

PLANNING

Date: Monday 27 June 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 Sutton (Chair), Lyons (Deputy Chair), Bialyk, Denham, Edwards, Foale, Gottschalk, Harvey, Mrs Henson, Morse, Newby, Prowse and Spackman

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. 15/0436/01 - Land adjoining the West of England School, Topsham Road, Exeter**

To consider the report of the Assistant Director City Development. (Pages 5 - 18)
- 5 Planning Application No. 16/0603/03 - 36-38 Well Street, Exeter**

To consider the report of the Assistant Director City Development. (Pages 19 - 28)
- 6 Planning Application No. 16/0483/03 - 4 Garden Close, Exeter**

To consider the report of the Assistant Director City Development. (Pages 29 - 34)
- 7 Planning Application No. 16/0481/03 - Renslade House, Bonhay Road, Exeter**

To consider the report of the Assistant Director City Development. (Pages 35 - 50)
- 8 Planning Application No. 16/0618/03 - Land to the east of Dean Clarke House, Southernhay, Exeter**

To consider the report of the Assistant Director City Development. (Pages 51 - 62)
- 9 List of Decisions Made and Withdrawn Applications**

To consider the report of the Assistant Director City Development. (Pages 63 - 86)
- 10 Appeals Report**

To consider the report of the Assistant Director City Development. (Pages 87 - 88)

11 SITE INSPECTION PARTY

To advise that the next Site Inspection Party will be held on Tuesday at 12 July 2016 9.30 a.m. The Councillors attending will be Lyons, Denham and Edwards.

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 25 July 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.

COMMITTEE DATE:

27 JUNE 2016

APPLICATION NO:

15/0436/01

OUTLINE PLANNING PERMISSION

APPLICANT:

ADP&E Farmers

PROPOSAL:

Outline planning application for up to 123 houses and associated infrastructure, with all matters reserved except for access.

LOCATION:

Land adjoining the West of England School, Topsham Road, Exeter, EX2

REGISTRATION DATE:

16/04/2015

EXPIRY DATE:

31/05/2016

HISTORY OF SITE

Applications for the residential development of this site were dismissed on appeal in 1962 and 1967. A further application in 1976 was also refused for local plan, highway, landscape and drainage reasons.

An outline application (ref 96/0620/01) for the residential development of the site was refused in December 1996 for reasons that: the site was outside the urban limit; the site was within a valley park, there was no demonstrable need for the development since there was sufficient land for housing within the Local Plan; the prominence of the site in the landscape; and, highway reasons. A subsequent appeal against this decision was dismissed in September 1997 on the grounds that the proposal would conflict with the approved Devon County Structure Plan, the Exeter Local Plan First Alteration and the provisions of the then emerging Second Alteration. The Inspector concluded that the residential development of the site and the extension of the urban area across the open green land would significantly damage the existing and potential qualities of the park and the character and appearance of the area in direct conflict with the objectives of the development plan.

A further outline application (ref 01/1769/01) for residential was refused in May 2002 on the following grounds:-

The proposal is contrary to policies 1L, 5L, 9LS and 1DG of the Exeter Local Plan First Alteration, Alterations 12, 13 and 15 of the Exeter Local Plan Second Alteration, policies H1, H2, L1, LS1 and LS6 of the Exeter Local Plan First Review Deposit Draft, policies H1, H4, and C17 of the Devon Structure Plan First Review and the DETR Planning Policy Guidance Note No.3, because:

- (a) it would result in development within an area of countryside identified as part of the Ludwell Valley Park where it is aimed to keep such areas open in the interests of visual amenity and to provide casual recreation; and*
- (b) there is no demonstrable need for the development as sufficient land has been provided for on previously-developed sites and through urban extensions, in accordance with the search sequence set out in PPG3, to meet immediate and longer term housing requirements; and*
- (c) it would give rise to prominent development adversely affecting the character and appearance of the Ludwell Valley Park and the surrounding area including important views of surrounding countryside; and*
- (d) it would harm, directly or indirectly, a protected wildlife species.*

Following the refusal of planning permission an appeal was lodged and subsequently recommended to the Secretary of State that it be dismissed in November 2003. The Appeal Inspector concluded in his report to the Secretary of State that:-

'The appeal proposal would cause significant harm to the character and appearance of the area and to casual recreation within the Ludwell Valley Park. It would also be likely to result in material harm to the habitat of a specially protected species. These harmful effects would

not be overcome by any of the suggested conditions or by the planning obligations contained in the appellant's Unilateral Undertaking. The resultant conflicts with development plan policy would not be outweighed by the contribution which the proposal would make to the realisation of other development plan objectives, particularly in respect of housing provision and transportation. Nor would these conflicts be outweighed by other material considerations, including emerging development plan policies, national and regional planning policy guidance, and the wider benefits arising from the proposal and its associated planning obligations'.

Subsequently in January 2004 the Secretary of State agreed with the Inspector's conclusion stating that:-

'...the application is a departure from the adopted development plan as the site is part of Ludwell Valley Park and the proposal would be contrary to development plan policies on the protection of landscape character, recreational open space and the habitat of a protected species. He also concludes that there is no need for the development at this time to meet housing targets. While the proposal would provide greater choice of housing land in an accessible and sustainable location as well as other material benefits to the local community, the Secretary of State does not consider that these benefits are sufficient to outweigh the potential harm to the habitat of the cirl bunting and the enjoyment of people using the remaining areas of the Park. He concludes that there are no other material considerations of sufficient weight as to indicate that he should determine the application other than in accordance with the development plan'.

DESCRIPTION OF SITE/PROPOSAL

The site comprises an area of land of 6.73 hectares in total comprising an open field bounded to the south west of the site by the West of England School and College which has access off Topsham Road. The site is an undulating grass field with its highest part located within the north western section near to existing residential properties in Tollards Road and Wendover Way. The field falls away towards the south east which forms its boundary with Rydon Lane (A379). A row of semi mature trees are located adjacent to Rydon Lane separated from the road by a foot and cycle path. The north eastern boundary of the site is defined by an established tree and hedgerow with an unimproved area of grassland beyond which lies adjacent to the office buildings within Pynes Hill Business Park.

The site is located within the Ludwell Valley Park and is designated as an area of Landscaping Setting. The Park is designated in the Exeter Local Plan First Review as a Site of Nature Conservation Importance, although Devon Biodiversity Records Centre representatives concluded in July 2014 that the site no longer qualifies as a County Wildlife Site and consequently the site's status will be removed when the development plan is reviewed.

The application seeks to develop the site for a maximum of 123 dwellings with associated infrastructure. The application is for all matters reserved except for access which is proposed from Topsham Road using an improved existing vehicular and pedestrian access alongside the West of England School and College and linking with an existing spur off Wendover Way which joins Topsham Road via Tollards Road. The application is accompanied by an Illustrative Masterplan and a Landscape and Visual Appraisal to inform the intended development area/open space.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The applicant has submitted the following consultant's reports to support their case:-

Planning Statement

Illustrative Masterplan and Design and Access Statement

Landscape and Visual Appraisal

Statement of Community Involvement

Transport Assessment and Travel Plan

Ecological Assessment
Archaeological and Heritage Assessment
Flood Risk Assessment
Foul Sewerage Capacity Assessment
Ground Contamination Report
Noise Assessment
Acoustic Assessment

REPRESENTATIONS

360 letters/emails of objection have been received. Principal material planning issues raised:-

1. Development would destroy part of the Ludwell Valley Park which is important for wildlife and informal recreation/public open space;
2. Wholly inappropriate to build within a Valley Park;
3. Overdevelopment of the Countess Wear area;
4. Loss of open countryside/views across the site;
5. Loss of green buffer between built up area and open spaces;
6. Serious impact on existing wildlife in the area, notably curlew buntings/ badgers/ dormice/ foxes;
7. Existing wildlife on the site should continue to be protected;
8. Lead to increased pressure for further development within the Valley Park;
9. Adversely affect the existing ancient hedgerow along the boundary of the site alongside the Valley Park;
10. Detrimentally affect the biodiversity of the area and rare/protected species;
11. SHLAA report 2015 clearly states that site unsuitable for housing;
12. Contrary to Core Strategy Policies;
13. Site has been rejected for housing several times previously with appeal inspectors stating that '*...development would leave an isolated tongue of land between the site and Woodwater Park offices that would lack the extensive rural character of the Valley Park as a whole*'
14. Inspector at 2003 Local Plan Inquiry concluded that '*...the site should be remain park of the Valley Park because of its general prominence from Rydon Lane and its consequent role in forging a landscape link between the actively used parts of the Valley Park and the wider area*'
15. City Council should continue to refuse planning application on this site, as there has been no change in policy circumstances still these decisions were made;
16. Applicant's Planning Statement is out of date referring to the 2013 SHLAA and not the 2015 SHLAA;
17. Increase traffic in the area particularly along the already busy Topsham Road;
18. Potential for increased parking pressures on the existing roads due to insufficient parking within the site once developed;
19. Transport assessment misrepresentative and does not reflect the considerable traffic that already exists in the area;
20. Existing roads (Tollards Road, Southbrook Road and Wendover Way) too narrow/unsuitable to accommodate proposed increased traffic levels;
21. Too many vehicles using these roads already;
22. Inevitably lead to greater congestion at the Tollards Road/Topsham Road junction which already suffers from queuing;
23. Potential for gridlock in the area;
24. Greater risk to pedestrians due to the increase traffic to area, particularly dangerous to pupils of the local schools in the area;
25. Blind corners within Tollards Road and Southbrook Road will become more dangerous because of the increased traffic use;
26. Increased traffic congestion will prevent emergency vehicles accessing the estate;
27. Dangerous for pedestrians/cyclists along Wendover Way as new access road crosses this route;
28. Air pollution will increase particularly in an area which already has a high level of pollutants;

29. Detrimental to air quality in the area;
30. Air quality report is inaccurate and out of date;
31. No need for additional houses in the city as there are already too many;
32. Brownfield sites should be developed before greenfield sites;
33. Cranbrook/Newcourt/Rydons has already provided enough homes for the area;
34. Area cannot take more development given the future arrival of IKEA;
35. Inadequate local infrastructure such as lack of schools, hospitals, doctors and capacity of existing sewage system to accommodate the increased number of new residents;
36. Loss of privacy/overlooking due to future housing backing onto properties in Tollards Road/Wendover Way;
37. Loss of peace and quiet of the area;
38. Housing density indicated would be too high for the area;
39. Potential for flooding particularly onto Topsham Road due to the slope of the site;
40. Existing infrastructure in the area will not take further development, such as the existing culvert under Tollards Road and Southbrook Road
41. Adverse impact on existing archaeological features present within the site.

CONSULTATIONS

The County Head of Planning, Transportation and Environment views awaited

Highways England raises no objection commenting that it has reviewed the submitted documents in line with the guidance contained within Dept of Transport Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development' and with the DCLG National Planning Policy Framework. The trip rates and distribution set out in the Transport Assessment are the same as those considered as appropriate at the scoping stage. Highways England is therefore satisfied that the expected proportion of trips routing via M5 junction 30 will be very low and that the impact on the Strategic Road Network will not be severe.

Environmental Health officer raises no objection subject to suitable condition in respect of the need for a Construction and Environment Management Plan (CEMP), a full investigation in terms of contamination of the land and remediation works where necessary, investigation of risks posed by unexploded ordnance together with any future works necessary and the need for a scheme for the protection of the proposed development from ambient noise.

South West Water raise no objection.

Natural England comment that the proposal is unlikely to have a significant effect on a European site and can therefore be screened out from any requirement for further assessment. It is considered that CIL will secure financial contributions to deliver strategic mitigation measures to avoid impacts on European sites as set out in the 'South East Devon European Sites Mitigation Strategy (Footprint Ecology 2013). Therefore Natural England advises that a separate Habitat Regulations Assessment will be not required. NE provide further comment that in response to the Draft Development DPD document they objected to the site being included as an allocation since it was a County Wildlife Site, part of Ludwell Valley Park and an important component of the Green Infrastructure of the city, as identified in the '*Green Infrastructure Strategy Phase II - Exeter Area and East Devon Growth Point (2009)*'. The CWS boundary has since been revised to exclude this area but the Valley Park designation and its importance to the overall green infrastructure strategy remains. Furthermore, in the *South East Devon European Sites Mitigation Strategy* the authority has identified enhancements to the Exe Riverside and Ludwell Valley Parks as necessary to provide 'Suitable Alternative Natural Greenspace (SANGS) as mitigation for recreational impacts. Before granting any permission for this site the authority must ensure that this would not compromise the ability to deliver this proposed mitigation.

RSPB comments that a record has been received from a reliable source of two curlew buntings seen and heard on 26, 27 and 29 April 2016 at Ludwell Valley Park approx. 400 metres north

of the application site. This confirms that curlew buntings are still present at Ludwell Valley and are close enough that birds could reasonably be expected to use any suitable habitat at the application site.

Devon and Cornwall Police raises no objection to the proposal so long as the indicative masterplan is followed at the reserved matters stage.

Housing Development Officer comments that 35% of the total dwelling must be affordable in line with the Affordable Housing SPD, which for a 123 dwellings would be 43 with a financial contribution needed for the remaining 0.05. In accordance with the Affordable Housing SPD at least 70% of the affordable units are required to be social rent (30 units) the remainder to be intermediate affordable housing (13 units); the scheme to achieve a representative mix of market dwelling types and sizes (including number of bedrooms); 5% (2 units) of the affordable housing to be wheelchair accessible in accordance with the Council's Wheelchair Housing Design Standards and affordable housing to be spread out across the site in clusters of no more than 10 units.

Heritage Officer comments that significant remains have been confirmed on site in the form of a prehistoric Bronze Age enclosure within it and an early parish boundaries on its NE boundary. However neither form constraints on the principle or layout of the development, as the enclosure has already been heavily damaged by ploughing and the latter can continue to exist as the boundary to the site. It is therefore recommended that an archaeological condition is attached to scheme.

Barn Owl Trust comments that the site appears to provide suitable foraging opportunities for barn owls and therefore recommend that the proposed public open space in the south east section of the proposed development should include some rough grassland foraging habitat to be created and maintained.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance: National Planning Policy Framework:-

4. Promoting sustainable transport
5. Supporting high quality communication infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment

National Planning Policy Guidance

Paragraph 11 - '*Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise*'.

Paragraph 14 '*At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking...*

For decision-takers this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted'*

Paragraph 49 '*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*'

Exeter Local Development Framework Core Strategy:-

- CP1 – Providing for Growth - Spatial Strategy
- CP3 – Housing Distribution
- CP4 – Housing Density
- CP5 – Meeting Housing Needs
- CP7 – Affordable Housing
- CP9 – Strategic Transport Measures
- CP10 - Meeting Community Needs
- CP11 – Pollution
- CP12 – Flood Risk
- CP14 – Renewable and Low Carbon Energy in New Development
- CP15 – Sustainable Construction
- CP16 – Green Infrastructure
- CP17 – Sustainable Design
- CP18 – Infrastructure
- CP19 - Strategic Allocations

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
- H6 - Affordable Housing
- H7 - Housing for Disabled People
- L1 - Valley Parks
- T1 - Hierarchy of Modes
- T2 - Accessibility Criteria
- T3 - Encouraging Use of Sustainable Modes
- T5 - Cycle Route Networks
- T10 - Car Parking Standards
- C5 - Archaeology
- LS1 - Landscape Setting
- LS4 - Local Nature Conservation Designation
- EN2 - Contaminated Land
- EN3 - Air and Water Quality
- EN4 - Flood Risk
- EN5 - Noise
- DG1 - Objectives of Urban Design
- DG4 - Residential Layout and Amenity
- DG5 - Provision of Open Space and Children's Play Areas
- DG6 - Vehicle Circulation and Car Parking in Residential Areas
- DG7 - Crime Prevention and Safety

Development Delivery Development Plan Document (Publication Version):-

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

- DD1 - Sustainable Development
- DD8 - Housing on Unallocated Sites
- DD9 - Accessibility, Adoptable and Wheelchair User Dwellings

DD13 - Residential Amenity
DD20 - Sustainable Movement
DD21 - Parking
DD22 - Open Space
DD25 - Design Principles
DD26 - Designing Out Crime
DD28 - Heritage Assets
DD30 - Green Infrastructure
DD31 - Biodiversity
DD33 - Flood Risk
DD34 - Pollution

Exeter City Council Supplementary Planning Documents:-

Affordable Housing
Archaeology and Development
Planning Obligations
Public Open Space
Residential Design Guide
Trees and Development

Other Relevant Planning Documents:-

SHLAA 2015
Green Infrastructure Strategy Phase II - Exeter Area and East Devon Growth Point (2009)
Riverside and Ludwell Valley Parks Masterplan 2016-2016

OBSERVATIONS

This site has been the subject of several applications and appeal decisions for residential development as highlighted in the history of the site section. The substantial amount of correspondence from local residents shows the strength of feeling regarding the site's development and the comments made indicate that residents are well informed of its planning history. It is clear that residents feel passionate about the potential loss of open land close to their homes and many have expressed surprise as to why the applicant has been continually allowed to submitted applications on this site. The submission of repeated applications on the same site is an applicant's prerogative and in most situations cannot be resisted by a local planning authority. However the last application was made in 2001 with a judgement made by the Secretary of State in 2004. Consequently how planning applications are determined has significantly changed since this time, particularly with the introduction of the National Planning Policy Framework (NPPF) in 2012, which at its heart has the presumption in favour of sustainable development. Whilst the NPPF does not promote development regardless of the potential adverse impact it may have on an area, it does have a bearing on how planning applications need to be assessed, as has been highlighted by the recently allowed appeal decisions for residential development at Home Farm and Exeter Road, Topsham.

Implications of Exeter Road Topsham appeal decision

Before considering the merits of this application it is important to understand the implications of the recently allowed appeal decision at Exeter Road, Topsham. The principal finding of this Inspector's decision letter was to conclude that the Council could not demonstrate that it has a five year supply of deliverable housing sites. This conclusion is important as NPPF paragraph 49 states that the relevant policies for the supply of housing should not be considered up to date, if the local planning authority cannot demonstrate a five year housing supply. In practice this appeal decision, which is consistent with the appeal allowed at Home Farm, Pinhoe affects how the Council deals with applications for major housing developments. However before highlighting these changes, it is important to remember that this appeal decision does not override planning law which requires applications for planning

permission to be determined in accordance with the development plan unless material considerations indicate otherwise, as stated in NPPF paragraph 11.

The impact of the lack of a 5 year housing supply changes the emphasis of NPPF paragraph 14 as a material planning consideration. Paragraph 14 states that where policies are out of date (due to the lack of a five year housing land supply) planning permission should be granted unless '*...any consequent adverse impact of doing so would significantly and demonstrably outweigh the benefit, when assessed against policies in the Framework taken as a whole, or specific policies in the Framework indicates that the development should be restricted*'. Whilst the lack of a 5 year housing supply effectively labels The Council's development plan housing supply policies 'out of date', they are not irrelevant to the determination of the planning application and it is still for the local planning authority to determine what weight is attached. The wording of NPPF paragraph 14 is however important as it requires, in this instance, a residential schemes to have a significantly and demonstrable adverse impact for it to be refused. In effect, the evidence of adverse harm needs to be greater than has been previously required to outweigh the positive benefit of additional homes being provided to meet the identified deficiency in housing numbers in the city.

Consequently in practice it will be more difficult to refuse housing schemes unless clear evidence can be provided by the local planning authority that the development would cause a significant and demonstrable adverse impact. It is important to acknowledge that the existence of a development plan policy, in this instance, Local Plan policies L1 and LS1 which aims to protect the Valley Park and areas of landscape setting cannot be wholly relied on to resist development on this site, since these policies are relevant policies for the supply of housing and can no longer be considered up to date. However a balanced approach is still needed when assessing planning applications which considers the development plan policies and relevant other material considerations. The remainder of the report will seek to consider these matters.

Strategic Housing Land Availability Assessment (SHLAA)

Local residents refer to the finding of the 2015 SHLAA which concluded that the site is unsuitable for development and use this to suggest the development should be resisted. The SHLAA is an evidence base document compiled for plan-making purpose that cannot allocate a site or grant it planning permission. However, its findings could be considered a material consideration in determining this planning application. Whilst both the 2015 SHLAA and the Revised 2015 SHLAA concluded that the site is unsuitable for development, the 2013 SHLAA concluded that part of the site was suitable for development. This finding was made at a time when Exeter's 5 year housing land supply was considered marginal and it appeared that the Core Strategy's target to deliver at least 12,000 dwellings over the plan period would otherwise not be achieved. The approach taken by the 2013 SHLAA was in accordance with the National Planning Practice Guidance (NPPG) which is clear that in order to meet housing targets, it may be necessary to change assumptions on the development potential of particular sites, including physical and policy constraints. As a result of the recent appeal decision the Council's housing supply has been found to be deficient and consequently the conclusions contained within the SHLAA will need to be re-assessed. It could be argued that in the current circumstances the outcome of this re-assessment (which is yet to be undertaken) is more likely to reflect the conclusions of the earlier 2013 SHLAA. However, it is important to re-emphasise that the SHLAA neither allocates nor grants planning permission and represents one of a number of material planning considerations.

Sustainable Location

NPPF paragraph 14 states that at its heart is the presumption in favour of sustainable development. It is accepted that the site is located within a sustainable location. It is close to good transport routes, local schools and amenities, which have the potential to be enhanced through the combination of planning conditions, Section 106 agreement requirements or improvements arising from CIL receipts, if this application was to be approved. The site can therefore be regarded as a sustainable urban extension. Indeed in the previous appeal the Secretary of State stated that the site is *in an accessible and sustainable location as well*

as other material benefits to the local community...' The application proposes a similar number of dwellings to the Exeter Road, Topsham appeal (up to 123 units against the 107 units at the Topsham appeal). The Inquiry inspector commented that the number of units proposed for the Exeter Road appeal '*... would be of very considerable importance in delivering housing in the context of the serious housing shortfall...*' Accordingly given the similarity in number of homes proposed for the West of England School site, the development can not only be considered sustainable but significant in addressing the identified housing supply deficit. The applicant's planning statement also indicates that the scheme includes a 35% provision of affordable housing. Accordingly these factors represents material planning considerations within the overall assessment of this application.

Landscape Assessment

An important material consideration is the impact of the development on the landscape setting and the Valley Park. Previously assessments have concluded that development of the site would damage the landscape character and appearance of the Valley Park and these views have been supported by an appeal Inspector and the Secretary of State. The applicants have submitted a Visual and Landscape Assessment to support their scheme which concludes that '*...development on this site will not have any substantial effects upon landscape resources and visual amenity within the local or wider area, including the strategically important Ludwell Valley Park...*' Notwithstanding the conclusion reached in the applicant's landscape assessment it is inevitable that housing development of this scale will have an impact on the openness of the site located within a Valley Park. Whilst the site's context has changed with further development in the area and to the management regime of the site, there remains an adverse landscape impact. However as previously stated the consequence of out of date policies for the delivery of housing means that there is a need to demonstrate significant adverse impact of the proposed residential scheme to override the benefit of increased housing provision for the City. However this is not to say that the landscape qualities of the site are now rendered unimportant; they still represent a material consideration in the determination of this planning application.

Green Infrastructure

The Core Strategy Policy CP16 recognises the importance of improvements to green infrastructure as part of new development within the City and in the context of this site, the Newcourt area. The applicants have acknowledged the importance of the site's role as part of the City's Green Infrastructure Network and have stated that the site '*... will be significantly enhanced as a result of introducing public access and improving connectivity between the site and surrounding areas and providing significant new areas of public open space, planting and other landscape and ecological enhancement measures within the site*'. The creation of public access through the site and into the Valley Park on land which is currently in private ownership is to be welcomed. In addition, the potential for improvements to and from Newcourt across Rydon Lane is consistent with the objectives of Policy CP16 and the Green Infrastructure Strategy Phase II Plan. The Sustainable Movement Network and the Biodiversity Network opportunities (identified in the Newcourt Area Framework) could still be delivered alongside the proposed development. However further clarification has been requested from the applicant as to what measures for green infrastructure improvements are proposed to enable a detailed assessment as to the material benefit this scheme would bring.

Valley Park and SANGS

Whilst the site lies within the Ludwell Valley Park there is currently no public access onto or through the site. Consequently the development of the site would not impact on the City Council's ability to deliver Ludwell Valley Park as a SANGS or have implications for the overall objectives of the Riverside and Ludwell Valley Park Masterplan. The applicant's submitted green infrastructure framework plan indicates areas which are important in landscape terms and it is therefore considered appropriate for a condition to be imposed which seeks to maintain these areas as public open space in the future. The site will also

contribute to habitat mitigation through the payment of Community Infrastructure Levy and as previously stated green infrastructure improvements in terms of access to and from the Newcourt area to the Ludwell Valley Park would have the benefit of relieving public pressure on areas such as the Exe Estuary, a European protected site.

Cirl Buntings

The site was previously designated as a County Wildlife Site (CWS) due to the presence of cirl buntings. Previous applications have been refused on the basis that the development would harm directly or indirectly this protected species and this approach has been supported at appeal. However following consideration by the Devon Biodiversity Records Centre in 2014 it was agreed to de-designate the site as a CWS, as it no longer met the selection criteria, due to the absence of cirl buntings. However a recent letter from the RSPB has stated that cirl buntings have been seen on three occasions in April 2016 approximately 400 metres from the site in Ludwell Valley Park. However it should be noted that to meet the CWS criteria 15 or more wintering birds are required to be recorded at the site and a minimum of 4 breeding pairs. In addition, the fact that the site is improved grassland rather than arable means that it is unlikely to provide suitable habitat for cirl bunting. Notwithstanding these comments the applicant has been requested to update their cirl bunting survey and given the importance of this issue as highlighted by the previous appeal decisions, the application cannot be determined until this issue is resolved.

Highway Issues

Local residents have expressed serious concerns regarding the potential for the development to increase traffic congestion and safety within the area and onto Topsham Road, which would be exacerbated by the existing road layout around Tollards Road and Southbrook Road which contain several 'blind corners'. The Highway officer's report is awaited but it is important to note that the previous application did not contain a refusal reason relating to highway matters and consequently it is considered that subject to suitable conditions the application would be acceptable in highway terms.

Other Issues

The objections raise additional issues regarding the impact of the development on air pollution, flooding, pressure on local infrastructure eg schools, health provision, sewage system, wildlife and archaeology. It is considered that the various reports and consultation responses have satisfactorily address these comments and concerns.

Conclusion

A balanced judgement has to be made between the provision of new housing on this site to meet an identified shortfall in the city against the loss of part of the Valley Park and its value to the open character of the area. The benefits of the application for up 123 houses including the provision of 35% affordable homes, greater public access within and to the adjacent Valley Park and through improved green infrastructure in the area are significant material considerations that weigh in the application's favour. This has be balanced against the loss of an area of land in the Valley Park which contributes to the open character. Given the previous historic appeal decisions of this site and the more recent ones at Home Farm and Exeter Road the assessment of the relevant merits and adverse impact of this application are finely balanced.

The Exeter Road Inspector's decision on the City's lack of 5 year housing supply is a significant factor in how the Council assesses future planning application for residential development. Whilst the decision does not change status of the adopted development plan, as the starting point against which the application needs to be assessed, it does mean that a greater level of evidence is needed to prove that the harm created by the development is significant and demonstrable. The Exeter Road Inspector was very clear in his conclusion

that '*... the circumstances of a significant housing shortfall, the need to boost the supply, are very important material considerations which significantly outweigh the conflict with the development plan...*'. This decision represents a clear indicator as to how Inspectors will interpret the NPPF and ultimately how residential development schemes will be judged in the future. Consequently it is considered that the benefits of housing supply for the City, in the light of the Topsham Inspector's comments, are of fundamental importance and on balance favour approval of the application. However given the recognised landscape value of this site and its contribution to the Valley Park, it is important that the green infrastructure improvement to be offered by the applicant are significant and achieve the necessary integration of the development site into the area. In particular, the proposed improved pedestrian accessibility to and from the Newcourt area to Ludwell Valley Park would represent a significant addition to meeting the green infrastructure objectives of the area. Accordingly whilst it is considered that, on balance, planning permission should be granted given the impact it will have on the area, a clear understanding of the applicant's green infrastructure improvements are needed. Consequently subject to further details being submitted in respect of green infrastructure improvements the application should be approved.

RECOMMENDATION

Subject to the receipt of comments from the County Head of Planning, Transportation and Environment; clarification by the applicant of the specific nature of the green infrastructure measures proposed; submission of a revised curtilage survey that satisfactorily demonstrates that the development will not affect their habitat and the completion of a Section 106 Agreement in respect of affordable housing 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) Approval of the details of the layout, scale, appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 2) Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of the permission.
Reason: To ensure compliance with section 91 - 93 of the Town and Country Planning Act 1990.
- 3) The development hereby approved shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved...
Reason: To ensure compliance with section 91 - 92 of the Town and Country Planning Act 1990.
- 4) Notwithstanding the those matters reserved for later approval the development hereby permitted the scheme shall adhere to development areas identified as white with the Green Infrastructure Framework plan dated 16 April 2015 (dwg no. 3887_203) unless otherwise agreed in writing by the Local Planning Authority.
Reason: To maintain the character and appearance of the area.
- 5) Construction work shall not take place outside the following times: 0800hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours Saturdays and shall not take place at any time on Sundays, Bank and Public Holidays.
Reason: In the interest of residential amenity.
- 6) A Construction Environmental Management Plans (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and work during the construction period shall be carried out in

accordance with the approved details. This shall include details of mitigation measures to control the environmental impact of construction phases, including site traffic, vibration, noise and dust as well as details of monitoring, complaints handling and arrangements to meet regularly with the Local Authority.

Reason: In the interest of the environment of the site and surrounding areas.

- 7) C70 - Contaminated Land
- 8) C57 - Archaeological Recording
- 9) Prior to the occupation of the development, details of a biodiversity management and enhancement programme for the site shall be submitted to and approved by the Local Planning Authority and the programme shall be implemented and maintained thereafter accordance with the approved plan.
Reason: To enhance the biodiversity quality of the site.
- 10) No development shall take place on site until an investigation has taken place to determine the risk posed by unexploded ordnances and the results, together with any further works necessary, have been agreed in writing by the Local Planning Authority. The approved works shall be implemented in full and a completion report shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.
Reason: In the interest of residential amenities.
- 11) Prior to commencement of the development, the applicant shall submit a scheme for protecting the proposed development from ambient noise. This shall be submitted to and approved by the Local Planning Authority before development commences. All the works that form part of the scheme shall be completed before any of the permitted development is occupied.
Reason: In the interests of residential amenity.

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



LEGEND

[Red line]	Site boundary
[Blue area]	Sustainable Urban Drainage
[Dark green area]	Existing vegetation
[Medium green area]	Proposed structural planting
[Light green area]	Existing open space
[Very light green area]	Proposed open space

REV.	DESCRIPTION	TS	13/11/2014
A	Tweaks to GI and inclusion of secondary access	APP.	DATE

LDĀ DESIGN

PROJECT TITLE
LAND AT COUNTESS WEAR

DRAWING TITLE
Green Infrastructure Framework

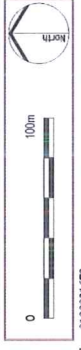
ISSUED BY	Exeter	T: 01392 260430
DATE	October 2014	DRAWN TS
SCALE	1:2500	CHECKED MS
STATUS	Draft	APPROVED MS

DWG. NO. 3887_203

No dimensions are to be scaled from this drawing.
All dimensions are to be checked on site.
Area measurements for indicative purposes only.

© LDA Design Consulting LLP. Quality Assured to BS EN ISO 9001 : 2008
Sources: Ordnance Survey.

1. Reinforced hedgerow along north east boundary to screen long and short views from Ludwell Valley Park to the north and east.
2. Woodland blocks to screen long and short views from Ludwell Valley Park to the north and east. Woodland blocks to reflect landscape character of the valley park.
3. Vallet feature and central open space creating a 'green spine' and incorporating sustainable urban drainage.
4. Reinforced hedgerow buffer to existing homes along north west boundary.
5. Woodland Blocks and reinforced hedges to filter views from A379, properties to east side of road and to reinforce existing character within Ludwell Valley Park.
6. Existing hedge retained within accessible open space with footpath access.
7. Proposed public open space with footpath access to valley park. To safeguard 'green corridor' view from Ludwell Valley park to the north and reduce any impact on long distance views from the south. Grassland/meadow character to reflect landscape character of valley park.
8. Existing Valley Park.



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OS Open data / © Natural England / © DEFRA / © DECC / © English Heritage. Contains Ordnance Survey data © Crown copyright and database right 2013. 1 Aerial Photography - Bing Maps

15/0436

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Agenda Item 5

ITEM NO.

COMMITTEE DATE:

26 JUNE 2016

APPLICATION NO:

16/0603/03

FULL PLANNING PERMISSION

APPLICANT:

Mr Lewis
Iesis

PROPOSAL:

Demolition of the existing garage buildings on site to construct a 68 bedroom student accommodation development split into one three storey block and one two storey block separated by an open courtyard. Associated facilities including common areas, waste and cycle storage, offices and plant are included.

LOCATION:

36 -38 Well Street, Exeter, EX4 6QQ

REGISTRATION DATE:

06/05/2016

EXPIRY DATE:

01/07/2016

HISTORY OF SITE

15/1477/03 Redevelopment to create 33 self-contained flats REF 20/12/2005
Appeal dismissed – 12.5.2006

DESCRIPTION OF SITE/PROPOSAL

The application site (0.09ha) is located on the site of the existing City Service Station on Well Street in the St James Ward. The site is currently occupied by a covered forecourt, central garage building and additional buildings/garages to the rear. Historic plans show that the site has been occupied by various buildings since the 1880s. More recently, the site has been used as a Service Station and it is believed that the original petrol tanks are still in situ. In more recent years, the pumps have been removed and the site is used for car sales and repairs.

The site fronts onto Well Street, with terraced properties on each side and a terrace of properties to the rear, on St James Terrace, which is accessed to the side of this site. The development site is flat, but the land slopes away to the rear so that the St James Terrace properties are about three metres below the ground level of the site. The site lies adjacent to the St Sidwells Conservation Area.

The application proposes to demolish the existing buildings and to remove the below ground petrol tanks and to construct 6 townhouses, a courtyard and rear studios. This would provide a 68 unit student housing development with communal common room and laundry facilities, creating a total floor area of 1,565m². The accommodation would be provided as follows:

- 20 studio flats (situated around the rear courtyard);
- 48 bedrooms (8 per townhouse; 6 no. townhouses – all to the front of the site facing onto Well Street).

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Design and Access Statement, Flood Risk Assessment and Drainage Strategy, Land Quality Assessment and Travel Plan have been submitted with the application.

REPRESENTATIONS

64 letters of objection have been received up until 15th June 2016, concerned with the following:

- Long term effect on the value of adjacent property and loss of privacy through direct overlooking.

- Density of the development and the effect on car parking, noise pollution, and the overbearing nature of the building.
- A development involving less density and targeted at local residents would be more acceptable.
- On top of the football ground buildings, the cricket ground building and the previous garage in Well Street (near junction with Victoria Road), St James' is becoming a student ghetto.
- Residents already experience enough noise and disturbance from students throughout the night and until after 6am.
- Student blocks foster greater noise levels and a further reduced consideration for surrounding residents.
- Worsening parking situation in Well Street and no provision for drop off or deliveries.
- Students are transient and do not, as a rule, tend to respect their surroundings.
- Residents are surrounded by students who when they are not at University leave the area like a ghost town, which also affects local businesses, many of whom reduce hours or close out of term time.
- The development would significantly affect the amount of light reaching the St James Terrace which is lower than the street and therefore affect the quality of life of its residents.
- The student population of this part of Exeter has already overtaken the 50% mark which it was Exeter City Council's undertaking not to exceed.
- The proposal will not meet a social or educational need and will undermine key principles of the Neighbourhood Plan for St James.
- There is a degradation of the neighbourhood by the proliferation of bins in the streets, food waste and bottles left lying on the pavements.
- The proposal directly contravenes the St James Neighbourhood Plan which calls for a balanced community.
- Parking for student vehicles is not included in the plan. A Transport Plan does not address the issue. St James is overwhelmed with students' cars during term time with local residents struggling to find parking spaces.
- The design does not fit in with existing architecture. The building is dark and overbearing, the roof height is above that of those existing buildings and a lower ground floor is being constructed to cram in as many students as possible. The three above ground floors close the light on to the road and is oppressive, made more significant as the building edges directly onto the pavement.
- This is a missed opportunity for a development for housing for the people of Exeter. Student accommodation should be spread around the city more.
- The top floor dormer windows of Block A will look directly into the upper floors of the six houses in St James Terrace.
- Finishing the rear elevations of Block A and B in white render and fitting contemporary windows will be out of keeping with the period nature of the properties in both St James Terrace and in Well Street where there is a predominance of red brick. The scheme deprives the terrace houses on St James Terrace of natural light. All upper windows should be obscured.
- The suggestion of a 'green wall' is welcomed but the illustration shows climbers on trellis and does not show a green wall. It is difficult to assess the height of the replacement wall and the impact on light.
- Scale, height and size of development and impact on the street scene. The development is built right onto the pavement with no set back.
- Size of accommodation proposed is impractical for other future possible uses.
- Application is contrary to Policy C2 of the St James Neighbourhood Plan.
- Loss of a local business and employment.
- Density of people in the immediate area would be increased to an unsustainable level and place a strain on water, sewage and other existing services.

CONSULTATIONS

Sustainable Transport Consultant:

Cycle parking spaces should be provided in accordance with the agreed Sustainable Transport SPD, providing 39 on site spaces.

Cycle parking should be covered from the elements and be of a design such as a Sheffield stand that allows users to lock both their frame and wheels.

Drop kerbs to the front of the development should be incorporated to aid cycle and wheelchair access to the site.

South West Water:

No objection

Environmental Health:

Approval subject to the compliance with conditions relating to the submission and approval of a Construction Environmental Management Plan, Contaminated Land and Plant Noise.

Wales & West Utilities:

Gas pipes may be present in this area. They must not be built over nor enclose any apparatus.

Highways:

The principle is acceptable in highways terms.

There are some details with regarding servicing and pick up drop off which are not considered to be adequately addressed. However, the Highways Officer believes they can be overcome by amending the current parking arrangements on Well Street to provide facilities immediately adjacent to the site. The applicant has been asked to provide amended drawings to confirm what can be achieved and the costs of any changes and associated TRO would need to be covered by the developer.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012:

4. Promoting Sustainable Transport
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy

CP2 – Retention of Employment Land or Premises

CP5 – Student Accommodation

CP15 – Sustainable design and construction

CP17 – Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

AP1 – Design and Location of Development

AP2 – Sequential Approach

C5 - Archaeology

H1 – Housing land 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 of 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 of transport
 T2 – Accessibility criteria
 T3 – Encouraging use of sustainable modes of transport
 EN2 – Contaminated land
 DG1 - Objectives of Urban Design
 DG2 – Energy conservation
 DG7 – Crime prevention and safety

Exeter Development Delivery 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 the 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

Exeter City Council Supplementary Planning Documents

Sustainable Transport SPD March 2013
 Development Related to the University June 2007
 Exeter St James Neighbourhood Plan March 2013

Policy 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.*

OBSERVATIONS

The application seeks redevelopment of this old service station site with 68 units of student accommodation within the St James Ward. The report will assess the principle of student use for this site; the design principles; its appropriateness to neighbouring residential uses and acceptability in highway terms.

Student Use

The principle of student accommodation is supported by the Core Strategy and the Development Delivery Development Plan Document. 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, being 8-10 minutes away from the Streatham Campus and borne out by the popularity of the St James ward for student accommodation. St James ward also benefits from an Article 4 Direction which requires changes of use from Class C3 homes to Class C4 (small HMOs) to obtain Local Authority Planning Approval, there are streets which were excluded from the Direction.

While reviewing the appropriateness of the development against the Exeter City Council policies, it is also particularly important to review the principle of the development against the St James Neighbourhood Plan in particular in relation to the section relating to the Community and Policy C2 (Large Scale Purpose Built Student Accommodation). The Plan states 'that development of appropriate housing to improve the social balance of the ward will be encouraged'. There is a high proportion of students in the ward, currently at around 52% of the overall population. A key aim of the plan is to ensure an appropriate balance between the student population and permanent residents. The addition of recently approved projects leads to a further imbalance of the community.

The Neighbourhood Plan also recognises that there are relatively few opportunities in the St James area for the development of large scale student accommodation, but Policy C2 does acknowledge that the principle of such a use in the area can be acceptable providing that it meets the identified criteria. The introductory text of Policy C2 and the text of Policy C2 (a) discourages large scale student development within existing streets which are 'characterised by intact streets of traditional terraced, semi-detached and detached forms of 2 - 3 storey residential buildings'. It is considered that Well Street does fit within this description, due to predominantly residential use and the existing terraces of two-storey houses.

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 does not propose any parking spaces. However, the redevelopment of the site does result in a complete street frontage whereas currently there is a large access. The resulting infill and loss of vehicular access would allow for a Loading/Unloading zone to be identified on the road without any loss of parking. The applicant has also confirmed that residents would also be excluded from the Residents Parking Scheme.

Policy C2 (c) relates to the scale and massing of the proposed buildings which should be broadly similar to that of surrounding buildings. The front elevation facing Well Street has been designed to be in-keeping with the varying designs of buildings along Well Street and would reintroduce a strong building line in this section of Well Street.

Design Principles

There is a strong building line along this section of Well Street, formed by the existing terraces of houses on each side of the street. These are both two-storey in height and constructed of brick in one terrace and render in the other. The design of the accommodation proposed attempts to mirror this design by using brick facades, replicating the building line of the street whilst also providing some setbacks to break up the length of the façade. The buildings are proposed to be two-storey with dormer style windows to the roof to provide further accommodation and reflecting other buildings of this design within the street. The dormers are to be standing seam metal clad. There would be six terraced townhouses in this block, emphasised through the introduction of rainwater pipes for each element and traditional front doors. The rear of the townhouses would have windows facing

St James Terrace but there is a distance of 30m between the two facades reducing the opportunity for overlooking or loss of privacy. There are also extensions to the rear of these townhouses at lower ground and ground level, facing into the courtyard but with angled windows to reduce overlooking and loss of privacy to the units on the other side of the courtyard and having no impact on the houses in St James Terrace. These internal elevations would be finished with a white render to keep the courtyard area bright.

To the rear of the site, there is an open courtyard proposed which would break up the massing of the overall development, with a further block of studio flats which would also contain the communal and administrative rooms. This accommodation backs onto the St James Terrace and has been designed to be the same height as the existing buildings on the site but extend the full width of the site. Currently the buildings only extend to just over half of the width of the site on this rear edge. The façade facing St James Terrace would not have any windows, as is the current situation and would remain brick faced, with the courtyard elevation finished with white render and angled windows. The courtyard would be excavated and dropped in height to around the level of St James Terrace to the rear in order to achieve the two storey studio block element.

Within the courtyard, a staircase would provide access to an elevated walkway to access the upper studio flats and the upper floor of the common room and administrative rooms. At lower ground level a large common room is also proposed with access into the courtyard and a laundry facility.

Bin storage is provided in a central area within the courtyard. It is intended that the site manager would move the bins to Well Street for collection and then returned to the bin store once emptied. Recycling facilities are also proposed.

Relevant Planning History

In 2005, an application was submitted to redevelop the site with 33 self-contained flats in 3-4 storey blocks. The application was refused on the grounds of the footprint of the overall building, height, scale, massing, number of residential units and the relationship with nearby residential dwellings. An appeal was submitted against the decision, which was dismissed in May 2006. The main issues considered by the Inspector were:

- a) The character and appearance of Well Street and its surroundings;
- b) The amenities of nearby residents in terms of their outlook and privacy; and
- c) The amenities of the occupiers of the proposed apartments in terms of outlook and privacy.

The scheme submitted for Student Accommodation moves away from the design of the 2005 scheme by ensuring that the massing across the site is reduced to an acceptable level, with heights reducing to that of the existing garage block at the rear to reduce the impact to the housing on St James Terrace. By not including any windows at the rear of the site, this also protects the privacy of the existing residents with the distance between windows being 30m. The height of the buildings to the front of the site is also kept to a level which mimics the existing adjacent terraces, unlike that proposed in 2005.

Impact of residential amenities

The application site does lie within the heart of a residential area. However, the plans and additional information provided indicate that an on-site management presence would be maintained at all time, which given the size of the proposed development is to be expected. A Student Management Plan would be required as part of the Section 106 Agreement if planning permission is granted, to control such things as safety and security matters, arrivals/departments arrangements as well as providing local residents with contact details for potential student disturbance issue if they were to arise.

To either side of the development are existing residential terraces of houses. The side walls of the proposed development would be blank to avoid any loss of privacy, however, there are windows to the side elevations of both number 35 and 39 Well Street, which provide light to rooms and stairs.

Highways

There is no parking provision on site and although there is residents parking, residents of this development would be excluded from joining the scheme. The site is only 10 minutes' walk from both Exeter City Centre and the University and therefore in close proximity to local and national bus and train networks, negating the requirement for private transport.

Cycle parking (37 no. spaces) is proposed to be provided within the courtyard.

Level access is provided to three of the six townhouses and the studio flats can be accessed via the ramp leading down to St James Terrace, where the rear block of units is accessed from.

The submitted Travel Plan aims to encourage sustainable forms of transport, a reduction in the use of private vehicle use and also seeks to implement a residential drop off and pick up procedure and a management plan for servicing, refuse and recyclables collection. To alleviate the pressure on Well Street and the surrounding road networks when students move in and out, a timetable for arrivals and departures is proposed to be prepared each year to stagger movements over a three to four day period. For the servicing, deliveries would be per usual times for standard deliveries. The Management Company would be responsible for refuse collection and recycling.

A Travel Plan Co-ordinator is proposed to be employed to oversee the introduction and implementation of the Travel Plan.

Flood Risk/Drainage

Foul and Surface water drainage currently drains to the South West water combined sewer in Well Street. The site is within a Flood Risk Zone 1, at low risk of flooding and is approximately 45m AOD (Mean Sea Level).

The report notes that the nearby railway cutting is shown to be at risk of flooding, so the management of surface water is an important consideration and steps should be taken to prevent the increased risk of flooding on the railway.

No oil interceptor has been recorded and there is no evidence of attenuation on the site. Runoff from roofs and paved areas therefore leads into the foul sewer. There is a further foul sewer running along the lane to the south of the site (St James Terrace).

The future strategy is to create a separate foul and surface water drainage system with part of the foul water discharging into the SWW sewer in Well Street, but gathering the surface water runoff into an attenuation system in the courtyard and then combining with the foul water from the western part of the site at the outlet and discharging into the foul sewer in St James Terrace. The aim is to reduce the current estimated run off of 11l/s to 2l/s. SWW has accepted the strategy. As the system serves a commercial property, it will not be adopted but will require a maintenance and inspection programme by the owner.

Landscaping

There is currently no landscaping on the site so there is an opportunity to create a small communal space for the residents. The courtyard is proposed to be finished with a permeable surface with a surface water attenuation tank below. Some tree planting is proposed to soften the area, together with benches.

There is an opportunity to create a green wall along the rear elevation to St James Terrace to create a softer edge rather than all brick.

Section 106

A Management Plan for the day to day operation of the Student Accommodation is required to be implemented by way of a legal agreement. There would also a requirement for CIL contributions amounting to £58,881.20.

Summary

Having considered the proposal against the City Council policies and the St James Neighbourhood Plan, it is considered on balance that the scheme would not comply with Policy C2 (a) of the St James Plan and is therefore recommended for refusal on this basis.

RECOMMENDATION

REFUSE for the following reason:

- 1) The application site forms a significant part of an intact street (Well Street), which is characterised by traditional terraced and semi-detached properties. As such, the scale and function of the proposed development would therefore be contrary to, and would be prejudicial to the achievement of, the objectives as set out in Policy C2 (a) of the Exeter St James Neighbourhood Plan.

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

Dimensions are not to be scaled from this drawing

Rev Date Description Author

A 05/05/16 Planning Issue GM

grainge architects

PLANNING

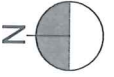
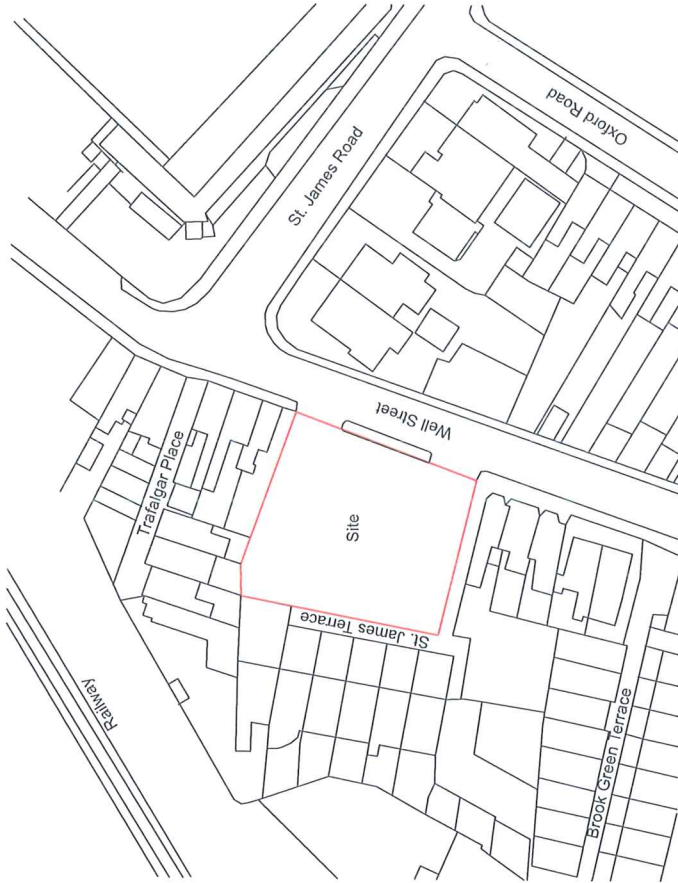
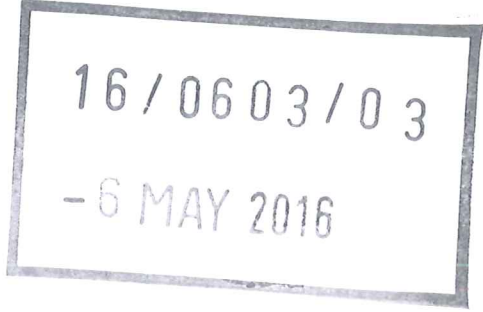
Student Accommodation
Well Street
for
Empiric

Site Location Plan

Scale: 1:1250 @A4

Drawing No: 1158/11 A

The Boat Shed, Michael Browning Way
Exeter EX2 8DD
01392 438051 mail@g-a.uk.com



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Agenda Item 6

ITEM NO.

COMMITTEE DATE:

27 JUNE 2016

APPLICATION NO:

16/0483/03

FULL PLANNING PERMISSION

APPLICANT:

Mr Teague

PROPOSAL:

Demolition of existing double garage and erection of a 2 bedroom dwelling

LOCATION:

4 Garden Close, Exeter, EX2 5PA

REGISTRATION DATE:

26/04/2016

EXPIRY DATE:

21/06/2016

HISTORY OF SITE

81/1262/03 - Garage

ALC

13/11/199

1

DESCRIPTION OF SITE/PROPOSAL

Double garage attached to semi detached house and part of rear garden space and front garden/driveway. House occupies plot on corner of Garden Close (both parts of road are part of Garden Close). Part of residential estate circa 1960s/1970s. Existing dwelling is two storey, semi-detached with half-tiled front facade, pitched roof with gable to side elevation. House and majority of site are at an elevated level compared to road.

Proposal is for the demolition of the existing double garage and erection of a two-storey dwelling with driveway parking to the front, and partition of garden to the rear, the proposal also includes the creation of a hardstanding parking area to the front of No.4 Garden Close.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

None.

REPRESENTATIONS

Eighteen letters of objection have been received mainly objecting on grounds of parking issues and also overlooking and design issues.

CONSULTATIONS

Devon County Council Highways:

The proposal is for the demolition of the existing double garage and the erection of a two bedroom dwelling at No. 4 Garden Close, Exeter and a new parking area in front of the existing property. Garden Close is a quiet residential road with a 20mph limit in the Wonford area of the city.

A number of objections have been raised from local residents regarding existing parking issues and the additional parking associated with a new dwelling. Although I accept that high levels of on-street parking may not be considered desirable by local residents, on street parking on quiet residential streets is common place across the city without creating any significant safety issues. The 2 spaces shown for both the existing and proposed dwelling accord with the Exeter City parking standards and therefore I do not feel there would be sufficient grounds to recommend refusal of the application.

The new parking area in front of No.4 will require a new dropped kerb access onto the highway and although this is acceptable in principle, the applicant is advised that

- Any dropped kerb will need to be built in accordance with DCC specification,
- Uncontrolled discharge of water over a footway is contrary to Section 163 of the Highways Act 1980 and any new access will need be designed to prevent this,
- They must apply and receive permission before undertaking any such works on the highway.

As such it is recommended that a condition to secure appropriate access facilities is attached in the granting of any permission.

Exeter City Council Environmental Health:

Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays

Exeter Civic Society:

Have written that they are opposed to the application as it would produce a 'crowded effect' and has minimal amenity space for the existing and proposed dwellings.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance: NPPF

Technical Housing Standards - Nationally Described Space Standard. (DCLG, March 2015)

Exeter Local Development Framework Core Strategy:

CP3 - Housing development

CP4 - Housing density

CP17 - Design and local distinctiveness

Exeter Local Plan First Review 1995-2011

H1 - Housing land search sequence

H2 - Housing location priorities

H3 - Housing sites

H5 - Diversity of housing

T10 - Car parking standards

DG1 - Urban Design

DG4 - Residential layout and amenity

Exeter City Council Supplementary Planning Document:

Residential Design SPD 2010

Exeter City Council Development Delivery DPD

DD25 - Design Principles

OBSERVATIONS

The proposed development is for the demolition of an existing garage and erection of a two-bedroom dwelling with driveway parking to the front and rear amenity space. The applicant has had pre-application advice which gave support to the proposal provided that adequate amenity space could be created for both dwellings (4 Garden Close and the proposed new dwelling) and that sufficient off-street parking was available for both dwellings. This is a material consideration and gives some weight in support of the application if these criteria are met.

In terms of the principle of development the NPPF paragraph 49 notes that Local Planning Authorities (LPAs) should consider applications for new dwellings in the context of the presumption in favour of sustainable development and notes that LPA policies for housing supply cannot be considered up to date if the LPA cannot demonstrate a five year supply of

deliverable sites. Therefore the NPPF is supportive of the application in principal. Local Plan policy H1 'Search Sequence' gives (H1i) 'previously developed land, conversions and infill within urban areas' as having the highest priority in terms of land suitable for new housing development. Given that the site is within a residential curtilage, on a residential street and would be classed as an infill development the proposal is therefore supported by local and national policies.

Policy DG4: developments should be (a) at the "maximum feasible density" the site will allow when considering constraints and local impact. The proposal for the erection of a two bedroom dwelling would be at the maximum feasible density the site would allow without compromising local character and residential amenity. The proposed dwelling design would be similar in appearance to that of 4 Garden Close and other properties on the street in that it would use a pitched roof with gable ends to the sides, with a front facade composed of half tile-hung cladding and white render below, rear and side elevations would have white render. The proposed dwelling is of a fairly standard design except for the south-west corner of the proposed building being at an unusual angle to accommodate the constraints of the site. As this is to the rear/side elevation the impact on the street scene would be limited and would not constitute significant grounds to refuse the application. In terms of the impact on the street scene the front elevation as the proposed new dwelling would reflect many of the design features of existing dwellings, with a similar palette of materials and retain the same front building line. The new dwelling would not cause significant harm as to justify refusal of the application. Whilst the design is acceptable any further development could significantly harm residential amenity and a condition would be attached to any permission granted restricting permitted development rights.

There would be no significant impact on the residential amenity to neighbouring properties by reason of overlooking, loss of light or overbearing impact and no significant privacy issues as windows would mainly face out onto public highways.

The exterior amenity space for future occupiers would be provided by a segregation of the existing garden space to no.4 Garden Close to provide back gardens for both dwellings with shared pedestrian access to the two gardens between the existing and proposed dwellings. Policy DG4 (b) states that developments must provide quality amenity space which allows residents "to feel at ease within their homes and gardens", and (c) have boundary treatments to rear garden spaces which "are designed to make a positive contribution to the townscape". The development area indicated by the red line includes land which is currently owned or leased by Western Power and it has not been made clear if this land is in fact available for the proposed development. The two proposed garden areas would meet minimum garden space requirements as set out in the Residential Design SPD. However as the gardens would be south facing the minimum size requirements are for 45m² gardens for dwellings up to two bedrooms and 55m² for larger dwellings and it has been established that even without the land shown on submitted plans as being owned by Western Power the development can meet minimum amenity space requirements. The applicant has confirmed the existing garden area to be 113 square metres thus demonstrating it is clearly possible to satisfy the minimum amenity space requirements with the exclusion of the Western Power land.

The proposal meets the internal space requirements for a two-storey, two-bedroom dwelling for three persons (2B3P) with one double bedroom and one single bedroom, as set out in the DCLG document 'Technical Housing Standards'. This document requires a minimum of 70m² plus 2m² of built-in storage space. The proposed dwelling would have internal spaces totalling 76.7m² and 4.7m² of built-in storage and is therefore fully compliant.

A significant degree of local objection has been generated by this application with the main issue raised of concerns about the impact of a new dwelling on parking provision/availability. The area suffers from a blight of on-curb parking and is used for parking from residents of Garden Close and further afield. However whilst there are many concerns about parking for any parking matters outside of the defined development area this would not be a planning issue. The proposed dwelling would generate additional parking requirements and the

submitted plans have shown two off-street car parking spaces each for the existing dwelling at no.4 Garden Close and for the proposed dwelling. This provision meets the minimum of 1.1 spaces per dwelling shown in figure 6.2 of the Residential Design SPD. Furthermore Devon County Council Highways has not objected to the proposal subject to the imposition of appropriate conditions.

Delegation Briefing 24 May 2016

As 12 objections had been received, the application would be considered by the Planning Committee.

RECOMMENDATION

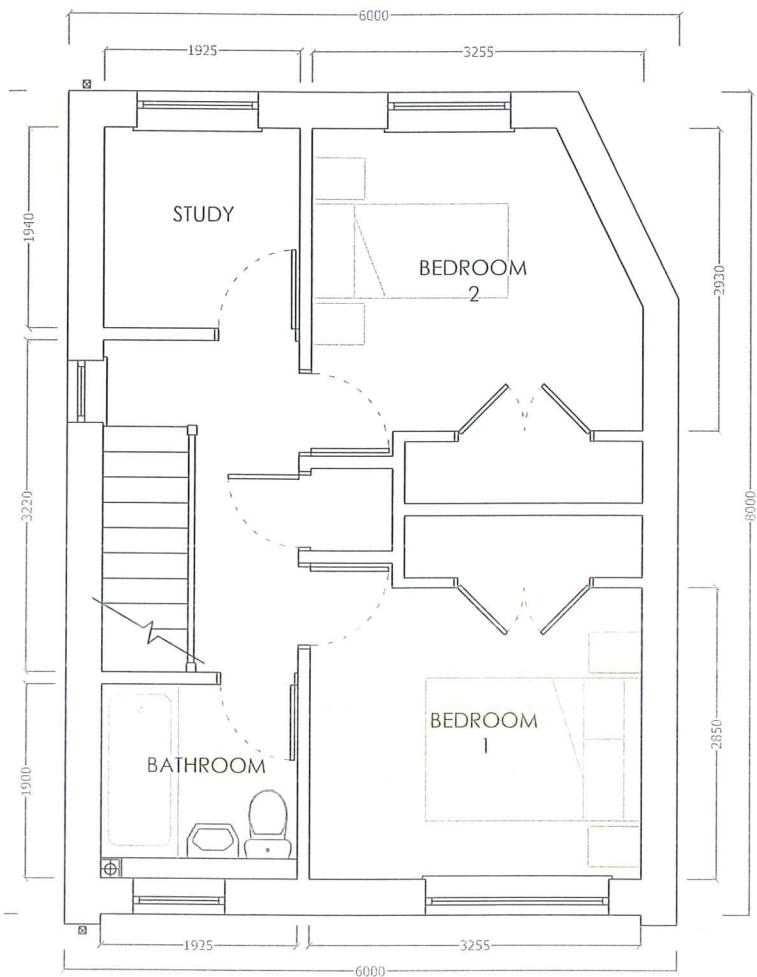
Based on the above observations the application is recommended for Approval.

- 1) C05 - Time Limit – Commencement.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on *18 April 2016 (dwg. no. 01.a)*, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials.
- 4) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of amenity.
- 5) No other part of the development hereby approved shall be commenced until the access, parking facilities and facility to prevent uncontrolled discharge of water over the footway for Number 4 Garden Close 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 provide a safe and suitable access, in accordance with Paragraph 32 of the National Planning Policy Framework.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order, no extension, garages or other development as detailed in Classes A-F of Part 1 of Schedule 2 of that Order, shall be carried out within the curtilage of the dwelling hereby approved without the formal consent of the Local Planning Authority.
Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.

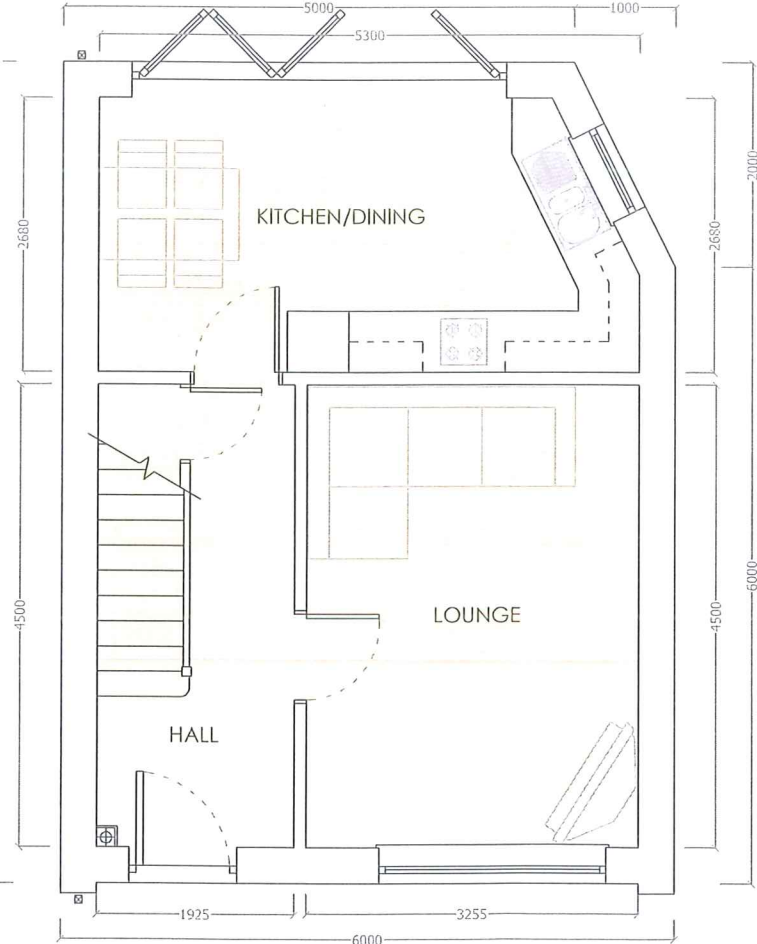
Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

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

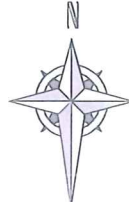
PROPOSED DWELLING



FIRST FLOOR PLAN




GROUND FLOOR PLAN



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SITE LOCATION PLAN 1:1250

SPECIFICATION:	
Concrete tile finish to roof, white fascia, soffit, gutters & downpipes	
White PVCu windows & doors, double glazed	
Red brick finish externally with hanging tiles to front elevation	
DO NOT SCALE FROM THIS DRAWING ALL DIMENSIONS ARE APPROX	
ANY DISCREPANCIES SHOULD BE REPORTED	
COPYRIGHT PROPLANS ARCHITECTURAL DESIGN Ltd	
REVISION:	
Mr G Teague 4 Garden Close Broadfields Exeter EX2 5PA	
Detail: <i>Proposed dwelling to replace double garage of 4 Garden Close</i>	
Drawn by: D.McClure	
Scale: 1:100/50	Date: 15/12/2015
Paper Size: A2	
Drawing No: 01.a	
 PROPLANS Architectural Design Ltd 07917 645379 www.proplansarchitecturaldesign.co.uk	

16/0483

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Agenda Item 7

ITEM NO.

COMMITTEE DATE:

27 JUNE 2016

APPLICATION NO:

16/0481/03

FULL PLANNING PERMISSION

APPLICANT:

Uavend Exeter LLP

PROPOSAL:

Change of use from office to student accommodation of the eastern and western podiums and construction of two additional floors of student accommodation comprising 247 units, cycle parking, hard and soft landscaping and associated facilities. (Amended Description)

LOCATION:

Renslade House, Bonhay Road, Exeter, EX4 3BY

REGISTRATION DATE:

13/04/2016

EXPIRY DATE:

08/06/2016

HISTORY OF SITE

The previous application (ref 15/1240/03) proposed to demolish the existing eastern and western podiums and construct two buildings of a height comparable with the existing central tower. The central tower was to remain as office accommodation. The buildings would have provided a total of 387 student studio apartments with shared common facilities on each floor. The ground floor of each of the towers would include entrance foyer, common rooms, gyms, wcs, laundry, cycle storage, administrative offices, bin storage and plant rooms. The top floor for each building would comprise a sedum roof and an open terraced area. The western tower would comprise 10 floors, with a total height of 27.5 metres accommodating 211 student studio apartments. The eastern tower would comprise 11 floors, 29 metres in height and accommodating 176 student studio apartments. This application was refused at Planning Committee in March 2016 for the following reasons:-

1. The height, scale, design and external treatment of the proposed development would result in a dominant and incongruous form of development which would conflict with the existing townscape in this location creating a discordant series of buildings which would detrimentally affect the character and appearance of the area and thereby be contrary to National Planning Policy Framework paragraphs 60, 61 & 64, Policy CP17 Design and Local Distinctiveness of the Exeter Core Strategy and Policy DG1 of the Exeter Local Plan First Review 1995-2011.

2. The siting, height, scale and massing of the proposed development would adversely affect the setting of designated historic assets. Specifically, the development would impact on the City Wall, (Scheduled Monument), Church of St Michaels and All Angels, Mount Dinham (Grade 1 listed building), Bartholomew Terrace (Grade II) and the Central Conservation Area and Riverside Conservation which form the main southern approach to Exeter with the historic townscape beyond. The proposal is therefore contrary to Paragraphs 58, 130-133 of the National Planning Policy Framework; Policy CP17 – Design and Distinctiveness of the Exeter City Council Core Strategy and Policies C1 and C2 of the Exeter Local Plan First Review 1995-2011.

Concurrently with this current planning application the applicant has submitted a prior approval application (ref 16/0474/40) for a change of use within the main tower of Renslade House from office accommodation to residential use (which the applicants have indicated would be for student use). The Town and Country Planning (Permitted Development) Order 2015 states that the change of use from office to residential is an acceptable form of development ('permitted development') subject to the local planning authority being satisfied that it is not detrimental in terms of highway, contamination, flooding and noise. The local planning authority has a limited time (56 days) to raise objection to a prior approval application on these grounds only otherwise it is deemed approved. The final date for a decision on this application is 19 June 2016 and therefore the decision on this application will be reported verbally to Members at the Committee meeting. The application was reported to

a Delegation Briefing meeting on the 24 May 2016 when Members were advised that comments had been received from the Environmental Health Officer that subject to suitable conditions the applicant had satisfied the issues of noise and contamination. Following this meeting the Environment Agency have also confirmed that they have no objection to this proposal subject to a condition which ensures the flood mitigation measures contained within the submitted Flood Risk Assessment are met. However a consultation response from the County Highway Officer on the issue of traffic is still awaited.

The prior approval application would result in 130 studio student units being created within the existing Renslade House tower. The combination of the planning application's unit numbers (247) and prior approval (130) would result in a total student accommodation unit number of 377 for the site, if the prior approval and planning application are approved.

DESCRIPTION OF SITE/PROPOSAL

The application site (0.58 ha) is located at the junction of Bonhay Road and Frog Street and backs onto Tudor Street. The site is currently occupied by an office building, Renslade House which fronts onto Exe Bridges. The leisure use Fitness First is located immediately to the rear but outside the application site boundary. The existing Renslade House has a total of 10 floors within the main tower, a height of 28.5 metres. The main tower is flanked by two lower level podium buildings also within office use with an overall height of between 7 and 9 metres due to the changes in levels within the site. These podium buildings contain 2 floors of office accommodation with undercroft parking also provided. The building is a concrete construction with aluminium windows and green solar reflective glass. The area behind and beneath these buildings accommodates a total of 113 car parking spaces accessed from Tudor Street. The existing building has a dated appearance typical of its construction in the early 1970s. The building currently comprises of a total lettable area of 5,106 sq metres (54,962 sq feet) for office use.

The application proposes to retain and extend the existing eastern and western podiums and provide two additional floors to effectively create a 5 floor storey building either side of the main tower. The buildings would provide a total of 247 student studio apartments with shared common facilities on each floor. For clarification the application does not include the main central tower of Renslade House.

The podiums would be increased in height from approximately 8.5 to 14 metres and results in a five storey building either side of the main tower. However the building fronting Tudor Street would be four storeys in height and therefore the height of this element of the building is 11.5 metres.

The existing parking areas underneath the whole of the building would be mainly converted to ancillary accommodation to serve the student accommodation, although 13 car parking spaces would be retained below the eastern podium. The new ground floor student area would contain common rooms, gym, study rooms, cycle stores, general storage, refuse storage, lobby and wc facilities, although it should be noted that this provides combined accommodation to serve the student accommodation resulting from both the planning application and prior approval application. The external areas of the site would be landscaped except for two areas of additional cycle parking and 6 car parking spaces (4 specifically for disabled use).

The first and second floors would be a combination of existing building and new build. This would be arranged in an identical layout containing 67 studio bedrooms (9 of which would new build attached to the eastern podium and 17 new build alongside the western podium) on each floor, resulting in a total for these two floors of 134 units.

The third floor is wholly new build and contains a total of 61 units (30 units within the eastern podium and 31 units within the western podium).

The fourth floor would also be wholly new build and contain a total of 51 units (21 units within the eastern podium and 31 units in the west). The reduction in the east podium number is due to the height of building which fronts onto Tudor Street, which is four storeys in height.

The elevational treatment of the proposed buildings would reflect the pattern and fenestration of the existing building. This would involve the rendering of the existing structure to create a match between the old and new buildings. The overall external appearance will retain the strong presence of glazing which is characteristic of the existing building. The resultant building would be constructed with a flat roof to reflect the existing structure.

The car parking area would be reduced from its current capacity of 113 spaces to 19 spaces. A total of 275 cycle parking spaces would be provided within the building to serve the student use.

The application includes additional landscaped areas in the vicinity of the vehicular access onto Tudor Street, which remains the sole vehicular access point into the site.

The site lies adjacent to the Riverside Conservation Area which is located to the north and south. The Central Conservation Area lies further the north of the site. The Tudor House (Grade II*) and Eagle House (Grade II) are located on Tudor Street and located opposite the main vehicular access into the site.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Planning Statement, Design and Access Statement (including a Visual Impact Assessment), Heritage Statement, Air Quality Assessment, Noise Assessment, Lighting Assessment, Environment Assessment and Construction Environmental Management Plan have been submitted with the application.

REPRESENTATIONS

1 letter of comment on the changes made since the previous refused application

18 letters of objection including one from the Exeter Civic Society. Principal issues raised:-

1. Inappropriate height for site, out of keeping and insensitive within its historic context and gateway City site;
2. Renslade House is a 'blot on the landscape' and an increase in size of the building can only make it worse;
3. Loss of view from City Wall;
4. Potential for light pollution from the student use affecting existing residential properties;
5. Further traffic increase/congestion in the area;
6. Insufficient parking spaces; proposed/students will bring cars;
7. Increased traffic noise;
8. Increased noise in the area due to the layout and shape of new buildings;
9. Increase in noise and disturbance from student entering and leaving the building;
10. Potential greater amount of litter in the area;
11. Contribute to increased air pollution problems;
12. Concentration of proposed student numbers has the potential to create a 'student ghetto';
12. No need for further student accommodation in the City;
13. Combination of student accommodation for this site, Radmore and Tucker and Mary Arches Street will change the nature of the community;
14. New building will cause significant harm to nearby historic assets including listed buildings (eg Eagle House Grade II, Tudor House Grade II* ,Bartholomew Terrace Grade II, the medieval Exe Bridges) and a Scheduled Ancient Monument, the City Wall;
15. Scheme should include affordable homes for local people;
16. Renslade House should be demolished to make way for affordable homes;
17. Existing office tenants would be evicted;

18. Reduce the amount of existing city centre office accommodation which is already in short supply;
19. Office accommodation in City Centre is needed over student accommodation;
20. Submitted computer generated images are misleading and unrepresentative of proposed scheme;
21. Application misleading as it fails to mention the prior approval application for an additional 130 student units in Renslade House.

CONSULTATIONS

The County Head of Planning Transportation and Environment comments that the application follows a similar application on the site for 387 units (15/1240/03) for which a highways response of no objection subject to appropriate conditions was provided.

From a highway view circumstances have not significantly changed at this location since the previous submission. Although the number of units within this proposal are less than that of the previous application, it still represents a significant development and the key areas of consideration in relation to the following still apply; appropriate pedestrian and cycle access routes to the site; on site vehicular and cycle parking facilities and arrangements for student pick up and drop off points. Consequently, this response echoes the points and conditions recommended in the previous highway consultation response of 1 March 2016.

Access

The proposed development is expected to generate a considerable number of new pedestrian and cycle movements to and from the site. These movements are expected across four main routes:

- Exe Bridge for St Thomas Local Centre/St Thomas Rail Station
- Riverside Cycle Routes
- Bonhay Road – for University and St David's Rail Station
- Fore Street/New Bridge St - for City Centre, route to University and Bus Stops

The latter of these, was highlighted in pre application discussions as a significant concern. The desire line for movements to New Bridge Street involves crossing Frog Street, a busy urban dual carriageway with peak hour traffic flows in excess of 1500 vehicles. Although there is an existing pedestrian crossing provision in the form of a subway, this is unattractive (in part due to increased distance and perceived security) and away from the desire line for a number of movements. On site observations confirm it is only sporadically used, and instead pedestrians cross Frog Street. Given the speed, volume and behaviour of traffic on Frog Street, the ad-hoc crossing that takes place is not considered safe and suitable, and this is further confirmed by the presence of a pedestrian injury collision on Frog Street in this location. The proposed development will significantly increase the demand for this movement.

To safely cater for this movement, the applicants considered two alternative solutions. One of these, a signalised crossing of Frog Street was ruled out as unsuitable through the previous application and therefore a new set of steps, as indicated on the New Bridge Street Stairs Concept Design Drawing SK003_Rev P1, were proposed. This would provide a safe and appropriate route for the main movement from the site towards the city centre and university and therefore was accepted.

To ensure suitable access is provided the steps should be provided prior to occupation of any part of the development. It has been indicated that these will be offered for adoption by the Highway Authority. The applicant is advised that this can be done through Section 38 of the Highways Act 1980 and a commuted sum towards these would be sought. An additional pedestrian/cycle access point is also shown in the north west corner of the site, connecting to the internal paths either side of and around the northern edge of the building. This is welcomed and to provide suitable access to the riverside cycle routes it should be complemented by dropped kerbs on Bonhay Road and to be secured by condition.

Vehicular access will be from the existing access point onto Tudor Street, although this will be narrowed down to 6.0 metre access way and 15.0 metre bellmouth to create more of an urban landscape feel. This is befitting of the shift to a predominantly residential site and is welcomed. The applicant is advised that parts of the indicated area are HMPE and therefore permission must be obtained prior to undertaking any work on the highway. In particular, the provisions of Sections 171 (Control of deposits of building material and the making of excavations in streets) of the Highways Act 1980 and 184 (Vehicles over footways and verges and New Road and Street Works Act 1991) will be of concern.

On Site facilities

The submitted plans show a significant reduction in on site vehicular parking spaces, from 130 to 17. On site observation identified that the outside spaces are well used by the current office uses. The significant reduction in parking provision is a concern, and unlikely to be acceptable under the current site uses.

It is noted that this planning application is accompanied by an application of prior approval for the office units to student accommodation. If this is approved then it is accepted that the on-site parking would be sufficient for the proposed application. A Grampian style condition is therefore recommended to ensure that the reduction in on-site parking does not take place until these office units are no longer in use. It is recommended that this condition allows some flexibility (rather than a blanket restriction) to allow for a phased relocation of existing units.

Parking for 200 cycles is provided in a cycle store in the centre of the ground floor. This level of provision accords with the Exeter City Council Sustainable Transport Supplementary Planning Document and is acceptable. However, the details of what type of parking are not provided and therefore not explicitly clear how 200 spaces are achieved. These details should be provided for approval in advance of commencement and in place prior to occupation.

Construction

Bonhay Road is an A classified road that serves an important local and strategic cross city purpose. To protect the efficiency of these and the safety of users of the public highway construction traffic will need to be appropriately managed and all vehicles and materials will need to be stored on site. A condition for a Construction Traffic Management Plan is therefore 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.

Summary

In summary, the development will result in a significant number of new pedestrian and cycle trips. To cater for this additional demand, the development proposes new links and on site facilities and new steps to address deficiencies in the existing route to New Bridge Street. These facilities are considered acceptable and subject to conditions to secure these, the Travel Plan and construction management arrangements, the highway authority has no objection to the proposed development.

Historic England objected to the previous proposal for this site, which envisaged demolishing the podium blocks to the existing tower and constructing two large new buildings in the place of the podium blocks of similar height to the existing tower. They identified the harmful effect this would have on views from (and thus the setting of) Exeter's City Walls, a Scheduled Ancient Monument.

The latest proposals envisage retention of the podium blocks, but with two additional storeys of residential development provided above them. This will allow views from the City Walls towards Exeter's rural hinterland to be preserved.

The proposals will impinge on views of the City Centre Conservation Area and the Cathedral in the context of views from the River Exe. It is considered that this harm to be less than substantial and recommend it is weighed against any wider public benefit offered by the proposals. We also recommend you consider whether the elevations of the proposed

extension to existing building which would address Tudor Street are of an appropriate quality of design.

City Walls

The City walls are scheduled Ancient Monuments, and within the City Centre Conservation Area. The walls include Roman, Anglo Saxon and medieval walls which define the original extent of the city of Exeter. At Bartholomew Terrace, the original South-east corner of the city walls, historic fabric survives and the surrounding natural topography enables the viewer to understand their original defensive context. Standing on Bartholomew Terrace, views towards the rural hinterland of the City and distant Dartmoor contribute to the setting of the walls and thus their significance.

These views are very significant in allowing an understanding of the wall's historic purpose; marking the edge of the city and providing distant views from which travellers or hostile forces could be seen long before arrival. With long views available the purpose of the wall is easily understood by the casual observer; without them the course of the wall is just a line in the townscape.

Unlike the previously-submitted proposals, the proposed extensions to the podium buildings flanking Renslade House would not intrude into these views, thus preserving the relationship between the scheduled walls and the wider landscape.

Tudor Street

These proposals introduce built form to Tudor Street. The proposed building flanking Tudor Street is of an appropriate scale and massing in the context of existing development on the opposite side of the street. The existing development on the opposite side of Tudor Street includes The Old Tudor House, listed at Grade II*, and an outstanding 16th Century survival which is compromised by the poor quality public realm ahead of it.

These proposals represent an opportunity to enhance the setting of Tudor House through creating a development on the opposite side of the road which establishes a dialogue with the Old Tudor House and the historic grain of the surrounding conservation area. The proposed development is a straightforward four-storey block, with vertically-proportioned windows and brick infill detailing at ground floor level. It would benefit from further architectural refinement to establish a more positive relationship with the surrounding context - the blank flank elevation facing Frog Street (masked by a tree in the elevational drawings) could be refined, and the upper levels of the elevation facing Tudor Street are a little inactive. Perhaps they could be improved if the elevational treatment for the Tudor Street building were to follow that proposed for the podium blocks?

City Centre Conservation Area and Cathedral

A view we did not consider in regards to the previous application but has subsequently been drawn to our attention is those from the linear walkway on the western side of the River Exe. The impact of the proposed height increase to the North podium block in the context of these views towards the City Centre conservation area and the Cathedral should be considered carefully. The increased height of the North podium building will mask some views of the Cathedral's towers from the banks of the Exe, although they will remain visible in others. The Cathedral's position, on a high point designed to dominate the surrounding townscape, is an important element of its significance, and these proposals will cause a degree of harm to that significance.

Views of the Cathedral towers above the city centre's roofscape also contribute to the character and appearance of the conservation area, and there is also therefore a degree of harm to the setting (and thus significance) of the conservation area.

The alignment of the River Exe has been altered during the flood defence works of the 1960s, and the character of the riverside environment at this location remains slightly sterile.

Preserving views of the Cathedral towers and townscape would, however, conform with the guidance of NPPF 137 which states that "Local planning authorities should look for opportunities within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

The proposals will cause harm that is less than substantial to the setting of Exeter Cathedral and the City Centre Conservation Area. Under the terms of NPPF 134, your authority will need to consider whether the harm identified is outweighed by any wider public benefits offered by the proposals. Historic England therefore recommend the application is determined on the basis of local and national policy and with reference to your own specialist conservation advisors.

Environment Agency raise no objections, commenting that although the site is in Flood Zone 3 the Flood Risk Assessment submitted with the application, proposes adequate flood mitigation measures which include the following: no habitable dwellings on the ground floor; access at high level and a flood management plan.

South West Water raise no objection.

Environmental Health raise no objection subject to the imposition of conditions in respect of the need for a contaminated land report/remediation measures, a Construction and Environmental Management Plan and details of sound insulation measures as specified in the submitted consultant's report.

Devon & Somerset Fire Service comments that the access and facilities for the fire and rescue service have not been met and a suppression system may be required if this cannot be suitably achieved. However this can be addressed with the need to meet Building Regulations.

Heritage Officer comments that the submission lacks an archaeological desk top study needed to address the potential impact of the new block fronting Tudor Street and the is critical of the Heritage Statement which draws too heavily on the previous Officer's report. However based on existing knowledge of buried remains in the vicinity and on those drawings that have been submitted, it is can be to concluded that:-

- i) The impact on buried remains is acceptable, though they will require investigation and excavation prior to construction works commencing, ensured via attaching the standard C57 condition to a consent.
- ii) The harm to the broader setting of the city wall (scheduled monument) and of the Central Conservation Area has been significantly reduced by the removal of the barriers to outward views from the city wall in particular that the two new previously proposed blocks would have provided, but significant harm to the setting in terms of the inward views will still be caused by the heightening of the podiums, particularly when seen from the Exe Bridges area as the main historic and current approach route from the west
- iii) The impact on the settings of the following is on balance considered to be neutral:
 - The medieval Exe Bridge (scheduled monument)
 - The Cathedral (grade I listed building)
 - The buildings along Bartholomew Terrace and the 1770s Exe Bridge ballustrades and arch (all grade II)
 - Riverside Conservation Area.
- (iv) Some additional harm to the setting of the church on Mount Dinham (grade I) is caused by the reduction of inward views due to the increase in height of the podiums, though this is not substantial.

- (v) The settings of the Tudor House (grade II*) and of Eagle House (grade II) should be enhanced by the reinstatement of an element of street frontage opposite, though the materials and finish of the new block will need careful consideration.

On balance the Heritage Officer would concur with Historic England's view that the proposals no longer cause *substantial* harm to the setting of the city walls, or to that of other heritage assets, though note that there will still be a significant amount of harm to the setting of both the city walls and the Central Conservation Area due to the blocking of inward views from around Exe Bridges. It is a question of whether the other perceived benefits of the revised scheme are considered sufficient to outweigh that harm.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework

- 4. Promoting sustainable transport
 - 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

- CP2 - Retention of Employment Land or Premises
- CP5 - Student Accommodation
- CP15 - Sustainable Construction
- CP17 - Design and Local Distinctiveness

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
- 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

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

Archaeology and Development November 2005

Riverside Conservation Area Appraisal and Management Plan - September 2005

Central Conservation Area (West Quarter: Friernhay and Fore Street) Appraisal - August 2002.

OBSERVATIONS

The application seeks redevelopment alongside of one of the most recognisable buildings (Renslade House) and prominent sites (opposite Exe Bridges) in Exeter. This revised application now proposes a significantly reduced scheme from the one which was previously refused. However the issues previously highlighted namely the principle of the student use for this site; the proposed design; the building's impact on historic assets in the area; its appropriateness to neighbouring residential uses and acceptability in highway terms remain relevant to the assessment of this application. The real possibility of the central tower being changed to student use, as a result of the submitted prior approval application, also needs to be considered as this will result in the total loss of employment use at this site. The previous scheme, although of a similar number of student bedspaces, did not involve the central tower and therefore retained an employment use on the site. The applicant has therefore submitted a further report which seeks to provide justification of the loss of employment space to address this issue.

Student Use

The principle of student accommodation in a City Centre location is supported by the Core Strategy and the submission version of the Development Delivery Development Plan Document subject to certain criteria. 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'*.

Whilst the site is relatively divorced from the University campus, the applicant has submitted a Transport Assessment which provides details of available transport modes and in particular given its student use, the cycle and bus routes. However it is considered that the site does provide a suitable city centre location, which subject to highway issues relating to the provision of a new footbridge would represent an appropriate site which meets the relevant development plan policies.

Although some concern has been raised regarding the need for additional purpose built student accommodation in the city, the University's plans for growth means that significantly more additional bedrooms will still be needed by 2018/19 and therefore opportunities for new purpose built accommodation should be welcomed on appropriate sites. Indeed it could be argued that accommodating more students in this area would relieve the pressure for purpose built student accommodation within the residential areas closer to the University, such as St James. Consequently it is considered that, in principle, the site represents a suitable location for student accommodation use.

Impact on the existing on the townscape

The revised application represents a significant change in visual terms to the refused scheme which proposed a similar height of building to the existing tower. The retention of the two existing podiums either side of the main tower and the introduction of only two additional storeys will clearly reduce the visual impact from that previously proposed. However the scheme will still result in a five storey building on a prominent gateway site into the City. It is therefore important to assess the application on its individual merits rather than against the previous application. It is considered that the prominent location does warrant a building of significant presence. Consequently it is considered that the proposed extensions do represent a height, scale and massing appropriate to this site, which respects the highly visible location but does not seek to compete with the existing tower. In addition, it is considered that the external treatment which reflects the arrangement and fenestration of the podiums below would be appropriate in this instance. The scheme now presents a new four storey building with a frontage to Tudor Street, which Historic England highlight as important to recreate the streetscape in this location and improve the built form in relation to Tudor House. Since the application was submitted revised plans have been received which have improved the elevational treatment of this Tudor Street elevation and therefore overall is now considered acceptable.

Heritage Assets

Members are reminded that the statutory duty in matters of the setting of listed buildings and conservation areas under Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is to give special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is referred to in NPPF paragraph 134 which states *'where a development proposed will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'*.

Both Historic England and the Heritage Officer have provided detailed comments on the revised scheme's impact on heritage assets in the area. It is accepted that the reduction in height of the scheme as now proposed, in general terms, represents an appropriate relationship with these heritage assets. The proposed reduced height will ensure that the resultant building does not adversely affect the building's relationship with historic views and

accordingly the historic context of the site would be respected. However it has been highlighted by both Historic England and the Heritage Officer that the scheme will still continue to impinge on some views of the City Centre Conservation Area and the Cathedral when seen from the walkway on the western side of the River Exe. Whilst the impact of this increase of height particularly to the northern podium will have a significant visual impact Historic England have stated that the harm would be less than substantial and should be considered in the context of NPPF paragraph 134. However they concluded that the proposal does not cause substantial harm to the city wall or other heritage assets and although there will be some harm to the City Centre Conservation Area this needs to be balanced against the benefits which the scheme can provide.

Loss of Employment use/building

Members will recall that the previous scheme intended to retain the existing tower building as offices and consequently a significant element of the site would have remained for employment use. As explained in the site history section a prior approval application has been submitted seeking to change the use of the tower to student accommodation. This prior approval application can only be refused on issues relating to highways, contamination, flooding and noise and not on grounds of loss of employment use. Consequently whilst the combination of the planning application and prior approval applications would result in the complete change of the site from office to student accommodation, the assessment of loss of employment can only be made in relation to the two podiums and the associated extensions and not the existing tower.

The applicants have submitted a report which seeks to justify the loss of employment space. The report highlights that the whole building has experienced void rates of between 17 to 30% over the last 10 years and although tenant incentives have been offered over this period the internal quality of the buildings such as low floor to ceiling height, quality of internal fittings, poor heating system and solar gain have put off prospective occupiers. Significantly the report states that the eastern podium has been vacant for 6 years and although the current occupancy level for the west podium is approximately 84% it will reduce to 60% by the end of 2017 with the existing tenancy arrangement. The applicants have stated that 80% of the leases for the whole building will expire in 2018 and completely in 2020.

It is accepted that the building is not achieving full occupancy and therefore represents an inefficient use of this important gateway site. However the proposed application will remove a city centre employment use which is unlikely to be reinstated in the future. The applicant's occupancy figures are significant and consequently it is appropriate to consider the scheme against Core Strategy Policy CP2. This states that alternative uses can be accepted in circumstances where significant economic benefit would occur and the use would meet current and local term needs. This approach is also supported by the NPPF paragraph 22 which states that:- *'planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose...Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'*.

A previous section has highlighted the needs for purpose built student accommodation in the City and it is considered that this represents an appropriate site. Whilst the loss of city centre office accommodation is regrettable, the economic benefits highlighted in the applicant's employment report are accordingly accepted.

Impact of residential amenities

This issue was raised in respect of the previously refused planning application. Whilst it should be noted that the determination of this planning application relates to 247 new additional student bedspaces this could rise to 377 if the prior approval application is

implemented. As the previous application related to a total of 387 students the previous conclusions remain.

Given the relationship of the site to the road network and with the majority of the new accommodation being located away from existing residential properties it is considered that the perceived potential impact the student use would have on local residents is limited. In addition, the plans indicate that an on-site management presence would be maintained at all time, which given the size of the proposed development is to be expected. A student management plan would be required as part of the Section 106 Agreement if planning permission is granted, to control such things as safety and security matters, arrivals/departments arrangements as well as providing local residents with contact details for potential student disturbance issue if they were to arise. It is considered that the site does therefore provide a suitable location for student accommodation in terms of its impact on residential amenity.

Highway Issues

The Highway Officer has commented that this scheme draws comparisons with the previous refused scheme for 387 bed spaces if this application (247 units) and the prior approval scheme (130 units) are combined. Consequently the highway response is the same as the previous application and recommends no objection subject to conditions. The most significant issue previously raised was the increased pedestrian activity in the area and consequently it has been agreed to provide new steps from New Bridge Street, as part of the proposed scheme. This can be controlled by a planning condition and the pedestrian arrangement serving this site is therefore considered to be acceptable. In addition, the Highway Officer has assessed the proposal in terms of the reduction in the proposed on-site parking spaces from 130 to 19 but given the overall intention of the site to be wholly student use it is considered that a condition could be imposed stating that the reduction of the parking is on a phased basis until the office units are no longer in use. This would allow suitable flexibility in terms of the parking availability at the site. Although the cycle parking complies with the Sustainable Transport SPD further details are required prior to occupation. In addition, conditions relating to the need for a Travel Plan and a Construction and Environmental Management Plan are appropriate in this instance.

Conclusion

It is acknowledged that the site is currently under-utilised and although the current figures indicate that there are a number of existing occupiers these are on a short term basis and do not guarantee the long term economic viability of the site. The applicant's intention to provide substantial investment into the site is to be welcomed and it is considered that creation of a significant number of student bed spaces should be viewed positively given the need for this type of accommodation in the City. The reduction in the height of the building from the previously refused scheme is now considered acceptable. Whilst it is inevitable that an extension to the building of this size will have a significant visual impact on the area, it is accepted by Historic England that the harm to heritage assets will be less than substantial. Consequently given the economic benefit and creation of additional student units for the city the scheme is considered acceptable and accords with guidance contained within NPPF paragraph 134. The development will be subject to Community Infrastructure Levy for the new build proposed and will yield a New Homes Bonus for all the 247 units created. Accordingly it is considered that the application should be approved.

DELEGATION BRIEFING

24 May 2016 - Members were advised that planning permission for conversion to student accommodation had previously been refused at the Planning Committee due to the scheme unacceptable height, scale, design and external treatment and its impact on historic assets. The revised application sought to provide two additional floors above the existing three storeys either side of the main tower. The two main issues are the loss of employment use

and the visual impact of the additional floors on each wing in terms of townscape and its impact on historical assets. Heritage England, who had previously objected now considered that the scale and massing was broadly acceptable. The applicant will need to provide a statement in respect of the loss of employment use and ultimately the application would be reported to the Planning Committee.

RECOMMENDATION

Subject to the completion of a Section 106 Agreement securing a Student Management Plan **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) The development shall proceed in accordance with the recommendations of the Jubbs Consulting Engineers Flood Risk Assessment P1516/G501/A dated April 2016 unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of flood mitigation and protection.
- 8) No part of the development hereby approved shall be occupied until the steps connecting the footway on the north of Frog Street to New Bridge Street, as indicted on Concept Design Drawing SK003_Rev P1, have been provided in accordance with details approved in writing by the Local Planning Authority and made available for public use for that purpose at all times.
Reason: To ensure safe and suitable access to the site for pedestrians, in accordance with paragraph 32 of the NPPF.
- 9) No part of the development shall be brought into its intended use until the amendments to Tudor Street access, pedestrian cycle route along the north of the site to Bonhay Road, as indicated on the proposed Ground Floor Plan Drawing 1953.PP100 Rev A, and dropped kerbs on Bonhay Road have been provided and maintained in accordance with details approved in writing by the Local Planning Authority and retained for that purpose at all times.
Reason: To provide safe and suitable access and ensure that adequate facilities are available for the traffic attracted to the site.
- 10) No part of develop shall commence until a Car Park Management Plan outlining how adequate car parking will be provided for the onsite office uses will be maintained following commencement on site shall be submitted to and agreed in writing by the Local Planning Authority.
Reason: To ensure that adequate on-parking provision is provided for the existing office uses
- 11) No part of the development shall be commenced until details of the secure cycle parking arrangements have been submitted to and agreed in writing by the Local Planning Authority. No part of the site shall be occupied until the cycle parking facilities have been provided in accordance with the approved details and maintained for those purposes at all times.
Reason: To provide adequate facilities for sustainable transport.

- 12) C70 - Contaminated Land
- 13) No development, including any works of demolition shall take place 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) There shall be no burning on site during demolition, construction or site preparation works;
 - b) Unless otherwise agreed in writing, no construction or demolition works shall be
 - c) Dust suppression measures shall be employed as required during construction
 - d) Details of access arrangements and timings and management of arrivals and departures of vehicles;
 - e) Adequate areas shall be made available within the site to accommodate operatives' vehicles, construction plant and materials;
 - 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 the occupants of nearby buildings.
- 14) Prior to the occupation of any part of the development the applicant shall submitted a written report which states that the sound insulation measures as specified in the Jubb Consulting Engineers Ltd Noise Assessment Statement W15156-REP02-Rev A dated 2016 and Noise Assessment report reference W15156-REP01-P15-518-R01 dated November 2015 have been implemented unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure adequate mitigation from noise for future occupant.

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



13.04.2016

Approved

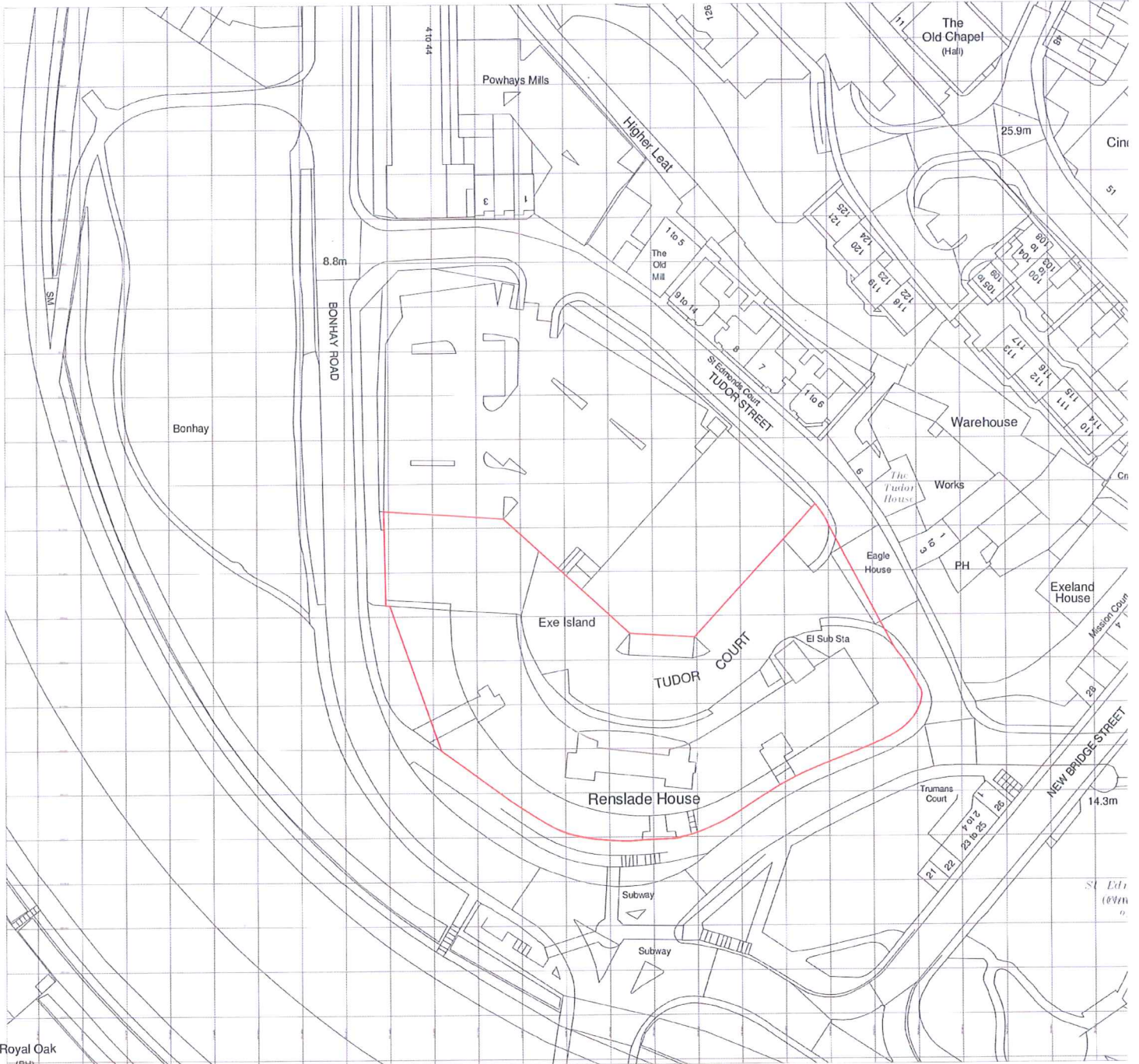
Drawing Action
INFORMATION



Rev Date

Note

By



Royal Oak
(Pth)

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Project Renslade House, Exeter

Client Uavend Exeter

Title Location Plan

Scale @ Size

1 : 1250 @ A4

SCHEME DRAWINGS

Drawn	OS/ RLB	no.	1953.PP001	Rev

Do not scale from this drawing. All dimensions and levels to be checked on site and any discrepancies reported before work commences - if in doubt, ASK. This drawing is © Copyright Mitchell Architects

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Agenda Item 8

ITEM NO.

COMMITTEE DATE:

27 JUNE 2016

APPLICATION NO:

16/0618/03

FULL PLANNING PERMISSION

APPLICANT:

Trathen Properties Ltd

PROPOSAL:

Erection of a 6 storey building for hotel use comprising of 102 bedrooms to replace the previously approved office accommodation (Phase II of the mixed use development planning ref:11/1816/03)

LOCATION:

Land to the east of Dean Clarke House, Southernhay East, Exeter, EX1

REGISTRATION DATE:

13/05/2016

EXPIRY DATE:

12/08/2016

HISTORY OF SITE

Planning approval was granted in 2008 (ref no. 08/1736/03) for the construction of a new office building with basement parking, new access road into the site and a centrally located courtyard garden. The proposed office building sought to provide a total of 6,538 square metres of office space arranged over five storeys with two level of basement car parking providing a total of 90 spaces. This permission lapsed on the 14 November 2011.

In March 2012 (ref no. 11/1816/03) planning permission was granted for a mixed use development comprising a 120 bed hotel, offices, cafe/restaurant and basement parking over two levels. The proposal comprised two phases. The first building phase located on the part of the site closest to Dean Clarke House proposed a hotel with coffee shop (260 sq metres), restaurant (88 covers) and bar (46 covers). The hotel comprised 120 rooms spread over 6 floors. The ground floor office element would occupy an area of 362 sq metres. This building and the phase 2 of the development would have access to two levels of basement car parking containing a total of 167 car parking spaces, which would operate on a pay and display basis. This car park would also be available for general public use. To the rear of the building adjacent to the southern boundary would be proposed a landscaped area to serve both the hotel and the future office accommodation. The second building phase located closest to the existing courts building comprising a five storey office building of 352 sq metres of floor space on each floor, a total of 1760 sq metres.

The combined two phases of the building works would result in a five/six storey building constructed of brick and zinc coloured cladding with aluminium window frames and a flat roof. The application was accompanied by landscaping scheme which indicates the intended arrangement of the area in the interim period before phase 2 is built.

The hotel element of the building of this approval has recently been opened as Premier Inn.

In September 2015 planning permission (ref no. 15/0787/03) was granted for the change of use of the previously approved office to a 24 hour gym underneath the hotel building. This scheme also included cycle parking, air conditioning units and extract louvres to serve this facility. This permission has been implemented.

At the March Planning Committee planning permission (ref 15/1310/03) was refused for the erection of a 6 storey building for hotel use comprising of 106 bedrooms to replace the phase 2 office building. Whilst the application decision notice stated 106 rooms this was incorrect as two of the ground floor rooms are in practice used as ancillary 'back of house' eg storage rooms or general office and therefore the actual number of bedrooms available was 104. The application was refused for the following reasons:

- 1. The proposed development would harm business and employment opportunities in the city through the loss of an existing employment site located within the established Southernhay employment area. The proposal would therefore be contrary to Exeter Core Strategy Policy CP2 and the Exeter Local Plan First Review Policy E3.*
- 2. The siting, height, scale and massing of the proposed development would adversely affect the setting of designated historic assets. Specifically, the development would impact on buildings within the Southernhay Conservation Area and in particular affect the setting of Dean Clarke House a Grade II* building when viewed from Western Way and the existing properties in Pavilion Place which have a positive impact on the character and appearance of the Southernhay Conservation Area. It is therefore contrary to Paragraphs 58, 131-133 of the National Planning Policy Framework; Policy CP17 – Design and Distinctiveness of the Exeter City Council Core Strategy and Policy C1, C2 and DG1 of the Exeter Local Plan First Review 1995-2011.*
- 3. The proposal would result in the overlooking of the adjacent Quaker Meeting House garden area by reason of the number and proximity of windows within the southern elevation of the proposed hotel use and would therefore be contrary to Policy DG1 of the Exeter Local Plan First Review.*

DESCRIPTION OF SITE/PROPOSAL

The application site is situated between Dean Clarke House and the Crown Court. The application proposes a new six storey building containing a total of 102 bedrooms. The building occupies the site previously approved for office use and the submitted plans indicate that the footprint of the building will be similar to this previous scheme. Whilst the original building intended 5 floors of office accommodation, this application proposes a 6 storey building within a similar height. The original building had an overall height of 16.5 metres and this scheme proposes an increase to 16.7 metres (the previous refused scheme measured 17.2 metres). The building does differ from the previously approved scheme with the inclusion of a 'tower' section to the south east of the site which contains 5 floors of hotel accommodation. The overall building is stepped down in appearance from the neighbouring Premier Inn, in a similar arrangement to that previously approved.

The proposed building has a main entrance fronting onto Southernhay Gardens alongside the existing gym situated next door. The ground floor would contain a breakfast room but there are no kitchen facilities associated with this hotel development. A total of 12 rooms (the previous refused scheme had 13 bedrooms) would be located on the ground floor with associated storage, linen store and lift/stairway. The next four floors would follow the same layout containing 19 bedrooms on each floor. The sixth floor would contain 14 rooms (the previously refused scheme had 15 rooms).

The main changes made since the previous refusal are the reconfiguration of the layout of the southern section of the proposed building closest to the Meeting House and the re-orientation of the rear windows. The revised plan reduces the building's footprint by an area of approximately 10 sq metres and positions it 2.4 metres from the boundary with the Meeting House. This has reduced the number of bedrooms on the ground and top floor from 15 to 14. However the re-orientation of the rooms to face south rather than east towards Pavilion Place has resulted in the number of rooms on the first to fourth floor remaining the same at 19. In addition all the south facing room windows have been angled to prevent a direct view of the Meeting House and its grounds.

The proposed building is to be constructed of red brick to match the adjacent Premier Inn building with zinc coloured cladding at the upper levels.

The applicant has indicated that the hotel customers will have access to the 167 space basement car park which also contains cycle parking provision.

The site is located within the Southernhay Conservation Area.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Design and Access Statement and Planning and Economic Impact Statement has been submitted with the application.

Design and Access Statement update

Concerns were raised with the previous application regarding massing towards the rear of the site and potential overlooking problems for the Quaker Meeting House. Current proposals reduce the overall height of the building to within 200mm of the original consented scheme and massing has been reduced to the proposed accommodation above the car park means of escape which would significantly reduce the impact when viewed from the Court's car park and the Quaker Meeting House.

More significantly fenestration has been amended with oblique set glazing to the south elevation which directs views away from the Meeting House gardens as shown on the site plan which retain its existing privacy. Similarly obscure glazing is proposed to the north east elevation maintaining privacy to the Court accommodation.

Planning and Economic Impact Statement key considerations and conclusions:

Need and demand for hotel bedspaces

- The 2007 Exeter Hotels study estimate the need for an increase in available bed spaces in Exeter of 36-53 rooms per annum until 2021. It was acknowledged by the consultants that this estimate was conservative in the light of operator interest in 2007. The actual rate of delivery to 2016 has been in excess of these estimates and equates to an average of around 83 bedrooms pa.*
- Market demand for sites for hotels remains buoyant with a range of innovative formats coming forward. This is matched by a continuing demand for bed spaces for both business and tourist visitors.*

Need and demand for offices

- Offices within the development, whether built or proposed have been marketed at various stages by Maze Consultants, Wilkinson Grant, Stratton Creber and Croft Surveyors since the grant of the 2008 planning permission. Flexible terms have been offered including rent free periods and rent with option to buy. In addition potential occupiers such as the law courts for use as Chambers have been targeted without success.*
- All the above agents can produce reports of the marketing strategy and the degree of interest shown. However the overwhelming view is that there is no interest or demand for offices in this location sufficient to sustain a speculative development. The Dean Clarke House development has delivered a number of small office units during the various development phases.*
- The continuing market failure with regard to demand for offices has also meant that funding for speculative office development has for some time reached a point where banks will only fund office development where there is a pre-let in place.*

Planning policy position

- The local plan proposals map shows the site as 'white land' and specifically allocated for employment use. The Core Strategy recognises the need to ensure a mix of uses within the City Centre whilst safeguarding key employment sites. Previous planning permissions for the Dean Clarke House complex have delivered a range of uses however the take up of office space has been extremely poor.*
- The local plan via Policy TM1 seeks to support hotel development. The Core Strategy makes no specific reference to hotels and no allocations are made via the proposals map. Policy CP2 acknowledges the potential for loss of employment for other uses where no harm to business or employment opportunities would arise. It is difficult to conclude what these*

may be in the light of the history of this site particularly where planning permission was granted for hotel development on the greater proportion of the site. The residue of the site represents approx 25% of the larger one time employment site where the principle of an alternative use has already been conceded without harm, as identified in Policy CP2, having been demonstrated.

- The NPPF is clear that long term protection of sites allocated for employment should be avoided and applications for alternative uses should be treated on their merits

- In the circumstances we believe there is no policy case for the retention of this residue site for employment purposes.

Economic Benefits

- The above assessment demonstrates that the significant beneficial financial impact arising from the proposed development. These are assessed as 28.5 permanent full time jobs; an additional £0.65m pa of economic activity derived from salaries; £1.09m pa of travellers expenditure and support for a range of smaller businesses via the supply of goods and services.

Conclusions

- Under current market conditions there is no prospect of an office being built in this location. The site is a small isolated site in development terms and therefore an office development cannot be linked to more profitable development options as is possible on a site such as the bus and coach station. Furthermore there is a significant bank of employment consents in more preferable location such as Matford Phase III, Science Park and Sky Park to name the largest.

- The planning policy position does not preclude hotel development in this location. Both the Core Strategy and the NPPF require the identification of any demonstrable harm to substantiate a planning refusal. It is concluded that no harm would arise from the proposed development. Furthermore a scheme of this nature is the only one for which finance would be available other than for some form of residential development.

- Development of the wider Dean Clarke House has delivered the mix of uses sought by the Council, including restaurant, hotel, barrister's office, residential, small offices, luxury flats with a concierge service and dentist. The only significant problems experienced in bringing forward various aspects of this wider site has been delivery and letting of the office element. We therefore believe the redevelopment of this remaining site for a hotel would complete the development around this important listed building Dean Clarke House and add further to the vitality and viability of Exeter City Centre.

REPRESENTATIONS

16 objections received (6 from the users of the Quaker Meeting House) and includes representations from the Exeter Civic Society. Principal issues raised:-

1. Overdevelopment of the site;
2. Building higher than originally approved;
3. Scale and height of building fails to take account of the stepped character of the building forms in the
4. Character and quality of life to those who live and works in the area would be reduced;
5. Design of the building poor; external appearance inappropriate within the conservation area;
6. Overlooks and reduces privacy levels to adjacent residential properties and users of the Meeting Ho
7. Loss of light to neighbouring property;
8. Too many windows facing onto the adjacent buildings leading to increased potential for overlooking
9. Footprint of the building greater than the approved plan;
10. Hotel would create potential for noise disturbance 24/7 and at a greater level than the approved of
11. Building too close to the Quaker Meeting House;
12. Overshadow adjacent buildings;
13. Too close to Courts Building and Quaker Meeting House Building;
14. Too many hotels already in the area;
15. Need to retain employment site in the city centre;
16. Too few employment opportunities created by hotel use;

17. Submitted information regarding employment generated misleading;
18. Introduction of angled windows will increase visual scale and massing of building.

CONSULTATIONS

The County Head of Planning, Transportation and Environment comments that in response to the previous application it was considered that although of a greater floorspace than the offices the use would be expected to generate less vehicle travel demand. As this application is for a similar sized, albeit slightly smaller hotel, circumstances have not significantly changed at this location since the previous submission. Therefore it is recommended that the conditions that were recommended for the previous application relating to the provision of secure cycle parking, Travel Plan Statement for staff travel and a Construction Method Statement are imposed as part of any permission.

South West Water raise no objection.

The Head of Environmental Health raises no objection subject to conditions in respect of the need for Construction Environmental Management Plan and a noise assessment.

Historic England comments that the scheme will not adversely affect the highly graded elements of the historic environment.

Devon Flood and Coastal Risk Management Team comments that the applicant should provide a surface water drainage management plan which demonstrates how surface water from the development will be disposed of in a manner that does not increase flood risk elsewhere in accordance with the principles of Sustainable Drainage Systems.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework

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Decision making

Exeter Local Development Framework Core Strategy

- CP1 - Spatial Approach
- CP2 - Employment
- CP9 - Transport
- CP11 - Air Quality
- CP14 - Using Low Carbon and Renewable Energy
- CP15 - Sustainable Construction
- CP17 - Design and Local Distinctiveness
- CP18 - Infrastructure

Exeter Local Plan First Review 1995-2011

- AP1 – Design and Location of Development
- AP2 - Sequential Approach
- T1 - Hierarchy of Modes
- T2 - Accessibility Criteria
- T3 - Encouraging Use of Sustainable Modes
- DG1 - Objectives of Urban Design
- DG2 - Energy Conservation

DG7 - Crime Prevention and Safety
T10 – Car Parking Standards
C5 - Archaeology
EN2 – Contaminated Land
E3 - Retention of Employment Land or Premises
TM1 - Hotel Development

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
DD2 - Employment Land Provision
DD3 - Retention of Employment Land
DD17- Hotels
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

Southernhay and The Friars Conservation Area Appraisal and Management Plan August 2002.

OBSERVATIONS

Members refused a similar application for hotel use in March 2016. This amended scheme is for a reduction in proposed numbers of the hotel rooms; a smaller overall footprint and height of building; the reorientation of rooms and revisions to the design, principally to the rear elevation. In addition, an economic impact statement has been submitted with the application. Members will recall that the application formed part of the site previously approved under a mixed scheme for a hotel and office use. The hotel development which represented Phase 1 of the scheme has been completed and is now open as Premier Inn. However as the Phase 2 office element had received little interest from prospective developers since its approval in 2012 the applicant has consequently submitted a scheme for hotel use. This report will assess the additional information provided by the applicant which seeks to address the reasons for refusal.

Loss of Employment land

The applicant has provided a Planning and Economic Impact Statement to address the concerns raised about the harmful impact the loss of a potential employment site would have on business and employment opportunities in the city. Whilst the report reiterates the low level of demand for office use in the area, it also highlights the need for hotel accommodation in the city, the planning policy position and the economic benefits which would arise from this development. A summary of these benefits are contained within the supporting information section. This background document draws attention to NPPF paragraph 22 which states that *'planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'*. It is accepted that city centre office demand is low and therefore consideration of alternative suitable uses is appropriate. Given the approval of the hotel

development on the adjacent site it would be difficult to resist the same use alongside. In addition, it is accepted that a hotel use provides a complementary function to the office uses in the area. Whilst it is disappointing that the office accommodation has not been forthcoming it is important to note that the development of a hotel is supported by Local Plan First Review Policy TM1 and therefore it is considered that the principle of a hotel use in this location is acceptable.

Impact of the building on Heritage Assets

The second refusal reason related to the impact of the scheme on the Southernhay Conservation Area and the setting of Dean Clarke House a Grade II* listed building. Members are advised that the statutory duty in matters of the setting of listed buildings and conservation areas under Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is to give special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is referred to in NPPF paragraph 134 which states '*where a development proposed will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*'

It is considered that the use is acceptable in this location as stated in the previous paragraph and the floorspace proposed represents the maximum which could be achieved without having a detrimental effect on adjacent buildings.

The application site would be partly screened by the new Premier Inn building from Southernhay but would still be prominent from Western Way and Magdalen Road and when viewed alongside the existing Courts building. In addition, the site can be seen from surrounding residential streets, in particular Pavilion Place, which lies adjacent to the site. Consequently the site requires a suitably designed building to accord with its Conservation Area designation and setting of nearby listed buildings.

The proposed red brick and zinc cladding is appropriate as it will match the adjacent Premier Inn. The window sizes and their arrangement including, the proposed angled windows to the rear, are deemed acceptable when viewed alongside the existing the hotel. To address the previous concern regarding the proposed building's impact on the setting of Dean Clarke House, its overall height has been reduced by 0.5 metres. The elevational treatment contains an appropriate level of visual and design interest when viewed from Western Way and it is considered that this is helped by the proposed tower section on the south east section of the building, which visually breaks up what could appear as a flat elevation. The overall design is still considered to be similar to the originally approved office scheme and the changes that have been made complement the proposed building. It is considered that the scheme meets the requirements as set out in statues and NPPF paragraph 134 and is therefore appropriate within its conservation area location and its relationship to listed buildings, a view shared by Historic England who have raised no objection to the scheme.

Impact of use on adjacent Meeting House

The previous application attracted many objections from the members of the adjacent Quaker Meeting House. The Meeting House does not contain windows within its northern elevation and therefore there would be no opportunity for direct overlooking into this building from the new hotel use. In addition, the relationship of the new hotel would be similar to the existing arrangement of the recently completed Premier Inn. However the objections specifically centred on the potential for overlooking into the gardens of this building.

A section of the Meeting House garden contains existing evergreen trees and therefore the potential for overlooking from the new hotel is likely to be minimal, as the trees would help to screen any activities within this part of the garden from view. However to address the problems specifically raised in the reason for refusal, the applicant has change the design of the windows facing towards the Meeting House. The revised scheme shows the windows

angled away from the gardens of the Meeting House and therefore there is no opportunity of overlooking. In addition, the changes in the re-configuration of the floor plan has resulted in an improved relationship with Pavilion Place as the proposed windows are now within in the southern elevation and not directly facing these properties. Accordingly it is considered that the issue of overlooking has been addressed by the revised plans and the previous refusal reason on these grounds can no longer be substantiated.

Other issues

Previously the Court's representatives raised specific concerns regarding the development in terms of overlooking into the Court building, potential threat to security and the need to maintain unrestricted vehicular access which may be hampered by the construction work. The revised application continues to indicate rooms which are now to include obscure glazing to prevent overlooking into the Courts building and this can be controlled by a condition. In respect of the construction works it is considered that a Construction Environment Management Plan would address this matter, which can also be controlled by a planning condition.

Conclusion

Whilst it is disappointing that the anticipated office use has not been forthcoming, it is considered that the use would be beneficial and provide additional hotel rooms within the city as supported by development plan policies. It is considered that the revised planning and economic impact statement has provided sufficient justification against the loss of a relatively small area of potential employment space and the scheme would not compromise the overall employment strategy for the city. It is considered that NPPF paragraph 22 is particularly important as it states that alternative uses should be approved rather than a site remain vacant if there is no reasonable prospect for employment use being forthcoming, as stated and accepted in the applicant's economic statement. In respect of the impact of the scheme on heritage assets, NPPF paragraph 134 is relevant and it is considered that the scheme's design does pay due regard to this matter and does not cause harm to heritage assets identified in the area, namely the Southernhay Conservation Area and Dean Clarke House. In addition, the introduction of the angled windows which now face away from the Meeting House has removed the potential for overlooking into the grounds of this building and consequently creates an acceptable arrangement. On the basis of the above it is therefore considered that this application should be approved.

DELEGATION BRIEFING

7 June 2016 - Members were advised that the applicant had submitted additional information and plans to address the three previous reasons for refusal and that the application would be reported to Planning Committee on 27 June.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 13 May 2016 (dwg no. 1893 026; 1893-21 A; 1893-22 rev D; 1893-23 rev D & 1893-23 rev D) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

- 3) C17 - Submission of Materials

- 4) Prior to any works commencing on site, a Construction Environmental

Management Plan (CEMP) which shall include details of construction traffic management relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimize the creation and impact of noise, vibration, dust, waste resulting from the site preparation and construction phases of development. Once approved the CEMP shall be adhered to at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the environment of the site and surrounding areas.

- 5) No construction work shall not take place outside the following times: 8 am to 6pm Monday to Fridays, 8am to 1 pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity.

- 6) No part of the development shall be occupied until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To maximise the opportunities for sustainable travel to and from the site, in accordance with Paragraph 36 of the National Planning Policy Framework.

- 7) Prior to commencement of the development a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. This report shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as noise from deliveries, guests and events. If, following the above assessment further noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the Local Planning Authority and shall be implemented prior to and throughout the occupation of the development.

Reason: In the interests of residential amenity and to safeguard the working conditions of employees working in the vicinity of the site

- 8) Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details and maintained for those purposes thereafter.

Reason: To provide adequate facilities for sustainable transport.

- 9) The building shall not be used for intended purpose until the details of the non-opening obscure glazing to be installed within the north east elevation of the proposed building has been submitted to and agreed in writing with the Local Planning Authority and thereafter maintained in accordance with these details at all times.

Reason: To safeguard the amenities of the nearby Courts building and prevent overlooking and loss of privacy.

- 10) Notwithstanding the requirements of Condition 2 of this planning permission, no work shall commence on either phase of development hereby approved until full details of the following, insofar as they relate to that phase of development, have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:

- a) windows to include materials, means of opening, reveals, cills and headers;
- b) external doors;
- c) rainwater goods;
- d) lighting;

- e) treatment of boundaries;
- f) refuse storage;
- g) CCTV cameras and location;

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

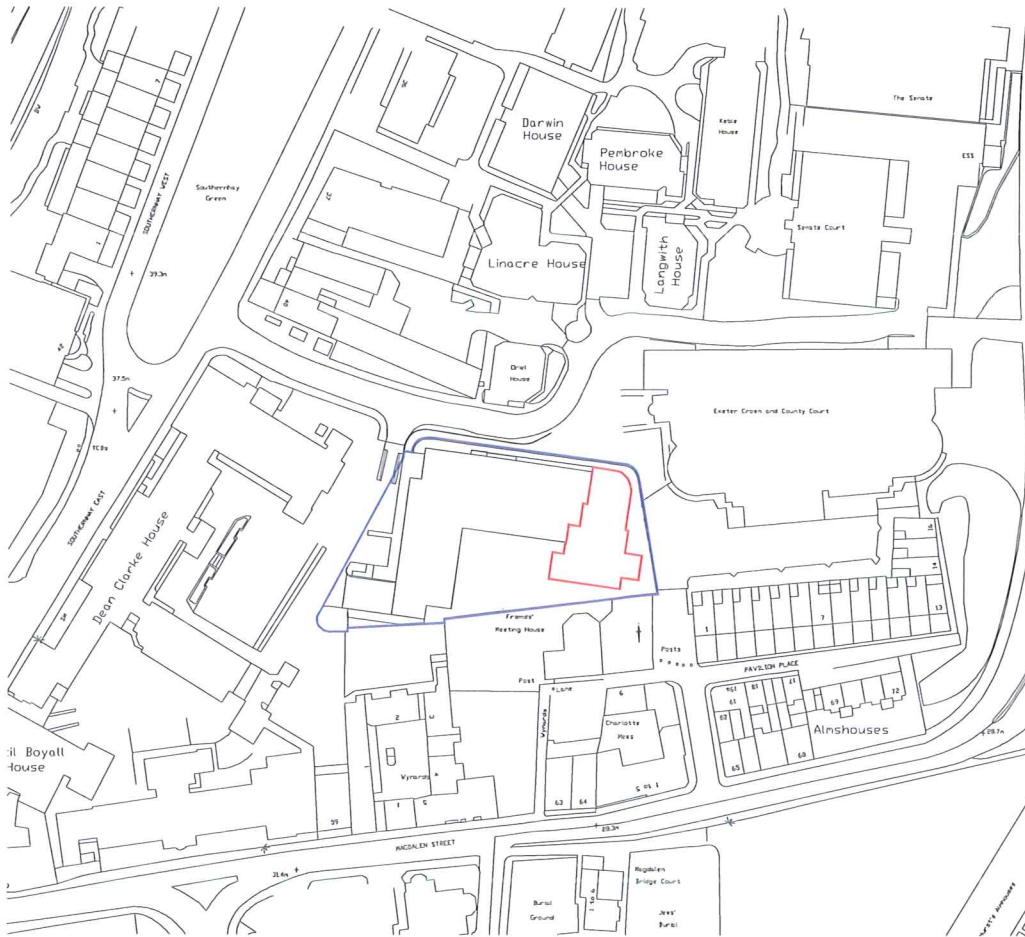
- 11) No development shall take place unless and until details of bat and swift boxes have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.

Reason: To ensure that the wildlife opportunities associated with the site are maximised in the interests of biodiversity.

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



Rev.	Date	Notes	By
Drawing File 1900/DWGS/SCHEME/LOCATION PLAN			
Drawing Status		PLANNING	

	Date	Approved
	20th July 2015	
	Drawing Status	
	INFORMATION	

Notes
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Stone Commercial Business Centre, 5 Church Street, Stone, T 01752 606007 F 01752 606008 4 D310@mitchellarchitects.co.uk www.mitchellarchitects.co.uk	
You should not scale from this drawing. All Scale [S] Sheet Size dimensions and levels to be checked on site and any discrepancies reported before work commences - if in doubt, ASK. This Drawings Copyright Mitchell Architects	
Project Phase II Dean Clarke House	
Client Trathen Properties	
Title LOCATION PLAN	
Drawn	LH
Checked	
Drawing No.	1893 026
Revision.	-

16/0618

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REPORT TO: PLANNING COMMITTEE
Date of Meeting: 27 JUNE 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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Exeter City Council

27/06/2016

**All Planning Decisions Made and
Withdrawn Applications Between 12/5/2016 and 16/6/2016**

ALPHINGTON

Application Number: 16/0366/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 18/05/2016 DEL
Location: 27 Steeple Drive, Exeter, EX2 8FL
Proposal: Single storey side extension to south west elevation

Application Number: 16/0578/03 **Delegation Briefing:**
Decision Type Withdrawn by Applicant **Decision Date:** 27/05/2016 DEL
Location: 3 Oaktree Place, Manaton Close, Exeter, EX2 8WA
Proposal: Change of use of mezzanine level from B1, B2 and B8 to D1/D2

Application Number: 16/0478/03 **Delegation Briefing:**
Decision Type Withdrawn by Applicant **Decision Date:** 01/06/2016
Location: 10 Oak Ridge, Alphington, Exeter, EX2 8YS
Proposal: Single storey rear extension and new side garage.

Application Number: 16/0536/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 02/06/2016 DEL
Location: Marsh Barton Station, Clapper Brook Lane, Exeter, EX2
Proposal: Pedestrian and cycle access path to proposed new rail halt.

Application Number: 16/0293/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/05/2016 DEL
Location: Park & Ride, Matford Park Road, Marsh Barton Trading Estate, Exeter, EX2 8FD
Proposal: Construction of a new one way access road for the park and ride car park from Bad Homburg Way and redesign of site access roads and bus stops. Changes from original proposal 15/0387/03

Application Number: 16/0375/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 16/05/2016 DEL
Location: The Malthouse, 7 Haven Road, Exeter, EX2 8BP
Proposal: Removal of existing signage and installation of new signage

Application Number: 16/0376/05 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 16/05/2016 DEL
Location: The Malthouse, 7 Haven Road, Exeter, EX2 8BP
Proposal: Advertisement Consent for 1No. Internally illuminated post sign, 4No. Internally illuminated sets of letters and 1No. Non-illuminated panel sign

COWICK

Application Number: 16/0310/16 **Delegation Briefing:** 24/05/2016 0
Decision Type Permitted **Decision Date:** 03/06/2016 DEL
Location: 28 Merrivale Road, Exeter, EX4 1PX
Proposal: Reconstruct dwelling along with 2 storey rear extension and front porch

Application Number: 16/0306/16 **Delegation Briefing:** 24/05/2016 0
Decision Type Permitted **Decision Date:** 02/06/2016 DEL
Location: 3 Myrtle Road, Exeter, EX4 1PZ
Proposal: Reconstruct dwelling along with 2 storey rear extension and front porch

Application Number: 16/0307/16 **Delegation Briefing:** 24/05/2016 0
Decision Type Permitted **Decision Date:** 02/06/2016
Location: 6 Myrtle Road, Exeter, EX4 1PZ
Proposal: Reconstruct dwelling along with 2 storey rear extension and front porch

Application Number: 16/0308/16 **Delegation Briefing:** 24/05/2016 0
Decision Type Permitted **Decision Date:** 02/06/2016 DEL
Location: 7 Myrtle Road, Exeter, EX4 1PZ
Proposal: Reconstruct dwelling along with 2 storey rear extension and front porch

Application Number:	16/0309/16	Delegation Briefing:	24/05/2016	0
Decision Type	Permitted	Decision Date:	02/06/2016	DEL
Location:	26 Myrtle Road, Exeter, EX4 1QA			
Proposal:	Reconstruct dwelling along with 2 storey rear extension and front porch			

Application Number:	16/0312/16	Delegation Briefing:	24/05/2016	0
Decision Type	Permitted	Decision Date:	02/06/2016	DEL
Location:	58 Bowhay Lane, Exeter, EX4 1PF			
Proposal:	Reconstruct dwelling along with 2 storey rear extension and front porch			

Application Number:	16/0442/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	31/05/2016	DEL
Location:	75 Buddle Lane, Exeter, EX4 1JR			
Proposal:	Separation of dwelling to form an additional dwelling			

Application Number:	15/0627/04	Delegation Briefing:		
Decision Type	Withdrawn by Applicant	Decision Date:	23/05/2016	DEL
Location:	Krigar, Barley Lane, Exeter, EX4 1TA			
Proposal:	T1 & T2 - Holm Oak And Sycamore - Prune back side growth			

Application Number:	16/0415/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	26/05/2016	DEL
Location:	57 Cowick Hill, Exeter, EX2 9NQ			
Proposal:	Redevelopment of roof to facilitate loft conversion			

DURYARD

Application Number:	16/0433/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	23/05/2016	DEL
Location:	1 Cowley Lawn, New North Road, Exeter, EX4 4AG			
Proposal:	Erection of a shed			

Application Number: 16/0499/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 27/05/2016 DEL
Location: University of Exeter, Northcote House, Queens Drive, Exeter, EX4 4QJ
Proposal: Installation of new and replacement of existing lighting with new LED lighting columns

Application Number: 16/0328/04 **Delegation Briefing:**
Decision Type Refuse Planning Permission **Decision Date:** 01/06/2016 DEL
Location: 13 Doriam Close, Exeter, EX4 4RS
Proposal: T1 -Monterey Pine - Prune

Application Number: 16/0527/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 10/06/2016 DEL
Location: 50 West Garth Road, Exeter, EX4 5AL
Proposal: Rear extension and loft conversion

Application Number: 16/0586/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 10/06/2016 DEL
Location: Streatham Farm, Prince Of Wales Road, Exeter, EX4 4PX
Proposal: Installation of new and replacement of existing lighting with new LED lighting columns (north west of campus)

DURYARD & ST JAME

Application Number: 16/0616/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 10/06/2016 DEL
Location: 9 Argyll Road, Exeter, EX4 4RX
Proposal: Single storey rear extension and raised decking.

Application Number: 16/0620/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 27/05/2016 DEL
Location: Taddyforde Lodge, Taddyforde Estate, Exeter, EX4 4AT
Proposal: Fell 2no Birch Trees and Prune 1no. Fir Tree and hedgerow.

EXWICK

Application Number:	16/0636/04	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	27/05/2016 DEL
Location:	6 Truro Drive, Exeter, EX4 2DY		
Proposal:	Silver Birch - Reduction of height of crown by 30% down to suitable growth points		

Application Number:	16/0504/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	02/06/2016 DEL
Location:	60 Garland Close, Exeter, EX4 2NT		
Proposal:	Decking area measuring 2.6m x 2.6m		

HEAVITREE

Application Number:	16/0646/17	Delegation Briefing:	
Decision Type	Was lawful use	Decision Date:	24/05/2016 DEL
Location:	Flat 2E, 1 Heavitree Park, Exeter, EX1		
Proposal:	Use of flat as a separate dwelling.		

Application Number:	16/0496/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	03/06/2016 DEL
Location:	43 Whiteway Drive, Exeter, EX1 3AL		
Proposal:	Single storey rear extension		

MINCINGLAKE

Application Number:	16/0545/18	Delegation Briefing:	
Decision Type	Was lawful use	Decision Date:	13/05/2016 WLD
Location:	94 Latimer Road, Exeter, EX4 7JP		
Proposal:	Demolition of existing conservatory and the erection of new single storey rear extension and loft conversion.		

NEWTOWN

Application Number:	16/0373/18	Delegation Briefing:		
Decision Type	Was lawful use	Decision Date:	16/05/2016	DEL
Location:	34 Denmark Road, Exeter, EX1 1SF			
Proposal:	Demolition of single garage			

Application Number:	16/0532/03	Delegation Briefing:	07/06/2016	0
Decision Type	Permitted	Decision Date:	10/06/2016	DEL
Location:	62 Blackboy Road, Exeter, EX4 6TB			
Proposal:	Change of use from dwelling house (C3) to House in Multiple Occupation for up to 6 persons (C4)			

Application Number:	16/0372/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	12/05/2016	DEL
Location:	47 Blackboy Road, Exeter, EX4			
Proposal:	Extensions and alterations to the rear of the property			

Application Number:	16/0537/42	Delegation Briefing:		
Decision Type	Withdrawn by Applicant	Decision Date:	18/05/2016	
Location:	128 Sidwell Street, Exeter, EX4 6RY			
Proposal:	Prior approval for change of use from A1 (Retail) to A3 (Restaurant/Cafe)			

Application Number:	16/0525/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	27/05/2016	DEL
Location:	19 Heavitree Road, Exeter, EX1 2LD			
Proposal:	Change of use from A1 to mixed use A1 and A3, to include occupation of rear courtyard.			

NEWTOWN & ST LEOI

Application Number:	16/0507/07	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	10/06/2016	DEL
Location:	33B Blackboy Road, Exeter, EX4 6ST			
Proposal:	Replacement of sash window to front of the property on second floor			

Application Number: 16/0738/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 14/06/2016 DEL
Location: 3 Spicer Road, Exeter, EX1 1SX
Proposal: T1 - Ash - Fell

Application Number: 16/0655/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 14/06/2016 PER
Location: 27 Clifton Hill, Exeter, EX1 2DJ
Proposal: Felling of 4 medium size Leylandi trees, located in the front garden just behind the front wall on the boundary with number 26 Clifton Hill.

PENNSYLVANIA

Application Number: 16/0612/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 16/06/2016 DEL
Location: 166 Pennsylvania Road, Exeter, EX4 6DX
Proposal: T1 -6 - Hornbeam - Reduce to 3M
 T7 - Holly - Reduce to 3M
 T8 - Yew - Reduce to 3M

Application Number: 16/0443/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 12/05/2016 DEL
Location: 2 Clevedon Close, Exeter, EX4 6HQ
Proposal: Proposed first floor rear extension, first floor side window (east elevation) and ground floor bifold doors (north elevation)

Application Number: 16/0497/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 31/05/2016 DEL
Location: Beech House, Beech Avenue, Exeter, EX4 6HE
Proposal: G1 -2 - Conifers - Crown reduce to 9M

Application Number: 16/0471/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 03/06/2016 DEL
Location: 2 Rosebarn Lane, Exeter, EX4 5DX
Proposal: Demolition of existing single storey garage and rear extension and conservatory. Erection of two storey side and single storey rear extensions.

Application Number: 16/0576/03 **Delegation Briefing:** 12/05/2016 0
Decision Type Permitted **Decision Date:** 01/06/2016 PER
Location: 73 Rosebarn Lane, Exeter, EX4 5DG
Proposal: Extension to create additional bathroom.

Application Number: 16/0409/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 19/05/2016 DEL
Location: Exe View Meadow, Stoke Hill, Exeter, EX4
Proposal: 12kw off-grid ground mount solar array.

PINHOE

Application Number: 16/0619/18 **Delegation Briefing:**
Decision Type Was lawful use **Decision Date:** 23/05/2016 DEL
Location: 6 Reynolds Close, Exeter, EX4 8PN
Proposal: Single storey rear extension to dwelling replacing existing conservatory.

Application Number: 16/0024/03 **Delegation Briefing:** 22/03/2016 0
Decision Type Permitted **Decision Date:** 03/06/2016 DEL
Location: Land North Of Tithe Barn Lane, Adjoining M5 motorway, Tithe Barn Lane, Exeter, EX1
Proposal: An Energy Centre as part of the District Heating Network system to new housing developments at Monkerton Farm, Tithebarn Green and Mosshayne, along with Exeter Science Park with access, maintenance access and landscaping.

Application Number: 16/0417/03 **Delegation Briefing:** 24/05/2016 0
Decision Type Permitted **Decision Date:** 03/06/2016 DEL
Location: 4 The Poplars, Park Lane, Exeter, EX4 9HH
Proposal: Removal of condition 7 attached to 05/1487/03 to allow the first floor accommodation above the garage to be used as office space associated to the Care Home

Application Number: 16/0547/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 31/05/2016 DEL
Location: 11 Bazley Square, Exeter, EX1 3QP
Proposal: Loft conversion and 2no dormer windows.

Application Number:	16/0349/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	13/06/2016 DEL
Location:	Plots 93,94 & 95 (Previously known as Plots 104,105 & 106 as part of RM approval) Tithebarn Green Land at Monkerton, Exeter,		
Proposal:	350 dwellings (approval for reserved matters for appearance, landscaping, layout and scale Ref No 12/0802/01 granted 29 November 2013) (Variation of condition 1 - Minor Material Amendment to plots 93, 94 & 95)		
Application Number:	16/0573/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	13/06/2016 DEL
Location:	66 Park Lane, Exeter, EX4 9HP		
Proposal:	2 storey side and rear extension.		
Application Number:	16/0724/17	Delegation Briefing:	
Decision Type	Was lawful use	Decision Date:	13/06/2016 DEL
Location:	Estuary View, Church Hill, Pinhoe, Exeter, EX4		
Proposal:	Certificate of lawfulness sought for 2no agricultural storage buildings.		
Application Number:	16/0336/03	Delegation Briefing:	24/05/2016 0
Decision Type	Permitted	Decision Date:	14/06/2016 DEL
Location:	1 Broadparks Close, Exeter, EX4 9HA		
Proposal:	Construction of new house - previously approved under reference 06/2304/02 as approval of reserved matters granted.		
Application Number:	16/0569/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	03/06/2016 DEL
Location:	13 Park Lane, Exeter, EX4 9HQ		
Proposal:	Demolition of existing extension and garage and construction of new two storey side extension, double garage and alteration to access		
Application Number:	16/0487/03	Delegation Briefing:	
Decision Type	Withdrawn by Applicant	Decision Date:	06/06/2016 DEL
Location:	Estuary View, Church Hill, Pinhoe, Exeter, EX4		
Proposal:	Retention of two agricultural storage buildings.		

Application Number:	16/0457/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	08/06/2016	DEL
Location:	Land rear of 41 Station Road, Pinhoe, Exeter, EX1 3SD			
Proposal:	Detached dwelling			

Application Number:	16/0431/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	13/05/2016	DEL
Location:	15 Fairview Terrace, Exeter, EX1 3SQ			
Proposal:	Erection of a first floor extension above existing single storey rear extension			

POLSLOE

Application Number:	16/0551/18	Delegation Briefing:		
Decision Type	Was lawful use	Decision Date:	17/05/2016	WLD
Location:	30 Tarbet Avenue, Exeter, EX1 2UE			
Proposal:	Loft conversion with rear dormer and hip to gable extension			

Application Number:	16/0466/03	Delegation Briefing:		
Decision Type	Refuse Planning Permission	Decision Date:	09/06/2016	DEL
Location:	32 St. Annes Road, Exeter, EX1 2QD			
Proposal:	Front porch			

Application Number:	16/0584/18	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	19/05/2016	DEL
Location:	18 Jubilee Road, Exeter, EX1 2HX			
Proposal:	Rear dormer extension			

Application Number:	16/0524/37	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	18/05/2016	DEL
Location:	Pinhoe Road Baptist Church, 157-165, Pinhoe Road, Exeter, EX4 7HZ			
Proposal:	Non-material amendment to reduce the level of the foyer (approved under application ref: 14/1478/03) and construction of an associated access ramp			

PRIORY

Application Number:	16/0408/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	12/05/2016	DEL
Location:	The Cedars, Dryden Road, Exeter, EX2 5SN			
Proposal:	Proposed vehicular access with associated turning head to new patient access to the Cedars Hospital			

Application Number:	16/0462/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	19/05/2016	DEL
Location:	148 Lower Wear Road, Exeter, EX2 7BD			
Proposal:	Erection of a single storey extension			

Application Number:	16/0411/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	23/05/2016	DEL
Location:	19 Alice Templer Close, Exeter, EX2 6AE			
Proposal:	Two storey rear extension			

Application Number:	16/0664/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	10/06/2016	DEL
Location:	Rosemoor Court, Pynes Hill, Exeter, EX2 5TU			
Proposal:	Building mounted Company signage and freestanding street corner directory sign to replace the existing.			

Application Number:	16/0702/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	10/06/2016	DEL
Location:	Wyvern Barracks, Barrack Road, Exeter, EX2 6AR			
Proposal:	Two pole mounted freestanding signs outside Topsham Road access			

Application Number:	16/0270/03	Delegation Briefing:		
Decision Type	Refuse Planning Permission	Decision Date:	18/05/2016	DEL
Location:	412A Topsham Road, Exeter, EX2 7AL			
Proposal:	Roof extension, 2no. side elevation dormers and loft conversion.			

ST DAVIDS

Application Number: 16/0355/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 13/05/2016 DEL
Location: 1 Market Street, Exeter, EX1 1BW
Proposal: Change of use from class A1 (retail) use to A3 (cafe)

Application Number: 16/0518/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 16/06/2016 DEL
Location: 72 Holloway Street, Exeter, EX2 4JD
Proposal: Renovation of rear elevation wall and windows.

Application Number: 16/0440/05 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 10/06/2016 DEL
Location: Mosaics, Mary Arches Street, Exeter, EX4 3AZ
Proposal: Advertisement consent for 1.No Internally illuminated projecting sign, 1.No internally illuminated fascia sign, 1.No non-illuminated fascia sign, 2.No internally illuminated display cases and 1.No set of internally illuminated letters

Application Number: 16/0567/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 10/06/2016 DEL
Location: Studio One To One, St. Annes Well Brewery, Lower North Street, Exeter, EX4 3ET
Proposal: Relocation of proposed rooflights (Non-material amendment to 14/4578/03)

Application Number: 16/0592/03 **Delegation Briefing:**
Decision Type Withdrawn by Applicant **Decision Date:** 20/05/2016 DEL
Location: 195 High Street, Exeter, EX4 3EB
Proposal: Repaint shopfront and new signage.

Application Number: 16/0458/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 23/05/2016 DEL
Location: 39-40 High Street, Exeter, EX4
Proposal: Two new internal doors openings

Application Number: 16/0610/05 **Delegation Briefing:**

Decision Type Permitted **Decision Date:** 24/05/2016 DEL

Location: Guildhall Shopping Centre, Exeter, EX4

Proposal: New Landlord signage and Tennant signage - refer to submitted information

Application Number: 16/0485/03 **Delegation Briefing:** 28/04/2016 0

Decision Type Permitted **Decision Date:** 19/05/2016 DEL

Location: Sainsbury's Store, 26-28, Guildhall Shopping Centre, Exeter, EX4 3HH

Proposal: Installation of an ATM.

Application Number: 16/0486/05 **Delegation Briefing:**

Decision Type Permitted **Decision Date:** 19/05/2016 DEL

Location: Sainsbury's Store, 26-28, Guildhall Shopping Centre, Exeter, EX4 3HH

Proposal: Installation of an ATM , 1 no. non-illuminated ATM surround sign

Application Number: 16/0508/07 **Delegation Briefing:**

Decision Type Permitted **Decision Date:** 27/05/2016 PER

Location: Top Flat, 2 Colleton Crescent, Exeter, EX2 4DG

Proposal: Retrospective application for kitchen, cladding on roof housing and staircase to roof top garden.

ST JAMES

Application Number: 16/0353/03 **Delegation Briefing:**

Decision Type Permitted **Decision Date:** 27/05/2016 DEL

Location: Top Flat, 9 Union Road, Exeter, EX4

Proposal: Replace existing wooden framed dormer window with UPVC double glazed window

Application Number: 16/0623/06 **Delegation Briefing:**

Decision Type Permitted **Decision Date:** 27/05/2016 DEL

Location: 5 Pennsylvania Crescent, Exeter, EX4 4SF

Proposal: Fell 1no Apple Tree and fell 1no Pear Tree.

Application Number:	16/0647/37	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	01/06/2016	DEL
Location:	Land opposite Hatherly Laboratories, University of Exeter, Prince Of Wales Road, Exeter, EX4 4PS			
Proposal:	Non-material amendment to Planning Permission (Ref. 15/0555/03) granted 20 May 2016 to relocate monopole and equipment cabinets			

Application Number:	16/0565/06	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	18/05/2016	DEL
Location:	19 West Avenue, Exeter, EX4 4SD			
Proposal:	Fell Silver Birch in rear garden			

Application Number:	16/0292/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	25/05/2016	DEL
Location:	3 Old Park Road, Exeter, EX4 4EZ			
Proposal:	2 storey side extension.			

Application Number:	16/0463/05	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	06/06/2016	DEL
Location:	The Black Horse, 25-27 Longbrook Street, Exeter, EX4 6AB			
Proposal:	Installation of 1no. fascia sign, 2no. wall mounted signs, 1no. externally illuminated projecting sign and 1no. window vinyl			

Application Number:	16/0464/07	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	06/06/2016	DEL
Location:	The Black Horse, 25-27 Longbrook Street, Exeter, EX4 6AB			
Proposal:	Installation of 1no. fascia sign, 2no. wall mounted signs, 1no. externally illuminated projecting sign and 1no. window vinyl			

Application Number:	16/0555/07	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	10/06/2016	DEL
Location:	11 New North Road, Exeter, EX4 4HF			
Proposal:	Reposition of garden steps and relocation of ground floor toilet			

Application Number:	16/0558/05	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	12/05/2016 DEL
Location:	Wat Tyler House, 3 King William Street, Exeter, EX4 6PD		
Proposal:	Illuminated signage on front elevation		

Application Number:	15/1275/03	Delegation Briefing:	08/12/2015 0
Decision Type	Permitted	Decision Date:	13/05/2016 COM
Location:	31-35 Old Tiverton Road, Exeter, EX4 6LG		
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.		

Application Number:	15/1283/03	Delegation Briefing:	08/12/2015 0
Decision Type	Permitted	Decision Date:	13/05/2016 COM
Location:	St James Park, Stadium Way, Exeter, EX4 6PX		
Proposal:	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.		

Application Number:	16/0526/06	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	16/05/2016 DEL
Location:	Former Tennis Courts, Bishop Blackall Annexe, Thornton Hill, Exeter, EX4		
Proposal:	Prune Hawthorn (T1), Prune Sycamores (T2 and T4-9), Coppice 2no hedgerow Elms (T3) and fell 2no Sycamores (T10-11).		

ST LEONARDS

Application Number:	16/0539/03	Delegation Briefing:	07/06/2016 0
Decision Type	Permitted	Decision Date:	16/06/2016 DEL
Location:	34 Rivermead Road, Exeter, EX2 4RL		
Proposal:	Demolition of existing garage building and replacement with ancillary garden studio accommodation.		

Application Number: 16/0588/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 16/06/2016 DEL
Location: 14 Leighdene Close, Exeter, EX2 4PN
Proposal: T1 - Cedar - Crown reduce by 1.5 M

Application Number: 16/0589/04 **Delegation Briefing:**
Decision Type Refuse Planning Permission **Decision Date:** 16/06/2016 DEL
Location: Latchetts, Deepdene Park, Exeter, EX2 4PH
Proposal: T1 - Silver Birch - Fell

Application Number: 16/0444/18 **Delegation Briefing:**
Decision Type Was lawful use **Decision Date:** 23/05/2016 DEL
Location: 3 Wayland Avenue, Exeter, EX2 4PR
Proposal: Proposed single storey rear extension

Application Number: 16/0552/06 **Delegation Briefing:** 24/05/2016 0
Decision Type Permitted **Decision Date:** 31/05/2016 DEL
Location: 16 Matford Avenue, Exeter, EX2 4PW
Proposal: T1 - Eucalyptus - Fell/Remove
 T2 - Conifer - Fell

Application Number: 16/0546/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 31/05/2016 DEL
Location: Crescent Mansions, Mount Radford Crescent, Exeter, EX2 4ER
Proposal: T1 - Holm Oak - Crown Reduce

Application Number: 16/0465/04 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 31/05/2016 DEL
Location: Gras Lawn, Barrack Road, Exeter, EX2
Proposal: G1 - Poplar - Reduce height by 5M and spread by 4M
 G3 - Poplar - Reduce by 5M

Application Number: 16/0479/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 31/05/2016 DEL
Location: 14 Buckerell Avenue, Exeter, EX2 4RA
Proposal: Front porch

Application Number: 16/0669/06 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 26/05/2016 DEL
Location: 10 Matford Lane, Exeter, EX2 4PS
Proposal: T1 - Lawson Cypress - Fell
T2 - Yes - Fell

Application Number: 16/0509/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 25/05/2016 DEL
Location: 78 Topsham Road, Exeter, EX2 4RS
Proposal: Non-material amendment comprising small extension to basement lounge area.
(Non-material Amendment to Planning Applications reference nos. 14/4676 and 16/0224/03 granted on 20th February 2015 and 8th March 2016 respectively).

ST LOYES

Application Number: 16/0388/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 27/05/2016 DEL
Location: Land at Rydon Lane Retail Park, Rydon Lane, Exeter, EX2
Proposal: Construction of a pod unit for use as a coffee shop within Class A3 and alterations to car park and other associated works.

Application Number: 15/1065/01 **Delegation Briefing:**
Decision Type Withdrawn by Applicant **Decision Date:** 13/05/2016 DEL
Location: B & Q, Avocet Road, Sowton Industrial Estate, Exeter, EX2 7JF
Proposal: Outline planning permission for a retail park (Class A1) along with complementary cafe/restaurants (Class A3) including means of access (all other matters reserved)

Application Number: 16/0704/26 **Delegation Briefing:**
Decision Type Raise No Objection **Decision Date:** 10/06/2016 DEL
Location: Rayell House, Heron Road, Sowton Industrial Estate, Exeter, EX2 7LL
Proposal: The storage and transfer of waste, including asbestos.

Application Number:	16/0564/18	Delegation Briefing:		
Decision Type	Was lawful use	Decision Date:	17/05/2016	DEL
Location:	28 Purcell Close, Exeter, EX2 5QS			
Proposal:	Loft conversion with new flat roof dormer on rear elevation			

ST THOMAS

Application Number:	16/0529/06	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	16/05/2016	DEL
Location:	98 Regent Street, Exeter, EX2 9EJ			
Proposal:	Prune Lime Tree (T1) and Lawson Cypress (T2).			

Application Number:	16/0454/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	16/05/2016	DEL
Location:	155 Cowick Street, Exeter, EX4 1AS			
Proposal:	Installation of new shopfront			

Application Number:	16/0665/18	Delegation Briefing:		
Decision Type	Was lawful use	Decision Date:	14/06/2016	DEL
Location:	21 Ferndale Road, Exeter, EX2 9BW			
Proposal:	Rear flat roofed dormer and roof light to the front.			

Application Number:	16/0572/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	03/06/2016	DEL
Location:	14 Dorset Avenue, Exeter, EX4 1LZ			
Proposal:	Demolition of existing conservatory and erection of new conservatory and decking			

Application Number:	16/0434/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	27/05/2016	DEL
Location:	23 Lansdown Road, Exeter, EX4 1EW			
Proposal:	Installation of bi-fold doors in rear elevation			

Application Number: 16/0560/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 31/05/2016 DEL
Location: 43 Church Road, St. Thomas, Exeter, EX2 9AX
Proposal: Single storey rear extension

Application Number: 16/0338/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 23/05/2016 DEL
Location: 29 Queens Road, Exeter, EX2 9EP
Proposal: Construction of first floor above existing garage to provide additional storage space within the roof void

Application Number: 16/0446/03 **Delegation Briefing:** 03/05/2016 0
Decision Type Permitted **Decision Date:** 26/05/2016 DEL
Location: 46 Cecil Road, Exeter, EX2 9AQ
Proposal: Demolition of existing ground floor extension and erection of two storey rear extension

Application Number: 16/0453/05 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 18/05/2016 DEL
Location: 90 Buller Road, Exeter, EX4 1AU
Proposal: Signage to Front Elevation and Fascia Signage Over Existing Main Door Opening

TOPSHAM

Application Number: 16/0386/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 18/05/2016 DEL
Location: Laburnums, Bridge Hill, Topsham, Exeter, EX3 0QQ
Proposal: Side extension and a detached garage.

Application Number: 16/0430/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/05/2016 DEL
Location: 12a Follett Road, Topsham, Exeter, EX3 0JP
Proposal: Demolish 6m of wall to create off road parking

Application Number: 16/0472/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/05/2016 DEL
Location: The Dutch House, 40 The Strand, Topsham, Exeter, EX3 0AY
Proposal: Widen garage doors on front and rear elevation, and add new external buttresses on north elevation

Application Number: 16/0473/07 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 20/05/2016 DEL
Location: The Dutch House, 40 The Strand, Topsham, Exeter, EX3 0AY
Proposal: Widen garage doors on front and rear elevation, and add new external buttresses on north elevation

Application Number: 16/0374/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 25/05/2016 DEL
Location: Eleanors Bower, Follett Road, Topsham, Exeter, EX3 0JP
Proposal: Erection of an extension to form new library and replacement garage

Application Number: 16/0393/03 **Delegation Briefing:** 24/05/2016 0
Decision Type Permitted **Decision Date:** 25/05/2016 DEL
Location: 5 Exeter Road, Topsham, Exeter, EX3 0LE
Proposal: Reconstruction of porch and lean-to extension.

Application Number: 16/0484/37 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 03/06/2016 DEL
Location: 28 Victoria Road, Topsham, Exeter, EX3 0EU
Proposal: Change of two windows and a door from wood to aluminium (Non material amendment to 15/0625/03)

Application Number: 16/0348/03 **Delegation Briefing:**
Decision Type Permitted **Decision Date:** 27/05/2016 DEL
Location: 43 Monmouth Street, Topsham, Exeter, EX3 0AJ
Proposal: Relocation of vehicular access, new doors to access and sail loft

Application Number:	16/0488/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	31/05/2016 DEL
Location:	70 Clyst Road, Topsham, Exeter, EX3 0DQ		
Proposal:	Create parking space from part of the front garden.		

Application Number:	16/0512/07	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	03/06/2016 DEL
Location:	28 Victoria Road, Topsham, Exeter, EX3 0EU		
Proposal:	Aluminium windows in utility room		

Application Number:	16/0556/03	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	10/06/2016 DEL
Location:	2 Trafalgar Road, EXETER, EX2 7GF		
Proposal:	Erection of a white PVCu conservatory at the rear of the property		

Application Number:	16/0607/06	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	16/06/2016 DEL
Location:	Redrock House, Elm Grove Road, Topsham, Exeter, EX3 0EJ		
Proposal:	T1 - 2 - Silver Birch - Fell T3 - Sorbus - Fell T4 - Polar - Fell H1 - Various - Fell G1 - Apple/Sorbus - Fell G2 - Prunus - Fell		

Application Number:	16/0634/18	Delegation Briefing:	
Decision Type	Was lawful use	Decision Date:	13/06/2016 DEL
Location:	81 Broadway, Exeter, EX2 9LZ		
Proposal:	Single Storey and first floor rear extensions		

Application Number:	16/0455/07	Delegation Briefing:	
Decision Type	Permitted	Decision Date:	17/05/2016 DEL
Location:	Quay Gardens, Monmouth Hill, Topsham, Exeter, EX3 0JF		
Proposal:	Internal amendments to ground floor to provide larger living area and smaller storage area. Movement of boiler to first floor, movement of basin and minor amendment to stud wall to study on first floor		

WHIPTON BARTON

Application Number:	15/0792/16	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	16/05/2016	COM
Location:	Rennes House And Land Adjoining, Vaughan Road, Exeter, EX1 3JW			
Proposal:	Demolition of two storey car park, relocation of western power substation, relocation of O2 substation and erection of new residential development containing 26 flats including new adjacent car parking facilities and landscaped areas			

Application Number:	16/0632/03	Delegation Briefing:		
Decision Type	Withdrawn by Applicant	Decision Date:	13/06/2016	DEL
Location:	1 Headland Crescent, Exeter, EX1 3NJ			
Proposal:	Replacement of boundary hedge with wooden fence			

Application Number:	16/0416/03	Delegation Briefing:		
Decision Type	Permitted	Decision Date:	23/05/2016	DEL
Location:	11 Fairfield Avenue, Exeter, EX4 8EL			
Proposal:	Single storey extension			

Total Number of Decisions Made:	126
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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

REPORT TO: PLANNING COMMITTEE

Date of Meeting: 27 JUNE 2016

Report of: Assistant Director City Development

Title: Public Inquiry/Appeals Report

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

1.1 The report provides Members with information on the latest Public Inquiry decision and Appeal received and new appeals since the last report.

2. Recommendation:

2.1 Members are asked to note the report.

3. Summary of decisions received:

3.1 No decisions have been received.

4. New Appeals:

4.1 One new appeal has been received in respect of 14 Fore Street, Topsham where the applicant sought conversion of part rear of the premises to a dwelling.

Assistant Director City Development

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report:

Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

Contact for enquiries
Democratic Services (Committees)
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