

## PLANNING

Date: Monday 8 February 2016

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 Bialyk (Chair), Spackman (Deputy Chair), Buswell, Choules, Denham, Edwards, Lyons, Mottram, Newby, Prowse, Raybould, Sutton and Williams

## Agenda

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

#### **1 Apologies**

To receive apologies for absence from Committee members.

#### **2 Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

#### **3 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC**

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

**RECOMMENDED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

## Public Speaking

Public speaking on planning applications and tree preservation orders is permitted at this Committee. Only one speaker in support and one opposed to the application may speak and the request must be made by 5pm on the Thursday before the meeting (full details available on request from the Democratic Services (Committees) Officer).

### 4 Planning Application No. 15/1283/03 - Exeter City Football Club

To consider the report of the Assistant Director City Development.

(Pages 5 -  
34)

### 5 Planning Application No. 15/1275/03 - 31-35 Old Tiverton Road, Exeter

To consider the report of the Assistant Director City Development.

(Pages 35  
- 46)

### 6 List of Decisions Made and Withdrawn Applications

To consider the report of the Assistant Director City Development.

(Pages 47  
- 66)

### 7 Appeals Report

To consider the report of the Assistant Director City Development.

(Pages 67  
- 70)

### 8 SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday 1 March 2016 at 9.30 a.m. The Councillors attending will be Denham, Buswell and Williams.

## Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 14 March 2016** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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# Agenda Item 4

**ITEM NO. 5**

**COMMITTEE DATE:** 08/02/2016

**APPLICATION NO:**

15/1283/03

FULL PLANNING PERMISSION

**APPLICANT:**

Mr A Davis

**PROPOSAL:**

Yelverton Properties Development Limited  
Demolition of existing and replacement with new grandstand and away stand with associated spectator facilities; improved facilities for players/managers/referees under the main stand and new wc facilities for Big Bank stand; removal of car storage and existing buildings and replacement with new purpose built student accommodation blocks up to a maximum height of 6 storeys comprising 312 cluster/studio/disabled rooms with associated facilities including parking, cycle storage, landscaping, new internal road and pedestrian access between 20 & 21 Old Tiverton Road and change of use of 20 Old Tiverton Road to 6 No. student rooms with associated shared facilities.

**LOCATION:**

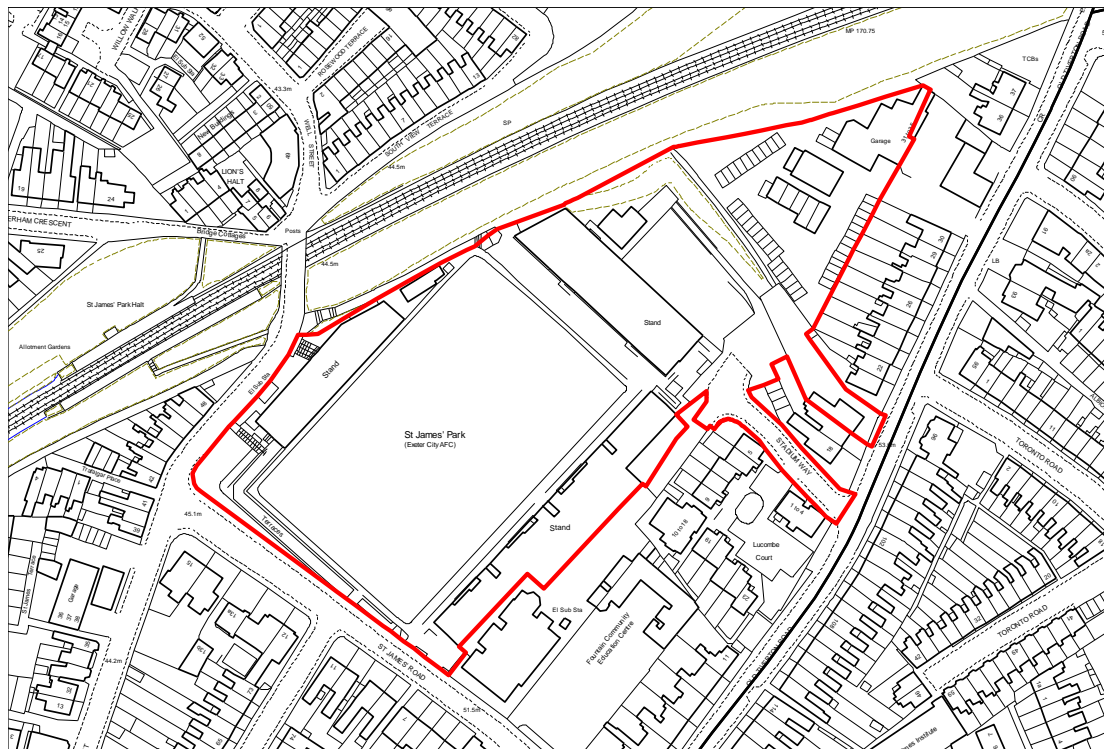
St James Park, Stadium Way, Exeter, EX4 6PX

**REGISTRATION DATE:**

16/11/2015

**EXPIRY DATE:**

15/02/2016



Scale 1:2500

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## **HISTORY OF SITE**

A planning application (98/1091/03) was approved in August 1999 for the redevelopment of the existing covered terrace commonly known as the 'Cowshed' with a new covered all seater stand including players accommodation and sponsors boxes. In addition, the application approved the redevelopment of the existing standing terrace commonly known as the 'Big Bank' with a new covered stand.

A planning application (15/1275/03) has been submitted on the adjacent site 31-35 Old Tiverton Road, which is also reported to this Planning Committee. This development seeks the demolition of the existing structures on the site, principally a former petrol filling station, and erection of a new three storey building comprising ground floor retail use and student accommodation for 9 studio flats with associated vehicular/cycle parking and bin storage.

In accordance with Regulation 5 of the Environment Impact Assessment Regulation a screening opinion for the application was undertaken. It was concluded that the proposal would not give rise to significant environmental impact such that would trigger the need for an Environmental Statement to accompany an application. This conclusion is reached in accordance with advice as stated in National Planning Policy Guidance – Environmental Impact Assessment which states that ‘... *Local planning authorities have a well established general responsibility to consider the environmental implications of developments which are subject to planning control. The 2011 Regulations integrate Environmental Impact Assessment procedures into this framework and should only apply to those projects which are likely to have significant effects on the environment*’ consequently specific impacts of the scheme can be assessed within the scope of stand-alone reports which will be submitted in support of any application for the development and any mitigation required could, in the Local Planning Authority’s opinion, be secured through appropriate conditions and/or Section 106 agreement. Therefore, the formal screening opinion of the LPA is that this scheme does not constitute EIA Development requiring an Environment Statement.

## **DESCRIPTION OF SITE/PROPOSAL**

The application site (2.17 ha) comprises the Exeter City Football Club ground including stand/terraces and associated facilities and access (including Stadium Way) as required by the Club. In addition, the site includes an area of vacant land behind the Big Bank stand; the garage workshop and associated buildings for vehicular related uses located on the ‘Yeo & Davey’ site and No 20 Old Tiverton Road an existing terraced dwelling. The site is contained to the north/west by the railway line/embankment and a section of existing terraced properties in Well Street which back onto the St James train station. The south west of the site is delineated by St James Road with existing terraced properties on the opposite side of the road. The application’s boundary also lies behind the existing main stand adjacent to the Fountain Centre (used by the Club but not part of the application site); the Fountain Community Centre and associated car park; existing residential properties in Lucombe Court accessed from Stadium Way and existing terraced properties in Old Tiverton Road which tapers towards the north eastern edge of the site and ends at No 36 Old Tiverton Road.

The majority of the application site lies either adjacent or close to the St Sidwell, Belmont and Longbrook Conservation Area. The closest listed buildings are located alongside the site in Old Tiverton Road. Nos 21 to 30 (inclusion) and 36 and 37 Old Tiverton Road are Grade II listed. However it should be noted that No 20 Old Tiverton Road, which is within the application site does fall within the Belmont Conservation Area.

This application seeks improvements to Exeter City Football Ground, the construction of new purpose-built student accommodation and the refurbishment of No. 20 Old Tiverton Road for additional student bedrooms and use of the garden area of this property to provide pedestrian access to the new student accommodation.

The proposed works to the football ground includes the demolition of the existing Stagecoach stand (current capacity 1400 seats) to the north west/Well Street side of the ground and replacement with a new 1600 seat stand with under stand facilities including food outlets, bar counter and wcs. In addition, new turnstiles and improved external landscape works are proposed along the Well Street boundary. The new stand has a maximum height of 13 metres as compared with the existing grandstand of 12.5 metres when measured pitch site,

although due to the change in levels on Well Street the overall height is approximately 17 metres. The external appearance of the stand would be of a coloured corrugated metal finish with glazing to either side.

Beneath the existing main Flybe stand new player's changing rooms, referee's changing rooms and laundry room together with repositioned team 'dug outs' are proposed. To the south east of the existing Big Bank stand new wcs and food and drink outlets are proposed within a new brick built structure and part under the main stand to replace the existing facilities currently located to the rear of the Big Bank stand.

The proposed development also includes the construction of a new covered away stand for up to 1000 standing supporters (current capacity 1040) to the south west of the ground alongside St James Road. This will include new food and drink outlets, wcs, new first aid room, security and control rooms together with relocated turnstiles and enhanced boundary treatment along St James Road in the form of the refurbishment and rebuilding of the existing stone/brick wall with additional metal fencing above at a height of between 2 and 4.5 metres, which due to the change in levels the height will be particularly noticeable onto Well Street frontage.

The application seeks to develop the land to the rear of the Big Bank stand within the curtilage of the football ground and part of the Yeo & Davey property's land to the rear of the three storey terraced properties which front onto Old Tiverton Road for student accommodation. It is proposed to build up to a total of 318 student bedrooms comprising of up to 312 students in new purpose built accommodation, via a combination of shared cluster flats, self contained studios flats and disabled accessible units, together with a further 6 student bedrooms within the refurbishment of No. 20 Old Tiverton Road. To facilitate these works it is proposed to demolish the existing garages/workshop; remove the existing Big Bank wc block and clear trees and vegetation alongside the Network Rail land to the north east of the site. A new vehicular access to the site is proposed as an internal connection from Stadium Way and a new pedestrian footway is to be provided from Old Tiverton Road via the & Davey site and between 20 and 21 Old Tiverton Road.

The original scheme sought to provide up to 312 purpose-built student bedrooms and studios were proposed to be within 3, 4, 5 and 6 storey blocks together with associated ancillary accommodation to include refuse and secure cycle storage, administration and management suite, student common room facilities, plant rooms, laundry room and storage areas within a gross internal floor area of up to 10,159 sq metres. In addition, associated external works are proposed for the student block to include external student amenity areas of hard and soft landscaping together with access for emergency vehicles and refuse collection vehicles and up to 5 parking spaces for disabled and management staff use.

The student accommodation has been designed with a series of distinctive 6 interconnecting blocks ranging from 4 to 6 levels. The 6 storey block would have a maximum height of 18.5 metres when measured from the new ground level, stepping down to 15.8 metres at 5 storey and 12.8 metres at 4 storey level. The site has significant changes in levels and whilst the development overall seeks to regularise the ground floor level of the new accommodation, a stepped level is incorporated alongside the railway embankment, The original scheme sought to provide a series of three blocks of 6 storey facing towards the railway embankment with one block reducing in height to 5 storey closest to the Old Tiverton Road/Prospect Park junction. The recently revised scheme proposes a 5 storey block adjacent to the Big Bank, stepping up for one block to 6 storeys before reducing in height to 5 storeys and then 4 storeys closest to the Old Tiverton Road junction. The height of the blocks to the rear remain unchanged in terms of height and layout. The proposed 6 storey element of the new build would establish a parapet line approximately 1 storey higher than the ridge line of the Old Tiverton Road properties and is between 55 metres and 70 metres away from these existing

properties. The accommodation blocks closest to the rear of this terrace reduces in height to 5 and 4 storey and retains a minimum distance of approximately 30 metres.

The new student building is predominately to be constructed of brickwork together with natural slate effect rainscreen panelling and large areas of glazing. The buildings have been designed to comprise of three simple bands at horizontal level incorporating two different coloured bricks on the lower levels with the upper floor constructed of the rainscreen cladding. On the vertical elevation the design seeks to achieve a clear separation between the block through the use of full length panels of glazing set with a projecting frame. The elevations to the Big Bank and closest to Old Tiverton Road are purposely blank, although it is noted that the latter elevation includes the use of climbing plants to soften the building's appearance to the residential properties. To complement the design of the building the layout of the site includes areas of landscaping, amenity space and tree planting alongside the rear boundary of properties in Old Tiverton Road.

Following receipt of the revised plan the gross internal floor area of the new build student accommodation has reduced from 10,159 sq m to 9,322 sq m due to the reduction of the upper floors. However the total bedspace/room numbers for the new build student accommodation remains unchanged at 312 beds and with the addition of a further 6 bedrooms at No.20 Old Tiverton Road still represents a total of 318 rooms. Following receipt of the amended plans the bed mix has however changed with the total number of self-contained studios being reduced from 139 to 124 bedrooms and cluster flat bedrooms increased from 173 bedrooms to 188 bedrooms in 6 room rather than 5 room cluster flats.

The application will include the refurbishment and internal alteration of the existing terraced property at No. 20 Old Tiverton Road (Use Class C3) to provide accommodation for up to a maximum of 6 student bed spaces (Use Class C4) with shared facilities, with a gross internal floor area of up to 224 sq metres. In addition, external works and landscaping of the grounds of No.20 Old Tiverton Road is proposed to provide a new pedestrian and cycle access to the new student blocks from Old Tiverton Road.

## **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

### **Design and Access Statement**

The Statement contains detailed sections on the site's context and site appraisal; assessment of student use, sustainable design, student management plan, number, layout, scale, landscape provision, appearance and access arrangements (including cycle and vehicular parking) and an overview of the football stadium facilities including new grandstand, away end and additional Club facilities.

### **Planning Statement**

The Statement considers that the strategic policy to allow purpose-built student accommodation within Exeter City is a permissive policy and is complied with. The policy aims to meet the housing needs of all the community within the city including students. Locations close to the campus are encouraged.

It is considered that the St James Neighbourhood Plan policies on purpose-built student accommodation have to follow this strategic policy to remain in conformity with the development plan. The policy does allow for purpose-built student accommodation but not increasing numbers of HMOs.

The proposals for a site under Policy SD1 are adhered to by being comprehensive and meeting a strategic need at the affirmed biggest development opportunity in the ward. Moreover the scheme clearly is part of a comprehensive approach which will allow improvements to the ECFC ground. This is an acknowledged local benefit supported by Policy SD1 and by past decision at appeal by the Secretary of State where one development can provide for another and be taken into account as having significant weight.

The scheme is not for HMO development and therefore does not offend C1. The scheme is for a larger-scale student accommodation hub and therefore meets policy C2.

Whilst the applicants do not consider that the strategic and non-strategic policies are offended, it may be that the LPA does not agree that all the various criteria are met and therefore the LPA can, in line with Section 38(6) of the Act, move on to consider if 'other material considerations' indicate that despite not conforming totally with policy, these are sufficient to outweigh any harm to policy and therefore to allow the development to go forward.

These other material considerations that the LPA would use are the local community benefits that the ECFC brings to the area and the wealth created and shared within the community; the improvement to the visual appearance of the area and the location of the site in relation to the University and City centre; the design of the new buildings are all capable of being material considerations to be taken into account.

Additionally Secretary of State decisions acknowledge that one land use assisting another can create a benefit of significant weight in the decision making.

It is a material consideration that the very many supporters of ECFC want improved facilities and support the scheme through the public consultation carried out and equally it is a material consideration that the community of St James support ECFC and the policy to maintain its vitality and viability, whilst desiring due weight to be given to maintaining a balanced community.

### **Heritage Statement**

The aim of the Heritage Statement is to determine the presence or absence of archaeological and cultural heritage assets and the character, survival and state of preservation of such assets on/in the vicinity of the application site. The Heritage Statement also provides a comprehensive understanding of any identified historic landscape assets and also assesses the potential visual effects of the proposed development upon the settings of nearby designated and non-designated heritages assets (listed and undesignated buildings and conservation areas).

The Heritage Statement concludes that:-

- There are no registered World Heritage Sites, Archaeological Areas, Scheduled Ancient Monument, Conservation Areas, Registered Parks and Gardens or Registered Battlefields wholly or partly within the Assessment Area. The Site does not contain any designated heritage assets for which there would be a presumption in favour of preservation in situ and against development.
- There are no Listed Buildings or Local Listed Buildings within the Site, although there are Listed Buildings adjacent to the south and east, and unlisted but locally important buildings in the area. There are no Exeter Historic Environmental Records entries recorded on the Site.
- The professional judgement of Nexus Heritage is that, should the local planning authority be mindful to determine the application without further archaeological/cultural heritage information, the low likelihood of archaeological interest at the Site could be safeguarded by the imposition of a suitably worded condition on consent.
- It has been assessed that such a development on the site is unlikely to have any unacceptable adverse effects on the setting of the designated or undesignated heritage assets identified within the outside the Assessment Area. None of the setting of any designated or undesignated heritage assets would be undermined by the proposed development and the historic significance of heritage assets would not be indirectly harmed. Furthermore, the neglected, unattractive nature of the development site and its important location between two Conservation Areas makes it important that this site is enhanced.

Overall, it is considered that the development would enhance the setting of the listed buildings, unlisted buildings and conservation areas and, as such, the proposal conforms to national and local policy.

## **Statement of Community Engagement**

The public consultation process for this application was held across a number of different channels. The centrepiece of the dialogue with the local area was two public exhibitions. These were held in July and October at St James Park, and both exhibitions consisted of two public sessions held on a weekday and a weekend. Local residents were invited to these sessions via paper correspondence issued across a 0.3 mile radius of St James Park itself. Notices were also issued to the press. At the exhibition, detailed plans were on display to demonstrate how the planning application was evolving, and members of the project team were on hand to field questions from the public. Feedback forms were used to gather opinions. The July event had around 350 attendees (with around 180 feedback forms collected), and the October event had around 200 attendees (with around 130 feedback forms collected).

At the July event, 67.8 per cent of respondents were recorded as in favour of the proposals, with 17.3 per cent recorded as 'unsure' and 14.7 per cent recorded as against. At the October event, 67.6 per cent of respondents 9.7 per cent were unsure and 17.2 per cent were recorded as against.

A website and a Twitter feed was used as an additional means of issuing information to the local area and gathering opinions before the application was submitted. At the time of submission 6,406 users carried out 8,336 separate sessions on the website itself, resulting in a total of 23,011 page views. 202 people left feedback on the plans via this website. Meetings were also held with local residents and community groups. Three separate meetings were held with the St James Neighbourhood Forum to discuss the plans. Seven meetings were also held with individual near neighbours to address their concerns and provide further technical details on the plans.

## **Town and Visual Impact Assessment**

The report has assessed the townscape and visual effects of the proposed developments at St James Park Football Ground and Yeo & Davey site. The assessment has considered both the application for enhancement to the Football Ground and student accommodation and the mixed used development fronting onto Old Tiverton Road (see planning application 15/1275/03). The detailed proposals, which have been developed through an iterative design process with consultation with local residents, St James Neighbourhood Forum, Exeter City Council, stakeholders and the Devon and Somerset Design Review Panel, has been informed by the emerging townscape and visual impact assessment.

The proposed development is assessed as having an overall moderate-major beneficial impact on both townscape and visual receptors.

During the construction phase the proposed development will have a moderate-major adverse townscape and visual impact.

Mitigation and enhancement proposals have been incorporated into the scheme to enhance the positive effects of the proposals on the site and its context. It has been demonstrated that the proposals are in-keeping with and will also lead to a further enhancement of, the existing townscape and landscape character. The development will result in the redevelopment of a poor quality brownfield site and enhancement of poor quality parts of the Football Ground, and the creation of a new positive townscape and landscape character to this part of Exeter.

## **Transport Statement**

Access to the development will be via Stadium Way with road and footway arrangements providing access to the student accommodation units. In addition a dedicated pedestrian access will provide a link to Old Tiverton Road.

The proposed masterplan shows that the development will remove the existing informal football club parking at the site and restrict parking to 3 disabled spaces and 2 management staff spaces for the purpose-built student accommodation.

The scheme allows for 184 bicycles to be stored indoors under secure conditions in line with the adopted Sustainable Transport SPD. It is proposed that service vehicles access the development via Stadium Way.



Arrangements for the arrival of students at the development at the beginning of the University term (and departure at the end of the University term) will be managed by the operator through a student move in management framework.

The proposed improvements to the St James Park Football Stadium will produce no additional traffic arriving/departing the site and it is proposed that the existing match days travel plan will continue to be used to manage spectators to/from the site.

The development is considered to be an extremely accessible location for student accommodation, ideally located for walking trips to the city centre. There is also a wide range of both bus and train services for local journeys from the site to be made by sustainable modes of travel.

A proposed framework for a Travel Plan that would introduced a package of measures aimed at promoting the use of sustainable modes of travel from the purpose-built student accommodation has been provided. This includes a commitment for collaborative working with the University Travel Plan Coordinator and cross promotion of the main University Travel Plan.

In conclusion, the development site is considered to be in an extremely accessible location ideally located for sustainable travel to the University with good public transport opportunities for travel around Exeter and to destinations further afield. It is therefore considered to provide good opportunities for travel to/from the site to be undertaken by sustainable modes, thereby fulfilling the requirements of the NPPF in this respect. The redevelopment of the Stadium will not result in a significant increase in visitors and the proposed review of the match day travel plan will mitigate any transport impacts appreciated with the development of the future. The development proposals are therefore considered to be acceptable in transport terms and that there should be no highway related reasons to prevent planning permission being granted.

### **Social Benefit Report – ECFC Impact and Value of Community Work**

The reports seeks to provide an objective assessment of the impact and value of both Exeter City FC programme and the wider club's work in the community. The report was informed by an analysis of data relating to community projects delivered over the year; commercial information relating to the club's wider economic impact; consultation with key personnel and the range of public and voluntary sector organisations that the club currently works with. The report addresses the community work the club does, the community the club work with, impact and value of the club as an organisation and the impact and value of the club's community work, In summary the report found:-

- The community programme employed 24 permanent staff and over 60 part time coaches.
- Employees attract wages and salaries in the region of £2,500,000 pa.
- The club itself spends nearly £500,000 pa with suppliers based in the south west of England.
- Community programmes attracted over 8,000 individuals who overwhelmingly live in Devon and the neighbouring counties of Cornwall and Somerset and who engage in over 40,000 hours of activity.
- A series of long-term development projects are delivered, including Creating Chances, a Football and Education Development programme, a Foundation degree course and BTEC Level 2 and 3 courses as well as national programmes including the National Citizens Service, Satellite Club Programme and Doorstep Sport.
- The club is supported by 128 volunteers who contribute over 28,000 hours of their time which has been valued at £310,000.
- 77.36% of stakeholders thought that Exeter City helped to deliver a social impact that would not otherwise have been possible.

### **Student Accommodation Management Framework**

This document provides details of the management and operational framework to support the student accommodation including management philosophy and services; on site management (to include on site manager during normal office hours and paid fully trained wardens out of hours); procedures for dealing with management problems (includes secure

gate control entry into the site and clearly displayed 24/7 telephone contact details); safety and security measures (including CCTV, proximity fob access control to all doors and external gates, intercom to all flats and studios, internal bike stores and an on-site management team); room allocation process; car parking (tenancy agreement to state that, other than disabled badge holders, no residents shall park with 1 km of the site and should not apply for residents parking permits); arrival and departure process.

### **Viability Report on Alternative Residential Development Options**

JLL were initially appointed by ECFC in 2011 who concluded that neither a residential scheme or student scheme (approx 500 beds) were viable to meet the cost of the club's improvement requirements. In 2013 a City Council/private developer financed affordable housing option was also deemed unviable. The latest viability assessment was requested by the St James Forum considers a number of alternative schemes (which excluded the cost of acquiring the Yeo & Davey site) as a residual land ie the money that can be reinvested into the new stand and club facilities expressed as a percentage of the land value created by the student housing scheme with student housing representing 100%. The report states that private rented without affordable provision provides a 50% land value; private rented with affordable housing to policy requirement negative value; open market sale without affordable 55%; open market sales with affordable 25% and retirement living 50%.

The report concludes that student housing generates a much higher land value than private rented, open market sale or retirement homes and that the student scheme is the only viable development which can deliver a new family stand, new changing facilities and improvement facilities and potentially a new temporary away stand.

### **Flood Risk and Drainage Strategy**

The FRA has been assessed in line with the NPPF. The site lies with Flood Zone 1 – low risk.

Surface water runoff from St James Park will use existing points of connectivity with the SWW public surface water network and will benefit from a minor reduction in peak rate and volume' reducing flood risk downstream. The existing stadium capacity and wc facilities will not be increased and therefore the peak foul discharge will remain largely unchanged.

Surface water runoff from the student accommodation scheme will not use the existing drainage to Network Rail's drainage system and will instead be pumped flows to SWW's public surface water network, as agreed with SWW. Similarly, foul flows from this development will be pumped into SWW's public combined water network, as agreed with SWW.

Exceedance flows are being directed away from the primary vehicular access/egress routes. Whilst there is potential for localised internal flooding of the student accommodation building during exceedance events, the severity of this has been mitigated through the development and the inclusion of SUDS and attenuation/emergency storage.

The report concludes that the development can be undertaken in a sustainable manner, without increasing the flood risk to existing properties in the downstream catchment. The FRA does not attempt to present a final design of the surface water system.

### **Ecological Impact Statement**

There are no statutory designated sites of nature conservation value within or immediately adjacent the site. Slow worms, a legally protected and priority species, were recorded within a small patch of grassland. The site provides suitable nesting and foraging habitat for a variety of birds and their nests, eggs and young are legally protected. No bat roosts were recorded within the buildings on site with a relatively small area of habitat suitable for foraging bats. A low level of common pipistrelle activity was recorded during the bat surveys but the site was not important for foraging bats. Japanese knotweed, which is an invasive and legally controlled plant species, was recorded within the site.

The report concludes that, without mitigation, the proposed development would result in the loss of tall ruderal/ephemeral/short perennial grass and shrub containing scattered trees with a potential for direct adverse impact to common amphibians, reptiles, nest birds and

hedgehogs. Measures to mitigate adverse impacts and provide a net gain in biodiversity would include the following:

- measures would be undertaken to ensure legal compliance with regard to reptiles and nesting birds. This would require translocating reptiles to a receptor site and avoiding impacts to nesting birds by removing vegetation outside of the bird breeding season;
- habitat creation would include native scrub and meadow grassland. This would increase the areas of ecological value within the site and provide habitat for birds, bats and reptiles;
- the post –construction lighting scheme would be designed to minimise additional light spill on the adjacent railway verge;
- bird boxes would be installed on new buildings within the site. These would include boxes targeted at declining urban species such as swifts.

### **Arboricultural Impact Statement, Tree Survey & Tree Protection Plan**

The northern, railway line, boundary contains two groups of sycamores that whilst prominent have a limited viability due to the inherent structural weakness and their impact on the adjacent railway line. Other low value trees within the garden of 20 Old Tiverton Road and scrub vegetation to the north will be removed. These trees have a very low amenity value and the impact of their loss is very low. A lime tree will be retained on the railway embankment boundary and there is sufficient space to protect the tree during the construction stage. The tree will not cast excessive shade of the proposed buildings and a good spatial relationship has been achieved.

The proposal includes a landscaping scheme that includes extensive tree planting. The level of proposed planting is good and provides large species specimen trees to compensate for the loss of the sycamores. There will be an overall net gain in the quality and quantity of trees on site.

### **Site Contamination Report/Geo Environmental Desk Study & Ground Investigation Report**

Environmental testing identifies elevated concentrates of lead, arsenic TPHs and PAHs across the site. Due to the hard covered nature of the proposed development it is considered that capping of proposed landscaped areas will provide adequate mitigation to human health risks. With regard to petroleum hydrocarbons, further assessment is required in certain areas to determine the extent of soil and groundwater contamination and required remedial measures. In addition, following demolition, further assessment is required within the footprints of the existing buildings. Asbestos containing materials could be present within the existing building and evidence was found within made ground adjacent to the Stagecoach stand. An asbestos survey is recommended prior to demolition. Should further testing and assessment identify areas of unacceptable risk. Appropriate remedial measures would need to be implemented. A detailed remediation strategy should be prepared and any remedial works and associated clean up levels would need to be approved. Additionally a Validation Statement would need to be prepared upon completion of any remedial works, detailing the works undertaken and the results of the associated testing.

### **Noise Assessment**

The survey has shown that noise impacts are relatively modest from the railway line, as the trains which use the line are commuter sprinter class and there are few trains which pass the site overnight. The highest sound levels were recorded overlooking Old Tiverton Road (due to road traffic), however the site is sufficiently set back that it is sufficiently quiet that required standard of noise levels can be achieved with standard thermal double glazing and standard slot type trickle vents. However in some instances these windows will need to be closed to achieve the required noise levels.

### **Air Quality Assessment**

It is inevitable that with any development construction activities will cause some disturbance to those nearby however following the implementation of appropriate mitigation measures,

impacts associated with the construction of the development are likely to be insignificant. The modelling assessment shows nitrogen dioxide and particulate matter concentrations at the application site to be less than 75% of the relevant air quality objectives in relation to local traffic emissions. Based on the above the development would not introduce new receptors into a location of poor air quality and therefore impacts associated with a new exposure are considered to be negligible. Consequently it is considered that air quality does not pose a constraint to redevelopment of the application site as proposed.

### **Student Accommodation Lighting Assessment**

The use of carefully selected LED luminaires with precise photometric controllers allows the external areas of the development to be illuminated to provide an attractive lighting environment as well as ensuring the lighting levels are sufficient to permit CCTV surveillance of the surrounding area thereby providing a safe environment commensurate with the developments proposed use. Using modern optically controlled luminaires, it is possible to limit light spillage onto adjacent areas and to avoid issues with red lighting in order to conform to Network Rail Standards.

### **Stadium Floodlighting Impact Assessment**

Concludes that once the existing floodlights have been relocated from the existing Stagecoach Stand to the new Well Street stand, they will have no additional impact on any surrounding areas through increased light spill.

### **Site Waste Management Plan**

This outlines how the operational and construction periods of the project will manage site waste to meet objectives set out by DEFRA for reducing the amount of waste produced, and resulting impact on landfill sites.

## **REPRESENTATIONS**

1526 in **support** received in the form of letters/emails and postcards (this represents 846 of the total). Principal issues raised:-

1. General support for the continued success of the football club and progression proposal could facilitate;
2. Importance of the football club to image/economic growth of the city – Civic Pride;
3. Important to future of football club and benefits it brings to City – publicity, tourism, business;
4. Helps to secure future of an important social/cultural asset and entertainment/leisure facility within the city centre – sustainability benefits;
5. Strong football club benefits City/Community;
6. Existing stand urgently in need of replacing – financial liability to club, eyesore, not fit for purpose, health and safety issues;
7. No other means by which to refurbish or replace it i.e. No Plan B;
8. Better quality facilities for players/officials and spectators are vital;
9. Enhance away supporter facilities – encourage more to attend/visit City and improve their perception of the City (currently could perceive negatively/rundown);
10. New stand better access – relieve queuing and alleviate associated match day traffic issues on Well Street;
11. Club needs better facilities = more people attending = more visits/spending in the City;
12. Club is well run financially living within its means – proposal facilitates improvements without compromising this – maintains position of club as a positive model for Trust/Fan ownership of Football Clubs;
13. Better facilities more likely to encourage youngsters to attend;
14. Help maintain and enhance/expand community/charity work of the club – which in times of austerity is important given cuts to local authority budgets/community programmes;

15. New stand incorporate facilities that could be shared with/used by local community when not in use on matchdays;
16. Provide local retail outlet/facilities for area;
17. Will enhance the visual appearance of the area – improvements to frontages of Well Street and St James Road and Livery Dole garage site/Old Tiverton Road;
18. Opportunity to upgrade run-down part of City, provide modern facilities for football, enhance community facilities at zero cost to residents and Council;
19. General visual improvement – enhance local property values;
20. Good brownfield site for development to meets needs and efficient use of land;
21. Jobs associated with construction works;
22. Addresses accommodation issues associated with University expansion which is essential for related business growth in City;
23. Connection between success/growth of University and higher property values;
24. Provides high quality student accommodation which could release pressure on family housing locally;
25. Benefits of concentrated well managed student accommodation;
26. Concentration of students in area inevitable given proximity to University - students naturally want to live close – has benefits in terms of sustainability;
27. Proposed buildings sufficient distance from neighbouring/surrounding properties to not have any significant detrimental effects;
28. Consistent with planning policies Core Strategy Policy CP5, Neighbourhood Plan Policy SD1– improves frontages to Well Street and St James Road, comprehensive redevelopment proposal, and secures future of football club;
29. Football club is part of community and therefore its needs must be considered as part the ‘balance of the community’ when assessing proposal.

5 letters of **comments** received (including Exeter Civic Society). Principal issues raised:-

1. Preferable that the student accommodation should be located within the University grounds;
2. Built form should be no higher than two/three storeys;
3. Area should be used for young working families;
4. Concern about loss of informal parking areas for residents of Lucombe Court;
5. Elevational treatment to the away end should be improved;
6. Layout, access and management appears adequate but elevations to student blocks could be more attractive;
7. Need for funding from student accommodation essential for the stadium’s improvement works;
8. Purpose built student accommodation will reduce demand for shared student houses in the area;
9. Scheme will result in better management of students in the area including better waste management procedures;
10. Longer term aims of the Club should be investigated further.

125 **objections** to student accommodation element of the scheme. (2 of the objection letters included negative comments to the Football Club element stating that the stadium design appears utilitarian/dull/identikit design/lifeless metal box and concerns that the temporary away stand will remain long term). Objections included Prospect Park Residents Association and Bury Meadow Residents Association. The following comments relate to the principle of student building use and appearance:-

1. Height, scale, bulk and massing of building out of keeping/ unsympathetic/inappropriate/overbearing to the surrounding residential area;
2. External appearance unattractive/ugly/eyesore/visually intrusive/’prison like’/lacking in imagination/’box like’/grim/ill –conceived/characterless/no aesthetic or architectural merit/monolithic/’blot on the landscape’;

3. Scale and height of new buildings will alter and degrade the areas as demonstrated by the current development at the Cricket Club ground;
4. Six storey development will have no visual compatibility with the areas mainly two/three storey residential character;
5. Detrimental visual impact on both local and wider view points;
6. Proposed material does not complement the existing palette of materials used in the area;
7. Potential overlooking and loss of privacy from students to properties in Old Tiverton Road and Prospect Park;
8. Over-dominance and loss of outlook from properties in Old Tiverton Road, Prospect Park and South View;
9. Concern over security issues;
10. Insufficient amenity space for future student use;
11. Contrary/disregards the principles of the St James Neighbourhood Plan particularly in regard to the need for a balanced community;
12. Undermines overall aims of the St James Neighbourhood Plan;
13. Site should be used for alternative residential uses eg affordable housing/ a more varied housing stock/ properties to buy rent for families/first time buyers/elderly/care home/key workers or hotel;
14. Scheme with little/no evidence that purpose built student accommodation will reduce the number of Houses of Multiple Occupation (HMOs) in the area and return existing houses back into family homes;
15. Already disproportionate high number of students in the St James area, danger of St James becoming a student ghetto;
16. Contravenes the Article 4 Direction in place in the area which restrict HMOs specifically the conversion of 20 Old Tiverton Road;
17. Density of scheme out of character with area given an existing student population in the St James area of over 55%;
18. Student block will meet the needs of increased student numbers not reduce the pressure on houses that are currently HMOs and allow them to be converted back into family homes and therefore no reduction in HMOs and will potentially lead to further pressure for conversion of existing houses to HMOs in second and third year as students move out of purpose built student accommodation;
19. Negative impact on the existing community;
20. Fails to provide the well designed mixed use development on the Football Club/Yeo & Davey site required by the Neighbourhood Plan;
21. Scheme does not provide a mix of uses as required by the Neighbourhood Plan and there would be no linkage between the Football Club and student use;
22. Lack of financial appraisal submitted to determine whether other residential options are available to provide sufficient money to fund club's redevelopment needs;
23. Financial viability should not outweigh an inappropriately designed development;
24. Already too many student living in the city;
25. Detrimental impact on adjacent Grade II listed buildings;
26. Disagree with the Heritage Statement that impact on listed properties in Old Tiverton Road will be 'at worst neutral';
27. Adverse affect on the character and appearance of Belmont Conservation Area.
28. Increased traffic generation/flow in the area;
29. Single vehicular access into the site insufficient for traffic attracted;
30. Existing parking for football fans, particularly disabled fans, behind the Big Bank would be lost;
31. Insufficient parking available leading to pressure on already existing congested St James streets;
32. Increased late night noise/litter/unsociable behaviour/potential vandalism from students;
33. Potential for mental health problems to increase for existing residents due to the above;
34. Potential for increased flooding in the area;

35. Concern over stability of the railway embankment;
36. Loss of existing trees on the top of the railway embankment;
37. Detrimental impact on existing wildlife and biodiversity particularly along the railway corridor;
38. Lack of structural soft landscaping compatible with a student block of this size;
39. Loss of existing commercial units leading to loss of employment;
40. Development will contribute to reducing 'access to the dark night sky';
42. Increased light pollution in the area;
43. Supporters do not live locally to the club and therefore do not understand the existing problems student accommodation causes;
44. Improvement to the football stadium not proportionate given its relatively infrequent usage against the disruption caused by a permanent onsite student accommodation;
45. Scheme would restrict the football club from expanding;
46. Unfair for residents of St James to suffer most from development that will benefit the aspirations of the football club;
47. Student schemes should be concentrated on the University campus or distributed more widely around the city;
48. Noise pollution during construction works;

St James Neighbourhood Forum object stating that:-

1. The planning application does not comply with the over-arching aim of policies in Exeter St James Neighbourhood Plan which seeks to improve the balance of the community;
2. Specifically the scheme fails to satisfy Policy SD1 – Football Club/Yeo & Davey site. This policy was intended to support the Exeter City Football Club and enable it to remain in St James. However the proposal fails four of the six clauses in the policy;
3. In respect of Policy SD1 (a) the Forum are deeply concerned about the proposals for the frontages on Well Street, the railway corridor and, to some degree, St James Road. The large monolithic blocks of student accommodation the railway corridor will have a dominating impact on the surrounding residential on the surrounding residential neighbourhood. The Well Street elevation of the replacement stand is utilitarian and functional. Replacing the existing stand with another industrial-looking facility is out of character with the area. This was an opportunity for interesting design and good-looking materials;
4. In respect of Policy SD1(b) the student blocks do not satisfy the requirement for development appropriate to the scale, form and character of the residential nature of St James. The mass of the multi-storey blocks will be seen from many viewpoints. If it was an innovative design, with variation in heights and material and on a more sensitive scale, the impact of the new development could be positive. The Forum find the proposed design to be unimaginative and not in keeping with the general character of the area;
5. High standards of sustainable design have not been demonstrated as required by Policy SD1(c);
6. The scheme does not take account of the need to improve the balance of the community as required by Policy SD1(d). There is no alternative interpretation to this clause, as claimed by the applicants. As part of the main policy and linked with other policies in the Neighbourhood Plan, its intent is clear. With a student population of 53% (2011 census), another 327 students in St James cannot be said to improve the balance of the community. St James is a desirable residential area for people at all stages of their lives.  
The recent growth in purpose-built student accommodation (PBSA) numbers in St James and other wards is coupled with the growth in the number of students at the University of Exeter. The application Planning Statement show that the accommodation needs of students are being met. The provision of student accommodation to the

exclusion of all else is not a justifiable reason to overturn the Neighbourhood Plan policy.

- Contrary to the applicants' assertion, more PBSA places in St James are not reducing the number of student HMOs to any degree and will not do so for several more years;
7. Policy C2(a) states that PSBA will be permitted in locations that are not predominantly characterised by intact streets of traditional housing. In the introduction to Policy C2 suitable locations are named. The Football Club/Yeo & Davey site was intentionally not one of them. The surrounding streets all have traditional housing;
  8. The Forum recognise that ECC has an agreed strategy with the University of Exeter to bring forward suitable sites for PSBA. However this is balanced by reference to Exeter Site Allocations draft DPD policy DD12 (PSBA and residential amenity) and policy DD13 (development will not result in unacceptable harm to the amenity of neighbouring residents).
  9. The Forum are well aware of the Football Club's financial difficulties and had hoped that they would reach a more satisfactory position before deciding on these development proposals. However, the viability of enabling development for a replacement stand and other improvements is not a relevant planning consideration on this site. Development proposals should be considered on their planning merits;
  10. No 20 Old Tiverton Road is in an area where the Article 4 direction should apply and therefore objection in principle to the change to an HMO.

## **CONSULTATIONS**

**County Head of Planning Transportation and Environment** comments that the proposed works to the Grandstands will result in a small increase of capacity in the family stand of 200 seats (from 1,400 to 1,600) and a slight decrease in the away end of 40 (1040 to 1,000). Considering the stadium capacity of 8,500, the additional 160 capacity proposed in this application is not considered a significant change and the existing match day travel strategy need not be amended.

The Grandstands do however represent a significant construction project with a number of elements that have potential to impact on the adjacent public highway.

The developer has provided an outline of the anticipated works including the associated footpath restrictions, parking restrictions and localised traffic management that may be needed during parts of the works. In principle, this gave comfort that the overall scope was broadly acceptable. Nevertheless, the detailed proposals will need to be agreed and secured through a CTMP.

The submitted plans also indicate significant structures against the highway. To ensure the safety of users of the highway, the applicant is advised that any structures adjacent the highway of height greater than 600mm will need to be checked and approved by the DCC structures team. To ensure that no part of the grandstand developments take place until these approvals have been provided a condition is therefore recommended. The applicant is advised that the cost associated with implementing any footway or vehicular restrictions and structural design checks will need to be met by the applicant.

### *Student Accommodation*

The most significant elements of the proposed 312 student units are the pedestrian and cycle flows to and from the site and the vehicle movements associated with student pick up/drop off at beginning/end of terms.

Pedestrian access points providing access east to Old Tiverton Road along Station Way, adjacent 20 Old Tiverton Road and to the proposed development at 31-35 Old Tiverton Road are proposed. To ensure suitable pedestrian accessibility to and from the main destinations



of the university and the city centre the connections to the south east onto Old Tiverton Road and north East to the adjacent mixed use development on 31-35 Old Tiverton Road should be in place when the block opens.

In addition, the applicant has been asked to ensure that the layout does not restrict the potential for a future pedestrian route through the west of the site to the northern boundary with the rail line and onwards towards St James Station. This would provide excellent access for the site and enhance access to the station for residents of St James. Whilst it is accepted the applicant is unable to deliver this as part of the application, we would wish to ensure that the potential for such a link in future is not jeopardised by this development.

To cater for travel demand, secure cycle parking for 185 bikes is proposed. This provision, spread between a store in the north east corner for 60 bikes and for 125 bikes on the lower ground floor is acceptable. The provision of these facilities should be secured by condition.

On-site arrangements provide for 5 formal parking spaces, 3 of which are to be marked as disabled. The applicant has however provided an indicative plan as to how 9 on-site spaces can temporarily be provided for student pick up and drop off periods which they believe, based on experience of other similar sites will be sufficient. Considering that pick up and drop off occurs over a number of weeks, that occupants come by various modes and that specific time slots allocated to each occupant and the 9 spaces *could* be sufficient. This does however appear to be dependent on the spread of arrivals over different weekends and therefore it is recommended that provision is secured through the management agreements in the S106 to provide funds for up to 5 years after opening for any parking restrictions that maybe required in the vicinity.

The submitted documents make reference to a framework Travel Plan. This is welcomed and a condition is recommended agree the details of the information and for its implementation.

The application also includes the conversion of 20 Old Tiverton Road into 6 student rooms. The proposed change is not a concern from a highways perspective. Nevertheless, in accordance with current policy and to ensure appropriate facilities are provided for the traffic attracted to the site we would expect to see sufficient facilities for cycle parking provided on site. Details of and provision of these should be secured by condition.

In summary, the impact of the development is acceptable in highway terms and suitable vehicular and cycle parking facilities are proposed for the traffic attracted to the site. Conditions as part of any planning approval are therefore recommended to secure the management of the construction phase, approval of structures and on site facilities.

**Historic England** comment that although the existing stand holds limited architectural merit it does hold some historic merit and therefore a building recording should be undertaken. In respect to the replacement stand no comment is made other than to state that it is utilitarian in appearance and to note that the height has been increased. However specific comment is made regarding the works to the stone boundary wall on St James Road, which will be a significant improvement to the setting of the St Sidwells conservation area. Further comment is made on the visual impact of the student accommodation which is described as an unremitting bulk and mass and in particular the most intrusive views along the railway cut on the approach into the Belmont Conservation Area along Old Tiverton Road. It is suggested that changes could be made to break up the overall massing of the building by for example setting back the upper levels, creating greater steps in the roof line and careful choice of material to give the building a recessive quality. In addition, comment is made about the potential impact of the student block on the setting of the grade II listed building in Old Tiverton Road (Nos. 21 to 30 inclusion and No.36 & 37) Subject to further consideration of these issue Historic England recommend that the application should be determined in

accordance with national and local policy guidance and on the basis of the Council's specialist conservation advise.

**Network Rail** raise no objection in principle subject to specific comments made in respect of fencing, drainage, safety, encroachment, access to railway, proximity to boundary, buildings to take account of noise, vibration and dust due to proximity to railway, landscaping, plant, scaffolding, cranes and lighting.

*The applicant has responded stating that they have meet with Network Rail and entered into a Basic Asset Protection Agreement and discussed in detail the points raised in their consultation response. In particular the applicant comment that the structural design of the proposed buildings will take into consideration the impact of stability, noise and vibration on the Network Rail land and infrastructure. Design information will be sent to Network Rail for approval prior to works commencing. It is envisaged that a piled substructure solution will be employed which will mitigate any issues relating to the embankment or rail line stability.*

**County Flood Risk officer** views are awaited.

**Police Architectural Liaison Officer** views are awaited.

**South West Water** raise no objection.

**Environmental Health officer** raise no objection subject to the imposition of conditions in respect of a Construction and Environment Management Plan, contamination, noise and to cover the installation of kitchen equipment within the new stand.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance - National Planning Policy Framework**

- 4. Promoting sustainable transport
  - 6. Delivering a wide choice of high quality homes
  - 7. Requiring good design
  - 8. Promoting healthy communities
  - 11. Conserving and enhancing the natural environment
  - 12. Conserving and enhancing the historic environment
- Plan making  
Decision making

### **Exeter Local Development Framework Core Strategy**

CP5 - Student Accommodation

*Relevant text states that:-*

*The supply of housing should meet the needs of all members of the community such that:*

*-all major development (10 or more dwellings should include a mix of housing informed by context, local housing need and the most up to date Housing Market Assessment;*

*-purpose built student accommodation should be provided to meet the housing need.*

CP10\_ - Meeting Community Needs

CP15 - Sustainable Construction

CP17 - Design and Local Distinctiveness

### **St James Neighbourhood Plan March 2013**

D1 - Good Quality Design

C1 - Houses in Multiple Occupation

## C2 - Large Scale Purpose Built Student Accommodation

*Large scale purpose built student accommodation will be permitted in areas where it can be properly integrated into the urban area. This means locations;*

- a) that are not predominantly characterised by intact streets of traditional terraced, semi-detached and detached forms of 2-3 storey residential development;*
- b) where the servicing and parking requirements could be achieved with no unacceptable impact on the amenity of the adjacent area for residents;*
- c) where the scale and massing of any purpose built accommodation proposed would be broadly similar to that of surrounding buildings.*

## SD1 – Football Club/Yeo & Davey Site

*Proposals that secure the continued vitality and viability of the Football Club and encourage comprehensive well-designed mixed use development will be supported provided they would;*

- a) result in positive, attractive and well-designed frontages of an appropriate scale to Well Street, St James Road, Old Tiverton Road and the railway corridor;*
- b) be of a scale, form, and character appropriate to the residential nature of St James;*
- c) adopt high standards of sustainable design;*
- d) take account of the need to improve the balance of the community;*
- e) adopt layout and arrangement of access and egress that minimise the impact of additional traffic on surrounding residential streets such as Oxford Road;*
- f) encourage a flexible and 'joined up plan' for both the Football Club and the Yeo & Davey site.*

## H1 - Heritage

## SD4 - Adapting to Climate Change

## T1 - Sustainable Transport

## E1 - Employment and Enterprise

## **Exeter Local Plan First Review 1995-2011**

## AP1 - Design and Location of Development

## AP2 - Sequential Approach

## H1 - Search Sequence

## H2 - Location Priorities

## H5 - Diversity of Housing

*Relevant text- Student housing will be permitted provided that:*

- a) the scale and intensity of use will not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems;*
- b) the proposal will not create an overconcentration of the use in any one area of the city which would change the character or the neighbourhood or create an imbalance in the local community;*
- d) student accommodation is located so as to limit the need to travel to the campus by car*

## L9 - Sports Stadia

*Relevant text - Development of Land at, adjoining or associated with St James Park...will be permitted provided that:*

- a) the proposal retains and supports the principal sporting activity*
- b) it will not harm local amenity by virtue of noise, floodlighting, car parking, traffic generation or other disturbance.*

## T1 - Hierarchy of Modes

## T2 - Accessibility Criteria

## T3 - Encouraging Use of Sustainable Modes

C1 - Conservation Areas  
C2 - Listed Buildings  
C3 - Buildings of Local Importance  
C5 - Archaeology  
EN2 - Contaminated Land  
EN5 - Noise  
DG1 - Objectives of Urban Design  
DG2 - Energy Conservation  
DG7 - Crime Prevention and Safety

### **Development Delivery Development Plan Document (Publication Version) 2015**

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 - Sustainable Development  
DD7 - Allocated Housing Sites  
DD11 - Residential Conversions and HMOs

DD12 - Purpose Built Student Accommodation

*This policy seeks to protect residential amenity and to ensure that purpose built student accommodation is fit for purpose:*

*Purpose built student accommodation will be permitted provided the proposal:*

- a) respects, and contributes positively towards, the character and appearance of the area;*
- b) does not result in unacceptable harm to the amenity of neighbouring residents;*
- c) provides sufficient internal and external space for future occupiers;*
- d) makes appropriate provision for refuse storage, operational and disabled persons parking, servicing and cycle parking;*
- e) reduces the need to travel and would not cause unacceptable transport impacts; and,*
- f) is accompanied by a suitable Management Plan secured by planning obligation to demonstrate how the property will be managed in the long term.*

DD13 - Residential Amenity  
DD20 - Sustainable Movement  
DD21 - Parking  
DD25 - Design Principles  
DD26 - Designing Out Crime  
DD28 - Heritage Assets  
DD34 - Pollution

### **Exeter City Council Supplementary Planning Documents:-**

Sustainable Transport March 2013  
Development Related to the University June 2007  
Houses in Multiple Occupation (including Class C4 Uses) SPD

Longbrook Conservation Area Appraisal and Management Plan May 2005  
Belmont Conservation Area Appraisal and Management Plan May 2007  
St Sidwells Conservation Area Appraisal and Management Plan June 2007

### **OBSERVATIONS**

The proposed works to the football stadium in conjunction with the redevelopment of the Yeo & Davey site will have a lasting impact on the St James Ward and therefore careful consideration of the relevant planning policies and material planning issues is essential. The application includes two main elements, the redevelopment within the football ground and the provision of a new building for student accommodation, as outlined in the description of

site/proposal. The substantial number of letters, emails and postcards received emphasises the widespread support the Club attracts both within the City and the throughout Devon as a whole. It is acknowledged that the Club makes a valuable contribution to the City culturally, socially and economically and even though a significant number of objections have been received these are directed almost entirely against the student accommodation element of the scheme. This report will therefore principally assess the impact of the student accommodation, which has received more specific objection/comment and consequently requires more detailed analysis in terms of development plan policy and site specific matters.

### **Requirements of Exeter City Football Club**

The Club's main priority is to replace the old Stagecoach stand. It is clear from even the most cursory visual assessment of the existing stand its lifespan is limited and is currently in poor condition. This is confirmed by the annual meeting of the Safety Advisory Ground, which has warned the club that a safety certificate may not be renewed if improvements are not made, which would force the stand to close. This would have serious financial implication for the club through loss of gate receipts. In addition, a replacement stand would not only provide the opportunity for improvements to supporter's facilities but allows the club to relocate and improve existing facilities such as the players/managers and referee changing rooms. It is therefore considered that the improvements to the stadium, are to be welcomed. Indeed both the St James Neighbourhood Plan within Policy SD1 and the Exeter Local Plan First Review Policy L9 encourages development which continues to retain and support the football club in its current location.

To finance the replacement of the old Stagecoach stand the Club has previously explored a number of options, including development of the Fountain Centre and adjacent car park, as well as more ambitious proposals for schemes behind the Big Bank. The Yeo & Davey site has previously been identified as a potential housing site but has never come forward to application stage. The Football Club is one of the few in the country which is fan owned and therefore to finance the new stand and the associated stadium improvements a development partner is needed. Whilst this is an economic reality for the Club, in planning terms an assessment of land use suitability must be judged against the requirements of the relevant development plan policies. To assess these objectives consideration of the St James Neighbourhood Plan SD1 and Exeter Local Plan L9 is needed, although both these policies support the principle of development of the land behind the Big Bank stand and the adjacent Yeo & Davey site, subject to certain criteria. The redevelopment of this area is therefore wholly acceptable in principle and in conjunction with the application 15/1275/03 will result in the comprehensive redevelopment of the site. The applicant has sought to develop this area for purpose-built student accommodation. In response to a request by the St James Forum the applicant has provided an additional report which states that student use represents the only currently financially viable use which enables the site to be developed and provide the necessary funds required by the Club. As previously stated the need to rebuild the new stand in the short term, given its current state of repair is an important consideration for the Club. Consequently it is necessary to assess the appropriateness of purpose-built student accommodation in this location in respect of the relevant development plan policies.

### **National Planning Policy Framework: Determining applications**

The NPPF provides advice on the how planning applications should be determined within paragraph 196. When considering any application for planning permission it is particularly important to establish the acceptability of the principle of development. Section 38(6) of the Planning and Compulsory Purchase Act (2004) provides that: *'...if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.'* The first test, and the statutory starting point is whether the application is *'in accordance with the plan'* and it should be noted that the application has been advertised as a departure. The phrase in accordance has been the subject of debate in the High Court

in the context of Section 54A of the Town and Country Planning Act 1990. In his judgment of 31 July 2000 (R v Rochdale Metropolitan Borough Council ex parte Milne), Mr Justice Sullivan concluded as follows: '*...I regard as untenable the proposition that if there is a breach of any one Policy in a development plan a proposed development cannot be said to be "in accordance with the plan"... For the purposes of Section 54A, it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy therein*'. This Rochdale judgment is applicable to the interpretation of Section 38(6) of the 2004 Act and a decision must therefore be reached, as to whether the application is in accordance with development plan when it is considered as a whole. It is therefore necessary to balance the relevant policies as to where the proposal complies or breaches the development plan as a whole and against other material conditions.

### **Principle of student accommodation – Core Strategy Policy CP5**

Policy CP5 of the Core Strategy states that purpose-built student accommodation should be provided to meet housing need. In paragraph 6.28 it states that '*75% or more of additional student numbers should be accommodated in purpose built student housing. New purpose built student housing should be located on, or close to, the University campuses, at sustainable locations at or near to major transport routes, or in the City Centre*'. It is considered that the application site meets these locational criteria, a view supported by the popularity of the St James ward for student use accommodation resulting in the need for an Article 4 Direction to prevent ad hoc student occupation within the established housing stock. Whilst some concern has been raised regarding the need for additional purpose-built student accommodation (PBSA) in the city, the University's plans for growth means that it is expecting to expand from an estimated 17,367 fee students at 2015 to about 18,600 in 2019/20, and therefore about 1,100 additional students will need accommodation in the city over the next four years. While planning permissions for further PBSA have been granted, some of this increase in students will be accommodated in further shared student house unless more PBSA can be delivered. While St James ward benefits from an Article 4 Direction bringing changes of use from Class C3 homes to class C4 (small houses) within planning control there are nine streets that are excluded from the Direction. Some of this increase in students is therefore likely to come to St James ward unless or even regardless of whether more PBSA is provided. The proposed development is unlikely to lead to a decrease in shared student homes in St James, helping to rebalance the community, however it may help reduce or stop any further increase in the private housing stock. Students in PBSA may be less integrated into the community having less effect on the balance than those in private housing, and may have less adverse impacts due to the better management of the accommodation.

The Core Strategy provides the strategic context which supports additional student accommodation to meet housing need, however the principle of the site's appropriateness for purpose-built student accommodation needs to be assessed against the St James Neighbourhood Plan in particular Policy SD1 (Football Club/Yeo & Davey Site) and Policy C2 (Large Scale Purpose Built Student Accommodation). The importance of the St James Neighbourhood Plan is established in the National Planning Policy Framework paragraph 185 which states that '*...neighbourhood plans will be able to shape and direct sustainable development in their area. Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict...*'

### **Football Club and Yeo & Davey Site – St James Neighbourhood Plan Policy SD1**

Policy SD1 of the Neighbourhood Plan refers specifically to the Football Club and the Yeo & Davey site. The policy states its support for the continued vitality and viability of the Club and encourages a *comprehensive, well designed and mixed use development* subject to certain

criteria. It is therefore necessary to assess the proposal against the criteria as set out in this policy.

Policy SP1 (a) and (b) relate specifically to the design of the new buildings for this site. The criteria stated seek to achieve slightly different objections for (a) appropriate elevational frontages to specific roads and (b) the appropriateness of the overall scale, form and character of the new buildings in the St James area. The two criteria are mutually dependent to achieving the right design solution for this site. Consequently the two distinctively different design elements namely the football stadium and student block are assessed separately under the criteria of Policy SD1 (a) and (b).

***Assessment of the football stadium improvements – Policy SD1 (a) and (b)***

The proposed new stand would approximately follow the current footprint of the existing building. It is considered that the overall increase in height of the new stand, measured at pitch level of 0.5 metres is insignificant, particularly as the rear of the new stand is positioned approximately 1.5 metres further away from the closest properties in Well Street, which are located approximately 15 metres away. It is therefore considered that the impact of the new structure on local residents is acceptable and represents minimal change to the existing relationship. The building is of an appropriate scale for this location and by virtue the stadium's continued presence on the site would represent an appropriate character of development for this location. It is accepted that in design terms the replacement stand '*...unashamedly reflects the vernacular utilitarian quality typical of these types of structures...*' as described by Heritage England. The Devon and Somerset Design Review Panel were critical of the proposed external appearance of the stadium, which they saw as an opportunity for architectural statement in the area. However it is considered that the design approach taken is appropriate, as its simple form would allow for future expansion to be more easily accommodated. The scheme therefore represents a positive and appropriately designed building which would create a more attractive frontage to Well Street than its current dilapidated appearance and therefore meets the objectives of these policy criteria.

The application also proposes improvements to the away end and boundary treatment to St James Road. This is important because the opposite side of this road marks the boundary of St Sidwells Conservation Area and includes buildings which make a positive contribution to the character of the area. The current boundary wall is in a poor state of repair and the area beyond contains overgrown vegetation. Whilst the applicant has stated that construction of the temporary away stand will only take place, if funds permit, the boundary improvement works to the St James frontage would be undertaken and guaranteed within the terms of a Section 106 Agreement. This will involve the refurbishment of the existing stone wall and the introduction of metal panels and piers to increase the boundary wall's overall height. It is considered that, subject to a condition regarding details of the panels being submitted, the improvements to this boundary will have a significant positive visual benefit to the character and appearance of the conservation area, as acknowledged by Heritage England within their consultation response. Whilst the rear of the temporary away stand will be functional in appearance this structure is set back from the road frontage and will be screened to a certain extent by the boundary enhancements. In summary, it is considered that the proposed works to the football stadium are acceptable and subject to appropriate conditions regarding materials are to be welcomed.

***Assessment of the student blocks in respect of Policy SD1 (a) and (b)***

The introduction of a purpose-built student accommodation scheme containing 312 bed spaces will clearly have an impact on the overall character and appearance of the area and requires careful assessment. In accordance with advice provided by the National Planning Policy Framework and Planning Practice Guidance 'Design' the applicant has sought the advice of the Devon and Somerset Design Review Panel prior to the submission of the planning application. The Practice Guidance states that '*...schemes that have been through the design review process, and have developed positively in response to recommendations*

*from the design review panel are less likely to be refused planning permission on the grounds of poor design.* This guidance goes on to say that local planning authorities are required to have regard to the recommendations of the Panel in assessing applications. Following comments made by the Panel significant changes have been made to the design of the scheme and more recently in response to local objection and the comments of Heritage England.

The Panel were broadly supportive of the design approach which incorporates a series of stepped separate block and it was felt that a bold unapologetic development approach was needed. In respect of the student block the Panel stated that they *'had no objection to the proposal height and scale of the proposals and was pleased of the recognition and careful consideration in regard to the listed terrace houses. However it was suggested that the proposed roof forms may benefit from greater articulation. It is also suggested that the proposed student accommodation along the embankment should be carefully considered to ensure adequate articulation to help break up the perceived mass of the buildings.* The applicant has subsequently made changes to the elevational drawings which seek to address these comments.

An overall benefit of the scheme is that it seeks to address some currently poor areas of townscape within the St James ward. The improvements to the St James Road boundary wall and upgrading of the new stand fronting Well Street have already been referred to and are considered to be visual enhancements. Planning application 15/1275/03 seeks to address the existing garage site on Old Tiverton Road and this will be assessed separately, however this scheme also seeks to create a townscape enhancement with a new frontage building. Consequently in townscape terms it is the elevation fronting onto the railway embankment that requires specific attention. This elevation represents the most visible element of the student scheme and although it backs onto private residential properties in Prospect Park, it would be visible from public views principally from South View and the railway crossing at the junction of Old Tiverton Road and Prospect Park, as well as more wide ranging views as identified by the St James Forum. The applicant has prepared images from various viewpoints, in part suggested by the St James Forum, to enable the visual impact of the building to be assessed.

The original submission proposed a building containing three blocks of 6 storeys and one block of 5 storey fronting towards the railway. Significant concerns were raised by local residents and observations were made by Heritage England and the Devon and Somerset Design Review Panel regarding the combination of the height, scale and massing this elevation would present and the potential to have a visually detrimental impact on the character and appearance of the area. In particular, Heritage England commented on the potential for improvements through the creation of *'...greater steps within the roofline...'* to *'..further break up the overall massing...'* and the Design Panel suggested that *'..the proposed roof forms may benefit from greater articulation'*. Consequently the applicant has amended the plans to address these concerns by creating a stepped block arrangement with a single 6 storey building flanked by two 5 storey building and one 4 storey located closest to the Old Tiverton Road/Prospect Park junction. It is considered that this significant amendment has resulted in a less monotonous and uniformed elevational appearance and responds to the Design Panel's suggestion that the building forms would benefit by the creation of *'..simple strong stepped urban blocks...'*. This stepped building form also helps to assimilate the building into varied land and building height levels which exist in this area and is therefore considered appropriate. The applicant has provided sectional information which indicate the 5 storey element of the new build would be no higher than the eaves and ridge of the existing properties in Old Tiverton Road and therefore the scale, form and character as required by this policy is met. Whilst the scheme does retain a 6 storey block, the Panel raised no objection to the proposed height and scale of the buildings as original proposed, and consequently the more recent amendments have therefore sought to add visual interest to this railway elevation and the wider viewpoints.



In addition, to the changes to the heights of the buildings, the individual blocks have been amended to introduce greater areas of glazing within the central two blocks. The blocks are purposefully simple in their form being constructed of three principal materials; brick, slate and glazing which reflect the materials contained within the surrounding buildings and comply with the comments made by the Design Panel who were keen to ensure that a limited palette of materials was proposed. It is considered that the additional glazing has helped to visually break up the mass of the individual blocks and their positioning will help to give the perception of wider visual gaps between the buildings. The combination of the varied roof levels and the further areas of glazing do accordingly result in an appropriate elevation frontage to the railway and consequently, within the architectural approach taken results in a '*...positive, attractive and well designed frontage...*' as required by Policy SD1 of the Neighbourhood Plan.

**Policy SD1 (c)** The applicant has provided details within the submitted Design and Access Statement regarding both the sustainable location of the building in relation to the University and the sustainable building design and construction methods which are to be followed. The Design and Access Statement states that '*...the scheme will incorporate a combination of passive design techniques with habitable spaces being naturally ventilated where possible. The building fabric will incorporate high insulation values and low energy equipment incorporating renewable energy where practical...photovoltaics to flat roof elements, CHP units and low energy lighting*'. In addition, the scheme proposes a total of 184 cycle spaces representing over 50% of the total bed spaces proposed, which addresses the comments raised by the design review panels to increase cycle parking numbers. Accordingly it is considered that the scheme would meet the objectives of this policy and meet the '*..high standards of sustainable design*'.

**Policy SD1(d)** refers back to the definition of community as stated within Policy C1 of the Neighbourhood Plan describing the term 'community balance' as referring '*... to the desire of the residents of St James to have a diverse population which includes people at all stages of their lives and which is not dominated by single group of the population*' which the text makes clear relates to the student population. It should however be noted that Policy SD1 does not specify particular uses for the site and consequently does not single out purpose-built student accommodation as an unacceptable use for this site. An element of student accommodation in a wider housing scheme might therefore comply, if the overall result was an improvement in community balance. However whilst Policy C1 itself is not directly relevant to this application, as it seeks to address the issue of houses in multiple occupation, it is referred to in Policy SD1 as an explanation of the criteria SD1(d) and therefore is relevant. The applicants have contended that the development of purpose-built accommodation will lower the demand for HMOs and allow for certain HMOs to be returned to family accommodation, consequently improving the community balance of the existing housing stock. Indeed there is evidence to suggest that the increase in purpose-built student accommodation citywide has led to a reduction in Council Tax exemptions which implies that existing HMOs are reverting back to family accommodation. Given the potential future growth in student population, HMOs will only reduce if the future supply of purpose-built student accommodation comes forward at a greater rate.

#### *What is the balance of community in St James*

There were 741 Council Tax exemptions in the ward (excluding PBSA) at 1/4/15 of a total dwelling stock of about 2,730 homes, about 27% of the stock. There are about 915 bedrooms of purpose-built student accommodation in the ward and a further 184 bedrooms proposed through planning approvals at Longbrook Street and Exeter Cricket Ground. The 915 bedrooms of purpose-built student accommodation represent about 11% of the existing stock in the City as a whole. The majority of the purpose-built student accommodation schemes in the ward are in a corridor within about 100 metres either side of Pennsylvania/Longbrook Street. The 2011 Census identifies a total population of St James of

6,891 comprising 693 in communal establishments (of whom 540 are students) and a usually resident population of 6,198 of whom 2,675 are student households. The student population at 2011 was therefore about 3,215 (c47%). About 450 bedrooms of purpose-built student accommodation has been delivered by 2015 and about a further 200 are committed, the number of exemption had increased by about 30 from 2011. The best estimate for the future student population reflecting commitments is therefore about 3,900 of a total population of about 7,600, about 51%.

The proposed two developments of ECFC/Yeo & Davey (applications 15/1283 & 15/1275/03) would provide a further 327 bedrooms of purpose-built student accommodation. This therefore represent an increase in purpose-built student accommodation in the ward from 915 to 1,242 bedrooms and an increase in the proportion of students in the ward from the commitment of about 51% (3,900) to about 53%.

The test required by policy SD1(d) is to take account of the need to improve the balance of the community. It is a matter to be weighed up in the overall planning balance. The proposed development including student accommodation but no other forms of housing will result in a further deterioration in the balance due to the increase of about 2% in the number of students in the ward as a proportion of the total population. This is a significant adverse effect and in conflict with the policy criteria SD1 (d).

**Policy SD1 (e)** relates to the suitability of the vehicular arrangement and traffic impact of the new development. In respect of the redevelopment of the football stadium it will result in a small increase in the stadium's capacity and consequently traffic generation will, in relation to the football club, remain largely unchanged. In respect of the student accommodation the access arrangement will involve the use of Stadium Way and given the limited number of onsite parking spaces is considered acceptable. Indeed traffic generation to the site will reduce given the removal of the 55 informal parking spaces which currently exist behind the Big Bank and the traffic generation associated with the Yeo & Davey site. It should also be noted that following suggestions made by the Design Review Panel an initially planned traffic through route from Stadium Way to alongside 35 Old Tiverton Road was revised to provide vehicular access solely from the Stadium Way entrance. It is therefore considered that the scheme does minimise the impact of traffic on the surrounding residential roads in the areas as required by this policy.

**Policy SD1(f)** seeks to encourage an overall development solution for both the football club and Yeo & Davey site by encouraging a *'flexible and joined up plan'*. The submission of the main application for both sites and the application 15/1275/03 for the redevelopment of the 31-35 Old Tiverton Road site for retail and student accommodation use ensures that a comprehensive approach is being taken. The application on the adjacent site provides 375 sq metres of retail space for the area, which provides an element of mixed use, although it is accepted the Yeo & Davey site is primarily for student use. The townscape benefit of this approach to the area has already been addressed and it is therefore necessary to consider whether the scheme meets the objective of a mixed use development as required by this policy. Whilst it acknowledged that the new build element of the proposed scheme is dominated by student use, this is, in part, to fund the continued vitality and viability of the football club which is the overall objective of Policy SD1. A Section 106 Agreement will ensure that the student development guarantees the redevelopment of the football club stadium and in particular the removed of the outdated Stagecoach Stand. In effect this will maintain the presence of the football club and the various activities which the Club provides. The supporting information provides an outline of the various functions which the Club fulfils aside from the obvious use as a professional football club. The clear link between the student accommodation and the football club will ensure that this variety of functions and mix of uses across the whole site, as defined by Policy SD1, is maintained and strengthened.

## **Large Scale Purpose Built Student Accommodation – St James Neighbourhood Plan Policy C2**

Policy C2 of the Neighbourhood Plan set outs the criteria against which purpose-built student accommodation can be considered acceptable in the St James area. The Neighbourhood Plan comments that there are relatively few opportunities in the St James area for large scale student accommodation, however the inclusion of a specific Neighbourhood Plan policy acknowledges that the principle of such a use in the area can be acceptable. However any appropriate purpose built student accommodation use needs to meet the identified criteria.

Policy C2(a) discourages large scale student development within existing streets characterised by 2 -3 storey residential buildings. The character and appearance of the application site does not fall within this description. The site contains a variety of workshop/garage/storage units and a building for refreshment and wc facilities in association with the football club. Whilst the site does back onto three storey properties with basements in Old Tiverton Road, the site is dominated by the Big Bank stand to the west and the more open aspect created by its boundary with the railway cutting to the north. The railway provides a clear delineation between the site and the residential properties in Prospect Park. It is therefore considered that the site provides an opportunity for large development which would not conflict with the aims of Policy C2(a).

Policy C2 (b) seeks to address the potential for the use to create an unacceptable loss of amenity to local residents through servicing and parking requirement. The scheme proposes one vehicular access into the site via Stadium Way and a total of 5 parking spaces. This is deemed an acceptable arrangement in highway terms, as confirmed by the Highway Authority, subject to the inclusion of a student management plan to control times of high vehicular intensity, such as the beginning and end of term. The residents potentially affected would be located in Old Tiverton Road who back onto the site, and Lucombe Court who live alongside Stadium Way. However whilst it is acknowledged that during the construction of such a large development there will undoubtedly be noise and disturbance detrimental to residential amenity, the low level of parking associated and consequently traffic generation to the site will effectively limit the future impact of the use. It is therefore considered that the proposal would meet Policy C2 (b) given the limited level of parking space proposed and the potential to improve the current traffic situation with the reduction in the number of spaces currently used on an informal basis behind the Big Bank.

Policy C2 (c) relates to the scale and massing of the proposed buildings which have been referred to within the section on Policy SD1 (a) and (b).

### **Impact on Residential Amenity**

The proposed student buildings will undoubtedly change the outlook from the rear garden of residents living in Prospect Park. However it is considered that the improvements made to the railway embankment fronting elevations coupled with the distances of approximately 100 metres between the new build and the rear of these properties is sufficient to ensure that any loss of residential amenity experienced could not warrant refusal of the application. However given the proximity of the new buildings to residents living in Old Tiverton Road further assessment is needed in terms of impact on their residential amenity and the setting of these Grade II listed buildings.

The stepped arrangement of the proposed buildings allows for the changes in ground levels throughout the site to be accommodated and also enables the buildings to relate better to nearby residential properties. Consequently the student blocks closest to the properties in Old Tiverton Road (Nos 21 to 24) are 9.5 metres in height; positioned approximately 26 metres away from the back of these properties and contain no windows facing towards the existing dwellings. This arrangement would comply with the requirements of the Residential Design SPD addressing issues such as potential overlooking, loss of light and distances retained between properties and therefore would be an acceptable arrangement. The

proposed eastern blocks have been reduced in height from the original submission from 5 storeys to 4 storeys and accordingly the relationship with No.31 Old Tiverton Road, the closest property approximately 20 metres away, has been improved. The orientation of the proposed building to this property is at an oblique angle and consequently the potential for overlooking is diminished, and therefore this arrangement is considered acceptable. Accordingly the scheme meets the requirements of the Local Plan Policy H5 and Development Delivery Development Plan Document Policy DD12 which seeks to address issues of residential amenity from purpose built student accommodation.

### **Impact on Conservation Areas**

The application site is in close proximity to three conservation areas, namely Belmont, Longbrook and St Sidwells as well as listed buildings - in particular the Grade II listed buildings which back onto the site in Old Tiverton Road. It is considered that the new stand for the football club would have minimal visual impact on the settings of the Longbrook and St Sidwell Conservation Areas and given that it would result in an improved building is considered to be appropriate. The boundary improvement works along St James Road has already been mentioned as having a significant enhancement value to the setting, character and appearance of the St Sidwells Conservation Area, as also observed by Historic England. The main impact of the student development will be on the setting of the adjoining Belmont Conservation Area. The proposed development will be seen from the Old Tiverton Road/Prospect Park junction and within the context of the northern section of this conservation area. The proposed height, scale and massing of the building would introduce a building which would be seen alongside the properties in Old Tiverton Road that lie just within the conservation area, as depicted in the submitted photomontage images. However it is considered that the revised plans which reduce the height of the proposed building from 5 to 4 storey within the eastern student block, and the stepped arrangement of the building coupled with the proposed brick/slate material will result in an appropriate structure which would lead to less than substantial harm being caused to the setting of the conservation area and to an enhancement of the setting through the removal of the workshop buildings. Whilst it is noted that No.20 Old Tiverton Road lies within the Belmont Conservation Area, the building's external appearance will remain unaltered. The proposed gates, access path, lighting and landscaping will be controlled by condition to ensure that the impact on the conservation area is addressed.

### **Impact on Listed Buildings**

The impact of the proposed buildings on the setting of the listed buildings in Old Tiverton Road has been highlighted by Historic England. As previously stated the relationship of the new building to existing residential properties has been properly observed by the need to address residential amenity. This has the additional benefit of ensuring that suitable distances are retained to prevent the setting of these buildings being substantially harmed. It is inevitable that a building of this size will have an impact on the setting of adjoining buildings, however in line with NPPF advice the applicant has provided a Heritage Statement which concludes that none of the settings, nor the historic significance, of any designated or undesignated heritage assets would be substantially harmed by the proposed development. This view is supported by the Council's Heritage Officer and it significant to note that Historic England, subject to specific observations previously mentioned being addressed, raise no objection.

### **Change of use of 20 Old Tiverton Road**

The proposed scheme includes the change of use from Old Tiverton Road to student use. The applicant has confirmed that the management of this property will be linked to the main student accommodation and therefore covered by the same Student Management Plan, which will be required by the Section 106 Agreement. A specific clause can be included to ensure this occurs. Local residents have raised concern that this change would be contrary to the Article 4 Direction applied in this area which restricts the change of use from dwellings to HMOs. It is agreed that viewed in isolation this change of use would be refused however

its clear association with the comprehensive redevelopment of this site is a material consideration. This property was, in part, secured to provide additional land for the student redevelopment site. However it also serves the function of providing a visual presence for the student accommodation onto Old Tiverton Road. This provides an additional alternative pedestrian route for student at times when Stadium Way is busy ie on matchdays. It is considered that with suitable conditions to control gating and lighting, so as not to affect existing residential occupiers, this would represent an acceptable element within the overall scheme.

### **Other Material Planning Issues**

The significant objections received raise additional issues regarding impact of the development on the railway embankment, access and parking matters, loss of trees, impact on biodiversity of the railway embankment and potential for flooding. It is considered that the various reports and consultations responses have sought to address these comments and concerns.

### **Conclusion**

It is considered that a balance has to be made between the perceived harm the student accommodation would bring both in terms of its built form and increased use from student occupiers in the St James area and in particular the area's community balance, as referred to in the Neighbourhood Plan, against the benefit the redevelopment would bring in safeguarding the retention of the Club in this location and the provision of purpose-built student accommodation to meet an identified housing need in the city. It is considered that the scheme would meet the overall objective of Policy SD1, which seeks to support the Club and over both sites provides a comprehensive, well designed and mixed use development. However it is acknowledged that the scheme does not meet criteria (d) of this Policy regarding the need to improve the balance of the community or, if assessed in isolation against relevant development plan policy the change of use of 20 Old Tiverton Road. However it is necessary and accepted planning practice that where planning policies do conflict a balanced decision has to be made, based on all the relevant material planning considerations. As Section 38(6) of the Planning and Compulsory Purchase Act (2004) previously explained the scheme is required to be assessed on the basis of the development plan as a whole and other material considerations. The substantial support for the football club is a material consideration. The report has assessed the comprehensive nature of the scheme, meeting an identified housing need, the appropriateness of the building's design in relation to the locality and heritage assets, the ability of the student scheme to be managed through the Section 106 Agreement and the ability of the proposed scheme to be developed in the short term.

Consequently it is considered that the positive benefits which would arise from approval of this scheme namely the continued support for the Club in this location and the provision of additional student accommodation as a whole outweighs the negative elements identified and therefore a recommendation of approval is appropriate.

The application is explicit in that the redevelopment of the football ground will be financed by the redevelopment of the adjacent site for student accommodation. The combination of planning conditions and a Section 106 Agreement will ensure that the new stand is completed prior to the occupation of the student accommodation. Indeed if the application is approved, demolition work of the old stand could start at the end of this football season with the new stand potentially being completed by the end of the year. The student accommodation provides the necessary finance to allow the works to the football ground to happen. It is currently the Club's only viable development opportunity to meet their stadium improvements aims. It is important to reiterate that this scheme can be delivered in the short term and as such has the potential to ensure that the ground capacity is maintained against the real possibility that the existing stand will be closed on safety ground, which would be

significant financially for the club and affect their viability to remain in this location. Consequently this would fail to meet the clear development plan policy Neighbourhood Plan Policy SD1 and Local Plan Policy L9 which supports the football club continued existence in this location.

The scheme will require a Section 106 Agreement to ensure that the funds identified for the football ground are guaranteed prior to the commencement of the student accommodation and a Student Management Plan covering both the new build and the conversion of 20 Old Tiverton Road is provided. The development will generate a Community Infrastructure Levy, in the region of £430,000 and will yield a New Homes Bonus circ £800,000 over 6 years under current arrangements over the two development sites.

### **DELEGATION BRIEFING**

8 December 2015 - Members acknowledged that the first priority for the Football Club was the replacement of the Stagecoach Stand, which is accepted to be in a poor state of repair. Whilst it was accepted that improvement to the away stand is also needed the applicant had stressed that these works would only be carried out when funds permit. However improvements to the boundary wall treatment fronting St James Road in addition to the replacement Stagecoach Stand would be guaranteed, if planning permission is granted. Members were advised that, if the application is approved, the wording of the Section 106 Agreement would need careful consideration to ensure all agreed improvement works to the stadium are carried out.

### **SITE INSPECTION PARTY**

28 January 2016 - Seven Members attended site visit and viewed the three balloons displayed to represent the height of the student blocks which included a balloon for the six storey proposed building. Members viewed the balloons from behind the Big Bank; Stadium Way; alongside 30 Old Tiverton Road; the railway crossing bridge and the junction of Old Tiverton Road/Prospect Park; the notice board location on Prospect Park; the rear garden of 13 Prospect Park, looking south down Victoria Street; South View; the railway crossing bridge at Well Street and from Oxford Road.

### **RECOMMENDATION**

Subject to the completion of a Section 106 Agreement in respect of the essential works (Core Works) required for the football club, potential for additional funding of the temporary away stand and a Student Management Plan, delegated authority be given to the Assistant Director of City Development in consultation with the Chair of Planning Committee to **APPROVE** the application subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C57 - Archaeological Recording
- 7) C70 - Contaminated Land

- 8) No development shall take place, including any works of demolition and any earthworks, until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
- a) include details of access arrangements and timings and management of arrivals and departures of vehicles
  - b) There shall be no burning on site during demolition, construction or site preparation works;
  - c) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
  - d) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.
- The approved CEMP shall be adhered to throughout the construction period.  
**Reason:** In the interests of highway safety and public amenity.
- 9) No part of the student block hereby approved shall be brought into its intended use until the vehicular parking facilities as indicated on Drawing Hardworks Plan Rev P2 have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority and retained for that purpose at all times:  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 10) No part of the student block shall be provided until the pedestrian routes to the development at 31-35 Old Tiverton Road to the north east and to Old Tiverton Road in south east on the Hardworks Plan Rev P2 have been provided and maintained for these purposes at all times.  
**Reason:** To provide safe and suitable access for the pedestrians attracted ensure that adequate facilities are available for the traffic attracted to the site.
- 11) No part of the student block shall be brought into its intended use until the secure cycle parking facilities have been provided with the submitted details and maintained for these purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 12) No part of 20 Old Tiverton Road shall be brought into its intended use until the secure cycle parking facilities have been provided and maintained in accordance with details that shall have been agreed in writing by the Local Planning Authority and maintained for these purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 13) Travel Plan measures including the provision of sustainable transport welcome packs, shall be provided in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.  
**Reason:** To promote the use of sustainable transport modes, in accordance with paragraphs 32 and 36 of the NPPF.
- 14) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the

details, the scheme shall be fully implemented as part of the development and retained thereafter.

**Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.

- 15) The development shall proceed in accordance with the Flood Risk Assessment produced by AWP dated 12 November 2015.  
**Reason:** In the interests of flood mitigation and protection.
- 16) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of specified buildings, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details  
**Reason:** In the interests of the visual amenities of the area and the residential amenities of existing neighbouring occupants.
- 17) No development shall commence until details of the boundary wall treatment fronting onto St James Road has been submitted to and approved in writing by the Local Planning Authority.  
**Reason:** In the interest of visual amenity and highway safety.
- 18) No development shall commence until details of the security gates and lighting to be installed alongside 20 Old Tiverton Road has been submitted to and approved in writing by the Local Planning Authority and adhered to at all times thereafter.  
**Reason:** In the interests of residential amenity.
- 19) The specification for maximum mechanical plant noise included in the Noise Assessment prepared by Peter Ashford dated 6 November 2015 shall not be exceeded.  
**Reason:** In the interests of residential amenity.
- 20) The new stand shall not be used until a scheme for the installation of equipment to control the emission of smoke, fumes and smell from cooking at that part of the development has been submitted to, and approved in writing, the Local Planning Authority and the approved scheme has been implemented. All equipment installed as part of the scheme shall be operated and maintained in accordance with the manufacturer's instructions thereafter.  
**Reason:** In the interests of residential amenity.
- 21) The development shall proceed in accordance with mitigation and enhancement issues identified within the Ecological Impact Assessment prepared by EAD Ecology dated November 2015.  
**Reason:** In the interests of environmental issues identified within the site.
- 22) The student accommodation hereby approved shall not be occupied until the practical completion of the identified stadium works have been achieved.  
**Reason:** To ensure that the necessary identified improvement works in connection with the football club are carried out.

Local Government (Access to Information) 1985 (as amended).  
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223



# Agenda Item 5

**ITEM NO.6**

**COMMITTEE DATE:** 08/02/2016

**APPLICATION NO:** 15/1275/03      **FULL PLANNING PERMISSION**  
**APPLICANT:** Yelverton Properties Developments Limited and Yeo & Davey (Properties) Limited  
**PROPOSAL:** Demolition of existing structures and erection of new three storey building comprising ground floor retail use and student accommodation for 9 studio flats with associated vehicular/cycle parking and bin storage.  
**LOCATION:** 31-35 Old Tiverton Road, Exeter, EX4 6LG  
**REGISTRATION DATE:** 16/11/2015  
**EXPIRY DATE:** 11/01/2016



Scale 1:1250

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## **HISTORY OF SITE**

The most recent planning application for the site was in 2004 for the change of use from petrol filling station/ancillary shop to shop (Use Class A1) including an extension to the retail area and provision of additional parking. More recently the site has been used in connection with a car wash facility.

In accordance with Regulation 5 of the Environment Impact Assessment Regulation a screening opinion for the application was undertaken. It was concluded that the proposal would not give rise to significant environmental impact such that would trigger the need for an Environmental Statement to accompany an application. This conclusion is reached in accordance with advice as stated in National Planning Policy Guidance – Environmental Impact Assessment which states that ‘... *Local planning authorities have a well established general responsibility to consider the environmental implications of developments which are subject to planning control. The 2011 Regulations integrate Environmental Impact*

*Assessment procedures into this framework and should only apply to those projects which are likely to have significant effects on the environment'* Consequently specific impacts of the scheme can be assessed within the scope of stand-alone reports which will be submitted in support of any application for the development and any mitigation required could, in the Local Planning Authority's opinion, be secured through appropriate conditions and/or Section 106 Agreement. Therefore, the formal screening opinion of the LPA is that this scheme does not constitute EIA Development requiring an Environment Statement.

## **DESCRIPTION OF SITE/PROPOSAL**

The application site (0.12ha) is located on the north western side of Old Tiverton Road opposite its junction with May Street. The site is currently used in connection with a car wash business and provides vehicular access to the Yeo & Davey site to the rear, which is proposed to be redeveloped for student use under planning application number 15/1283/03. The site lies between residential properties of 30 and 36 Old Tiverton Road, both Grade II listed buildings. To the south and east of the site is located Belmont Conservation Area.

The application seeks to demolish the existing structures on the site and replace with a three storey building to create a new retail unit on ground floor and two further floors for student accommodation above. The retail unit would occupy a total floor space of 375 sq metres. The three storey building would be 12.2 metres in height the same ridge height as the closest residential building at No 30 Old Tiverton Road located approximately 2.2 metres away. The new building would extend across the Old Tiverton Road frontage by 17 metres with a 16 metre gap retained to the two storey residential building at No. 36 Old Tiverton Road. The proposed building would extend back into the site a distance of 13.5 metres at three storeys and then reduced in height to 5.8 metres across the remainder of the site to its rear boundary a distance of 24 metres with a 2 metre gap retained to the rear. The three storey section of the building would approximately align with the three/two storey building at 30 Old Tiverton Road. The land to the west of the application proposed for the student accommodation scheme has a significant reduction in levels immediately adjacent the site of between 2 and 3 metres.

The building would principally be constructed of brick and glazing on the ground floor to create the retail frontage and render on the upper two floors with a pitched slate roof. The frontage elevation would also include a signage fascia area for the retail unit's future advertisement needs. The windows would include Juliette balconies on the first floor and dormer styled windows set within the slate roof at second floor level. The windows would be metal with a copper coloured surround. The side elevation facing toward the proposed car park and No. 36 Old Tiverton Road is brick at ground floor level with a rendered finish above. There are no windows proposed within this north facing elevation. The rear elevation is proposed to have a brick finish on the lower level with render and similar window patterns proposed as the front elevation on the upper levels. The rear flat roof section also includes an outdoor communal space which would occupy an area of approximately 85 sq metres to serve the student flats. Fencing is proposed around this area to prevent overlooking into existing and future residential properties.

The first floor layout would include 3 No. Studio flats and a two bedroom self contained flat with 5 No studio flats proposed for the second floor. These student units would be car free but residents would have access to secure cycle storage.

The parking area has a total of 9 car parking space (including one disabled space) to the north of the proposed new building to serve the retail use. To the front of the site are two cycle stands to serve customers of the retail unit and a secure cycle store of 10 bikes for student use is located to the rear of the site. Bin storage is provided to the rear of the site for both retail and student use. In addition, the car park provides access through the site to serve the proposed student accommodation block to the rear.

## **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The applicant has provided supporting statements and reports which cover both this site and the adjacent planning application 15/1283/03. A summary of these matters are included within the 15/1283/03 Committee report, which appears on this agenda. This application does also include specific reports in respect of a Design and Access Statement, Planning Statement, Townscape and Visual Impact Assessment, Transport Statement, Flood and Drainage Assessment, Air Quality Assessment, Heritage Statement, Site Contamination Report, Noise Assessment, Lighting Assessment, Site Waste Management Plan, Student Accommodation Management Framework for Mixed Scheme and Statement of Community Engagement.

In particular the Planning Statement concludes that:-

It is considered that the strategic policy to allow purpose-built student accommodation within Exeter City is a permissive policy and is complied with. The policy aims to meet the housing needs of all the community within the city including students. Location close to the campus are encouraged.

It is considered that the St James Neighbourhood Plan policies on purpose-built student accommodation have to follow this strategic policy to remain in conformity with the development plan. The policy does allow for purpose-built student accommodation but not increasing numbers of HMOs.

Moreover the scheme clearly is part of a comprehensive approach which will allow overall visual improvements near to the ECFC ground. This is an acknowledged local benefit supported by policy SD1.

The scheme is not for HMO development and therefore does not offend policy C1.

Whilst the applicants do not consider that the strategic and non-strategic policies are offended, it may be that the LPA does not agree that all the various criteria are met and therefore the LPA can, in line with Section 38(6) of the Act, move on to consider if 'other material considerations' indicate that despite not conforming totally with policy, these are sufficient to outweigh any harm to policy and therefore to allow the development to go forward.

These other material considerations that the LPA would use are the local community benefits created by the improvement to the visual appearance of the area and the design of the new building, plus the improved local retail offer.

It is a material consideration that the very many supporters of the ECFC want improved facilities and this redevelopment near the ground would provide a new facility for the users of the ground. Equally, it is a material consideration that the community of St James support the policy to maintain the ward's vitality and viability, whilst desiring due weight to be given to maintaining a balanced community.

## **REPRESENTATIONS**

269 letters of support received. These are mainly correspondence which support the scheme by association with the development proposed within the remainder of the Yeo & Davey site and the redevelopment works proposed at the football club (planning application 15/1283/03). However specific comments were made which welcomed the proposed visual improvements for this part of Old Tiverton Road and supports the retail use, subject to concerns about hours of opening and delivery timings.

24 objections received many of which were combined responses to both this scheme and application 15/1283/03. Principal issues raised:-

1. Loss of outlook for existing residents living opposite the site;
2. Potential for overlooking and loss of privacy;
3. Increased late night noise/litter/unsociable behaviour/potential vandalism from students;

4. Proposed building out of proportion with the existing Victorian Terrace;
5. Poor location of the proposed cycle parking. *This has been subsequently addressed in a revised layout*
6. Contrary/disregards the principles of the St James Neighbourhood Plan particularly in regard to the need for a balanced community;
7. Scheme with little/no evidence that purpose-built student accommodation will reduce the number of Houses of Multiple Occupation (HMOs) in the area and return existing houses back into family homes;
8. Already disproportionate high number of students in the St James area, danger of St James becoming a student ghetto;
9. Density of scheme out of character with area given an existing student population in the St James area of over 55%;
10. Lack of financial appraisal submitted to determine whether other residential options are available to provide sufficient money to fund club's redevelopment needs;
11. Already too many students living in the city;
12. Increased traffic generation in the area.

2 letters of comment stating that:-

1. The shop could create noise and disturbance late at night;
2. Additional student accommodation should be located at the University;
3. The Football club should more carefully consider the long term plans of the ground and site improvements.

St James Forum comment that:-

The site is currently part of the Yeo & Davey site and therefore, comes within Neighbourhood Policy SD1. Although a small retail/convenience store would qualify as mixed use, the 9 student flats would not. They fail the requirement in SD1(d) to *take account of the need to improve the balance of the community*.

We consider this application to be an opportunity to provide a small number of flats for open market rental or other non-student use. It is disappointing to note that there appears to have no attempt to propose a residential use which would comply with Policy SD1 and the overarching aim of the Neighbourhood Plan.

The proposed elevation facing Old Tiverton Road is well-designed and shows welcome consideration for the character of the area and neighbouring properties. We have one comment on the design. The windows at first and second floor are out of line with those of neighbouring properties. We appreciate that there could be internal structural reasons, but, should there be changes to the external elevation, ask our comment be considered.

Should this application be given consent or be brought forward in the future, we ask to be consulted on detailed matters.

## **CONSULTATIONS**

County Head of Planning, Transport and Environment comments that the most significant element in terms of both travel demand and works affecting the highway is the retail use. In respect of the retail use the transport statement considers a standard TRICS trip rate approach to identify that the proposed retail unit will generate up to 60 peak hour movements (30 in & 30 out). Many of these will be "pass-by" of existing highway trips, rather than new trips on the network. When also considering that the TRICS sites used include edge of town and suburban sites (where vehicular trip rates would be expected to be higher than at this site) and that there are already some movements associated with the existing land use the additional traffic created by this development is expected to be low and is considered acceptable.

To accommodate the travel demand, nine (8+1disabled) vehicular parking spaces are proposed on site. Considering the high density population within walking distance of the site, this is felt to be ample.

Sheffield Stands for staff and customers are also proposed. There has been discussion regarding the appropriate location for this. The applicant has now shown two Sheffield Stands at the front of the site providing convenient access. Although this is below the SPD standard, the preferable location is attractive site and considering the site size and comparable sites this is felt to be acceptable and should be secured by condition.

Loading is proposed on site, adjacent to the retail store on the highway frontage with access via a dropped kerb from Old Tiverton Road. This arrangement is acceptable in principle and the exact specifications, including a construction that is suitable for accommodating heavy vehicles, will need to be agreed with the Highway Authority. The applicant must apply for and get permission to work on the highway before undertaking any such works and they are advised that the provisions of Sections 133 (Damage to streets by excavations), 171 (Control of deposits of building material and the making of excavations in streets) and 184 (Vehicles over footways and verges and New Road and Street Works Act 1991) of the Highways Act 1980 may be relevant. They will also need to comply with the provisions of Section 163 of the Highways Act 1980 by providing appropriate drainage to ensure that surface water does not flow from the site over the adjacent highway footways. A condition to secure the appropriate arrangements is therefore recommended.

The 9 student flats are proposed as car free which considering the central and sustainable location is considered appropriate. Given there are only 9 units, student pick up/drop off at beginning/end of terms could comfortably be accommodated in the on-site parking area or adjacent on-street limited waiting. To cater for travel demand a secure and sheltered cycle store for up to 10 bikes is proposed and provision of this should be secured by condition. A Travel Plan statement has also been submitted with the application and given the number of units, it is agreed that the primary aim of this would be to disseminate information. It is recommended that this is secured through the student management agreement, set out in the submitted S106 heads of terms.

Old Tiverton Road is served by a number of city bus services and is key walking route into town from St James and Pennsylvania. Is it therefore essential that the construction work is carefully managed, including ensuring that adequate space be made on site to accommodate operatives plant, vehicles and materials, to minimise any detrimental impacts on the footways and operation of Old Tiverton Road. A condition to ensure this is recommended and the applicant is strongly advised to meet with the highway authority to agree a suitable means of progress prior to undertaking any works.

It is acknowledged that the student residential portion is proposed as car free and that no request for resident parking. Therefore, for completeness only, the applicant is advised that in accordance with current policy the site will not be eligible for on-street resident parking permits.

In summary, the impact of the development is acceptable in highway terms and suitable vehicular and cycle parking facilities are proposed for the traffic attracted to the site. Conditions as part of any planning approval are therefore recommended to ensure adequate on site facilities, secure cycle parking facilities, appropriate footway on Old Tiverton Road and to agree construction management arrangements.

Historic England comments that the proposed scheme reflects the scale and proportions of the terrace and the conservation area and will help to screen the new student accommodation behind, further limiting the visual impact of the backland development. English Heritage would prefer to see the window levels run through from the existing terrace, providing greater consistency in the overall visual appearance as well as setting back the

new building's front facade, so that they do not project forward from the listed structure. Subject to further consideration of these issues Historic England recommend that the application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice.

Environmental Health Officer raises no objection subject to the imposition of conditions in respect of a Construction and Environment Management Plan, contamination and noise.

South West Water raise no objection.

Police Architectural Liaison Officer views are awaited.

County Flood Risk Officer raises no objection to the proposed surface water strategy but advises that the applicant should explore the use of permeable surfacing within the car parking area in conjunction to the proposed attenuation system.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance - National Planning Policy Framework**

- 4. Promoting sustainable transport
  - 6. Delivering a wide choice of high quality homes
  - 7. Requiring good design
  - 8. Promoting healthy communities
  - 11. Conserving and enhancing the natural environment
  - 12. Conserving and enhancing the historic environment
- Plan making  
Decision making

### **Exeter Local Development Framework Core Strategy**

CP5 - Student Accommodation

*Relevant text states that:-*

*The supply of housing should meet the needs of all members of the community such that:  
-all major development (10 or more dwellings) should include a mix of housing informed by context, local housing need and the most up to date Housing Market Assessment;  
-purpose built student accommodation should be provided to meet the housing need.*

CP10 - Meeting Community Needs

CP15 - Sustainable Construction

CP17 - Design and Local Distinctiveness

### **St James Neighbourhood Plan March 2013**

D1 - Good Quality Design

D2 - Retail and Commercial Frontages

Relevant text:-

*New or renovated shop frontage should be of a high quality design and where possible improve the character of their local environment. The design of frontages should complement the architectural design of the rest of the building where that building has historic or architectural merit...'*

C1 - Houses in Multiple Occupation

C2 - Large Scale Purpose-Built Student Accommodation

SD1 – Football Club/Yeo & Davey Site

*Proposals that secure the continued vitality and viability of the Football Club and encourage comprehensive well-designed mixed use development will be supported provided they would;*

- a) result in positive, attractive and well-designed frontages of an appropriate scale to Well Street, St James Road, Old Tiverton Road and the railway corridor;*
- b) be of a scale, form, and character appropriate to the residential nature of St James;*
- c) adopt high standards of sustainable design;*
- d) take account of the need to improve the balance of the community;*
- e) adopt layout and arrangement of access and egress that minimise the impact of additional traffic on surrounding residential streets such as Oxford Road;*
- f) encourage a flexible and 'joined up plan' for both the Football Club and the Yeo & Davey site.*

H1 - Heritage

SD4 - Adapting to Climate Change

T1 - Sustainable Transport

E1 - Employment and Enterprise

### **Exeter Local Plan First Review 1995-2011**

AP1 - Design and Location of Development

AP2 - Sequential Approach

H1 - Search Sequence

H2 - Location Priorities

H5 - Diversity of Housing

*Relevant text- Student housing will be permitted provided that:*

- a) the scale and intensity of use will not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems;*
- b) the proposal will not create an overconcentration of the use in any one area of the city which would change the character or the neighbourhood or create an imbalance in the local community;*
- d) student accommodation is located so as to limit the need to travel to the campus by car*

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

C1 - Conservation Areas

C2 - Listed Buildings

C3 - Buildings of Local Importance

C5 - Archaeology

EN2 - Contaminated Land

EN5 - Noise

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG7 - Crime Prevention and Safety

### **Development Delivery Development Plan Document (Publication Version) 2015**

DD1 - Sustainable Development

DD7 - Allocated Housing Sites

DD12 - Purpose Built Student Accommodation

*This policy seeks to protect residential amenity and to ensure that purpose built student accommodation is fit for purpose:*

*Purpose built student accommodation will be permitted provided the proposal:*

- a) respects, and contributes positively towards, the character and appearance of the area;*
- b) does not result in unacceptable harm to the amenity of neighbouring residents;*
- c) provides sufficient internal and external space for future occupiers;*
- d) makes appropriate provision for refuse storage, operational and disabled persons parking, servicing and cycle parking;*
- e) reduces the need to travel and would not cause unacceptable transport impacts; and,*
- f) is accompanied by a suitable Management Plan secured by planning obligation to demonstrate how the property will be managed in the long term.*

DD13 - Residential Amenity  
DD20 - Sustainable Movement  
DD21 - Parking  
DD25 - Design Principles  
DD26 - Designing Out Crime  
DD28 - Heritage Assets  
DD34 - Pollution

### **Exeter City Council Supplementary Planning Documents:-**

Sustainable Transport March 2013  
Development Related to the University June 2007

Belmont Conservation Area Appraisal and Management Plan May 2007

### **OBSERVATIONS**

The application site currently appears as a poor area of townscape and would greatly benefit from redevelopment. The St James Neighbourhood Plan identifies the site within Policy SD1 and acknowledges that it '*...visually detracts from the area.*' fronting Old Tiverton Road and the railway embankment. The proposal to redevelop the site is therefore to be welcomed. The proposed use for a mixed use of retail and student accommodation in conjunction with the adjacent application 15/1283/03 would, it is considered, in principle satisfy Neighbourhood Plan Policy SD1 requirement which seeks a comprehensive and mixed use development for this site. However the appropriateness of additional student accommodation in this location has been raised within the objection letters received. This issue has been described in detail within application 15/1283/03 and will not be repeated in this report, as the rationale for the principle of student use remains the same for this site. Accordingly the proposed scheme for 9 self contained student units is considered acceptable in this location. In addition, given the previous uses on the site as a petrol filling station and a retail premises, it is considered that the continuation of a commercial premises in the form of a convenience store is also an acceptable use. Consequently it is considered that the combination of retail use and student accommodation would satisfy the requirement for a mixed use scheme on this site. It is therefore matters of site specific details which will be assessed against the relevant development plan.

The existing site represents a variety of storage buildings, workshop and remnants of the former petrol filling station. The proposed new three storey building and associated parking would remove all these building and result in a comprehensive redevelopment of this site. The proposed building would align with the existing Grade II three storey residential terraced building at No 30 Old Tiverton Road and present an enhanced street frontage onto Old Tiverton Road. The new building would be positioned approximately 2.2 metres away from this existing property but have the same ridge height to enable the continuation of the built frontage in this location. Given that 30 Old Tiverton Road marks the northern most boundary



of the Belmont Conservation Area this is considered particularly important and accordingly represents a positive addition to the streetscene. Heritage England made positive comments within their consultation response stating that '*... the proposed scheme reflects the scale and proportions of the terrace and the conservation area...*'. It is therefore considered that the proposed would present an appropriately well designed building which would positively enhance the character and appearance of the area.

The new building's Old Tiverton Road elevation has been designed to reflect the existing rendered terrace block which lie immediately to the south, albeit in a more contemporary way. This approach was highlighted by the Devon and Somerset Design Review Panel who commented that the design of the building would '*...benefit from being more contemporary, whilst taking a lead from the historic buildings in terms of proportion and height, providing juxtaposition with the surrounding existing historic properties..*'. It is considered that this has been achieved and subject to appropriate materials and detailing will represent an attractive and well designed building to the Old Tiverton Road frontage. However whilst both Heritage England and the St James Forum were supportive of the overall approach taken to the building's design comment was made that the upper windows of the new building do not align with those of the neighbouring properties. The architect has responded that due to practicalities in achieving suitable floor to ceiling heights for the retail operator a true alignment with the neighbouring units could not be achieved. However it is highlighted that references had been made to the adjacent listed properties within the proportions of the windows; the alignment of the retail signage band with the neighbouring property's Juliette balcony and the positioning of the rainwater, which have all been designed to maintain the existing street pattern. It is considered that the design of the building has achieved the aims of responding to the adjacent terrace and historic context in a contemporary manner in terms of height, massing, elevational proportions, materials and character and is therefore considered acceptable.

Whilst it is accepted that the proposed new building would occupy almost the full depth of the site, it is not considered that it would have a detrimental impact on the neighbouring property at No. 30 Old Tiverton Road. The three storey section of the proposed development would approximately align with the three/two storey element of the adjacent building. The rear of the proposed building is flat roof and the reduction in height helps to minimise its impact on the neighbouring properties rear garden. In addition, the impact of any potential overlooking from the rear first floor terrace which serves the student use would be minimised by the installation of screen fencing set in from the building's side walls. Consequently it is considered that the scheme would have minimal impact on neighbouring occupant's residential amenity.

The Highway Officer has sought revisions to the original scheme as submitted which has subsequently led to changes to the cycle parking and parking spaces and resulted in a recommendation of approval with conditions. It is considered that the creation of only 9 car parking spaces will represent a decrease in traffic generation from the previous use as a petrol filling station and car wash facility as well as providing access to the Yeo & Davey and is therefore considered acceptable.

Local residents have raised concerns about the combination of retail use and further student accommodation in the area to cause problems of noise and disturbance particularly late at night. However it is considered that the use of planning conditions to control hours of operation and delivery vehicle timings coupled with a Section 106 Agreement requiring a Student Management Plan will ensure that these impacts on residential amenity are minimised.

In conclusion, it is considered that the proposed mixed use development for this site coupled with its clear association with the development of the adjacent site under application 15/1283/03 will ultimately represent a comprehensive development for the whole Football Club and Yeo & Davey site. Whilst the conflict of the proposal with Policy SD1 (c) regarding

the balance of the community has been assessed in detail as part of application 15/1283/03, it is considered that the scheme assessed as a whole against all relevant development plan policy and material considerations, as required by Section 38 (6) of the Planning and Compulsory Purchase Act 2004, is considered appropriate for this site.

The CIL requirement and New Homes Bonus payment have been calculated in conjunction with application 15/1283/03 and therefore referred to within this report.

### **DELEGATION BRIEFING**

8 December 2015 - Members were advised that an application for a retail unit on ground floor with student flats above would be considered in conjunction with the major redevelopment of the football club and the Yeo & Davey site for student accommodation. It was commented that the new building would be an improvement on the existing appearance of the site but a more detailed assessment of the scheme would be needed. Members were advised that the application would be considered with application 15/1283/03 anticipated to be reported to Planning Committee in February.

### **SITE INSPECTION REPORT**

28 January 2015 - Members viewed the site as part of the site visit in connection with application 15/1283/03.

### **RECOMMENDATION**

Subject to the completion of a Section 106 Agreement in respect of a Student Management Plan, delegated authority be given to the Assistant Director of City Development in consultation with the Chair of Planning Committee to **APPROVE** the application subject to the following conditions.

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) No part of the A1 retail use hereby approved shall be brought into its intended use until the onsite loading bay, a new heavy duty dropped kerb crossing onto Old Tiverton Road and on site vehicular and secure cycle parking facilities, as indicated on Drawing Proposed Site Plan Rev PA1, have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority. Such facilities shall be maintained for this purpose at all times.  
**Reason:** To provide a safe and suitable access for all users and ensure that adequate facilities are available for the traffic attracted to the site.
- 7) No part of the residential use hereby approved shall be brought into its intended use until the secure cycle parking facilities have been provided and maintained in accordance with the submitted details and retained for that purpose at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.

- 8) C70 - Contaminated Land
- 9) No development shall take place, including any works of demolition and any earthworks, until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
- a) include details of access arrangements and timings and management of arrivals and departures of vehicles
  - b) there shall be no burning on site during demolition, construction or site preparation works;
  - c) unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
  - d) dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance;
  - e) adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and material;
  - f) details of access arrangements, measures to minimise the impact on the adjacent footpath and timings of the proposed works.
- The approved CEMP shall be adhered to throughout the construction period.  
**Reason:** In the interests of highway safety and public amenity.
- 10) The development hereby approved shall comply with the specifications as stated with the Noise Assessment report prepared by Peter Ashford dated 6 November 2015 in respect of maximum plant noise and minimum specification for glazing unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** In the interests of residential amenity.
- 11) C57 - Archaeological Recording
- 12) The retail use hereby approved shall not be open to customers other than between the hours of 7am and 11pm.  
**Reason:** So as not to detract from the amenities of the near-by residential property.
- 13) No development shall commence until a delivery management plan in respect of the retail use, specifically identifying timing of vehicles servicing the unit has been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with these details thereafter.  
**Reason:** In the interest of residential amenity.
- 14) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.  
**Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.

Local Government (Access to Information) 1985 (as amended).  
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223

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**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 8 February 2016  
**Report of:** Assistant Director City Development  
**Title:** Delegated Decisions

## **1 WHAT IS THE REPORT ABOUT**

- 1.1 This report lists planning applications determined and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by ward.

## **2 RECOMMENDATION**

- 2.1 Members are requested to advise the Assistant City Development Manager Planning (Roger Clotworthy) or City Development Manager (Andy Robbins) of any questions on the schedule prior to the meeting of the Planning Committee.
- 2.2 Members note the report.

## **3 PLANNING APPLICATION CODES**

- 3.1 The latter part of the application reference number indicates the following type of application:

01	Outline Planning Permission
02	Approval of Reserved Matters
03	Full Planning Permission
04	Works to Tree(s) with Preservation Order
05	Advertisement Consent
06	Works to Tree(s) in Conservation Area
07	Listed Building Consent
14	Demolition in Conservation Area
16	Exeter City Council Regulation 3
17	Lawfulness of Existing Use/Development
18	Certificate of Proposed Use/Development
21	Telecommunication Apparatus Determination
25	County Matter Application
26	Devon County Council Application
27	Modification and Discharge of Planning Obligation Regulations
37	Non Material Amendment
38	Extension to Extant Planning Consent
39	Extension - Prior Approval
40	Office to Dwelling - Prior Approval

- 3.2 The decision type uses the following codes

DTD	Declined To Determine
NLU	Was Not Lawful Use
PAN	Prior Approval Not Required
PAR	Prior Approval Required
PER	Permitted
REF	Refuse Planning Permission
RNO	Raise No Objection
ROB	Raise Objections
SPL	Split Decision
WDN	Withdrawn by Applicant
WLU	Was Lawful Use
WTD	Withdrawn - Appeal against non-determination

**RICHARD SHORT**  
**ASSISTANT DIRECTOR CITY DEVELOPMENT**

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<b>Application Number:</b>	15/1315/03	<b>Delegation Briefing:</b>	12/01/2016	0
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	25/01/2016	DEL
<b>Location:</b>	Sainthill House, Cowick Lane, Exeter, EX2 9JG			
<b>Proposal:</b>	Remove staircase and install lift, extension over ground floor to create connection into cottage, 2 storey extension to form new bedrooms, and extension over kitchen to form new office and bedroom.			

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<b>Application Number:</b>	15/1316/07	<b>Delegation Briefing:</b>	12/01/2016	0
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	25/01/2016	DEL
<b>Location:</b>	Sainthill House, Cowick Lane, Exeter, EX2 9JG			
<b>Proposal:</b>	Remove staircase and install lift, extension over ground floor bedroom to create connection into cottage, 2 storey extension to form new bedrooms and extension over kitchen to form new office and bedroom.			

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<b>Application Number:</b>	15/1379/07	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	27/01/2016	DEL
<b>Location:</b>	60 Haven Road, Exeter, EX2 8DP			
<b>Proposal:</b>	Alterations to facilitate cookery school and commercial open plan office			

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## COWICK

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<b>Application Number:</b>	15/1304/17	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Was lawful use	<b>Decision Date:</b>	13/01/2016	DEL
<b>Location:</b>	Bindle Lodge, Perridge Close, Exeter, EX2 9PX			
<b>Proposal:</b>	Certificate of lawfulness sought for single storey side extension, garage conversion, loft conversion, five roof lights to front elevation, rear elevation dormer window, new roof, renovation of all external walls, alterations to and replacement of doors and windows, and a new open porch.			

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<b>Application Number:</b>	15/1338/03	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	13/01/2016	DEL
<b>Location:</b>	Bindle Lodge, Perridge Close, Exeter, EX2 9PX			
<b>Proposal:</b>	Erection of detached garage and extension to driveway.			

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<b>Application Number:</b>	15/1335/06	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	06/01/2016	DEL
<b>Location:</b>	The Bungalow, Dunsford Road, Exeter, EX2 9PW			
<b>Proposal:</b>	Beech - Fell			

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## DURYARD





















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**Application Number:** 15/1291/05 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 05/01/2016 DEL  
**Location:** 244-246 High Street, Exeter, EX4 3NZ  
**Proposal:** New internally illuminated fascia and projecting signage and internal digital media promotions

## ST JAMES

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**Application Number:** 15/1256/04 **Delegation Briefing:**  
**Decision Type** Refuse Planning Permission **Decision Date:** 11/01/2016 DEL  
**Location:** 74 Velwell Road, Exeter, EX4 4LD  
**Proposal:** T1 - Sycamore - Remove four lowest branches

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**Application Number:** 15/1333/06 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 12/01/2016 DEL  
**Location:** St James Park, Stadium Way, Exeter, EX4 6PX  
**Proposal:** T1 - London plane: Crown reduce by 2.5M

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**Application Number:** 15/1212/17 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 14/01/2016 DEL  
**Location:** The Old Firehouse, 50 New North Road, Exeter, EX4 4EP  
**Proposal:** Certificate of lawfulness for existing use or development for second floor bar

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**Application Number:** 15/1342/03 **Delegation Briefing:** 26/01/2016 0  
**Decision Type** Permitted **Decision Date:** 19/01/2016 DEL  
**Location:** 24 West Avenue, Exeter, EX4 4SD  
**Proposal:** Residential annexe, demolition of existing garage, erection of replacement garage

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**Application Number:** 15/1397/06 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 25/01/2016 DEL  
**Location:** 38 Thornton Hill, Exeter, EX4 4NS  
**Proposal:** T1 - Sophora - Crown reduce by 1M

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**Application Number:** 16/0039/37 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 25/01/2016 DEL  
**Location:** 7 Culverland Close, Exeter, EX4 6HR  
**Proposal:** Non-material amendment sought to change dimensions of approved car port (original app. ref 15/0825/03).

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**Application Number:** 15/1281/06 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 04/01/2016 DEL  
**Location:** 38 Thornton Hill, Exeter, EX4 4NS  
**Proposal:** T1 - Pittosporum - Reduce by 2M  
T2 - Holly - Fell  
T3 - Ginko - Reduce by 3M  
T4 - Judas Tree- Reduce by 1.5M

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**Application Number:** 15/1311/06 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 04/01/2016 DEL  
**Location:** 16 Velwell Road, Exeter, EX4 4LE  
**Proposal:** T1 - Beech - Reduce to 1.5M  
T2 - Conifer - Fell

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## ST LEONARDS

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**Application Number:** 15/1285/03 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 07/01/2016 DEL  
**Location:** 32 Marlborough Road, Exeter, EX2 4TJ  
**Proposal:** Side extension to form utility, kitchen and terrace together with demolition and replacement of a double garage.

---

**Application Number:** 15/1363/18 **Delegation Briefing:**  
**Decision Type** Was lawful use **Decision Date:** 08/01/2016 DEL  
**Location:** 7 Bagshot Avenue, Exeter, EX2 4RN  
**Proposal:** Certificate of lawfulness sought for proposed single-storey rear extension.

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**Application Number:** 15/1344/06 **Delegation Briefing:**  
**Decision Type** Permitted **Decision Date:** 12/01/2016 DEL  
**Location:** 27 Matford Avenue, Exeter, EX2 4PL  
**Proposal:** T1 - Cherry - Reduce by 2.5M  
T2 - Willow - Pollard at 4M  
T3 - Silver Birch - Prune to boundary

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<b>Application Number:</b>	15/1087/04	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	06/01/2016	DEL
<b>Location:</b>	Trews Weir House, Trews Weir, Exeter, EX2 4EG			
<b>Proposal:</b>	T7 - Cedar - Remove branches			

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<b>Application Number:</b>	15/1323/06	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	06/01/2016	DEL
<b>Location:</b>	Flat 2, 17 Victoria Park Road, Exeter, EX2 4NT			
<b>Proposal:</b>	T1 - Lawson Cypress - Crown reduce by 25% and reshape			

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## ST LOYES

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<b>Application Number:</b>	15/1331/07	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	08/01/2016	DEL
<b>Location:</b>	Apartment 2, The Ballroom, South Grange, Clyst Heath, Exeter, EX2 7EX			
<b>Proposal:</b>	Internal alterations to Grade II listed building including new glass floor, replacement staircase guarding, replacement of door to stair lobby and side screens			

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<b>Application Number:</b>	15/1423/18	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	15/01/2016	DEL
<b>Location:</b>	22 Quarry Park Road, Exeter, EX2 5PB			
<b>Proposal:</b>	Insertion of dormer window to rear roof slope			

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## ST THOMAS

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<b>Application Number:</b>	15/1230/18	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Was lawful use	<b>Decision Date:</b>	23/12/2015	DEL
<b>Location:</b>	5 School Road, Exeter, EX2 9AD			
<b>Proposal:</b>	Dormer window on rear elevation			

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<b>Application Number:</b>	15/1377/18	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	14/01/2016	DEL
<b>Location:</b>	75 Regent Street, Exeter, EX2 9EH			
<b>Proposal:</b>	The construction of a workshop for storing tool boxes and equipment for the general maintenance of 75 Regent Street including plumbing, electrical , landscaping, building and car maintenance tools and parts.			

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**Application Number:** 16/0091/03                      **Delegation Briefing:**  
**Decision Type**                      Withdrawn by Applicant                      **Decision Date:**                      22/01/2016  
**Location:**                      1 Pincas Road, Exeter, EX2 9EL  
**Proposal:**                      REAR FLAT ROOF GROUND FLOOR EXTENSION AND REPLACEMENT OF  
THE HEDGE TO THE LHS BOUNDARY

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**Application Number:** 15/1347/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      26/01/2016                      DEL  
**Location:**                      3a, Parkhouse Road, Exeter, EX2 9DB  
**Proposal:**                      Change of use from (A1) hairdressers to (Sui Generis) dog grooming salon.

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**Application Number:** 15/1348/05                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      26/01/2016                      DEL  
**Location:**                      3a, Parkhouse Road, Exeter, EX2 9DB  
**Proposal:**                      1no. non-illuminated fascia sign.

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**Application Number:** 16/0087/37                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      26/01/2016                      DEL  
**Location:**                      8 Crawford Gardens, Exeter, EX2 8HQ  
**Proposal:**                      Non-material amendment sought to widen approved side extension by 500mm  
(original app. ref 15/1169/03).

## TOPSHAM

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**Application Number:** 15/1292/07                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      11/01/2016                      DEL  
**Location:**                      Quay Gardens, Monmouth Hill, Topsham, Exeter, EX3 0JF  
**Proposal:**                      Addition of two cupboards to the ground floor living and storage area, one for  
coats to have a sliding door. Re-arrangement of en-suite and addition of  
wardrobes to bedroom.

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**Application Number:** 15/1295/03                      **Delegation Briefing:**  
**Decision Type**                      Permitted                      **Decision Date:**                      11/01/2016                      DEL  
**Location:**                      11 Robert Davy Road, Exeter, EX2 7AX  
**Proposal:**                      Rear conservatory.

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<b>Application Number:</b>	15/1288/04	<b>Delegation Briefing:</b>	
<b>Decision Type</b>	Withdrawn by Applicant	<b>Decision Date:</b>	21/01/2016
<b>Location:</b>	3 Tresillian Gardens, Topsham, Exeter, EX3 0BA		
<b>Proposal:</b>	T1 - Beech - Remove 2 lowest branches		

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<b>Application Number:</b>	15/1247/03	<b>Delegation Briefing:</b>	
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	05/01/2016 DEL
<b>Location:</b>	5 Ark Royal Avenue, EXETER, EX2 7GP		
<b>Proposal:</b>	Single storey conservatory.		

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<b>Application Number:</b>	15/1320/06	<b>Delegation Briefing:</b>	
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	06/01/2016 DEL
<b>Location:</b>	34 The Strand, Topsham, Exeter, EX3 0AY		
<b>Proposal:</b>	T1 - Walnut - Crown raise to 2.2M and thin by 10% T2 - Mulberry - Crown reduce by 2-3M		

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<b>Application Number:</b>	15/1427/21	<b>Delegation Briefing:</b>	
<b>Decision Type</b>	Prior Approval Not Required	<b>Decision Date:</b>	06/01/2016 DEL
<b>Location:</b>	Countess Wear Roundabout, Countess Wear Road, Exeter, EX2		
<b>Proposal:</b>	Replacement telecommunications monopole (height of 12M) and associated cabinets		

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## WHIPTON BARTON

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<b>Application Number:</b>	15/1299/03	<b>Delegation Briefing:</b>	
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	08/01/2016 DEL
<b>Location:</b>	Vranch House, Pinhoe Road, Exeter, EX4 8AD		
<b>Proposal:</b>	Demolition and rebuilding of stand alone hydrotherapy pool to rear of childrens assesment centre		

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<b>Application Number:</b>	15/1330/03	<b>Delegation Briefing:</b>	
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	11/01/2016 DEL
<b>Location:</b>	2 Cranbrook Walk, EXETER, EX1 3GE		
<b>Proposal:</b>	Rear conservatory.		

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<b>Application Number:</b>	15/1349/03	<b>Delegation Briefing:</b>		
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	21/01/2016	DEL
<b>Location:</b>	3 Quintet Close, Exeter, EX1 3HZ			
<b>Proposal:</b>	Single storey side and rear extension			

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<b>Application Number:</b>	15/1357/03	<b>Delegation Briefing:</b>	12/01/2015	0
<b>Decision Type</b>	Permitted	<b>Decision Date:</b>	21/01/2016	DEL
<b>Location:</b>	Premier Inn, FitzRoy Road, Exeter, EX1 3LJ			
<b>Proposal:</b>	Three Storey extension to Hotel (C1); Reconfiguration of car-park layout, installation of plant enclosure containing 4no. AC units			

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<b>Total Number of Decisions Made:</b>	<b>96</b>
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**Local Government (Access to Information) 1985 (as amended)**

Background papers used in compiling the report:

Files of Planning Applications available for inspection from:

Planning Services, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1NN

Telephone No: 01392 265223

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## APPEALS DECIDED BETWEEN 01/12/2015 AND 28/01/2016

### Dismissed

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<b>Application no:</b>	15/0112/03	<b>DoE ref no:</b>	APP/Y1110/ W/15/3132075
<b>Appeal Decision date:</b>	24/12/2015 0	<b>Procedure:</b>	Written Representations
<b>Officer:</b>	Leigh Powell	<b>Application type:</b>	Full Planning Permission
<b>Location:</b>	94 Whipton Lane, Exeter, EX1 3DJ		
<b>Proposal:</b>	Conversion of triple garage into self-contained residential dwelling		

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<b>Number of Appeals</b>	<b>Dismissed</b>	<b>1</b>
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**Total Number of Appeals: 1**

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Exeter City Council

## APPEALS RECEIVED BETWEEN 01/12/2015 AND 28/01/2016

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<b>Application No:</b>	15/1083/03	<b>DoE ref no:</b>	APP/Y1110/	D/15/3139813
<b>Appeal Received:</b>	09/12/2015 0	<b>Procedure:</b>	Householder Appeal	
<b>Start Date:</b>	09/12/2015 (	<b>Application Type:</b>	Full Planning Permission	
<b>Officer:</b>	Christine Hemming			
<b>Location:</b>	9 Woolsery Close, Exeter, EX4 8BN			
<b>Proposal:</b>	Construction of rear extension and garage			

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<b>Application No:</b>	15/0247/03	<b>DoE ref no:</b>	APP/Y1110/	W/15/3134764
<b>Appeal Received:</b>	10/12/2015 0	<b>Procedure:</b>	Written Representations	
<b>Start Date:</b>	10/12/2015 (	<b>Application Type:</b>	Full Planning Permission	
<b>Officer:</b>	Alex Lawrey			
<b>Location:</b>	Site At Rear Of 16 West Avenue, Hoopern Lane, Exeter, EX4 4SD			
<b>Proposal:</b>	Demolition of existing double garage and shed for the erection of new two storey dwelling.			

Note: The Local Planning Authority considers that this development is CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

Where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. Developers must apply for any relief and receive confirmation from the Council before commencing development. Further information is available at [www.exeter.gov.uk/cil](http://www.exeter.gov.uk/cil).

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<b>Application No:</b>	15/0523/03	<b>DoE ref no:</b>	APP/Y1110/	W/15/3137953
<b>Appeal Received:</b>	11/12/2015 0	<b>Procedure:</b>	Written Representations	
<b>Start Date:</b>	11/12/2015 (	<b>Application Type:</b>	Full Planning Permission	
<b>Officer:</b>	Leigh Powell			
<b>Location:</b>	3a, Parkhouse Road, Exeter, EX2 9DB			
<b>Proposal:</b>	Change of Use of existing shop to form studio dwelling.			

Note: The Local Planning Authority considers that this development is CILliable but refused permission.

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<b>Application No:</b>	14/0848/03	<b>DoE ref no:</b>	APP/Y1110/	W/15/3138416
<b>Appeal Received:</b>	11/12/2015 0	<b>Procedure:</b>	Written Representations	
<b>Start Date:</b>	11/12/2015 C	<b>Application Type:</b>	Full Planning Permission	
<b>Officer:</b>	Paul Jeffrey			
<b>Location:</b>	4 Mission Court, Tudor Street, Exeter, EX4 3BR			
<b>Proposal:</b>	Change of use from business store to studio flat with new storage shed			

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**Total number of appeals:**        **4**

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