

## **PLANNING – UPDATE SHEET**

Date: Monday 10 November 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 Mark Devin, Democratic Services Manager on 01392 265477.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

### *Membership -*

Councillors Knott (Chair), Rolstone (Deputy Chair), Asvachin, Atkinson, Banyard, Hughes, Hussain, Ketchin, Mitchell, M, Pole and Williams, M

## **Agenda**

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

#### **9 Update Sheet**

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#### **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 1 December 2025** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting.

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

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## PLANNING COMMITTEE

10<sup>th</sup> November 2025

### ADDITIONAL INFORMATION

#### Correspondence received and matters arising following preparation of the Agenda

##### **Item 5: Planning Applications 25/0098/FUL & 25/0099/LBC Former Walled Garden Adjacent to Reed Mews, Mardon Hill, Exeter**

On Monday 3<sup>rd</sup> November, the following comments were received from Exeter Airport:

“Dear Sir,

**Our Ref:** 57/25/AY

**Your Ref:** 25/0098/FUL

**Proposal:** Partial demolition of the existing garden walls and workshops and construction of a part two, part three storey educational building for teaching and research use and associated landscaping, including temporary works (revised).

**Location:** Former walled garden adjacent to Reed Mews, Mardon Hill, Exeter.

**Grid Ref:** 291567 , 94066

This proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria. However it does require the implementation of the following two conditions due to the development being a possible Bird attractant within the 13km safeguarding area and the development having a number of solar panels on its roof which could cause glint and glare issues for aircraft transiting the area. These are further explained in CAP772 and the attached advice notes.

The conditions requested to be applied to the application to ensure compliance with Aerodrome safeguarding criteria are as follows:

##### **Condition 1: Wildlife Hazard Management Plan**

Development shall not commence until a Wildlife Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Wildlife Hazard Management Plan shall be implemented as approved. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

**Reason:**

It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Exeter Airport.

In view of this and for further information I have included, as an attachment the Combined Aerodromes Safeguarding Teams (CAST) Advice note 3: Wildlife Hazards around Aerodromes, which all developers and contractors must abide by during construction and commissioning.

**Condition 2: Glint and Glare Assessment**

Development shall not commence until a Glint and Glare Assessment has been undertaken and submitted to the aerodrome showing no impact to aviation.

**Reason:**

It is necessary to prove no impact to the safety of aircraft operating within the area from glint and glare produced from solar panels.

In view of this and for further information I have included, as an attachment the Combined Aerodromes Safeguarding Teams (CAST) Advice note 5: Renewable Energy Developments which all developers and contractors must abide by during construction and commissioning.

Accordingly, Exeter Airport will have no safeguarding objections to this development provided that the requested conditions are applied, and all safeguarding criteria are met, as stipulated in the CAST Advice Notes, and there are no changes made to the current application.

Kindly note that this reply does not automatically allow further developments in this area without prior consultation with Exeter Airport.

Kind Regards,

**Adam Yould**

**Airfield Operations Duty Officer**

Exeter Airport

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On Wednesday 5<sup>th</sup> November, the following comments were received from the planning agent on recommended conditions 5, 6, 22, 25 and 27:

“Hi Matt and John (noting John is on leave),

We have been continuing our review of the proposed planning conditions and have the following comments/suggestions that we request are considered. The main reasons being the impacts some of the requirements have on achieving a timely submission of the NE License. For clarity, these are not seeking to water down the requirements, only

to allow sufficient flexibility to maintain the programme we have collectively worked hard to maintain.

Please see below:

### **Condition 27 - LEMP**

This is classed as a "wildlife condition" which will need to be discharged prior to the application of the bat licence (from experience we understand an email to say it will be approved may be acceptable). While it is pre-occupation, the link to the NE Licensing process effectively means this is a pre-commencement consideration.

I note this is a request from Mark but we query whether this is necessary as I understand Mark's concerns relate to design and landscape matters, not ecology matters which form the reasons for securing this.

On this basis, we do not consider the requirement of a LEMP on this Site to be appropriate due to a number of other conditions, especially the HMMP providing/duplicating this information. As the BNG Indscape is progressing, trends are moving primarily to using an HMMP for this purpose and within a Site of this small scale, with minimal habitats of value this does not seem proportionate.

Having reviewed with our consultant ecologist, it is their professional judgment that the requirements of an HMMP in Condition 9 BIODIVERSITY NET GAIN - HABITAT MANAGEMENT AND MONITORING PLAN, 12) ECOLOGICAL MITIGATION AND ENHANCEMENT, 20) HARD AND SOFT LANDSCAPING SCHEME will suitably cover all aspects for the need for a LEMP including design. The HMMP will contain a prescription for management of the trees which are the only significant habitat that will be present on Site. All other habitats will be ornamental or of low distinctiveness and are minimal in area.

The other main requirement that would be provided in a LEMP would be the security of the bat roost in the Vaults as this will be retained. The relevant detail provided in the LEMP would be minimal and is covered in full within the EPSL documents with a Monitoring Management and Maintenance Plan provided which must be adhered to.

On this basis, we request that this condition is removed given the duplication.

### **Condition 25 - EXTERNAL LIGHTING**

As per the above, this is another "wildlife condition" that must be resolved prior to the NE Licensing, bringing the work to pre-commencement, not pre-occupation. While the need for the lighting strategy is not disputed, we request this is reference to new/proposed lighting only and the wording amended as follows:

*The building hereby approved shall not be occupied until any new external artificial lighting has been installed in accordance with details which shall first have been submitted to and been approved in writing by the Local Planning Authority (including location, type and specification to include brightness and colour temperature). The details shall demonstrate how the new lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation*

*if necessary). The details shall include existing lighting where this is to be upgraded/replaced.*

As we understand, the potential upgrading of the existing lighting on the Lit Path, sits within the wider Heritage Enhancement Strategy secured under **Condition 22**, in particular part 6 of that condition which is as follows:

*6. Improvements to the existing Lit Path to match the intervention on the new path as far as possible, and to replace existing inappropriate lighting with lighting of a more suitable design.*

The benefit of upgrading is seen as an aesthetic/design/conservation betterment, not an ecological one and is therefore already captured under Condition 22. Further work and time is needed to understand what can be achieved here. We would however request the following revised wording of that part to assist in the NE assessment:

*6. Aesthetic improvements to the existing Lit Path to match the intervention on the new path as far as possible, and to replace existing inappropriate lighting with lighting of a more suitable design but maintains existing light conditions to preserve the ecological environment.*

We feel the above suggestions maintains the broad thrust and objective of both conditions but provides greater flexibility to prepare and submit the NE Licensing.

## **Condition 22 - HERITAGE AND ENVIRONMENTAL ENHANCEMENTS**

As per the comments/request re: Condition 27, we do not consider an LEMP is appropriate for the scale of development and the strategy is more design/heritage orientated than ecological. We propose the following amendment to Part 1 e) for consideration and to assist in the timely submission of the NE License.

e. Submission of a Landscape Environment Terrace Management Plan, which shall thereafter be implemented in perpetuity in accordance with the approval details to secure ongoing maintenance of this area to prevent further deterioration through encroachment of vegetation.

### **Other queries**

**Condition 5** - can you clarify what "contract" means. Would communication from the University providing clear intent of contract being entered in to be sufficient as opposed to full and final contract. There are substantial clearing procedures when finalising the contract that could add further significant delays?

**Condition 6** - VAULTs - there are no repair or strengthening works envisaged. There may be some temporary propping works. While the wording only relates to the former, could we please have the "*Prior to the commencement of any works of repair or strengthening of the existing vaulted structure, excluding temporary works...*"

Kind regards

Jonathan”

On Thursday 6<sup>th</sup> November, the planning agent commented on the conditions recommended by Exeter Airport to be added to any grant of planning permission as follows:

“Thank you for sharing Matt.

I query whether these conditions are proportionate to the scale of proposals, both in terms of the quantum of solar/pv proposed and extent of new habitat being created on the site that would attract the relevant bird species. I am not convinced this has been fully understood by the airport.

With regards to Glint and Glare the guidance refers to large-scale solar energy developments. The roof top provision is modest and certainly not large scale. Being located c.11.5km away from the airport, it is also not on or immediately adjacent to the aerodrome. I also understand that such conditions have not been requested elsewhere on campus developments, so the request would seem to be an exception here.

Similarly, the landscaping strategy while generous in the constraints of the site, is not proposing to create large areas of new habitat that would increase the population of hazardous birds (large or flocking bird species) within the vicinity of the aerodrome or generate flight lines that enter critical airspace. As such, the proposals are highly unlikely to significantly alter the existing local conditions, existing attractants or bird populations.

Can I please therefore ask that the need for these conditions is swiftly reconsidered as I don't consider them to be necessary or reasonable given the scale of proposals.

Many thanks

Jonathan”

On Thursday 6<sup>th</sup> November, the applicant submitted a document entitled ‘University of Exeter, Academic Research Building, Exeter City Council Planning Committee 10 November 2025’. This includes: a summary of the process leading to the current proposal, key views, public benefits, heritage benefits and the timescales to complete the project. The document can be viewed in Other Application Information at: <https://exeter.gov.uk/planning-services/permissions-and-applications/related-documents/?appref=25/0098/FUL>

On Friday 7<sup>th</sup> November, the planning agent commented on condition 2 of the planning application and listed building consent application, as follows:

“Hi John/Matt,

We've been reviewing the list of plans under the relevant condition which we believe is correct with the exception of the following:

- There is a reference to a removals drawing 'Received 28th January 2025:28/01/2025\_DR-A-000150 P01 Existing P-SE3 Sections and Elevations - Proposed Removals'. This was replaced with drawing 123442-ATRL-01-XX-DG-A-089007.
- The drawing highlighted in yellow should be removed from the list please.

Can you please action and reflect this on the update sheet.

Many thanks

Jonathan”

Officers will provide a verbal update on the recommended conditions at committee, taking into account all the comments above.

**Item 6: Planning Application No. 23/1532/OUT – Sandy Park Farm, Old Rydon Lane.**

Since the publication of the Committee Report further clarification has been sought regarding the ability of the northern access point to connect from the edge of the application site over a verge to connect with the roundabout on Sandy Park Way.

The Highway Authority confirmed that the verge is Highway Maintainable at Public Expense (HMPE). Exeter Rugby Club retains ownership of the land, however the presence of HMPE grants statutory rights to the Highway Authority.

These rights enable the developer and the Highway Authority to enter into a Section 278 Agreement (under the Highways Act 1980) regardless of third-party land ownership. This legal provision ensures that the necessary infrastructure improvements can proceed in accordance with the Highways Act, provided the works are within the extent of HMPE.

It has been confirmed that S278 empowers the Highway Authority to enter into agreements with any person for the execution of works that the Authority considers will benefit the public. It does not require the landowner to be a party to the agreement, provided the works are within the public highway. As long as the visibility splays and other highway works are within the existing HMPE, the developer and the Highway Authority can proceed with the S278 agreement without needing the landowner's consent.

In this instance all highway works on the grass verge outside the application site are within the HMPE and access over third-party land is therefore possible and does not rely on landowner consent.