

PLANNING COMMITTEE
27 JUNE 2016
ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

Item 4

Ref: 15/0436/01

Land adj West of England School, Topsham Road, Exeter

Applicant's Ecology Consultant in response to the RSPB's comment regarding the presence of Cirl Buntings in the area comments that:-

- i) Cirl Buntings have never been recorded holding breeding territories at Ludwell Valley Park, including the application site. As with previous occasional sightings (the most recent being recorded by the ecologist in March 2000) these recent birds have been seen for a short period and do not appear to have stayed to breed;
- ii) EcoLogic have carried out surveys according to RSPB methods every summer and winter since 2010 and not recorded any Cirl Buntings. The survey area includes part of Ludwell Valley Park up to c280m north of the application site. Surveys were carried out in March and May 2016 and no cirl buntings were found;
- iii) As accepted by the RSPB the habitat at the application site is not suitable for Cirl Buntings
- iv) If Cirl Buntings were to hold a territory in the area, summer breeding territories typically cover an area with a diameter of 200m from the nest. Foraging is confirmed almost entirely to within 250m of the nest and this is the limit used to define a typical breeding territory. There would be no implications for the application site at 400m away.

RSPB original letter (dated 13 May 2015) raised objection to the scheme on the grounds that the proposed development would reduce the size and value of the Ludwell Valley Park for wildlife, damage current and proposed Green Infrastructure, conflict with ECC policy re land for new housing and proposes inadequate ecological mitigation.

RSPB responded to ecologist's letter regarding presence of Cirl Bunting (20 June 2016) by reiterating that the sighting of Cirl Buntings indicates that the Park has the potential to support the species. It is recognised that the current habitat on the site is not ideal for cirl bunting but has the potential to provide suitable habitat in the future. The RSPB accept that the sights of Cirl Buntings 400m away from the site is too great for those birds to be breeding at the application site but is within 2km, a suitable distance for winter foraging habitat. In addition, they comment that more information as to survey methods undertaken would have been helpful.

Whilst the RSPB's continuing objection to the scheme is noted, it is not considered that there is any direct threat to the local population of this species and it is considered unreasonable to withhold consent on this basis.

8 additional letters of objection reiterating the previous strong objection to the application, particularly in respect of highway related matters.

Southbrook Community Association reiterate the prominence and importance of the Ludwell Valley Park, as recognised in the Riverside and Ludwell Valley Parks Masterplan 2016-2026. This Masterplan goes on to identify significant views through the Ludwell Valley Park and the need to retain and enhance these views. The development will substantially affect views of and from the park.

In addition, the Masterplan highlights the issue of habitat conservation and in particular protecting biodiversity and conserving important wildlife corridors. It is considered that the development would disrupt this corridor between the higher ground of Ludwell Valley and the Riverside Park.

Letter received from Ludwell Life, a recently formed independent community group, which seeks to protect and enhance the Ludwell Valley Park for people and for wildlife. Object to the planning

application on the following grounds:-

1. Green Infrastructure

Ludwell Valley Park LVP) is an “important component of the Green Infrastructure of the city’ and an integral part of the larger River Valley Park, as defined in the Green Infrastructure Strategy Phase III. Developing part of this important green space can only reduce the important ‘environmental services’ delivered by this Valley Park

2. Conflict with Master Plan aims

Since this application was first lodged, the City Council has approved a Master Plan which is specifically aimed at increasing the attractiveness and thus the number of visitors to LVP and the River Valley Park. Further development within LVP is therefore entirely at odds with the Master Plan objectives.

3. Building in designated Valley Park

All of Exeter’s Valley Parks are protected by a number of Local Plan policies and designations. Allowing building within a Valley Park can only set a really worrying precedent for further development on Exeter’s increasingly threatened and reduced green spaces.

4. Wildlife impacts

Bringing the edge of development closer in to the core of LVP, which is specifically managed for wildlife conservation, can only have a detrimental impact on wildlife, particularly on very sensitive and marginal species such as barn owls and ciril buntings, which appear to have returned to LVP

5. Air quality

Topsham Road already has air quality issues arising from regular traffic congestion and the geography of the area. A significant increase in queuing traffic – an inevitable result of more houses being built in an area where roads are already pretty much at capacity, can only increase the current levels of air pollution with consequent negative impacts on all wildlife in LVP.

Additional letter requesting a financial contribution, through a section 106 agreement contribution, to the Countess Wear Village Hall.

A commentary on the majority of these matters is included in the main report.

With respect to the contribution to a Village Hall at Countess Wear, community contributions would come from the CIL generated by the development.

Item 5

Ref: 16/0603.03

36-38 Well Street, Exeter City Council

An objection has been received from Exeter St James Forum, together with a short video clip and a photo montage of the parking problems in Rosebarn Lane. The video clip is too large to be uploaded to the website and as the photo montage has vehicle registration numbers, this cannot be publicly shared. If any of the members would like to view either of these, please contact the Planning Officer to arrange this.

An additional 31 letters of objection have been received. However, no issues have been raised other than those already summarised in the main Committee Report.

Item 6

Ref: 16/0483/03

4 Garden Close

An objection has been received from Western Power Distribution who claim that part of the site area is held by themselves on a 99 year lease from 24 June 1966. It is stated that the land is currently required as a site for a future substation for the reinforcement of their distribution network. It does appear that part of the site area is owned by WPD and that the applicant has not given the

requisite notice required under the Town and Country Planning (Development Management Procedure) (England) Order 2015 to the power company that planning consent was being sought. As members are aware an applicant for planning consent does not need to own all of the land to which it relates but until the appropriate notice is served and the requisite time limit elapsed it would be improper for the Council as Local Planning Authority to issue a decision. **It is recommended therefore that any decision taken by members on this application be delegated to the Assistant Director in consultation with the Chair of Planning Committee at the conclusion of this process.**

For clarification the land owned by WPD is not directly affected by the proposed new dwelling but rather it is intended to provide some replacement garden area for the existing house. It should be noted that even without the additional garden area the residual amenity area for the existing house meets the Council's minimum standards and thus even if the land is not acquired by the applicant there would be no grounds upon which to withhold planning consent for the new dwelling.

In addition there have been two further objections from local residents along the lines of those previously received viz in respect of parking issues, overlooking, overdevelopment of the site and inappropriate design. A commentary on these matters is included in the main report.

Item 7

Ref: 16/0481/03

Renslade House, Bonhay Road

Prior approval for 130 students with the central tower of Renslade House was approved on 17 June 2016.

The applicants have submitted an additional Heritage Statement to address the heritage concerns raised in the Committee report. The report concludes that *the proposal will only cause a block to a short section of the view of the Central Conservation Area from a short section of the west bank Riverside Walk. There are no views of the Cathedral that are affected. There is not considered to be any impact upon views out from elevated positions along the City Wall. This impact upon the setting of and views to, the Central Conservation Area is found to be less than substantial and to be minor in considering a grading of less than substantial harm.* This needs to be balanced against the reinstatement of the street scape fronting Tudor Street.

Heritage Officer comments that this additional report is selective in the views referred to in order to draw this conclusion but the original comments regarding the need to balance the harm against the benefits of the scheme still remain.

3 additional letters of objection received reiterating concern already raised but in particular regarding impact on Tudor House, dominating nature of resultant building, increased traffic generation, noise and light pollution and insufficient existing infrastructure to accommodate the increase in student numbers in the area.

Item 8

Ref: 16/0618/03

Land to the east of Dean Clarke House, Southernhay, Exeter

18 additional letters of objection reiterating concern raised with the representation section of the committee report and stating that the current proposal does not address the previous reasons for refusal.

One letter of objection from Exeter Courts concerned issues of security due overlooking from the hotel use into the court building, car park and access road; potential for the access road to be blocked and no permission has been given over land in the Court's ownership to construct or access the hotel building.

One additional letter from a resident highlights a number of issues:-

1. The application is a 41% increase in built floorspace from the existing office approval (1760m² to 2484m²).
2. Phase 1 built floorspace is already larger than Renslade House on a site half the size, while the proposed building should be suitable for its Conservation Area location.
3. The 24/7 traffic, noise and disruption, that comes with a hotel is substantially different to an office. The application moves the hotel even nearer the boundary with the Quaker Meeting House.
4. Core Policy 2 targets up to an additional 30,000m² of office space in the city centre by 2026. Change of Use and Prior Notification has seen a LOSS of 15,000m² in the last 4 years.
5. The site has not been protected as envisaged by NPPF para 22. 80% was approved for development under Phase 1 and is still awaiting completion (landscaping).
6. All the office space on the Dean Clarke House site has been taken up. The approved Phase 2 office could accommodate 150+ professional jobs compared to the hotel's 18-20 casual jobs.
7. The "Tesco factor" of a national budget hotel chain would see the loss of jobs in small hotels and B&Bs. Core Strategy does not mention a requirement for more hotels.
8. The proposal does not reflect the historic conservation area site. It is overbearing in scale and ugly in character. (The Historic England response limits comment on impact to graded buildings).
9. The site with planning has not been effectively marketed, it is not on the Council website nor on the internet. Also, the applicant's data is inaccurate e.g. showing Darwin House of 14,000 ft² - it is now 24 flats.
10. An inability for a particular applicant to access finance in the short term is not a material consideration.

It is considered that these matters are addressed in the main report.