

Statement of Common Ground (SoCG)

**Between Salter Property Investments Ltd (the appellant) and
'Exeter Greenspace Group' (Rule 6 Party)**

LAND OFF SPRUCE CLOSE, EXETER

PINS ref. APP/Y1110/W/22/3292721

June 2022

- 1.1. The appellant and the Rule 6 party (Exeter Greenspace Group - EGG) consider that this document will assist the Inspector in determining the appeal. It was felt more helpful to do this to avoid the difficulty in dealing with a tripartite SoCG.
- 1.2. Whilst the SoCG between the appellant and the LPA notes that the document was shared with the Rule 6 party prior to it being finalised, no inference of the Rule 6 Party's agreement to the contents of that SoCG can be drawn.
- 1.3. It focusses on those matters identified in the Inspector's post CMC note dated 05th May 2022. It is intended as a means of assisting the Inquiry and supplements the SoCG between the LPA and the appellant.

Site description

- 1.4. The site comprises two fields to the northeast of properties off Celia Crescent and to the northwest of the public open space above Juniper Close and adjacent to Spruce Green. The two fields are shown diagrammatically as Landscape Setting on the Core Strategy Key Diagram, which covers an extensive area to the north of the city beyond the existing extent of built development, and the Exeter Local Plan First Review. Land to the north of Spruce Close is used as publicly accessible open space. A Site of Nature Conservation Importance (SNCI) covers the vegetation along the northeast boundary of the lower field and the bottom right corner of the upper field.
- 1.5. The three fields to the north of the site, proposed as the New Valley Park, are in the broad area shown as Landscape Setting. The field to west (Field 4), beyond the Appeal site, is also a designated Site of Nature Conservation Importance and part of a Valley Park as shown on the ELPFR proposals map extract below.¹ Field 4 is also part of a County Wildlife Site. There are currently no legal rights of public access to either the Appeal site or the land comprising the proposed New Valley Park.

¹ http://pub.exeter.gov.uk/asp/local_plan/map_index.htm



Main issues

1.6. The parties agree that the main issues are as set out in the CMC Note; namely:

1.6.1. Whether the appeal site offers an appropriate location for the proposed development having regard to the Council's 'spatial approach' and access to services and facilities by sustainable modes.

1.6.2. The effect of the proposed development on the character and distinctiveness of the area, including the landscape setting of Exeter.

1.6.3. EGG considers the following additional matters to be important considerations in determination of the appeal.

1.6.3.1. The weight to be afforded to the level of undersupply against the housing requirement in determination of the appeal.

1.6.3.2. The impact on the identified open space when assessed against policy L3, taking the appellant's proposed replacement open space into account.

The Development Plan and other material considerations

1.7. The relevant ‘development plan’ for the purposes of s38(6) of the 2004 Act in relation to the appeal proposal is as follows:

1.7.1.Exeter Core Strategy 2026 (Adopted February 2012) (ECS); and

1.7.2.Exeter Local Plan First Review (Adopted March 2005) (ELPFR)

1.8. The development plan policies relevant to determination of this appeal as agreed between the appellant and EGG are as follows:

Planning Policy Document	Policies
Exeter Core Strategy	CP1
	CP4
	CP5
	CP7
	CP11
	CP12
	CP16
Exeter Local Plan First Review	H1
	LS1

1.9. In addition, EGG considers that ELPFR Policies L3 and LS4 are also important development plan policies in determination of the appeal. The appellant does not agree.

The presumption in favour of sustainable development

1.10. The appeal should be determined in accordance with paragraph 11(d)(ii) of the National Planning Policy Framework.

1.11. The ‘tilted balance’ is engaged.

Landscape impact matters

1.12. The parties agree that ELPFR Policy LS1 is out-of-date.

1.13. In addition to those included in the appellant's LVIA, EGG considers that the following viewpoints should be considered as part of landscape impact arguments and will present evidence accordingly:

Viewpoint	Distance from site	what.three.words	Rationale
Spruce Close residential view	n/a	n/a	Residential view showing visual impact of tree removal and the creation of an access road
Celia Crescent residential view	n/a	n/a	Residential view showing the impact of site development
Beacon Heath (100m NW of appellant viewpoint)	1 km. NE.	horn.field.struck	The rural character of this public heathland would be negatively affected
Eastern Fields	1.5 km. SSE.	stick.less.decent	Village Green/cycle route looks directly towards both fields. Grass level is hidden, but housing would likely rise above the hedge line
Hillyfield Road	1.75 km. SSE.	laser.vets.bridge	Viewpoint typical of many neighbouring residences. Proposed development would obscure the last green field beyond, leaving only a tree line visible above urban development.
Fairfield Avenue	2 km. SE.	claim.zips.monks	Proposed development would add greater depth to the urbanisation, changing the character of the view from rural to urban.
Harts Lane	2.25 km. SE.	rescue.brokers.stars	The character of the view from this development would change from rural to urban.
Roman Avenue	2.25 km. ESE.	simply.saves.gained	The character of the view from this development would change from rural to urban.
Elm Park Way	2.5 km. S.	mows.mouth.tall	The character of the view from this development would change from rural to urban.
Coates Road	2.75 km. SE.	drank.dates.tummy	The rural backdrop of this busy walking corridor would be negatively affected by the proposed development.
Sullivan Road	3.25 km. S.	wipe.design.storms	Residential Road. Visible from the road and many properties.
Ludwell Valley	4.75 km. SE	jabs.escape.trader	Shows impact of the development on the wider landscape setting of northern hills
Clyst St Mary Village footway to Bishops Court Lane	5 km. SE.	mostly.dynasties.serves	Popular footpath with views over Exeter. Shows impact on landscape setting.

Exeter International Airport	5 km. SW	towers.bleaching.tycoons	Viewpoint shows impact on rural landscape setting of northern hills which would be altered by development.
Barley Valley Park	5 km. SSW	softly.parade.strut	This Valley Park enjoys long distance views of the city. The proposed development would negatively alter the landscape character.
Sky Park	6 km. ESE	carting.fishnet.haggis	This commerce park enjoys open views towards Exeter, surrounded by Northern Hills from Pinhoe to Stoke Hill which would be negatively affected by development.
Marlbrough Cross, Bishops Court Lane	6.5 km. ESE.	pouting.showcase.suspended	Drivers, walkers and cyclists traveling towards Clyst St Mary enjoy views of Exeter under the rural Northern Hills from. The character of this view would change.
Ide Lane	8 km. SW.	frogs.putty.offers	Cyclists and drivers coming down from Haldon Hill can enjoy views of the city of Exeter framed by its green ridgeline. The character of this view would change.
Hambeer Lane, Little John's Cross	8.5 km. SE	jelly.larger.beats	The proposed development would alter the view of the skyline from this ridge and break the view of the Northern Hills in two, with urban sprawl in between.
Aylsebeare	8.5 km. SSE	mothering.histy.replying	The view of the Northern Hills from this iconic bench would be harmed.
Woodbury Road layby B3179	9 km. S	recount.quickly.rags	Typical viewpoints of drive from Woodbury to Clyst St. George. Rural backdrop would be cut into by development
Old Dawlish Road	9 km. SSW.	legal.laser.saves	Long distance rural views from this popular walking route would be altered.
Greendale Farm Shop, A3052	9.5 km ESE	direct.summaries.sunk	This view of Exeter surrounded by Northern Hills would be harmed by development.
Shillingford St. George	10 km. SW.	ashes.loer.bravo	This viewpoint of Exeter's rural skyline would be altered by development
Haldon Belvedere	10.5 km. SSE	farmed.kindest.provoking	Wide-ranging views of Exeter framed by the Northern Hills would be altered by development.
Estuary View, Woodbury Common	11 km. SE	grooms.resists.thumb	Many people take binoculars to this viewpoint to look closely at the landscape setting of Exeter. This viewpoint would be negatively affected by the development.

Appropriate location / sustainable travel

1.14. Facilities and amenities within walking distance of the site are as agreed in the Statement of Common Ground between the Appellants and the Highway Authority. EGG does not agree with the journey times listed in Table 3.1 of this SoCG.

1.15. There are established bus services with stops in close proximity to the site. The frequency of services is as per the timetable included in the Agreed Statement of Common Ground between the Appellants and the Highway Authority.

Public Open Space

1.16. The green at the top of Juniper/Spruce Close is designated Public Open Space and subject to adopted policy L3. The creation of the southern access route bisects this space. The appellant's case is that the impact of this is compensated by the replacement and additional green space provided on immediately adjacent land within the Appeal site. EGG's case is that the introduction of an access road would significantly reduce the green's recreational, amenity and community value and the proposed replacement open space does not adequately compensate for this loss.

Areas of Disagreement

The main areas of disagreement between the Appellants and the Rule 6 Party are as follows;

- 1). The landscape and visual impacts of the proposals, including the relevant viewpoints**
- 2). Whether the proposed site is an appropriate location for housing development**
- 3). Whether the requirements of Policy L3 have been adequately assessed in determination of the application**
- 4). The benefits and impacts of the proposals and the weight to be afforded to them in the planning balance.**

Signed on behalf of the appellant	
Name	Dr T S Roche
Date	24/06/2022
Signed on behalf of the Rule 6 Party	
Name	Naima Allcock
Date	24/06/2022