

## **PLANNING**

Date: Monday 13 January 2025

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), Patrick (Deputy Chair), Asvachin, Atkinson, Banyard, Bennett, Hughes, Hussain, Jobson, Ketchin, Miller-Boam, Mitchell, M, Pole and Rolstone

## **Presentations**

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

**4 Planning Application No. 24/0911/MDO - The Harlequin Centre, Paul Street, Exeter EX4 3TT**

To consider the report of the Strategic Director for Place.

(Pages 3 -  
22)

**5 Planning Application No. 24/0820/FUL - 47-48 Sidwell Street, Exeter, EX4 6NS**

To consider the report of the Strategic Director for Place.

(Pages 23  
- 42)

**6 Planning Application No. 22/1620/FUL - The Boat House, Ferry Road, Topsham, Exeter**

To consider the report of the City Development Manager.

(Pages 43  
- 74)

**Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.**



# Exeter City Council Planning Committee 13 January 2025



Exeter  
City Council

# Application 24/0911/MDO

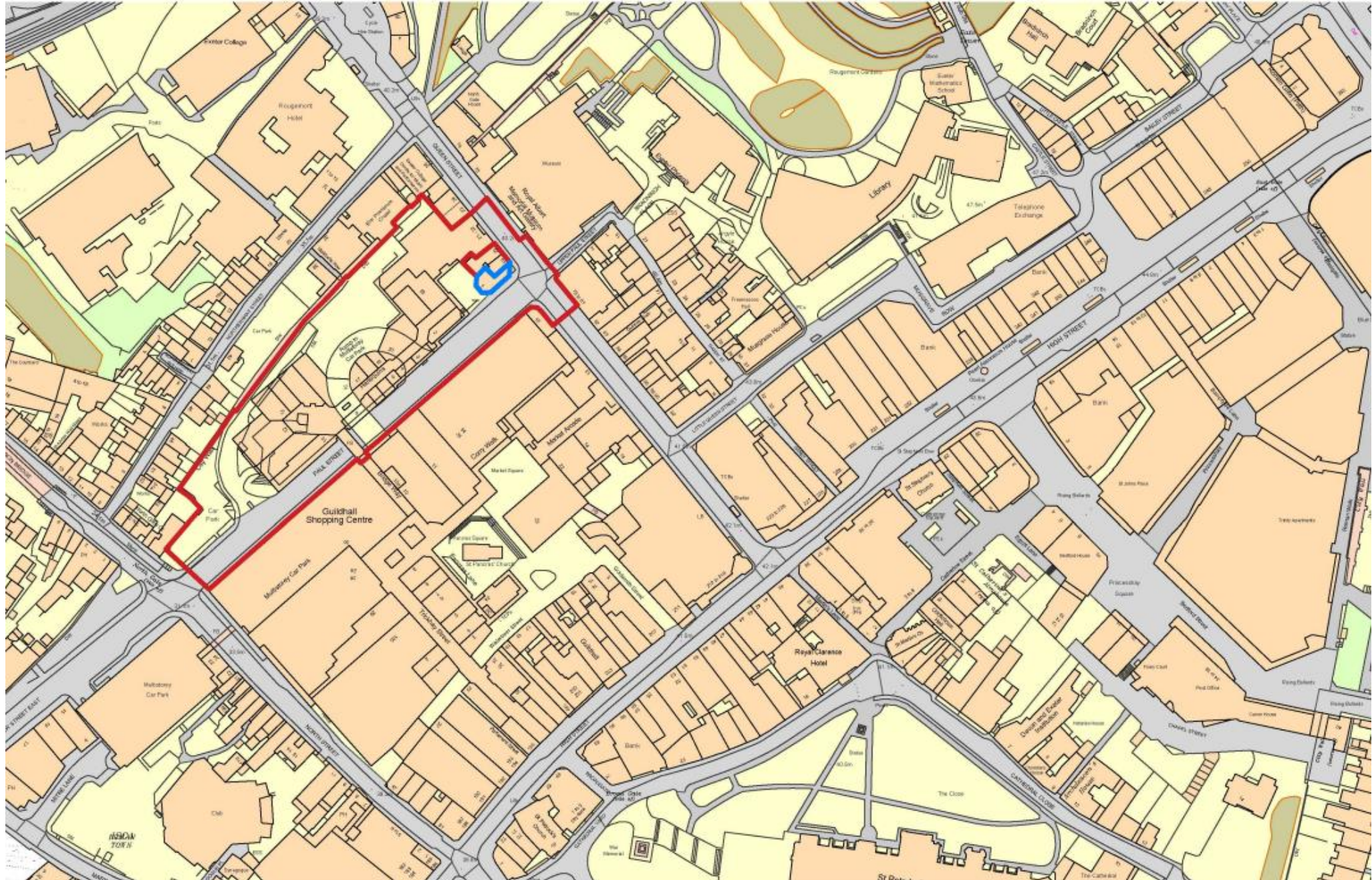
**Site:** The Harlequin Centre, Paul Street

**Applicant:** Curlew Alternatives Property LP

**Proposal:** Modify s106 legal agreement tied to planning permission ref. 21/1104/FUL to pay a financial contribution in lieu of the provision of affordable private rent units to improve scheme viability.

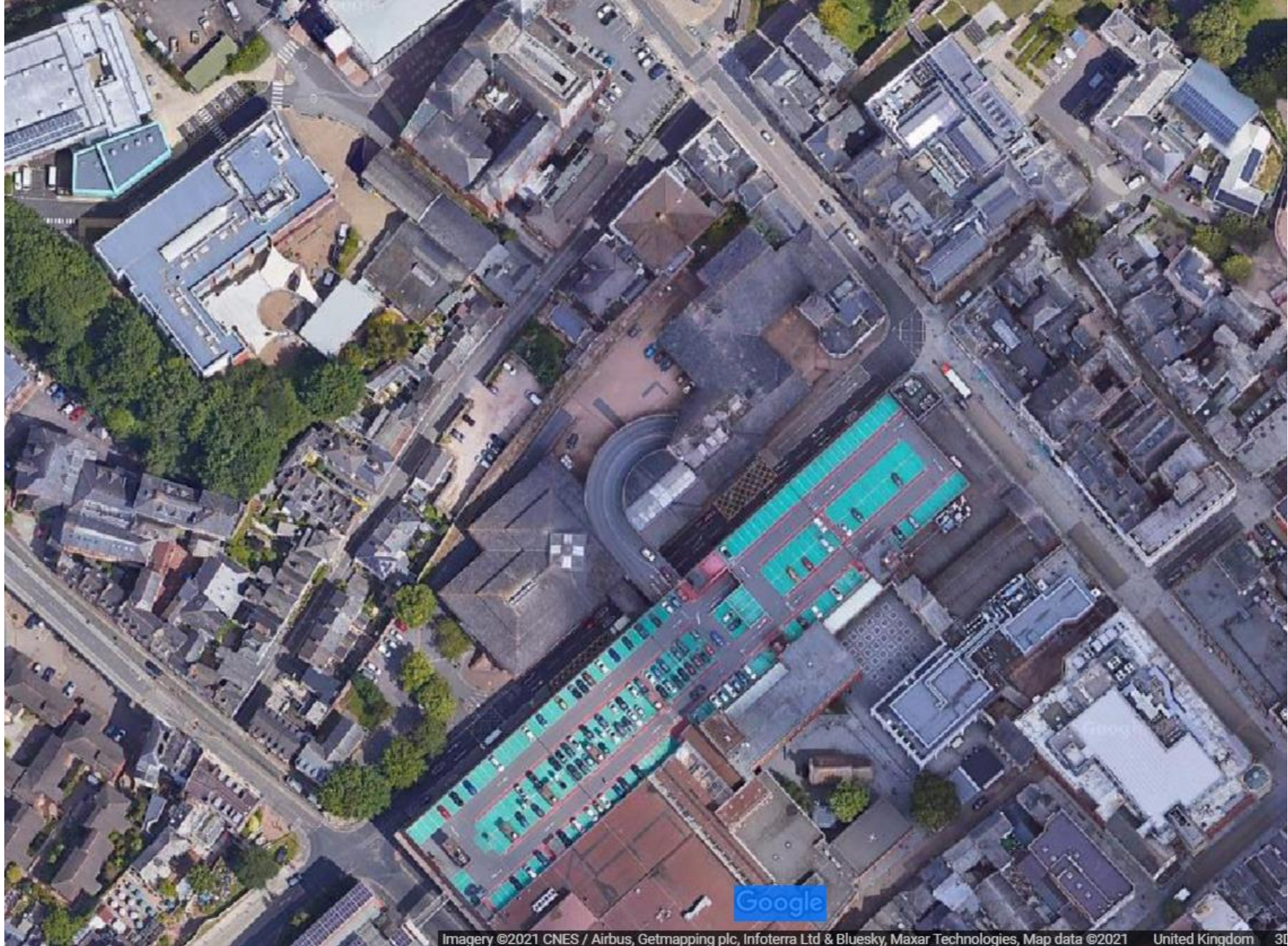
**Case Officer:** Matthew Diamond





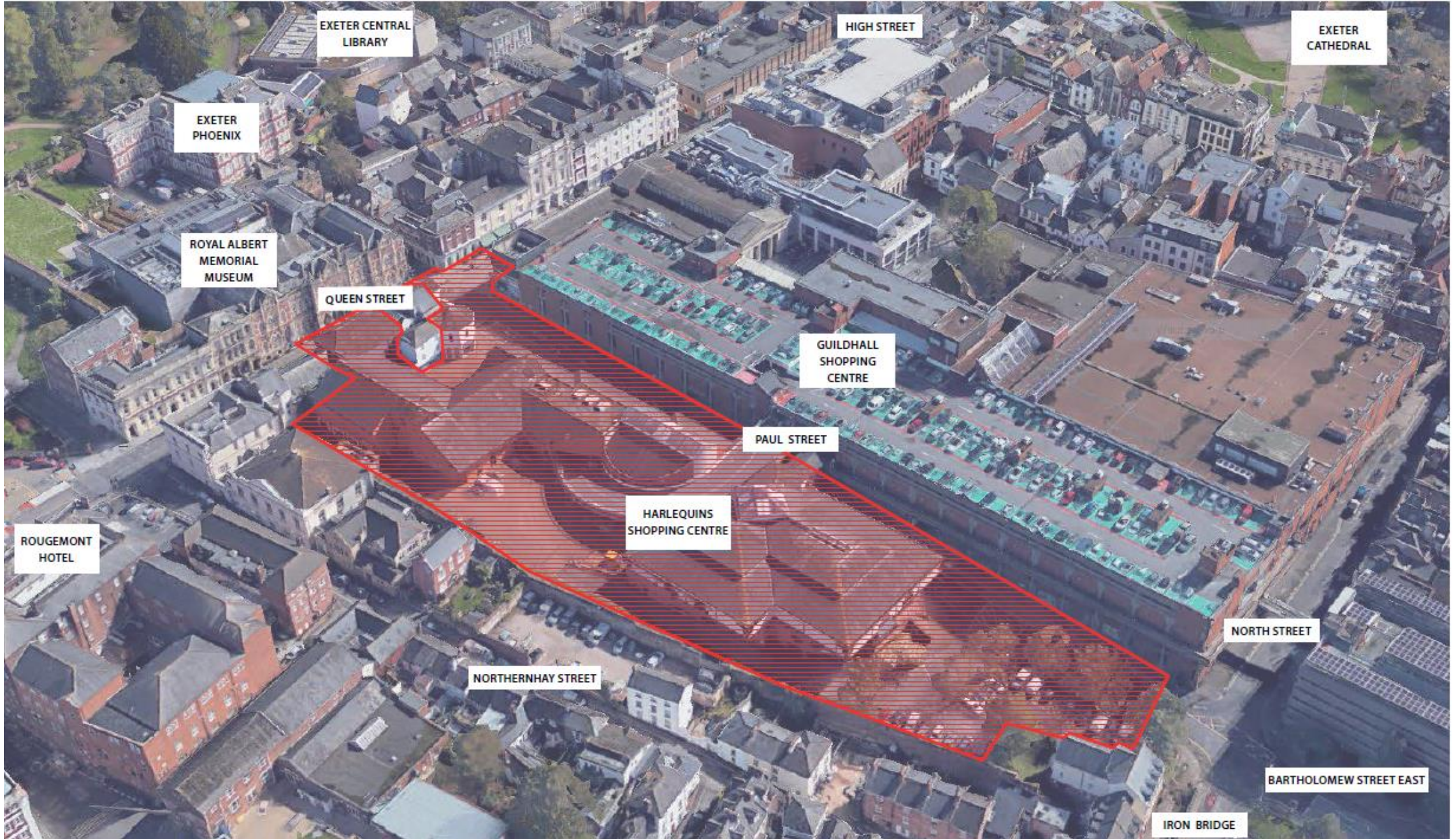
# SITE LOCATION PLAN





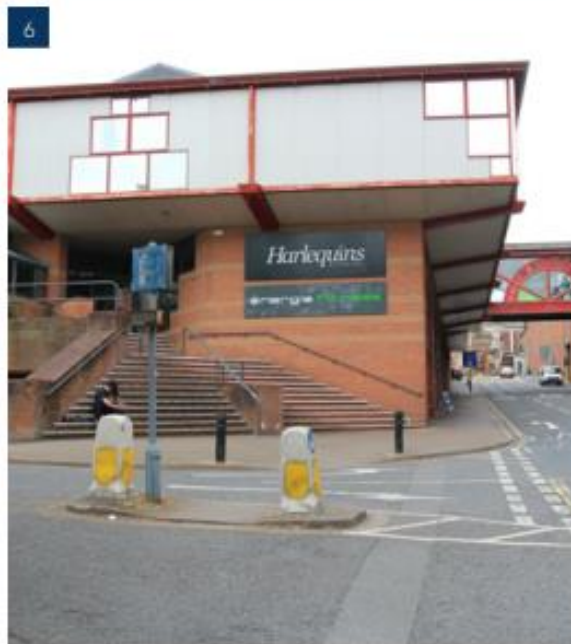
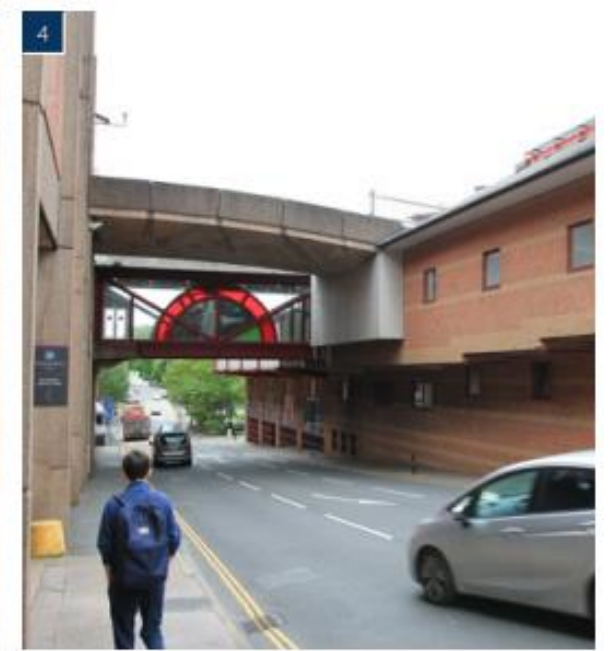
# AERIAL VIEW





# AERIAL VIEW





# PHOTOS

- Demolition of existing 1980s shopping centre
- 2 blocks of co-living accommodation plus change of use of upper two floors of 21-22 Queen Street into co-living accommodation
- Total 383 bedspaces
- Block 1: 138 studios and 18 cluster flats with 107 bedrooms
- Block 2: 133 studios
- 21-22 Queen Street: 5 studios
- 20% affordable housing: 55 studios and 21 cluster bedrooms (priority to essential local workers)
- New landscaped square and 'pocket park'
- Paul Street narrowed to two lanes; wider foot/cycleways; public cycle parking
- Removal of 91 car parking spaces (retention of 9 spaces for local businesses); 2 disabled spaces and 2 EV car club spaces for co-living use

## OVERVIEW OF PERMITTED SCHEME





APPROVED SITE PLAN







**HARDWORKS PLAN (ZOOMED) – LANDSCAPED GARDENS**

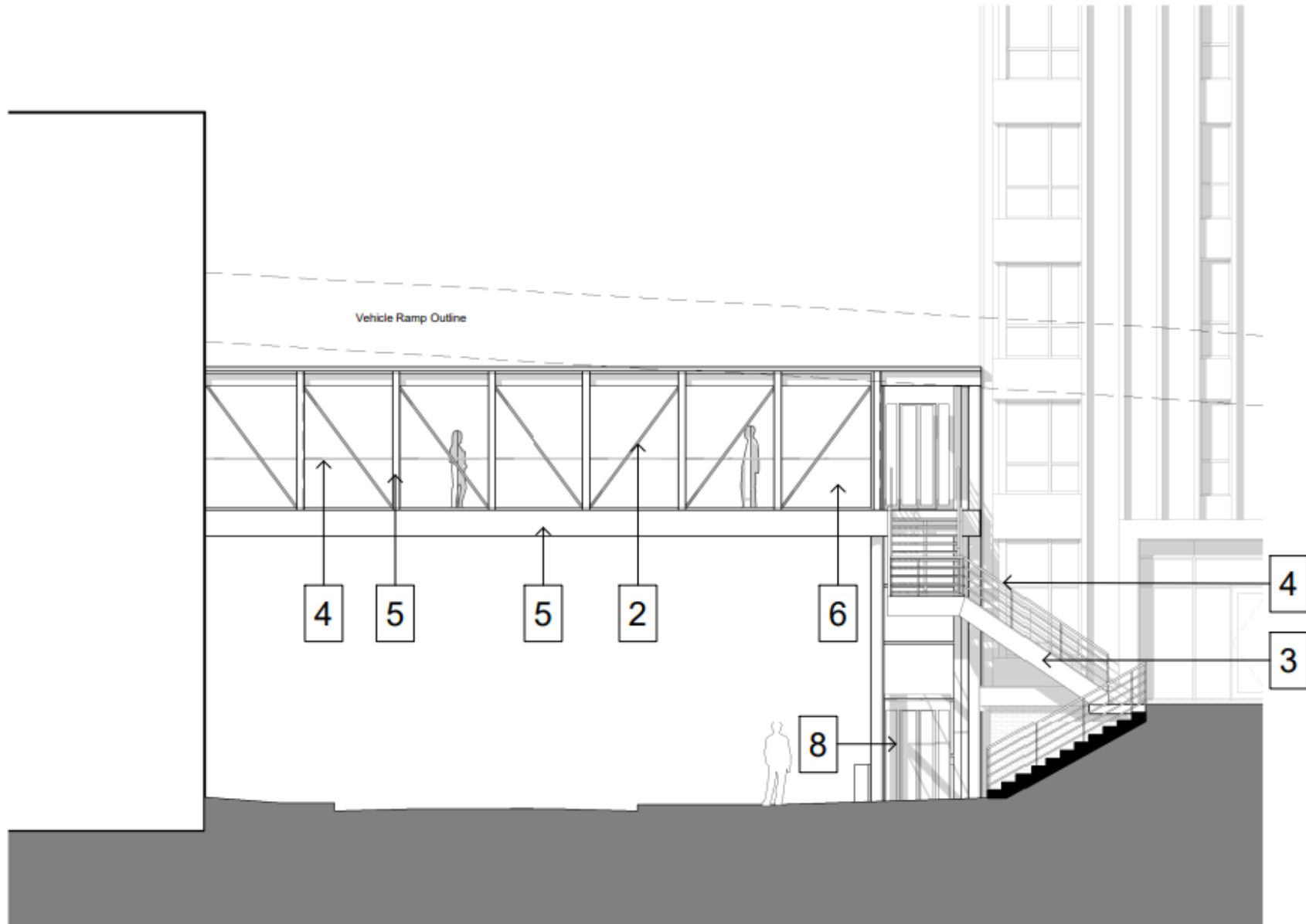




# SOFTWARES PLAN (ZOOMED) – POCKET PARK



## INTERPRETATION CENTRE



## NEW FOOTBRIDGE





**LVIA VIEWS – UPPER PAUL STREET**



**LVIA VIEWS – QUEEN STREET**





**LVIA VIEWS – QUEEN STREET**



## LVIA VIEWS – PROPOSED LANDSCAPED GARDENS





**LVIA VIEWS – PROPOSED LANDSCAPED GARDENS**



- Co-living Management Plan/Monitoring
- 20% of the dwellings (55 studios and 21 cluster bedrooms) will be affordable private rented with first priority to essential local workers – **Proposed change to financial contribution to deliver offsite affordable housing**
- £252,546 habitats mitigation
- £25,000 towards management, maintenance, repair and promotion of City Wall
- £175,000 for maintenance/upgrade of off-site public open spaces.
- £45,000 for maintenance/upgrade of off-site play areas.
- £98,048 to improve facilities at either Barnfield Hill Medical Practice, Southernhay Medical Practice or St Leonards Medical Centre
- £10,000 towards traffic regulation orders in the area.
- Details of VMS/signage to manage the use of the Guildhall car park
- Details of the type of materials used on the highway (section 44 of the Highways Act 1980)
- Management Plan to ensure no parking is associated with the development and to ensure the operational facilities of the loading bays (in conjunction with the Guildhall)
- Rights of access for all users for the new footbridge over the highway
- Public access to the open space on the site and to the City Wall

DELEGATE TO THE HEAD OF CITY DEVELOPMENT TO GRANT COMPLETION OF A DEED OF VARIATION TO THE S106 AGREEMENT RELATING TO PLANNING PERMISSION 21/1104/FUL TO PAY A FINANCIAL CONTRIBUTION IN LIEU OF THE PROVISION OF AFFORDABLE PRIVATE RENT UNITS AS SET OUT IN THIS REPORT

# Exeter City Council Planning Committee 13<sup>th</sup> January 2025



Exeter  
City Council

# Application 24/0820/FUL

**Site:** 47-48 Sidwell Street, Exeter, EX4 6NS

**Applicant:** Merkur Slots Ltd (UK)

**Proposal:** Change of use from vacant restaurant and takeaway (Sui Generis Use Class) to 24/7 Adult Gaming Centre (Sui Generis Use Class)

**Case Officer:** Robert Russell

# ***Introduction/Procedural Matters***

## ***Appeal Against Non-Determination:***

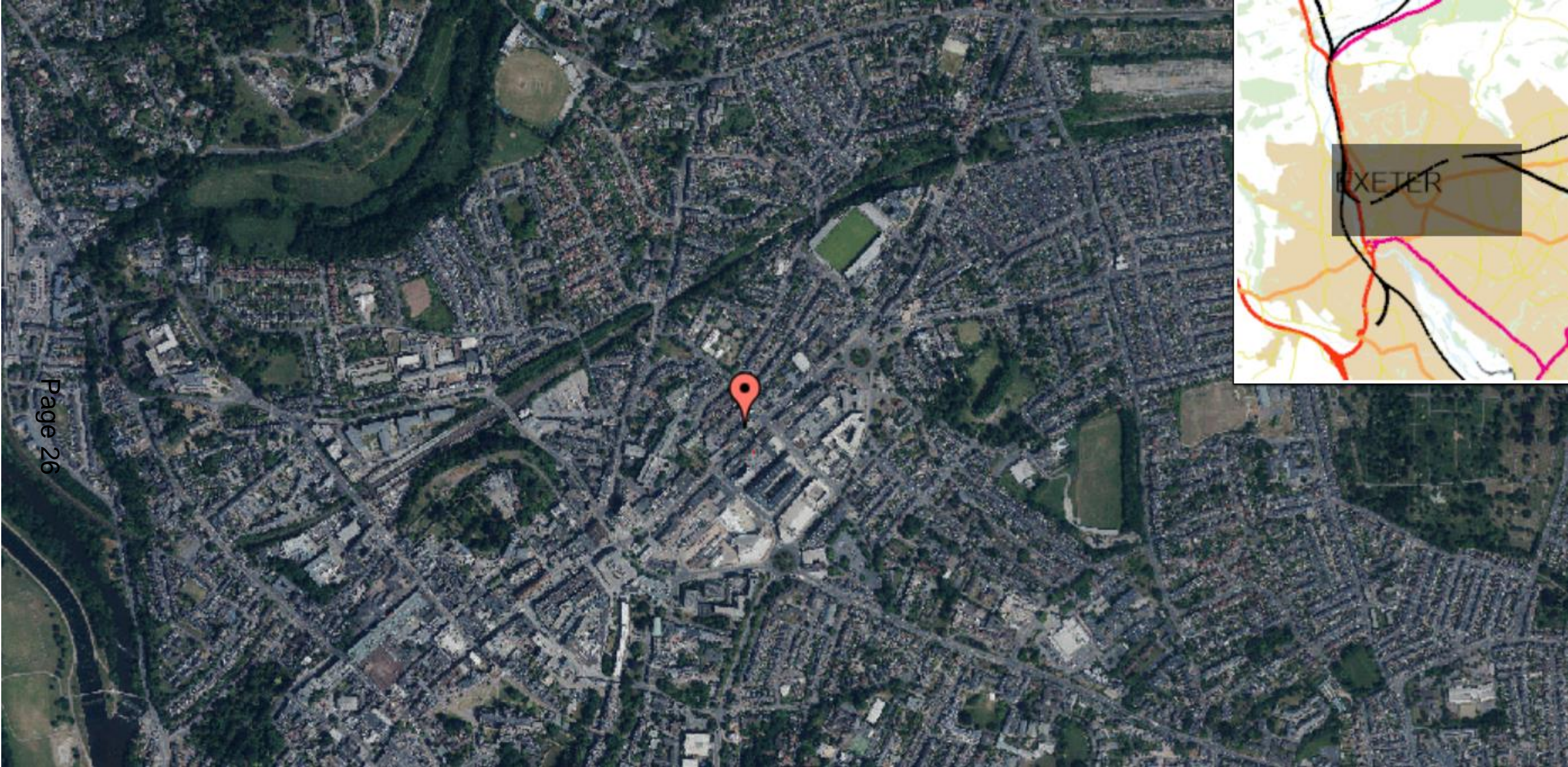
*The applicant has lodged an appeal (05 December 2024) with the Planning Inspectorate on the grounds of non-determination of this application within the statutory time frame. As a result, the Local Planning Authority (LPA) no longer retains jurisdiction to determine the application. The appeal will now be decided by the Planning Inspectorate.*

*However, the Planning Committee is asked to consider what decision it would have made if it were still within its remit to determine the application. This resolution will inform the LPA's position in the appeal process. The Committee's views will be reflected in the council's formal submissions to the Inspectorate, which will include the following:*

- A statement outlining the council's position (either supporting or opposing the proposal).*
- The reasons for refusal or conditions of approval the council considers appropriate.*

*This procedural step is necessary to ensure that the council's views are adequately represented in the appeal process.*



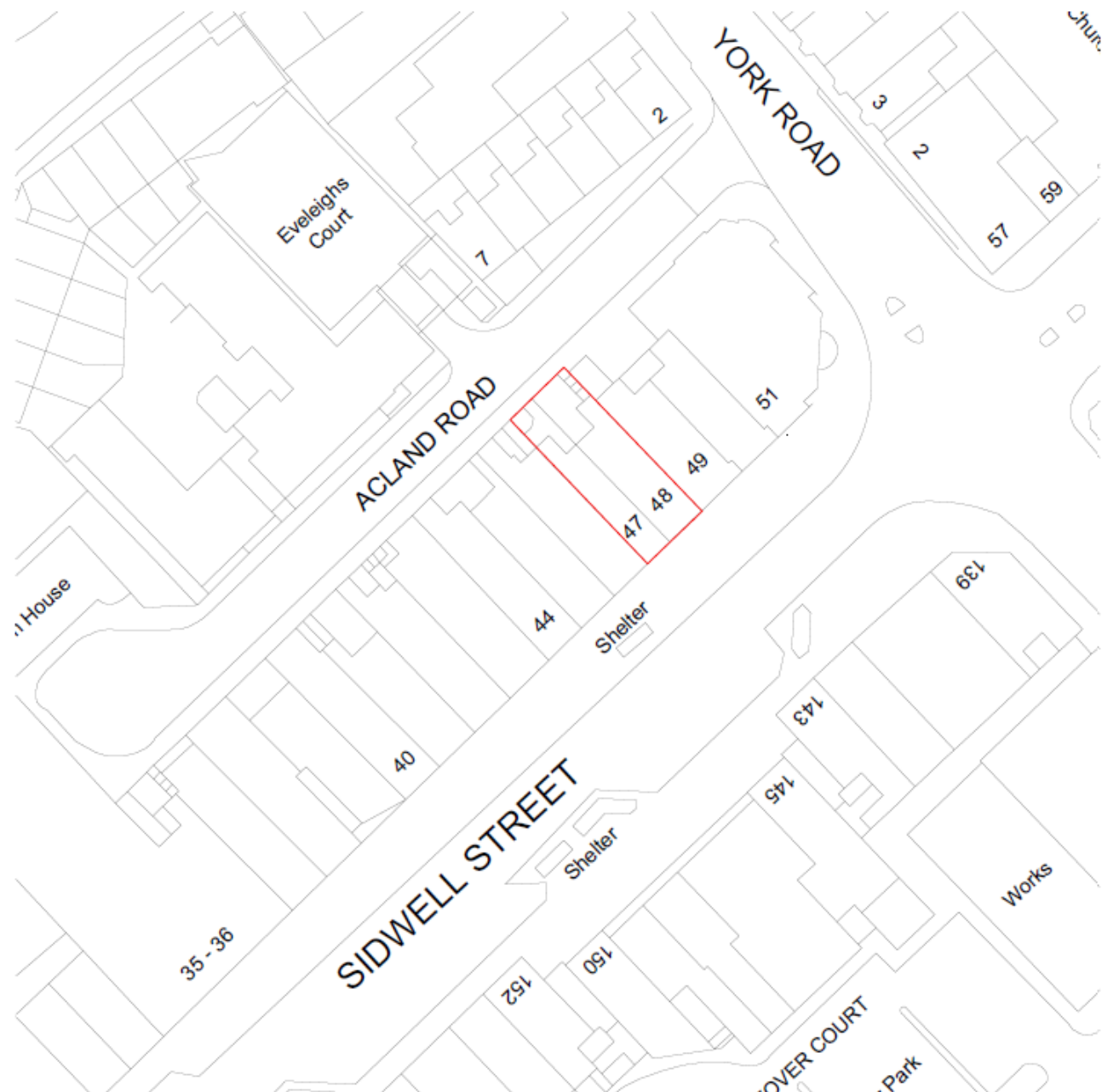
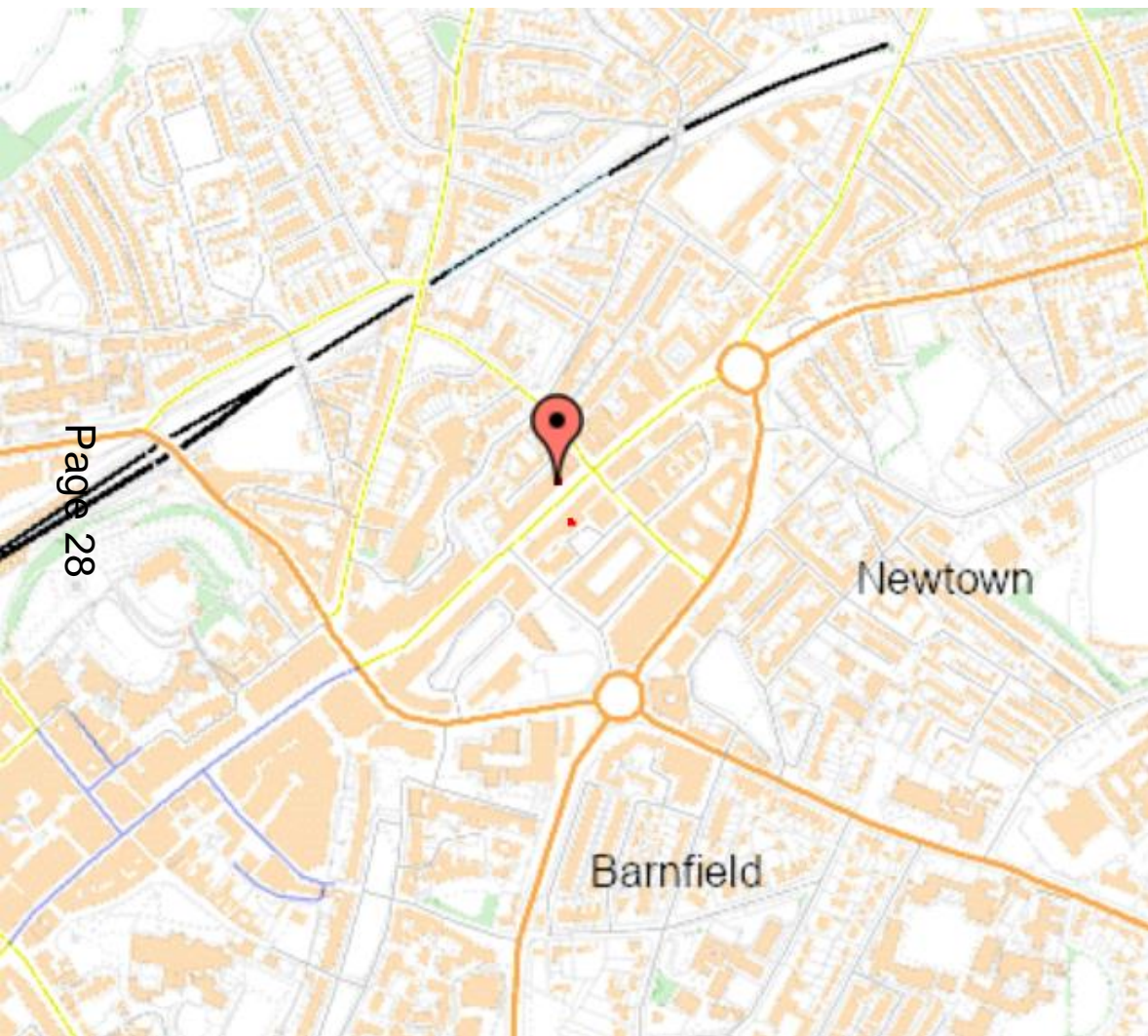






**AERIAL VIEW**





## SITE LOCATION PLAN





**VIEW OF EXISTING SHOPFRONT**





**VIEW OF EXISTING SHOPFRONT**





VIEW OF REAR OF SITE IN ACLAND ROAD





**VIEW TO S.W. IN ACLAND ROAD**





**VIEW TO N.E. IN ACLAND ROAD**





VIEW OF ADJACENT PROPERTIES





VIEW OF SIDWELL STREET I



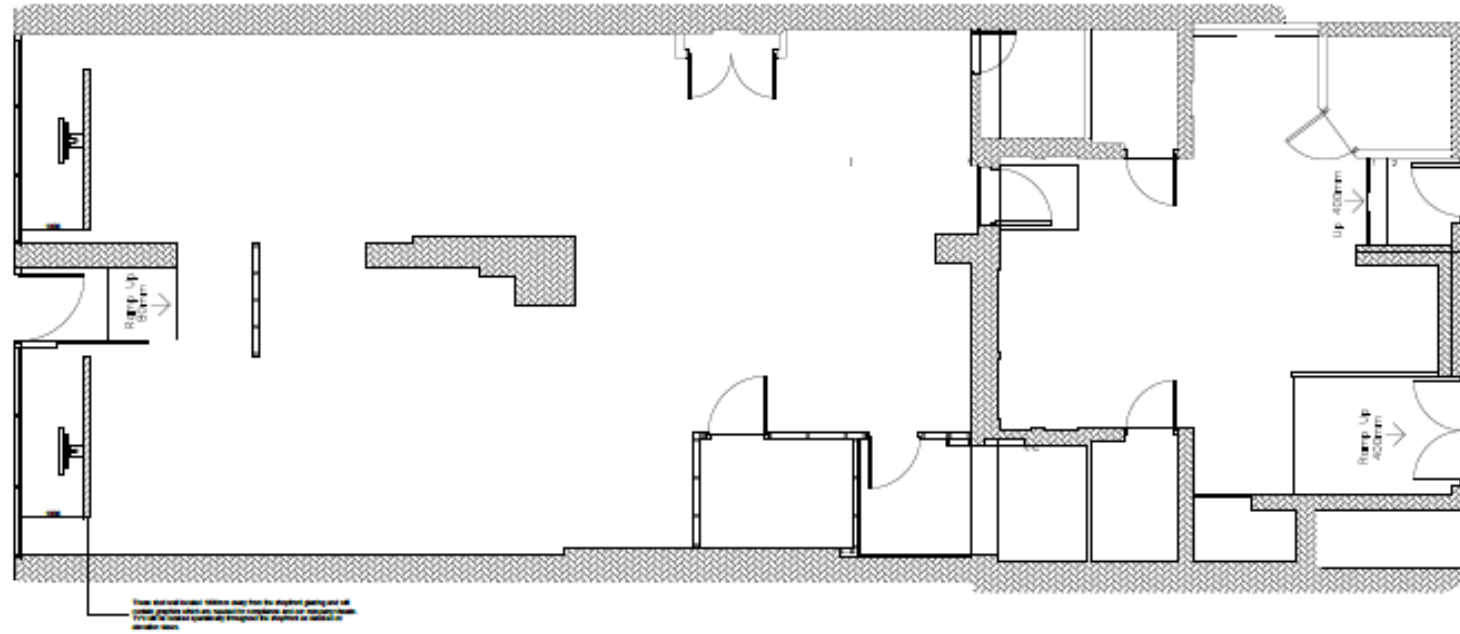


VIEW OF SIDWELL STREET II

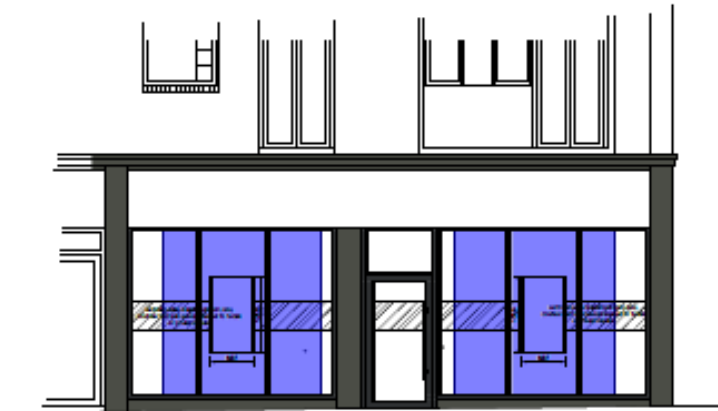




VIEW OF SIDWELL STREET III



PROPOSED GROUND FLOOR LAYOUT



PROPOSED DISPLAY MANIFESTATION ELEVATION PLAN (1:25)



# PROPOSED GROUND FLOOR PLAN & FRONT ELEVATION

## Consultee responses

- **Devon and Cornwall Police** – no objection in principle to proposed use but recommended reduced opening hours: 9am – 2am, 7 days a week
- **Devon County Council Highways** – no objection
- **Exeter City Council Environmental Health** - no objection, recommended 3 conditions to manage noise and disturbance

## Representations

Page 39

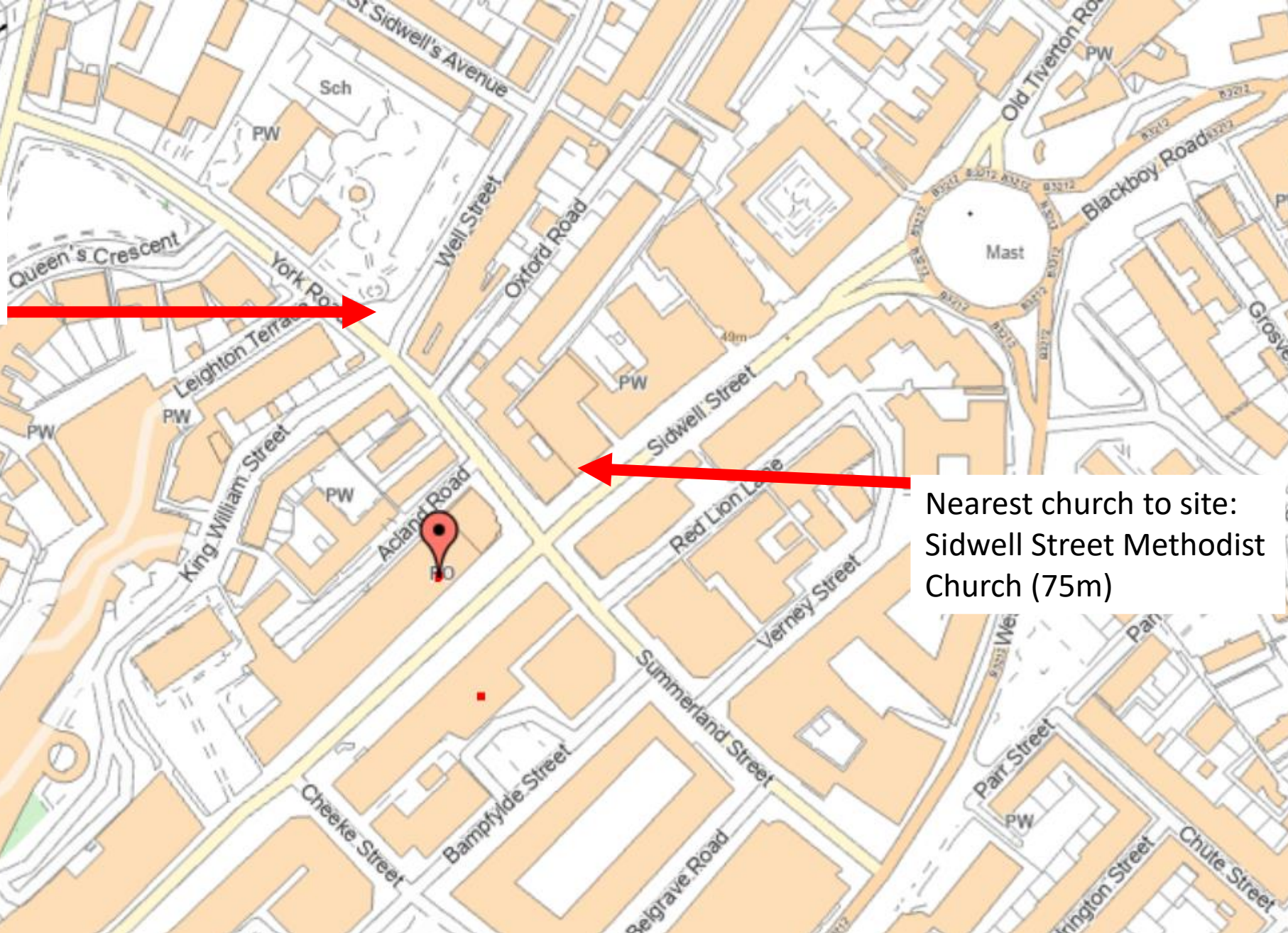
**13 objections** relating to the following planning matters :

- Unsuitable/ inappropriate land use
- Associated increase in crime and anti-social behaviour
- Noise and disturbance
- Public safety and security
- Lack of retail frontage and adverse impact on visual amenity and the character and appearance of the area



- **Principle of change of use**
  - Located within the Secondary Shopping Area - this is a typical location for such leisure and amusement uses within the city.
  - School, church and housing within 100 metres of application site, but limited impacts regarding noise and general disturbance on these uses.
  - No hotels or hospitals within 100 metres
- **Impact on crime and anti-social behaviour**
  - Devon and Cornwall police - No objection - but condition to restrict opening hours
  - Re-occupation would provide footfall, lighting and natural surveillance over Sidwell Street during the day, evening and early morning hours
- **Impact on neighbours' amenity**
  - Given small size of premises and noise mitigation measures, to ensure proposed use will not cause any unduly harmful amenity effects in neighbouring properties (3 conditions)

Nearest school to site:  
St. Sidwells C of E  
Primary School (150m)



Nearest church to site:  
Sidwell Street Methodist  
Church (75m)



## RECOMMENDATION

DELEGATE TO THE SERVICE LEAD (CITY DEVELOPMENT) TO **GRANT PERMISSION**  
SUBJECT TO CONDITIONS INCLUDING

- Prior to occupation, any plant details to be submitted to and approved by the LPA, including location, design and noise specification.
- Prior to the commencement, the noise mitigation recommendations (ceiling insulation and exterior door upgrades) and the Operational Management Plan of the submitted Noise Assessment shall be implemented in full and maintained thereafter.
- Reduced opening hours of 09:00 - 02:00.
- Prior to occupation, full details of shopfront display to be submitted to and approved by LPA.

**OFFICER RECOMMENDATION**

# Exeter City Council Planning Committee 13 January 2025



Exeter  
City Council



# **Application 22/1620/FUL**

**Site:** The Boat House, Ferry Road, Topsham

**Applicant:** Mr Mark Trout

**Proposal:** Redevelopment of an existing boat repair and maintenance storage shed with accommodation above.

**Case Officer:** Zulema Nakata

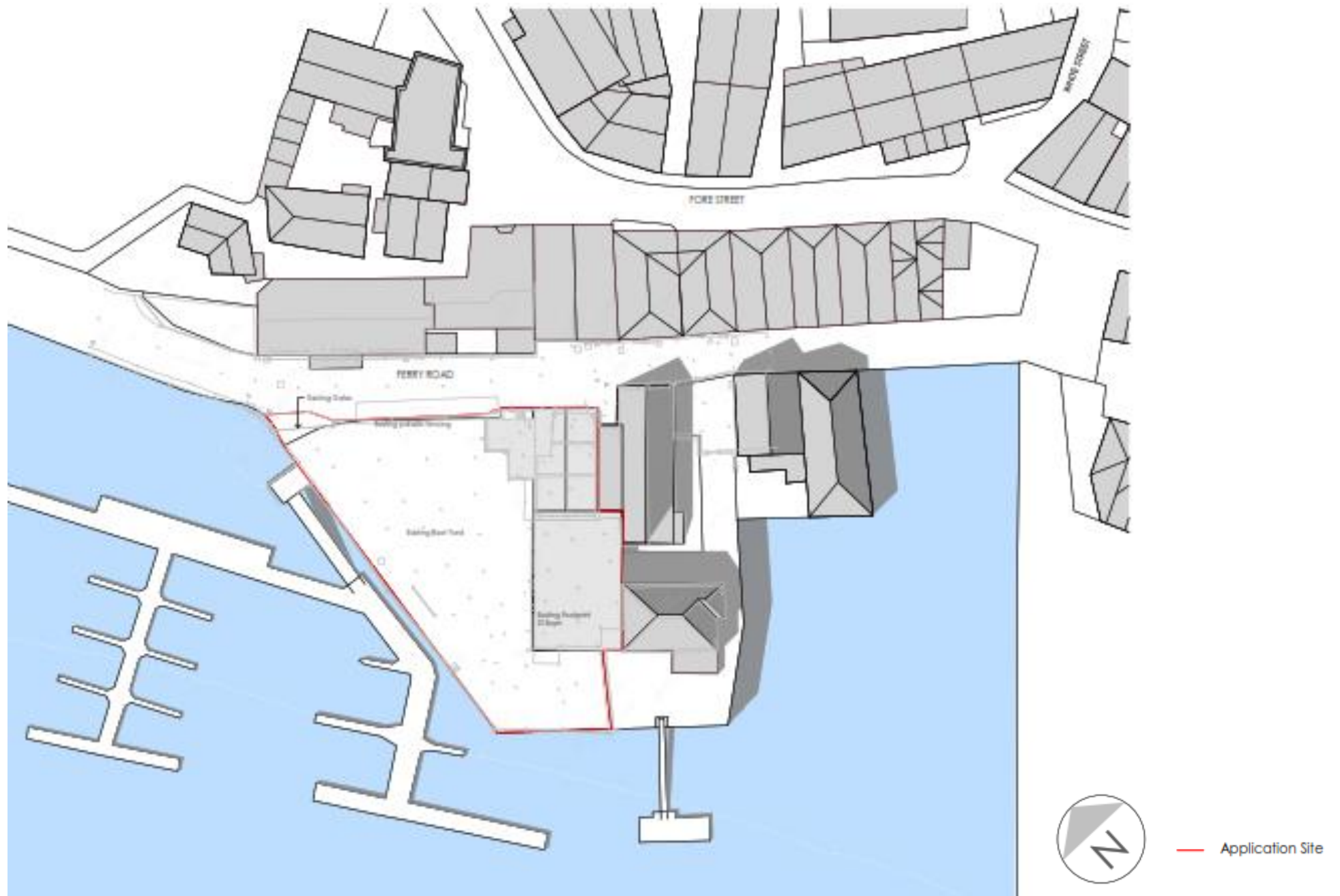


Page 45

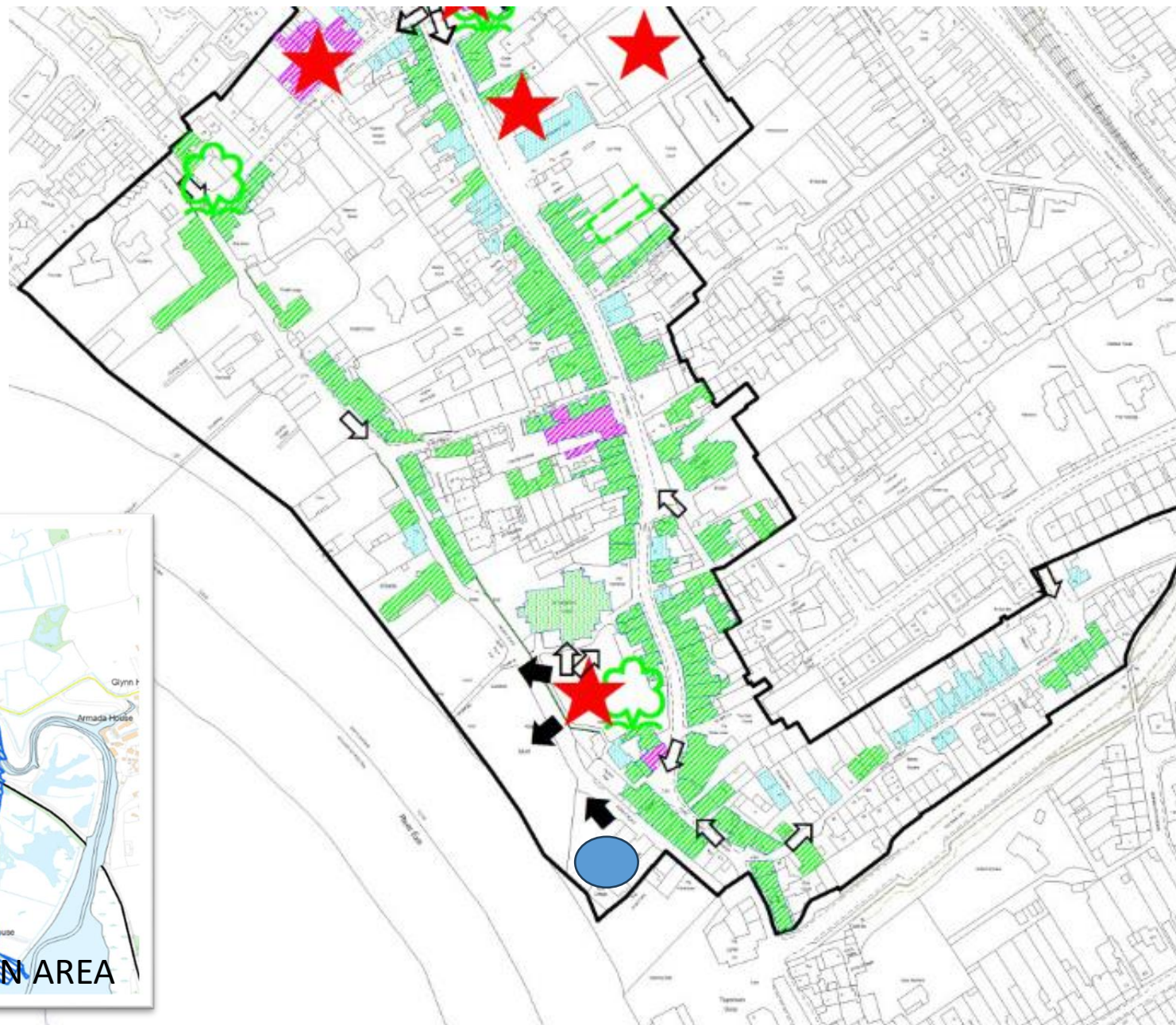


**SITE LOCATION/ARIEL VIEW**

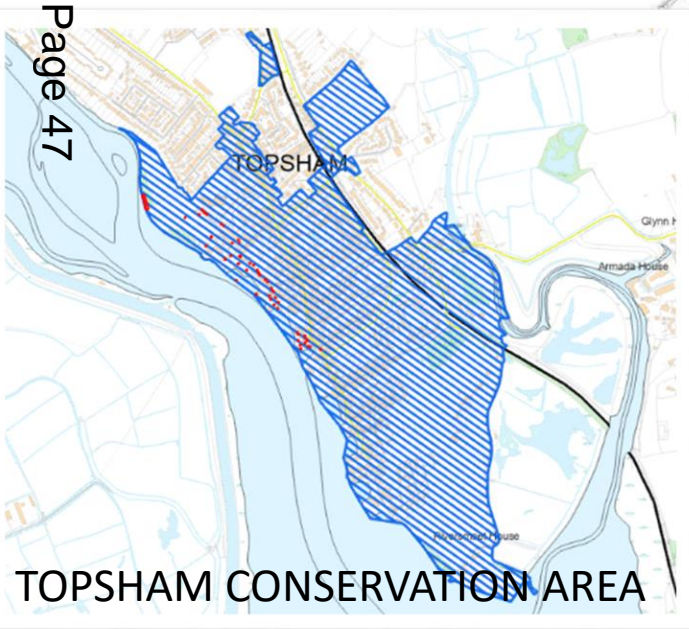




## SITE LOCATION PLAN



- Grade II\* Listed Buildings
- Grade II Listed Buildings
- Locally Listed Buildings
- Areas of Important Trees
- Positive spaces



## CONSTRAINTS – DESIGNATED HERITAGE ASSETS





Page 48

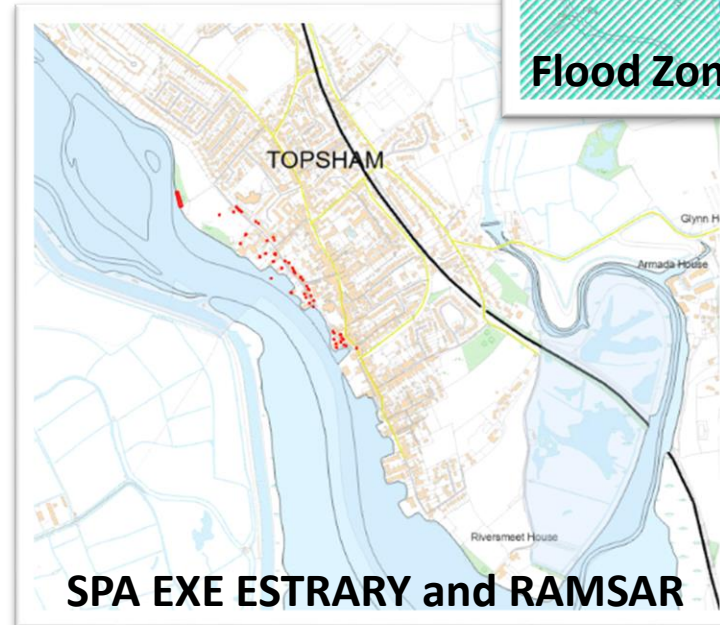
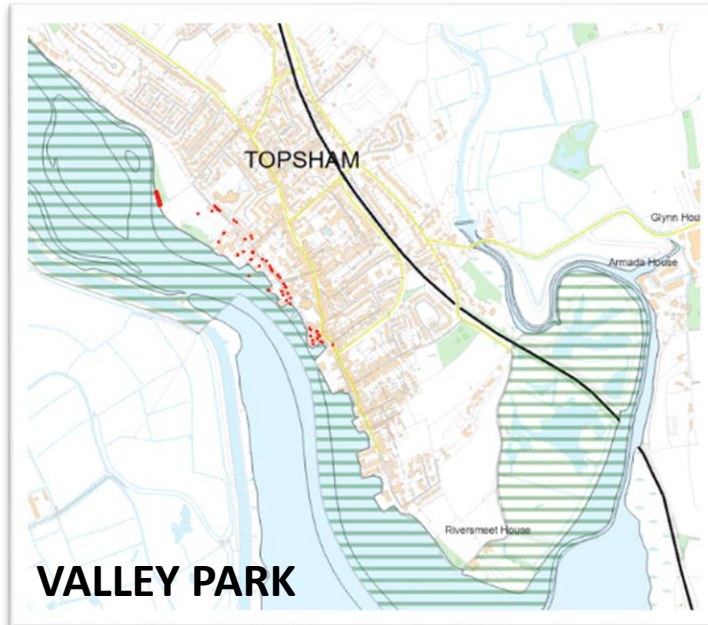
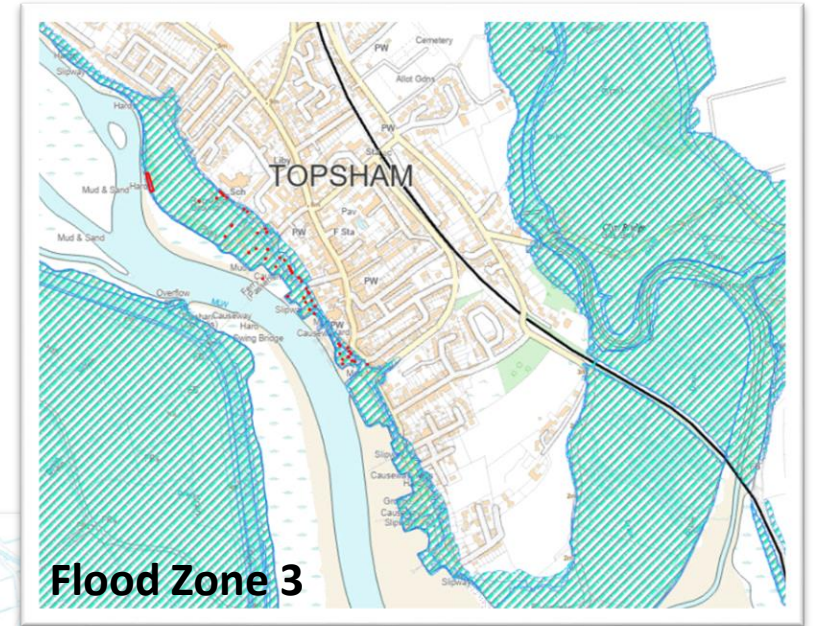
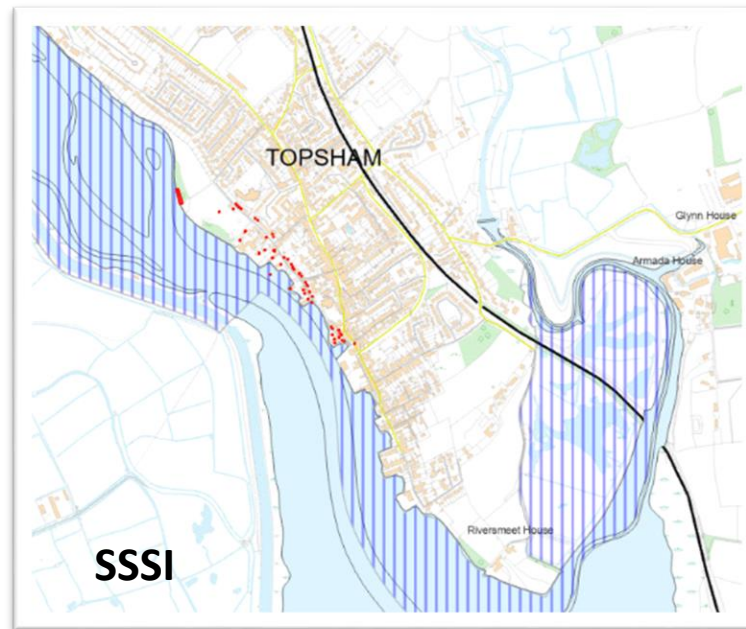
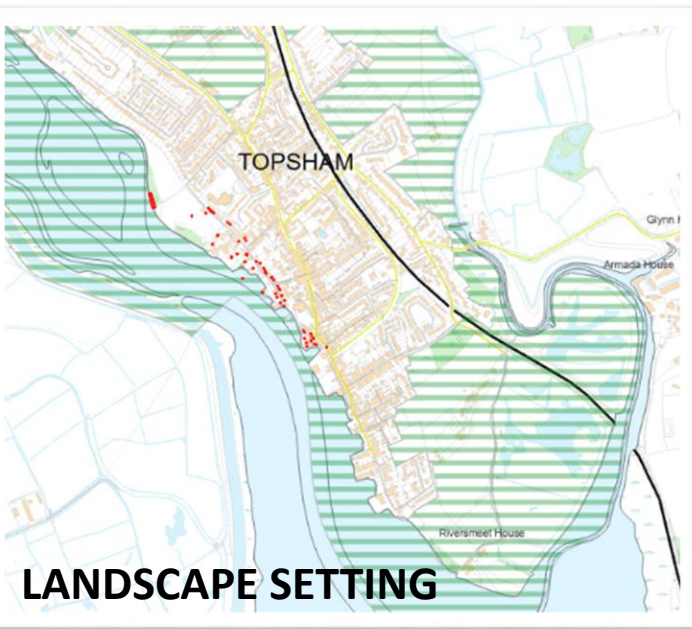
1950s



Today

**View from steps of Grade II\* Listed St Margarets Church**





# CONSTRAINTS – ENVIRONMENTAL/ECOLOGICAL





**SITE PHOTOS**





2018



Page 52

2019



2020

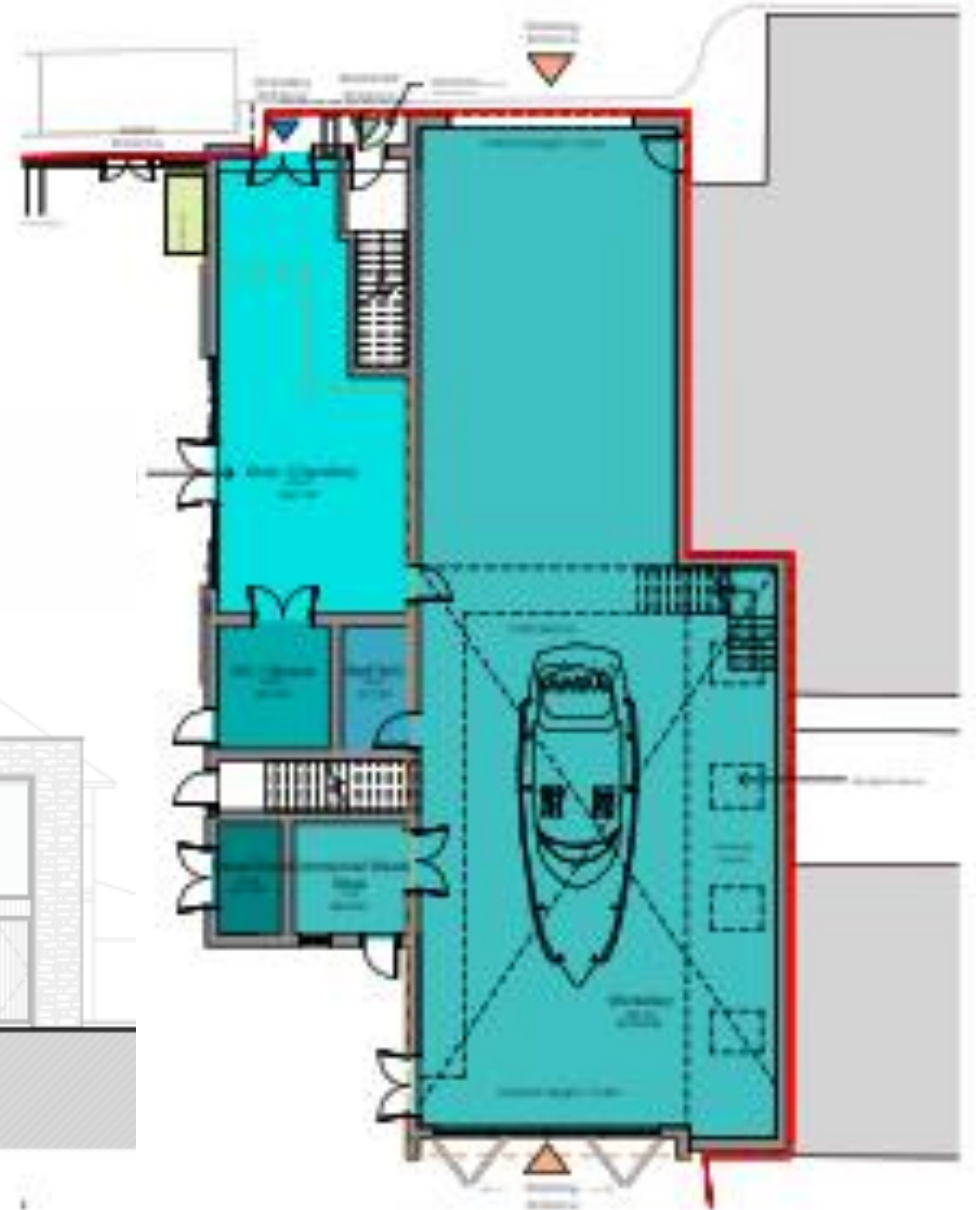


**EARLIER SUPERSEDED SCHEME**

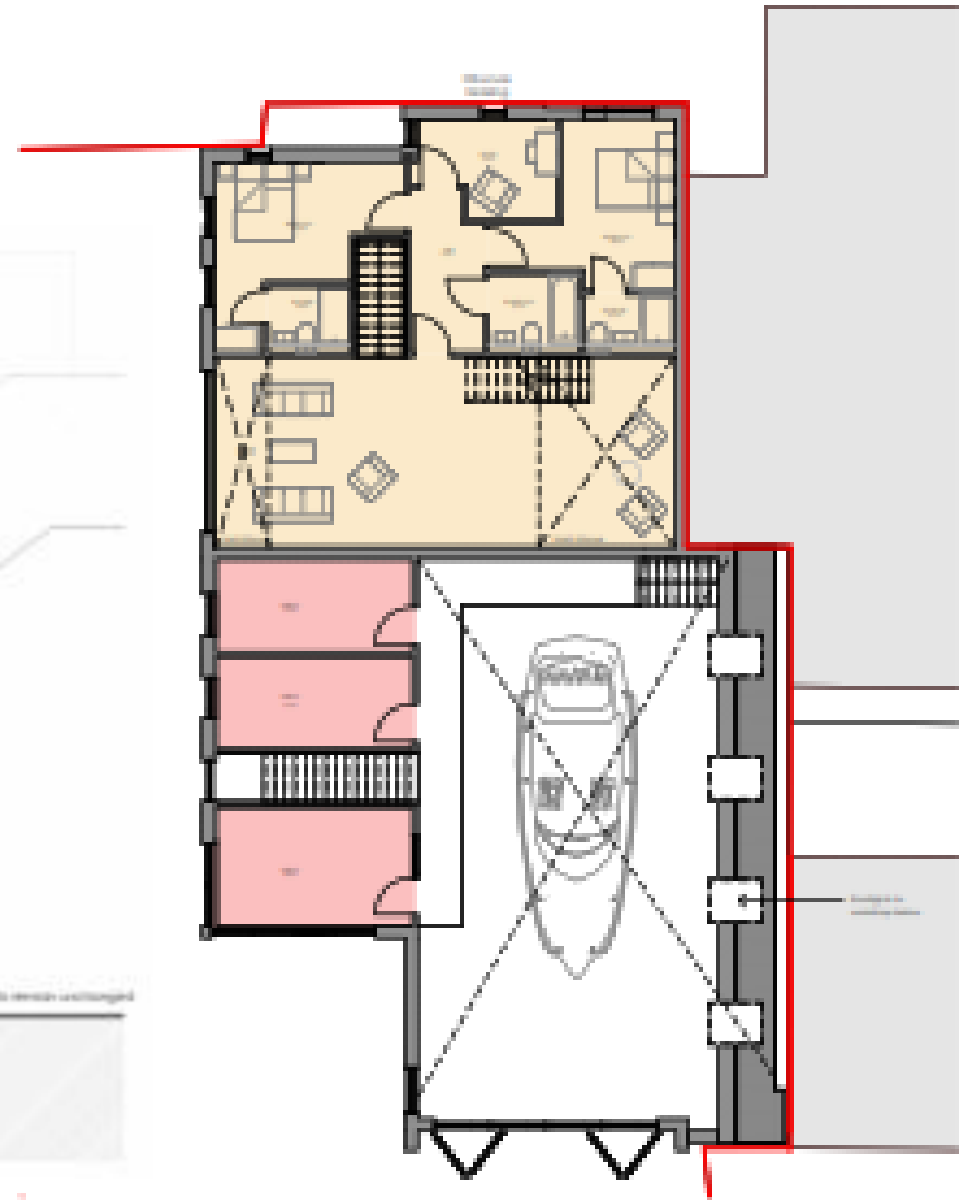


REVISED/CURRENT SCHEME



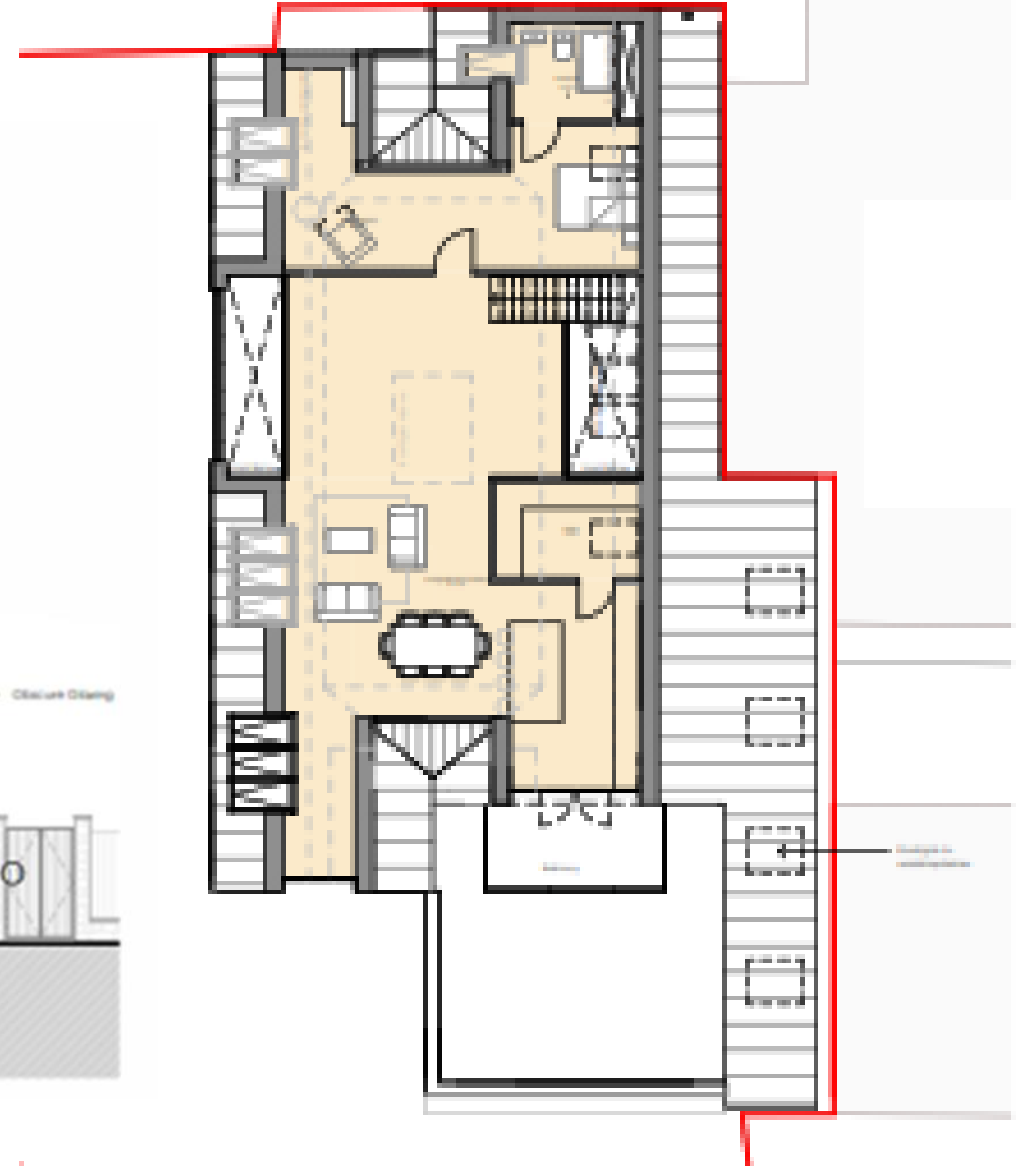


## PROPOSED SIDE ELEVATION and GF PLANS

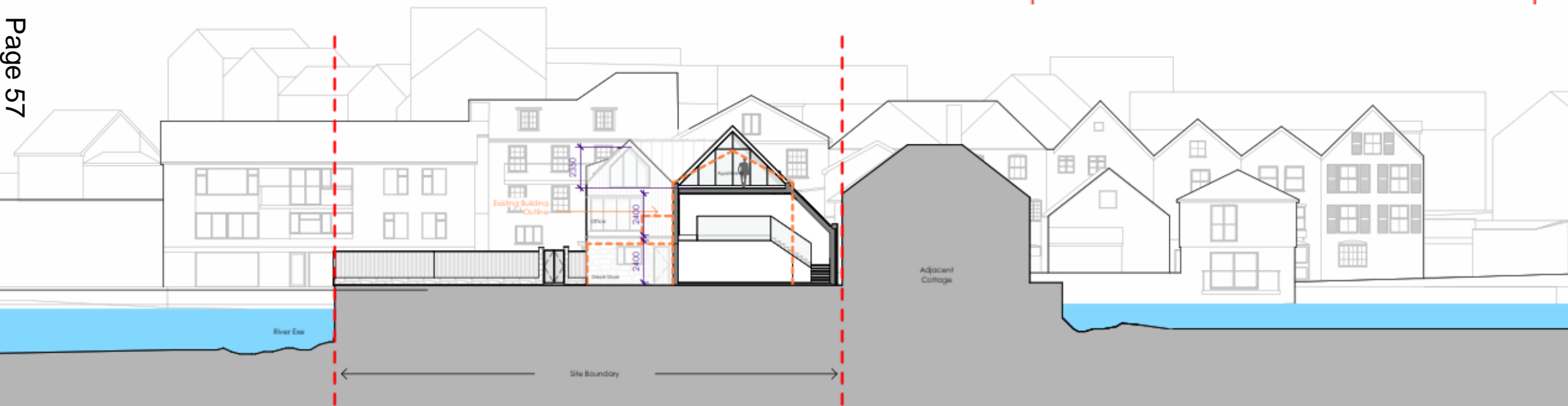
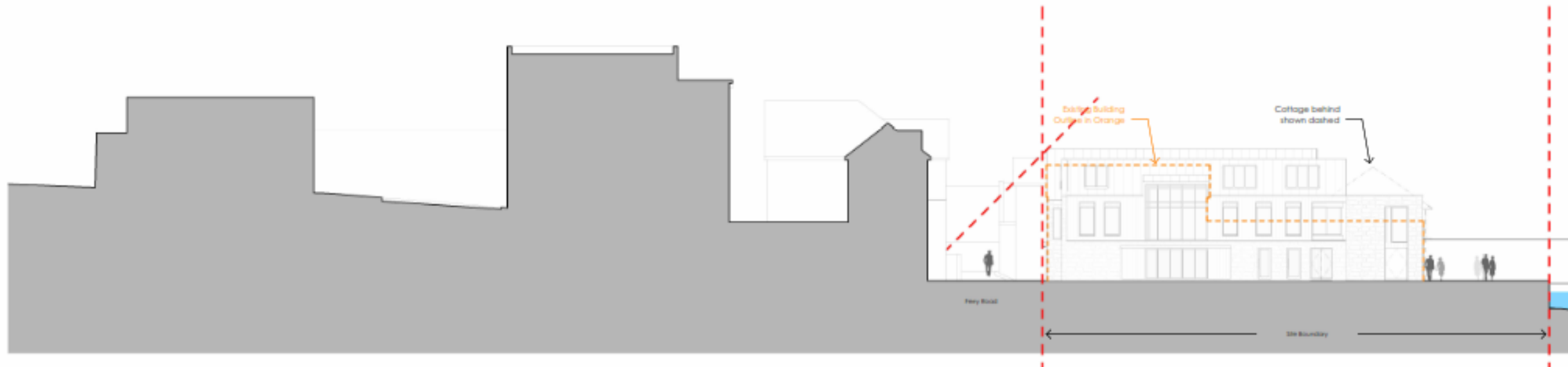


**PROPOSED RIVER FRONT ELEVATION and 1<sup>st</sup> FLOOR PLANS**



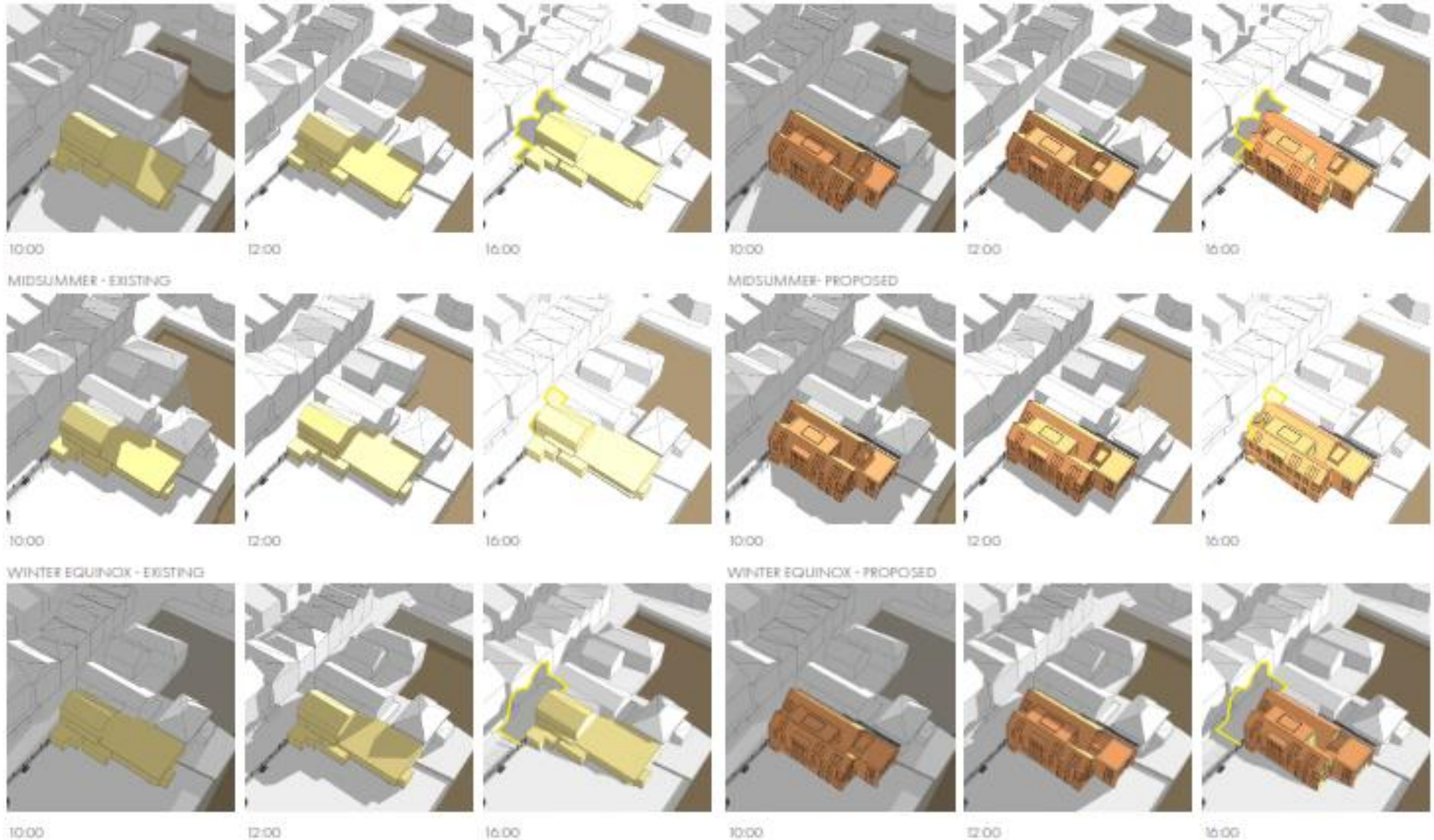


# PROPOSED FERRY ROAD ELEVATION and FLOOR PLANS

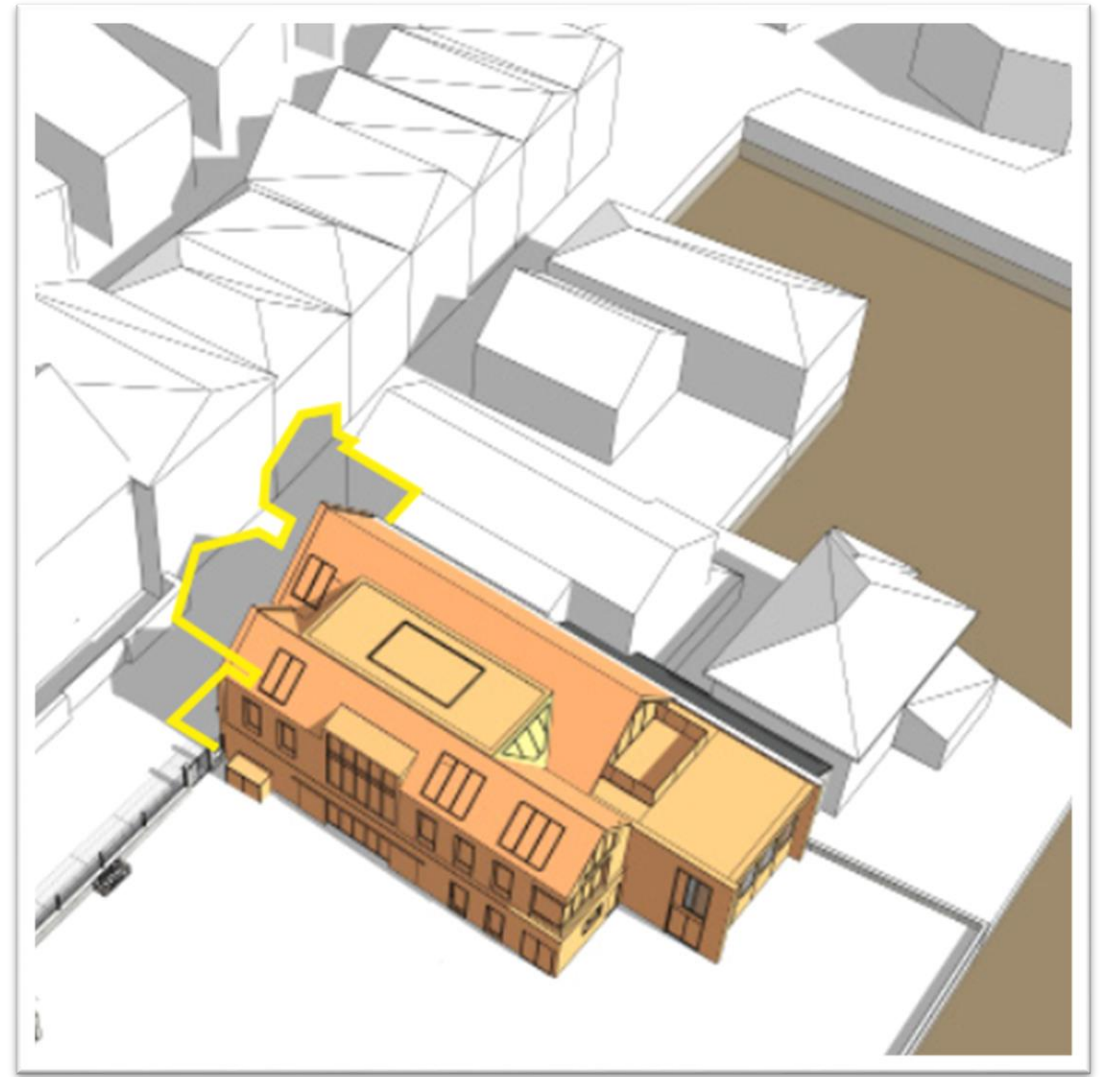
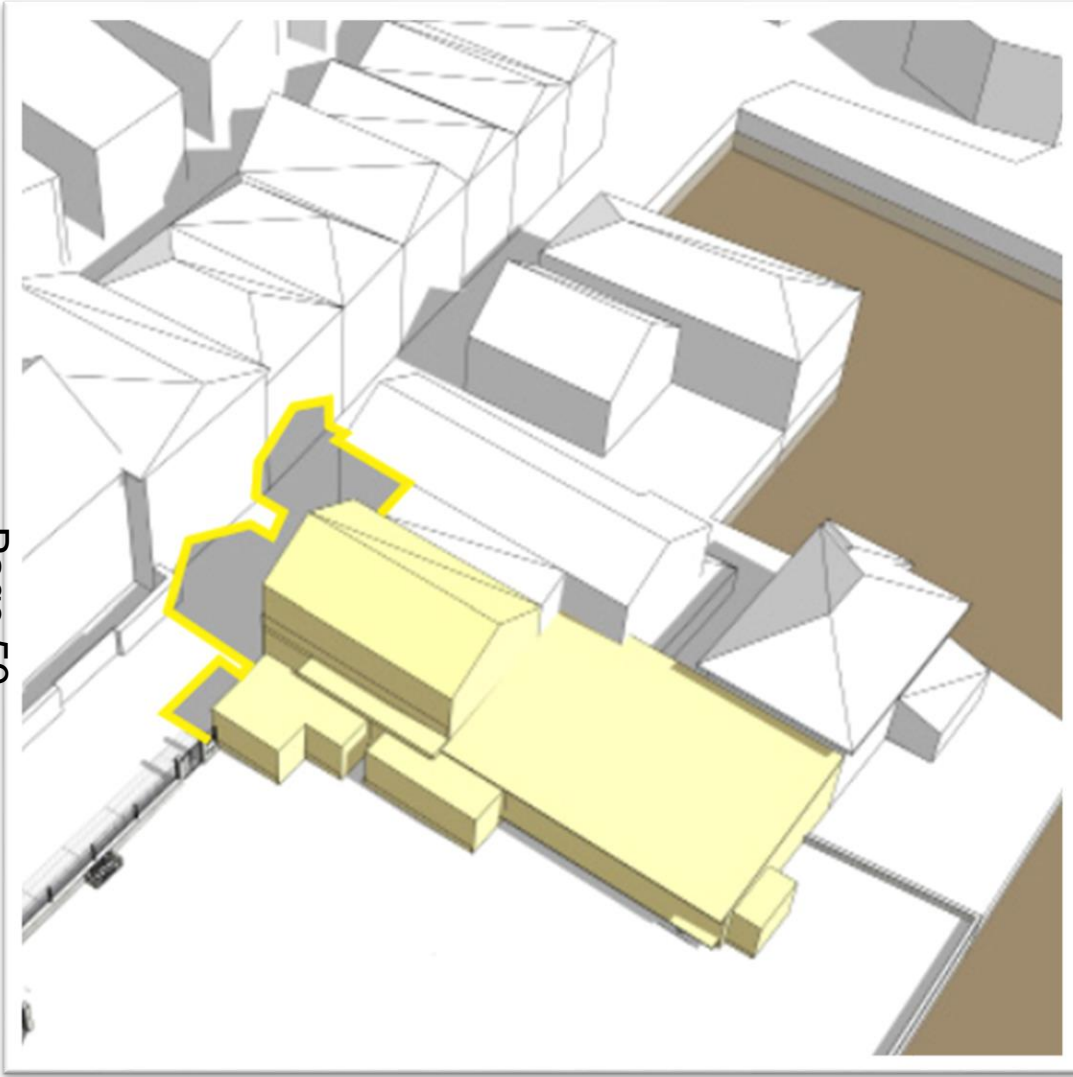


# SECTIONS



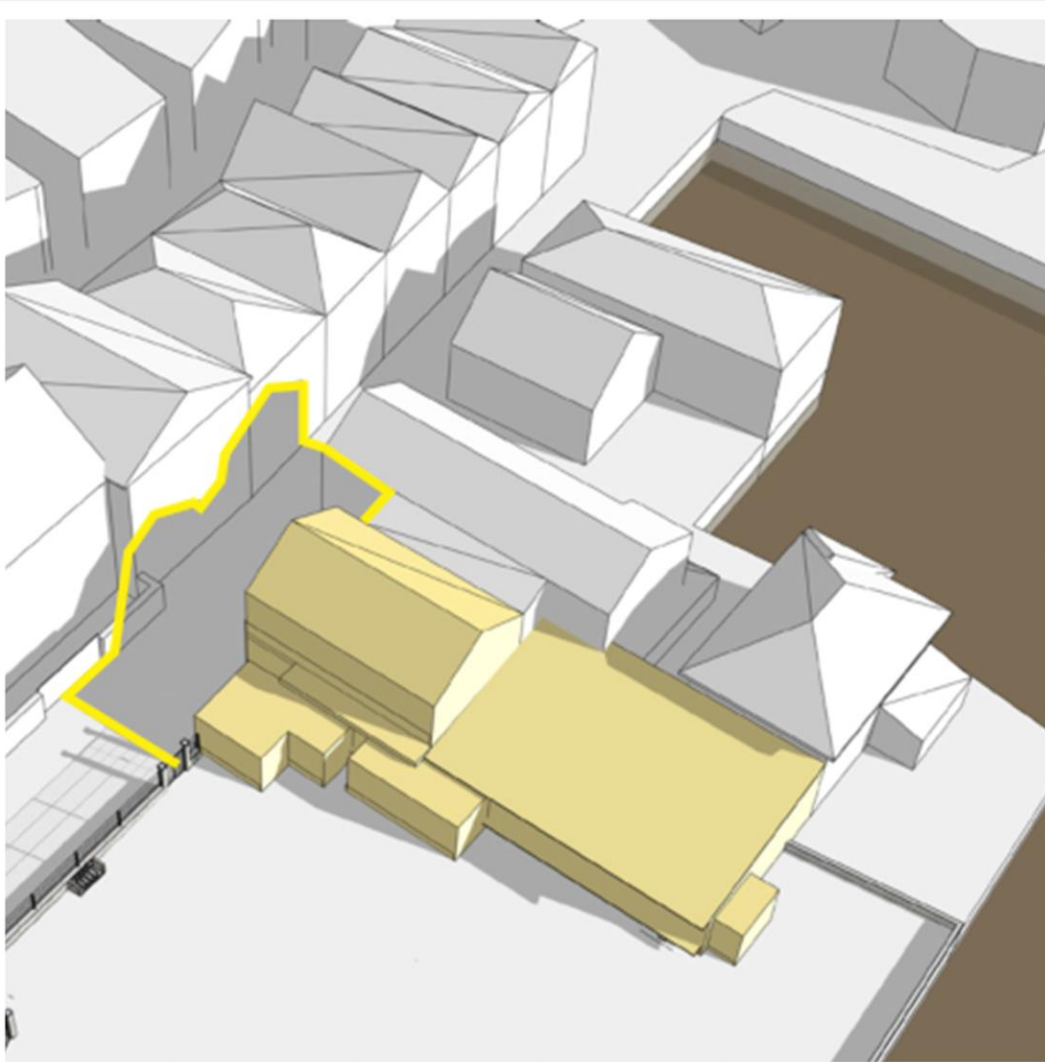


# SHADOW STUDY



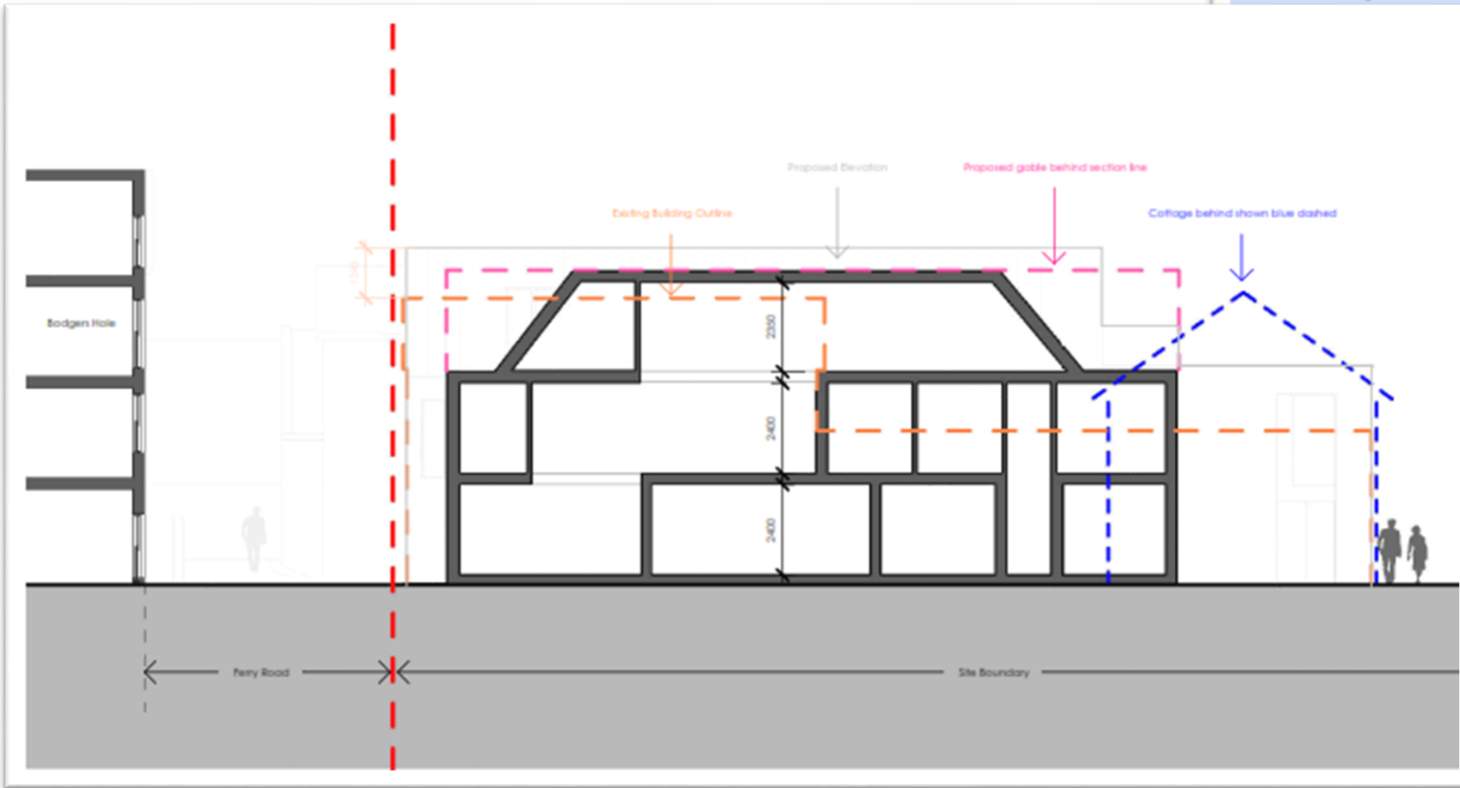
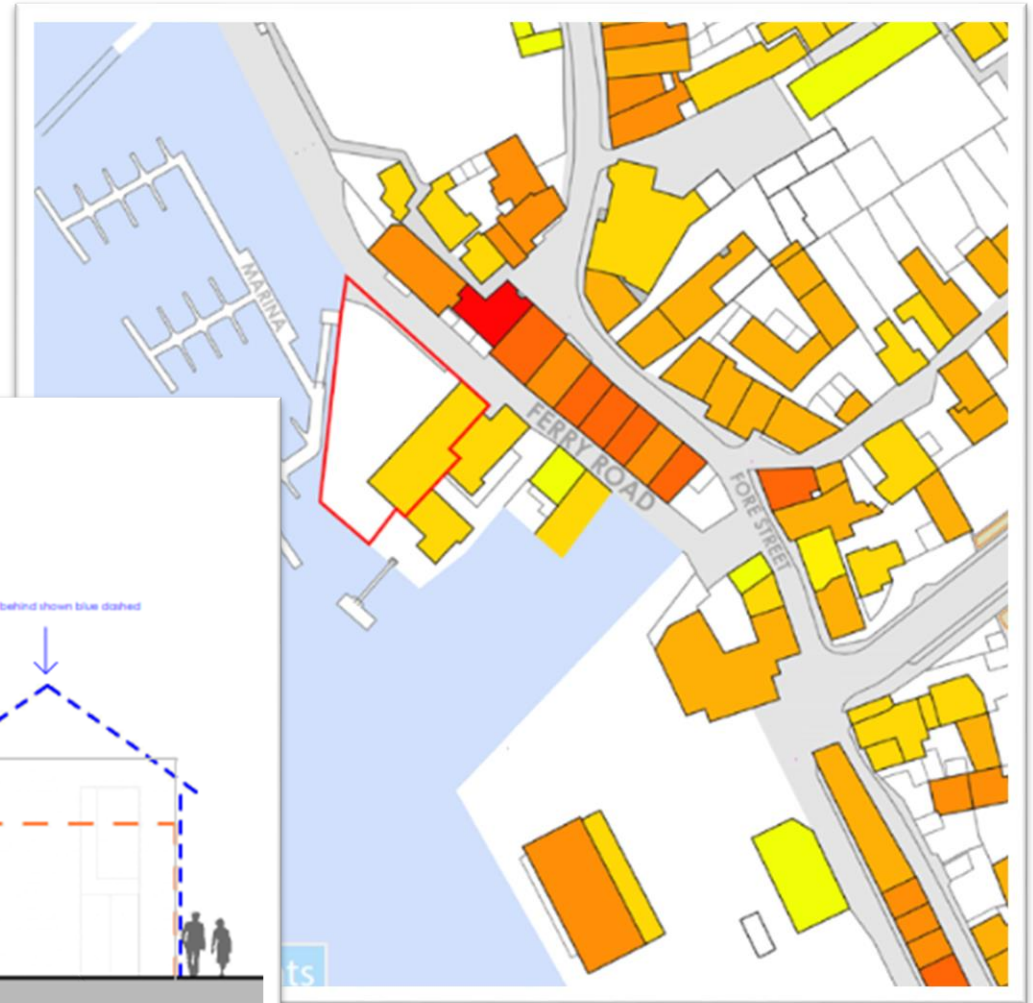
**SPRING EQUINOX 16:00**





**WINTER EQUINOX 16:00**

Key:



# BUILDING HEIGHTS





**VISUALISATION**

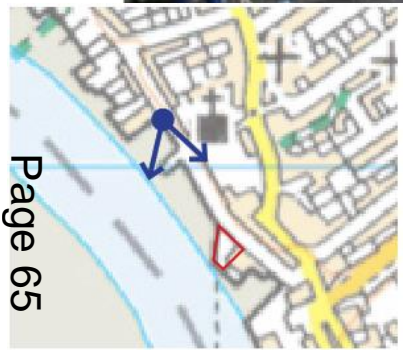


# VISUALISATIONS



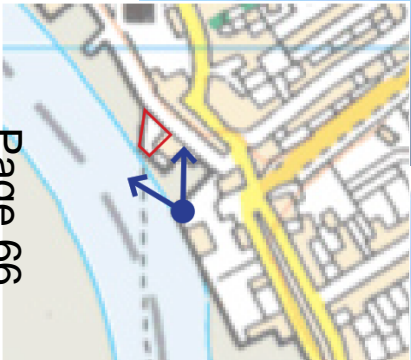


## LVIA – VIEWPOINT 1



## LVIA – VIEWPOINT 2





**LVIA – VIEWPOINT 3**

## 2<sup>nd</sup> round 35 objections, 3 support

Page 67

- Excessive scale
- Excessive height
- Excessive volume
- Excessive glazing, not in keeping with waterfront character
- Impact on privacy
- Overshadowing
- Loss of light
- Ground level differences/stability
- Lack of CGI visuals
- Views
- Increased flood risk elsewhere
- Over intensification of the use
- Loss of remnants of original stone barn
- Highways – parking, congestion, pedestrian and cycle safety
- Noise and Pollution
- Plans Inaccurate
- Not sufficient notice for consultations
- Materials out of keeping
- Residential is not essential to the boatyard
- Potential change of use in future

## OBJECTIONS



## 3 support

- employment opportunities
- locally run business
- existing buildings and boatyard have a poor appearance
- improve sustainability of the buildings, modern insulation
- in keeping with the older buildings and recent developments along the riverside
- materials in keeping with surrounding
- sympathetically and responsibly designed
- a significant improvement

- **Historic England:**

Raised no objection and is not opposed to redeveloping the boat repair facility in principle, HE recommends:

1. The Council ensures any harm is "clear and convincingly justified"
2. All opportunities to minimize harm should be explored, including reducing upper levels
3. Any remaining harm must be weighed against the public benefits

- **ECC Principal Heritage Officer:**

Raised no objections following the revisions to the original scheme. They considered that their initial concerns had been addressed

- **ECC Principal Urban Design and Landscape Officer:**

Raised no objections following significant revisions to the scheme, subject to a condition requiring submission of material samples for approval.



- **Impact historic assets** – impacts on St Micheals Church (Grade II\*) and
- The proposal has been significantly scaled down and redesigned to achieve a balance between the exemplary design befitting the historic location and the practical functionality required for a boatyard, an important heritage feature of Topsham, whereby the public benefit are considered to outweigh the less than substantial harm to the heritage asset.
- **Impact on neighbours' amenity** – Design changes to incorporate rooms in the roof space, limit massing and height to minimise overshadowing, while obscure glazing prohibits overlooking on Ferry Road. The infill between the dual pitch roof, slopes inward, minimising its appearance. The glazing fronting the river has been reduced and the balcony above the flat roof workshop is set well back. 4.7m from the front elevation, to minimise overlooking.
- **Flood Risk** – The residential 'more vulnerable use' is existing, does not represent a new or significantly intensified use, it will be positioned above the design flood event level and the FRA confirms that the development will be safe for its lifetime and incorporates mitigation measures
- **Ecology - Impact upon European Designations (Shadow HRA)** - the City Council, as the Competent Authority, has chosen to adopt the Shadow Habitats Regulations Assessment (HRA) to ensure the development will not adversely affect the integrity of the designated sites

## KEY PLANNING ISSUES

## RECOMMENDATION

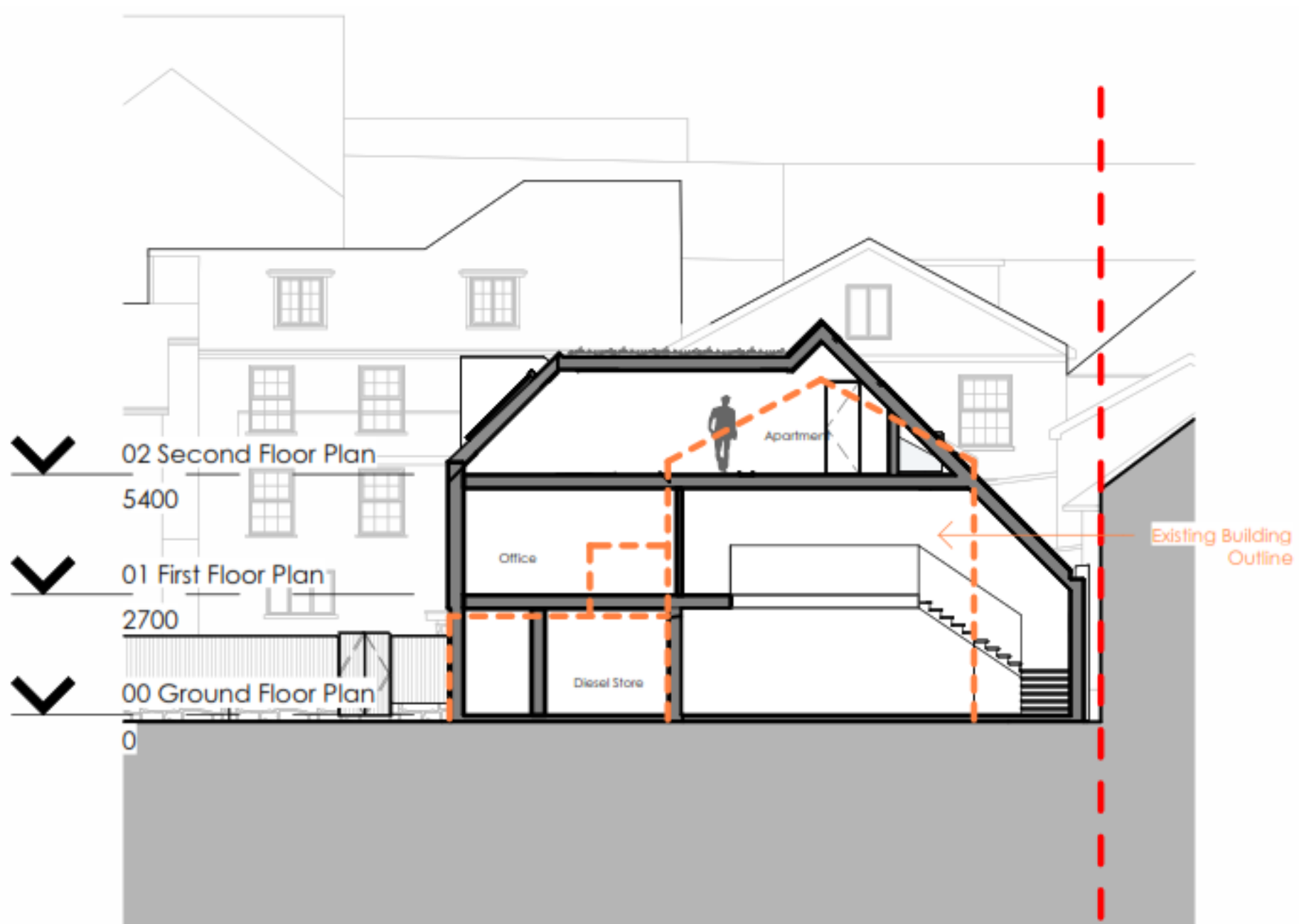
DELEGATE TO THE SERVICE LEAD (CITY DEVELOPMENT) TO **GRANT PERMISSION**  
SUBJECT TO CONDITIONS FOR THE FOLLOWING :

- Construction Traffic and Environmental Management Plan
- Land Contamination
- Waste Audit Statement
- Surface Water Drainage
- Mitigation measures European Wildlife designations
- Ecological Mitigation
- Construction Hours
- Noise Assessment
- Materials
- Cycle Parking
- Sustainability Statement Mitigation





# 1888 and 1906 OS Map



## SECTIONS



This page is intentionally left blank