

## **PLANNING COMMITTEE**

Monday 1 December 2025

### **Present:-**

Councillor Knott (Chair)

Councillors Rolstone, Asvachin, Banyard, Hughes, Hussain, Ketchin, Mitchell, M and Pole

### **Apologies**

Councillors Atkinson and Williams, M

### **Councillors in attendance under Standing Order No. 44**

Councillors Darling, Fullam and Wright speaking on item 4 (Minute No. 43 below)

### **Also Present**

Head of Service - City Development, Head of Legal and Democratic Services & Monitoring Officer, Assistant Service Lead – Development Management (Major Projects), Principal Project Manager – Development Management, Principal Project Manager – Development Management and Democratic Services Officer

40

### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

41

### **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the Strategic Director for Place was noted.

42

### **APPEALS REPORT**

Members noted that there were no appeals items to consider.

43

### **PLANNING APPLICATION NO. 25/0957/OUT - LAND AT BARLEY LANE**

**Councillor Hussain arrived during the item and did not participate in the debate or vote on this item.**

The Chair invited Councillor Wright to speak under Standing Order No. 44, who made reference to:

- as a St. Thomas ward Councillor, she strongly objected to the proposed development, and welcomed the detailed officer report recommending refusal;
- there were a large number of resident objections who recognised the need for affordable and sustainable housing in Exeter;
- resident objections were on the proposal's scale and design, which were considered to be out of character with the area and conflicted with Exeter's long-standing avoidance of building along the ridgeline area;
- there were unresolved issues around infrastructure, public services, and transport, as well as significant environmental concerns, notably on increased flood risk, which was insufficiently addressed by the developer;
- development in Exeter should enhance the city, rather than diminish it; and
- the Planning Committee was urged to refuse the application, which would place undue pressure on the community, harm local environment, and lacked proper resident engagement.

The Chair invited Councillor Darling to speak under Standing Order No. 44, who made reference to:

- their objection was focussed on active travel and transport issues;
- despite the transport assessment deeming the risk acceptable, the development would increase car use and congestion on Dunsford Road, as well as across the city;
- residents had already reported heavy traffic in the area with buses currently struggling to access the area due to obstructions from parked cars;
- walking and cycling access was unrealistic, given that the nearest railway station was a 20-minutes' walk away and the site required walking up a steep hill;
- walking routes to bus stops exceeded the 10-minute threshold, which would encourage further use of cars;
- the proposed development would diminish the rural character of the Exeter Green Circle walking route;
- cycling was considered to be unsafe and impractical due to fast traffic, lack of cycle lanes, steep gradients, and that the National Cycle Network route was only suitable for highly confident cyclists;
- transport issues were beyond the control of the developer and geography was the main barrier to active travel in this area, making the site inherently unsuitable for sustainable transport; and
- significant transport limitations and the wider aesthetic and environmental concerns justified refusing the application in line with officers' and residents' views.

The Chair invited Councillor Fullam to speak under Standing Order No. 44, who made reference to:

- officers, Councillors and the 200 plus residents who unanimously opposed the proposal were thanked;
- the urban context of St. Thomas was described as a dense area, with very limited green space and Barley Lane acting as a vital green escape from the urban environment;
- the area offered countryside for local residents, walkers, and dog owners and developing the site would push the accessible green space much farther away, whilst further deepening the urban footprint;
- the issue was not about resisting development, but about the principle of protecting the prominent ridgeline of the city. Building on the ridgeline would permanently damage Exeter's character defined by its views and surrounding hills, trees, and fields;
- the ridgeline needed to be protected and by allowing the proposal to proceed, it would set a precedent for further ridge-line development; and
- the Planning Committee was urgently requested to uphold the officers' recommendation for refusal.

The Chair invited Dr Keith Howe, to speak for five minutes, against the application, who made the following points:

- he was speaking as a Barley Farm Road resident of 50 years and as an economist with environmental expertise;
- he argued against the proposed development using a social cost–benefit perspective aligned with the National Planning Policy Framework and the Exeter Plan;
- the development would incur significant costs, a loss of tranquillity and

landscape quality, harm to biodiversity, increased flood risk, road safety issues, congestion, and poor access to transport and amenities. These concerns raised reflected the genuine lived experience shared by over 200 objectors;

- in contrast, the benefits to the development were limited, with only 65 homes, the development would make only a marginal contribution to Exeter's wider housing needs;
- for existing residents, green circle walkers, and nature users, the development offered no benefits and would permanently destroy a valued green space; and
- the loss of well-being to the community far outweighed any gains and therefore the Planning Committee was urged to reject the application.

The Principal Project Manager – Development Management presented the application for an outline planning permission (with all matters reserved apart from access) for the phased development of up to 65 residential dwellings, two access points from Nadder Park Road, public open space and associated infrastructure (including land for biodiversity enhancements), which was recommended for refusal.

Members received a presentation and received the following information:

- the applicant had recently submitted extra drainage information, in which the Lead Local Flood Authority was still to respond to, and therefore the recommended drainage-related refusal reason remained in place;
- the application was for outline planning permission for up to 65 homes on a highly visible greenfield site on Exeter's north-west ridge, within the landscape setting area and valley park, which adjoined Barley Valley Nature Reserve and the Exeter Green Circle route;
- the application had attracted 214 public objections;
- the parameter plan provided an indication of what the development would be like and the proposal included two new access points onto Nadder Park Road, both of which have been assessed as suitable for large vehicles, with the Highway Authority raising no objections;
- access onto Nadder Park Road access was considered technically acceptable, and concerns about ecology and highways had been resolved, with a proposed £700-per-dwelling contribution to walking and cycling improvements;
- a core issue was on the harm to the landscape, in which the development would protrude above existing rooflines and disrupt key ridgeline views;
- officers had identified flaws in the applicant's landscape assessment, including missing viewpoints and misleading photo locations;
- officer photographs (presented during the presentation) showed the site was visible from multiple prominent locations across the city, including Ludwell Valley Park, Bartholomew Terrace, Colleton Terrace, the Quay, and Exe Bridges;
- the scheme proposed 35% affordable housing and the Council currently lacked a five-year land supply, which triggered the tilted balance, however, it was officers view that the significant and demonstrable landscape harm outweighed the benefits of the development;
- suitable drainage had also not been demonstrated, and planning obligations had not yet been secured;
- the application as recommended for refusal on three grounds: landscape impact, unresolved drainage issues, and absence of completed planning obligations.

The Principal Project Manager – Development Management responded to Member questions and clarification points as follows:

- the Barley Lane school was located just slightly beyond the edge of the aerial images shown in the presentation;
- no reason was provided for why the developer was not in attendance at the meeting;
- the proposed biodiversity space was on a slope but was suitable for biodiversity net gain and would be publicly accessible, not reserved for new residents;
- no illustrations of house designs were provided as this was an outline application, but the indicative plans suggested the development would be mostly two-storey homes, unlike the nearby lower rooflines used to protect the ridgeline;
- any building, including single-storey buildings would significantly harm the ridgeline and Valley Park landscape due to the site's high visibility;
- only two nearby schemes existed which set a precedent. One development at Barley Lane was refused and another at Redhills was allowed at appeal. There were no other similar large-scale developments in the immediate area, and a previous pre-application for this site had been discouraged;
- extra drainage information was submitted late in the process and the Lead Local Flood Authority had not responded to being consulted on the information. Therefore, the view that there was inadequate drainage remained a reason for refusal;
- no legal agreement had been signed, so its absence was listed as a reason for refusal, which was standard practice;
- unlike other appeal sites, this development would protrude above the ridgeline, lacking tree cover, and obscure existing trees;
- the applicant had not provided long-distance view assessments, which officers considered to be necessary to assess the full impact of the proposals;
- all vehicle access would be from Nadder Park Road, and there would be no access from the north; and
- a PIC was a Personal Injury Collision, which was a record of accidents involving injury.

During debate, Members expressed the following views:

- the application did not consider specific transport needs for the nearby Barley Lane School, where pupils arrived by taxis and minibuses;
- the development would increase congestion, creating safety risks for vulnerable children, and assumptions about peak-time impacts were considered to be inaccurate;
- there were potential risks to community wellbeing, including flooding impacts on neighbouring homes and general safety concerns related to access;
- the importance of protecting Exeter's distinctive ridgeline was highlighted;
- the development would cause significant visual harm, and would erode the city's green edge, and negatively affect Exeter's character and views from across the city;
- the development was far from bus stops and the railway station, and would increase car dependency;
- there was also inadequate options for sustainable transport, notably cycling provisions would require a hard uphill cycle which would not be sustainable to all residents;
- the developer's failure to attend the meeting or present a case, was noted should the matter be appealed;
- the report had not provided any reason to go against the officer recommendation to refuse;
- the application offered a benefit in developing affordable housing;

- previous appeal decisions on different sites were not valid comparators because the proposal was higher and in a more sensitive landscape position; and
- the traffic impacts were considered to underestimated, with additional road vehicles more likely, given the topography.

Councillor M. Mitchell moved, and Councillor Ketchin seconded the recommendation, which was voted upon and CARRIED unanimously.

**RESOLVED** that planning permission for outline planning permission for the phased development of up to 65 residential dwellings, two access points from Nadder Park Road, public open space and associated infrastructure (including land for biodiversity enhancements) be refused for the reasons listed in the committee report.

44

#### **PLANNING APPLICATION NO. 24/0785/FUL - TOPSHAM GOLF ACADEMY**

The Chair invited Mr Andy Martinovic, to speak for five minutes in support of the application, who made the following points:

- his company was a local family company who had been engaging with officers and consultees since validation in September 2020;
- there had been numerous consultees, including EEA, RSPB, Highways Authority, Lead Local Flood Authority, Waste Planning Authority, South West Water, Police, and Ecologists;
- the Local Plan team had confirmed that there was a lack of a five-year land supply;
- infrastructure works would be delivered within the site boundary, avoiding disruption to Topsham Road;
- the site was already allocated within the emerging local plan;
- the scheme had been developed collaboratively with heritage development consultants and officers;
- the reason for Members to consider approval was that there was no five-year housing land supply, was a sustainable location, acceptable design and visual impacts, would cause no significant harm to neighbouring amenities and there were no material considerations justifying refusal;
- proposed benefits included: carbon-neutral homes, 19 affordable homes, of which 70% would be for social rent units, totalling at 35% overall contribution;
- NHS contributions would be £16,990 for Foundation Trust and £35,032 for NHS Integrated Care Board;
- the CIL contribution would be £1,177,000 for managing public open spaces, children's play areas, biodiversity net gain, SUDS, and habitats mitigation; and
- there would be a continuity of work for local trades and suppliers, supporting the local economy as part of the company's values.

Mr Martinovic responded to Members' questions as follows:

- homes were being built to A+ rating under EPC standards, which was the highest energy-efficiency rating;
- he lived locally and knew the area well and considered the site location to be sustainable;
- the proposed road would extend to the site boundary, for a future link road to Newcourt Road with a cycleway. This was subject to adjoining land becoming available;
- although the developer was willing to work with others, they could not control what other landowners or developers decided to do;

- the scheme included 19 social homes, of which, 35% would be affordable housing;
- access for vehicles, pedestrians and bikes was designed to reach the boundary, as requested by the Highways Authority;
- there would be no direct connection beyond the boundary because the developer did not own the next field; and
- biodiversity net gain was being handled by the consultants but the planning officer may provide the explanation.

The Principal Project Manager – Development Management presented the application for demolition of existing buildings/structures and proposed residential development of 54 residential units, including affordable housing, plus open space, landscaping, car parking, drainage, vehicular access, internal roads and all associated infrastructure and development which was recommended for approval.

Members received a presentation and the following information:

- a key added obligation in the update sheet was on ensuring the road and cycle/pedestrian route extend to the site boundary to secure future connectivity;
- aerial views showed the new development to the east; heritage site to the south and motorway to the west, which required noise mitigation;
- access arrangements had been approved by Highways, in which applications needed to connect fully to the public highway;
- the extended red-line boundary was explained in the site plan;
- the site was low-lying and heavily concealed by hedges, making it difficult to view from surrounding areas and the landscape impact assessment was very limited;
- over a 14-month period, negotiations and design changes had improved the scheme. Improvements included a redesigned and extended main access road, the provision of a large public open space and two internal access routes;
- other improvements included: the provision for a future link road being incorporated into the scheme and road alignment being moved away from hedgerows with hedges being protected,
- the site was conditioned for long-term improvements;
- drainage constraints meant most water runoff and storage must be underground with open water storage features being unfeasible;
- because the site was a greenfield, replacing existing habitat types was not possible, which required biodiversity credits;
- the proposed changes had minimal impact on the landscape, with visibility from surrounding fields being low to negligible;
- the planning principle was for residential use, which was already established through adjacent permissions and appeal decisions;
- given there was no five-year land supply, the scheme qualified as a sustainable development;
- the community asset policy (CP10) was not a reason for refusal, because the asset had been replaced elsewhere;
- the emerging Exeter Plan provided the site with some support, though with limited weight;
- the scheme provided 35% affordable housing, including 70% social rent, which fully met policy requirements;
- the overall assessment: the proposal, despite having a very limited landscape impact, met policy expectations, and positively contributed to housing delivery; and
- the recommendation was to delegate approval subject to completing the

## Section 106 agreement.

The Principal Project Manager – Development Management and the Assistant Service Lead – Development Management (Major Projects) responded to Member questions and clarification points as follows:

- the road design had been reviewed and approved by Highways and included a dedicated pedestrian-side route;
- safety concerns had been raised and appropriate fencing and protection for public open spaces and play areas would be secured through conditions;
- NHS Integrated Care Board had provided the £35,232 GP contribution using a standard formula which was applied across the city;
- the southern entrance was approved under a previous application and the current scheme completed the connection;
- the north western hedgerow formed an existing natural boundary which would be retained and included in the Landscape & Environmental Management Plan;
- that achieving full on-site biodiversity net gain on greenfield sites was generally impossible but required off-site credits;
- no connection was proposed between this site and Plover Close and the hedgerow boundary would remain;
- several previous appeals had already eroded the Topsham gap and the site was now enclosed by development, which was not visible from outside;
- the gap carried very limited planning weight, especially given the city's lack of a five-year housing land supply;
- planning relied on expert consultees and if the NHS stated the contribution made the development acceptable, planning would accept that advice;
- though it was possible for health bodies to recommend refusal due to capacity issues, this had not occurred for this application. Infrastructure bodies used formulae to justify contributions;
- the 19 affordable homes were on the blue and pink squares on the site layout plan (as indicated on the presentation slide) and were located in small clusters;
- the application was a full application, rather than a reserved matter; and
- affordable homes needed to be grouped for management but were designed to avoid being visually distinct or inferior and were secured by conditions.

During debate, Members expressed the following views:

- the comparison slide was commended and highlighted the applicant's commitment to working collaboratively with officers and adapt plans based on expert input;
- meaningful changes had been made to the layout in response to feedback;
- there were visible green space and presence of wildlife-friendly areas indicated on the plans and based on the information presented, there were no reasons for refusal;
- officers and developers were thanked for improvements made to the final plans, notably due to the wider situation in the Topsham gap;
- the 19 affordable housing units, larger public green spaces and future-proofed road alignment were welcomed;
- there were some concerns raised on fencing screening along green spaces adjacent to the road and a need to avoid unattractive barriers while ensuring safety for residents and children;
- examples of where unfenced areas near roads in the local area were highlighted, which created safety risks for children;
- resident concerns about the broader Topsham Gap were noted and concerns

- were raised on the pressures on local doctor services;
- the comparison images provided were appreciated and service provision issues would continue to be sought;
- there were no material planning reasons to refuse the application;
- the revised plan was a strong template and officers were praised for significant improvements made;
- traffic calming issues were raised with the nearby Newcourt area referenced as an example of where engineered speed-reducing measures had been effective;
- the collaborative improvements made to the application and work undertaken between officers and the developer was commended;
- the A-rated carbon-efficient homes with a cycle infrastructure was welcomed, particularly for being near play areas, bus stops;
- significant progress had been made to the design over the course of the application and plans highlighted a pedestrian-friendly area;
- the relocation of affordable housing to more integrated positions near the road was welcomed; and
- if a greenfield site needed to be developed, this approach was acceptable.

A Member enquired about including a condition relating to traffic calming, especially near the green spaces and enquired on what traffic calming measures had been proposed to date.

The Principal Project Manager – Development Management advised Members that specific highway conditions were already included and that Highways officers had reviewed and approved detailed highway drawings. Four highways related conditions had been included to allow further detailed discussions during implementation as part of those existing conditions.

Another Member noted that the Planning Committee may not be able to add a traffic calming condition but requested that the committee note that Members had raised the issue of traffic calming in this area and would like Devon County Council to follow up on traffic-calming measures.

The Chair agreed to note the committee concerns for issue of traffic calming in the minutes.

The Head of Service - City Development made the following concluding points:

- Members had highlighted a number of key benefits, which included improved layout, provision of green space, delivering affordable housing and future-proofed site access;
- fencing/screening concerns could be managed through existing conditions on materials and boundary treatments;
- the site was already enclosed by development and did not contribute to wider openness and therefore there was no harm to strategic separation;
- there had been no NHS objections and the S106 health contribution had been secured; and
- the lack of health capacity were insufficient grounds for refusal;
- the proposal complied with policy and S106 and conditions adequately mitigated concerns.

The Chair moved, and Councillor Ketchin seconded the recommendation, which was voted upon and CARRIED unanimously.

**RESOLVED** to delegate to the Head of City Development to GRANT permission



subject to completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- a Local Health Care contribution of £35,232 towards GP surgeries in the area;
- 35% affordable housings;
- management of public open space;
- children's play (including LAP/LEAP);
- biodiversity net gain (off-site units);
- habitats mitigation for affordable housing;
- SuDS management;
- monitoring costs; and
- Unencumbered vehicle and pedestrian/cycle access to existing north site boundary.

With the conditions outlined in the report and on the additional information update sheet.

**RESOLVED** to REFUSE permission in the event the S106 Agreement is not completed by 1 June 2026 or such extended time as agreed by the City Development Manager for the reasons set out in Part B of the recommendation on the additional information update sheet.

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair