

**APPEAL**

**BY**

**SALTER PROPERTY INVESTMENTS LTD**

**LAND OFF SPRUCE CLOSE AND CELIA CRESCENT,  
EXETER**

**PROPOSED RESIDENTIAL AND RELATED DEVELOPMENT**

**STATEMENT OF COMMON GROUND**

**APPEAL SUBMISSION DRAFT**



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## 1. Introduction

- 1.1 This Statement of Common Ground has been prepared in accordance with the procedural guidance governing the conduct of Public Inquiries into Planning Appeals.
- 1.2 The Statement has been drafted by the Appellants and agreed with the local planning authority, Exeter City Council.
- 1.3 This Statement has been prepared having regard to the 'Procedural Guide: Planning Appeals – England' (Planning Inspectorate, October 2021).

## 2. The Appeal Application

2.1 The Appeal application comprises the plans and documents set out in Schedule 2.1 below:

**Schedule 2.1 Plans, Drawings and Documents**

Item	Description
<b>Plans and Drawings</b>	
Drawing Number	Description
<b>Drawings Submitted for Approval</b>	
8089_8197_A	Topographical Survey
1863_1000_E	Site Location Plan
1863_1150_F	Parameter Plan_Land Use_Proposed
1863_1151_F	Parameter Plan_Density_Proposed
1863_1152_F	Parameter Plan_Scale_Proposed
1863_1153_F	Parameter Plan_Access and Movement_Proposed
1863_1154_G	Parameter Plan_Open Space_Proposed
1863_1155_A	Parameter Plan_Landscape Strategy_Proposed
04268_A_SK110_P4	Celia Crescent Access_Road Design_Preliminary
04268_A_SK124_P4	Spruce Close_Access and Parking
04268_A_SK125_P4	Spruce Close_Bus Stop Locations
<b>Illustrative Drawings</b>	
1863_001_A	Mood Board_Higher Density
1863_001_A	Mood Board_Lower Density
1863_002_B	Mood Board_Landscaping
1863_300_M	Block Plan_Indicative
1863_1101_B	Masterplan_Illustrative
1863_1120	New Valley Park_Proposed

1863_VP4	Photomontage_Viewpoint 4
1863_VP5	Photomontage_Viewpoint 5
1863_VP6	Photomontage_Viewpoint 6
1863_VP7	Photomontage_Viewpoint 7
04268_TR_007_P1	Celia Crescent Access_Bus & Refuse Vehicle Tracking
04268_TR_008_P3	Celia Crescent_Bus Vehicle Tracking
04268_TR_009_P4	Spruce Close_Bus Vehicle Tracking
Supporting Documents_Assessments	
Document	Author
Design & Access Statement	Place by Design
Planning Statement	Rocke Associates
Landscape and Visual Impact Assessment	Redbay Design
Landscape and Visual Impact Assessment_Addendum	Redbay Design
Flood Risk Assessment_Revised	AWP
Archaeological Geophysical Report	Substrata
Transport Assessment	PJA
Geo-Environmental Assessment (Phase One)	South West Geotechnical
Heritage Statement	A C Archaeology
Arboricultural Assessment & Method Statement	Advanced Arboriculture
Arboricultural Assessment_Supplementary	Advanced Arboriculture
Ecological Impact Assessment	EPS Ecology
Biodiversity Net Gain Assessment	EPS Ecology
Air Quality Assessment	Kairus Ltd

### 3. Description of Appeal Site and Surroundings

- 3.1 The site, and its context, are as described and analysed in some detail in the Design and Access Statement that accompanies the application. It is located adjacent to existing urban development comprising Beacon Heath, a suburb on the northern periphery of Exeter.
- 3.2 The site extends to approximately 3.8 hectares. It is abutted by existing residential development on two sides (south and west). It slopes from north-west to south-east with an overall levels change across the site of approximately 23 metres.
- 3.3 The site currently comprises two fields of semi-improved grassland, used variously for hay cropping and grazing livestock. The two fields are divided by a mature hedgerow that runs north-east to south-west across the site at its approximate mid-point. Hedgerows and trees demarcate all four boundaries of the site. The site is otherwise largely devoid of vegetation and trees. A watercourse abuts the eastern site boundary, and continues southwards where it also forms the eastern limit of the existing urban area in this part of the city.
- 3.4 There is an access road to the western boundary of the site, at its approximate mid-point, from Celia Crescent to the west. The spur from Celia Crescent, which has a footway on each side, currently serves a garage court and terminates adjacent to the western boundary. Access to the site in its current agricultural use is from Spruce Close to the south, across an existing area of informal recreation space and between dwellings that front onto Spruce Close.
- 3.5 As is illustrated in the Design and Access Statement, there are local facilities within walking distance of the site, including a local centre, schools and other community facilities. There are also established bus services with stops in close proximity to the site. A Morrison supermarket is located a short distance to the south-west, and beyond that, Polsloe Bridge Railway Station. There is also a Sainsburys supermarket a similar distance to the south-east, and beyond that Pinhoe Railway Station.

## **4. Planning History of the Appeal Site**

- 4.1 The Council's records do not reveal any relevant planning history relating to the application site.

## 5. Relevant Development Plan Policies

5.1 The statutory development plan for the area comprises the following documents:

- Exeter Core Strategy 2026 (Adopted February 2021) (ECS)
- Exeter Local Plan First Review (Adopted March 2005) (ELPFR)

5.2 Except where otherwise agreed through this Statement, the weight to be given to the provisions of the Development Plan Documents will be dealt with in evidence, as necessary.

5.3 The Development Plan policies considered to be particularly germane to the matters of disagreement relating to the appeal proposals are identified in Schedule 5.1 below:

**Schedule 5.1 Development Plan Policies Most Important to the Appeal**

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



## **6. Matters of Agreement**

- 6.1 The Appellants and the Council are in agreement with regard to the matters set out below.

### **Principle of Development**

- 6.2 The principle of residential development on the site is acceptable, subject to the there being no unacceptable environmental impacts.
- 6.3 The site is in a sustainable location adjacent to the existing urban area of Exeter.

### **Affordable Housing**

- 6.4 There is a considerable unmet need for affordable housing in the City.
- 6.5 The Appeal proposals will deliver a policy-compliant level of affordable housing (35%) equating to 32 affordable homes. This is a material consideration to which substantial weight should be afforded in the decision.

### **Flood Risk**

- 6.6 There are no objections to the proposed development on grounds of Flood Risk.
- 6.7 Through the SUDS drainage scheme proposed and associated on-site detention of surface water drainage, there will be betterment compared with existing greenfield runoff rates that will reduce the propensity for localised flooding.

### **Landscape**

- 6.8 Whilst the site is in an area designated in the ELPFR as contributing to the landscape setting of the city, there is no evidence that the proposals will cause actual harm to the landscape.
- 6.9 ELPFR Policy LS1 that restricts development in designated landscape setting areas to a very limited number of categories that do not expressly include residential, is inconsistent

with current national policy set out in the NPPF, and is out of date. It is also out-of-date since it has been accepted, through both the strategic allocations in the ECS and on Appeals, that residential development in landscape setting areas designated in the ELPFR is necessary in order to meet the ECS housing requirements.

- 6.10 ECS Policy CP16 is a criteria based policy that does not preclude residential development which will not harm the landscape setting of the city.

### **Biodiversity**

- 6.11 There are no objections to the proposals on grounds of harm to biodiversity.
- 6.12 The proposals will deliver biodiversity net gain, and in excess of 10%.

### **Heritage Assets**

- 6.13 There is no harm to either on- or off-site heritage assets as a result of the proposed development.

### **Transportation and Highways**

- 6.14 There are no objections to the proposed development on grounds of severe impacts on the network or highway safety.
- 6.15 The proposals will deliver community benefits in terms of the safety and functionality of the existing residential road network through relocating on-street parking from the inside of a bend, and the enhancement of sustainable transport modes through incorporating an existing bus route through the site.
- 6.16 Given the location of the site adjacent to the existing urban area of Exeter, the site is in a sustainable location in relation to accessibility to employment, shops, education establishments, and other social and community facilities, as well as rail transport, compared with other locations away from Exeter, such as the new settlement at Cranbrook, where some of the city's housing needs are being met owing to the limited availability of suitable residential development land at the city.

## 7. Matters in dispute

7.1 The matters can be summarised as follows:

- Whether the Council's interpretation that the approach of the ECS is to steer development away from the hills that are strategically important to the setting of the city, is a correct one, rather than seeking to resist only development that is harmful.
- Notwithstanding, and without prejudice to, the foregoing, whether the current Appeal proposals, when considered on their merits, would be harmful to that approach.
- Whether the sequential approach to development set out in the ELPFR remains relevant and, if so, how it should be applied to the Appeal proposals and how they would be prejudicial to it.
- The relevance of the Council's alleged ability to demonstrate a five year supply of deliverable housing land to the current proposals.
- If the Council is able to demonstrate a five year deliverable supply, the correctness of its interpretation that a consequence is to afford 'greater weight' to its adopted policies, particularly those that it has previously accepted are out-of-date for other reasons.

## **8. Conditions and Obligations**

- 8.1 The Appellants are agreeable to any conditions that satisfy the relevant policy tests, and are agreeable to any obligations that are necessary to make the development acceptable in planning terms and are compliant with Regulations 122 and 123 of the CIL Regulations.
- 8.2 The Appellants and the Council will seek to reach agreement in relation to any conditions of planning permission and/or planning obligations in advance of the Public Inquiry, and provide the Inspector with a duly executed S106 Obligation, if necessary.

## **9. Core Documents**

- 9.1 A list of Core Documents will be agreed between the Council and the Appellants and circulated to all parties for the purposes of the Inquiry.

## 10. Declaration

- 10.1 The contents of this Statement are agreed between the Appellants and the Local Planning Authority.

Signatory Details	Appellants	Local Planning Authority
Signed		
Date		
Position		

