

ITEM NO. 6**COMMITTEE DATE: 31 OCTOBER 2016**

APPLICATION NO: 16/0963/03 FULL PLANNING PERMISSION
APPLICANT: Mr Lovell
Heritage Developments (SW) Ltd
PROPOSAL: Erection of a B1 Office Building, access and associated infrastructure works
LOCATION: Land bounded by Exeter Road and The Retreat Drive (Heritage Homes Office), Exeter Road, Topsham, Exeter, EX3
REGISTRATION DATE: 29/07/2016
EXPIRY DATE: 23/09/2016

UPDATE SINCE 3 OCTOBER 2016 COMMITTEE MEETING

At the Planning Committee held on 3 October 2016 it was resolved that the application be deferred for the proposal to be considered by the Devon Design Review Panel. The proposal will be presented at the Devon Design Review Panel on 20 October 2016. Comments from the DDRP will be circulated on the Update Sheet and will be presented to Members at the 31 October 2016 Committee Meeting.

HISTORY OF SITE

None.

DESCRIPTION OF SITE/PROPOSAL

The application site lies on the southern side of Exeter Road and immediately adjacent to the east side of the M5 motorway bridge and embankment on the corner of Exeter Road and The Retreat Drive.

To the east, along Exeter Road, is the site where new houses have recently been approved for Heritage Homes, followed by a continuous frontage of housing accessed off a separate service road. To the west, on the opposite side of the M5 motorway embankment and facing the Topsham Football Club lies the site where a retail store is under construction and a further new housing development (Seabrook Orchards). The site is flat, with open frontages to the Exeter Road and The Retreat Drive, but contained on the southern boundary where there is an existing boatyard, by a row of mature trees.

The proposal is for a new office building (Class B1) to be the headquarter office for Heritage Homes. The site would be accessed from Exeter Road with the building set back within the site, adjacent to the M5 embankment and the front curved elevation facing Exeter Road and The Retreat Drive.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Planning, Design & Access Statement has been submitted in support of the application. Additional information was submitted in support of the application:

- The principle of employment development in a residential area - the NPPF sets out the Government's commitment to securing economic growth in order to create jobs and prosperity. It has long been recognised that office and residential uses are compatible and reinforced through NPPF paragraph 21 which urges LPAs to facilitate the integration of residential and commercial uses even within the same unit. Saved Policy E5 of the Exeter Local Plan First Review also recognises the compatibility of business use in residential areas subject to detailed criteria including there being no adverse impacts on local roads, the loss of existing off-street parking and will not significantly increase on-street parking. The proposed access has the support of the local Highway Authority, will not generate a significant amount of traffic and there is no need for any on-street parking. The proposal for additional office space within the site, combined with the fact this is a

bespoke office development for a local firm to remain within the city, will support the Core Strategy objectives of reducing inward commuting and enhancing the range of office space available.

- Sustainable location for offices - The site lies within the urban area of Exeter, along a bus route, the national cycle route and pedestrian routes and is therefore a sustainable location.
- Suitable use as offices - The site is currently unused and has in the past attracted fly tipping. The site is difficult to develop in that it is a small site and it is bounded to the east by the motorway embankment. Immediately adjoining the site is another commercial business where the existing Retreat Boatyard has many commercial vehicles coming and going. The use of the site for offices will cause minimal noise or disturbance to nearby residences. The building has been designed to be a high quality iconic building which matches the residential buildings approved opposite.
- Topsham Gap - This area does not demonstrate any strong landscape features which would otherwise contribute towards a gap between Exeter and Topsham and it has been accepted as compromised by the presence of the motorway bridge.
- Traffic & Parking Impact - The full number of parking spaces required can be provided on site, there will be no impact to The Retreat Drive as access is from Exeter Road.
- Loss of Amenity - There will be no loss of amenity as the residential and office schemes been carefully designed to ensure that there will be no overlooking or loss of privacy within the internal or external environments.
- Employment Provision - The existing 15 employees will be transferred to the new office from the current HQ at Matford Business Park. A further 10-12 new jobs will be created directly as a result of the proposed office development. If it is not possible to relocate the HQ building, these jobs will be lost in the City as the company will move to cheaper, more fit for purpose offices outside of Exeter.

REPRESENTATIONS

77 letters of objection have been received concerned with the following points:

- The land should be used as a recreation area, planted with trees to soften the hard edge of the motorway and reduce road noise;
- The application should be delayed until the new residences have been occupied;
- Takes no account of the road capacity or layout;
- Increased volume of traffic on a dangerous junction with poor visibility and where there has already been a fatality;
- No accommodation for cyclists or pedestrians;
- Inappropriate development and use for Topsham;
- Will set a precedent for other industrial uses;
- Additional traffic where children play in the street;
- Parking and traffic issues, particularly on The Retreat Drive and at the junction;
- Site is part of Topsham Gap, backed up by recent appeal decision. The site, whilst small, has strategic significance if further erosion of policy and the Gap on other adjacent sites, is to be avoided;
- Should be returned to green space for enjoyment by residents once the site office is cleared;
- The design of the building is inappropriate for Topsham and out of character with the local surroundings and would be an eyesore;
- The building is too high for this location beside the motorway. ECC have established parameters for this location and should not erode these further, compounding the harm caused by the current approvals. It will stand 4m above the M5 bridge deck and is clearly in breach of ECC's previous height parameters for the area;
- The height reinforces the canyon effect of the new development;
- The massing and styling of the building occupies a large proportion of the site and is of a single, unarticulated volume, in conflict with the much finer grain/scale of surrounding existing and recently approved residential buildings;

- Topsham is being developed by stealth and applications viewed in isolation;
- This land should be for affordable housing units;
- The recent appeal decision succeeded because ECC failed to earmark sufficient provision for house building and thus existing planning provisions seeking to preserve the Topsham Gap were overruled;
- This is the last bit of the Topsham Gap on the south side of Exeter Road and should be preserved as such;
- Allowing Aldi does not mean that a business park should be started on this main road;
- Topsham is primarily residential and not a business park;
- Increased vehicular traffic on a dangerous junction;
- There is no need for new offices in this location when there are business parks in Exeter;

The Topsham Society:

This site is part of the general area known as the Topsham Gap and was protected by LS1 Landscape setting designation until ECC removed lands south of Exeter Road following the Exeter Core Strategy Public Inquiry.

The Society has previously made representations in respect of the Gap, including evidence at the Exeter Core Strategy Public Inquiry, the outline application stage of the adjoining Exeter Road and Wessex Close housing site applications and giving evidence in support of ECC stance to defend the Gap at the Waddeton Park/land adjacent Topsham Rugby Club Public Inquiry. The Society's position is that the Gap is of vital importance to prevent the coalescence of the town with greater Exeter. Whilst we note that ECC's position is that the Gap is now only designated for lands North of Exeter Road, we believe, and note that this view was supported by the Waddeton Public Inquiry Inspector, that the south lands made a critical contribution to the visual separation of the settlements and that the approval of the south Exeter Road site had weakened ECC's Landscape Setting policy position. Therefore this application site, whilst small, still has strategic significance if further erosion of policy and the Gap, is to be avoided.

It is noted that the application site was put forward as open-recreation space by the applicant during the south Exeter Road outline application and was subject to a special public consultation on open space provision. At the time, the Society/residents made it clear that open space provision should be on or close to site. Ultimately during the Wessex Close detailed application, ECC accepted a S106 contribution and limited on-site residual space as sufficient. The Society held at the time that this was misguided and the current application underscores that view.

Scale - The residential approvals for the south Gap lands (Exeter Road and Wessex Close) permitted 3 storey flat elements. Objections were raised that given that the site was on a small town fringe adjoining largely detached 2 storey ribbon development, that the introduction of 3 storey flats was wholly alien and would create a canyon effect along the currently rural Retreat Drive. Officer justification for recommending approval of this element was that it would be below/in scale with the M5 bridge deck and would be edged by motorway landscape. The Society believe that this was flawed planning, but that if nothing else, ECC have established visual-design parameters for this location and should not erode these further, compounding the harm caused by the current approvals.

The proposal is for a building of significantly greater scale than the current flats (3 substantially higher commercial storeys + rooftop accommodation) which will stand 4m above the M5 bridge deck and therefore is in breach of ECC's previous height parameters. Furthermore, by placing development hard against the western edge of Retreat Drive it will remove the mitigating effect of the M5 landscape, significantly reinforcing the canyon effect previously highlighted. As a consequence the proposal is wholly inappropriate to both immediate locality and the edge of the town location.

The height issues noted above are reinforced by the massing and styling of the building which, as can be seen from 3D visuals of the proposals, occupies a large proportion of the site and is of a single unarticulated volume, in conflict with the much finer grain/scale of surrounding existing and recently approved residential buildings. Its styling, whilst perfectly acceptable for one of the city's business parks, is wholly inappropriate for this small town fringe surrounded by residential buildings.

Access – It is assumed due to legal constraints (reported to ECC by residents during the adjoining housing applications) it is proposed that a new separate access is provided from the site to Exeter Road. This will be both close to the existing Retreat Drive access, the M5 bridge and the new Aldi store entrance. Irrespective of DCC Highways indication of no objection, Exeter Road in this vicinity is known to be dangerous, having been the site of a fatal road accident in recent years, and the formation of a further access point serving a significant traffic generator would appear misconceived.

Use – The driving force for the removal of Landscape Setting designation for south Gap lands and the Waddeton approval was housing need and ECC's failure to provide sufficient housing to meet the NPPF 5 year allocation requirement. Whilst the site can be argued to border commercial uses at Retreat Boatyard and Aldi, these are local uses necessitated by location (river and where people live). This is markedly different from the proposed office HQ use. Such an "anywhere" use is alien to this small town fringe.

Having maintained a detailed involvement in Gap site issues and in particular the Waddeton Inquiry, the society is convinced that any intensification of development within (or now adjoining) the Gap Landscape Setting Area, will weaken ECC's stated policy objective to maintain the Gap and avoid coalescence.

The proposals represent such an intensification, will undermine policy, are too big, too corporate in appearance and inappropriate to this site.

The Topsham Society urges ECC officers and members to refuse this application for the above reasons.

CONSULTATIONS

Environmental Health - Approval with conditions requiring compliance with working hours and submission of noise assessment for review and approval with any necessary mitigation measures being undertaken.

Highways England - To be reported at the Committee Meeting

Highway Authority - To be reported at the Committee Meeting

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012:

4. Promoting Sustainable Transport
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy

- CP1 Spatial approach
- CP2 Employment development
- CP15 Sustainable design and construction
- CP17 Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

- AP1 Design and location of development
- C5 Archaeology
- T1 Hierarchy of modes of transport
- T3 Encouraging use of sustainable modes of transport
- T9 Access to building by people with disabilities
- T10 Car parking standards
- EN2 Contaminated land
- DG1 Objectives of Urban Design
- DG2 Energy conservation
- DG7 Crime prevention and safety

Exeter Development Delivery Document – Publication Version 2015

- DD1 Sustainable Development
- DD20 Sustainable Movement
- DD21 Parking
- DD25 Design Principles
- DD26 Designing out Crime

Exeter City Council Supplementary Planning Documents

Sustainable Transport SPD March 2013

OBSERVATIONS

Office Use

The principle of an office in this location is considered to be acceptable due to the close proximity to residential dwellings in both Topsham and Exeter. It is small in scale and in a sustainable location in that it is on a major bus route, has a dedicated cycle path and is easily accessible on foot. The company are currently located at Matford Business Park where the offices are now too small to accommodate the number of staff.

The Topsham Gap

During the recent appeal on land close to this site, the Inspector noted that the "relatively flat fields of which the appeal site forms a part, between the west fringes of the town and the M5 also contribute to Topsham's separation". It was also noted that "the M5 forms a very strong boundary to the city's developed area and therefore the open land seen after the M5 when travelling towards Topsham is and will be, important in maintaining the separate character of Exeter and Topsham. This includes the University Sports Ground and two or three fields of agriculture and nursery land separated by hedges. The land to the west, even allowing for the M5 and the recently permitted housing south of Exeter Road, has a more open setting".

Design Principles

The building has been designed to sit adjacent to the embankment of the M5 bridge, at the front of the plot, close to Exeter Road. The office accommodation would amount to 870sqm gross floor area (618sqm net). The site was originally identified as potential open space for the adjacent residential scheme, but as the land off Wessex Close is now under the same ownership by the developer, the open space has been provided within the residential development, negating the need to use this site.

An archaeological investigation has been carried out and completed on the site, but the results have yet to be analysed and the report produced. To ensure that this work is completed a condition should be attached to a consent. The site is now laid with hardcore and is currently being used as a storage area and for site offices during the construction of the adjacent residential development.

The building has been designed to reflect the contemporary design of the adjacent residential development. It is predominantly 3 storey, but with a flat roof to minimise the overall height. The height of the building has been designed to reflect that of the 3 storey

elements of the residential properties opposite. The building has been set back from The Retreat Drive in order to reduce any loss of privacy to the residential dwellings which do not have any habitable room windows on the elevation facing the office building. The distance between the residential and office building would be 15.5m. The distance of the upper stories of the office building from the edge of the M5 bridge would be 23.5m.

The elevation facing the junction and into The Retreat Drive is predominantly glazed at first and second floor levels, which reduces the visual impact of the building. The remainder of the building would be red brick at ground floor to reflect the materials used in the residential development. Internally, open plan office space is mixed with some smaller offices and meeting rooms. A roof garden is also provided for use by staff. A lift as well as central stair case is provided to all floors providing full accessibility.

The site would be accessed from Exeter Road, with parking provided around the building on all sides. Car parking for 20 cars has been provided. This is in accordance with the required parking spaces with the Exeter Local Plan First Review 1995-2011. The staff employed mostly live locally and can access the site on foot, by bike or on the bus, reducing the need for any additional parking spaces. Secure cycle parking is provided in a single storey section of building at the rear. The bus stop will be relocated to the front of the residential development but still in immediate proximity to the office building.

Some additional landscaping is proposed around the car park area to screen the parking and the ground floor of the building. A fence is also proposed but no details have been provided.

A bin storage area will be provided within the single storey section to the rear of the office building.

CIL Liability

There is no requirement for CIL contributions as this is an office building.

Summary

Having reviewed the relevant policies for this site, the remaining Topsham Gap and the possible future use for this land, it is considered that the principle of an office building for this local business is appropriate. The key land identified in the recent appeal decision refers specifically to land north of Exeter Road although it was also stated that the first open land seen after the M5 when travelling towards Topsham is important to be maintained. With regard to the site now under review, it is such a narrow site that there is minimal contribution to this open aspect as it screened by the M5 bridge and embankment.

The building has been set back into the site so that it is not dominant in the streetscene when exiting from beneath the M5 bridge towards Topsham and the overall height, scale, massing and design approach is considered to be acceptable in this location. The design also ties in with the recently approved residential dwellings on the adjacent land.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 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 29th July 2016 (*Dwg. No(s). Off-Dwg and Off-Sec1*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

- 4) C12 - Drainage Details
- 5) No development shall take place, including any works of demolition, until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials and a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The statement should include details of access arrangements, measures to minimise the impact on the adjacent footpath and timings of the proposed works. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and public amenity.
- 6) A noise assessment shall be undertaken for this application, which shall be submitted and approved in writing prior to commencement of the development. This report shall consider the impact of environmental noise on the development as well the impact of noise from new plant and equipment on neighbouring receptors. 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 is protected from ambient noise and does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the LPA and shall be implemented prior to and throughout the occupation of the development.
Reason: To protect future occupiers of the building.
- 7) 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.
- 8) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To provide for sustainable transport and ensure that adequate facilities are available for the traffic attracted to the site.
- 9) Travel Plan measures including the provision of sustainable transport welcome packs shall be provided in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.
Reason: To promote the use of sustainable transport modes and in the interest of highway safety, in accordance with paragraphs 32 and 36 of the NPPF.
- 10) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
 - a) There shall be no burning on site during demolition, construction or site preparation works;
 - b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;

c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance;

d) Details of access arrangements and timings and management of arrivals and departures of vehicles.

The approved CEMP shall be adhered to throughout the construction period.

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

- 11) The buildings hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1 January 2019. Prior to commencement of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of any such building hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.

Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

- 12) C57 - Archaeological Recording

- 13) No part of the development hereby approved shall be brought into its intended use until the visibility splays and on-site parking have been provided in accordance with the requirements of this permission and retained for those purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223