

## **PLANNING COMMITTEE - SPECIAL**

Monday 24 February 2014

### Present:

Councillor Bialyk (Chair)  
Councillors Spackman, Choules, Denham, Mrs Henson, Newby, Owen, Prowse, Sutton,  
Tippins and Winterbottom

### Apologies:

Councillors Edwards and Mitchell

### Also Present:

Chief Executive & Growth Director, Assistant Director City Development, Senior Area  
Planning Officer, Planning Solicitor and Democratic Services Manager (Committees)

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### **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

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### **PLANNING APPLICATION NO. 13/5032/02 - TITHEBARN GREEN LAND AT MONKERTON, EXETER**

The Senior Area Planning Officer presented the application for reserved matters on details of the Link Road between Cumberland Way and Tithebarn Lane Bridge (Ref 12/0802/01) which related to the part of the link road to Exeter, which was needed to help deliver additional housing in East Devon and also in relation to the future development of Cranbrook and to support employment in the area and Exeter.

This application had been deferred at Planning Committee on 17 February 2014 to enable further discussions to take place between Devon County Council Highways and Exeter City Council. Members were shown two additional plans received from Devon County Council.

Members were circulated with an update sheet - attached to minutes.

The recommendation was for approval subject to the conditions as set out in the report.

Mr Hulland (Devon County Council Transportation Studies Manager) advised that a Toucan crossing was proposed at the crossing point with Pinn Lane for safety reasons. This would have a limited impact on the traffic on the Link Road and cause minimum disruption to the traffic flow. The route was a key link to provide a safe route to the proposed Primary School and was an important strategic cycle corridor.

Ms Carleton spoke against the application. She circulated to the Planning Committee an additional information sheet and raised the following points:-

- the Gypsy Hill Hotel was one of few independent Hotels in the city
- if closed, would be a loss of revenue to the Council in the form of business rates
- it provides a conference facility with accommodation for delegates
- it would be a loss of a local community facility

- there was no mention of the closure of Pinn Lane in the planning application
- was vital that Pinn Lane was not stopped up for the Hotel to remain open.
- believe the closure of Pinn Lane and the probable closure of the hotel will conflict with the Local Vision for Sustainable Development and the three dimensions to sustainable development produced by the City Council;
- the Economic role. The hotel is one of the few hotels left in Exeter which is not identikit. Guests travelling in particular along the M5 corridor choose to stay because the owners and rooms are individual and room types, which are not available at other hotels in Exeter, are offered in addition to the onsite restaurant bar and lounge which are open to everyone. This tourist revenue will be lost together with the £40,000 annual taxes paid to the Council;
- the Environmental role. Account has not been made of the number of functions and conference guests. A local company has held 23 conferences at the Hotel in the last 15 working days. Many of these delegates walk to the hotel. With the loss of the hotel they will have to travel by car to a different venue several miles away. Conference guests often need bedrooms, other local conference venues do not have accommodation so delegates have to drive to a hotel, if needed;
- the Social Role. Pinhoe only has one pub and no cafes or restaurants. The hotel caters for the social needs of the local community. Policy DD17 encourages tourist and cultural uses, and ensures the retention of existing uses. The National Planning Policy Framework requires planning policies to guard against loss of facilities and services.
- it seems wrong that, as the closure of Pinn Lane was not mentioned in the application, the Traffic Assessment or the Traffic Plan cannot be proposed now. The documentation does not say that Pinn Lane is to be closed from the south. Documents also show that the public consultation also avoided this.
- the Government planning portal website states in a Design and Access statement that applicants must also explain how any issues which might affect access to the proposed development have been addressed. This has not been done in respect of the proposed closure of Pinn Lane.
- sometimes traffic in the evenings queue back as far as the entrance to Pinn Lane. My daughter already has to add an extra ten minutes to her journey when travelling in rush hour to allow for the traffic in the business park, this will only get worse if Pinn Lane is closed.
- should Pinn Lane be closed, the application shows that the access point from the south of Pinn Lane is for pedestrians. No objection to this, but would object to the access point being available to cyclists as it is not in the application. It would be much safer for pedestrians if cyclists were not allowed.
- Tourism and small businesses play a vital role in the economy of Exeter and offer to work with the Council to take steps to keep the road open rather than threaten the existence of the Hotel. Tourism is vital to the prosperity and economy of Exeter and Devon.
- the Design and Access statement does not state the closure of Pinn Lane.

She responded as follows to Members' queries:-

- had spent hours researching the Local Transport Plan and could find no mention of the closure of Pinn Lane; and
- improved signage could help to alleviate the issues although did have concerns that visitors would find it difficult to locate the Hotel.

The Transportation Studies Manager was questioned as to why if there was a Toucan Crossing for cyclists and pedestrian then why could there not be a crossing

for traffic lights. He responded that a longer phase of traffic lights would have significant capacity issues.

Ms T Jackson from Devon County Council spoke in support of the application. She raised the following points:-

- the key issue is Pinn Lane's crossing point with the Gipsy Hill Lane/Hollow Lane route which forms a strategic cycle corridor and a safe route to school; very important to make this junction as free of traffic as possible on safety and sustainability grounds
- met with a resident and Ms Carleton to discuss their concerns and investigated alternatives
- the question of the exact point of closure of Pinn Lane has been explored. Devon County Council would be happy with a closure at an alternative point further south, which would have satisfied the residents, but not the Hotel
- had explored how a junction onto the new Link Road could be formed; a crossroads is not advisable for safety reasons given the level of forecast traffic on the Link Road; a left in, left out option is not advisable as it is not possible to place restrictions on highway movements unless they are self-enforcing
- traffic signals will have a detrimental impact on the capacity of the Link Road.
- a staggered junction, utilising the stub junction, is feasible to build when looking purely at the engineering constraints but the key principle is to limit the traffic crossing the green corridor forming the safe route to school. The design of this link between the two developments would be to a residential standard, it would not be appropriate for this to serve as a suitable access for the Hotel
- assumed that most overnight guests at the Hotel arrive via Honiton Road, their access is unaffected.

She responded as follows to Members' queries:-

- a round-about at the junction with Gipsy Lane would have a negative impact on the traffic flow on the Link road
- there would be a minimal increase in the distance from Pinhoe Church to the Gipsy Hill Hotel this would not be enough to divert business away from the Hotel
- there would be island with bollards to prevent vehicles from travelling the lane
- a scheme of brown tourist signs could be included within the Link Road scheme as mitigation.

Mr Hulland clarified that plans displayed at the Public Consultation showed that Pinn Lane would be closed. The legal process of how the road would be closed, either Stopping Up Order or Prohibition of Vehicles' Order, would be considered by HATOC.

Some Members felt that Pinn Lane should be closed as the route was an essential part of the Monkerton Master Plan, would support a safe route to the school and would encourage a shift to sustainable modes of transport. Other Members felt that the closing of this part of Pinn Lane would have a negative impact on the businesses in the area.

**RESOLVED** that reserved matters details of Link Road between Cumberland Way and Tithebarn Lane Bridge (Ref 12/0802/01 granted 29.11.2013) be **APPROVED** subject to the following conditions:

- 1) C06 - Time Limit - Approval of Reserved Matter
- 2) C15 - Compliance with Drawings
- 3) All conditions imposed on notice of outline approval ref no.12/1802/01 are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.  
**Reason:** To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

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**PLANNING APPLICATION NO. 13/3822/03 - EXETER GOLF AND COUNTRY CLUB, TOPSHAM ROAD, EXETER**

The Assistant Director City Development presented the application for the erection of a specialist golf course netting (20 and 30 metres high) along specific sections of the golf course's boundaries.

The application was reported to Planning Committee on 30 September 2013. It resolved that it was minded to approve the application, however, it deferred a decision to provide an opportunity for the applicant, Exeter Golf & Country Club (EG&CC) and the adjacent developer (Persimmon Homes SW) to discuss an alternative, more appropriate solution.

The Assistant Director City Development updated Members on the planning application, alternative re-profiling options and the potential costs and the insurance issues. He advised of the difference in costs for the fencing and re-profiling that had been submitted by EG & CC and Persimmon Homes SW. The proposed 30 metre high fence would comprise of galvanised steel lattice towers set in 5 square metre concrete pads which would support dark netting. Members had received emails from Mr Dart and Mr Gannon.

Members were advised of the main issues including the impact of the proposed fence on the amenity of future residents and the wider landscape, the need for EG & CC to manage risk to the public and the feasibility of any alternative options of re-profiling the golf course.

Members were circulated with an update sheet - attached to minutes.

Mr Holden (representing Persimmon Homes SW) spoke against the application. He raised the following points:-

- recognised that no one wants to see 30 metre high fence
- did not want to see the EG & CC close
- there were other solutions available
- the EG & CC could obtain insurance to protect them against 'Harm'
- there was significant differences in the costs that Persimmon Homes SW had submitted to those of the EG & CC
- his client had offered a significant contribution towards the costs of re-profiling the golf course
- there was an alternative solution to the 30 metre high fence.

He responded as follows to Members' queries:-

- was looking for a compromise and his client had offered £150,000 towards the costs of re-profiling
- site works were underway including on the boundary with the golf course.

Mr W Gannon (representing Exeter Golf & Country Club) spoke in support of the application. He raised the following points:-

- Chairman of EG & CC
- on 30 September 2013 the Planning Committee had been minded to approve the application for the fencing
- the Golf Club had fully engaged in the process to come up with alternative options but Persimmon Homes SW had not been willing to compromise
- had taken advice from professional golf consultants with regards to costs of re-profiling
- asked Planning Committee to approve the application as they were minded to do last September.

He responded as follows to Members' queries:-

- the Golf Club was willing to compromise but Persimmon Homes had only offered £150,000 towards the £616,000 costs of re-profiling. This cost did not include the loss of business and subsequent revenue that the club would incur during the work. Did not think it unreasonable for Persimmon Homes to pay for the costs of re-profiling and the Golf Club to cover the costs of the unknown loss of revenue while the re-profiling took place
- the golf club bankers are not willing to lend the Golf Club the £616,000 required for re-profiling
- if the application to erect the fence was approved golf club members would undertake some of the work themselves; the impact on the golf course would be minimal as the works would be undertaken in sections
- the price of one of the new houses is the same as the re-profiling costs
- had tried to work towards a compromise; the club offered local employment and community facilities, and did not want to move out of the city.

During discussion Members raised concerns regarding the aesthetic aspects of a 30 metre fence and felt that EG & CC and Persimmon Homes should work together to find a compromise that was agreeable to both parties.

**RESOLVED** that the application for erection of a specialist golf course netting (20 and 30 metres high) along specific sections of the golf course's boundaries, be deferred for further consideration of the feasibility of alternative solutions.

The Committee strongly urge the Exeter Golf & Country Club and Persimmon Homes SW to seek through agreed mediation to undertake further negotiations to resolve the position. A time table for negotiations should be presented to the next Planning Committee.

(The meeting commenced at 5.30 pm and closed at 8.10 pm)

Chair