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Subject:2189L : 130 Fore Street, Exeter - Re: 23/0631/CONR -
Objections/Consultations/Briefing Meeting Etc.

Date:Thu, 29 Jun 2023 20:28:28 +0100

From:David Burley - Burley Partnership <db@burleypartnership.co.uk>

Reply-To:db@burleypartnership.co.uk

To:Christopher Cummings <Christopher.Cummings@exeter.gov.uk>

Chris

Thank you for your email.

Objections - I am extremely surprised at 83 objections to this simple amendment application. I have read these and it appears the majority are orchestrated by Crankhouse Coffee, who have ignored my advice to them 23.06.23 attached, and that:

- 1 The application represents an improvement over the extant approval, in that it retains LGF commercial space.
- 2 I have also demonstrated that both Crankhouse's operation (which has 3 elements) can be continued both during construction and after completion.

Additionally, the Fore St shop occupied by Rochelles is currently using space ineffectively and with reorganisation, will be able to continue trading successfully from the remaining area, both during construction and after completion.

Whilst it is not a planning ground, our client gave assurances to do all possible to facilitate the exg tenants to continue at the premises during and after construction. Therefore the principle claim of objectors that the proposals will threaten the continuation of local business is fundamentally incorrect.

Objections also overlooks the fact that the original approval was in existence before both occupiers took-on the premises lease and that through normal due diligence, they would have been aware of those proposals and that at some point of the future these would be built out and not taken the premises if this was undesirable to them.

In respect of other matters raised, objectors overlook that this is a variation to an extant approval and that the majority of matters complained of, would arise in equal measure in the extant approval scheme.

Construction disruption/mess

Transport Impacts - DCCH have confirmed the current proposal remains acceptable.

Noise in Use

Impact on Residents

Impact of Character of Area

Gentrification

Loss of Historic Fabric - The building to be redeveloped is an industrial structure, constructed in the 1st half of the 20th Century. It is not historic fabric.

Affordable Housing - The proposal does not exceed the number of residential units of the extant approval and therefore no new AH requirement is generated.

Student Accommodation - The extant approval was for general flats (not student bedsit cells) and this position is maintained in the current proposal. This is not a student housing scheme and will contribute to addressing the housing shortfall in the City.

In respect of the only additional issue raised in respect of the new application :

Increase in height - we have demonstrated in our submission D&A that no material detrimental impact occurs by the nominal increase in height. I believe you have accepted this position.

Whilst it is understood that any change causes concern, in the context of this being an application for a small revision to an extant approval, we believe these concerns are misplaced.

Delegated Briefing Meeting 25.07.23 - Noted. Do you need me to be available to present/answer questions?

Consultation Responses - Noted/agreed. I will appoint a Acoustic Engineer to report. I am assuming you are only concerned about transmission from Units C2/3 to Flats.

I note the responses received from ECC EHO, D&CP Designing Out Crime and ECC Urban Designer and accept their observations. In respect of RSPB, Mr Fit was consulted by ourselves and responded 25.07.14 and his requirements incorporated in the extant approval DoC application, which have been carried forward to the current application. With regard to DCCH's observation regarding split waste

collection, normally flats developments have a paladin collection in the same manner as commercial premises. It is therefore understood that there will not be any duplication of collections. In respect of DCC Waste Planning, we have complied with ECC waste's previous requirements for waste capacity. If a waste assessment is needed we are happy for this to be conditioned.

Lawful Commencement - I attach emails from from ECC Building Control that inspected the foundation works 3.02.15 the original approval case officer Paul Jeffery 16.11.15 confirming acceptance that commencement had occurred. I assume ECC members do not intend to contest written evidence by their own officers.

Legal Agreement - As previously noted, I would have thought the Successors in Title provisions of the original Unilateral Undertaking would provide sufficient protection to ECC, but accept your suggestion and will ask our client to forward to you their solicitors details ASAP.

David