

PLANNING

Date: Monday 19 June 2023

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

Membership -

Councillors Knott (Chair), Asvachin, Bennett, Branston, Hannaford, Jobson, Ketchin, Lights, Miller, Mitchell, M, Sheridan, Wardle, Warwick and Williams

Agenda

Part I: Items suggested for discussion with the press and public present

10 Update Sheet

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Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 31 July 2023** at 5.30 pm in the Civic Centre.

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PLANNING COMMITTEE – 19 June 2023

ADDITIONAL INFORMATION - Correspondence received and matters arising following preparation of the Agenda

Item 5: Planning Application No 21/1676/FUL – Land North East of 371 Topsham Road, Exeter

No updates.

Item 6: Planning Application No 22/1746/RES – West Park, University of Exeter, Stocker Road, Exeter

1.) Additional Application Document received 15/06/23 – please see this attached

- Response to matters raised during 25 May 2023 Planning Committee, by UPP and University of Exeter

2.) Additional Application Information:

- 2no. 3D models will be available to view at Planning Committee on 19 June 2023, printed on 05/02/23
- Model scale: 1:628 (scaled to fit the 3D printing template / maximum size)
- All proposed building model positions, scale and heights were based on a geolocated Revit 3D model.
- All existing buildings within the site boundary were based on a verified topographic survey
- Buildings outside the redline were based on:
 - a combination of a 3D verified point cloud survey
 - Where the 3D point cloud survey did not cover a specific area, Google Earth was used to fill in the gaps
- Accuracy of the model: The model is generated from the survey, so it is extremely accurate. A certain amount of tolerance needs to be accounted for where the modellers had to fill in gaps in information, and the modelling process itself (gluing pieces together and so on). Accuracy is to within 1sqm. The massing is consistent and accurate.
- Assumptions: Existing trees are plotted as accurately as possible in plan, with heights based on google earth imagery.
- New trees are shown in green.

3.) Advice note for members:

A). General summary of what outline permission is and what a reserved matters application is.

There are 2 main types of application – applications for full planning permission and applications for outline planning permission.

An application for **full** planning permission results in a decision on the detailed proposals of how a site can be developed. If planning permission is granted, and subject to compliance with any planning conditions that are imposed, no further

engagement with the local planning authority is required to proceed with the development granted permission, although other consents may be required.

An application for **outline** planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.

Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application and are 'reserved' for later determination. These are defined as:

- 'Access' – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

The procedure enables an applicant to obtain confirmation that the principle of development is acceptable, without having to go to the expense of preparing detailed plans, drawings and other supporting information in respect of the reserved matters.

The Development Management Procedure Order states that "*Where an application is made to the local planning authority for outline planning permission, the authority may grant permission subject to a condition specifying reserved matters for the authority's subsequent approval.*" Planning Inspectors in their training manuals are advised specifically that: "*It is important to remember that the outline permission is the planning permission.*" The underlining under the word 'the' has not been added. When considering reserved matters on appeal Planning Inspectors are directed by the Planning Inspectorate that: "**Remember that planning permission has already been granted. Whatever might be argued by the parties, you can only consider the acceptability of the reserved matters which are before you. There is no scope to reconsider matters which were dealt with (or should have been dealt with) at the outline stage.**"

B. The status of the current reserved matters application in the context of point A. above.

The outline planning permission was granted under reference 20/1684/OUT. Reserved matters is being dealt with under application 22/1746/RES.

The outline planning permission stated that all matters were reserved. The Development Management Procedure Order states that where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.

It is understood that a significant majority of matters pertaining to access (if not all) were dealt with under the outline planning permission. In particular, conditions on the outline planning consent deal with the following matters:

- Condition 3 approved a Movement and Access Parameter Plan (dwg no. 010011 Rev P2) which shows proposed accesses.
- Condition 17 requires a new pedestrian footway adjacent to Streatham Drive (as indicated on that Movement and Access Parameter Plan is provided prior to occupation.
- Condition 21 requires proposed improvements on Streatham Drive as indicated on Drawing No. 2012758-02 to be completed prior to occupation.
- Condition 22 requires that private highway works are provided prior to occupation as indicated on Drawing No 103259-SK06.

The planning officer comments that Devon County Highways consider that access and highway matters have been considered under the outline permission.

The following parameters plans were approved as part of condition 3 of the outline planning permission:

- Site Location Plan 010002 Rev P2,
- Demolition Plan (dwg no. 010003 Rev P2);
- Land Use Parameters Plan (dwg no. 010010 Rev P2);
- Movement and Access Parameter Plan (dwg no. 010011 Rev P2);
- Heights Parameter Plan (dwg no. 010012 Rev P2)&
- Landscape and Biodiversity Parameter Plan (Figure 1, dated 16th April 2020)

Plans submitted with an outline planning application may be indicative or illustrative. The PPG states of the positive role in place-making: "*What is the role of parameter plans in achieving well-designed places?*"

Parameter plans can include information on the proposed land use, building heights, areas of potential built development, structure of landscape and green infrastructure, access and movement and other key structuring and placemaking components. [...] Parameter plans can provide elements of the framework within which more detailed design proposals are generated, but they are not a substitute for a clear design vision and masterplan, and need to be used in a way that does not inhibit the evolution of detailed proposals. For example, setting maximum parameters for aspects such as building heights can still allow flexibility in determining the detailed design of a scheme."

The above mentioned approved parameter plans guide this reserved matters approval. The fixing of parameters at outline application stage, via conditions, are to be adhered

to when reserved matters and details come forward later for approval. These parameters represent the maximum acceptable extent of development. The officer's report states that the principle of the proposed density was approved at the outline stage by way of the max. GIA (condition 15), together with the approved Land Use and Heights Parameter Plans (condition 3).

As per the Development Management Procedure Order as an LPA we must have had the information "*necessary to allow consideration of an application for outline planning permission*" and therefore have been clear what the "*proposed use or uses, and the amount of development proposed for each use*". These parameter plans will have satisfied us what the proposed uses were and the amount of development was for that use. The application could have otherwise been deemed invalid.

Item 7: Planning Application No 23/0321/FUL – Land on the West side of Belle Vue Road, Exeter

The applicant has requested that the application be deferred and the Director of City Development in consultation with the Chair has agreed.

Purpose of this information submittal

The University of Exeter and UPP are joint applicants for the West Park Reserved Matters application (22/1746/RES).

This pack of information has been produced by the applicants in response to matters raised during the 25th of May 2023 planning committee. It is hoped this response gives officers accurate information to consider the comments made during the committee. Due to the complex history behind this development, this response also summarises the four-year engagement timeline with Exeter City Council (ECC), the local residents and the design review panels.

This response highlights where elements of the scheme (including at boundaries) were amended at Outline Application stage following feedback. The response also details where more amendments have been made at Reserved Matters stage following further consultation with the Council, residents and design review panel.

1. The height of Block ST (formerly B1)

The height of Block ST was reduced at Outline stage following resident feedback. The Statement of Community Involvement advises:

Local Residents in the Dunvegan Close / Lodge Hill/ Elmbridge Gardens area	Impact of proposed 6 and 4 storey accommodation on the existing Estates Centre site (Block B1) in terms of visual dominance, overlooking, loss of light, noise and	The height of proposed Block B1 has been reduced from 6 and 4 storeys as presented at public consultation, to 4 and 3 storeys. As a result of this change, the approximate number of students in this block has also reduced from 182 to 134 bedrooms.
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Statement of Community Involvement

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	lighting. Particular concern as the existing Estates Services Centre is at the top of a steep bank.	
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149 bedrooms are now proposed following design development.

Please note the proposed building heights are well below the maximum heights of the Heights Parameter Plan approved at Outline consent:



2. Separation distances between Blocks CB and ST with neighbouring residential properties

The applicant has separately confirmed to the LPA the scheme complies with paragraph 7.24 of the ECC Residential SPD on separation distances, accounting for differences in building elevation.

- Block CB separation distance: minimum 42.0m, actual 57.8m
- Block ST separation distance: minimum 42.7m, actual 92m

3. 26 paper objections handed to applicants to submit to the LPA which were not received

The applicant recommended that consultees send objections directly to ECC to be recorded and considered under the planning process.

26 feedback forms were received during the follow-up consultation in December 2022. Following convention, these are summarised within the Statement of Community Involvement (SCI) which can be read by the public within the planning application documents.

4. Traffic accidents on Cowley Bridge and New North Park Road

A comment was made on the 25th of May Committee that this road has experienced two fatalities in the past and this risk is increased with the new development.

Devon County Council's website on collision data shows there have been no fatalities recorded in the last 5 years which is as far back as the data goes. ECC Highways Dept did not raise this issue as a concern either at Outline or Reserved Matters stage.

The comment on collisions was made in the context that the development and the proposed shop within Block CB will give rise to an increase in student footfall along New North Road. The refurbishment of Birks Blocks A to E and the conversion to self-catered accommodation results in 90 fewer bedrooms. The proposed Block CB provides 144 new rooms, resulting in a relatively modest increase of 54 rooms at Birks Grange Village.

5. Pedestrian safety and delivery vehicle traffic

A comment was made at the Planning Committee the applicant had not thought about pedestrian movements across the site or the increase in deliveries to the site.

In the applicants' opinion, the situation is no different to delivery vehicles serving other housing developments or student areas. It should be noted that West Park is a car-free development, aside from delivery and service vehicles.

At the Outline stage, footfall studies were undertaken to determine the likely desire lines taken by students. The main thoroughfare to the academic areas of the campus is via Clydesdale Avenue, away from residents. Ancillary services are placed on these desire lines for student convenience. A pedestrianised spine is proposed between the main buildings that connects with Clydesdale Avenue.

The majority of deliveries will be via Streatham Drive. A hub point is proposed on the frontage with Clydesdale Avenue where a turning space for deliveries is provided. Further delivery points are proposed in convenient locations throughout the site. The delivery points are well contained within the development as opposed to near neighbours.

Consultations with local neighbours and ECC Highways Dept has resulted in the following improvements:

- A Section 106 contribution of £25,000 for improvements to the Streatham Drive / New North Rd junction
- A new pedestrian footway along Streatham Drive
- Traffic calming and pedestrian crossings along Streatham Drive (resulting directly from resident feedback)
- Vehicle drop off points provided for deliveries within West Park

Following planning officer feedback, a vehicle turning circle has also been introduced at Birks Grange Village. This is an improvement on the existing arrangements and also recognises the modest increase in vehicles serving the 54 new bedrooms at this location.

6. Unsuitable location for a shop at Birks Grange Village

At the Outline stage, the Council specifically asked the applicant to provide a shop as part of the development to improve the amenity of the campus, with the view that the shop would reduce student footfall outside the campus. Councillors and members of the public also supported provision of a shop at the Outline stage, hence its inclusion.

Birks Grange Village already benefits from a University shop located in the refectory. The new shop will offer a wider range of products which will minimise students crossing Cowley Bridge Road to use the Morrisons Daily.

The shop will primarily serve the Birks Grange Community. If other students wish to shop there, the quickest and most direct route is to use the University footpath between Birks Grange Village and Clydesdale Avenue.

It should be noted the University runs shops at the centre of campus, Lafrowda and St David's and is not aware of any operational issues arising with neighbours.

7. Comment there are 94 windows at Block ST facing neighbours

Regarding the number of Block ST windows facing the boundaries, the submitted drawings and SCI confirms there are 16 bedroom windows in the west elevation gable approximately 92 metres from the nearest neighbour on Elmbridge Gardens. There are a further 15 bedroom windows and 8 kitchen windows set even further back. Cross sections drawings are provided with the application showing the significant separation distances involved.

8. Concerns on flooding to a separate Glenthorne Road development during construction

Currently the grounds compound and existing halls of residences to be demolished within the application site all feed surface water directly into storm water drains with no attenuation. As required by the Local Lead Flood Authority at the Outline application stage, on-site surface water attenuation is proposed that will reduce runoff rates compared to the current situation where there is no attenuation.

Condition 25 of the Outline consent requires the applicant to provide, "Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted".

The applicant has submitted the proposed Drainage Strategy enabling this planning condition to be discharged. Appendix C (Construction Stage SWD Management) provides specific details and a technical drawing on how discharge water will be managed during construction through the use of temporary drainage, swales, basins and settlement tanks.

More generally, the applicant has submitted a Construction Environmental Method Statement (CEMS) to discharge Condition 4 of the Outline consent. The CEMS describes the methods that will be employed to minimise any disturbance to neighbours.

Appendix

Engagement timeline history with ECC, the local residents and design review panels

Outline Planning Stage

18th October 2019: Planning officer meeting 1 incl. site visit

The Visual Appraisal methodology was refined and agreed. The approach to Stakeholder Consultation was agreed.

19th December 2019: Planning Officer Meeting 2

This engagement helped to refine the requirements for the planning submission. Officers were able to explore the Visual Appraisal as a) design tool and comment on selected viewpoints.

13th February 2020. Planning Officer Meeting 3

The proposals for Block E1 (outline designation) / GH (RMA designation) were felt to be out of character with the hillside at six storeys, as the building sat well above the skyline. The proposals for Building E1 / GH were presented at the Stakeholder Consultation Event and amended in response to feedback.

18-19th February 2020 Public Consultation Event

Invitations sent to local neighbours and councillors. 62 formal responses were received with a wide range of matters raised.

- The increase footfall along Streatham Drive – in response, a new footpath is being provided
- The impact of proposed 6 and 4 storey accommodation on the existing compound site Block B (outline designation) / ST (RMA designation) – building height now reduced to 4 and 3 storeys
- The impact of proposed 6, 5 and 3 storey accommodation Block E1 / GH at the north of the site – building form redesigned and height reduced to 4 storeys
- The loss of a Magnolia tree on the left of the entrance to the Birks Grange village refectory block – tree being relocated

20th February 2020: Design Review Panel

The Panel Administrator produced a written report via email, which forms the formal response. The panel supported the principles and aspirations of the project and noted that the design approach was exemplary.

20th February 2020: Planning Officer review

In combination with the verbal feedback from the DRP, the event gave clear direction for the design development leading up to the planning submission.

16th March 2020: Limits on further meetings

The government introduce social distancing guidelines which prevent further group meetings.

26th March 2020: Feedback from Planning Officer

The principle of the parameter plans was generally acceptable and the approach to the parameter height plans was agreed.

The Planning Officer responded to the request for feedback on the illustrative plan noting that the revised plans created relationships with neighbours which were sensible and appeared to be acceptable in plan.

This feedback enabled the team to finalise the application submission with confidence.

27th May 2021: Planning Committee

The Council resolved to approve the applications.

17th September 2021: Outline consent

The approved outline consents establish the principle of the development and approve a series of parameters plans to guide the future reserved matters.

RESERVED MATTERS STAGE

19th July 2022: Meeting with ECC officers

15th November 2022: Meeting with ECC officers

22nd November 2022: Public consultation event

The University's website pages for the consultation received 309 page views (up to 9th December), with 19 responses to the invitation to feedback via a submission form or recorded by attendees at the consultation event. 22 responses were received via email.

All responses were recorded by the University and where appropriate they have responded with a clarification or provided additional information. This is detailed in the Statement of Community Involvement.

1st December 2022: Design review panel

The recommendations of the DRP resulted in changes to the entrances, fenestration and architectural features of the taller blocks, landscape amendments, sun lighting and wind studies. A full list of responses to the DRP comments, applied prior to submission of the RM application is included in the Design and Access Statement.

6th December 2022: Meeting with residents and councillors

A meeting was held with the residents of Elmbridge Gardens, Lodge Hill and Dunvegan Close. It was attended by 22 residents and two local councillors from the Duryard and St James Ward. The meeting was held with the University and representative of UPP and the planning consultant.



The principal areas of debate and concern were around the impacts on local residents. UPP also undertook to enhance communications with local residents and to hold another consultation session during the determination process.

16th December 2022: RM Application Submitted

6th February 2023: Meeting with residents and councillors

A meeting was arranged to help explain the scheme to residents who found it difficult to read the drawings on the Council website. The residents' concerns were predominantly around the blocks nearest to Dunvegan Close and Elmbridge gardens.

20th April 2023: Planning officer meeting

The Urban Design Officer gave further comments on the design and additional changes were agreed to enhance the visual appearance of the scheme.

Further Post Application work

Following a request from the planning officer, changes were made to Block CB to enhance the privacy between the northern elevation and the existing Birks Grange Village Block J residential windows.