

PLANNING – UPDATE SHEET

Date: Monday 25 March 2024

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Pierre Doutreligne, Democratic Services Officer (Committees) on 01392 265486.

Entry to the Civic Centre can be gained through the rear entrance, located at the back of the Customer Service Centre, Paris Street.

Membership -

Councillors Knott (Chair), Asvachin (Deputy Chair), Bennett, Jobson, Ketchin, Miller, Mitchell, M, Patrick, Sheridan, Vizard, Wardle, Warwick, Williams, M and Begley

Agenda

Part I: Items suggested for discussion with the press and public present

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PLANNING COMMITTEE

25th March 2024

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the agenda.

Item 5: Exeland House (22/1548/FUL)

Objections Raised by Councillor Tess Read

Councillor Tess Read has communicated the following concerns on behalf of the St David's ward councillors:

- **Room Size Concerns:** There is an objection to the proposed room sizes in the co-living development. It is highlighted that the expected standard is 20 square metres per room. However, the proposal offers rooms at just 14.46 square metres, significantly below expectations and comparable approved developments, raising concerns over adequate living standards.

- **Heritage Impact:** The proximity of the development to historically significant sites, including the city wall, the medieval leat, Tudor House, and St Edmunds Church, raises concerns over the impact of the proposed development on the heritage context. The scale and design of the new extension in relation to the existing building and its surroundings are viewed as disproportionate. There is a call for the development to either respect the area's heritage through design or contrast with high-quality modern architecture, which the current proposal fails to achieve.

Officer Response to Councillor Tess Read's Concerns

It is important to note that the issues of room sizes and heritage impact have not materially changed since the Planning Committee's resolution to approve the application in January 2024. That previous decision remains a significant material consideration in assessing the current application.

Room Sizes - Councillor Read expressed concerns regarding the proposed room sizes in the co-living development, noting that the expected standard is 20 square metres per room, whereas the proposal offers rooms at just 14.46 square metres. In fact, the rooms are a range of sizes with the smallest being 16.46 square metres and the largest being 27 square metres. The Committee's decision in January considered these dimensions in the context of the development's overall benefits, including its contribution to the city's housing supply and the regeneration of an underutilised site.

The decision concluded that the proposed sizes are appropriate for this type of development. It is important to note that changing the Committee's stance on this matter without significant new evidence could undermine the planning process's consistency and the decision's reliability.

Heritage Impact - The concern regarding the development's impact on the surrounding heritage context, given its proximity to historically significant sites, was also carefully considered. The planning assessment included a detailed evaluation of how the proposed development harmonises with the conservation area and the setting of nearby listed buildings.

The planning committee's approval was based on the conclusion that, although there are alterations to the heritage setting, the development's design and scale had been thoughtfully considered to ensure it positively contributes to the area's character. This decision was informed by the application's supporting documents, including a heritage statement that outlined the measures taken to mitigate any potential adverse effects on the area's historical significance.

The concerns raised by Councillor Read have been duly considered. The planning committee's decision to approve the application in January, which considered the balance of benefits against the identified impacts, including those on room sizes and heritage, represents a comprehensive assessment of the proposal's merits.

As such, this Officer response reaffirms the planning committee's earlier decision as a material consideration in the continued evaluation of the application. Any deviation from this position would require new, significant evidence that materially alters the planning balance previously established.

It is recommended that the Planning Committee note the concerns raised by Councillor Read but also recognise the previous resolution to approve the application as a material consideration in their deliberations.

Expedite Planning Ltd Representation

A further representation has been received from Expedite Planning Ltd on behalf of their client, Mr. Will Miles, regarding the planning application. These concerns, detailed in the attached correspondence dated 21 March 2024, relate primarily to the potential impacts on the future development of the adjacent site known as The Old Vic, Tudor Street.

Overlooking and Impact on Future Development - Expedite Planning Ltd has expressed concerns regarding the design of the proposed Exeland House development, specifically in terms of overlooking and proximity to the boundary of their client's adjacent site. They suggest that the current design could prejudice the development potential of The Old Vic due to the orientation of bedrooms in Exeland House and the proximity of the new building element to the site boundary.

Proposed Design Solutions - Expedite has proposed design alterations, including repositioning bedrooms to the opposite side of the building and relocating the new build element further away from the site boundary. These suggestions aim to mitigate concerns over overlooking and ensure that the future development of The Old Vic is not compromised.

Officer's Response - the Planning Committee's decision in January 2024 to approve the Exeland House application took into account a comprehensive assessment of the proposal, including considerations related to neighbouring properties and the wider context. The decision acknowledged that while there are changes to the setting of adjacent sites, the development's design, orientation, and scale had been thoughtfully considered to minimise adverse impacts and contribute positively to the area's character.

It is important to note that the planning process requires balancing various considerations, including the efficient use of land, housing supply, and the impacts on neighbours and the surrounding context. The previous resolution to approve the application represents a considered judgment that the benefits of the proposed development, in terms of delivering new housing and regenerating an underutilised site, outweigh the identified concerns.

The design of Exeland House represents the culmination of several years of discussions with the applicant's agent, alongside extensive negotiations with Historic England to ensure a development that is both sensitive to its historical context and mindful of its impact on the surrounding area. During this period, no formally submitted development proposals have been made for the neighbouring site, known as The Old Vic. Consequently, the design of Exeland House could not have been predicated on speculative future developments of adjacent land.

The internal layout and overall design have been meticulously planned to account for the amenity of occupants and of residents in New Bridge Street, resulting in a scheme that balances modern living standards with the character of the area. The suggested design alterations by Expedite Planning Ltd would undo this carefully considered balance, potentially compromising the achieved amenity protections.

The approval of Exeland House does not preclude future development of The Old Vic site; however, any forthcoming proposal will need to adopt a similarly thoughtful approach to design, ensuring the amenity of both its future occupants and those of the neighbouring properties is safeguarded. It is conceivable that the solutions required for The Old Vic to coexist harmoniously with Exeland House may mirror those strategies effectively employed in the Exeland House development to maintain a satisfactory relationship with New Bridge Street properties.

Given the careful consideration given to these issues and the absence of significant new evidence that would materially change the planning balance, it is recommended that the Planning Committee note the concerns raised by Expedite Planning Ltd but continue to support the previous resolution to approve the application. Any deviation from this position would require compelling new evidence that materially alters the factors underpinning the original decision.

Item 7: Appeals Report

Appeals Decided

New Appeals

23/1065/FUL 6 Gladstone Road, Newtown. *Change of use from flat and maisonette (Use Class C3) to ground floor flat (Use Class C3) and one small HMO (Use Class C4) on first and second floors.* **Start Date:** 18th March 2024

Reference: APP/Y1110/W/23/3333038 (planninginspectorate.gov.uk)

23/1102/FUL 1 Chudleigh Road, Alphington. *Temporary planning permission for retention of storage container.* **Start Date:** 18th March 2024

Reference: APP/Y1110/D/24/3336849 (planninginspectorate.gov.uk)

22/1335/FUL 75A Fore Street, Topsham. *Conversion of uninhabited two-bedroom maisonette into two self-contained one-bedroom flats and installation of free-standing balcony, bin and bicycle storage in rear courtyard.* **Start Date:** 19th March 2024

Reference: APP/Y1110/W/24/3336432 (planninginspectorate.gov.uk)

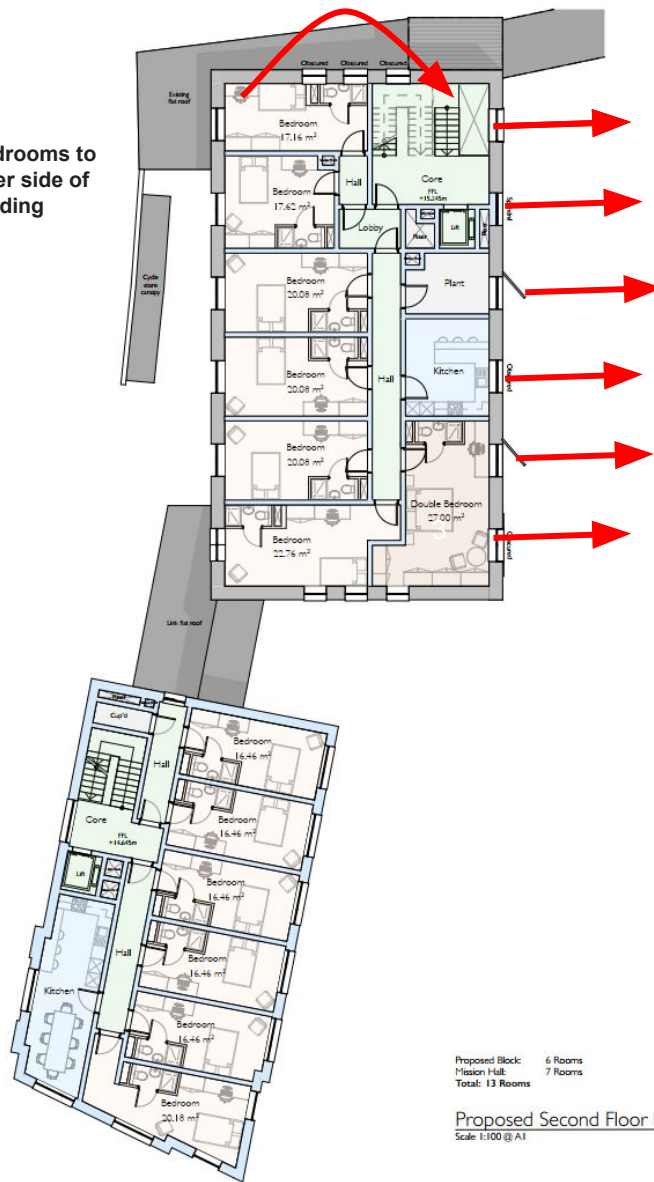
Response to overlooking / design options

1. Flip bedrooms to other side of building
2. Move new building away from the site boundary



Overlooking

Flip bedrooms to the other side of the building



Proposed Block: 6 Rooms
Mission Hall: 7 Rooms
Total: 13 Rooms

Proposed Second Floor Plan
Scale 1:100 @ A1

Mr Roger Clotworthy
Exeter City Council
Civic Centre
Paris Street
Exeter
EX1 1JN

8 Village Way
Greenmeadow Springs
Business Park
Cardiff
CF15 7NE

21 March 2024

Dear Mr Clotworthy,

**PLANNING APPLICATION 22/1548/FUL
EXELAND HOUSE, TUDOR STREET EXETER, EX4 3BR**

I write with regard to the above planning application. You will be aware that Expedite are instructed by our client, Mr Will Miles, to progress residential development proposals to develop the site immediately adjacent to the above site: The Old Vic, Tudor Street (reference 23/0269/P).

We previously raised concerns regarding the above planning application which was considered at Planning Committee on 15th January (our letter date 2nd February 2024). Our concern related to the absence of any reference in the Officer's Report, or the Committee presentation and discussion to the fact that there have been pre-application discussions on our client's adjoining site: "The Old Vic", for residential development.

As you will be aware, we considered that these proposals were a material consideration to the determination of the above planning application, and therefore should have been presented to Members prior to the Planning Committee reaching a resolution to approve the application. We now understand that the application is to be reported back to Planning Committee on 25th March 2024, and we have reviewed the Officer's Report for this meeting.

Our client's proposals are being actively progressed and the intention is to submit an application shortly. You will be aware a key obstacle the proposal was the issue of the sequential test for flood risk, but the EA response in respect of the Exeland House confirms that the issue can be overcome. It is therefore the intention of our client to prepare a full planning application for residential development.

Whilst our client does not object to the principle of the Exeland House application, they do wish to register an objection to the current design of the application, and consider that amendments to the scheme should be negotiated in order to avoid prejudicing the development of adjoining land.

In determining the application, the Local Authority should consider whether the development would prejudice the development of other land. As the scheme currently stands, the proposed

EXPEDITE

layout prejudices future development of the adjoining site due to the decision of the applicant to situate the proposed bedrooms on the western side of the building, overlooking our client's site. Attached to this letter are some graphical representations of our concerns, which we consider would be helpful for Members to view during the Committee Meeting. These illustrations show that the re-positioning of bedrooms to the opposite side of the building would ensure that the development of our client's adjacent site is not prejudiced by concerns regarding overlooking and privacy.

Secondly, the proposed new build element of the application proposal is very close to our client's site boundary, and we consider it should be repositioned further away in order to not compromise the ability to redevelop the adjoining site.

We would therefore respectfully urge that the Local Authority defer the determination of the application by a month to allow officers the opportunity to discuss potential layout amendments to the application scheme which could still deliver the proposed housing, but also not compromise the ability of the adjoining land to also deliver housing. This process would be good and rational planning and help to maximise the delivery of housing, including affordable housing in the locality.

Yours faithfully



ROSS BOWEN MRTPI
DIRECTOR OF PLANNING SERVICES
For and on behalf of
EXPEDITE PLANNING LTD
Enc.