

PLANNING COMMITTEE – 25TH APRIL 2022

ADDITIONAL INFORMATION - Correspondence received and matters arising following preparation of the Agenda

Item 5 : Planning Application No 21/1864/FUL - Former Exeter Royal Academy for the Deaf, Topsham Road, Exeter

1) Update reporting of representations received.

A petition that: “We the undersigned petition the council to consider the new planning application for a Retirement Living Complex on the former Erade site 21/1864/FUL with an increase from 61 to 84 residential units together with the new Care Home below it using the proposed access road into and out of the new development via Weirfield Road cul-de-sac. Weirfield Road is a public taxpayer funded steep, narrow, residential cul-de-sac which already provides sole access to St Leonard's Church and adjoining roads. The detrimental impacts include unsustainable traffic congestion and reduced safety for pedestrians and vehicles. Current proposals expect the existing community to carry the burden of traffic to and from a private development. Developers need to provide an access and slip road directly on to Topsham Road and take responsibility for vehicular movements and associated queues generated by their premises.”

This petition received 952 signatures.

2) Amend the part a recommendation as set out in Section 18 of the report to include consultation with Chair of Planning and Portfolio Holder as a condition of delegation.

a) DELEGATE TO THE SERVICE LEAD (CITY DEVELOPMENT) IN CONSULTATION WITH THE CHAIR OF PLANNING AND PORTFOLIO HOLDER TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT SECURING CONTRIBUTIONS LISTED BELOW (AS DEEMED APPROPRIATE FOLLOWING NEGOTIATIONS AND CONCLUSION OF THE VIABILITY APPRAISAL PROCESS) UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Item 6 : Planning Application No. 21/0835/FUL - 47 Homefield Road, Exeter

1) We have given careful consideration in consultation with counsel as to the level of affordable housing recommended to be sought as part of the Section 106 agreement within the report.

National Planning Policy provides an incentive for brownfield development sites containing vacant buildings. The site, 47 Homefield Road, contains a number of vacant buildings as a result of the school closure, including the main school building and chapel building proposed to be retained as well as a number of buildings proposed to be demolished. Where a vacant building is to be bought back into lawful use or is demolished to be replaced by a new building the developer should be offered a financial credit equivalent to the existing gross floor space of the relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought.

Policy CP7 of the Exeter Core Strategy is out of date in relation to paragraph 64 of the National Planning Policy Framework and the application of the vacant building credit scheme. Nonetheless, there is a significant need for affordable housing within the city and therefore the officer recommendation to the Committee is to approve the application with an amendment that if the application is approved delegated authority is granted to the Service Lead (City Development) to negotiate an affordable housing contribution, to be secured through a Section 106 agreement.

2) Devon County Council Highways have confirmed that the development and the new residential units created would not be eligible for on street parking permits and have requested that an informative be added to that effect.

Item 7 : Planning Application No - 21/1701/OUT - Land for Residential Development at Hill Barton Farm, Hill Barton Road, Exeter

In the interests of clarity Part A) of the recommendation as set out in the original Planning Committee report is amended as follows to include reference to the quantum of open space as part of the required S106 obligations (Part B remains unaltered as part of the formal recommendation) –

A) DELEGATE TO THE SERVICE LEAD (CITY DEVELOPMENT) TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:

- 35% affordable housing (at least 25% First Homes, 70% social rented and the remaining balance as intermediate), 5% wheelchair accessible, mix of dwelling types, cluster sizes.
- District Heating obligations
- Public open space, including quantum, play facilities (NEAP, LEAP and MUGA) – specifications, delivery triggers, public access, management arrangements
- £166,349 towards patient space at GP Surgeries (£584 per dwelling)
- £186,117 contribution towards Special Education Needs provision (£653.04 per family type dwelling)
- £1,033,928 contribution towards new secondary school provision at South West Exeter (£3,627.82 per family type dwelling)

- £550,568.70 Transport Contribution to mitigate the transportation impacts of the development (£1931.82 per dwelling)
- Habitats Mitigation Contribution - £1130 per affordable housing dwelling in respect of which CIL Social Housing Relief is granted.

All S106 contributions should be index linked from the date of resolution.

And the conditions as set out in the main report, and amended below. Following consultation with the applicant in line with recommended practice regarding proposed conditions the following minor changes to the wording of the conditions listed below is recommended –

Condition no. 10

Pre-commencement condition: No materials shall be brought onto the site of any phase identified pursuant to condition 2 of this approval, nor any development commenced within such identified phase, until the developer has erected tree protective fencing around all trees, hedges or shrubs to be retained within the respective phase, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason for pre-commencement condition - To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

Condition 15

Any reserved matters application submitted pursuant to the outline consent hereby approved which relates to a phase identified pursuant to condition 2 that includes the spine road must provide an LTN 1/20 compliant crossing of the spine road. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority in consultation with the Local Highway Authority. The timeframe for delivery of the said crossing shall be agreed in writing by the Local Planning Authority in consultation with the Local Highway Authority prior to the commencement of development on the phase within which the crossing is located, and the said crossing facilities shall be provided in accordance with the approved details.

Reason: To provide a safe and suitable access in accordance with paragraphs 108 and 110 of the National Planning Policy Framework and ECC Core Strategy CP9.