

PLANNING COMMITTEE

Monday 27 July 2015

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Buswell, Choules, Denham, Edwards, Lyons, Prowse, Sutton and Williams

Apologies:

Councillors Newby and Raybould

Also Present:

Assistant Director City Development and Democratic Services Manager (Committees)

Devon County Council Highway Representative – Mr W Pratt

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DECLARATIONS OF INTEREST

In respect of Minute no. 58 Councillor Choules declared an interest as he knew users of the Countess Wear Village Hall.

No declarations of disclosable pecuniary interest were made.

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PLANNING APPLICATION NO. 15/038/03 - PARK AND RIDE, MATFORD PARK ROAD, MARSH BARTON TRADING ESTATE, EXETER

The Assistant Director City Development presented the application for a proposed new workshop, offices, bus wash, fuelling and chassis wash facility for the servicing, maintenance and parking of public service vehicles including change of use (B2, Sui Generis) with pick up and drop off of park and ride passengers.

Members were circulated with an update sheet - attached to minutes.

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

The majority of Members supported the proposal to relocate the Stagecoach Depot to this Park and Ride site.

RESOLVED that planning permission for a proposed new workshop, offices, bus wash, fuelling and chassis wash facility for the servicing, maintenance and parking of public service vehicles including change of use (B2 Sui Generis) with pick up and drop off of park and ride passengers be **APPROVED** subject to a legal agreement or other arrangement to secure a contribution of £5,000 for the purpose of implementing Road Traffic orders in the vicinity of the site that allow for additional on road parking and subject also to the following conditions:-

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 2 April 2015 (*drg. nos. 1020/ECC/001, 1020/B/002, 1020/B/003.1, 1020/B/004, 1020/B/010, 1020/B/011, 1020/B/012, 1020/B/012.1 and 1020/B/013*) and 16 July 2015 (*dwg. nos. 1020/B/001 rev H and 1020/B/001.1 rev H*), as modified by other conditions of this consent.

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

- 3) Operations of the bus depot shall not cause any change to the ambient LAFeq (15 minute) that would otherwise be present at any time of the day or night in the absence of the bus depot, as measured at the boundary of any dwelling (or other suitable surrogate location). Measurements shall be made in accordance with BS7445:1 (2003).

Reason: In the interests of residential amenity.

- 4) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact. The plan shall include details of construction access and provisions for access to the Hussey's site to be maintained during construction.

Reason: In the interest of the environment of the site and residential amenity.

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

Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.

- 6) No development shall take place within the application site until the means of construction and drainage of the areas of parking and circulation have been agreed in writing by the Local Planning Authority. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that surface water runoff is maintained at the current rate or less.

- 7) The approved development shall only be occupied in accordance with the Travel Plan received on 2 April 2015, or such revised Travel Plan as subsequently approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

- 8) The depot part of the development hereby approved shall not be brought into its intended use until secure cycle parking facilities have been provided in accordance

with the approved plans. Thereafter the said cycle parking facilities shall be retained for that purpose at all times

Reason: To ensure that cycle parking is provided, in accordance with Exeter Local Plan Policy T3.

- 9) A Car Park Management Plan for the Park and Ride site shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of any part of the development. A review of the impacts of this management plan shall be undertaken within 3 months of occupation of the development and the Car Park Management Plan updated on a quarterly basis thereafter, unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that adequate onsite parking provision is provided.
- 10) Before the development hereby approved is first occupied an emergency plan for the event of flooding shall be prepared.
Reason: In the interests of safety.
- 11) A scheme of measures to reduce energy and water use on site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed measures shall subsequently be implemented on site before the development hereby approve is first brought into use.
Reason: In accordance with Exeter Core Strategy Policy CP15 and in the interests of sustainable development.
- 12) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 13) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 14) Unless otherwise agreed in writing samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 15) Unless otherwise agreed in writing by the Local Planning Authority external lighting shall only be installed and operated in accordance with the details of the Lighting Assessment Report received 2 April 2015.
Reason: In the interests of visual amenity.

- 16) Before development hereby approved is commenced a programme of works shall be submitted to and agreed in writing by the Local Planning Authority which shall maximise the availability of parking at the site during the construction period. Unless otherwise agreed in writing construction works, including highway works, shall only be carried out in accordance with that agreed programme.
Reason: In the interest of sustainable transport.
- 17) No part of the Depot development hereby approved shall be brought into its intended use until the access, on site vehicular and secure cycle parking facilities, cycle access to the Park and Ride and pedestrian facilities have been provided and maintained in accordance with details to be submitted to and approved in writing with the Local Planning Authority, and retained for that purpose at all times
Reason: To provide a safe and suitable access and adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 18) No part of the development hereby approved shall be brought into its intended use until a strategy for providing secure cycle parking and ancillary facilities at the Park and Ride, including proposals to accommodate further increases, has been approved in writing with the Local Planning Authority, and implemented in accordance with this strategy.
Reason: To provide a safe and suitable access and adequate facilities to promote the use of sustainable modes, in accordance with Section 4 of the NPPF.

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PLANNING APPLICATION NO. 15/0470/03 - COUNTESS WEAR VILLAGE HALL, 28 SCHOOL LANE, EXETER

Councillor Choules declared an interest as he knows users of the Countess Wear Village Hall.

The Assistant Director City Development presented the application for the demolition of the Countess Wear Village Hall and erection of a new hall with an office and meeting room on the first floor, as replacement for the existing village hall.

The recommendation was for approval subject to the conditions as set out in the report and two additional conditions to cover hours of construction (standard condition) and hours of operation, details be agreed with the Chair of Planning Committee.

Mr Morgan spoke against the application. He raised the following points:-

- the existing hall was low on the horizon and barely noticeable
- this site was not the right location for this large community centre
- the proposed two storey hall was not in keeping with the street scene and would cause overlooking
- would cause parking problems in the surrounding area
- concerns regarding increase in noise emanating from the hall and smells from the use of the kitchen
- the narrow path way to the entrance could cause access issues.

He responded as follows to Members queries:-

- there was presently no noise nuisance in the day but had concerns regarding amplified music and live performances in the evening time, the application should not be determined until the Environmental Assessment has been received.

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

- the building was a valuable community asset for the City but the present building was no longer a suitable facility
- had followed Planning Officers advice
- the layout with the stage near the road was to enable the building to meet Disability Discrimination Act Regulations; the building was also set lower down than the existing building
- the project met the Council's Strategic Policies C.P 10 and 17
- had not received any complaints to date
- asked the Committee to approve the application.

He responded as follows to Members queries:-

- the capacity of the new building would be approximately 100, about the same capacity as the current building
- did not anticipate that there would be more than a few events each year where hot food would be prepared
- the building was already very well used and did not envisage that the expansion of use would be any more than 10%.

Members supported this application for an improved modern community facility

RESOLVED that planning permission for the demolition of the Countess Wear Village Hall and erection of a new hall with an office on first floor, as replacement for the existing village hall be **APPROVED** subject to the following conditions:-

- 1) C05 - Time Limit – Commencement
- 2) C15 - Compliance with Drawings
- 3) The applicant should submit for review details of the proposed kitchen extraction system, including predicted noise levels and odour abatement equipment
Reason: To protect the residential amenities of adjacent occupiers.
The applicant should be advised that further guidance on the required information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.
- 4) The applicant shall undertake a noise impact assessment for this application, which shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as noise from deliveries, patrons and events.
Reason: To protect the residential amenities of adjacent occupiers.
- 5) If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity.
Reason: To protect the residential amenities of adjacent occupiers.
- 6) Implement agreed noise and odour control works before using the kitchen.
Reason: To protect the residential amenities of adjacent occupiers.
- 7) hours of construction – standard.

8) hours of use details to be agreed with the Chair of Planning Committee.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

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APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

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SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party be held on Tuesday 25 August 2015 at 9.30 a.m., the Councillors attending will be Lyons, Raybould and Williams.

Additional Information Circulated after Agenda Dispatched - circulated as an appendix

(The meeting commenced at 5.30 pm and closed at 6.32 pm)

Chair