

**PLANNING COMMITTEE
20 March 2017**

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

Item 5 : Pages 5-22 : Ref 17/0121/01 : Land adj West of England School, Topsham Road

A total of 382 letters of objection have now been received, although local residents have independently counted a total of 394 objections. (Discrepancies have occurred due to residents sending in repeat objections either in the form of email, letter, pro forma or through the planning portal). However all correspondence has been recorded online. The additional objections reiterate concerns as summarised in the Committee report although an additional comment is made that a reptile survey should have been carried out on the site.

The applicant's ecologist commented that the Ecological Receptor Checklist at the beginning of their Ecological Appraisal Report confirms that suitable habitat for reptiles was not considered to be present, hence the reason no reptile survey was undertaken. Reptiles prefer a more rank grass sward and associated scrubby habitats. Such intensively managed agricultural grassland is unlikely to be used by reptiles and therefore it would be considered unreasonable to insist on a survey when there is little likelihood of reptiles being present in the field.

Petition containing 80 signatures (12 from local taxi drivers delivering/collecting students from Southbrook School and 68 from the cycle and pedestrian users adjacent to proposed access) objecting to the increased disruption, congestion, delays and hazards on the roads through the increased traffic.

Amended plans (dwg no. 3887_206_B) have been received which indicate the removal of a central section of the area identified for development to be replaced with additional landscape planting. The total developable area has been reduced from the original submission of 3.61ha to 3.51ha which has conversely increased the green infrastructure area of the site from 3.12ha to 3.22ha.

The applicant has confirmed a financial contribution of £250,000 towards enhancement of the Ludwell Valley Park, as part of the Green Infrastructure improvements for the area.

Condition 14

The development hereby permitted shall not be carried out other than in accordance with the Masterplan Framework Plan (dwg no. 3887_205_B) as modified by other conditions of this consent.

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

The County Flood Risk Officer raises no objection following receipt of the additional information subject to the following conditions being imposed:-

Additional Conditions:

15. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Addendum to Flood Risk Assessment Addendum (Report Ref. R70083Y001A, Rev. A, dated March 2017) and those parts of the Flood Risk Assessment (Report Ref. E70052Y002A, Rev. B., dated December 2016) not superseded by the former document.

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

16. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

17. No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

Item 6 : Pages 23-44 : Ref 16/1576/01 : Home Farm, Pinhoe

Nothing further to add.

Item 7 : Pages 45-54 : Ref 16/1562/03 : Builders Yard, Lower Albert Street

Comments & Objections:

A further five objections have been received. Two are additional comments to those provided previously to the original proposal and three new objections. Additional new comments raised include:

- Rainwater harvesting and greywater re-use as stated in the Design & Access Statement should be incorporated, not just considered.
- Now that it is a two storey design, the social area for students to meet in has been removed, so there is nowhere to socialise as a group which is poor for welfare and mental health where a sense of community by meeting together should be a given right. They will therefore not have the sense of community that is so strong in Newtown.
- Suggestion that the University purchases a field out beyond the city and build there and bus in students like other universities do.
- The roof should be pitched, not flat, in order to be in keeping with surrounding buildings.
- A residential building for families or couples would have a positive impact on the area and encourage more families to live here rather than pushing them out as the transient student population in Newtown balloons.
- Additional pressure on local facilities, especially Belmont Park.

Additional information regarding community balance:

The applicant has expressed concern regarding advice in the report regarding how the community is defined for the purpose of considering imbalance. The report identifies that the adjoining Portland Street is 32% Council Tax exempt accommodating a large number (approximately 165) students, however, the adjoining local authority development in Newtown Close and Clifton Road comprises permanent residents.

For the avoidance of doubt, in 2010, the Council considered the issue of whether imbalance in relation to Policy H5 (b) should be considered on the basis of: individual streets; within defined radial distance of proposals; or within wider parts of wards. The latter was favoured. The Council changed this approach in the HMO SPD adopted in January 2014 to consider imbalance over the wider area where an Article 4 Direction applies and Council Tax exemptions exceeded 20%. The proportion of tax exemptions is 12.9% in this part of Newtown and over 20% in the area subject to the Article 4 Direction including exempt streets. The HMO SPD does not apply to purpose built student accommodation which is considered on its merits.

Item 8 : Pages 55-72 : Ref 17/0053/03 : BHF, 1 Cheeke Street

Two further responses have been received, one from National Express in support and one resident in objection:

National Express is supportive of the planning application and are particularly pleased to see the proposals for the coach waiting area, which we believe will provide ample capacity for scheduled coach customers in a modern and welcoming environment. We are very keen to continue to work with the Council in relation to the security arrangements, management of this facility, signage and wayfinding and provision of real time information within the waiting facility.

We understand that concerns have been raised in relation to the lack of toilet facilities within the designated coach waiting facility. We are therefore keen to ensure access to the toilets within the new bus station for coach passengers.

We understand that our specific operational requirements within Exeter will be met and in this regard we are supportive of the proposals for a new coach waiting facility alongside the coach bays.

Objection: Far too high, by approving this other tall buildings will be able to get approved, scale is ugly, loss of sky and natural light to

street level, will make air pollution worse, noise from air conditioning units will affect residents.

Item 9 : Pages 73-80 : Ref 16/1560/03 : 16 Mowbray Avenue

The applicant has asked for this statement to be circulated to Members.

“Since the Article 4 area came into existence there have been a number of examples of properties in Article Four exempt roads that have been granted permitted change of use to Sui Generis (i.e. HMO with 7 or more occupants). The list below shows four similar applications: two of these are for houses in Article 4 exempt roads and two are actually for properties within the Article Four area but not in exempt roads. All have been permitted change of use to Sui Generis use class.

- 16/1204/03 Change of use from 6 person HMO (Class C4) to 7 person HMO (Sui Generis). 6, Wrentham Estate, Old Tiverton Road, Exeter, EX4 6ND.
- 16/0976/03 Change of use from C4 (HMO for 6) to Sui Generis (HMO for 8) and first floor rear extension. 1 Longbrook Terrace, Exeter, EX4 4EU.
- 15/0346/18 Change of use from small HMO (Use Class C4) to large HMO (sui generis) limited to 7 residents. 32 Danes Road, Exeter, EX4 4LS.
- 13/4917/18 Certificate of lawfulness for change of use from small to large HMO. 31 Howell Road, Exeter, EX4 4LT.

16 Mowbray Avenue is a large property in an Article 4 exempt road. Before we submitted our application the Council confirmed that the proposed alterations can be made under permitted development rights and the proposed design was discussed with the planning department to find a mutually agreeable proposal. The proposal far exceeds the required communal space standards and is of a higher specification than the successful applications listed above.”

Item 10 : Pages 81-90 : Ref 16/0318/03 : Land adj Pinhoe Hoard, Pinhoe Road

Nothing further to add.