

OBJECTION TO PLANNING APPLICATION 20/1685/OUT Land at Rennes Drive, University of Exeter

The Application Site

The application site is predominantly open grassland with a pronounced slope running generally from north to south, creating an organic amphitheatre. The site has a strong rural feel due to the rolling grass meadow and surrounding woodlands.



Application site

Along the eastern side of the site is a footpath which forms part of The Exeter Green Circle, a popular walking route connecting the Lower Hoopern Valley to the south of the site, with the Duryard Valley Park and Belvedere Nature Reserve to the immediate north.



Application site viewed from Exeter Green Walking Route

NPPF

Paragraph 180 states *“Planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”*

Exeter Local Plan

The importance of the site is rightly recognised within the Exeter Local Plan which designates the area as LS1 (Landscape Setting, and LS4 (Local Nature Conservation Designations). The ongoing importance of the site is noted in the Emerging DPD which classifies the site as a protected Landscape Setting Area.

The objective of Policy LS1 is *“to protect the features and characteristics of the countryside which form the setting of the City and establish its distinctive identity.....11.5 The continuous nature and the sheer size of the hills to the north are of major significance, providing the largest and most important part of the landscape setting and containment of the City, which is so essential to its character.11.12. Development in these areas will not be permitted unless it maintains local distinctiveness and character. Local distinctiveness is that which sets a locality apart from anywhere else.”*

The University Master Plan Framework (2010) confirms that Policy LS1 which is essentially an “open countryside” policy is relevant to the site. It states:

Any future development proposals in that part of the area lying east of the reservoir are subject to policy LS1 of the adopted Exeter Local Plan First Review 1995-2011. This states :“Development which would harm the landscape setting of the city will not be permitted.

Principal of development at the application site

This is a protected site and Policy LS1 precludes development of any nature unless it can be shown to be concerned with the purposes of agriculture, forestry, the rural economy or outdoor recreation. The proposed office block, vehicle servicing yard and waste management site and storage warehouses, do not fall within these categories.

The application includes ground modelling sketches which indicate the site will require extensive landfill to produce two huge plateaus of level ground; the lower to accommodate the offices, workshop and vehicle maintenance area; the upper to accommodate the warehouse storage and glass houses. Dramatic remodelling of the site would radically alter the landscape character and appear incongruous within this rural location. Such an extensive area of landfill would be required to facilitate this proposal, it is likely that the singular purpose of the development is to receive waste from the proposed redevelopment of Birks Grange student accommodation.

Waste Management at the application site

One side of the site is currently utilised for the collection storage and processing of green waste. It is an unsightly process leaving large spoil piles which have caused considerable localized scarring. No planning approval was sought or obtained for this operation and therefore application 20/1685/OUT presumably seeks to regularise the situation. The processing of the “green” waste requires several vehicles including compost hoppers, forklift trucks and tractors and these, together with the spoil heaps created, require considerable working and storage areas. In addition to green waste the application seeks to provide campus “litter management” on the site. Contrary to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, which classifies the site as a “Schedule 2” development, no screening by the Local Authority has been undertaken prior to submitting this planning application to ascertain the requirement of an Environmental Impact Assessment. In addition, no Waste Audit Statement has been supplied with the application which is contrary Policy W4 of the Devon Waste Plan.



Green waste on application site

It is important to note that areas for green and general waste management have not been allocated on the submitted Illustrative Masterplan. The proposed “ecology buffer” seems to be the only remaining location for these unsightly activities.

Impact of development on the Community Garden

The Community Garden is located to the immediate east of the application site and yet was not considered a “sensitive receptor” within the noise assessment. The impact from noise generated by the servicing of commercial vehicles adjacent to garden will have a devastating effect on the peace and tranquillity the gardeners enjoy at present. Noise levels may easily exceed 70DB. (85DB can cause permanent hearing loss). In addition to noise pollution, fumes generated by the machinery and vehicles will create an unpleasant and toxic climate; the soil may even become polluted from oil and grease run-off.

No consideration has been given to the impact the development would have with the Community Garden; in terms of built form the proposed two storey Service Centre would cast shadow over the vegetable plots and orchard for large parts of the year and render the garden unusable.

Impact of development on the Exeter Green Circle walking route and the Belvedere Nature Reserve

The Exeter Green Circle walking route passes alongside the proposed application site. Walkers who have ascended uphill through the green open spaces of the Valley Parks can pause at the summit of the hill and enjoy the wonderful panoramic views across the meadow towards the hills to the south. The location of offices, workshops and vehicle servicing yard on the application site would irretrievably destroy this experience.

Neither the Exeter Green Circle Green walking route or the Belvedere Nature Reserve to the immediate north were identified within the application as “sensitive receptors”, and yet their proximity to the site means that the impact of both noise and light pollution will be profound.

Ecology

The Ecological Assessment (EA) submitted is long and detailed regarding methodology but vague and incomplete on actual survey results. It is noted that the site boundaries have omitted to include the extensive woodland setting to the north, west and south which are within the ownership of the University. The exclusion of these areas is clearly an attempt to mitigate the ecological area to be assessed.

The protected species identified within the report include bats, badgers and reptiles. The Bat survey was carried out in October, whilst The Bat Conservation Trust states that a bat tracking survey should be carried out between the months of April and August. The badger survey is reported as “confidential” and for some reason not provided; the presence of reptiles is acknowledged, although no survey has been undertaken.

The submitted EA is not complete and should not therefore be considered an appropriate ecological assessment of the site.

Noise Pollution

“At the highest extreme, noise exposure would cause extensive and sustained adverse changes in behaviour and / or health without an ability to mitigate the effect of the noise. The impacts on health and quality of life are such that regardless of the benefits of the activity causing the noise, this situation should be avoided.” Planning Practice Guidance – Noise 2019

The site is located in close proximity to Hillcrest Park, a quiet residential road which currently has a very low level of background noise. The amount of heavy machinery which is stated for use at the site would be hugely detrimental to the characteristic background noise of the area.

The Noise Assessment (NA) was carried out when the University was undertaking a major building project (East Park). This would undoubtedly have seriously impacted on the recorded background noise levels and consequently the baseline noise rating. The results of the NA predict noise rating levels in the area after the proposed development of the application site, would be roughly the same as the existing measured background levels. Therefore, should the application proposal be approved, the residents of Hillcrest Park can expect permanent noise levels akin to living adjacent to a construction site.

During the construction of East Park, the application site was used for receiving deliveries and vehicle maintenance. Break out noise from the site was so unacceptable that the University had to place a ban on many activities including: Servicing of plant; Puncture repairs; Plant deliveries and Jet washing. These are the primary activities which the University are now seeking permission to undertake on the site - 7 days a week , 16 hours a day. The university is well aware therefore, that the noise generated by the proposed Service Centre would be incompatible with its proposed location adjacent to a residential area.

Light Pollution

Is a proposal likely to have a significant impact on a protected site or species? This could be a particular concern where forms of artificial light with a potentially high impact on wildlife and ecosystems (e.g. white or ultraviolet light) are being proposed close to protected sites, sensitive wildlife receptors or areas.Wildlife species differ from humans in their sensitivity to light (e.g. they can be affected by very low levels of light) and may be adversely affected in a number of ways by it (see the Royal Commission on Environmental Pollution's 2009 report" Planning Practice Guidance – Light Pollution 2019

We know that several protected species inhabit the site (bats in particular are extremely sensitive to light levels) and the development would undoubtedly have a detrimental impact on protected species. The submitted Lighting Assessment (LA) reports that ecological receptors around the site will not see any significantly adverse impacts due to the proposed artificial lighting scheme. However, this assertion must be questioned. Ecological receptor location "Eco1" is sited very near to light monitoring location "L3". Whilst Eco3 results in a Predicted Model Illuminance of 0.16, L3 has recorded illuminances ranging from 0.56 to 2.09. It would appear that the level of illumination in this area is predicted to fall. No explanation is given for this.

The LA concludes *"the proposed development is not predicted to result in any significant adverse impacts with respect to local residential receptors"*.

Both the Noise Assessment and the Lighting Assessment contain technical errors in their baseline assessments of the site and therefore limited weight should be placed on their findings. The accuracy of assessments carried out by consultants is crucial for decision makers as it is from these results that a development is deemed acceptable or otherwise. The planning application for an extension to the university Car Park B is an important example, where the lighting assessment concluded that *"the proposed lighting is likely to result in neutral no change/ minor beneficial effects on the surrounding receiving landscape"* This statement no doubt informed the decision making and approval was granted for the car park extension . However when we look at finished car park the artificial lighting has not been a "beneficial change". It stands as an intrusion on the surrounding landscapes and detracts from the scenic beauty of the natural dark skies and creates a constant source of unacceptable light pollution for the nearby residential properties.



Artificial lighting at Car Park B

Health and Living Conditions of Neighbours

The Estates department operate 7 days a week all year round. Unlike a building site where working hours are moderated, the residential neighbours to the application site will have no respite from the cumulative effects of noise and light and air pollution created by the proposal.

Failings in both the Noise Assessment report and the Lighting Assessment report indicate that the development could pose real harm to the health and living conditions of adjoining neighbours. As with previous reports prepared for planning applications (most notably Car Park B), incorrect assessments provided with planning applications can lead to devastating impacts for the residents surrounding an application site. It is not acceptable to consider that adverse effects of lighting and noise can be "mitigated" with the use of planning conditions; they cannot. It is vital therefore that in making a decision on this application the council consider whether the siting of a facility of this nature is compatible with the residential neighbours.

Conclusion

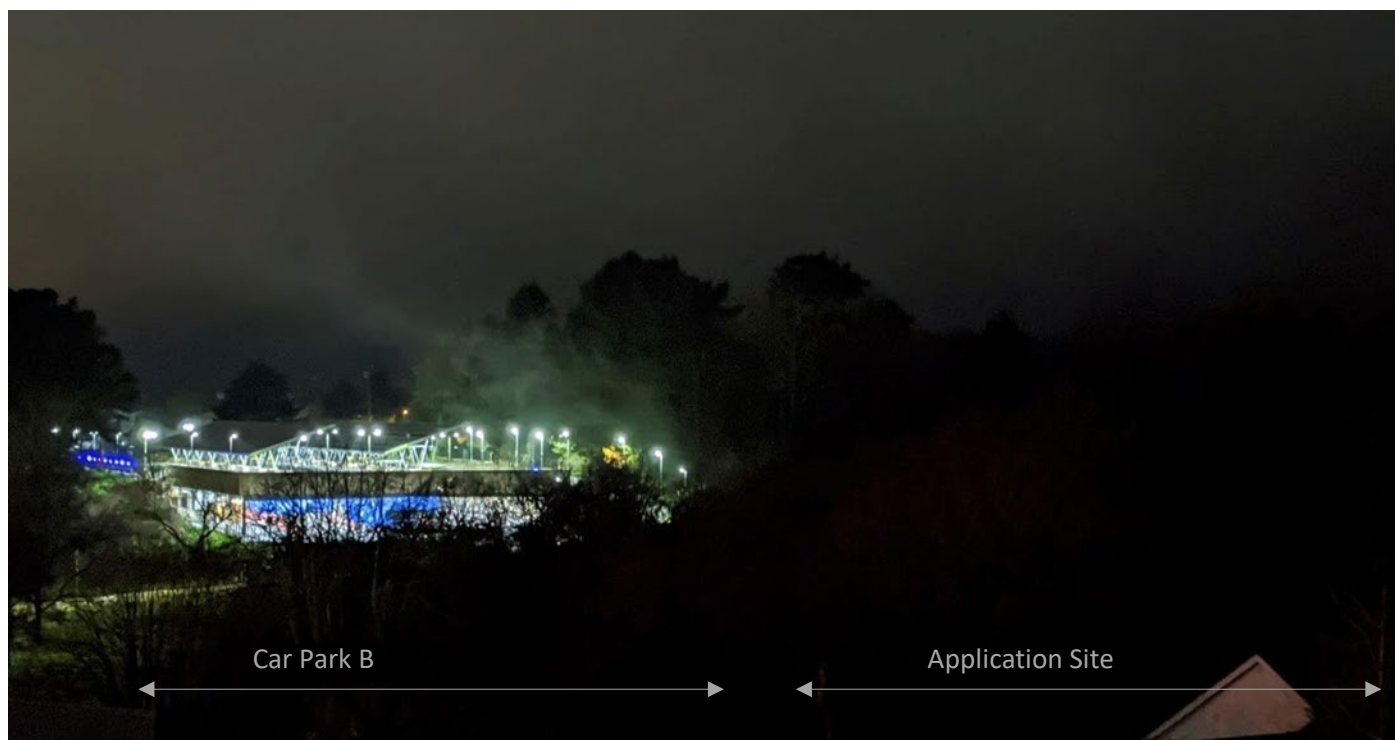
The Local Plan was put in place to safeguard protected sites for all the people of Exeter both now and for generations to come and the University, who is a major stakeholder within the city, is seeking to develop a site for its own financial benefit, regardless of the damage this development will cause. A vehicle servicing yard, offices, workshop and a waste management site in this sensitive location would all be contrary to the objectives set out within Local Plan Policy LS1.

This application site is designated as a protected landscape setting within the open countryside. In order to facilitate this outline application, the characteristic sloping nature of the site would require unsympathetic levelling of the site which would destroy the local distinctiveness and character of the area. This is contrary to Paragraph 180 of the NPPF, Local plan Policy LS1 and The University Masterplan Framework.

The location of a commercial development of this nature within a protected landscape setting and in such close proximity to residential properties would not only cause damage to the habitats of protected species but will also have a serious impact on the health and living conditions of adjoining neighbours.

Contrary to Paragraph 180 of the NPPF, the location of the proposed vehicle serving yard next to a Community Garden and adjacent to a Local Nature Reserve would be both damaging and inappropriate.

The NPPF seeks to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. I would ask the council to look at the photograph below of the application site and consider the real damage the development would have on the rural landscape and accordingly refuse planning permission.



Footnote

To date neither a relevant tree constraints plan or landscape and visual assessment have been submitted with the application.