

**ITEM NO.****COMMITTEE DATE:** 30/10/2017**APPLICATION NO:**

17/0665/OUT

**APPLICANT:****PROPOSAL:**

Demolition of Existing Bungalow to allow construction of New Hotel with up to 250 Bedrooms and associated facilities including new pedestrian foot Bridge link as main entrance at high level via Sandy Park Stadium Car Park. (Outline application with all ma

**LOCATION:**

Sandy Park Lodge (Formerly Primrose Orchard), Old Rydon Lane, Exeter, EX2 7JP

**REGISTRATION DATE:**

24/04/2017

**EXPIRY DATE:****HISTORY OF SITE**

|              |  |     |            |
|--------------|--|-----|------------|
| 98/0135/03 - | Single-storey front and rear extension, detached double garage to replace existing, additional access to highway and ancillary works | PER | 05/03/1998 |
| 02/1826/01 - | Detached bungalow (all matters reserved for future consideration).   | REF | 23/01/2003 |
| 05/0255/03 - | Ground floor extension on east elevation   | PER | 07/04/2005 |

**DESCRIPTION OF SITE/PROPOSAL**

The application site comprises a single storey detached residential property and curtilage on the south side of Old Rydon Lane. The site, which is triangular in shape, is located opposite existing car parking serving the Sandy Park Stadium which lies to the north of the site. The south-east boundary of the site abuts the embankment of the M5 motorway.

Outline planning permission is sought for the demolition of the existing dwelling and erection of a new hotel with up to 250 bedrooms. The submitted feasibility plans depict a raised pedestrian bridge over Old Rydon Lane linking the proposed hotel to the stadium site and associated parking, an L-shaped building over 8 storeys, on site staff parking and servicing access from Old Rydon Lane. The outline application seeks to establish the principle of the development with all detailed matters relating to access, appearance, landscaping, layout and scale reserved for subsequent approval.

**SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is accompanied by the following supporting documents –

- Planning Statement
- Design & Access Statement
- Ecological Appraisal
- Statement of Archaeological Potential, Impact and Mitigation
- Transport Statement
- Travel Plan

- Flood Risk Statement
- Noise Impact Assessment
- Air Quality Assessment
- Waste Audit Statement

## **REPRESENTATIONS**

A total of 53 representations have been received (47 Objections and 6 Support) raising the following issues –

### **Objections**

- Highway Safety Issues
  - Increased traffic on local roads that aren't adequate to cope with it, especially heavy goods vehicles/coaches
  - Lack of pavements on roads
  - Conflict between vehicles and pedestrians/cyclists, especially on match days
  - Narrowness of Old Rydon Lane
  - Vehicles speeds – frequent flouting of speed limits
  - Indiscriminate parking, particularly on match days – impact on safety
  - “Accident waiting to happen”
  - Use of Old Rydon Lane as a ‘rat run’
- Adverse impact of additional traffic on amenity of local residents
- Access arrangements – particularly vis Clyst St Mary roundabout
- Question practicalities of Statement regarding majority of access being via Stadium site over proposed pedestrian bridge – Enforceability
- Why such significant levels of staff parking
- Parking arrangements – insufficient and conflict with existing operations i.e. matches and consented conference facilities
- Should investigate providing level road link between site and stadium
- Construction traffic impacts Old Rydon Lane/Clyst Road
- Will reduce sustainable travel opportunities e.g. by making cycling less attractive
- M5 J30 already dysfunctional – will be made worse by this, as will other nearby roads
- Delivery vehicles/day to day operational vehicles – local roads inadequate
- Lack of proper vehicular access
- Conflict with Newcourt Master Plan comments regarding managing Old Rydon Lane to make it more attractive to pedestrians/cyclists
- Old Rydon Lane should be made residents only access
- Problems of Old Rydon Lane need to be fully understood and addressed before any further traffic generating development in locality is permitted
- Conflict between hotel operation and stadium access
- Massive increase in traffic from recent housing development and more to come with IKEA
- Adverse impact on delivery of Strategic Cycle route
- Lack of adequate cycle parking
- Question assumptions in Transport Statement regarding travel and parking patterns likely to be associated with hotel
- 8 Storeys is too high – oppressively tall and detract from rural character of area
- Ugly building/design – incongruous and ‘blot on the landscape’
- Query need for a hotel in this location - more favourable site for hotel exist e.g. Winslade House

- Contrary to Draft Development Delivery DPD policy DD17 regarding size of hotel – policy refers to up to 120 bedrooms – 250 bed spaces is too large
- Visual impact - long range views
- Distraction to drivers
- Noise pollution
- Light Pollution
- Air Pollution
- Adverse impact of flora and fauna in locality
- Exacerbate existing flooding associated with drainage in locality
- Question whether room on site for an adequate SUDS scheme
- Council use of social media about application prejudiced in favour of applicant

### Support

- Economic benefits – fantastic opportunity to bring investment and jobs to Exeter
- Help to secure future success of Exeter Chiefs who are ambassadors for Exeter and enhance its investment appeal, add to existing services at Sandy Park as a hub for business and rugby
- Recent infrastructure improvements have facilitated access
- Promote Exeter as a destination
- Address lack of a decent hotel in the locality
- Scale is appropriate for a motorway hotel

## **CONSULTATIONS**

**Environmental Health** – Recommends conditions relating to CEMP, Mechanical plant noise limits and general noise impact. In terms of noise impact from motorway on potential hotel residents the application is accompanied by a Noise Impact Assessment which makes recommendations in respect of the detailed building design and construction that would secure a suitable internal environment for customers.

**Wales & West Utilities** – draw attention to location of gas pipes and need for developer to liaise direct with them to ensure development proceeds in appropriate manner.

**SWW** – highlight location of public sewer, confirmation clean potable water services capable of being provided, highlight need for sustainable approach to surface water disposal, and advise condition that only foul drainage shall be connected to public foul or combined sewer.

**DCC (Lead Local Flood Authority)** – Comment as follows –

“The applicant should provide a scaled plan to identify that there is sufficient space to locate the proposed attenuation features within the proposed development area. It is noted that the strategy is proposing below ground attenuation, these underground systems cannot be considered as truly sustainable means of drainage because they do not provide the required water quality, public amenity and biodiversity benefits, which are some of the underpinning principles of SuDS. Consequently, above-ground SuDS components should be utilised unless the applicant can robustly demonstrate that they are not feasible; in almost all cases, above- and below-ground components can be used in combination where development area is limited. Indeed the submitted Design and Access statement highlights the area to the East for use of open attenuation features within the Green Infrastructure area therefore further consideration of this area is required.

The applicant should also note that in accordance with the SuDS Management Train, surface water should be managed at source in the first instance. The applicant will therefore be required to explore the use of a variety of above-ground source control components across the whole site to avoid managing all of the surface water from the proposed development at one concentrated point (e.g. a single attenuation pond). Examples of these source control components could include permeable paving (which could be underdrained), formalised tree pits or other bioretention features such as rain gardens, as well as green roofs, swales and filter drains.

It is proposed to discharge to an existing motorway ditch to the eastern boundary of the site at Qbar, although the discharge rates are acceptable confirmation from Highways England should be obtained to confirm that they are happy to except a formalised discharge into their drainage network. The applicant should also provide a plan showing the ditch network connectivity to identify the final outfall location.”

**Highways England** – Initially Highways England imposed a Holding Direction preventing determination of the application for a period of 6 months to allow the applicant to submit additional information to address concerns about potential impact on the Strategic Road Network (SRN), and operational issues relating to drainage and screening/landscaping. Following the receipt of additional information Highways England removed their Holding Direction and recommended conditions commenting as follows –

#### “Statement of Reasons

##### Assessment of Traffic Impact

Highways England provided a formal recommendation dated 25 May requesting that further information be submitted in relation to the assessment of traffic impact from the proposed development. Our response below should be read in conjunction with those earlier comments.

We have now considered the further information provided by the applicant’s consultants, Parsons Brinckerhoff, and are now in a position to confirm that no further capacity assessment of M5 junction 30 will be required. Subject to the updating of the site wide Sandy Park Travel Plan and Match Day Access Strategy to incorporate the proposed hotel development, we are satisfied that the traffic impact from the proposed development on the strategic road network will not be severe as defined by the NPPF. We are therefore recommending planning conditions in relation to the updating of both the travel plan and Match Day Access Strategy.

##### Operational Issues

Dft Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development, paragraph 50, states that in order to ensure the integrity of the highway drainage systems, no water runoff that may arise due to any change of use will be accepted into highway drainage systems, and there shall be no new connections into those systems from third party development and drainage systems. The Flood Risk Assessment submitted with the application makes clear that the natural direction of flow will be towards the motorway embankment and it will be necessary to ensure that appropriate measures are implemented to mitigate surface water run off to protect both the highway drainage system and integrity of the motorway embankment. We are therefore recommending a planning condition in relation to the submission of a surface water management plan.

As the development site is adjacent to the motorway boundary, we would also want to consider any proposed landscape planting to ensure that the planting is appropriate and does not include any invasive species and so ensure the existing motorway soft estate is not adversely affected and to avoid potential future maintenance issues. We are therefore also recommending a planning condition to that effect.”

**East Devon District Council – Comment as follows -**

“I refer to the above mentioned planning application which East Devon District Council has been consulted upon as the proposed development lies in close proximity of the boundary between the two authorities.

From a planning perspective we have the following comments to make:

**Access and parking**

Whilst all matters are reserved for subsequent approval the application indicates that the guests would access the hotel from the adjacent Sandy Park Stadium car park via a new footbridge over Old Rydon Lane.

However, the red edge on the location plan does not cover any proposed spaces for guests in this car park and neither is the car park within the blue edge (land under control of the applicant), therefore concerns are raised that there would be insufficient parking for guests of the up to 250 bedroom hotel particularly on match days or other corporate event days. The absence of any mechanism to secure any of these spaces for use by the hotel raises significant concerns that residents of the hotel would either park along Old Rydon Lane or further afield within East Devon District creating congestion concerns on the local highway network.

Furthermore, it is not clear from the submitted information how guests will be directed to the hotel (or advised to park in the stadium car park). Increased use of Clyst Road and Old Rydon Lane could be detrimental to highway safety and residential amenity. There are already serious traffic concerns in this area on match days and considerable inconvenience for local residents.

The emergency access route to the west of the proposed pedestrian bridge would need to remain for such purposes only, not for any regular vehicular traffic exiting the stadium or hotel onto Old Rydon Lane which is considered to be substandard to support a significant increase in traffic.

In summary, we recommend that access be controlled from the A379 only, and adequate car parking be secured at the adjoining car park to ensure that Clyst Road and Old Rydon Lane do not become congested, particularly during match days. Please share these comments from Devon County as the Highway Authority so that they can assess the impact within their response to the application.

**Scale**

The illustrative plans for the hotel indicate a sizeable ‘L’ shaped structure that would be a very noticeable feature when using both the strategic and local highway networks. Concern is expressed regarding its relative height compared to the rugby stadium (acknowledged to be lower than the stadium), however on approach it would appear significantly out of scale with anything else in its surroundings when viewed from East Devon District. The visual impact requires careful consideration.

**Drainage**

The drainage strategy indicates that Suds would be advocated on site, however, given the constrained nature of the site it is advocated that more information is provided at the outline stage to ensure Suds will work on site.

I hope that the above information is of assistance and will be taken into account as part of the application.”

**Devon and Somerset Fire & Rescue Service** – Comments as follows -

- There is no objection on our part as long as the hotel design is in line with the appropriate guidance/standards for new build commercial premises. Documents normally used are Approved Document B or BS9999.
- The key aspects at this stage of the process is to ensure suitable and adequate access for fire service vehicles along with sufficient water supplies. (In line with the guidance mentioned above)
- Due to the height of the hotel, consideration must be given to access for High reach appliances, including suitable turning circles as required.
- At this stage we would also recommend the installation of sprinklers for a development of this size.
- It should also be noted that access is unavailable to all sides of the building.
- Finally we are happy to consult on the hotel fire safety design/fire safety strategy as part of the ongoing process or as a pre-consultation.

**County Head of Planning, Transportation and Environment (Highways)** – Comments as follows –

*“The submitted application is an outline application (with all matters reserved) for the demolition of and existing bungalow and for the construction of a 250 bed hotel at Sandy Park Lodge, Old Rydon Lane, Exeter. The application includes associated facilities which include a new pedestrian foot bridge overhanging Old Rydon Lane.*

*Background*

*The County Council, as highway authority, was initially consulted on the proposals in May 2017 (through pre-application advice), where concerns were raised over the impact on Old Rydon Lane. Plans showed staff along with deliveries associated to the hotel, would be accessed via Old Rydon Lane - the highway authority considered this unacceptable (due to the narrow nature of the road, raising concerns on public safety and intensifying vehicular movements on a Green Infrastructure Route) and therefore asked the applicant to provide an alternative solution.*

*Vehicular Access and Trip Generation*

*The primary vehicular access to the hotel will be from the recently upgraded full movement signalised junction from the A379. Guests will access the hotel through the existing Sandy Park Car Park, via a proposed footbridge which overhangs Old Rydon Lane providing a direct link to the main reception. The footbridge will enable guests to access the Hotel without the need to cross Old Rydon Lane. This is acceptable in principle.*

*In order to assess the impacts of the development on the A379 and the local road network, the anticipated traffic generated by the site has been calculated using trip rates derived*

*from the TRICS database. The trip rates used are considered to be robust and are acceptable. The analysis shows that in the AM Peak, 93 two way trips are generated and in the PM Peak, 70 two way trips are generated during a typical weekday.*

*The upgrading of the Sandy Park junction was identified in the adopted Exeter Core Strategy as part of the Newcourt allocation, set out within the accompanying Infrastructure Delivery Plan and included in the Newcourt Transportation access strategy. Extensive modelling has been undertaken to assess the capacity of the junction (existing and in future scenarios, including IKEA and consented development in the area). Based on this analysis a successful business case was put together receiving the granting of LTB money. Subsequently, the junction has been through cabinet stating that the junction can accommodate 8.3 hectares of employment and 400 dwellings. Given that modelling has been conducted showing that junction operates within capacity, the addition traffic generated by the development at this junction is not of concern.*

*To service the hotel, deliveries will be taken from Old Rydon Lane. Discussions with the developer indicate that approximately 14 vehicles (assumed to be small box vans/LGV) will serve the hotel per day. The applicant could not provide the exact number of deliveries as it was dependent on the hotel operator (which has not been agreed at this point on time). The level of traffic associated with deliveries is not significant and does not form a reason for refusal. However, the planning application presented still shows a staff car park accessed off Old Rydon Lane.*

*The applicant proposes a forty space staff car park (as required by a potential hotel operator) to which the highway authority has raised concerns (in particular the section of Old Rydon Lane west of the Hotel site, towards Newcourt). This section is narrow in places with pinch points in the carriageway width (4.1m wide in some places), forms part a Green Infrastructure Route within the Newcourt Strategic Allocation (as identified in the ECC Core Strategy) and is identified as a to access the Clyst Valley. The Exeter Area and East Devon Growth Point Green Infrastructure Strategy (Phase 2) specifically indicate that Old Rydon Lane will be a key walking & cycling corridor and as such, in accordance to the above policies, vehicular movements should be discouraged (especially when the carriageway width is narrowed).*

*To minimise the volume of traffic using this section, the applicant proposed that as part of the employment contract, all staff members would have to access the staff car park via Clyst Rd (and not via Newcourt). However, given that there is no formal Traffic Regulation Order (TRO) restricting this movement; the highway authority has questioned its enforcement. Subsequently, there is still a risk for staff trips to intensify the use of Old Rydon Lane towards Newcourt.*

*It is pointed out that the access onto Old Rydon Lane will change in the future as part of the application for 450 residential dwellings at the land east of the Exmouth Branch Line (planning application numbers: 14/1451/01 and 14/2007/01). The highway authority has already identified the concerns relating to the intensification on Old Rydon Lane and these comments can be found below:*

*“using residential trip rates and distributions taken from the Newcourt Access Strategy, identified that this spare capacity would be used up by just over 150 dwellings at the proposed site. Beyond this, an alternative access through to an upgraded Sandy Park junction would be required.”*

And

*“Concern has been by local residents about the suitability of Old Rydon Lane as the main access point for such levels of development, and reference is also given to this in the Newcourt Access Strategy. The proposed condition to protect the operation of the Clyst Road above is considered sufficient to overcome such concerns.”*

*The additional traffic generated (staff journeys and deliveries to the Hotel) on Old Rydon Lane is therefore in **contradiction** to the planning conditions accepted for planning application numbers: 14/1451/01 and 14/2007/01 and policies outlined in the above text. Hence, a recommendation of refusal is put forward by the highway authority.*

#### *Future Access points*

*A number of discussions have been held regarding the potential for a one way system along Old Rydon Lane. An eastbound only section will go some way to appease the concerns identified; such a scheme would reduce the number of vehicles using Old Rydon Lane (and control the traffic associated with the Hotel) and has the potential to provide cycle infrastructure, meeting the objectives set out in the ECC Core Strategy – these initiatives have been looked at as part of Holland Park Phase 3 which has now been granted planning consent. However, the application submitted does not include any infrastructure changes and therefore, at this moment in time, a refusal is recommended.*

*Should the applicant resubmit a revised planning application, such infrastructure/financial contributions will need to be considered under that future application. It is also noted that if an eastbound only system was to be included in the future application revised junction assessments will be required (all staff and delivery movements will need to access the site from Clyst Road).*

#### *Parking*

*Parking for guests and staff will utilise the existing onsite car park at Sandy Park, which compromises of 536 spaces. However, due to a number of changes (which include the provision of a footbridge); the car park will reduce in size to 494 spaces.*

*A parking accumulation study has been undertaken to estimate the maximum number of vehicle trips that would stay in the car park at the same time on a given day as a result of the proposal. This study is based upon the TRICS output used to estimate trip generation for the proposed hotel development. The results show that when the hotel is full, 80-90 spaces will be required during the day, with a maximum of 137 spaces needed overnight.*

*The submitted evidence shows that the when conference are held, 391 vehicular spaces are required (this level of parking has been accepted when the conference centre planning application was put forward). The Hotel requires 80-90 spaces during the day and therefore there are sufficient spaces to accommodate both uses. It should be noted that the Conference Centre is not in use for events on match days.*

*On match days, the existing car park is fully utilised – spaces are allocated to park & ride buses, an area for a TV compound and some staff/spectator parking. Due the hotel requiring 137 spaces proposed parking approach during a Match Day changes; this is*

*achieved reallocating spaces and reducing the number of permits that are provided to spectators and attendants on match days.*

*With the above comments in mind and a potential operator of the hotel requiring forty spaces, an additional car park is needed. However, the applicant will need to reconsider the access arrangements as outlined in the previous section of this highway response.*

#### *Summary*

*The primary vehicular access point onto Sandy Park junction is not of concerns as DCC modelling has shown this operates within sufficient capacity to adequately accommodate traffic generated without severe impacts on the operation or safety of the public highway. However, there are fundamental concerns over the impact and the intensification of vehicular movements on Old Rydon Lane. With the current access arrangements to the staff car park in mind, a refusal is recommended, but the highway authority may change its position if another application were to be submitted.*

*Were the Local Planning Authority to approve the submitted application, against my recommendation, I would request to be re-consulted on suitable conditions (such as a travel plan, an AIP for a structure over the highway and a revised Match Day Access strategy etc.) and/or contributions to attach to any permission.*

#### **Recommendation:**

**THE COUNTY ENVIRONMENT DIRECTOR, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT PERMISSION BE REFUSED FOR THE FOLLOWING REASONS:-**

- 1. The road giving access to the staff car park and route for delivery vehicles (Old Rydon Lane immediately west of the proposed hotel site), by reason of its inadequate width, visibility, lack of footways and street lighting does not form a safe and suitable access to the site for all users, and increases traffic on a Green Infrastructure Route, contrary to Section 4 of the NPPF and the ECC Core Strategy.”*

### **PLANNING POLICIES/POLICY GUIDANCE**

#### **Central Government Guidance**

National Planning Policy Framework (NPPF):-

Achieving sustainable development

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
5. Supporting high quality communication infrastructure
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment

*Paragraph 11 - Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.*

*Paragraph 14 - At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking...For decision taking this means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.*

### **Exeter Local Development Framework Core Strategy 2012**

CP1 – Spatial approach  
CP9 – Strategic transport measures to accommodate development  
CP10 – Meeting Community Needs  
CP11 – Pollution and air quality  
CP12 – Flood risk  
CP14 – Renewable and low carbon energy  
CP15 – Sustainable design and construction  
CP16 – Strategic green infrastructure  
CP17 – Design and local distinctiveness  
CP18 – Infrastructure requirements and developer contributions  
CP19 - Strategic Allocations

### **Exeter Local Plan First Review 1995-2011 Saved Policies**

AP1 – Design and location of development  
AP2 – Sequential approach  
T1 – Hierarchy of modes of transport  
T2 – Accessibility criteria  
T3 – Encouraging use of sustainable modes of transport  
T10 – Car parking standards  
C5 – Archaeology  
EN2 – Contaminated land  
EN3 – Air and water quality  
EN4 – Flood risk  
EN5 – Noise  
DG1 – Objectives of urban design  
DG2 – Energy conservation  
DG7 – Crime prevention and safety

### **Development Delivery Development Plan Document (Publication Version):-**

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 - Sustainable Development  
DD13 - Residential Amenity

DD17 - Hotels  
DD20 - Sustainable Movement  
DD21 - Parking  
DD25 - Design Principles  
DD26 - Designing Out Crime  
DD28 - Heritage Assets  
DD30 - Green Infrastructure  
DD31 - Biodiversity  
DD33 - Flood Risk  
DD34 - Pollution

## **Exeter City Council Supplementary Planning Documents**

Archaeology and Development SPG 2004  
Planning Obligations SPD 2009  
Sustainable Transport SPD 2013

Other documents

Exeter Hotel Study 2007

## **OBSERVATIONS**

### Context/Background

The application site lies to the south of Old Rydon Lane with a direct vehicular access off it serving the dwelling currently occupying the site. It is directly opposite Sandy Park stadium and its associated parking facilities. The Sandy Park complex comprises a David Lloyd Leisure Centre and Rugby Stadium for the Exeter Chiefs. Accommodation within the main stand of the rugby stadium is also used for Conferences and social events. Since its original construction the capacity of the ground has been extended through various applications including most recently application 12/1030/03 which permitted new stands and an increase in capacity to 20600. This application also included a new conference centre behind the south stand containing a 1000 seat conference suite.

Only outline approval for the principle of a hotel of up to 250 bedrooms on this site is sought at this stage, with all detailed matters relating to access, appearance, landscaping, layout and scale reserved for subsequent approval. However, the submitted feasibility plans suggest an indicative scale of 8 storeys and an access strategy comprising staff and servicing only parking/traffic on the site itself, with customer parking on the opposite side of Old Rydon Lane on part of the existing stadium complex car park. Customers would then access the hotel itself via a pedestrian bridge over Old Rydon Lane leading directly into the hotel reception area which would be on the floor level with the stadium complex site.

### Main Issues

- Principle of development/
- Transportation issues
- Design/visual/impact
- Ecological impact/Suds

- Amenity issues – light, noise, air pollution, scale

### Principle of development

A hotel is considered a ‘main town centre use’ in the context of the NPPF and would therefore ordinarily be subject to a sequential test as set out in paragraph 24 which reads as follows –

“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”

The NPPF also advises that in drawing up Local Plans, local planning authorities should set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres. The Council recognised that hotel facilities are increasingly important to service corporate needs, and that with the development taking place to the east of Exeter that this demand was likely to grow. As part of the evidence base for the Core Strategy a Hotel Study was carried out in 2007 to review demand for hotels in the Exeter area and make recommendations about the scale and nature of future provision which is required to service the area and contribute to its economic prosperity. The study identified strong hotel developer interest in Exeter and this has resulted in the provision of additional hotel bed spaces. Notwithstanding this there is continuing pressure for release of sites in other uses for hotel development both in the city centre and on the edge of the city, particularly along the motorway corridor. Utilising the evidence from the Hotel Study, and recognising the developments that have already been completed and those that benefit from planning permission, it was considered that an additional 120 bedroom hotel facility, located within reasonable walking distance of the conference facilities at Sandy Park, could be supported. Hence the Development Delivery DPD (Publication Version) incorporates the following policy –

**DD17:** Planning permission for Hotel development (Class C1) will be granted in the city centre and at the quayside. Planning permission will be granted for a hotel comprising up to 120 bedrooms located within reasonable walking distance of Sandy Park to complement the conference facilities. Elsewhere the sequential test will be applied.

As the document has reached publication stage it is a material consideration in the determination of this current application and can be considered to have some, albeit limited, weight.

The application site lies within the boundary of the Newcourt Strategic Allocation (Core Strategy policy CP19) which earmarks this area for development/expansion of the City with around 3500 dwellings and 16 hectares of employment land and all associated infrastructure. Originally it was envisaged that a hotel might form part of employment development brought forward on land north of Old Rydon Lane immediately next to the Sandy Park stadium complex. However that has not materialised to-date whereas this proposal for a hotel on land just south of Old Rydon Lane has been submitted. This site is within close proximity to Sandy Park and certainly fulfils the criteria of being ‘within reasonable walking distance of Sandy Park’ as set out in the above policy.

The submitted proposal is for a significantly greater number of bed spaces than indicated in the policy. However the proposal is in outline and seeks approval in principle for a hotel of up to 250 bed spaces. The final number of spaces, up to that maximum number, would come forward as part of any subsequent 'reserved matters' and would be shaped by market demand/analysis undertaken by the developer in conjunction with any hotel operating development partner. That said, it is recognised that with the consented expansion of the stadium both in terms of spectator capacity and conferencing facilities, other potential employment related development to come forward within the Newcourt strategic allocation area and east of Exeter generally, there is likely to be demand for a larger hotel specifically in this general location that would not be as conveniently served by further hotel provision within the city centre, or edge of centre locations. Even so, given that policy DD17 effectively earmarks a 120 bed hotel in this area, it could be advocated that any issues regarding assessment in relation to existence of a sequentially preferable site would only apply to provision over and above the 120 bed spaces referred to in the policy. Nonetheless, this proposal is seen as meeting a specific locational related need which if met on a more centrally located site would be liable to generate potentially significant travel movements associated with spectators/patrons of the rugby stadium/conference facilities, and future employment developments in the vicinity, having to travel out to this site on the edge of the city.

#### Transportation Issues

Highways England initially imposed a holding direction on the determination of the application to allow additional information to be submitted to address concerns about the potential impact of a large hotel on this site upon the Strategic Road Network (SRN). Upon consideration of the further information provided Highways England confirmed that no further capacity assessment of M5 junction 30 was required in connection with this proposal. It was also confirmed that subject to updating of the site wide Sandy Park Travel Plan and Match Day Access Strategy to incorporate the hotel development Highways England was satisfied that the traffic impact from the proposed development on the strategic road network will not be severe as defined by the NPPF. Highways England have incorporated conditions within their recommendation to secure the above along with other matters relating to surface water management and landscaping details in so far as they might impact on the motorway embankment adjoining the site.

Therefore the remaining transportation concerns relate to the more localised highway network, particularly in relation to the potential impact on Old Rydon Lane and the aspirations relating to the future management of Old Rydon Lane to make it more attractive to pedestrians/cyclists, and its function as part of a strategic cycle route.

Access arrangements to the hotel are one of the key matters and hence this is no longer to be reserved for subsequent approval. It is essential to enable the potential transportation impacts of the scheme to be assessed that the overall access strategy is considered at the outline stage. The approach put forward comprises the use of part of the existing stadium complex park as dedicated parking to serve customers of the hotel, with a raised pedestrian bridge over Old Rydon Lane giving access from the parking directly into the reception area of the hotel which would be located on a floor level building (that would be commensurate with the car park level). Access to the customer parking would thereby be via the newly constructed all movements junction off the A379. The aim of such an approach is to limit the use of Old Rydon Lane by vehicles associated with the proposed hotel to staff and servicing traffic only. This is considered an appropriate approach in terms of the access arrangements for potential customers. It is accepted that there is sufficient car parking available on the stadium site to accommodate the

predicted parking needs of both the proposed hotel and the previously approved expanded conference facilities. A specific part of the existing car park will be dedicated to hotel guests. It is noted that the conference facilities are not in use for events on match days, and therefore with some adjustment to the management of match day parking it is considered the level of parking provision to service the hotel and stadium would be sufficient. In the event of the application being approved conditions would be required regarding the detailed design of the proposed pedestrian bridge over Old Rydon Lane and its height (clearance) above the existing carriageway.

The feasibility plans submitted incorporate a vehicular access from Old Rydon Lane into the site that allows for access and turning for the anticipated type of service related vehicles, and access to a staff car park.

It is difficult to be definitive about the level of servicing traffic likely to be generated by the proposal as only outline permission is sought at this stage and no end operator has yet been identified. However, at this stage the submission predicts approximately 14 vehicles/day will service the hotel. This predicted level of service traffic has not been challenged by the Highway Authority in its consultation response and can therefore be considered a reasonable assumption. Furthermore, the Highway Authority consultation response states “The level of traffic associated with deliveries is not significant and does not form a reason for refusal.”

In terms of staff parking the initially submitted drawings depicted 50 staff parking spaces reflecting the nature of staff shift patterns and numbers of staff associated with a likely hotel of this size. DCC as Highway Authority have raised concerns about the development from the perspective of the potential impact on Old Rydon Lane arising from increased vehicular usage associated with a hotel development, both from a safety aspect bearing in mind significant pedestrian usage of Old Rydon on match days (access to and from the Newcourt rail halt), and the impact this would have on the aspiration to make Old Rydon Lane more attractive to cyclists/pedestrians in the longer term. Until such time as the new section of road linking the Sandy Park junction of the A379 with the allocated land to the south (comprising land immediately adjoining the stadium complex, and land south of Old Rydon Land including the current application site) the County Council as Highway Authority remain concerned about development generating further traffic on Old Rydon Lane

The particular concern/issue in respect of the proposal is the staff parking arrangements and their impact on Old Rydon Lane. Initially the proposal was for a 50 staff car parking spaces on the actual site of the hotel south of Old Rydon Lane however in response to the Highway Authority’s concerns the applicant has reduced the number of staff parking spaces proposed to 40. (The site already accommodates 10 parking spaces so the traffic must be assed once the existing usage has been discounted)

The Highway Authority’s position on this matter is summarised in the following paragraph of their formal consultation response –

“The applicant proposes a forty space staff car park (as required by a potential hotel operator) to which the highway authority has raised concerns (in particular the section of Old Rydon Lane west of the Hotel site, towards Newcourt). This section is narrow in places with pinch points in the carriageway width (4.1m wide in some places), forms part a Green Infrastructure Route within the Newcourt Strategic Allocation (as identified in the ECC Core Strategy) and is identified as a to access the Clyst Valley. The Exeter Area

and East Devon Growth Point Green Infrastructure Strategy (Phase 2) specifically indicate that Old Rydon Lane will be a key walking & cycling corridor and as such, in accordance to the above policies, vehicular movements should be discouraged (especially when the carriageway width is narrowed).”

Through negotiations with the applicant the potential to alleviate concerns about the impact on Old Rydon Lane until such time as the new road is delivered have been explored, including –

- the introduction of a partial section of one-way traffic on Old Rydon Lane west of the hotel site back towards the railway bridge through a Traffic Regulation Order (TRO) (allowing eastbound movements only for vehicles)
- associated road markings and signage, including a demarcated cycle/pedestrian lane

The applicant has formally confirmed agreement to a financial contribution of £40,000 towards the implementation of the above measures. Whilst this is considered a potential solution to the Highway Authority’s reservations they are concerned about the potential for the TRO process to fail thereby leaving staff related traffic free to move in both directions along the narrow section of Old Rydon Lane with the consequent adverse impacts identified in their consultation response. The Highway Authority do not consider it appropriate to make any consent conditional upon the implementation of the TRO due to the fact that its ultimate delivery is not within the control of the applicant, and could thereby result in a consent that it would not be possible to implement.

The applicant has also stated that employment contracts for staff would stipulate that they must only enter and leave the staff car park via the east section of Old Rydon lane. Whilst this is noted, it would not be enforceable in planning terms and therefore should not be given weight in determining the acceptability of the proposal from a transportation impact perspective.

### Design/visual impact

It is inevitable, given the size and shape of this site, that to accommodate a hotel of up to 250 bed spaces will involve a building of substantial scale and height. Indeed the feasibility plans submitted in support of the application depict a building extending to 8 storeys in height. The site occupies a prominent location and is highly visible from both the M5 motorway (which runs alongside the south-eastern boundary of the site) and the wider area beyond the eastern boundary of the City (i.e. land falling within the neighbouring authority of East Devon). That said, the site does not form part of a protected landscape, and has no landscape designation in the development plan. The site is effectively ‘white’ land and is included within the Newcourt Strategic Allocation boundary in the adopted Core Strategy. As such it is considered suitable in principle for development.

A building comprising a hotel of up to 250 bedrooms with associated ancillary accommodation will be a very prominent new visual feature in the landscape. From some vantage points it would be seen against the backdrop of the existing large scale built/urban forms of Sandy Park Stadium itself, and the David Lloyd leisure facility. A proposed hotel on this site represents a unique opportunity to design a new high quality landmark building on the fringe of the built up area marking the arrival at Exeter. Whilst the building would be significantly greater in terms of its massing than almost all other buildings in the locality (other than the Stadium complex) its contribution as a potential new landmark is considered a positive feature. It is acknowledged that a large hotel on the site will result in a new source of light emanating from buildings in the locality, and that inevitably this will be perceived over a significant area. Whilst this will be a change to the local environment it is not considered that the visual impact of lighting associated with the building would render the proposal unacceptable.

The exact appearance/design of the building is a 'reserved matter' for subsequent consideration and approval at a later date. No doubt this will be influenced to some degree by the Corporate image of the eventual operator but given the prominence of the site a high quality design will be sought through negotiations in connection with any 'reserved matters' scheme.

Landscaping is also a 'reserved matter' but there are opportunities to integrate the building into the landscape through the development of an appropriate landscaping scheme as part of any subsequent 'reserved matters' application. Treating the landscaping as part of an overall design philosophy presents an opportunity to enhance the visual contribution of the site to the surroundings and could incorporate some softening and screening of the building where appropriate, as well as introducing new tree planting to enhance the overall visual contribution of the site to its wider setting.

#### Ecological Impact/SuDs/Sustainability

The Ecological Appraisal submitted in respect of the application concludes that the site is "of relatively low ecological interest, with some adverse impacts predicted on foraging bats and breeding birds in the short term, whilst having potential to provide a net gain in biodiversity if enhancements have been incorporated." Emergency surveys in respect of the potential of the existing bungalow as a bat roost have been carried out and no activity was recorded. Overall it is not considered that the proposal would have a significant adverse ecological impact, and that with appropriate mitigation could actually result in an enhancement of the sites ecological interest. This can be secured through an appropriate condition requiring a biodiversity mitigation and enhancement plan.

A surface water drainage strategy will need to be developed for the site. This will be done in conjunction with the development of the detailed design of the scheme and can be conditioned to be submitted for approval. Subject to ground conditions being appropriate this is likely to involve infiltration techniques. Where this is either not possible due to ground conditions, or there is insufficient space/capacity, on site attenuation will be required with appropriately controlled discharge rates. The interests of Highways England with regard to any potential impact on the motorway embankment would be protected by the conditions recommended by them.

In terms of sustainable design, in accordance with Core Strategy policy CP15, it would be a condition of any approval that the development is designed to achieve a BREEAM standard of 'Excellent'.

#### Amenity Issues

It is not considered that a large hotel on this site would have any significant direct impact on the residential amenities of nearby surrounding properties in terms of potential overlooking/privacy or loss of light. Currently the nearest properties are some distance away either further along Old Rydon Lane or the other side of the motorway. Although the land adjoining the proposed hotel site is allocated for development (falling within the Newcourt Strategic allocation) it only currently benefits from a resolution to grant outline permission for residential development subject to a section 106 agreement which has not yet been completed or signed. In any event, it is not considered that development of a hotel on this site would significantly compromise the ultimate layout of the adjoining site or any residential properties provided on it.

As acknowledged above, a building of significant scale on this site will introduce a new light source to the locality. However it is again considered, that by virtue of the separation distance between the site and the nearest surrounding dwellings, this would not be likely to have any significant adverse impact on the residential amenities of the occupants of existing surrounding properties.

The site is located in close proximity to the motorway and as such does experience associated traffic noise. However in terms of the potential impact of this upon customers of the hotel it is considered that with appropriate glazing and building construction there is no reason why an acceptable environment could be created within the building. In terms of noise associated with the hotel impacting on surrounding residents the submitted documents make recommendations in respect of associated mechanical plant noise, and these together with potential disturbance associated with deliveries etc., can be controlled by appropriate conditions attached to any approval.

### Conclusions

There is emerging policy support (DDDPD policy DD17) for a hotel within walking distance of Sandy Park, albeit for a smaller number of bed spaces than the current proposal. It is recognised that the current proposal represents a market led scheme in terms of the proposed scale of building and number of bed spaces. There is also recognition of the importance of the delivery of a hotel in the Sandy Park area to the implementation of the approved expansion of conferencing facilities at Sandy Park, the continued success of the Exeter Chiefs Rugby Club, and wider employment related development to the east of the City. Both the hotel and the conferencing/employment related development are important to the future development and reputation of the City and will generate substantial revenue via associated business rates.

The proposal is considered acceptable in all material respects aside from the Highway Authority's concerns regarding the impact of traffic on Old Rydon Lane. During negotiations it appeared that the applicant's offer to fund a traffic order making a section of the lane one-way and an improvement to cycle facilities offered a solution so it is disappointing that the County's recommendation is one of refusal. Indeed it could be argued that the recommendation is a little baffling given the acceptance of a similar solution to the accommodation of traffic generated from the Heritage Homes scheme a short distance along the lane – a solution which is also dependent on the success of a Traffic Regulation Order.

On the face of it traffic generation from the site appears modest and arguably does not amount to a 'severe' impact in terms of NPPF guidance (para 32). One must also assume from the recommendation that almost any alternative traffic generating use of the site would be unacceptable until such time as the link road is provided. There appears to be no intention on the part of the adjacent landowner to bring the link road forward soon and the County's nervousness over the success of the traffic order to address the issues during the interim period is particularly disappointing given that such an order would also help address the vehicle/pedestrian conflict that arises on Old Rydon Lane post Chief's matches.

Nonetheless in the face of objection from the County Council as Highway Authority and statutory consultee the officer recommendation has to be one of refusal as advised in their formal consultation response.

### **RECOMMENDATION**

**REFUSE** for the following reason –

- 1) The road giving access to the staff car park and route for delivery vehicles (Old Rydon Lane immediately west of the proposed hotel site), by reason of its inadequate width, visibility, lack of footways and street lighting does not form a safe and suitable access to the site for all users, and increases traffic on a Green Infrastructure Route, contrary to Section 4 of the NPPF and the ECC Core Strategy.