

PLANNING COMMITTEE

Monday 29 July 2024

Present:-

Councillor Knott (Chair)

Councillors Patrick, Asvachin, Banyard, Hughes, Hussain, Jobson, Ketchin, Miller-Boam, Mitchell, M and Pole

Apologies

Councillors Atkinson, Bennett and Rolstone

In attendance

Councillors Allcock, Snow and R Williams

Also Present

Chief Executive, Strategic Director for Place, Head of Service - City Development, Principal Project Manager (Development) (MD), Principal Project Manager, City Development and Democratic Services Officer (PMD)

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MINUTES

The minutes of the meeting held on 29 May 2024 were taken as read, approved and signed by the Chair as correct.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

Councillor M Mitchell remarked that Planning Application No. 22/0511/OUT (Land Off Pendragon Road) had legal implications and, in light of the recent meeting of the Executive where the possible sale of amenity land adjoining this site had been debated, wondered if the member of the Executive sitting on the Planning Committee might find herself in an awkward position. The Planning Lawyer clarified that the matter discussed at Executive was about the sale of land, whereas the matter at hand at the present meeting was a planning application. Councillor M Mitchell felt that it was also about access. The Planning Lawyer reiterated that only planning matters would be considered at the present meeting.

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PLANNING APPLICATION NO. 22/0511/OUT - LAND OFF PENDRAGON ROAD, EXETER

The Principal Project Manager presented the application for a residential development of up to 100 dwellings and associated infrastructure (all matters reserved except access).

He provided the following information:-

- The application site was at the lower two-thirds of a 5.18 hectare set of fields located to the north of Pendragon Road. It was bordered by mature hedgerows with a central hedgerow dividing the two fields;
- The top third of the set of fields, outlined in blue, was proposed to become public open space, with a new hedgerow installed to separate it from the development;

- Access was proposed from the southern boundary onto Pendragon Road, across an existing hedgebank and grass verge owned by the Council. Any sale of this land to allow the access fell outside of the remit of this planning application;
- There had been 196 comments received on the proposal with 132 objections and 62 supporting. The objections raised many issues including the loss of the open space, ecological harm, impacts on the landscape setting of the northern hills, highway concerns and lack of facilities. Supporting comments included the land gaining a use, the 50% affordable housing, the provision of more homes for the people of Exeter, lack of brownfield sites and the area having a history of residential developments.
- The site was located within the northern hills landscape setting area and was adjacent to Sites of Nature Conservation;
- The application followed application No. 21/0020/OUT, which had been refused at Planning Committee in March 2022 for the following reasons:
 - harm to the character and local distinctiveness of the landscape setting
 - loss of open space
 - harm to a Site of Nature Conservation along the southern boundary to create the access.
 - Access roads failing to integrate with the southern boundary and the landscape of the city.
- This refusal was appealed and, following a hearing, the Inspector allowed the application in August 2023;
- In relation to the appeal the following matters were of importance:
 - The southern boundary Site of Nature Conservation was confirmed as no longer existing and acceptable mitigation could be provided through the introduction of a new hedgebank between the new dwellings and the public open space area to the north.
 - The Inspector had considered that the loss of open space would be mitigated by the provision of public open space to the north of the site.
 - The Inspector considered that there would be 'limited' harm to the landscape setting and that the benefits of the scheme outweighed the harm.
- During the appeal process a revised planning application was submitted. This saw the red-line of the site boundary reduced to remove the top area from it.
- As this was a variation to the refused scheme, the application was accepted. The appeal decision was issued before a decision was made on this new application and it had remained as a live application. Following the appeal decision the applicant was asked if they wished to withdraw this second application but they declined to do so.
- It was examined whether the Council could refuse to determine the application; however as the proposal had changed from that originally refused application (through the alteration of the red-line), it was concluded that this was not possible. It was therefore brought to Committee for determination.
- The Inspector's decision to allow the appeal does set a precedent of acceptability for this scheme though, and the main considerations are therefore the changes from the appealed scheme.
- The red-line change was not considered to make any material change to the appeal decision as the area to the north of the site would be secured through a S106 agreement to ensure it became public open space.
- Therefore, the main issue was in relation to the Council's Housing Land Supply, the tilted balance and the overall planning balance of the proposal.

- The previous application was assessed and allowed at appeal under the tilted balance in favour of sustainable development as the Council could not demonstrate the required five-year land supply. This meant that development should be approved unless the adverse impacts would significantly and demonstrably outweigh the benefits.
- Since that date there had been a new National Planning Policy Framework (NPPF) published which had altered the housing supply requirements. As the Council was at Regulation 18 stage of the new Exeter Plan it was now subject to a four-year housing supply and it could demonstrate a supply of just under five years and one month. This meant that the tilted balance was not in effect and a full balance could be given to each material consideration.
- The primary consideration of this scheme was therefore the harm to the landscape setting and whether that would outweigh the overall benefits of the scheme.
- The Inspector's Decision was considered a significant material consideration on assessing this, with them advising that there was 'limited' harm.
- The Inspector stated that the site would be well screened by the surrounding hedgerow and that whilst it would be more visible in winter it would be seen in the context of the existing northern extent of Exeter. The rural and tranquil setting would remain and would simply be pushed further back.
- The Inspector noted that the middle and long distance views would see the tranquil and rural setting remain and that the harm would be limited.
- Whilst the inspector concluded that the proposal failed to comply with Policy CP16 of the CS, Policies LS1 and DG1 of the LPFR and Chapter 12 (in particular) Paragraphs 130c and 174ab of the Framework, they gave this matter moderate weight, they concluded that the harm was limited primarily to more local views.
- The tilted balance in favour of sustainable development was in effect and the Inspector placed substantial weight on the provision of housing and the provision of affordable housing. They did not consider there was harm that significantly or demonstrably outweighed the benefits, granting permission.
- In assessing this scheme the central element was therefore whether the moderate harm identified to the landscape setting outweighed the benefits of the scheme including 50% Affordable Housing, the creation of the public open space and associated S106 obligations to improve facilities.
- The landscape setting harm identified was confirmed by the Inspector to be limited to local impacts and that the medium and long-distance views of the rural setting of the hills are retained, although pushed further back, with this scheme sitting adjacent to the existing urban form of the city.
- It was considered that, in light of this position, the benefits continued to outweigh the harm caused and it was, on balance, put forward to the Committee with a recommendation for approval in line with the additional information sheet.

Members received a presentation which included:-

- aerial view of the site location;
- site location plan;
- indicative layout;
- proposed access;
- landscape setting area;
- County Wildlife Sites and Valley Parks;
- appeal scheme and application scheme comparison;
- changes to allowed appeal scheme;

- photo of proposed eastern access point;
- photos of the treed hedgebank along Pendragon Road;
- photos of panoramic views from the top of West Field and East Field; and
- chartered landscape architect report.

The presentation concluded with a summary of the potential benefits and harms of the project.

In response to queries from Members, the Principal Project Manager, the Assistant Service Lead – Development Management (Major Projects), the Strategic Director for Place and the Planning Lawyer clarified that:-

- the National Framework identified the three aspects of sustainability as economic, social and environmental;
- the site was on a bus route;
- the allowed appeal would still stand if the application at hand was refused;
- the only change between the two applications was the time limit;
- the proposed breakdown of affordable housing was in line with Council policy;
- the layout had not yet been confirmed for access points and buffer zones were being put in;
- the Landscape and Visual Impact Assessments (LVIAs) being used for this application were the ones used in the appeal;
- the Committee at the present meeting might have a different view from the opinion of the Inspector (who ruled that the harm was moderate), but would have to justify this extensively;
- both LVIAs had been considered by the Inspector but the tilted balance was a completely separate matter;
- even if Members had doubts about whether the developer would be able to deliver 50% of affordable housing, they had to rule on what was being presented, i.e. 50%;
- if a viability assessment were to indicate that the developers could not meet the 50%, the application would be brought back to Committee;
- the figure of 50% proposed by the developers was significantly above Council policy;
- maintenance would be secured through the s106 agreement and a point of contact would be provided;
- Government policy would supersede any of Exeter City Council's own SPD guidelines in terms of electric vehicle charging and parking provision;
- there was no current guidance on electric bicycle charging;
- the buffer zone between the site and the County Wildlife Site were dealt with in condition no. 15 ("Devon Hedgebank");
- Members were asked to vote on all the conditions listed in the Update Sheet;
- the Inspector did note the structural engineering work needed for the levelling of the field;
- the layout of the site was a reserved matter;
- the applicants could only apply for a variation of use after five years; and
- officers had limited powers to change the conditions of the S106 Agreement.

Dr Gillian Baker, speaking against the application, made the following points:-

- There was no more tilted balance;
- Exeter currently had 13 months' worth of housing supply more than was needed;
- Should the project go ahead when there was no tilted balance to offset the

- harm caused?;
- Should the application have had an EIA?; and
- Such a project was unlikely to be for the common good of the city.

She pleaded with members of the Committee to ask as many probing questions as possible when debating the application.

Speaking under Standing Order 44, Councillor R Williams thanked the Planning Officers for their work on the application as well as the previous – appealed – application and made the following points:-

- She was a member of the Planning Committee that refused the previous application;
- It was difficult to understand why the application being discussed had not been withdrawn when it was near-identical to the previous appealed decision (21/0020/OUT);
- Planning Officers were, in her opinion, left in an impossible situation, i.e. could they in all honesty go against the appeal decision of the Inspectorate given they recommended refusal last time?;
- No tilted balance applied to the application being presented;
- It was deeply regrettable to be speaking against an application that promised to provide more affordable homes than required by Council policy; and
- There was, however, no guarantee that 50% affordable housing would be delivered if this application was approved today - the developer could later claim it was financially unviable to do so.

On the issue of Harm to landscape character, she made particular reference to:-

- the need to steer developments away from the ridgeline;
- the long-distance views enjoyed by all;
- the landscape architect's unequivocal view that the development would be "highly detrimental" and would conflict with Policy CP16; and
- the many parallels between this site and a similar one on Pennsylvania Road.

On the issue of Loss of public open space, she made particular reference to:-

- testimonies from residents about the need for open spaces;
- how the fields affected by the proposal provided an important sanctuary for residents; and
- how the application did not meet the criteria of Policy L3.

On the issue of Harm to trees and biodiversity, she made particular reference to:-

- the site being a biodiversity haven and an important wildlife corridor for neighbouring Mincinglake Valley Park;
- established trees up to 17 metres tall, including mature and early mature oaks;
- residents' testimonies of land buzzing with wildlife, including glow worms, foxes, deer, rabbits, field mice, butterflies, and birds including owls and jays; and
- contravention to policies CP16 and LS4.

On the issue of Harm to environmental sustainability, she made particular reference to:-

- how the high hills in this part of the city coupled with the scarcity of local amenities meant that any housing development would necessarily be car-led;
- contravention to Local Plan T10;

- inadequate provision for safe and active travel; and
- the inappropriateness of relying on a private company to make the project sustainable in public transport.

In her conclusion, she acknowledged there was a need to build housing but reminded Members that one of Exeter City Council's three strategic priorities was to "build great neighbourhoods". Noting the healthy current housing supply in the city, she felt the development would be a disservice to current and future Exeter residents and asked Members to refuse the application.

Councillor Ketchin asked her why she thought this application had come forward given that the developers already had planning approval upon appeal. Councillor R Williams replied that the pertinent question was "why did the developers not withdraw this application?", given that it had been submitted before the appeal for the original application (21/0020/OUT) had been heard.

The Director City Development made the following concluding points:-

- As Members were aware, by law planning applications must be determined in accordance with the Development Plan unless material considerations indicated otherwise;
- The application was contrary to the Development Plan, as it conflicted with Policy CP16, the spatial element of saved Policy LS1 and saved Policy DG1, as it would harm the character of the landscape. This was something the appeal Inspector agreed with for the previous application, allowed at appeal;
- the tilted balance in the NPPF that leans towards approval did not apply to this application as it had done to the appeal;
- However, the appeal decision was an important material consideration, as were the Inspector's conclusions on the harm to the character of the landscape and landscape setting;
- The Inspector had only given moderate weight to this harm because they considered that the harm would be limited, due to the site, in their words, being "heavily screened to all sides", and in middle- and long-distance views "the locally distinctive setting of Exeter would remain, particularly because the steeper fields and the ridgeline to the north would remain undisturbed";
- Balanced against this, the Inspector had given significant weight to the market housing, in the context of the Council not having a five-year supply, substantial weight on the policy-compliant affordable housing and very substantial weight on the proposed 15% affordable housing above this level;
- They had also given significant weight to the Biodiversity Net Gain and economic benefits, and moderate weight to the public open space improvements;
- It was now up to Members to decide if they agreed with the Inspector's conclusions on the level of harm to the character of the landscape and landscape setting, and how much weight they gave this compared to the positive benefits of the application set out;
- Members should read the Inspector's comments on landscape harm carefully before coming to their own views; and
- In the context of the Council now having a five-year land supply, this application was more finely balanced than the appeal; however, officers had concluded that the Inspector's comments indicated that the application should be approved, despite it being contrary to the Development Plan.

During debate, Members expressed the following views:-

Councillor M Mitchell:-

- noted the unusual nature of the application;
- wondered what aspects the Inspector took into account for the appeal;
- voiced concerns about the 50% of affordable housing promised by the developers;
- felt that the applicant's wording on Biodiversity Net Gain was not reassuring; and
- remarked that the applicant in effect already had approval following the appeal of the original application.

Councillor Hughes:-

- found it difficult to see how this space could be protected;
- raised the risk of the developers reneging on promises due to unviability down the line;
- made reference to areas of concern raised by the police and by the fire service; and
- ultimately felt that they did not possess sufficient information to decide how they would vote.

Councillor Ketchin felt that the proposal was not sustainable on the following grounds:-

- harm to nature and environment;
- cityscape, specifically a low-density sprawl on a hill site which would be car-dependant; and
- a social setting which would lock people into lifestyles.

Councillor Patrick, while agreeing with many previous comments, voiced concern at the possible consequences of refusing the application, namely losing a subsequent appeal.

Councillor Pole:-

- understood Councillor Patrick's concerns but struggled to see the case for approving the application;
- felt that approval would set a bad precedent whereby all applicants submitted two applications;
- did not see the impact as moderate;
- felt that the project would push the countryside further away;
- told Members that, as a Councillor in this ward, she could vouch for the fact that there was little active travel; and
- remarked that this was not an area of employment.

Councillor Asvachin reminded Members that she did not like the original application but warned of the consequences of refusing the new application at the present meeting. She felt that Committee members found themselves in a difficult position and, on balance, reluctantly agreed that approving the application at hand represented the lesser of two evils.

Councillor Miller-Boam advised that she was conflicted on the issue but agreed with Councillor Asvachin about the consequences of refusal.

The Chair made the following points:-

- the whole essence of a Planning Committee was one of balance;
- effectively, Committee members would be making a decision on the same application but without tilted balance;
- he had listened to the recording of the meeting when the original application

- had been heard; and
- he could not find that, despite contradictions with the emerging Local Plan, he could not overrule the officer recommendation and therefore could not vote against the application being presented.

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

The Chair moved and Councillor Patrick seconded the recommendation, which was voted upon and CARRIED.

RESOLVED that planning permission for a residential development of up to 100 dwellings and associated infrastructure (all matters reserved except access) be approved subject to the conditions set out in the update sheet.

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PLANNING APPLICATION NO. 23/1380/OUT - LAND TO THE NORTH OF EXETER, STOKE HILL, EXETER

The Principal Project Manager presented the application for outline planning permission for up to 85 dwellings (35% affordable), community hub and associated infrastructure (all matters reserved except access).

He provided the following information:-

- The application site was 4.88 hectares of agricultural land, currently split into two areas;
- There is an existing vehicular access on the western boundary onto Stoke Hill and a large agricultural barn in the centre of the site;
- There had been 303 representations received on this application - 302 objecting and 1 supporting;
- The objections raised issues that included loss of green space, impact on the rural setting and character of the area, urbanisation of the ridgeline, harm to the Valley Park, increase in traffic on already dangerous roads, inadequate access roads, loss of biodiversity, drainage issues, bus connection problems, encircling of the valley park, no need for a community hub, policy conflicts as brownfield land should be used, few job opportunities within walking distance;
- The supporting comment made reference to building homes for future generations and helping with the housing shortage;
- Objections had been received from a number of consultees (Devon County Council Highways, Devon Wildlife Trust, Exeter Civic Society, Exeter Cycling Campaign) as well as Exeter City Council's Ecologist and Tree Manager;
- The vehicular access is proposed using the existing point on the western boundary of the site leading onto Stoke Hill;
- There was currently no safe and accessible footway for pedestrians to link up to the wider city, such as the closest bus stop on Mincinglake Road. It was therefore proposed to install a footway along Stoke Hill, leading south all the way up to join Mincinglake Road;
- The site was within the northern hills of Exeter and is within a Landscape Setting Area;
- The site had been subject to two Landscape studies and two Housing and Economic Land Availability Assessments, all of which concluded that the site was not suitable for housing or employment due to the high sensitivity of the area;
- A landscape Visual Impact Assessment had been submitted with the

application and followed by with a statement in response to initial objections from the Council's Urban Design and Landscape Officer;

- The Council had commissioned an independent consultant on the previous application and, whilst the red-line had been changed, the conclusion that the overall site was not suitable for development due to landscape harm was still relevant;
- The Council's Urban Design and Landscape Officer raised objections to the scheme, noting that '...the essential nature of the proposal can clearly be seen to be an isolated development form poorly connected to the existing structure of any existing neighbourhoods, posited in the green space that provides a natural subdivision of the urban structure';
- The development would see amenity impacts through additional vehicle movements and domestic noise that will impact on the amenity of the Mincinglake Valley Park;
- It has been demonstrated that larger vehicles will be able to enter the site;
- The pedestrian access into the site had originally been proposed to be via a stepped access; however this would not be accessible to all and it was now proposed to install a sloped route through the site. This had been shown to have a gradient of no greater than 1 in 10. Whilst this gradient was acceptable, there would need to be flat space to offer recover due to the increased length of the access route and this had not been demonstrated at this time;
- There was also proposed to be a new footway installed on Stoke Hill to allow non-stepped access to connect up to Mincinglake Road to the south, and link towards local schools and other facilities. DCC Highways had advised that there was a steep gradient on this road which could lead to accessibility issues; however it would need to be considered that it was existing carriageway and highway land;
- The issue of trip generation must also be considered. Trip calculations did not include any details for users, workers or deliveries to the 'community hub' building;
- The site was positioned immediately adjacent to Mincinglake Valley Park and had the potential to significantly impact a Site of Nature Conservation;
- The ECC Ecologist had objected to the proposal for a number of reasons. Updated surveys were required on roosting bats, as well as a Phase 2 Habitat Survey and demonstration of overall biodiversity net gain;
- The submitted Arboricultural Assessment had noted a veteran oak tree close to the vehicular entrance. The Council's Tree Manager objected to the scheme, noting that the proposed access route would be within its root protection zone and would cause unacceptable harm to the tree;
- The proposal was acceptable at Outline stage in relation to drainage, would be conditioned to require 10% public open space and was acceptable in relation to neighbour amenity impacts.
- Air Quality Impacts could not be confirmed as the trip generation had not been fully considered; however this can be dealt with via condition;
- In assessing the overall planning balance of the proposal there were benefits such as the 35% Affordable Housing, the improvements to Stoke Hill Roundabout, provision of play areas and employment; and
- The overall proposal was considered to generate significant harm for the full reasons set out at the end of the report and was recommended to this Committee for refusal.

Members received a presentation which included:-

- site location;
- wider ownership;
- indicative layout;

- vehicular and pedestrian access;
- proposed footways;
- landscape setting;
- 2007 and 2022 landscape studies;
- LVIA viewpoints;
- highways;
- nature conservation; and
- T1 tree location.

In response to queries from Members, the Principal Project Manager and the Devon County Council Highways Development Management Officer (Exeter) clarified that:-

- the proposal did feature a non-stepped accessible area for pedestrians and cyclists but it was very long; and
- the access itself provided sufficient visibility as far as Devon County Council Highways were concerned, although the visibility splays were to the near-side carriageway edge, which would pick up any cyclist that went up that section of the carriageway.

Speaking against the application, Mr Francis Hallam praised the Principal Project Manager for his work on the application and advised that he had organised leafletting and public events about the application at own expense. He made the following points:-

- the earlier – withdrawn – application had received 390 objections;
- the statement about the proposal not being visible was incorrect, as the site was visible even from Exmouth;
- reducing the size of the project to 85 houses amounted to greenwashing;
- public patience was close to being exhausted; and
- the credibility of the present application had to be questioned.

He called on the Committee to not only refuse the application but also to ensure that it doesn't come back in front of the Committee in another guise.

Speaking under Standing Order 44, Councillor Snow strongly opposed the proposal, making particular reference to:-

- transport issues;
- the lack of pavement on either side of the access road;
- the shaded and slippery nature of the access road;
- increased car use;
- how the combination of the narrowness of the bridge and economic reality made a bus service unlikely;
- conflicts with Policy CP16; and
- net biodiversity loss instead of gain.

He advised the Committee of his membership of the Bat Conservation Trust and urged them to refuse the application.

Also speaking under Standing Order 44, Councillor R Williams praised the work of the Principal Project Manager as well as the speeches from Mr Hallam and Councillor Snow. She made particular reference to:-

- the sensitive setting;
- the significant harm to the landscape; and
- the fact that the application was even more sensitive than the one heard earlier in the meeting.

She urged Committee members to refuse the application.

The Director City Development made the following concluding points:-

- the proposal was contrary to the Local Plan and conflicted with several policies; and
- the harm caused by the proposal outweighed its benefits.

During debate, Members expressed the following views:-

- It was telling that the applicant was not in attendance;
- It was reassuring to see the Local Plan being defended; and
- The applicant had displayed a lack of consideration for people with mobility issues.

The recommendation was for refusal.

The Chair moved and Councillor Ketchin seconded the recommendation, which was voted upon and CARRIED unanimously.

RESOLVED that planning permission for outline planning permission for up to 85 dwellings (35% affordable), community hub and associated infrastructure (all matters reserved except access) be refused.

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PLANNING APPLICATION NO. 24/0009/FUL - TESCO STORES LTD, RUSSELL WAY, EXETER EX2 7EZ

The Assistant Service Lead – Development Management (Major Projects) presented the application for the erection of a freestanding restaurant with drive through facility, car parking, landscaping and associated works, including Customer Order Displays (COD). He talked Members through a presentation which included:-

- site location plan;
- aerial view;
- proposed development;
- site layout;
- elevations;
- the 26 objections received;
- the acceptable principle of the proposed development;
- the absence of objections from the consultees (including the NO objections from consultees including the Local Highway Authority and Environmental Health);
- the withdrawal of the previous objections from the Urban Design Officer;
- improvements;
- character of area;
- tree screening (summer and winter);
- pedestrian access;
- biodiversity enhancement;
- mitigation; and
- planning balance.

It was considered that the adverse impacts of this proposal would not outweigh the benefits and, therefore, planning permission should be granted subject to the conditions set out in the report.

In response to queries from Members, the Assistant Service Lead – Development

Management (Major Projects) and the Devon County Council Highways Development Management Officer (Exeter) clarified that:-

- the site was constrained and the dense piece of vegetation would mitigate visibility;
- applications for an associated logo and for lighting would have to be made separately;
- any application for the restaurant to be open 24/7 would have to go through Licensing;
- detailed reports had been submitted about lighting and odours; Exeter City Council's Environmental Health team had been consulted these matters and found the levels acceptable;
- no confirmation had been received about the positioning and reach of the CCTV cameras;
- it was not possible to reduce the 30mph maximum speed limit between the roundabout and the traffic lights but, if speeding became an issue, the matter should be reported to the police;
- it was unlikely that there would be major instances of cars backing up at the drive-through; and
- it was not the remit of the Planning Committee to insist that a sign reminding members of the public of speed limits in force be displayed on the site;
- the possible weight given to the Exeter Plan was limited at this stage and, while officers agreed with the assessment that the site should be allocated to housing, they deemed the site equally viable for commercial use;
- a condition had been added about litter picking; and
- conditions needed to be relevant to the development and as opposed to addressing existing problems.

During debate, Members expressed the following views:-

- the application needed to be judged on planning terms alone;
- it was regrettable that a drive-through was part of the application;
- crossing Russell Way was dangerous for pedestrians;
- there had been a precedent of unpleasant odours emanating from another fast-food restaurant on the site;
- the lighting coming from the restaurant would be intrusive;
- the CCTV should cover the wider Tesco car park;
- the application provided the opportunity to urge everyone at Exeter City Council to look into anti-social behaviour on supermarket car parks, e.g. joyriders;
- the proposal offered opportunities for residents;
- the site was in a state of neglect;
- with regard to traffic concerns, there was nothing stopping people from parking at Tesco and walking to the restaurant;
- the Tesco supermarket itself had been plagued by shoplifting; and
- there was a bus service serving the site.

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

The Chair moved and Councillor Patrick seconded the recommendation, which was voted upon and CARRIED unanimously.

RESOLVED that planning permission for the erection of a freestanding restaurant with drive through facility, car parking, landscaping and associated works, including Customer Order Displays (COD) be approved subject to the conditions set out in the report.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

Councillor M Mitchell remarked that there was a discrepancy in the headers and dates of delegation briefings listed in the report. The Head of City Development acknowledged this and advised that he would look into it and write to Councillor M Mitchell.

The report of the Strategic Director for Place was noted.

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APPEALS REPORT

Councillor M Mitchell drew the attention of Members to the fact that the appeal for application no. 22/0756/FUL (Newbery Car Breakers, Redhills) had been dismissed and that the Planning Inspectorate had supported the view of the Planning Committee Members, who had taken a decision opposite to that of the Highways authority.

The report of the Strategic Director for Place was noted.

(The meeting commenced at 5.30 pm and closed at 8.51 pm)

Chair