

PLANNING COMMITTEE

Monday 24 April 2017

Present:

Councillor

Councillors Lyons, Bialyk, Denham, Edwards, Foale, Gottschalk, Harvey, Mrs Henson, Morse, Prowse and Spackman

Apologies:

Councillors Sutton and Newby

Also Present:

Chief Executive & Growth Director, City Development Manager, Principal Project Manager (Development) (PJ) and Democratic Services Officer (Committees) (HB)

33

CHAIR

In the absence of Councillor Sutton, the meeting was chaired by Councillor Lyons, the Deputy Chair.

34

DECLARATIONS OF INTEREST

Members declared the following disclosable pecuniary interests:-

COUNCILLOR	MINUTE
Councillor Gottschalk	Min No. 35 – Former Member of Graduate Partnership
Councillor Harvey	Min Nos. 37 and 38 - Applicant

Councillors Bialyk, Denham, Edwards, Foale, Gottschalk, Lyons, Morse and Spackman declared interests in Min. Nos. 37 and 38 as Members of the Labour Party.

35

PLANNING APPLICATION NO. 16/1232/01 - UNIVERSITY OF EXETER, EAST PARK, STREATHAM CAMPUS

Councillor Gottschalk declared a disclosable pecuniary interest having previously been enrolled on the University of Exeter's Graduate Budget Business Partnership and withdrew from the room during consideration of this item.

The Principal Project Manager (Development) (PJ) presented the application for an outline planning application to build student accommodation and ancillary central amenity facilities (up to a maximum of 32,230 square metres) with associated infrastructure and landscaping (all matters reserved).

Members were circulated with an update sheet - attached to minutes.

The Principal Project Manager updated the Committee on the application following deferral at the Planning Committee meeting on 13 February 2017. The total number of letters of objections was now 701 with 434 individuals/households responding, including 54 after the circulation of the update sheet, a particular area of contention being the nature of the consultation. He explained that the City Council had exceeded the legal requirements for consultation including notices on site, letters to neighbours and notification in the local press. He also advised that the University had met with three residents and four Councillors on 24 March 2017.

With regard to the objection on the grounds of the absence of an environmental impact assessment, it had not been considered that such an assessment was necessary.

The Principal Project Manager advised that there were three main areas of objections being: opposition to any development of the site, any development should be for academic purposes as proposed in the Streatham Campus Master Plan and the size itself of the development.

The Principal Project Manager set out the background to the application and the changes made following the original submission and deferral at the meeting of this Committee on 13 February. As a result of Members comments at the meeting and a meeting between the applicant, agents, local Ward Councillors and local residents on 24 March, further amendments had been made. The overall quantum of development proposed was now a total of 32,230 square m (30,730 square metres for student accommodation and 1,500 square metres for ancillary facilities). At the February meeting it had been reported that the scheme originally put forward in October 2016 had been reduced. A further reduction in the floor space was now proposed from the 37,200 square metres reported at the February meeting to 32,230, representing a reduction of 13% in the quantum reported at that meeting, bringing the overall reduction to 18%. The nominal number of student bed spaces had been reduced from 1,300 to 1,200 with the relevant condition to refer to total floor area rather than bed spaces.

The area identified for development had been reduced, moving the development zone away from the eastern boundary of the site. This has resulted in blocks illustrated in the masterplan either being reduced in width or omitted completely. In particular, the reduced development zone has removed a proposed five storey block within the south east area of the site. The height of buildings to the northern and eastern edge of the site has been reduced one storey and in the case of the central northern block by two storeys. The height of the largest block of eight storeys would be approximately half the height of the John Lewis store in the City Centre.

The development included a 25 metre landscape strip within the site and 73% of the site would be for landscape and informal open space, an increase in the previous submission which identified 70% for this purpose. The proposal complied with the development plan policies including the Exeter Local Plan First Review, which had concluded that the principle of the development of this site was appropriate. Whilst the use of the site was now for student accommodation rather than for academic buildings, as stated within the University Streatham Campus Master Plan, it was considered that the area was suitable for this purpose.

Although the Master Plan represented a relevant material consideration as a supplementary planning document it did not form part of the Development Plan. The relevant Development Plan policies were Core Strategy Policy CP5 and, more specifically, Local Plan First Review Policy E4 which encouraged the further provision of purpose built student accommodation on the University Campus. With a number of student accommodation schemes located off Campus, a sustainable location on Campus was appropriate.

The Principal Project Manager (Development) covered other issues including parking, impact on neighbouring residential properties, noise disturbance, combined heating/power provision, light pollution and the need for additional purpose built student accommodation. In respect of parking, residents were concerned regarding the potential for students to permanently keep their cars within the residential areas surrounding the University during term time. Whilst it was considered that the sites on Campus location would deter students from bringing their own car, more

effective control could be provided through the imposition of a Traffic Regulation Order, which has been recommended by the County Highway Officer and it was recommended that a financial contribution of £20,000 be made towards a review of the existing residential parking zones, the making and implementation of traffic orders and meeting the costs associated with technical design and physical road markings/signing.

Councillor Mitchell attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- main concerns expressed at the meeting on 13 February 2017 were scale and massing representing over development of the site, the development being detrimental to the environment and impacting adversely on protected species and the flawed argument that still further accommodation on the campus is necessary in order to exceed the 75% level for purpose built student accommodation;
- the scale and massing remains excessive and still impacts adversely on the character and appearance of the area and is contrary to Policy H5 which states that the scale and intensity of use should not harm the character of the building and locality and is contrary to the Development Delivery Development Plan Document (Publication Version) published in 2015 as well as the Streatham Campus Master Plan. The 13% reduction is far short of a 40% reduction sought in order to be in line with the Master Plan;
- the density of the development will be detrimental to the ecological, amenity and landscape setting of the area. Devon Wildlife Trust are concerned about the impact on wildlife in the southern and eastern boundaries and that legally protected species will be affected by the close proximity of the envisaged buildings;
- the reference in Policy CP5 in the Core Strategy to a 75% level of purpose built student accommodation has been exceeded already and was now 78%, not including the proposed development at the Football Ground, so there is no need for a further 1,200 student beds;
- should this development proceed, contributions from CIL and New Homes Bonus should be used to minimise the impact of University developments on communities;
- given the letter from the University Registrar sets out the continued ambition of the University to expand and to provide additional accommodation, it is vital that the University works with the City Council to ensure an acceptable housing and social balance within the City; and
- the application should be refused on grounds of unacceptable scale and massing, development remaining detrimental to legally protected species and the case for additional purpose built accommodation remaining flawed.

In response to a Member, the City Development Manager confirmed that the policy in respect of purpose built student accommodation did not refer to a maximum of 75% provision but a requirement of 75% or more and that 75% was therefore a minimum requirement. The Council was seeking as much purpose built accommodation as possible to reduce the impact on the private market.

Councillor Owen attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- the decision of the Committee on 13 February 2017 sought consultation with residents which occurred on 24 March but with only three residents in attendance, one of whom was the Chair of a residents association with the other two only representing their respective streets. Furthermore, the revised

- application was only received three weeks and three days ago and the consultation should have been on the detail of these plans;
- a large number of objections have been received from individuals who did not object to the original application;
 - the reduction of 13% in the quantum remains unacceptable as a 40% reduction was necessary to match the envisaged developed area in the Streatham Campus Master Plan;
 - comparisons with other purpose built student blocks, such as that proposed as part of the Football Ground development in terms of distance from neighbouring properties, is not relevant, as the suitability of this application should be considered on its own merits;
 - the reductions in building heights and the reduced number of blocks still do not justify this proposal;
 - a minimum number of 1,200 bed spaces is proposed but this figure could be exceeded. The total needs to be established at reserved matters stage;
 - it was understood at the February meeting from advise by the Assistant Director City Development that the 75% target for purpose built student accommodation had been met;
 - the Police Architectural Officer requested reducing casual circulation within the campus by limiting access onto the campus from the permissive footpath on the eastern side of the site in order to reduce anti-social behaviour. This had not been recommended;
 - advise in the Streatham Campus Master Plan for a “light touch” development is ignored with this development;
 - the Exeter Local Plan First Review 1995 to 2001 Policy E4, requires that development will only be acceptable if the character and setting of the campus is protected - this development does not protect the campus;
 - on-going problems of anti-social behaviour in Duryard and St James and Pennsylvania wards with late night activity from students returning both to their rooms on campus and in surrounding areas will be exacerbated by this development;
 - the policy to enable residents to call the University to complain about noise does not work properly as the precise location on the campus where the noise originates is often unclear;
 - a number of objectors recognise the importance of the University to the City, as does the City Council, but there is a growing feeling that the continued expansion in student residences harms the reputation of the University and fosters ill will amongst residents generally; and
 - the University should seriously consider revising its plans and seek more acceptable solutions.

Responding to Members, he confirmed that the issues of transient noise and anti-social behaviour had been raised with Ian Lugg, the Neighbourhood Beat Officer who had advised that the Police lacked sufficient resources to adequately address the problems. He also reiterated the failure of the University to adequately consult and confirmed that he believed that the permissive footpath on the eastern side of the site was privately owned.

Councillor Holland attended the meeting and spoke on this item under Standing Order No. 44. He made the following points:-

- not anti-University and pleased that the University is to hold an open forum meeting on transport and parking on 24 May 2017;
- following the decision to defer the application at the February meeting, only three residents attended the meeting with the University representatives as well as four Councillors on 24 March and the request to the University to invite community

groups from Pennsylvania was declined. The presence of only three residents does not reflect the quantity of wider community representations. As there have been over 700 objections, the claim of adequate community consultation is misleading and inaccurate;

- the student population within the City is equivalent to towns such as Bideford, Newquay, Tiverton and Truro and the estimated students of 1,200 on this site equivalent to towns such as Bampton, Beer or Chumleigh etc.;
- there is no evidence that purpose built student accommodation has reduced the number of students in houses in multiple occupation accommodation. Both types of student residences are increasing and there is no evidence that this trend will change if this site is developed as proposed, as the majority of students will live out in their subsequent years in Exeter;
- the reduction in the quantum of 13% is a minimum;
- the failure to provide an environmental impact assessment, particularly given the 700 plus objections, undermines the University's claim that it has good relations with the local community;
- the Devon Wildlife Trust state that East Park is a haven for protected species and the open space is an important community resource;
- the Streatham Campus Master Plan refers to East Park as an important landscape area highly visible from the surrounding area and that the biodiversity of the Taddyforde and Hoopern Park Valleys should be retained. It also states that any development should be light touch and not detrimental to the setting of the area. These criteria are not met by these proposals;
- the development will undermine the character of the campus and erode the quality of the environment and landscape to the detriment of health and wellbeing of residents; and
- application should be refused.

Mr Hayes spoke against the application. He raised the following points:-

- the applicant has failed to honour the community consultation directive given by this Committee on February 13th
- the only consultation that has taken place is a one hour meeting, to which only three residents and ward councillors were allowed to attend and the only agenda item was the quantum of scale. Many of the 700 objections relate to other relevant quanta such as the quantum of noise pollution, the quantum of students and the quantum of light etc. and there has been no consultation on these. Members cannot therefore be satisfied that the applicant has met the resolution for community engagement;
- the current plans fall short of the recommendations that the three residents were able to make. The plans have lowered some building heights and removed a couple of buildings. But forget the 13% reduction, the scheme is still 22% bigger than the Masterplan quantum and still includes, two huge seven storey towers and a massive eight storey building by the pond picnic area. The scale is still unacceptable to the community, hence the huge number of recent objections;
- the quantum of 1,200 students is unchanged. This is not meaningful re-design;
- how will the implications for serious light pollution be handled after the Police report stated that the scheme has inadequate lighting to mitigate crime?
- why has no Environmental Impact Assessment been provided?
- in light of falling student applications and confused bed space requirements, is there certainty of the need to put so many students so near to so many residents?
- plans still ignore the Masterplan stipulations for how this treasured green space should be treated;
- how will localised power be generated to avoid massive noise pollution issues?
- ecology concerns raised by Devon Wildlife Trust have not been addressed;

- the scheme will lead to the destruction of a precious community asset and Conservation site, used by thousands of Exeter citizens and it will negatively affect a local population who have a right and need to co-exist with the University. Many objections are from people who work at the University who want the University to prosper;
- cramming the same quanta of students into a marginally smaller set of tower blocks, on the back of a disrespectful lack of required consultation cannot be what Members intend; and
- the scale is still far too big, the necessary consultation is missing and serious questions remain.

Responding to a Member's reference to a comment at the meeting on 24 March 2017 that 40% of existing objections related to the scale of the development, he commented that this figure was now closer to 65%.

Mr Shore-Nye spoke in support of the application. He raised the following points:-

- representing the University as its Registrar and Secretary;
- the site is a part of the campus that has long been identified for development, and the University wishes to use it now to accommodate more of its students on campus; a wish shared by the City Council, and a goal that is encouraged in planning policy and Supplementary Planning Guidance;
- since the request at the February committee meeting that the amount of development should be reconsidered, responses received over the past six months have been reviewed, consultations held with local ward members and residents' representatives regarding how best to achieve this and a number of significant changes made;
- the University has gone to great lengths to take account of its neighbours' comments in arriving at a suitable compromise between the efficient use of the site and their concerns. Most notably, the amount of floor space proposed has been reduced by a further 13%, leading to a total of an 18% (7,270 square metres) reduction since the original proposals;
- two buildings have been entirely removed, making way for additional areas of landscape planting;
- in response to concerns about the heights of buildings further reductions have been made and the heights of four buildings have been reduced, one by two storeys and three by one storey. These respond to feedback from the voluntary balloon test in November 2016;
- the scale and amount of development fits very comfortably within the guidance provided by the Masterplan Framework as it fits within the boundary identified for development, building heights proposed are within the indicative heights suggested, adjacent valleys will be retained intact and enhanced with new planting and the buildings will have a generous landscape setting, with 73% of the site being green landscape, integrated with the wider landscape and no closed than 105 meters to neighbouring properties. Further, this part of the Campus will reflect the overall campus character of 'buildings in a landscape';
- the proposals will provide an excellent and much needed addition to the Campus and help meet student accommodation needs by taking pressure away from existing residential areas, and will assist in both supporting and driving the local and regional economy through the creation of at least another 50 jobs on top of the 4600 people already employed by the University;
- the University is aware of a range of issues that can be addressed at the detailed design stage for example the University will look in include appropriate light and noise control measures into the proposals as well as maintaining and enhancing permissive access across the site;

- the site has been identified since 1971 and approval of the proposal is crucial to the future success of the institution. The University have been honest and transparent about their plans for developing this site and have listened to feedback from Members following the February meeting, stakeholders and the community. The University considers that its proposal is in line with planning policy and there are no other material considerations that weigh heavily against it, and it should therefore be supported.

He responded as follows to Members' queries:-

- the noise assessment will be carried out to a very high standard by the University Estates team as it will be essential to minimise the potential for complaints relating to noise and disturbance;
- there will be no outsourcing of the University's patrol/security service not least because this is a welfare issue. There is close liaison with the local community and the Police;
- the University, as an institution, has changed since the production of the Streatham Campus Master Plan in 2010, as has its vision for the future. Other plans for the Campus include additional teaching and learning spaces and the provision of student information hubs;
- investment in purpose built student accommodation reduces pressure on general housing provision in the City;
- the edges, rather than the whole of the site, are being used for recreational and leisure purposes and the development will increase the number of accessible parts thereby enhancing the amenity of the site. The University has one of the largest arboricultural/ground maintenance units in the country and sets the highest standard for maintaining and enhancing the campus including the sculpture trail. A fund of £500,000 has been set up to enhance public art on the campus;
- the development is needed to support the next stage of the University's strategic plan, including growing post graduate and overseas student numbers and increasing students studying medicine and allied disciplines as sought by the Government. The development proposal will allow the University to provide a wider range of accommodation types;
- no parking will be provided other than for set down and pick-ups at beginning and end of term for which there will be close liaison with the Police to ensure as smooth a transition as possible;
- the University do not own the permissive footpath close to the site and has no interest to develop. The University supports the retention of the path to facilitate general access to the campus;
- the University works closely with the Student Guild on the requirements of students in accommodation blocks and accept the need for community areas to socialise. There is also a demand for learning spaces and retail facilities. The goal is to provide excellent facilities for students; and
- the University complied with the requirement to consult with residents in accordance with the decision of the Committee on 13 February. Given that there have been some 400 submissions, community views have been fully expressed and the University has endeavoured to respond to the concerns. In particular, the two main changes relate to reduction in height of the blocks and an increase in the buffer zone between the development and neighbouring residential areas.

The recommendation was for approval subject to the conditions as set out in the report.

The City Development Manager reiterated the steps taken in respect of consultation which had been considered to be appropriate and had been organised by the officers and not the University. There was no requirement to consult on an amended scheme and the period for objecting had been extended from the normal seven days to 21. He stated that the role of ward Councillors was critical and that the case officer had spoken to many of the objectors.

A number of Members expressed their support for the scheme, noting that the University had submitted revisions in response to the concerns raised at the February meeting, that it had undertaken consultation although it did not have to and was also not legally bound by proposals within the Streatham Campus Master Plan. Members also acknowledged the need for extra student accommodation in the City, one Member referring to the provision of 4,000 purpose built accommodation since 2006 which otherwise could have resulted in additional pressure on the wider housing market and was a welcome move away from converting large houses into HMO student residences. Another Member emphasised that the University was expanding and that, following a number of student developments in the City Centre, the call for provision on the Campus had grown and would be met with this proposal. The City Council policy was to encourage more purpose built student accommodation. There would also be better control on Campus within a University run facility as opposed to other student blocks which were privately run and which were closer to residential properties.

One Member, noting the significant level of objections and concerns regarding consultation, was opposed to the proposal and another remarked that, whilst there had been a 13% reduction in the quantum size, there had been little change in the number of students likely to occupy the development. He was also concerned that problems of noise resulting from students returning to the campus area from the City Centre late at night would increase.

Additional conditions would be added requiring suitable attenuation measures relating to flooding.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 securing a Student Management Plan and a financial contribution of £20,000 towards a Traffic Regulation Order for nearby residential areas, planning permission for an outline planning application to build student accommodation and ancillary central amenity facilities (up to a maximum of 32,230 square metres) with associated infrastructure and landscaping (all matters reserved) be **APPROVED**, subject to the following conditions:-

- 1) Approval of the details of the layout, scale, appearance of the buildings, the means of access thereto 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) C07 - Time Limit – Outline
- 3) The development hereby permitted shall not be carried out otherwise than in accordance with the Land Use Parameters Plan (250001B Rev D); Building Heights Parameter Plan (dwg no. 250001B/P004 rev C) & Landscape and Biodiversity Strategy Plan (250001B/P006 Rev C) dated 31 March 2017 as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

- 4) Before works commence on any individual building(s) details of the finished floor levels and overall roof heights of the building(s) in relation to a fixed point or O.S datum (not to exceed the AOD specified in the Building Heights Parameter Plan dwg no 250001B/P004 rev B) have been submitted to, and approved in writing by the Local Planning Authority.
Reason: In the interest of visual amenity and the appropriate development of the site.
- 5) No development shall take place until an Outline Landscape and Ecology Management Plan, to include recommendations contained within the Lindsay Carrington Ecological Services report dated November 2016, has been submitted to and approved by the Local Planning Authority. The Management Plan shall indicate
a) how the existing biodiversity of the site will be protected, in accordance with all relevant legislation;
b) how the proposed development and associated works will enhance wildlife in the area and
c) how the landscaped area is to be managed to include an ecological clerk of works and shall be submitted to the Local Planning Authority for review on a 24 month basis unless otherwise agreed in writing;
Reason: In the interests of nature conservation.
- 6) C36 - No Trees to be Felled
- 7) No development (including ground works) or vegetation clearance works shall take place until a Construction Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
a) The parking of vehicles of site operatives and visitors.
b) Loading and unloading of plant and materials.
c) Storage of plant and materials used in constructing the development.
d) The erection and maintenance of securing hoarding, if appropriate, which shall be kept clear of graffiti and fly-posting.
e) Wheel washing facilities.
f) Measures to control the emission of dust and dirt during construction.
g) A scheme for recycling/disposing of waste resulting from construction works, with priority given to reuse of building materials on site wherever practicable.
h) No burning on site during construction or site preparation works
i) Measures to minimise noise nuisance to neighbours from plant and machinery.
j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
The approved Statement shall be adhered to throughout the construction period of the development.
Reason: In the interests of residential amenity.
- 8) No development shall take place, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The statement should include details of route of construction traffic vehicles, access arrangements, timings and management of arrivals and departures of vehicles. The approved Statement shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and public amenity
- 9) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement

submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason: In the interests of residential amenity

- 10) The applicant shall undertake a noise impact assessment for this application, which shall be submitted and approved in writing prior to commencement of the development. 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, communal areas, residents and events.
If, following the above assessment, the LPA concludes that 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 LPA and shall be implemented prior to and throughout the occupation of the development.
Reason: In the interests of residential amenity.
- 11) Prior to the commencement of the development an assessment of the impact of all external lighting associated with the development shall be submitted to and approved in writing by the Local Planning Authority. The assessment should address the impact of the lights (including hours of use) on the nearest receptors. Thereafter the lighting shall be installed and maintained in accordance with the specifications within the assessment.
Reason: In the interests of residential amenity.
- 12) No development shall take place on site until an air quality assessment for any combined heat and power (CHP) plant has been carried out in accordance with a programme and methodology to be agreed in writing by the Local Planning Authority and the results, together with any mitigation measures necessary, have been agreed in writing by the Local Planning Authority. The development shall not be occupied until the approved mitigation measures have been implemented.
Reason: In the interests of residential amenity.
- 13) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times
Reason: To ensure that adequate facilities are available for the traffic attracted to the site
- 14) No part of the development hereby approved shall be occupied until the 2010 masterplan framework proposal for a permissive pedestrian/cycle route linking the Campus to Higher Hoopern Lane in the vicinity of Higher Hoopern Farm (as indicated on the Movement and Access Parameter Plan (dwg no. 250001B/P005 Rev B) has been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.
Reason: To provide adequate facilities to promote the use of sustainable modes, in accordance with paragraphs 29 and 32 of the National Planning Policy Framework.
- 15) C57 - Archaeological Recording
- 16) Unless it is demonstrated that it is not viable or feasible, or that equivalent carbon emission abatement can be achieved by alternative means, the development hereby approved shall be constructed with centralised space heating and hot water systems that have been designed and constructed to be compatible with a low temperature hot water District Heating Network in accordance with the CIBSE guidance "Heat Networks: Code of Practice for the UK". The layout of the plant

room or rooms, showing provision for heat exchangers and for connection to a District Heating Network, shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented on site unless otherwise agreed in writing.

Reason: In accordance with the requirements of policies CP13 and CP15 of the Exeter Core Strategy 2012 and DD32 of the Development Delivery DPD Publication Draft and in the interests of sustainable development.

- 17) Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall achieve an overall BREEAM scoring of "excellent" (70 percent or greater). Prior to commencement of development the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved. Where this does not meet the above requirements the developer must provide details of what changes will be made to the development to achieve that standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of any such building hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.
Reason: To ensure that the proposal is in accordance with the aims of Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.
- 18) Before the submission of first application for approval of reserved matters a detailed sustainable design and construction strategy shall be submitted to and approved in writing by the Local planning Authority. Submissions for approval of reserved matters shall be in accordance with the approved strategy.
Reason: In accordance with the requirements of policy CP15 of the Exeter Core Strategy 2012.
- 19) This consent does not imply the approval of the details of access, siting, layout or design shown on the illustrative masterplan, which must be the subject of a further application for approval of reserved matters.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- 20) The development hereby permitted shall be limited to a total floor area of 32,230 sq metres.
Reason: To ensure that the environmental and residential amenity considerations are safeguarded.
- 21) The development hereby approved shall achieve Secured By Design 'Gold' Standard which shall be submitted to and approved by the Local Planning Authority unless otherwise agreed in writing.
Reason: To ensure that both the physical and environmental crime prevention measures are taken into account throughout the design and construction of the scheme.
- 22) No part of the development hereby permitted shall be commenced until a programme of percolation tests has been carried out in accordance with BRE Digest 365 Soakaway Design (2016), and the results approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.

Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.

- 23) No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be informed by the programme of approved BRE Digest 365 Soakaway Design (2016) percolation tests and in accordance with the principles set out in the Flood Risk Assessment (Report Ref. 10782, Rev. A, dated 04/01/17).

Reason: To ensure that surface water runoff from the development is discharged as high up the drainage hierarchy as is feasible, and is managed in accordance with the principles of sustainable drainage systems.

- 24) No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

36

PLANNING APPLICATION NO. 17/0302/02 - LAND ADJ TO 157 PENNSYLVANIA ROAD, EXETER

The City Development Manager presented the application for reserved matters pursuant to outline approval 14/4716/01 for construction of a single dwelling on land West of Pennsylvania Road (Revised Scheme).

He reported that the application was for revised fenestration and revised ground levels to the outdoor space. It was proposed to increase the window sizes by providing a single pair of sliding glazed doors, one serving each of the rooms on either side of the central stairway at ground and first floor level. The single large roof-light in the east roof slope would be replaced by a pair of large roof-lights. The terrace area would be at the same height as the original ground level. It was not felt that these changes would significantly harm the character or appearance of the site.

However, the objections related to the height and mass of the building and he reported that it was not possible from records to confirm the original datum height and therefore to ascertain whether there had been a breach of the planning condition and whether the height was excessive. He also stated that the dormer window under construction appeared to be level and running off the ridge rather than lower down the roof, in accordance with the approved plans.

Mr Kirk spoke against the application. He raised the following points:-

- considerable depth of feeling from neighbouring residents opposing the scale of development with a significant number of objections;
- disagree with the opinion of planning officers regarding the suitability of the structure, which objectors feel is an unsuitable height in the wrong place and of inappropriate size and scale;

- despite numerous requests, information has not been provided on the datum point for the building and, accordingly, the decision to grant permission for the original application has no substantive basis. No one has advised where the current starting point for the building should have been;
- in the context of the area, the building is an eyesore and is not in keeping with the environment;
- depth of feeling about the building is substantial; and
- there are no references to building control in existence so no one can confirm if the structure has been built to the specification approved.

Responding to a Member, he stated that the building was higher than neighbouring properties and, in particular, encroached on the properties to the east blocking views.

The City Development Manager proposed that the issue of the height of the building together with the design of the dormer be considered further by Members in light of the objections received and that the views of residents would be considered.

The recommendation was for approval, subject to the conditions as set out in the report.

RESOLVED that:-

- (1) planning permission for reserved matters pursuant to outline approval 14/4716/01 for construction of a single dwelling on land West of Pennsylvania Road (Revised Scheme) be **APPROVED**, 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 following submitted details, as modified by other conditions of this consent:

Drawing no: 2177/100 Rev A; Marypole Head, Site Location Plan; dated March 16 and received by the Local Planning Authority 20 Feb 2017

Drawing no: 2177/101 Rev B; Marypole Head; Proposed Site Plan; dated Dec 16 and received by the Local Planning Authority 20 Feb 2017

Drawing no: 2177/105 Rev B; Marypole Head, Proposed Landscaping Plan; dated Feb 17 and received by the Local Planning Authority 20 Feb 2017

Drawing no: 2177/110 Rev.B; Marypole Head, Proposed Basement & Ground Floor Plans; dated Feb 17 and received by the Local Planning Authority 20 Feb 2017

Drawing no: 2177/111 Rev.B; Marypole Head, Proposed First & Second Floor Plans; dated Feb 17 and received by the Local Planning Authority 20 Feb 2017

Drawing no: 2177/125 Rev.B; Marypole Head, Proposed Elevations; dated Feb 17 and received by the Local Planning Authority 01 March 2017

Drawing no: 2177/126 Rev B; Marypole Head, Proposed Elevations; dated Feb 17 and received by the Local Planning Authority 03 March 2017

Drawing no: 2177/127 Rev A; Marypole Head, Proposed Elevations; dated Feb 17 and received by the Local Planning Authority 20 Feb 2017

Drawing no: 2177/128 Rev A; Marypole Head, Proposed Elevations; dated Feb 17 and received by the Local Planning Authority 20 Feb 2017

Ref no: 2177/150 Rev B; Design & Access Statement; received by the Local Planning Authority 20 Feb 2017

Reason: In order to ensure compliance with the approved drawings and details.

- 3) Prior to the commencement of any works on site, samples of the materials to be used externally in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with these agreed details.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

- 4) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the curtilage of the dwelling(s) 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.

- 5) The landscaping scheme submitted and approved shall be carried out within one year of completion of the development and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity.

- 6) No part of the development hereby approved shall be brought into its intended use until the access improvements have been provided in accordance with drawing 2010-68.P1.0 of application ref: 14/0648/03 and maintained for this purpose at all times.

Reason: To provide a safe and suitable access for all users, in accordance with paragraph 32 of the National Planning Policy Framework.

- 7) 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: To protect the amenity of neighbouring residents during the construction of the dwelling

- (2) the City Development Manager, following discussions with local residents, consider the issues raised regarding the building height and the design of the dormer in consultation with Ward Members for consideration at a delegation briefing.

37

**PLANNING APPLICATION NO. 16/1523/03 - HARRINGTON HOUSE,
HARRINGTON LANE, EXETER**

As the applicant, Councillor Harvey declared a disclosable pecuniary interest in this application and withdrew from the room during consideration of the item:-

Councillors Bialyk, Denham, Edwards, Foale, Gottschalk, Lyons, Morse and Spackman declared interests in Min. Nos. 36 and 37 as Members of the Labour Party.

The City Development Manager presented the application for a loft conversion with rooflights.

The recommendation was for approval, subject to the conditions as set out in the report.

RESOLVED that planning permission for a loft conversion with rooflights be **APPROVED**, subject to the following conditions:-

- 1) A01 - Time Limit – full
- 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 31 January 2017 (dwg. nos. 1607-03A, 1607-04A and 1607-05) and 7 March 2017 (Page 27 of Velux Product Brochure dated 4 April 2016), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Unless otherwise agreed with the Local Planning Authority, the proposed rooflights shall have recessed flashings and be constructed from aluminium, painted black with a white painted timber internal finish.
Reason: In order to protect the character of a Grade II listed building.

38

PLANNING APPLICATION NO. 16/1524/07 - HARRINGTON HOUSE,
HARRINGTON LANE, EXETER

As the applicant, Councillor Harvey declared a disclosable pecuniary interest in this application and withdrew from the room during consideration of this item:-

Councillors Bialyk, Denham, Edwards, Foale, Gottschalk, Lyons, Morse and Spackman declared interests in Min. Nos. 36 and 37 as Members of the Labour Party.

The City Development Manager presented the application for

The recommendation was for approval subject to the conditions as set out in the report.

RESOLVED that planning permission for a loft conversion with rooflights be **APPROVED**, subject to the following conditions:-

- 1) A01 - Time Limit - full
- 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 31 January 2017 (dwg. nos. 1607-03A, 1607-04A and 1607-05) and 7 March 2017 (Page 27 of Velux Product Brochure dated 4 April 2016), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Unless otherwise agreed with the Local Planning Authority, the proposed rooflights shall have recessed flashings and be constructed from aluminium, painted black with a white painted timber internal finish.
Reason: In order to protect the character of a Grade II listed building.

39

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Assistant Director City Development was submitted.

RESOLVED that the report be noted.

40

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

41

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 9 May at 9.30 a.m. The Councillors attending will be Harvey, Mrs Henson and Spackman.

Additional Information Circulated after Agenda Dispatched - circulated as an appendix

(The meeting commenced at 5.30 pm and closed at 8.20 pm)

Chair

**PLANNING COMMITTEE
24 APRIL 2017
ADDITIONAL INFORMATION**

Correspondence received and matters arising following preparation of the Agenda

**Item 4 : Pages 5-36 : Ref: 16/1232/01
East Park, Streatham Campus**

Committee Report text missing within the representation section:-

56. Provision of student accommodation of this scale will potentially damage the private rental housing market;
57. Additional pressure on existing service infrastructures eg gas, electricity, water and sewage system and emergency vehicles;
58. Concern that development will lead to pressure in the future to access the site from Higher Hoopern Lane;
59. Need to ensure that there is no vehicular access from Pennsylvania Road or Higher Hoopern Lane;
60. Existing paddock (adjacent to the application site) should be retained and not used as a construction compound, material storage or construction vehicle parking.

Devon and Cornwall Police Liaison Officer comments that a condition that the scheme achieves Secured by Design Gold standard. This will ensure that both the physical security and the environmental crime prevention design are taken into account throughout the design and construction. It will also show that the applicant takes the safety, security and sustainability of the scheme seriously by applying a national standard that has proven to reduce burglary by up to 75%.

Additional Condition 21

The development hereby approved shall achieve Secured By Design 'Gold' Standard which shall be submitted to and approved by the Local Planning Authority unless otherwise agreed in writing.

Reason: To ensure that both the physical and environmental crime prevention measures are taken into account throughout the design and construction of the scheme.

Additional email/letters received since the report was published. Principal planning issues raised:-

1 letter of support commenting that the views and convenience adversely affected by the development will be relatively small and the scheme has been carefully positioned to cause least possible visual impact on the surrounding area.

1 letter of comment on the need for a cycle route from Higher Hoopern Lane to pass in front of Higher Hoopern House to improve accessibility for cyclists.

264 further email/letters of objection received. Additional comments raised:-

- viii. Insufficient time given to respond to revised scheme;
- ix. Concerns raised by Devon Wildlife Trust have not been adequately addressed;
- x. Grossly inadequate assessment of the impact of the development given that nothing of a comparable nature for PBSA has been previously applied for;
- xi. Development has not been moved sufficiently away from the boundary of the site;

- xii. Site is not in a sustainable location;
- xiii. 3D images and illustrative material fail to show the real impact of the development;
- xiv. Design of buildings out of proportion with the rest of the University;
- xv. Proposed density of student population is not sustainable in respect of the location and local infrastructure;
- xvi. Development should be directed to brownfield sites;
- xvii. Development will be the first time the main campus extends beyond the natural boundary formed by the Taddiford and Hoopern valleys;
- xviii. The buildings should be no more than 5/6 storeys high reducing to 2/3 storeys towards the top of the site;
- xix. Excessive ratio of students in relation to the population of Exeter;
- xx. University growing at a disproportionate rate;
- xxi. Need for an independent assessment of the student number forecast, given the number of overseas students is in decline;
- xxii. Site is unsuitable for student use, lacking facilities and too far from the City Centre;
- xxiii. Development should be phased to enable the demand for new students to be properly assessed;
- xxiv. Previous issue relating to quantum of development should not only be considered in physical terms but in respect of noise and light impact;
- xxv. University has failed to engage adequately with the local community;
- xxvi. Noise disturbance from potential gas turbine CHP;
- xxvii. Issues raised by the Police will be difficult to accommodate within the scheme particularly in respect of lighting within the site and access to Pennsylvania Road;
- xviii. Development should strive towards greater architectural merit;
- xxix. Reduction in student numbers by 100 is inadequate to address previous objections;
- xxx. Energy generation to the serve the development will cause potential noise and air pollution problems for local residents;
- xxxi. University's priority should be to provide academic buildings as lecture halls are currently full;
- xxxii. Development should have been accompanied by an environmental impact assessment;
- xxxiii. Site transgresses a site of local interest for nature conservation and therefore contrary to Local Plan Policy LS4;
- xxxiv. Development will add to traffic congestion in the area;
- xxxv. Detrimental impact on the hills and ridges;
- xxxvi. Open space to the north of the site will become a magnet for late night and ad hoc parties.

Item 5 : Pages 37-42 : Ref: 17/0302/02
Land adj 157 Pennsylvania Road

No further update.

Items 6 & 7 : Pages 43-50 : Refs: 16/1523/03 and 16/1524/07
Harrington House, Harrington Lane

No further update.