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18 JUL 2024

RECEIVED

Exeter City Council
Laura Dymond – Case Officer
Planning Department
Civic Centre
Paris Street
Exeter EX1 1JN



8th July 2024

REF: Planning Reference Number 24/0655/FUL - Petition of Objections

Dear Laura,

Please find enclosed a petition signed by 153 local residents that represent an overwhelming response by the local community that the application to seek planning permission for the C2 change of use is most unwelcome.

You will see that the arguments upon which the objections are based, focus on the logistics and planning merits of the local area as well as the legal protections that are in place which forbid this proposal.

I would also like to draw your attention to a near identical case under the Coventry City Planning department FUL/2022/3066. I enclose the planning officers report which was to refuse the application, as well as the Planning Inspectorates appeal decision which was to dismiss the appeal.

Yours sincerely,

Omar Salam
Owner of 23 Huntsham Road, EX1 3GH

Planning Application - 24/0655/FUL|Change of use from Residential dwelling (Use Class C3) to a residential children's home (Use Class C2) 21 Huntsham Road Exeter EX1 3GH

We the undersigned petition the Council to reject this proposal due to the following reasons:

- 1. *Insufficient Parking* the site has a **shared drive** with 23 Huntsham Road. Each property has only two parking spaces with no space to turn. The applicant has stated in their own planning proposal that there will be multiple employees (up to 5) who will regularly attend the site. The applicant has also confirmed that they will operate the unit on a shift pattern with multiple staff changeovers at both 08:00 and 22:00 hours. In addition to this there will also be further professionals and managers required to attend site at various times which are unknown to the applicant at this time. The applicant also states that they actively encourage visitors which will further impact the already strained parking situation.
- 2. *Limited Access* for residents, visitors, emergency services, refuse collections etc Huntsham Road has a very narrow access and exit point at the driveway of the property to which this application relates. The area is comprised of entirely residential properties. Any commercial activity will significantly increase congestion and could present a risk to pedestrians (e.g., children going to and from local schools) as well as restricting residents' access to their properties. There are also no pavements along Huntsham Road which creates a safety issue and will further exacerbate an already difficult situation with driving over adjacent private land and driveways. Exeter City Council and David Wilson Homes (who are still responsible for the unadopted road), have both formally stated that this specific area has a dangerous parking and access problem to the point that it is a Health and Safety risk. This proposal will make this situation even more dangerous and problematic for all residents.
- 3. **Potential increase in anti-social behaviour** such as excessive noise levels, disturbances from being a 24hr operational facility (such as staff, visitors, residents and emergency services accessing the property) along with petty crime, drugs / alcohol and substance use. It is the applicants stated business model to provide care for young adults with mental health issues and substance abuse. The carers will not have the powers or ability to physically prevent the young adults from behaving in a problematic manner in the area which is very concerning for all residents.

- 4. **Safety Concerns** Potential safety concerns for current residents (including vulnerable adults and children) pertaining to the risks outlined in point no.3. Additionally, Huntsham Road already has minimal street lighting, due to the existing layout. The increase in activity at this property coupled with the poor lighting is only going to increase the security and safety risk for existing residents. In considering the potential use of the site "Secured by design" recommends unobstructed emergency vehicle access which cannot be guaranteed due to points 1. and 2. above.
- 5. **Restrictive Covenants** A legally enforceable Restrictive Covenant contained in the property deeds that benefits all of the legal owners of the surrounding properties clearly states that:
- 21 Huntsham Road "Shall not be used for any trade or business (other than office work at home which is not inconsistent with residential occupation and does not cause any nuisance or annoyance to the other Owners".

This proposal is clearly in breach of this covenant which if necessary can be legally enforced, however it is the Councils statutory duty to consider the effect of this legal protection in their decision making process.

6. **Concerns over further use** - If a unit has been designated for C2 usage it can easily be transferred to another Use Class. This could also set a dangerous precedent in this area and other entirely residential areas within the City of Exeter.

Please consider these objections carefully and thoroughly on behalf of the 153 signatories of this petition which is respectfully requesting that Exeter City Council REFUSE this planning application.

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