents have been submitted under this application:

- Design and Compliance Statement dated September 2023
- Secure by Design Statement
- Schedule of Dwelling Types, Rev.A, received 24/01/24
- Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement, dated 03/01/24, received 07/02/24

The following details are required by conditions attached to the outline consent (20/0538/OUT) to be submitted concurrent with the reserved matters application details:

- 5 Lighting Design Strategy
- 7 Surface Water Drainage
- 12 Landscaping Details and EMES
- 14 SAP
- 15 Bird/Bat Roost Details
- 16 Vehicular/Pedestrian/Cycle Route Details
- 17 Wearing Course Details
- 18 Rapid Charge Electric Vehicle Charging Points Details

- 19 Cycle Parking Details
- 20 Car Parking Details

These details have been submitted separately under application ref. 23/1175/DIS, which is currently under consideration.

8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
<u>23/1175/DIS</u>	Discharge conditions 5 (Lighting Design Strategy), 7 (Surface Water Drainage), 12 (Landscaping Details and EMES), 14 (SAP), 15 (Bird/Bat Roost Details), 16 (Vehicular/Pedestrian/Cycle Route Details), 17 (Wearing Course Details), 18 (Rapid Charge Electric Vehicle Charging Points Details), 19 (Cycle Parking Details) and 20 (Car Parking Details) of planning permission ref. 20/0538/OUT - Outline application for up to 93 residential dwellings.	PENDING	
<u>23/0309/MDO</u>	Modify S106 agreement for 20/0538/OUT to exclude third party land from blue line.	PERMITTED	25.07.2023
<u>22/1278/MDO</u>	Vary terms of s.106 Agreement dated 11 October 1991 entered into in connection with application reference 88/1310/03 to amend access rights in accordance with permission ref. 20/0538/OUT.	PERMITTED	07.02.2023
<u>20/0538/OUT</u>	Outline application for up to 93 residential dwellings (Approval sought for details of access only, with scale, layout, appearance and landscaping all reserved for future consideration) (Revised Scheme).	ALC - Appeal allowed with conditions	25.08.2022

9.0 List of constraints

- Smoke Control Area
- Tree Preservation Order

10.0 Consultations

2no. public consultations have been undertaken for this application.

As the expiry date for the second consultation is 08/02/24, any further comments received after today's date will be added to the Additional Information Sheet and/or reported on verbally at the Planning Committee.

Below is a summary of the consultee responses. Where more than one response was received, the latest response has been summarised. All consultee responses, including earlier responses, can be viewed in full on the Council's website.

Environment Agency:

None received at the time of writing.

Natural England

Comments received 19/10/23

No comments

RSPB:

None received at the time of writing.

Exeter International Airport:

Comments received 06/10/23

No objections [Officer note: Advice forwarded to applicants]

Devon and Somerset Fire and Rescue Service

Comments received 06/10/23

No objections at this stage

Devon and Cornwall Police Designing Out Crime Officer

Comments received 05/02/24

Original concerns overcome following receipt of additional information and amended plans.

NHS Devon ICB:

None received at the time of writing.

The Royal Devon University Healthcare NHS Foundation Trust:

None received at the time of writing.

Public Health Devon:

None received at the time of writing.

South West Water:

Comments received 23/10/23

We will require evidence that the Surface Water Runoff Destination Hierarchy has been followed and evidence provided (as stipulated above) to demonstrate why the other preferred disposal routes are not acceptable.

[Officer note: This issue is outstanding at the time of writing but it is understood that it should be resolved prior to the Planning Committee on 19/02/24. An update will be provided either verbally on the evening or via the Additional Information Sheet in advance].

Wales & West Utilities

Comments received 06/10/23

No objections [Officer note: Advice forwarded to applicants]

Western Power Distribution

None received at the time of writing.

Local Highways Authority (Devon County Council):

Comments received 02/11/23

No objections subject to conditions

Lead Local Flood Authority (Devon County Council):

Comments received 24/10/23

Objections and further information required relating to drainage details submitted under ref. 23/1175/DIS

[Officer note: This issue is outstanding at the time of writing but it is understood that it should be resolved prior to the Planning Committee on 19/02/24. An update will be provided either verbally on the evening or via the Additional Information Sheet in advance].

Local Education Authority (Devon County Council):

None received

Waste Planning Authority (Devon County Council):

Comments received 07/11/23

Further information required

Environmental Health:

Comments received 05/02/24:

No objection subject to construction hours condition

Housing:

Comments received 11/01/24:

No objections following receipt of revised affordable housing mix proposal

CIL and S106 Officer:

None received at the time of writing.

Ecology:

Comments received 06/02/24

No objections

Public And Green Spaces Team

None received at the time of writing.

Tree Officer

Comments received 07/02/24

No objections subject to conditions

Urban Design and Landscape Officer:

Comments received 10/01/24

- Previous concerns overcome and objections withdrawn following amendments received

Original objections related to:

- Divergences between what is shown on the Proposed Site Layout and the "Access and Movement" Parameter Plan
- Terraced properties stray over into the portion of the plan which is reserved for detached properties only
- Stronger and more distinct characters for each of the various street types needed
- Key 'marker' buildings within the layout and 'corner-turning' dwelling types needed for good legibility
- Streets need to be properly designed and the layout will become more legible if a clear hierarchy of street-types can be established within it.

Building Control

None received at the time of writing.

Living Options (Disability Access Champion):

None received at the time of writing.

Net Zero & Business:

None received at the time of writing.

Waste and Recycling Team:

None received at the time of writing.

Devon Archaeological Society:

None received at the time of writing.

Devon Wildlife Trust:

Comments received 23/10/23:

Objects:

- Full ecological impact assessment is required
- The ecological impact assessment associated with the outline planning application was undertaken in 2019 and is therefore out of date
- The application does not include an assessment of net gain (or loss) of biodiversity. The most recent DEFRA Biodiversity Metric should be utilised to calculate loss/gain.

[Officer note: The 10% mandatory Biodiversity Net Gain is not applicable in this case since the application was received prior to the date the requirement came into force; the Outline application determined that over 10% BNG would be delivered on site; the measures are subject to Outline Conditions 12 and 13 and the S106 with regard to the new Valley Park. As such, this aspect of the scheme is considered acceptable at this stage.]

Exeter Civic Society:

Comments received 21/11/23:

Objects as follows:

- There is concern about the difference between the aspirational wording of the design statement and the actual design & layout.
- The layout uses standard suburban layout which fails to create a local identity and visually interesting scheme. Paragraphs 3.4.5 and 3.4.6 indicate that the scheme has not been amended as suggested by the Design Review Panel to create a sense of place at the cross-roads and uses standard house types with very minor additional features.
- There are also several locations where the 22m + requirement for window to window spacing looks tight and we would welcome clarification that the distances comply with your design guide.

[Officer note: These comments were received in response to the first consultation. Since that time, amendments have been received and the concerns identified above have been overcome to Officers' satisfaction, as set out in the report below.]

Exeter Cycling Campaign:

None received at the time of writing.

11.0 Representations

2no. public consultations have been undertaken for this application.

At the time of writing, (08/02/24), 33no. representations have been received, of which 32no. are objections, and 1no. is neutral.

As the expiry date for the second consultation is 08/02/24, any further representations received by 09/02/24 will be added to the Additional Information Sheet.

All responses can be viewed in full on the Council website. The following issues were raised in the objections:

Objections:

- Case Officer should consider the 469 objections that were raised in the original application. *[Officer Note: this application is separate from the Outline and only specific representations made in response to the current case will be considered]*
- I object to building on greenfield sites. *[Officer Note: The principle of the erection of 93no. dwellings on this site was found acceptable at the Outline stage and no further assessment of this matter can be undertaken here]*
- This area is already overdeveloped. *[Officer Note: See note above on the principle]*
- Schools and services are oversubscribed already. *[Officer Note: See note above on the principle]*
- The local roads are already congested, narrow with on-street parking. *[Officer Note: The impact on the road network of 93no. new dwellings was found acceptable at the Outline stage and no further assessment of this matter can be undertaken here]*
- The extra traffic will exacerbate current congestion and safety issues. *[Officer Note: See note above on highways safety]*
- The green, open and peaceful character of the area will be harmed. *[Officer Note: the principle of the erection of 93no. dwellings on this site was found acceptable at the Outline stage and no further assessment of this matter can be undertaken here]*
- The proposal is too close to our garden and garage.
- The woodland and natural habitats will be destroyed.
- The neighbourhood feel of the estate will be lost. *[Officer Note: See note above on highways safety]*
- The new houses will result in loss of privacy.
- Parking issues will worsen. *[Officer Note: See note above on highways safety]*
- Surface water flooding issues will be worsened by the loss of the greenfield area.
- Anti-social behaviour issues will be worsened by the lack of fencing and open areas in the proposed development.
- Concern regarding the blue outlined area encompassing land to the rear of no. 64 Celia Crescent under the ownership of another party. *[Officer Note: The blue outline has been amended in response to this concern in all relevant plans and this issue has been fully resolved.]*
- It is difficult to submit comments on the website because it keeps losing my comments.
- This will worsen the effects of climate change and increasing extremes of weather.
- The new Valley Park should be a nature reserve.
- Low-effort planning applications are wasting Council budgets.
- Children and dogs need to be protected.
- The new houses will block out evening light to neighbouring dwellings.

- Local roads cannot accommodate emergency vehicles.
- Proposed double yellow lines outside the nursery on Pinwood Meadow Drive will cause safety issue with toddlers having to walk further to their carer's car.
- Development should be on brownfield sites. *[Officer Note: See note above on the principle]*
- Why have no contributions been made to Pinhoe Surgery? *[Officer Note: developer contributions were agreed at the Outline stage and no further assessment of this matter can be undertaken here]*
- There should be a Devon bank on both sides of the new road, which will go through the existing open space off Spruce Close, to protect and screen the existing houses and remaining open space from noise and pollution.
- The proposal will cause noise pollution.
- The site is not a sustainable location with the nearest shop a 20 minute walk away via a steep hill. *[Officer Note: See note above on the principle]*
- Loss of green park area that is used as a social area for residents of Pinwood Meadow and is classed as a residential park. This area will no longer be able to be used by children because of increased traffic. *[Officer Note: this was found acceptable at the Outline stage and no further assessment of this matter can be undertaken here]*
- With regard to the traffic impacts of the original proposal 20/0538/OUT, the assessment already indicated a problem with existing over-capacity at a single junction (Beacon Heath / Pinwood Lane) owing to the effects of general growth and committed development. *[Officer note: Highways impacts were assessed at Outline stage and found acceptable subject to conditions]*
- No details of construction traffic and parking have been submitted. *[Officer note: This is subject to a separate discharge of condition application]*
- Construction mud on the road and deliveries will adversely affect neighbours.
- the Human Rights Act, in particular Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. *[Officer note: See later in this report]*
- Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompass not only the home but also the surroundings. *[Officer note: See later in this report]*
- Why are the amended plans not separated out from the original plans – are we expected to go through every one of these and try to spot the difference! *[Officer Note: The original plans are labelled as 'Superseded' when amended plans are received. It is recognised that comparing original and superseded plans is challenging, however, the Officer's Report seeks to summarise the main areas for consideration.]*
- Why can the public not see the consultants' objections? *[Officer Note: These are published but may be visible either in the Documents or the Comments tabs depending on how they are uploaded by Officers]*
- Dormice live in the site. *[Officer note: See Ecology section]*

- I am concerned all the previous objections have disappeared. *[Officer Note: Due to a technical error, the objections received prior to 22/01/24 were temporarily lost. However, these were retrieved and republished on 01/02/24. This error did not affect any comments submitted on or after 22/01/24]*
- Where is the Devon Bank that was proposed along the new road?
- Where are the landscaping details for the top of Spruce Close?
- Where is the Flood Risk Assessment?
- Higher ground levels of some parts of the site compared with neighbouring dwellings will exacerbate overlooking.
- The proposed onsite parking is limited and will cause overspill beyond the site.
- How many storeys are nos. 92 and 93? *[Officer Note: these would have two storeys]*
- Valley Park should have dog free zones to protect wildlife. *[Officer Note: this falls beyond scope of current application]*
- People rely on cars for short journeys due to the hills.
- There is no guarantee that the New Valley Park won't be built on later.
- The scheme will devalue neighbouring properties. *[Officer Note: This is not a Planning matter]*
- Initial applications suggested that properties in the planned build area would not be higher than the existing roof line of those already in existence. The planning application is not clear that this is still the plan and a risk of increasing the extended growth of housing on the Exeter ridgeline and further encroaching on the aesthetics' of the area. Furthermore, the use of 2.5 storey building supports this view. *[Officer Note: The impact on the wider landscape setting was assessed at the Outline stage]*
- The Council is corrupt since it approves development to which hundreds of residents have objected. *[Officer Note: The Outline application was refused by ECC at the planning committee and approved by the Appeal Inspector for the Planning Inspectorate, which is a Government agency]*

Neutral:

- The play area will not be easy to access for the wider local community if it is on the northern end of the site.
- The drainage plans need to be adequate since this area is prone to flooding and removing trees and hedges will exacerbate this.
- The construction phase, development itself and additional double yellow lines will worsen existing traffic and parking problems.
- How will already dangerous junction with Beacon Heath, Summer Lane and Beacon Lane be managed?

12.0 Relevant policies

National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2023) – in particular sections:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places

Planning Practice Guidance (PPG):

Consultation and pre-decision matters
Design: process and tools
Effective use of land
Fire safety and high-rise residential buildings
Housing needs of different groups
Planning obligations
Use of planning conditions

National Design Guide (MHCLG, 2021)

Biodiversity duty: public authority duty to have regard to conserving biodiversity
(Natural England and DEFRA, 13 October 2014)

Technical housing standards – nationally described space standard (DCLG March 2015) (NDSS)

Development Plan

Core Strategy (Adopted 21 February 2012)

- CP1 – Spatial Strategy
- CP2 – Employment
- CP3 – Housing
- CP5 - Meeting Housing Needs
- CP9 - Transport
- CP10 - Meeting Community Needs
- CP11 - Pollution and Air Quality
- CP12 - Flood Risk
- CP13 - Decentralised Energy Networks
- CP14 - Renewable and Low Carbon Energy
- 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
- H1 – Search Sequence

H2 – Location Priorities
C1 – Conservation Areas
C2 – Listed Buildings
C5 – Archaeology
T1 – Hierarchy of Modes
T3 – Encouraging Use of Sustainable Modes
T10 – Car Parking Standards
LS1 – Landscape Setting
LS1 – Landscape Setting
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 Development
DG5 – Provision of Open Space and Children’s Play Areas
DG7 – Crime Prevention and Safety

Other Material Considerations

Five Year Housing Land Supply Statement (May 2023) (5YHLS)

Note on 5YHLS:

The emerging Exeter Plan has reached Regulation 18 stage and includes a policies map and proposed allocations towards meeting housing need. Therefore, Officers consider that, until December 2025 and for decision-making purposes only, the Council is only required to identify a minimum of four years’ worth of housing. Based on the situation at 1 April 2023, the Council is able to identify a supply of 4.4 years and, thereby meets the four year requirement.

The fact that the Council can demonstrate the requisite future housing supply requirement means that the balancing exercise to be applied to decision making has changed. When a decision is made on a planning application a ‘neutral balance’ rather than the ‘tilted balance’ will be applied. A neutral balance is one where if the harms outweigh the benefits, planning permission is usually withheld. A tilted balance is where the harms must significantly and demonstrably outweigh the benefits for permission to be withheld.

The Exeter Plan – Outline Draft Plan (September 2022)

S1 – Spatial strategy
S2 – Liveable Exeter delivery principles
CE1 – Net zero Exeter
STC2 – Active and sustainable travel in new developments
STC3 – Active travel proposals
NE3 – Biodiversity
NE4 – Green infrastructure
D1 – Design principles

Exeter City Council Supplementary Planning Documents:

Affordable Housing SPD (April 2014)
Exeter Air Quality Action Plan 2019-2024
Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)
Residential Design SPD (September 2010)
Sustainable Transport SPD (March 2013)
Trees and Development SPD (Sept 2009)

13.0 Human rights

Article 6 - Right to a fair trial

Article 8 - Right to respect for private and family life and home

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain individual properties where there may be some adverse impact (e.g. noise) and this will need to be mitigated as recommended through imposing conditions to ensure that there is no undue impact on the home and family life for occupiers. However, any interference with the right to a private and family life and home arising from the scheme as result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme, including transport infrastructure and economic benefits.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the Equalities Act 2010, all public bodies in discharging their functions must have “due regard” to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

15.0 Financial issues

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

Material considerations

Job creation during construction

Non material considerations

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site.

This proposal is CIL liable, being residential development. CIL is charged for this development at a rate £118.57 per sqm for permission granted in 2022, when the Outline consent was granted.

Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued before the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website.

In this case, there is a new build GIFA of 9,386.72 sqm which would result in a liability of £1,112,983.39.

However, the liability is likely to be reduced to £818,761.42, subject to an application for Social Housing Relief.

The CIL liability above is an estimate only.

16.0 Planning assessment

1. Principle of Proposed Development

The principle of residential development at this site was assessed and found acceptable at the Outline stage. Therefore, this is not a material consideration here.

2. Impact on Character and Appearance including Landscape

Exeter City Council expects all new development to be of the highest quality and is committed to raising the standard of design. As such, the Exeter Design Quality Partnership (EDQP) has been set up and Design Reviews are recommended for major schemes in line with NPPF paragraph 133. This requires that local planning authorities have regard for the outcome of design-led processes, including recommendations made by design review panels.

As noted above, this application was taken to an Independent Design Review on 13/06/23 and subsequently amended prior to submission.

Local Plan First Review Saved Policy DG1 states: *Development should:*

(d) be at a density which promotes Exeter's urban character and which supports urban services;

(g) ensure that the volume and shape (the massing) of structures relates well to the character and appearance of the adjoining buildings and the surrounding townscape;

(h) ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape;

(i) use materials which relate well to the palette of materials in the locality and which reinforce local distinctiveness.

Local Plan First Review Saved Policy LS1 states:

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

(b) be concerned with change of use, conversion or extension of existing buildings:

Core Strategy policy CP16 seeks to protect and enhance green infrastructure.

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity and cultural diversity.

NPPF paragraph 131 states:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...

Character of Area

The impact of the proposed scheme on the character of the area, including the landscape setting, was assessed and found acceptable, subject to conditions, under Outline consent ref. 20/0538/OUT.

These conditions included the approved parameter plans, listed below, limiting the proposed building heights and density, among other elements.

As such, no further assessment of the impact on the landscape setting is required here.

Layout

The reserved matters application pertains to the layout, scale, appearance and landscaping of the proposed development.

A number of plans relating to the proposed layout and scale were approved, among others, at the Outline stage as follows:

- Parameter Plan Land Use (1150 Rev F)
- Parameter Plan Density (1151 Rev F)
- Parameter Plan Scale (1152 Rev F)
- Parameter Plan Access and Movement (1153 Rev F)
- Parameter Plan Open Space Provision (1154 Rev G)

The approved Parameter Plan Access and Movement shows the main access route leading off Celia Crescent on the southeast boundary to connect with Spruce Close via the Land at Pinwood Meadow public open space.

This plan also shows a secondary estate road, referred to as a 'Green Street', leading north-eastwards off the Celia Crescent entrance to the proposed estate and culminating in a T-junction in the northern edge of the proposed built envelope. A number of minor roads, referred to as a 'Homezone Street', lead off the main through route and the Green Street, providing access to a group of dwellings.

The approved Parameter Plan Land Use shows the developable area to be substantially set back from the northwest, northeast and southeast boundaries and, thereby, located towards the centre of the site.

As noted above, the site currently comprises two agricultural fields bounded by mature hedging, such that the developable area is divided into two halves by a hedge running approximately north-south through the centre.

The Indicative Masterplan, ref. 1101, Rev.B, submitted at the Outline stage is not an approved drawing and was for illustrative purposes. Notwithstanding, the current proposed layout has not changed significantly since the previous iteration.

The Proposed Site Layout, ref. 100, Rev.A, received 17/01/24, shows the main through route off Celia Crescent to the southwest, which leads through the site in a north-easterly direction and then curves down to the southeast to join Spruce Close.

The proposed estate road network matches the Parameter Plan Access and Movement with the exception of the 'Homezone Streets' in the southwest segment of the residential area. In this part of the site, the proposed dwellings would be generally facing a northwest-southeast street, parallel to the main through route.

This revision was undertaken in response to Officer concerns regarding, among other aspects, the visual dominance of on-street parking and the poor design of certain dwellings where adjoining the public realm areas, such as the estate road network.

The slight alteration of the 'Homezone Streets' in the southwest corner of the site is considered negligible in the context of the whole scheme and the proposed layout is considered to conform with the relevant parameter plan in this regard.

Overall, the amended layout is considered an improvement on the original proposal and to be acceptable.

Landscaping

The Parameter Plan Landscape Strategy (1155 Rev A) was approved at the Outline stage. This shows:

1. the majority of the existing hedge running approximately north-south that dissects the site would be retained with the southern third removed to allow the main through route;
2. the existing field boundaries comprising mature vegetation and trees would be retained with the exception of the 2no. access points, the southern portion of the central hedge and an area immediately southeast of the Spruce Close access;
3. 'Green Corridors' would be retained adjacent the northeast and southeast boundaries in the southeast section of the site;
4. a 5m maintenance buffer would be retained between the southwest boundary and the adjacent dwellings;
5. a 'Village Green' would be retained at the centre of the site incorporating a LAP (Local Area for Play)
6. an open space would be retained at the northwestern end of the site;
7. 'Community Orchards' would be created at the northern and eastern corners;
8. a swale and linear wetland would be created on the northwest side of the main spur road in the northwest section of the site;
9. trees would be planted along the estate road/path network and adjacent the Green Corridors.

It should be noted, however, that the approved Parameter Plan Landscape Strategy does not completely accord with the other Outline approved plans in terms of the exact location of the Spruce Close access road.

As such, it is the Officer's view that the approved Parameter Plan Landscape Strategy is to be considered in terms of its general intentions for the provision of green infrastructure within the site. Therefore, the reserved matters would not be required to replicate exactly the landscaping set out in that drawing.

The Proposed Site Layout Rev.A is considered to broadly conform with the above, as set out in Table 1 below:

Table 1. Comparison with approved Parameter Plan Landscape Strategy

	Outline application	Current application
1.	Central north-south hedge	Conforms – this would be retained
2.	Retention of field boundaries	Conforms – these would be retained including the southern corner where the previously proposed car parking would be

	Outline application	Current application
	except 3no. points	replaced with green infrastructure involving an attenuation pond
3.	Green Corridors	This will be considered separately under pending application ref. 23/1175/DIS
4.	5m buffer NE & SE boundaries of SE section	Conforms – these would be retained
5.	Village Green inc LAP	Conforms – this would be retained in the centre of the site and reshaped so while still quite small, it would be more useable.
6.	Open Space NW end of site	Conforms – this would be retained and enlarged and would incorporate a LEAP (Local Equipped Area for Play)
7.	2no. Community Orchards	<ul style="list-style-type: none"> Northernmost Community Orchard moved to northwest corner – conforms Easternmost Community Orchard replaced by alternative tree planting and attenuation pond – still retained as an area of green infrastructure and, therefore, considered to conform in terms of the Outline strategy
8.	Swale/wetland	<ul style="list-style-type: none"> This would be largely re-sited to the southeast end of the site and would take the form of a green space with attenuation ponds. This amendment was informed by the Design Review process and is considered an improvement over the original proposal A number of smaller rain gardens are proposed in place of the previously proposed linear wetland with additional small rain gardens in the southern portion of the site Conforms as an objective of the Landscape Strategy
9.	Tree planting	Conforms – the planting intention matches with the Outline strategy and details will be assessed under ref. 23/1175/DIS.

Overall, the current scheme would provide more green infrastructure than indicated in the Outline Landscape Strategy in terms of area and planting.

The proposed landscaping details are subject to Outline condition 12 and will be assessed separately under ref. 23/1175/DIS.

Additional landscaping drawings have also been submitted with this application as follows.

- Spruce Close Entrance Feature Design, ref.182 – this shows that the southeast access point to the main site would involve a small cluster of trees and shrubs

- within a low stone-sided, Devon bank in an open hook shape, rising out of the ground towards the road and sited on both sides of the road;
- Northern Fringe Entrance Feature Design, ref.183 – this shows a stone-sided raised bed, similar to that described in the previous bullet point, adjacent the southwest elevation of plot no.66, forming part of the landscaping treatment on the northeast side of the ‘Green Street’;
 - Attenuation Basin Bridge Feature, ref.184 – this shows a grassed footpath, edged with a low timber open fence, leading across the pond from southeast to northwest atop a solid base with gabion sides;

These proposed landscaping elements are considered acceptable.

For the above reasons, the proposed scheme is considered to meet the parameters of the approved Landscape Strategy. The revisions undertaken in response to Officer comments are considered improvements over the previous scheme and the proposal is acceptable in this regard.

Scale/density

The approved Parameter Plan Density shows that the northwest half of the site would have a lower density comprising detached housing, while the southeast portion would have a higher density, comprising semi-detached and terraced housing.

The approved Parameter Plan Scale shows that the dwellings would all be of two storeys as follows:

- Northwest half of site: eaves up to 6m high and ridge a maximum of 9.5m
- Southeast half of site: eaves up to 7m high and ridge a maximum of 11m – including use of room in roof units type
- Building heights are to be measured from existing ground level +/- 1m

The submitted Design & Compliance Statement Rev.A. divides the proposed residential area itself into two character areas, described as:

- Hilltop Fringe – northwestern section
- Urban Core – southeastern section

The scale proposed for the northwest segment are set out in Table 2 below and in Table 3 for the southeast segment.

Table 2. Proposed dwelling types – northwest section

Plot No.	Model	Type	Storeys	Eaves height (approx.)	Ridge height (approx.)	Elevations
42	Dartford	Detached	2	4.9m	8.7m	Grey stone
43	Mathern	Semi-detached	2.5	5.7m	9.9m	Red brick

Plot No.	Model	Type	Storeys	Eaves height (approx.)	Ridge height (approx.)	Elevations
44	Mathern	Semi-detached	2.5	5.7m	9.9m	Red brick
45	Sampford	Detached	2	5m	8.6m	Render
46	Mathern	Semi-detached	2.5	5.7m	9.9m	Red brick
47	Mathern	Semi-detached	2.5	5.7m	9.9m	Red brick
48	Monmouth Corner	Detached	2	4.5m	8.8m	Grey stone
49	Monmouth	Detached	2	4.6m	8.8m	Stone & render
50	Monmouth Corner	Detached	2	4.5m	8.8m	Grey stone
51	Sampford	Detached	2	5m	8.6m	Render
52	Sampford	Detached	2	5m	8.6m	Render
53	Monmouth Corner	Detached	2	4.5m	8.8m	Grey stone
54	Wye	Terraced with 54/ 55/ 56/ 57	2	4.99m	8.07m	Red brick
55	Wye	Terraced with 54/ 55/ 56/ 57	2	4.99m	8.07m	Red brick
56	Monnow	Gable end of terrace adjoining 54/ 55 - flat	2	4.99m	8.5m	Red brick
57	Monnow	Gable end of terrace adjoining 54/ 55 - flat	2	4.99m	8.5m	Red brick
58	Monmouth	Detached	2	4.6m	8.9m	Stone & render
59	Sampford	Detached	2	5m	8.6m	Render
60	Monmouth Corner	Detached	2	4.5m	8.8m	Grey stone
61	Monmouth Corner	Detached	2	4.5m	8.8m	Grey stone
62	Sampford	Detached	2	5m	8.6m	Render
63	Monmouth	Detached	2	4.6m	8.9m	Stone & render
64	Dartford	Detached	2	4.9m	8.69m	Grey stone
65	Sampford	Detached	2	5m	8.6m	Render
66	Dartford	Detached	2	4.9m	8.69m	Grey stone

Table 3. Proposed dwelling types – southeast section

Plot No.	Model	Type	Storeys	Eaves height (approx.)	Ridge height (approx.)	Elevations
1	Sampford	Detached	2	5m	8.6m	Render
2	Dartford	Detached	2	4.9m	8.7m	Grey stone
3		Detached	2	4.9m	8.7m	Grey stone
4	Mathern	Semi-detached	2.5	5.7m	9.9m	Red brick
5		Semi-detached	2.5	5.7m	9.9m	Red brick
6	Dartford	Detached	2	4.9m	8.69m	Grey stone
7	Ashford	Semi-detached 7 / 8	2	5.3m	8.5m	Red brick
8		Semi-detached 7 / 8	2	5.3m	8.5m	Red brick
9		Semi-detached 9 / 10	2	5.3m	8.5m	Red brick
10		Semi-detached 9 / 10	2	5.3m	8.5m	Red brick
11	Tetford	Terraced 11 / 12 / 13	2	5.9m	10.2m	Red brick
12		Terraced 11 / 12 / 13	2	5.9m	10.2m	Red brick
13		Terraced 11 / 12 / 13	2	5.9m	10.2m	Red brick
14	Ashford	Semi-detached 14 / 15	2	5.3m	8.5m	Red brick
15		Semi-detached 14 / 15	2	5.3m	8.5m	Red brick
16		Semi-detached 16 / 17	2	5.3m	8.5m	Red brick
17		Semi-detached 16 / 17	2	5.3m	8.5m	Red brick
18	Stanton	Detached	2	5.5m	8.7m	Render
19	Ashford	Semi-detached 19 / 20	2	5.3m	8.5m	Red brick
20	Stanton	Semi-detached 19 / 20	2	5.5m	8.7m	Render
21	Ashford	Semi-detached 21 / 22	2	5.3m	8.5m	Red brick
22		Semi-detached 21 / 22	2	5.3m	8.5m	Red brick
23	Wye	Terraced w 23 / 24 / 25	2	4.99m	8.1m	Red brick

Plot No.	Model	Type	Storeys	Eaves height (approx.)	Ridge height (approx.)	Elevations
24		Terraced w 23 / 24 / 25	2	4.99m	8.1m	Red brick
25	Frome	Terraced flat w 23 / 24 / 25 – FF above garage	2	5.38m	7.6m	Red brick
26	Ashford	Semi-detached 26 / 27	2	5.3m	8.5m	Red brick
27		Semi-detached 26 / 27	2	5.3m	8.5m	Red brick
28	Ashmore	Semi-detached 28 / 29	2	5.3m	8.3m	Red brick
29		Semi-detached 28 / 29	2	5.3m	8.3m	Red brick
30		Semi-detached 30 / 31	2	5.3m	8.3m	Red brick
31		Semi-detached 30 / 31	2	5.3m	8.3m	Red brick
32	Frome	Detached – FF above garage	2	5.38m	7.6m	Red brick
33	Wye	Semi-detached 33 / 34	2	4.99m	8.1m	Red brick
34		Semi-detached 33 / 34	2	4.99m	8.1m	Red brick
35		Semi-detached 35 / 36	2	4.99m	8.1m	Red brick
36		Semi-detached 35 / 36	2	4.99m	8.1m	Red brick
37	Stanton	Detached	2	5.5m	8.7m	Render
38	Tetford	Semi-detached 38 / 39	2	5.9m	10.2m	Red brick
39		Semi-detached 38 / 39	2	5.9m	10.2m	Red brick
40	Ashford	Semi-detached 40 / 41	2	5.3m	8.5m	Red brick
41		Semi-detached 40 / 41	2	5.3m	8.5m	Red brick
67	Idris	Terraced 67 / 68 / 69 / 70 / 71 / 72 / 73 / 74	2	5.3m	8.1m	Render
68	Ogmore	Terraced 67 / 68 / 69 / 70 / 71 / 72 / 73 / 74	2	5.4m	8.1m	Render

Plot No.	Model	Type	Storeys	Eaves height (approx.)	Ridge height (approx.)	Elevations
69	Tamar	Terraced Flats w 67 / 68 / 69 / 70 / 71 / 72 / 73/ 74 - GF	2.5	6.4m	11.95m	Red brick
70		Terraced Flats w 67 / 68 / 69 / 70 / 71 / 72 / 73/ 74 - FF				
71		Terraced Flats w 67 / 68 / 69 / 70 / 71 / 72 / 73/ 74 - FF				
72		Terraced Flats w 67 / 68 / 69 / 70 / 71 / 72 / 73/ 74 - SF				
73		Terraced Flats w 67 / 68 / 69 / 70 / 71 / 72 / 73/ 74 - SF				
74		Terraced Flats w 67 / 68 / 69 / 70 / 71 / 72 / 73/ 74 - GF				
75	Monnow	Terraced w 75 / 76 / 77 - flat	2	5.5m	8.5m	Render
76		Terraced w 75 / 76 / 77 - flat	2	5.5m	8.5m	Render
77	Wye	Terraced w 75 / 76 / 77	2	5.4m	8.1m	Red brick
78	Ashmore	Terraced 78 / 79 / 80	2	5.3m	8.3m	Red brick
79			2	5.3m	8.3m	Red brick
80			2	5.3m	8.3m	Red brick
81		Terraced 81 / 82 / 83	2	5.3m	8.3m	Red brick
82			2	5.3m	8.3m	Red brick
83			2	5.3m	8.3m	Red brick
84	Stanton	Detached	2	5.5m	8.7m	Render
85	Wye Corner	Terraced w 85 / 86 / 87 / 88 / 89	2	5.6m	8.5m	Render
86	Ogmore	Terraced w 85 / 86 / 87 / 88 / 89	2	5.4m	8.1m	Render
87		Terraced w 85 / 86 / 87 / 88 / 89	2	5.4m	8.1m	Render

Plot No.	Model	Type	Storeys	Eaves height (approx.)	Ridge height (approx.)	Elevations
88	Monnow	Terraced flats w 85 / 86 / 87 / 88 / 89	2	5.5m	8.5m	Render
89		Terraced flats w 85 / 86 / 87 / 88 / 89	2	5.5m	8.5m	Render
90		Terraced flats w 90/ 91/ 92 /93	2	5.4m	8.2m	Red brick
91			2	5.4m	8.2m	Red brick
92	Wye Mid	Terraced w 90/ 91/ 92 /93	2	5.4m	8.1m	Red brick
93	Idris	Terraced w 90/ 91/ 92 /93	2	5.6m	8.8m	Red brick

As shown in the above tables, the scale of the current scheme would comply with the parameters approved at the Outline stage with the exception of the Mathern and Tamar dwelling types.

However, given the 1m tolerance on the height limits set out in the Outline approved plan, the Mathern and Tamar units would be considered compliant in terms of building heights.

With regard to the room in the roof level proposed in the Mathern housing type, this would be in the northwest segment where only two storeys are permitted in the Outline approved plan. However, given that the dwellings would appear as two storeys, this is not considered to either amount to harm or conflict with the parameter plan. As such, this aspect is considered acceptable on balance.

In addition, there would be 11no. detached twin garages and 5no. detached single garages. Integrated garaging would be provided at ground floor level in the 2no. Frome dwellings, which would accommodate 1no. flat at first floor level and 3no. car bays each.

Overall, the proposal would be acceptable in this regard.

Appearance/materials

In terms of appearance, the proposed scheme would include a range of detached, semi-detached and terraced dwellings of two to two and a half storeys, comprising flats and houses.

As shown in the submitted plans and elevations, the dwellings would all have pitched roofs, some containing dormer windows. Some of the house types would include a gable fronted or hipped roof two storey window bays and some would have an open,

flat-roofed porch or a canopy. The proposed windows and doors/porches to the main façades would have a mock-Georgian style.

The submitted Proposed Materials Layout notes:

- Roofs would be covered with grey concrete tiles
- Elevations would be finished in red multi handmade brick, grey-buff rough reconstituted stone or sand-coloured render
- Windows: white UPVC with woodgrain finish, reconstituted stone cills; brick façades to include soldier course above windows; rendered façades to include reconstituted stone window heads
- Doors would be grey with materials to be specified prior to commencement and controlled via condition (as confirmed by email dated 07/02/24)
- Rear plot boundaries: 1.8m close-boarded timber fence/gates
- Front plot boundaries: 1.2m estate railings/gates
- Boundaries between plots and public realm: 1.8m brick walling

The detached garages would have pitched roofs covered with grey concrete tiles and walls to be finished in red multi handmade brick, with grey doors.

The surrounding area includes large housing estates of 1970-90s' suburban appearance. These comprise generic detached, semi-detached and terraced housing with red brick elevations, some with white render details, and red concrete interlocking tiles covering pitched roofs.

The proposed building forms would not be out of character with the immediate vicinity in terms of style albeit the elevational treatment and materials would involve a greater range.

The grey roof tiles would be distinct from the predominance of red concrete tiles in the neighbouring estates. However, the submitted Design Compliance Statement, Rev.A, notes that solar panels are proposed and that the grey tiles would allow the panels to visually integrate better than on a red tiled roof.

As denoted by a purple dashed line on the proposed elevation drawings submitted, solar panels would be installed on the roof slope/s of each house type.

The introduction of grey roof tiles would not be considered harmful to the visual amenity of the area and the reduced prominence of the proposed solar panels would be a benefit.

For the above reasons, the proposal is considered acceptable in terms of appearance subject to conditions.

Conclusion on appearance

For the above reasons, the proposed scheme is considered acceptable in regard to the impact on the character and appearance of the site and surrounding area.

3. Impact on Residential Amenity

Local Plan First Review Saved Policy DG4 states:

Residential development should:

- (a) Be at the maximum feasible density taking into account site constraints and impact on the local area;*
- (b) Ensure a quality of amenity which allows residents to feel at ease within their homes...*

Local Plan First Review Saved Policy DG7 states:

The design of development should aim to achieve a safe and secure environment.

Proposals should:

- (a) ensure pedestrian routes and public spaces are overlooked and subject to natural surveillance;*
- (b) provide enclosure of properties, so that private spaces are well defined and fulfil the role of defensible space;*
- (c) ensure that lighting is located and designed in such a way as to deter and reduce the fear of crime;*
- (d) ensure that schemes for landscape design, including new planting, do not create opportunities for crime and that, where appropriate, species of plants are used to deter criminal or anti- social behaviour;*
- (e) integrate crime prevention measures in an unobtrusive manner, such that the fear of crime is not raised, and that there is no detrimental effect upon townscape and amenity.*

Residential Design Supplementary Planning Document (SPD) states:

7.16 A minimum back-to-back distance of 22 metres is required between habitable room windows.

7.18 Where buildings of different storey heights back onto one another, or differences in site levels place buildings of the same storey height higher than those they back onto, privacy distances will need to be increased.

7.24 See fig.7.6 The distance between habitable room windows and an elevated blank wall must be minimum 2 times of the height of the wall plus the level difference.

NPPF paragraph 180 e) states...

Planning ... decisions should contribute to and enhance the natural and local environment by... preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of ... noise pollution...

NPPF paragraph 191 a) states:

Planning ... decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution

on health, living conditions ..., as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: ...mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life...

The Council's Environmental Health Officer has been consulted on this application and has no objections subject to a construction hours condition.

Occupants of neighbouring dwellings

The nearest dwellings to the site include:

- Nos. 2 to 50 Celia Crescent adjacent the southwest site boundary
- Nos 9 and 10 Spruce Close adjacent the proposed south-eastern site boundary
- Nos. 1 and 11 to 17 Spruce Close adjacent the proposed south-eastern site access
- Nos. 30, 32, 67 and 71 Pinwood Meadow Drive adjacent the proposed south-eastern site access
- Nos. 9, 11, 12A, 12, 13 and 14 Juniper Close, in proximity to the proposed south-eastern site access

Several objections have been received concerned with loss of privacy, loss of light and loss of views. No limitations were set out at the Outline stage with regard to privacy and this aspect will be assessed fully here.

Private views are not protected by planning legislation. The principle of the erection of dwellings on this site within the approved parameters (namely land use areas and max. building heights) has been found acceptable at the Outline stage. Therefore, the change of use from agricultural to residential cannot be addressed further here.

Nos. 2 to 50 Celia Crescent

In terms of nos. 2 to 50 Celia Crescent, the closest dwelling proposed, plot no.49, would be at a distance of approx. 20m from no.48 Celia Crescent. The proposed side elevation would face towards no.48 and would contain no windows. Therefore, no overlooking would occur.

In terms of overbearing impact, the Residential Design SPD requires a min. distance of 17.6m as follows: 2 times of the height of the wall (8.8m x 2 = 17.6m) plus the level difference, since the respective ground levels appear approximately the same (116m AOD approx.).

In this case, the separation gap proposed would be greater than that required and no overbearing impact would be considered to result with regard to no.48 Celia Crescent.

This proposed dwelling (plot no.49) and the neighbouring dwelling (no.48) would have the smallest separation gap and no overbearing impact on the residential amenity would ensue. Therefore, it can be taken that this would also be the case for the other affected dwellings on Celia Crescent, which would have a greater separation distance to the proposed new dwellings.

A number of proposed dwellings would have rear-facing windows oriented towards Celia Crescent. The Residential Design SPD requires a back-to-back distance of 22m between habitable room windows. In this case the separation gap would be at least 31m which would exceed the policy requirement.

Given the generous separation distances involved and the screening provided by the intervening tall mature vegetation and trees along the site boundary, no loss of privacy would ensue towards the affected dwellings on Celia Crescent.

Nos 9 and 10 Spruce Close adjacent the proposed south-eastern site boundary

The closest proposed dwelling (plot 93) to these neighbouring properties would have a separation distance of over 21m. The intervening gap would involve a landscaped area with an attenuation pond and retained mature trees and vegetation.

By reason of the respective orientation of the dwellings in question, together with the screening provided by the tall vegetation and the distance between the dwellings, no overlooking or overbearing impact would be considered to arise.

Nos. 30, 32, 67 and 71 Pinwood Meadow Drive, nos. 9, 11, 12A, 12, 13 and 14 Juniper Close and nos. 1 and 11 to 17 Spruce Close

With regard to the dwellings listed above, these would be affected by the proposed site access rather than the main residential area. This element of the development was approved at the Outline stage and the detailed landscaping scheme is subject to a separate application. As such, no further assessment will be made here.

Construction phase

In terms of the construction phase, any adverse traffic or dust impacts would be addressed via Outline condition 8 – Construction and Environmental Management Plan (CEMP), to be assessed under a separate application.

However, that condition does not include construction hours limits. As such, a standard condition will be added here to protect the residential amenity from noise impacts during the construction phase.

Conclusion on neighbouring residential amenity

For the above reasons, no unacceptable harm would be considered to result from the proposed development with regard to the occupiers of the neighbouring dwellings.

Future Occupiers

Designing Out Crime

The Designing Out Crime Officer (DOCO) has been consulted on this application and following the receipt of additional information has no outstanding concerns.

Their original concerns related mainly to the boundary treatments rear of the proposed dwellings backing onto the ecology buffer along the south-western site boundary.

The applicants responded by email dated 11/01/24, as follows: an appropriate boundary will be established to deter unauthorised access to the maintenance corridor.

The submitted Proposed Enclosures Layout, ref.103, Rev.A, shows that the proposed maintenance corridors aligning the site boundaries would be enclosed by 1.8m high close boarded fencing and gates.

The DOCO also queried how to stop people parking on the buffer east of the car parking area for plot nos. 92 & 93. This is shown on the Proposed Site Layout as having a boundary treatment comprising hedging. This aspect is subject to the Outline landscaping condition subject to a separate application.

As such, the proposed measures are considered acceptable in terms of Designing Out Crime.

Fire safety

The Fire and Rescue Service has been consulted on this application and has no concerns.

Fire safety measures would be addressed via Building Regulations and this aspect of the scheme lies beyond the remit of this Planning assessment.

Internal space

In terms of internal space, the nationally described space standard supersedes the Council's Residential Design SPD. This sets out the minimum space standards as follows, in Table 4 below. This also shows the proposed internal space as confirmed in the submitted Schedule of Dwelling Types, Rev.A, received 24/01/24.

Table 4. Required and proposed internal space

Unit	Open market/ affordable housing	No. units	Bed/People	Storeys	GIA required sqm	GIA proposed sqm	Living space required* sqm	Living space proposed sqm	Bedroom required sqm	Bedroom 1 proposed sqm	Bedroom 2 proposed sqm	
Ashmore	OM	10	1B2P	2	58	61.8	23	25	Double bed min. 11.5 Single bed min. 7.5	12.9	-	
Ashford	OM	15	2B3P	2	61	77.3	25	28		11.5	9.7	
Tetford	OM	5	3B4P	2	70	86.5	27	25		12.8	9.9	
Stanton	OM	4	3B5P	2	93	105	29	38		13.8	9.6	
Dartford	OM	6	3B4P	2	70	113.5	27	42.6		12.8	9.28	
Mathern	OM	6	3B5P	2	93	131.4	29	46		13.74	12.85	
Sampford	OM	7	4B5P	2	97	145.5	29	44.17		12.97	10.67	
Monmouth	OM	8	4B5P	2	97	158.6	29	42.4		18.83	10.84	
Monnow GF	AH	4	1B2P	1	50	50.43	23	23.21		15.73	-	
Monnow FF	AH	4	1B2P	1	50	64.1	23	23.21		18.87	-	
Tamar GF	AH	2	1B2P	1	50	56.1	23	27.54		14.68	-	
Tamar FF	AH	2	2B3P	1	61	70	25	29.63		12.9	11	
Tamar SF	AH	2	2B3P	1	61	62.8	25	26.83		12.8	8.9	
Frome	AH	2	2B3P	2	61	72.3	25	27.94		12.83	-	
Ogmore	AH	3	2B3P	2	61	81.1	25	25.4		14.27	13.44	
Wye	AH	11	3B5P	2	93	94.8	29	29.61		12.97	13.58	
Idris	AH	2	4B6P	2	106	107.4	31	34.86		11.62	11.53	
		93										

* This is taken from the SPD as the NDSS does not provide min. living space figures

The table above shows that the proposed dwellings would meet the minimum space standards set out in the Residential Design SPD and would be acceptable in this regard.

Accessibility

Local Plan First Review Saved Policy H7 states:

Housing proposals on sites capable of yielding 15 or more dwellings or on sites of 0.5 ha or more (irrespective of the number of dwellings proposed), and developments of 20 or more housing units which are conveniently located for shops and services, should provide an element of housing that can easily be adapted for occupation by people permanently confined to wheelchairs. The scale and type of provision sought will be negotiated taking into account local need for such housing and site conditions.

Living Options Devon has been consulted on this application and no comments have been received.

An email received from the applicants on 06/02/24 confirms that:

- All dwellings would meet the required Building Regulations standards to facilitate future adaptation to become fully wheelchair accessible;
- Plot nos. 69 and 74 would be fully wheelchair accessible ground floor flats.

As such, the scheme would be considered acceptable in this regard.

External space

In terms of outdoor amenity space, the Council's Residential Design SPD states at paragraph 7.11:

A minimum of 20 square metres of communal open space per flat must be provided.

RD SPD paragraph 7.12 states:

Private sitting out space should be provided for all ground floor flats in addition to the 20 square metres of communal open space. The space should adjoin and be directly accessible from the flat and the communal open space. It should be a minimum of 3 metres deep and be the same width as the dwelling it is serving (figure 7.4). A privacy screen between dwellings and a low wall, railing or hedge and with a gate to enclose the space will be required.

RD SPD paragraph 7.13 states:

Balconies should be provided for all flats above ground floor level in addition to the 20 square metres of communal open space. The floors of balconies must be a minimum of 2 metres deep with a minimum floor area of 6 square metres. Privacy screens must be included between balconies.

Given that the proposal includes 16no. flats, 320sqm of communal open space in addition to the private sitting out space for all ground floor flats and balconies for all flats above ground floor level should be provided.

However, as set out in Table 5 below, the scheme proposes private gardens rather than balconies for upper floor flats, which would be in very close proximity and accessed via a 1.8m high close boarded timber gate.

In the case of the Tamar dwelling type, an area of communal external amenity space would be provided, accessed directly from the rear of the building. The private external amenity spaces proposed would be accessed from this communal area via gates. These spaces would all be enclosed by 1.8m high close boarded timber gates/fences.

Table 5. External amenity space for proposed flats

Plot No.	Dwelling Type	Size	Proposed private external amenity space in sqm*	Required min. depth/width of private external amenity space	Proposed depth/width of private external amenity space	Required communal external amenity space in sqm	Proposed communal external amenity space in sqm
69	Tamar GF	1B2P	24	3m deep x width of dwelling	Min. depth 3.5m x less than full width (approx. 5m rather than 8m)	320	59
70	Tamar FF	2B3P	21				
71	Tamar FF	2B3P	26				
72	Tamar SF	2B3P	33				
73	Tamar SF	2B3P	36				
74	Tamar GF	1B2P	26		All exceed min. depth x full width		0
56	Monnow GF	1B2P	35				
75	Monnow GF	1B2P	39				
89	Monnow GF	1B2P	34				
90	Monnow GF	1B2P	34				
57	Monnow FF	1B2P	42				
76	Monnow FF	1B2P	47				
88	Monnow FF	1B2P	33				
91	Monnow FF	1B2P	33				
25	Frome	2B3P	47				
32	Frome	2B3P	81				

* Accessed off communal space in centre of private gardens

It is recognised that the proposed communal external amenity space serving the flats would fall short of the requirement. However, this policy is based on the provision of balconies for upper floor flats rather than gardens.

In this case, all of the flats proposed would have a private garden that would exceed the min. area required on the basis of a 3m depth x width of dwelling.

For the above reasons, the outdoor amenity space proposed is considered to comply with the intention of the relevant policies and, therefore, acceptable on balance.

Residential Design (RD) SPD paragraph 7.6 requires min. garden sizes for houses, as set out in Table 6 below:

Table 6. Min. garden sizes for houses

House size	South/southeast/southwest-facing gardens	North/northeast/northwest-facing gardens
Up to 2 bed	45 sqm	55 sqm
More than 2 beds	55 sqm	65 sqm

The submitted Garden Amenities Layout, ref.109_A, received 23/01/24, shows that all of the proposed garden for houses would measure 55sqm or over. As such, this would be acceptable.

For the above reasons, the proposed outdoor amenity space is considered acceptable.

Privacy and overbearing impact

A number of the proposed dwellings would be sited with a back to back relationship, namely plot nos. 7-16 and 21-27. These dwellings would have a separation gap of approx. 22m and would be considered acceptable.

In terms of overbearing impact, plot nos. 38 and 39 would face onto the gable end of plot no.36 with a separation gap of approx. 11m.

Plot no.36 would have a max. height of 8.07m, as such the separation gap should measure min. 16m to prevent an overbearing impact. This falls short of the policy requirement.

A similar relationship would occur in 5no. instances within the proposed scheme, which could result in a degree of overbearing impact.

In terms of privacy, no intervisibility would result in these instances by reason that:

- Plot nos.7, 21, 27 and 36 would have no upper floor windows in the respective side elevation;

- Plot no.28 would have an obscure-glazed upper floor window in the respective side elevation, serving a bathroom.

Notwithstanding the above, it is acknowledged that this application comprises reserved matters and the erection of up to 93no. dwellings on this site was found acceptable in principle at the Outline stage.

While the proposed residential amenity would be less than ideal in these 5no. instances, it is acknowledged that any future occupiers would have the choice of moving into this situation, rather than this change being imposed onto occupants of a neighbouring dwelling.

For the reasons above, the short separation gap is not considered sufficient grounds for refusal in this case.

Conclusion on residential amenity

For the above reasons, the scheme is considered, on balance, to be acceptable in this regard.

4. Impact on Heritage

Local Plan First Review Saved Policy C1 states:

Development within or affecting a conservation area (including changes of use, alterations and extensions) must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Local Plan First Review Saved Policy C2 states:

Development (including changes of use, alterations and extensions) which affects a listed building must have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Local Plan First Review Saved Policy C3 states:

Development (including changes of use, alterations and extensions) which affects a building of local importance... will not be permitted where it harms the architectural or historic value of the building.

The application site does not lie within a Conservation Area or the setting of any listed buildings and there are no heritage assets in proximity to the site.

In terms of archaeology, this matter is addressed by Outline condition 6 and will be subject to a separate application.

As such, the proposed development is considered acceptable in heritage terms.

5. Highways, Access and Parking

Local Plan First Review Saved Policy T1 states:

Development should facilitate the most sustainable and environmentally acceptable modes of transport...

Local Plan First Review Saved Policy T3 states:

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.

Proposals should ensure that:

(b) suitable cycle parking provision is provided in accordance with the standards set out in schedule 2;

(f) the particular needs of people with disabilities are taken into account.

Local Plan First Review Saved Policy T10 states:

Development will not be permitted with more parking than the standards... Car parking provision should also be made for people with mobility problems...

NPPF paragraph 114 promotes sustainable transport modes and seeks safe and suitable access to the site for all users and that any significant impacts on the transport network (in terms of capacity and congestion), or on highway safety, to be cost effectively mitigated to an acceptable degree.

NPPF paragraph 115 states:

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

NPPF paragraph 117 states:

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

The Local Highways Authority (LHA) has been consulted on this application and has no objections subject to conditions.

Environmental Health has been consulted on this application and has no objections subject to a construction hours condition.

Exeter Civic Society has been consulted on this application and comments have been received at the time of writing.

Exeter Cycling Campaign has been consulted on this application and comments have been received at the time of writing.

A number of objections have been received regarding the impact on highways safety in the surrounding areas of the additional traffic associated with the erection of 93no. new dwellings on this site. However, this consideration was assessed at the Outline stage and found acceptable subject to conditions.

Further objections have been received concerning proposed double yellow lines outside the application site which may affect existing on-street parking arrangements. However, the proposed double yellow lines associated with the site access routes form part of the Outline approved details and cannot be revisited at this stage.

The following Outline conditions will be assessed under separate applications:

- 8 (Construction and Environmental Management Plan (CEMP))
- 16 (vehicular/pedestrian/cycle route from Celia Crescent to Spruce Close/Pinwood Meadow Drive)
- 17 ('wearing course' specification)
- 18 (electric vehicle charging points)
- 19 (cycle parking provision)
- 20 (car parking provision within the site)
- 21 (implementation of approved Spruce Close Access and Parking arrangements)
- 22 (implementation of vehicular/pedestrian/cycle route from Celia Crescent to Spruce Close/Pinwood Meadow Drive)

The following Outline approved plans are relevant here:

- Parameter Plan Access and Movement (1153 Rev F);
- Preliminary Road Design Celia Crescent Access (04268-A-SK110-P4);
- Spruce Close Access and Parking (04268- A-SK124-P4);
- Spruce Close Bus Stop Locations (04268-A-SK125-P4).

Access

The site would have 2no. access points, from Celia Crescent and Spruce Close as noted earlier in this report.

The details of these access roads were approved at the Outline stage and are subject to approved plans.

The proposed Site Layout is considered substantively compliant with the approved Parameter Plan Access and Movement. As discussed earlier in this report, the revised orientation of the minor roads in the southwest part of the development is considered negligible in highways terms and to offer betterment over the original illustrative layout. As such, the scheme is considered acceptable in this regard.

Road network

The impact of the proposal on the wider road network was assessed at the Outline stage and found acceptable.

A Construction Management Plan condition is recommended here in addition to the Outline Construction and Environmental Management Plan condition.

Paragraph 8.1.1. of the Sustainable Transport SPD requires a Travel Plan for residential developments of more than 20no. units. This forms part of the agreed S106 undertaken at the Outline stage.

Conclusion on highways impact

The reserved matters proposal is not considered to give rise to harm in regard to highways safety or the road network.

For the above reasons, the proposal is considered, subject to conditions, acceptable in this regard.

6. Impact on Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017).

Local Plan First Review Saved Policy LS2 states:
Development that would harm the integrity of a RAMSAR site, Special Protection Area or Special Area Of Conservation, or which conflicts with the conservation objectives for such a site, will not be permitted.

Core Strategy policy CP16 seeks to protect and enhance biodiversity.

NPPF paragraph 180 d) states:
Planning policies and decisions should contribute to and enhance the natural and local environment by: ...minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...

NPPF paragraph 186 d) states:
...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

The Devon Wildlife Trust has been consulted on this application and has objected on a lack of up to date ecological information and DEFRA Biodiversity Metric.

The Council's Ecology Officer has been consulted on this application and has no objections.

Biodiversity enhancement and protected species

Net gains

A 10% Biodiversity Net Gain (BNG) will become mandatory under the Environment Act 2023 for applications received from 12 February 2024 for major development and 2 April 2024 for small sites.

While this is a major application, it was received prior to the BNG requirement coming into force and the mandatory 10% BNG is not applicable in this case.

Notwithstanding, this aspect was assessed at the Outline stage when a proposed BNG of over 10%, not including additional tree planting, bat, bird and dormouse boxes or natural SuDS features, was found acceptable. These additional measures are subject to Outline conditions that will be assessed separately.

The inclusion of the three adjoining fields within the wider scheme (outlined in blue) to form a new Valley Park was secured by the s106 legal agreement at the Outline stage. The management of the new Valley Park, via a Landscape and Ecology Implementation and Management Plan, is subject of Outline condition 13 and will be assessed separately.

Protected species

This is subject to the following Outline Conditions to be assessed separately:

- 11 (including Nesting Bird Method Statement)
- 12 (including Ecological Mitigation and Enhancement Strategy (EMES) for the operational phase)
- 13 (including Landscape and Ecology Implementation and Management Plan (LEMP))
- 15 (including provisions for nesting birds and roosting bats).

Trees/hedges

This is subject to the following Outline Conditions to be assessed separately:

- 11 (including Tree Protection Plan and Arboricultural Method Statement)
- 12 (Landscaping details including tree planting specification)
- 13 (including Landscape and Ecology Implementation and Management Plan (LEMP))

The Council's Tree Officer has been consulted on this application and has no objections, subject to conditions, following receipt of an up-to-date Arboricultural Impact Assessment.

Lighting

This is subject to Outline Condition 5 and is pending consideration under ref. 23/1175/DIS.

Exe Estuary Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI)

The site lies at a distance of approx. 5km of the Exe Estuary Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI).

Natural England has been consulted on this application and has no comments.

The scheme would result in 93no. additional dwellings within the 10km radius of the SPA Recreation Zone of the Exe Estuary.

With reference to The Conservation of Habitats and Species Regulations 2017, this development screened at the Outline stage in respect of the need for an Appropriate Assessment (AA) and given the nature of the development it was concluded that an AA was required in relation to the potential impact on the Exe Estuary Special Protection Area (SPA).

This AA was carried out at the Outline stage and the appropriate contribution from the development would be secured directly through CIL receipts (see later in report). This would support the implementation of the non-infrastructure measures within the mitigation strategy, thereby reducing the impacts of the development to a level where the integrity of the European sites will not be adversely affected and the conservation objectives of the SPA are achieved.

Conclusion

For the above reasons, the scheme is considered acceptable in this regard, subject to conditions.

7. Contaminated Land

This aspect was assessed at the Outline stage and is subject to Conditions 9 and 10 of that consent, which will be determined separately.

8. Impact on Air Quality

This matter is subject to Outline Condition 8 which will be assessed separately under application ref. 23/1175/DIS.

9. Flood Risk and Surface Water Management

Local Plan First Review Saved Policy EN4 states:
Development will not be permitted if:

- (a) it would increase the likelihood of flooding
 - (i) by reducing the capacity of, or increasing flows within, a flood plain, or
 - (ii) through the discharge of additional surface water, or
 - (iii) by harming flood defences;
- (b) it would be at risk itself from flooding;
- (c) it would require additional public finance for flood defence works;
- (d) adequate provision is not made for access to watercourses for maintenance;
- (e) it would threaten features of landscape or wildlife importance by reducing the recharge of local water tables.

Core Strategy policy CP11 states:

Development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts.

Core Strategy policy CP12 seeks to reduce flood risk and promotes Sustainable drainage systems (SuDS).

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change.

This aspect of the scheme is subject to Outline Condition 7 and the proposed drainage details are pending consideration under ref. 23/1175/DIS.

The Lead Local Flood Authority has been consulted on this application and has objected on the basis that further information is required relating to drainage details submitted under ref. 23/1175/DIS

South West Water has been consulted on this application and further information is required regarding the Surface Water Runoff Destination Hierarchy.

This issue is outstanding at the time of writing but it is understood that it should be resolved prior to the Planning Committee on 19/02/24. An update will be provided either verbally on the evening or via the Additional Information Sheet in advance.

10. Sustainable Construction and Energy Conservation

This matter is subject to Outline Condition 14 which will be assessed separately under application ref. 23/1175/DIS.

As indicated on the submitted elevation drawings, all of the proposed dwelling types would contain solar panels installed on both or either roof slope/s.

11. Affordable Housing

Core Strategy policy CP7 states:

On sites capable of providing 3 or more additional dwellings (irrespective of the number of dwellings proposed) 35% of the total housing provision should be made available as affordable housing for households whose housing needs are not met by the market...

In this case, the Outline consent was subject to a Section 106 Agreement in which it is stated that 35% of the proposed dwellings shall be Affordable Housing, of which 70% shall be Social Rented and the remainder Intermediate Dwellings.

The reserved matters application is for 93no. dwellings. As such, 32.55no. Affordable Housing units should be provided.

The proposed includes 32no. Affordable Housing units, of which 23no. or 72% would be Social Rented and 9no. or 28% would be Intermediate Dwellings.

The Council's Housing Officer has been consulted on this application and, following amendments, has no objections. As such, the proposed Affordable Housing mix is considered acceptable.

Coming to the remaining 0.55no. of the Affordable Housing requirement that is not proposed to be provided on site, this can take the form of a financial contribution in accordance with the Section 106 Agreement.

This calculation is set out in Table 4 and Table 5 below using the methodology prescribed in the Affordable Housing SPD.

Table 4. Financial contribution per dwelling contribution

Table 1	A	B	C	D
	Average Size m2	Typical Build Costs m2*	Average Plot Value	Financial Contribution per dwelling
1 bed flat	55	£2,067.68	£22,217	£113,722.40
1 bed house	63	£2,067.68	£22,217	£130,263.84
2 Bed Flat	72	£2,067.68	£22,217	£171,089.96
2 Bed House	83	£2,067.68	£22,217	£193,834.44
3 Bed House	91	£2,067.68	£22,217	£210,375.88
4 Bed House	103	£2,067.68	£22,217	£235,188.04

* £1,247/234 (4Q 2013 BCIS index) x 388 (4Q 2023 BCIS index) = £2,067.68

Table 5. Affordable housing contribution calculation

Dwelling size	Housing mix proportion	Step 1: calculate the no. of affordable dwellings	Step 2: calculate financial contribution per dwelling type	
1 bed flat	$10/93 = 0.108$	$0.108 \times 0.55 = 0.059$	$0.059 \times \text{£}113,722.40 = \text{£}6,709.62$	£6,709.62
1 bed house	$10/93 = 0.108$	$0.108 \times 0.55 = 0.059$	$0.059 \times \text{£}130,263.84 = \text{£}7,685.57$	£7,685.57
2 bed flat	$4/93 = 0.043$	$0.043 \times 0.55 = 0.024$	$0.024 \times \text{£}171,089.96 = \text{£}4,106.16$	£4,106.16
2 bed house	$20/93 = 0.215$	$0.215 \times 0.55 = 0.118$	$0.118 \times \text{£}193,834.44 = \text{£}22,872.46$	£22,872.46
3 bed house	$32/93 = 0.344$	$0.344 \times 0.55 = 0.189$	$0.189 \times \text{£}210,375.88 = \text{£}39,761.04$	£39,761.04
4 bed house	$17/93 = 0.183$	$0.183 \times 0.55 = 0.101$	$0.101 \times \text{£}235,188.04 = \text{£}23,753.99$	£23,753.99
TOTAL:				£104,888.84

As such, the scheme would be liable to an off-site Affordable Housing contribution for 0.55no. units, totalling £104,888.84.

This obligation is set out in the agreed S106 and no further mechanism is required to secure the contribution.

The agreed S106 also stipulates a min. 5% of the Affordable Housing to be wheelchair accessible. As such, this requirement would equate to 2no. homes.

In this case, plot nos. 69 and 74 would be fully wheelchair accessible ground floor flats. The scheme would, therefore, be compliant in this regard.

Coming to the details of layout and appearance, paragraph 3.16 of the Affordable Housing SPD states:

- Innovative design of affordable homes and their environment will be encouraged...

- To promote inclusive communities, it should not be possible to ascertain the difference between market and affordable housing in any one scheme - the affordable housing must integrate seamlessly into the layout of the development.
- To help create more varied patterns of house types and ownership in the City, the affordable housing should be distributed amongst the market housing in clusters of no more than 10 units and spread across the site.

In this case, the proposed affordable housing would be broadly pepper-potted throughout the site although would be more clustered in the south-eastern segment.

The agreed S106 states that the Affordable Housing should be visually indistinguishable from the Open Market dwellings in terms of design, materials and appearance. From the submitted plans, this aspect appears compliant.

For the above reasons, the scheme is considered acceptable in this regard.

12. Community Infrastructure Levy (CIL)

Core Strategy policy CP18 states:

...Developer contributions will be sought to ensure that the necessary physical, social, economic and green infrastructure is in place to deliver development. Contributions will be used to mitigate the adverse impacts of development (including any cumulative impact). Where appropriate, contributions will be used to facilitate the infrastructure needed to support sustainable development.

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is CIL liable being residential development. The rate at which CIL is charged for this development is £118.57 per sqm for permission granted in 2022, given that the Outline consent was granted on 25/08/22.

As set out in the submitted CIL Form 1, the proposed GIA would measure 9,386.72 sqm. Therefore, the CIL liability as calculated at £118.57 per sqm for 9,386.72 sqm of new additional floor area would total £1,112,983.39.

The regulations provide 100% relief from the levy on those parts of a chargeable development which are intended to be used as social housing.

In this case, 6,905.3 sqm of the proposed new residential floor area would comprise Open Market housing and 2,481.42 sqm would comprise Affordable Housing. As such, the liability is likely to be reduced to £818,761.42, subject to an application for Social Housing Relief.

Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued prior to the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction

costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development.

Full details of current charges are on the Council's website.

Coming to the Habitats Mitigation contribution, this would be top-sliced from CIL receipts in this case of CIL liable developments. No additional Habitats Mitigation contribution would be required where a CIL payment is made.

As noted in the Ecology section, developments within 10km of the Exe Estuary SPA are liable to pay a contribution of £1,035.23 per residential unit. The contribution per unit increases annually by indexation and is calculated using the January Retail Price Index with the contribution per unit increasing in April each year. The contribution payable will be the annual figure plus indexation at the time payment is made.

In this case, this would total £96,276.39 based on 93no. new dwellings at the current rate. This figure is subject to an annual increase by indexation that will be calculated at the time payment is made.

Given that the CIL liability has been calculated at this stage at £1,112,983.39, the £96,276.39 would be taken from this amount and no further Habitats Mitigation contribution would be required.

13. Section 106 Agreement

A S106 Agreement was undertaken at the Outline stage and no further assessment is required here.

14. Other

Public open space including Valley Park and play areas

As noted above, the scheme includes 2no. public open spaces within the application site and a new Valley Park within the blue outlined area.

The Parameters Plan Open Space Provision, ref.1154, Rev.G was approved at the Outline stage. This notes that the following must be provided:

- LAP (local area of play) located centrally within the development area of c.0.02 ha;
- LEAP (local equipped area of play) located adjacent the northwest boundary of the application site of c.0.04 ha;
- New Valley Park of c.9.13 ha.

The current proposal is considered broadly in compliance with the Outline approved plan in regard to open space provision.

These matters are subject of the S106 legal agreements attached to Outline consent ref. 20/0538/OUT, which stipulates, among other requirements:

- Min. 1.34 ha. of formal and informal open space to be provided on site;
- Open Space specification to be submitted and approved by the Council;
- Valley Park specification to be submitted and approved by the Council.

For the above reasons, this element of the proposal and wider scheme do not require further discussion here.

Devon banks adjacent southeastern site access

A developer contribution to ECC for landscaping works was negotiated at the Outline stage and forms part of a separate S106 agreement. An approved drawing, Landscape Buffer Plan, ref.1010, forms part of that agreement.

As such, prior to commencement of the development, a contribution of £15,000 will be paid to ECC to implement a Devon bank on the western side of the proposed site access within the Land at Pinwood Meadow public open space.

This element of the proposal requires no further discussion here.

15. Planning Balance

Following recent updates to the NPPF, the Council is required to have a four-year rather than five-year housing land supply. Currently, the Council can demonstrate a four-year housing land supply and, therefore, the tilted balance is NOT applicable in this case.

It is acknowledged that nearly 500 letters of objection were received regarding the Outline application. However, that application was approved through the Appeal process and the principle of residential development on this greenfield site has been established.

This application relates to the reserved matters only and it is recognised that many details are subject to Outline conditions and are to be assessed under separate applications, not here.

While 30no. letters of objection have been received to this application, it is noted that these are predominantly concerned with the principle of residential development on this greenfield site and with infrastructure issues such capacity at GP surgeries or schools.

These matters have already been considered at the Outline stage and have been either found acceptable or addressed where applicable via conditions or the S106 legal agreement, such as in the case of developer contributions.

The reserved matters scheme has been amended in response to the Design Review and to Officer concerns. As such, it is considered to represent a significant improvement over the illustrative scheme presented at the Outline stage.

The reserved matters are considered to comply with the Outline approved parameters plans and with the local and national policy framework.

For the above reasons, no adverse impacts would be considered to outweigh the benefits, when assessed against the policies in the NPPF or the Local Development Plan when taken as a whole.

The proposal is considered to constitute sustainable development overall and permission should be granted subject to conditions without delay.

17.0 Conclusion

NPPF paragraph 11 states:

Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means: c) approving development proposals that accord with an up-to-date development plan without delay.

As such, this application is recommended for approval, in line with NPPF paragraph 11 c).

18.0 Recommendation

GRANT PERMISSION, subject to the submission of satisfactory drainage details, with the following conditions:

Conditions:

Prior to occupation

1. HIGHWAYS ESTATE ROADS IMPLEMENTATION

The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:

A) The spine road and cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;

- B) The spine road and cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
- C) The cul-de-sac visibility splays have been laid out to their final level;
- D) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational;
- E) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
- F) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
- G) The street nameplates for the spine road and cul-de-sac have been provided and erected.

Reason: To ensure that adequate access and associated facilities are available for the traffic attracted to the site

2. BIN STORAGE

Prior to occupation of the development, the bin storage shall be provided in accordance with the submitted details. The bin storage shall be maintained at all times thereafter.

Reason: To provide adequate facilities for refuse, recycling and household waste.

3. WOODLAND MANAGEMENT PLAN

Prior to completion or occupation of the development, whichever is the sooner; an Ash Dieback / Woodland Management Plan shall be submitted to, and approved in writing by, Exeter City Council. The management plan should be prepared by a qualified and experienced forestry or arboricultural consultant and should include the following elements:

- a) A statement of the overall design vision for the tree groups and for individual trees retained as part of the development - including amenity classification, nature conservation value and accessibility.
- b) Type and frequency of management operations to achieve and sustain canopy, understorey and ground cover, and to provide reinstatement including planting where tree loss or vandalism occurs.
- c) Frequency of safety inspections, which should be at least three yearly in areas of high risk, less often in lower risk areas.
- d) Ash dieback triage risk and health score assessment.
- e) Confirmation that the tree pruning work is carried out by suitably qualified and insured tree contractors to British Standard 3998 (2010).
- f) Special measures relating to Protected Species or habitats, e.g. intensive operations to avoid March - June nesting season or flowering period.
- g) Recommendations relating to how trees within the immediate vicinity of buildings, carparks and other infrastructure are to be managed and protected.
- h) Confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions.

Reason: Required to ensure that wooded areas and tree groups are satisfactorily safeguarded, managed and maintained in the long term / in perpetuity in the interest of nature conservation and the visual amenity of the area.

4. SUSTAINABILITY

Prior to first occupation of the development hereby permitted, the solar panels indicated on the approved plans, shall be implemented in full and maintained thereafter.

Reason: In the interest of the carbon reduction and the Climate Crisis.

Other

5. PLANS

The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority

- Proposed Site Layout, ref.100, Rev.A
- Site Masterplan, ref.100-1, Rev.A
- Site Location Plan, ref.101, Rev.A
- Materials Layout, ref.102, Rev.A
- Enclosures Layout, ref.103, Rev.A
- Affordable Housing Layout, ref.104, Rev.A
- Storey Heights Layout, ref.105, Rev.A
- Parking & Cycle Strategy Layout, ref.106, Rev.A
- Refuse Layout, ref.107, Rev.A
- Street Scenes & Site Sections, ref.108, Rev.A
- Amenities Layout, ref.109, Rev.A
- Existing Site Sections, ref.110,
- Ashmore - Floor Plans & Elevations, ref.150, Rev.A
- Ashford - Floor Plans & Elevations, ref.151, Rev.A
- Tetford - Floor Plans & Elevations, ref.152, Rev.A
- Tetford - Floor Plans & Elevations_Mid, ref.152-1,
- Stanton - Floor Plans & Elevations, ref.153, Rev.A
- Dartford - Floor Plans & Elevations_Render, ref.154,
- Dartford - Floor Plans & Elevations_Stone, ref.154-1, Rev.A
- Mathern - Floor Plans & Elevations, ref.155, Rev.A
- Sampford - Floor Plans & Elevations_Brick, ref.156, Rev.A
- Sampford - Floor Plans & Elevations_Render, ref.156-1, Rev.A
- Sampford - Floor Plans & Elevations_Stone, ref.156-2, Rev.A
- Monmouth - Floor Plans & Elevations, ref.157, Rev.A
- Monmouth Corner-FloorPlans&Elevations_Render, ref.158, Rev.A
- Monmouth Corner-FloorPlans&Elevations_Stone, ref.158-1, Rev.A
- Monnow - Floor Plans & Elevations_Brick, ref.159, Rev.A
- Monnow - Floor Plans & Elevations_Render, ref.159-1, Rev.B

- Monnow - Floor Plans & Elevations_Brick V2, ref.159-2,
- Tamar - Floor Plans, ref.160, Rev.A
- Tamar - Elevations Page 1, ref.161, Rev.A
- Tamar - Elevations Page 2, ref.162, Rev.A
- Frome - Floor Plans & Elevations, ref.163, Rev.A
- Ogmore - Floor Plans & Elevations_Mid Render, ref.165-1, Rev.A
- Wye - Floor Plans & Elevations, ref.166, Rev.A
- Wye - Floor Plans & Elevations_Mid_Brick, ref.167,
- Wye Corner - Floor Plans & Elevations, ref.168,
- Idris - Floor Plans & Elevations_Render, ref.169,
- Idris - Floor Plans & Elevations_Brick, ref.170,
- Single Garage, ref.180, Rev.A
- Twin Garage, ref.181, Rev.A

as modified by other conditions of this consent.

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

6. MATERIALS

Prior to the construction of any dwelling hereby permitted (except the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials including windows and doors, and roof materials of the dwelling(s) and garages shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall be constructed in accordance with the approved materials.

Reason: In the interests of visual amenity and character of the area and the sensitive landscape setting.

7. HIGHWAYS CONSTRUCTION ROAD/PARKING

No access to the application site via the southeast site boundary or any route except that existing off Celia Crescent shall take place unless and until:

A) The new access road leading off Spruce Close has been laid out, kerbed, drained and constructed up to base course level for the first 15 metres back from its junction with the public highway;

B) The ironwork has been set to base course level and the visibility splays required by this permission laid out.

Reason: In the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents

8. HIGHWAYS ESTATE ROADS/PATHS

The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, For this purpose, plans and sections indicating, as appropriate,

the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

9. HIGHWAYS ESTATE ROADS MAINTENANCE

When once constructed and provided in accordance with condition 1 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that these highway provisions remain available

10. HIGHWAYS ESTATE ROADS COMPLETION

Within three months of completion of the final dwelling of the development hereby permitted, all roads, footways, footpaths, drainage, statutory undertakers' mains and apparatus, junction, access, retaining wall and visibility splay works shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the access arrangements are completed within a reasonable time in the interests of safety and the amenity of residents

11. CONSTRUCTION HOURS

No site machinery or plant shall be operated, no construction or demolition processes shall be carried out or related site deliveries except between the hours of 08:00 hrs – 18:00 hrs Monday to Friday, 08:00 hrs to 13:00 hrs Saturday, and at any time on Sundays, Bank or Public Holidays.

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

Informatives:

12. NPPF PROACTIVE

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.

13. COMMUNITY INFRASTRUCTURE LEVY

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, if this has not already been done. A copy is available on the Exeter City Council website.

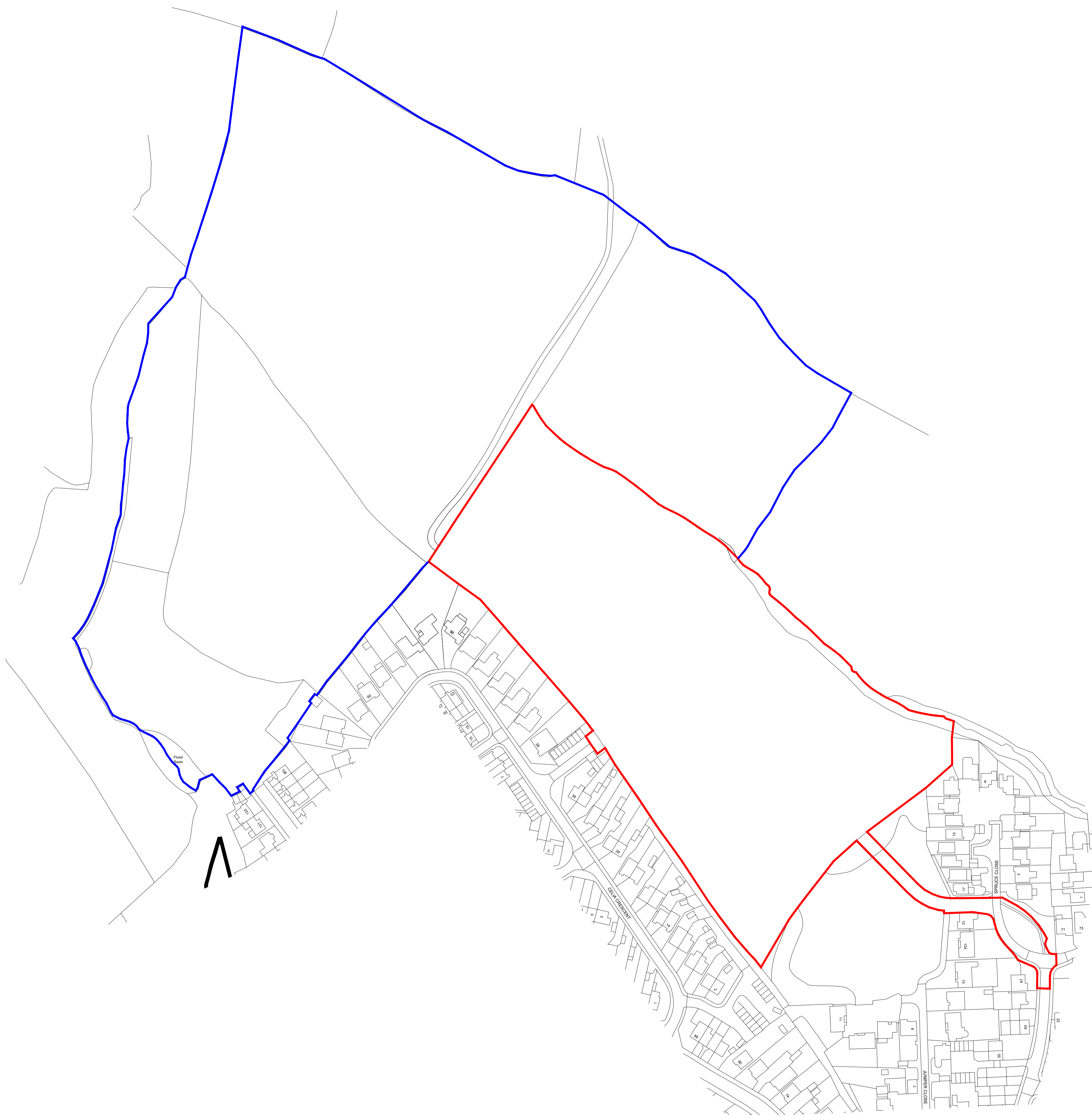
It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice

(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

Legend:

 Application Boundary

 Land to be designated as New Valley Park



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REPORT TO: PLANNING COMMITTEE**Date of Meeting: 4th September 2023****Report of: City Development Strategic Lead****Title: Delegated Decisions and Planning Report Acronyms****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 Service Lead City Development (Roger Clotworthy) or the Director of City Development (Ian Collinson) 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

4 PLANNING REPORT ACRONYMS

The following list explains the acronyms used in Officers reports:

AH Affordable Housing

AIP	Approval in Principle
BCIS	Building Cost Information Service
CEMP	Construction Environmental Management Plan
CIL	Community Infrastructure Levy
DCC	Devon County Council
DCLG	Department for Communities and Local Government: the former name of the Ministry of Housing, Communities & Local Government
DfE	Department for Education
DfT	Department for Transport
dph	Dwellings per hectare
ECC	Exeter City Council
EIA	Environment Impact Assessment
EPS	European Protected Species
ESFA	Education and Skills Funding Agency
ha	Hectares
HMPE	Highway Maintainable at Public Expense
ICNIRP	International Commission on Non-Ionizing Radiation Protection
MHCLG	Ministry of Housing, Communities & Local Government
NPPF	National Planning Policy Framework
QBAR	The mean annual flood: the value of the average annual flood event recorded in a river
SAM	Scheduled Ancient Monument
SANGS	Suitable Alternative Natural Green Space
SEDEMS	South East Devon European Sites Mitigation Strategy
SPA	Special Protection Area
SPD	Supplementary Planning Document
SPR	Standard Percentage Runoff
TA	Transport Assessment
TEMPro	Trip End Model Presentation Program
TPO	Tree Preservation Order
TRO	Traffic Regulation Order
UE	Urban Extension

Ian Collinson

Director of City Development

**All Planning Decisions Made and Withdrawn Applications
between 04/01/2024 and 08/02/2024**

Alphington	
Delegated Decision	
Application Number: 23/1321/FUL	Delegation Briefing: 07/12/2023
Decision Type: Permitted	Date: 16/01/2024
Location Address: 2 Chudleigh Road Exeter EX2 8TU	
Proposal: Reinststate two blocked up windows on principal elevation with matching identical wooden sash windows.	
Delegated Decision	
Application Number: 23/1322/LBC	Delegation Briefing: 07/12/2023
Decision Type: Permitted	Date: 16/01/2024
Location Address: 2 Chudleigh Road Exeter EX2 8TU	
Proposal: Reinststate two blocked up windows on principal elevation with matching identical wooden sash windows.	
Delegated Decision	
Application Number: 23/1352/FUL	Delegation Briefing: 28/12/2023
Decision Type: Permitted	Date: 31/01/2024
Location Address: 2 Chudleigh Road Exeter EX2 8TU	
Proposal: Change a utility room into a shower room, including the removal of internal stud wall.	
Delegated Decision	
Application Number: 23/1353/LBC	Delegation Briefing: 28/12/2023
Decision Type: Permitted	Date: 31/01/2024
Location Address: 2 Chudleigh Road Exeter EX2 8TU	
Proposal: Change utility room into a shower room, include the removal of internal stud wall.	
Delegated Decision	
Application Number: 23/1486/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 19/01/2024
Location Address: Higher Belvedere House Little Johns Cross Hill Exeter EX2 9PJ	
Proposal: 1x1 Mature Sweet Chestnut & x1 Norway Spruce (Dead) - Sectionally, dismantle fell & remove to ground level. The trees being removed are large enough to cause hardscape or structural damage on impact will be lowered using roping and rigging techniques.x1 Willow Tree (front lawn area) - Crown Reduce one side of the tree only back to previous pruning points & shape, while retaining the main framework & shape of the crown & therefore a high proportion of the foliage bearing structure.All pruning cuts to be made at suitable growth points. All works carried out to BS 39982010 Tree Works Recommendations.Remove all cut material from site & return to a Devon Tree Services depot for recycling, leaving the area safe, clean & tidy.	

Delegated Decision	
Application Number: 23/1535/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 25/01/2024
Location Address: 5 Oak Business Units Thorverton Road Exeter EX2 8FS	
Proposal: Rear extension to warehouse.	
Duryard And St James	
Delegated Decision	
Application Number: 23/1058/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 06/02/2024
Location Address: 16 Culverland Close Exeter EX4 6HR	
Proposal: Use as House in Multiple Occupation (up to six residents). Use Class C4.	
Delegated Decision	
Application Number: 23/1238/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 08/01/2024
Location Address: Amory Building Rennes Drive Exeter EX4 4RJ	
Proposal: Discharge condition 5 (Noise) of permission ref. 21/0546/FUL - Two/three storey mixed lab/workshop/office building, single extension to Amory building, service compound, landscaping and associated works.	
Delegated Decision	
Application Number: 23/1290/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 08/02/2024
Location Address: 90 Hoopern Street Exeter EX4 4LY	
Proposal: Change of use of C3 dwellinghouse to C4 small HMO limited to three residents.	
Delegated Decision	
Application Number: 23/1341/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 10/01/2024
Location Address: 8 Powderham Crescent Exeter EX4 6DA	
Proposal: Certificate of lawfulness sought for construction of existing garage in rear garden.	
Delegated Decision	
Application Number: 23/1348/FUL	Delegation Briefing: 16/11/2023
Decision Type: Permitted	Date: 12/01/2024
Location Address: 19 Hillcrest Park Exeter EX4 4SH	
Proposal: Installation of solar photovoltaic (PV) panels on flat roof dormer.	

Delegated Decision	
Application Number: 23/1397/LBC	Delegation Briefing: 07/12/2023
Decision Type: Permitted	Date: 04/01/2024
Location Address: HMP Exeter New North Road Exeter EX4 4EX	
Proposal: Remove 2 existing rear timber windows on two buildings each side of the gate house and insert a glass louvre for smoke extract.	
Delegated Decision	
Application Number: 23/1409/FUL	Delegation Briefing: 07/12/2023
Decision Type: Refuse Planning Permission	Date: 23/01/2024
Location Address: 20 King Edward Street Exeter EX4 4NY	
Proposal: Change of use to house in multiple occupation for up to three people (C4 use).	
Delegated Decision	
Application Number: 23/1422/VOC	Delegation Briefing: 30/11/2023
Decision Type: Permitted	Date: 12/01/2024
Location Address: 64 Danes Road Exeter EX4 4LS	
Proposal: Variation of condition two of 23/0097/FUL and 23/0705/VOC to amend the drawings of the approved dwelling to amend/add windows including a rear dormer.	
County Decisions	
Application Number: 23/1472/FUL	Delegation Briefing: 07/12/2023
Decision Type: Permitted	Date: 18/01/2024
Location Address: 85 Victoria Street Exeter EX4 6JG	
Proposal: Minor extensions and alterations at ground and first floor at the rear of the property.	
Delegated Decision	
Application Number: 23/1478/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 23/01/2024
Location Address: 38 Thornton Hill Exeter EX4 4NS	
Proposal: T1 - Pittosporum - Reduce in height to the previous pruning point (3 feet off approx), and trim the side to shape.T2 - Crab apple - Reduce in height by 2 feet, and reshape to 1-2 feet to balance.T3 - Sorbus - Reduce in height by 4 feet, and reshape by 1-2 feet to balance.T4 - Judas tree - Reduce in height by 3-4 feet, and reshape by 2 feet to balance.T5 - Sophora - Reduce in height to the previous growth points, and reshape by 1-2 feet to balance.	
Delegated Decision	
Application Number: 24/0012/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/01/2024
Location Address: 99 Pennsylvania Road Exeter EX4 6DT	
Proposal: T1 - Dying Cupressus macrocarpa - Fell	

Delegated Decision	
Application Number:	24/0029/DIS
Decision Type:	Condition(s) Fully Discharged
Location Address:	Land Adj. Amory Building, North Park Road, Streatham Campus, University Of Exeter
Proposal:	Discharge of Condition 7 (contamination) of permission 21/0546/FUL - Two/three storey mixed lab/workshop/office building, single extension to Amory building, service compound, landscaping and associated works

Exwick

Delegated Decision	
Application Number:	22/1376/FUL
Decision Type:	Refuse Planning Permission
Location Address:	Land Adjacent To Kinnerton Court Kinnerton Way Exeter Devon EX4 2EZ
Proposal:	Construction of three-storey building containing 3no. apartments with associated access, parking and landscaping.

Delegated Decision	
Application Number:	23/1428/LPD
Decision Type:	Was lawful use
Location Address:	84 Knowle Drive Exeter EX4 2EH
Proposal:	Erection of new single storey rear extension that extends 3m to the rear with a maximum height of 2.92 and eaves to match existing.

Delegated Decision	
Application Number:	23/1455/LPD
Decision Type:	Was not lawful use
Location Address:	84 Knowle Drive Exeter EX4 2EH
Proposal:	Proposed deck of 300mm height from ground at the rear of the dwelling..

Delegated Decision	
Application Number:	23/1466/FUL
Decision Type:	Permitted
Location Address:	10 - 12 Isleworth Road Exeter EX4 1QU
Proposal:	Single storey rear extension shown on P1 to provide disable toilet facilities and craft area.

Delegated Decision	
Application Number: 23/1502/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 22/01/2024
Location Address: 48 Knowle Drive Exeter EX4 2DG	
Proposal: T1 Oak. Remove damaged branch. Crown lift by approximately 2m by removing secondary lower branches from laterals. Climbing inspect crown for weak forks and weight reduce to make safe if any found.	
Delegated Decision	
Application Number: 23/1531/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 22/01/2024
Location Address: 1 Hayward Avenue Exeter EX4 2FE	
Proposal: 0007 Oak. Remove storm damaged hangers ///cave.larger.reds0010. Lime. Coppice damaged stem on Southern side of tree so stem can't fall on building. ///tight.agent.aims0012. Lime. Crown lift for a ground clearance of approx 3m by pruning back to suitable growth points to enable a better relationship with property ///couch.splice.shaped	
Heavitree	
Delegated Decision	
Application Number: 23/0622/FUL	Delegation Briefing: 10/08/2023
Decision Type: Permitted	Date: 31/01/2024
Location Address: 159 Sweetbrier Lane Exeter Devon EX1 3DG	
Proposal: Remodel existing bungalow to create two storey 4 bed house (REVISED PLANS).	
Delegated Decision	
Application Number: 23/1404/FUL	Delegation Briefing: 07/12/2023
Decision Type: Refuse Planning Permission	Date: 11/01/2024
Location Address: 15 South Avenue Exeter EX1 2DZ	
Proposal: Retain rear timber deck.	
Delegated Decision	
Application Number: 23/1419/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 08/01/2024
Location Address: 16 Meadow Way Exeter EX2 5BJ	
Proposal: Roof extension and rear extension to an existing single dwelling.	
Delegated Decision	
Application Number: 23/1430/FUL	Delegation Briefing: 07/12/2023
Decision Type: Permitted	Date: 30/01/2024
Location Address: 18 North Avenue Exeter EX1 2DU	
Proposal: Replacement two and one storey rear extensions.	

Delegated Decision	
Application Number: 23/1432/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 15/01/2024
Location Address: 16 Meadow Way Exeter EX2 5BJ	
Proposal: Mono-pitch, lean-to, single storey rear extension with a depth of 6m from the original dwelling.	
Delegated Decision	
Application Number: 23/1436/FUL	Delegation Briefing: 07/12/2023
Decision Type: Permitted	Date: 10/01/2024
Location Address: 10 South Avenue Exeter EX1 2DZ	
Proposal: Replace existing glazed roof and external sliding door at the rear of the property.	
Delegated Decision	
Application Number: 23/1449/TPO	Delegation Briefing:
Decision Type: Split Decision	Date: 23/01/2024
Location Address: 67 Polsloe Road Exeter EX1 2NG	
Proposal: 1) Increase of light for the house .2)Remove any low branches over hanging the road .3) To keep the shape of the trees as we have done for the last 40 years .The work will be carried out by Greentrees Ltd .	
Delegated Decision	
Application Number: 23/1477/FUL	Delegation Briefing: 14/12/2023
Decision Type: Permitted	Date: 18/01/2024
Location Address: 15 Salutory Mount Fore Street Heavitree EX1 2QE	
Proposal: New studio/games room	
Delegated Decision	
Application Number: 23/1484/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 05/01/2024
Location Address: 8 Salutory Mount Fore Street Heavitree EX1 2QE	
Proposal: Non-material amendments to Planning Permission Ref. 22/1403/FUL, granted on 12 May 2023, involving removal of outbuilding and flue, alterations to windows, doors and rooflights and other minor works	
Delegated Decision	
Application Number: 23/1552/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 26/01/2024
Location Address: 104 Sweetbrier Lane Exeter EX1 3AR	
Proposal: Certificate of lawfulness sought for proposed conversion of existing garage and construction of new.	

Delegated Decision	
Application Number: 23/1173/LBC	Delegation Briefing: 12/10/2023
Decision Type: Withdrawn by Applicant	Date: 17/01/2024
Location Address: 5 St Leonards Road Exeter EX2 4LA	
Proposal: Replacement of existing single glazed sashes with new double glazed sashes in en-suite bathroom windows	
Delegated Decision	
Application Number: 23/1391/FUL	Delegation Briefing: 16/11/2023
Decision Type: Refuse Planning Permission	Date: 15/01/2024
Location Address: 61 Roberts Road Exeter EX2 4HD	
Proposal: Two-storey rear extension	
Delegated Decision	
Application Number: 23/1414/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 02/02/2024
Location Address: 6 Matford Lane Exeter EX2 4PS	
Proposal: Certificate of lawfulness sought for various proposed alterations to the property including single storey rear extensions, front and side porches, outbuildings in the rear garden, replacement roof covering, installation of roof lights and roof-mounted solar panel equipment, additional and replacement windows including the garage, replacement doors including the garage, removal of chimney stack, resurfacing of driveway, improvements to boundary treatments including new driveway gate, installation of 3 no. EV charger points, Air Source Heat Pump (ASHP) and external wall insulation to entire property.	
Delegated Decision	
Application Number: 23/1417/DIS	Delegation Briefing:
Decision Type: Condition(s) Partially Approved	Date: 19/01/2024
Location Address: Exeter Bus And Coach Station Paris Street Exeter Devon EX1 2JP	
Proposal: Discharge condition 23 (CEMP) of permission ref. 15/0791/01 - Demolition of existing buildings at Exeter Bus & Coach Station, no. 188 Sidwell Street & nos 1-29 (odds) Paris Street for a comprehensive retail-leisure led mixed use development comprising Use Classes A1, A2, A3, A4, A5 [retail including food & drink use	
Delegated Decision	
Application Number: 23/1473/FUL	Delegation Briefing: 14/12/2023
Decision Type: Permitted	Date: 18/01/2024
Location Address: 5 Park Place St Leonards Exeter EX2 4LP	
Proposal: First floor extension over kitchen, enlargement of dormer loft conversion and other alterations	

Delegated Decision	
Application Number: 23/1494/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 22/01/2024
Location Address: 4 Lower Summerlands Exeter EX1 2LJ	
Proposal:	7/12/2023T1. 1x Holly - Trim all sides back as hard as possible to contain shape. Reduce in height by approximately 4-6 feet.T2. 1 x Apple - Re pollard to historic points at approximately 5m above ground level.JUSTIFICATION - Routine pruning works.
Delegated Decision	
Application Number: 23/1497/FUL	Delegation Briefing: 28/12/2023
Decision Type: Permitted	Date: 29/01/2024
Location Address: Exeter School Victoria Park Road Exeter EX2 4NS	
Proposal:	Extension to sixth form common room and associated works
Delegated Decision	
Application Number: 23/1516/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 22/01/2024
Location Address: 8 Barnardo Road Exeter EX2 4NE	
Proposal:	T1 - Eucalyptus - FellT2 - Magnolia - Fell
Delegated Decision	
Application Number: 23/1518/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/02/2024
Location Address: Laurel Cottage Elmside Exeter EX4 6LN	
Proposal:	T1-RobiniaThe northern aspect of the tree appears to be in decline and the area beneath the clients aspect of the crown is a relatively high use area so some risk management would be prudent.Remove moribund stem as outlined in 541KEAROB1 & 541KEAROB2 using a 'natural fracture pruning cut' approximately 0.5m outboard of the main stem to avoid inviting pathogens/decay into the main stem. Remove major deadwood approximately 50mm and greater above clients garden area.It is worth noting that we will also be supplying and laying approximately 2m2 of well composted mulch to the ground beneath the tree with the aim of improving the trees vitality.

Delegated Decision	
Application Number: 24/0023/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/01/2024
Location Address: 23 Belmont Road Exeter EX1 2HF	
Proposal:	the tree is in the rear garden of shared properties 23- 25 Belmont Road and 1 third of the tree is dead and the height needs reducing.I wish to reduce height and remove dead sections only.I believe that the tree is a dog wood tree

Delegated Decision	
Application Number: 24/0028/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 06/02/2024
Location Address: 16 Rosebery Road Exeter EX4 6LT	
Proposal:	House in multiple occupation for three people (C4 use)

Delegated Decision	
Application Number: 24/0065/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 05/02/2024
Location Address: Crescent Mansions Mount Radford Crescent Exeter EX2 4ER	
Proposal:	Crown lift to Holm Oak on bank in car park at Crescent Mansions. Photo shows tree overhanging car park spaces and amount to be removed to tidy up the tree, reduce back from the parking spaces and to help stop birds messing on the cars immediately below.Work proposed - to remove growth below red line on photo.Permission previously grated under application 16/0546/CAT.

Delegated Decision	
Application Number: 24/0090/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 30/01/2024
Location Address: 8 Wonford Road Exeter EX2 4EQ	
Proposal:	Alterations to windows and raise the cill of the lower ground floor sliding doors (non material amendment of 22/1090/FUL)

Pennsylvania

Delegated Decision	
Application Number: 23/0912/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 01/02/2024
Location Address: 4 Priory Road Exeter EX4 7AL	
Proposal:	House in multiple occupation for four people (C4 use)

Delegated Decision	
Application Number: 23/1281/VOC	Delegation Briefing: 16/11/2023
Decision Type: Permitted	Date: 18/01/2024
Location Address: 23 Tarbet Avenue Exeter EX1 2UE	
Proposal: Variation of Condition 2 on Planning Permission Ref. 20/1252/FUL, granted 26 November 2020, to change materials on garage/garden room in rear garden	
Delegated Decision	
Application Number: 23/1365/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 26/01/2024
Location Address: Phase 2, Exmouth Junction Mount Pleasant Road Exeter EX4 7AE	
Proposal: Non-Material Amendment to planning permission ref. 22/0037/VOC to amend the design of phase 2 by replacing the following approved plans under condition 3: Site Layout Plan (9863 PL03 C) Rockingham Plans & Elevations (9863 PL20) Holt Plans & Elevations (9863 PL21) Dalby Plans & Elevations (9863 PL22) With: Proposed Site Layout Plan (PL03 P01) Housetype Rockingham Plans and Elevations (PL20 P01) Housetype Holt Plans and Elevations (PL21 P01) Housetype Dalby Plans and Elevations (PL22 P01) This is due to a change in the construction of the 104 houses from modular to timber frame and the 61 apartments from Metsec Metframe (metal frame) to traditional brick and block construction.	
Delegated Decision	
Application Number: 23/1378/VOC	Delegation Briefing: 30/11/2023
Decision Type: Refuse Planning Permission	Date: 10/01/2024
Location Address: Flat 4 3 Pinhoe Road Exeter EX4 7HR	
Proposal: Variation of condition 2 of Planning Permission Ref. 20/1344/FUL (granted on 29 January 2021) to allow for the addition of a balcony on rear elevation at roof level	
Delegated Decision	
Application Number: 23/1416/PD	Delegation Briefing:
Decision Type: Was lawful use	Date: 10/01/2024
Location Address: 182 Pennsylvania Road Exeter EX4 6DZ	
Proposal: Construction of a single storey rear kitchen and dining room extension. 6m deep, 3.75 max height and 2.85m to the eaves.	
Delegated Decision	
Application Number: 23/1571/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 26/01/2024
Location Address: 20 Rosebarn Lane Exeter EX4 5DX	
Proposal: Oak tree alongside Rosebarn Lane carriageway highlighted (T3) ? Whole crown reduction to 12m above ground level, to provide sufficient clearance to property	

Pinhoe

Delegated Decision

Application Number: 23/1256/DIS Delegation Briefing:
Decision Type: Condition(s) Partially Approved Date: 08/01/2024
Location Address: Land At Pulling Road, Exeter
Proposal: Re-discharge condition 3 (Materials - Windows) of permission ref. 19/0962/FUL - Residential development for 40 dwellings with associated access, landscaping, open space and infrastructure.

Delegated Decision

Application Number: 23/1303/FUL Delegation Briefing: 30/11/2023
Decision Type: Refuse Planning Permission Date: 18/01/2024
Location Address: 50 Langaton Lane Pinhoe Exeter EX1 3SL
Proposal: First floor side extension. Above existing single storey extension to form additional bedroom accommodation. Re-submission of 23/0799/FUL.

Delegated Decision

Application Number: 23/1396/FUL Delegation Briefing: 23/11/2023
Decision Type: Refuse Planning Permission Date: 11/01/2024
Location Address: 11 Rews Park Drive Exeter EX1 3QL
Proposal: Construction of a two-storey side extension with an integral garage.

Delegated Decision

Application Number: 23/1437/FUL Delegation Briefing: 30/11/2023
Decision Type: Permitted Date: 09/01/2024
Location Address: 6 Park Lane Exeter EX4 9HL
Proposal: Balcony at first floor level on rear elevation of dwelling using existing flat roof.

Delegated Decision

Application Number: 24/0058/LPD Delegation Briefing:
Decision Type: Was lawful use Date: 31/01/2024
Location Address: 21 Huntsham Road Exeter EX1 3GH
Proposal: Change of use from residential dwelling to a children's home providing care for up to three children living together as a single household (Use Class C3(b)).

Delegated Decision	
Application Number: 23/0984/CAT	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 23/01/2024
Location Address: Mill On The Exe Bonhay Road Exeter EX4 3AB	
Proposal:	To request the attendance of a tree surgeon to survey the trees for any disease and top or lop depending on the condition of the trees. It has been reported that a few of the branches are falling onto people below.
Delegated Decision	
Application Number: 23/1001/LBC	Delegation Briefing: 14/12/2023
Decision Type: Permitted	Date: 11/01/2024
Location Address: Wynards Magdalen Street Exeter EX2 4HX	
Proposal:	Relocate proposed WC to ground floor pantry area.
Delegated Decision	
Application Number: 23/1056/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 15/01/2024
Location Address: Isca Motors Water Lane Exeter EX2 8BY	
Proposal:	Condition Discharge: Condition 5 (Drainage) of approval 19/0629/FUL
Delegated Decision	
Application Number: 23/1114/FUL	Delegation Briefing: 21/09/2023
Decision Type: Permitted	Date: 19/01/2024
Location Address: Haven Banks Water Lane Exeter EX2 8BY	
Proposal:	Change of use of Units 1 and 2 from retail (Class E) to a place of worship and ancillary uses (Class F1) (temporary period of twelve months).
Delegated Decision	
Application Number: 23/1335/FUL	Delegation Briefing: 07/12/2023
Decision Type: Permitted	Date: 08/01/2024
Location Address: 15 West Street Exeter EX1 1BB	
Proposal:	Change of use to body piercing studio (Sui Generis use).
Delegated Decision	
Application Number: 23/1346/PD	Delegation Briefing:
Decision Type: Permitted	Date: 08/01/2024
Location Address: 10 Trews Weir Reach Exeter EX2 4EG	
Proposal:	Replacement of existing conservatory with a single storey rear extension. The width will be the same as the existing conservatory, with an increased length.

Delegated Decision	
Application Number: 23/1500/LBC	Delegation Briefing: 11/01/2024
Decision Type: Permitted	Date: 05/02/2024
Location Address: New Bridge Street Bridge Arch New Bridge Street Exeter	
Proposal: Replacement of current steel parapet with masonry wall parapet on New Bridge St Arch bridge.	
Delegated Decision	
Application Number: 23/1551/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 22/01/2024
Location Address: 6A Cathedral Close Exeter EX1 1EZ	
Proposal: G1 - Viburnum & Rose Suggested Works: Cut back away from wall. Rationale: To reduce the dominance of this large shrub. G3 - Viburnum & Mahonia Suggested Works: Reduce to tidy and contain. Rationale: General maintenance. T4 - Cotoneaster Suggested Works: Reduce height by approximately 2-3 metres. Rationale: These works are proposed as part of the reasonable management of this tree.	
Delegated Decision	
Application Number: 23/1558/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 22/01/2024
Location Address: 247 High Street Exeter EX4 3PZ	
Proposal: 1no projecting sign, 1no. fascia sign, 1no. entrance sign and 1no. product strip sign.	
Delegated Decision	
Application Number: 23/1570/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 22/01/2024
Location Address: Exe Restaurant 14 Mary Arches Street Exeter EX4 3AZ	
Proposal: G1. 4x Silver birch - Prune all lateral branches growing in a south eastern direction, towards the "The mint apartments" back to the main stem of each tree. These works will remove all overhanging branches that are interfering with the property and any branches that have potential to interfere with the adjacent property in the near future. T2. 1x Mature Poplar - Remove south eastern secondary branch that is growing over the property roof back to the primary branch. Crown lift over the adjacent roof to achieve a maximum of 4m clearance. This will be done by removing secondary and tertiary branches only. All material is to be stacked at the base of each tree neatly. Justification - Trees are encroaching onto adjacent block of apartments with branches now touching.	

St Loyes

Delegated Decision

Application Number: 23/1438/FUL Delegation Briefing: 07/12/2023
Decision Type: Constitutes devel. (Section 64 determ.) Date: 12/01/2024
Location Address: 12 Carlton Road Exeter EX2 5NS
Proposal: Garage conversion incl. replacement roof.

Delegated Decision

Application Number: 23/1474/FUL Delegation Briefing: 07/12/2023
Decision Type: Permitted Date: 26/01/2024
Location Address: 15 Warwick Avenue Exeter EX1 3HA
Proposal: Raised decking to the rear of property, width 6.25m, depth 4m and 1.26m from ground level with steps and handrail/balustrade surrounding.

Delegated Decision

Application Number: 24/0074/LBC Delegation Briefing:
Decision Type: Permission not required Date: 29/01/2024
Location Address: 9 North Grange Clyst Heath Exeter EX2 7EY
Proposal: INVAILD Install fibre broadband to property by drilling small hole to exterior wall & fixing of 12cm x 12cm box over hole. (site location plan, design/access heritage statement).

St Thomas

Delegated Decision

Application Number: 23/0909/OUT Delegation Briefing: 31/08/2023
Decision Type: Refuse Planning Permission Date: 02/02/2024
Location Address: Claremont And (Former) Exe Engineering Works 62/64 Alphington Road Exeter
Proposal: Outline planning permission with all matters reserved except layout and scale for the demolition of existing buildings and development of 54 new-build affordable and supported independent living housing including staff offices and community space.

Delegated Decision

Application Number: 23/1390/FUL Delegation Briefing: 16/11/2023
Decision Type: Permitted Date: 04/01/2024
Location Address: 74 Wardrew Road Exeter EX4 1HA
Proposal: Proposed conversion of existing garage into a 4th bedroom annex for ancillary use to the main residence.

Delegated Decision	
Application Number: 23/1405/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 08/01/2024
Location Address: 104 Newman Road Exeter EX4 1PJ	
Proposal: Proposed single storey rear extension.	
Delegated Decision	
Application Number: 23/1456/ADV	Delegation Briefing:
Decision Type: Permitted	Date: 17/01/2024
Location Address: 2 St Thomas Centre Exeter EX4 1DG	
Proposal: Externally illuminated fascia sign and non-illuminated wall sign for Co-op Funeral Care	
Delegated Decision	
Application Number: 23/1464/FUL	Delegation Briefing: 21/12/2023
Decision Type: Permitted	Date: 30/01/2024
Location Address: Reed Cottage Barley Lane Exeter EX4 1TA	
Proposal: Alterations to existing garage.	
Delegated Decision	
Application Number: 23/1515/PDA	Delegation Briefing:
Decision Type: Prior Approval Required and Refused	Date: 06/02/2024
Location Address: 3 Croft Chase Exeter EX4 1TB	
Proposal: Prior approval for enlargement of dwelling through additional storey. The maximum height of the proposed additional storey 3.2 metres.	
Topsham	
Delegated Decision	
Application Number: 21/1256/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 16/01/2024
Location Address: Land At Clyst Road Clyst Road Topsham Exeter Devon	
Proposal: Discharge of conditions 3 (off-site highway improvement works), 4 (pedestrian/cycle connection) and 5 (Vehicle connection) of application 20/0849/RES.	
Delegated Decision	
Application Number: 23/1049/PMI	Delegation Briefing:
Decision Type: Permitted	Date: 23/01/2024
Location Address: 65 Newcourt Road Topsham EX3 0BU	
Proposal: Permission in principle application for construction of 1no. new dwelling (C3 Use Class).	

Delegated Decision	
Application Number:	23/1199/CAT
Delegation Briefing:	18/01/2024
Decision Type:	Withdrawn by Applicant
Date:	16/01/2024
Location Address:	The Nab Ferry Road Topsham EX3 0JW
Proposal:	Birch (T1) - 1.5-metre reduction on the leader and max 1-metre reduction on the whole aspect of the crown to make easier access for large vehicles to the building site. Sycamore (T2) - 1-metre reduction on the whole aspect of the crown to make easier access for large vehicles to the building site.
Delegated Decision	
Application Number:	23/1357/LBC
Delegation Briefing:	30/11/2023
Decision Type:	Permitted
Date:	01/02/2024
Location Address:	91A Fore Street Topsham EX3 0HQ
Proposal:	Roof renewal and alterations including installation of natural slate.
Delegated Decision	
Application Number:	23/1370/FUL
Delegation Briefing:	16/11/2023
Decision Type:	Refuse Planning Permission
Date:	19/01/2024
Location Address:	79 Newcourt Road Topsham EX3 0BU
Proposal:	Demolition of existing detached garage and construction of new integral garage and first floor extension.
Delegated Decision	
Application Number:	23/1400/FUL
Delegation Briefing:	23/11/2023
Decision Type:	Permitted
Date:	05/01/2024
Location Address:	35 Exeter Road Topsham EX3 0LX
Proposal:	Front porch extension.
Delegated Decision	
Application Number:	23/1426/FUL
Delegation Briefing:	30/11/2023
Decision Type:	Permitted
Date:	08/01/2024
Location Address:	Watersedge 8 Riverside Road Topsham EX3 0LR
Proposal:	Proposed rear and side extension and internal alterations.
Delegated Decision	
Application Number:	23/1451/FUL
Delegation Briefing:	07/12/2023
Decision Type:	Permitted
Date:	01/02/2024
Location Address:	David Lloyd Leisure Club Sandy Park Way Exeter EX2 7NN
Proposal:	Extension of external spa garden and removal of seven car parking spaces and motorcycle bays.

Delegated Decision	
Application Number: 23/1479/FUL	Delegation Briefing: 14/12/2023
Decision Type: Permitted	Date: 17/01/2024
Location Address: Matthews Hall Fore Street Topsham EX3 0HF	
Proposal: Single Storey Storage Shed	
Delegated Decision	
Application Number: 23/1506/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 23/01/2024
Location Address: Wilson Leisure Site Office Topsham Road Exeter1 EX2 7DT	
Proposal:	T4 Oak , remove dead wood and epicormic growthT19,20,21,22 Sycamore , remove epicormic growth and ivy growing up the treeT40, 42 , Lime remove deadwood and epicormic growthT56, Turkey Oak, prune back excessively long low branch that extends over to new roof by 25% to reduce the leverage and remove the risk of failureT62 Ash, Remove dead wood T70, Turkey Oak, remove epicormic growthT79, Lime, Remove dead wood and epicormic growthT80, Eucalyptus, Re-pollard back to previous cutsT85,Lime, remove epicormic growthT86, Holm Oak, remove new growth from previous cuts to 2m away from roof T87,89, Lime, remove epicormic growthT90, Turkey Oak, remove epicormic growth and dead wood T114, Sycamore, remove dead limbs T115, Holm Oak. reduce top of crown down to remove large split . upon inspection a large crack was found {see photo} I propose to remove all growth down to healthy wood and re-shape the crown to preserve the integrity of the tree {See annotated photo}
Delegated Decision	
Application Number: 23/1528/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 01/02/2024
Location Address: 1 Resolution Road Exeter EX2 7FG	
Proposal:	Non-material amendment to planning permission 23/1106/FUL granted 25 October 2023 to change roofing material from slate to zinc, due to low pitch.
Delegated Decision	
Application Number: 23/1534/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 23/01/2024
Location Address: Tower House Clyst Road Topsham Exeter EX3 0BZ	
Proposal:	Oak T1 - Low and expansive crown with hyperextended branches that overhang and dominate the rear gardens of 18 & 19 Victoria Mead.Oak T1 - Crown raise over the northern aspect to 4m above ground level with a maximum cut diameter of 100mm.Oak T1 - Reduce the side of the northern crown aspect by 2-3m with a maximum cut diameter Of 60mm.

Delegated Decision	
Application Number: 23/1559/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 25/01/2024
Location Address: Mansard Parkfield Road Topsham EX3 0ET	
Proposal:	Change the colour of the fascia and soffit from grey to white, reduce the size of windows on the south elevation, relocate flue from side to rear of house (non material amendment of 22/1090/FUL)
Delegated Decision	
Application Number: 24/0076/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 05/02/2024
Location Address: 21 Ferry Road Topsham EX3 0JW	
Proposal:	T1 - False Acacia - Reduce in height by approximately 1.5-2metres, and reshape the side growth by 2 metres approx, leaving a balanced form
Delegated Decision	
Application Number: 24/0092/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 30/01/2024
Location Address: Parkfield House Holman Way Topsham EX3 0EN	
Proposal:	This is to notify you that we will be trimming our hedge line trees in the corner of our property : Parkfield House, Holman Way , Topsham , EX3 0EN , consisting of a bay tree and two eucalyptus . We will be doing the work on 19 Feb . The work will all be carried out within the confines of our garden , we will not be encroaching onto the pavement . We also intend to remove one eucalyptus as it is less than two foot away from our garden wall which is listed. The eucalyptus is leaning towards the wall. The other side of the wall is a very busy pavement on the corner of Holman Way ,opposite the surgery. We need to remove this tree to ensure that it does not damage the wall and pavement .
Total Applications: 106	

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REPORT TO: PLANNING COMMITTEE
Date of Meeting: 19th February, 2024
Report of: City Development Strategic Lead
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 (16/01/2024).

2. Recommendation:

- 2.1 Members are asked to note the report.

3. Appeal Decisions

- 3.1 [23/0438/FUL](#) **95 St Katherine's Road, Mincinglake.** *Construction of rear dormer and retention of cladding to bay window (Retrospective Application).*

This application relates to a mid-20th century brick-and-render terraced dwelling (C3 Land Use Class), on a corner plot in a residential area around 100m below the southern tip of the Mincinglake Valley Park. The proposal entails an L-shaped box dormer extension spanning across the rear roof planes of the property partly finished with composite cladding (facing Latimer Road) and cladding of the double bay window at the front (facing St Katherines Road); the proposed development is already complete and the application was retrospective.

The property possesses permitted development rights for rear dormers and replacement finishes but in order to achieve compliance the exterior materials used must be similar in appearance to those used on the existing dwelling. The dark grey horizontal cladding (front and rear) and windows used are not similar in appearance to the red-brown roof tiles, white windows and render of the main house – this means the development is not permitted and requires householder planning consent to be considered lawful.

The application was refused by the Council because the combined size, shape, colour and cladded finish of the dormer and cladding of the bay window appear highly unsympathetic and incongruous with the architecture of the existing house and thereby cause undue harm to the character of the property and wider street scene.

The Inspector found the main issue of this planning appeal was the effect of the development on the character and appearance of the host dwelling and surrounding area. It was acknowledged that the properties in each affected street share a common age, design and appearance with repeating pattern of terraces, bay windows and brick facades and very few alterations undertaken to date – this “results in a consistent and attractive form of development”. The consistency of brick, render and tiled roof finishes of existing properties in the area was also

identified and the host property was considered to make a positive contribution to the character of the area prior to the proposed works being implemented. The Inspector agreed the as-built box dormer is excessive in size and inappropriate by material finish; its proportions and appearance do not harmonise with the existing property and accentuate its unsightly appearance in the street. The cladding of the bay window is relatively small in coverage but highly visible and distinctly inappropriate. It was concluded that the proposal fails to satisfy several principles in the Householder's Guide to Extension Design SPD, Objectives 8 and 9 and Adopted Policies CP17 and DG1 of the local plan and Paragraph 130 of the NPPF.

The appeal was dismissed accordingly – For the Decision, see:

[Reference: APP/Y1110/D/23/3326666 \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk)

3.2 21/1564/OUT Former Police Station and Magistrates' Court, Heavitree.

Outline planning application with all matters considered in detail except landscaping, for the demolition of the existing buildings and construction of mixed-use development comprising Purpose-Built Student Accommodation (Sui Generis) and Co-Living (Sui Generis) with associated infrastructure. (Further revised plans received Jan 2023)

The application was refused at Planning Committee in February 2023 for the following reasons:

1. Harm to the character of the area, including the streetscenes along Heavitree Road and Gladstone Road, and the setting of the locally listed St Luke's College buildings, by virtue of the heights and massing of the two buildings, which would be of a far greater scale than the majority of buildings in the area, and their siting in close proximity to the streets making them feel even more imposing on their surroundings.

2. Impact on amenity, privacy and outlook of adjacent residential properties, particular Higher Summerlands, due to the height, scale and massing of the proposed buildings on the site and their siting in close proximity to the properties taking into account their designs.

3. The proposed development would have a limited amount of external amenity space for use by the high number of residents of the two buildings and the external amenity space proposed in the form of the internal courtyards would be poor quality with a sense of feeling enclosed and with reduced levels of daylight due to the scale of the surrounding buildings. It is also considered that the proposed development would provide a poor living environment for residents that would have a negative impact on their health and well-being.

4. Notwithstanding S106 obligations, the proposed development would have a negative impact on public spaces in the locality of the site, in particular Belmont Park approximately 400 metres north of the site, due to the additional use and demand of these spaces by residents of the proposed development and limited amount of on-site external amenity space provision.

5. The proposed development would result in the loss of a significant number of trees on the site including several category A and B trees which contribute to the amenity of the locality and biodiversity of the site. Without a detailed landscaping scheme as part of the application, there is a lack of certainty that the loss of these trees will be adequately and appropriately compensated for to maintain or enhance the amenity and biodiversity value of the site.

6. Absence of a signed S106 legal agreement.

In regard to Reason 2, this allowed consideration of all neighbouring properties; however, following further assessment of daylight/sunlight levels, it was found that the primary impact was on Higher Summerlands and this became the sole focus of this reason.

In regard to Reason 3, this reason was removed following the submission of additional information during the appeal process.

In regard to Reason 4, this reason was removed upon the advice of counsel, due to a lack of evidence that Belmont Park would exceed its capacity as a result of the proposed development. The Public and Green Space team raised no objection at application stage, subject to S106 financial contribution, and were unable to provide evidence.

In regard to Reason 5, this reason was removed during the appeal process, as 'landscaping' was a reserved matter and additional information was provided by the appellant showing the retention of trees along Heavitree Road.

A public inquiry was held in December 2023. The appeal was dismissed by the Inspector on 2 February 2024.

The Inspector concluded that the proposal would not harm the settings of the nearby conservation areas (Mont Le Grand, Lower Summerlands and St Leonards) and would not harm the setting of the locally listed St Lukes College buildings. In addition, it would not harm the outlook or privacy of the neighbouring dwellings in Higher Summerlands. However, the scale and mass of the proposed buildings would be out of keeping with the character and appearance of the surrounding area. Consequently, the proposal does not accord with Policy CP17 of the Core Strategy, saved Policies H5 and DG1 of the Local Plan First Review, or with paragraph 135 of the NPPF.

The 'tilted balance' set out in paragraph 11 of the NPPF was not engaged, as the Council has a 4-year supply of deliverable housing sites. The Inspector gave significant weight to the provision of market and affordable housing, however this was still outweighed by the harm to the character and appearance of the area. The Inspector considered the proposal to be overly-assertive and incongruous, and would not satisfactorily integrate into the local area.

No costs were awarded against either party.

The appeal was dismissed accordingly – For the Decision, see:

3.3 **21/0020/OUT Land Off Pendragon Road, Mincinglake.** *Outline planning application for a residential development of up to 100 dwellings and associated infrastructure (All matters reserved except access) - Revised plans and additional information received.*

The application was refused at Planning Committee in March 2022 for the following reasons:

1. Harm to the character and local distinctiveness of the hills to the north of Exeter, and the landscape setting of the City by breaching the natural boundary feature (the tree'd hedgebank north of Pendragon Road) that forms the clear edge to the urban area and being an incongruous, piecemeal development into the rural hinterland of the City on a greenfield site that has a strong rural character contributing significantly to the character and local distinctiveness of the hills to the north of the City.
2. Loss of open space, with the current site fulfilling a valuable recreational, community, ecological and amenity role to local residents and visitors and its loss would harm the character of the area
3. Harm to the Site of Nature Conservation Interest that connects Mincinglake Plantation County Wildlife Site to the west and Savoy Hill County Wildlife Site to the east along the southern edge of the site, through the removal of sections of hedgebank and trees, and lighting from the development.
4. Harm to the character of the area and sense of place through new access roads into the site along the southern boundary of the site that would not integrate into the existing landscape of the City including its natural features and ecology.
5. Absence of a signed S106 legal agreement.

The Inspector concluded that the proposal conflicted with Policy CP16 of the Core Strategy, saved Policies LS1 and DG1 of the Local Plan First Review, and Chapter 12, in particular paragraph 130c, and paragraph 174ab of the NPPF, as it will harm the character and appearance of the site and the wider landscape setting. However, the Inspector considered this was only to a limited degree, as the site in their view is not prominent, being lower down the slope, and heavily screened to all sides making it feel self-contained.

The Inspector acknowledged there would be some views of the site from the adjacent County Wildlife Sites, Mile Lane and nearby housing, but these views would be largely screened.

Matters regarding refusal reason 3 (ecological impacts) were addressed through the informal hearing process with new information considered and a new hedgerow connection to be protected to the north of the site.

Given the Council's lack of a 5 year housing supply, the Inspector gave substantial weight to the market and affordable housing, and very substantial weight to the 15% affordable housing secured above the policy compliant level of

35% (50% was proposed overall). This outweighed the minimal harm to the landscape setting of the city. There were no other material considerations to justify refusal of the application.

Whilst the Inspector accepted that the site was private agricultural land with no formal rights of access, they agreed that it does provide open space and that is well used by the public. However, the proposal was considered to comply with saved Policy L3 of the LPFR and paragraph 99 of the NPPF, due to the replacement open space that will be secured as part of the scheme, which the Inspector considered would be of greater quantity and quality.

The appeal was allowed subject to a Unilateral Undertaking securing 50% affordable housing, open space, play area and financial contributions to mitigate impacts on local infrastructure, as well as conditions.

No costs were awarded against either party.

The appeal was allowed with conditions – For the Decision, see:

[Reference: APP/Y1110/W/22/3298452 \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/app/y1110/w/22/3298452)

3.4 **22/1756/LED 11 Abbots Road, Pennsylvania.**

An appeal against a refusal to grant a certificate of lawful use for a small house in multiple occupation (HMO) (Use Class C4), limited to three occupants at 11 Abbots Road has been dismissed.

The application was refused as it is within an area covered by an Article 4 Direction, which removes the permitted change of use of properties from a Class C3 (dwellinghouse) to Class C4 (HMO), and it was also considered to be a material change of use.

The Inspector said, in a lawful development certificate such as this, the assessment is whether the use of the property from a C3 dwelling house by two occupants to a C4 HMO use, limited to three occupants, results in a material change of use. Consequently, if the change of use is not 'material', then it cannot be considered development under s.55 of the 1990 Act. In this context, the limitations applied by the article four direction, and the permitted changes allowed via the GPDO, would be irrelevant.

The Inspector said detailed information on the previous and existing use would need to be provided to allow the decision maker to carry out an assessment. They said little information has been submitted regarding the previous use as a dwellinghouse by two occupants. For instance, I do not know whether it was a couple living as partners or two family members sharing with independent lives. The appellant's submissions do not confirm who is currently living in the property, but the neighbour representations indicate students. The occupation of a house by students, or just unrelated people as an HMO, can be used in a variety of ways, which may or may not be materially different to the occupation by a couple or people living together as a single household. The Inspector said they had no substantive detail on the composition of the group of three, or whether they occupy the house as a group or if they are independently renting.

Further, they had no information on whether they are responsible for the whole house or just their individual bedrooms, or, if one left, who would be responsible for securing another tenant. Without details of how the existing or previous uses operate, they had no solid evidential basis upon which to make an accurate comparison between the two. As the onus rests with the appellant to make out their case, the Inspector concluded the burden of submitting sufficient information had not been met, as they did not have the necessary evidence to make a reasoned decision one way or the other.

The appeal was dismissed. For the Decision, see:

[APP/Y1110/X/23/3330550 \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/applications/decisions/APP/Y1110/X/23/3330550)

4. New Appeals

- 4.1 [22/1405/LBC](#) Trees Court Studio, Victoria Road, Topsham. *Proposed change from window to window and external door.*

[Reference: APP/Y1110/Y/23/3324303 \(planninginspectorate.gov.uk\)](#)

- 4.2 [23/0185/FUL](#) Carmel, Beech Avenue, Pennsylvania. *Demolition of bungalow and construction of new dwelling.*

[Reference: APP/Y1110/W/23/3333754 \(planninginspectorate.gov.uk\)](#)

- 4.3 [23/0515/FUL](#) 20 Bonhay Road, St David's. *Loft conversion with dormer and external access stairs.*

[Reference: APP/Y1110/D/23/3336113 \(planninginspectorate.gov.uk\)](#)

Ian Collinson
Director of 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) - Tel: 01392 265275

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