

PLANNING COMMITTEE

Monday 19 March 2018

Present:

Councillor Sutton (Chair)
Councillors Lyons, Bialyk, Denham, Edwards, Harvey, Mrs Henson, Morse, Prowse and Vizard M

Apologies:

Councillors Gottschalk and Newby

Also Present:

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

112

MINUTES

The minutes of the meeting held on 12 February 2018 were approved and signed by the Chair as correct.

113

DECLARATIONS OF INTEREST

Councillor Denham declared disclosable pecuniary interests in respect of Min. Nos. 115 and 117 below and left the meeting during consideration of these items.

114

PLANNING APPLICATION NO. 17/1871/FUL - LAND AT TESCO STORES, RUSSELL WAY

The Chair reported that notification had been received from the County Council Highways Engineer on the afternoon of this meeting that the applicant had not been able to overcome concerns regarding the safety and suitability of the access and was not therefore in a position to make recommendations until further information had been supplied by the applicant's traffic consultant.

RESOLVED that consideration of the planning application for the construction of part 2, part 3 and part 4 storey building comprising an extra care (Class C2) development with associated communal lounges, restaurant, kitchen, wellness room, guest suite, laundries, care providers accommodation and office, vehicular access from Russell Way, sub-station, car parking and landscaped grounds be **DEFERRED** for further information.

115

PLANNING APPLICATION NO. 17/1640/FUL - EXETER ROYAL ACADEMY FOR DEAF EDUCATION, 50 TOPSHAM ROAD

Councillor Denham declared a disclosable pecuniary interest and left the meeting during consideration of this item.

The Principal Project Manager (Development) MH) presented the application for the redevelopment of the Exeter Royal Academy for Deaf Education (eRADE) site to provide 146 new homes (C3), a care home and assisted living units (both C2), accommodation for a pre-school, access related works, provision of landscaping and open space and other associated works.

The Principal Project Manager stated that the proposal conformed with the development plan and the application offered a sustainable solution to the site in the absence of a demonstrable five-year land supply for housing. He also explained how vacant building credit could offset the usual policy requirement for affordable housing. Members also noted that the trees to be provided as part of the landscaping scheme would be semi mature and not saplings and that maintenance of the landscaped area would be undertaken by the development company. A Member felt that the County Council should not be seeking contribution towards education provision from the City Council Community Infrastructure Levy (CIL) allocation and the County Council should utilise its own budgets for this purpose.

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

Councillor Sills, having given notice under Standing Order No.44, spoke on the item. He raised the following points:-

- residents generally welcome additional housing especially affordable housing in light of the national housing crisis;
- welcome the provision of a pre-school;
- concern over loss of trees and lack of sufficient affordable housing within the development site;
- concerns regarding the access onto and additional traffic along Weirfield Road as well as impact on Topsham Road where additional cars will increase likelihood of standing traffic on this main road. Alternative options for access should be investigated;
- there will be safety issues regarding access into the site from Weirfield Road as accidents could result from delivery vehicles, bin lorries etc. Introducing a pedestrian and cycle way will encourage residents of the new development to adopt an active lifestyle, for example, visiting local amenities such as walking down to the Quay;
- loss of four residential parking spaces in Weirfield Road is unwelcome with no alternative offered;
- a full topographical study is required to determine whether a road through the site can be provided which can provide access to the Care Home and assisted living units off Topsham Road and which would mitigate the need for access off Weirfield Road;
- there will be a negative impact on air quality in the neighbourhood;
- the landscape plan should secure provision of mature trees and there is a concern regarding the habitat generally;
- notwithstanding a public consultation event on 20 September 2017, further consultation should have been undertaken. Plans were only published the day after the meeting;
- the 35% target for affordable housing should be enforced and this has been a missed opportunity to provide affordable housing. A failure to provide 35% breaches City Council policy;
- in summary, welcome development proposal in general but further assessment of the access, the affordable housing provision, future of the trees and the potential for an internal through road to negate impact of additional traffic on Weirfield Road is required;

- application should be deferred until additional information has been received.

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

- as a large sustainable brownfield near the city centre this site is ideal for residential development, and will deliver much needed housing across a number of sectors - but there is a responsibility to do so whilst respecting the impact on existing properties;
- significant objections can be easily addressed, and enhance a development that the city can be proud of;
- Weirfield Road highway issues have objections regarding loss of parking spaces, the width of the road, traffic generation, vehicular access and the safety of the junction with Topsham Road. The Highway Authority has highlighted the need for a Traffic Regulation Order and it would be desirable if Condition 3 is completed before a planning decision is reached;
- the efficacy of the landscaping plan - the officer's report states that there are a significant number of mature trees across the site. Many of these would provide effective screening but the plans call for their removal to be replaced by new planting, taking many years to mature. In Condition 19, "five years" could be increased to "seven years" to match the application and a monitoring plan could be implemented for the seven years;
- Southern boundary plots – 139-144 – there are challenges in the levels of the site. These proposed three storey houses could be built substantially on the steep escarpment at the southern boundary of the site. Their ridge height will tower by some 10 metres over the Old Mill Close townhouses which they would look directly down on. Their proposed rear walls are just 24 metres from the rear walls of the townhouses. The issues are exacerbated by the challenges in levelling the site. This will result in the escarpment to the south being raised by approximately one meter at the eastern end and seven metres moving westwards;
- their scale, height and massing will dominate the landscape, create light pollution and have a major visual impact on the cityscape when viewed by walkers, runners and cyclists, along the River Exe and canal paths. They will tower above the Trewsweir area, including the Grade II listed Trewsweir Mill and parts of Trewsweir Court, between the river and the southern boundary of the site;
- there will be a substantial loss of daylight and overshadowing to the Old Mill Close townhouses;
- the design is also out of character with the surrounding buildings of the Trewsweir neighbourhood;
- without these plots the new development would sit well with the southern neighbourhood;
- withdrawing the application for these plots would remove these significant challenges, whilst also further increasing the percentage of affordable housing;
- with just a few simple changes to the plans, Exeter can have a development it can be proud of rather than one dominated by million pound houses scarring the cityscape and their occupants literally looking down on their neighbours.

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

- this application involves the Exeter Royal Academy for Deaf Education's site which has become available due to the current premises being unsuitable and heavily criticised by OFSTED. Unlike a lot of greenfield sites, where the council's five-year housing land supply is the focus, this is a brownfield site that provides a highly sustainable mix of elderly accommodation, market and affordable housing, and a pre-school nursery. This has been carefully balanced with the extensive costs of demolition, asbestos removal, site remediation, cut and fill and piled foundations;
- given the rare opportunity to regenerate a high profile site with over 18 months spent discussing the scheme with officers and attending two Planning Member Working Group meetings. Several design changes have been made to address concerns raised by local residents;
- the Highway Authority are in support of the proposals;
- the development provides a viable, sustainable and mixed community orientated re-use of a previously developed site in a sustainable location;
- it also provides the critically needed funding of the Deaf Academy's relocation to its already approved new premises without which there is a serious risk of the school closing;
- it enables the provision of new premises with nominal rent for the St Leonards pre-school which was seen as essential to local people, the National Planning Policy Framework identifying that great weight should be attributed to the provision of new and/or improved schools;
- it provides an attractive place for people to live. Unlike most volume housebuilders, Acorn has worked with a local architect to produce a bespoke high quality design which will improve the appearance of the site and provide a place that is aesthetically pleasing and interesting. The design responds to the terraced character of the area and the route along Topsham Road toward the city;
- the provision of market and affordable housing helps meet the needs of the District and also provides a range of one bed to four bedroom homes for people wanting both affordable and market housing;
- the proposal removes an unattractive footbridge on Topsham Road and provides a new, publicly accessible, public open space;
- the proposal provides much needed elderly accommodation in the form of a new care home and extra care units. At least 363 additional care beds will be needed by 2026 - this equates to approximately six new care homes being needed in less than a decade and at least 296 additional Assisted Living units will be needed by 2019;
- the assisted living units will allow people to downsize from their existing properties thus freeing up larger family sized homes elsewhere in the city; and
- it will create approximately 100 full and part time jobs with the care home and adds construction jobs.

He responded to Members' queries:-

- a range of access options had been seriously considered into the Care Home and assisted living units and the general consensus from both the Highway Authority and the applicant's transport consultant was that Weirfield Road offered the appropriate solution. An alternative access off Topsham Road had been considered but would have significant ramifications on the design which in turn, compromised the overall viability of the project. Topsham Road already possessed visibility splays which would be of value to the residents of the Care Home and assisted living units and enable them

to access the site on foot. Similarly, an access on the eastern boundary of the site would also have design implications;

- with regard to the suggestion for an internal access through the site, the site levels would compromise such provision and any solution would significantly increase costs and impact adversely on the number of units being sought;
- the proposed access solution, which will include visibility splays, offers the necessary technical solution to enable the requisite number of units to be provided for the Care Home and enable the inclusion of assisted living units in the scheme;
- the loss of trees will be mitigated through the provision of planting elsewhere in the scheme. Trees between 4.8 and 5.3 metres will be planted, with the management company to maintain the landscaped area. Occupants of affordable homes would not be required to pay the management company; and
- 51 car parking spaces will serve the Care Home and assisted living units.

Members welcomed the design of the scheme and particularly the provision of a pre-school facility, although some were concerned over the loss of trees and sought reassurance that the replacement trees would be semi mature, others noting that the landscaping scheme was acceptable. There was concern over the loss of four on street parking spaces and that, because of revised Government policy, the applicant was able to offer a lower percentage of affordable housing. Because of these issues some Members felt that the application should be deferred. It was noted however, that an additional care home for the elderly was a welcome addition to such provision in the City. Comparing traffic flow at the junction of St Leonards Road with Topsham Road, a Member remarked that it was only the proposed location of the Care Home which would exacerbate traffic conditions on Weirfield Road and that this issue could be resolved if the Care Home could be located elsewhere in the site.

A vote was taken on a motion to defer and carried, but the Chair ruled that further debate was necessary for all Members to contribute their views.

Further consideration was given to the issue of the loss of four on street residents' parking spaces and it was suggested that the provision of these spaces within the development should be added as a condition to enable the scheme to proceed and ensure that the necessary traffic regulation order in respect of Weirfield Road could be implemented. This was supported by Members.

The recommendation was for approval, subject to the conditions as set out in the report. The Committee voted on this recommendation which was carried.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 covering:-

- an affordable housing provision;
- a Travel Plan Contribution of £500 per dwelling;
- a contribution of £10,000 towards the costs of relevant Traffic Regulation Orders, including one relating to loss of existing street parking on Weirfield Road in connection with formation of the access to serve the development; and
- open space provision including public access and maintenance arrangements.

planning permission for the redevelopment of the Exeter Royal Academy for Deaf Education (eRADE) site to provide 146 new homes (C3), a care home and assisted living units (both C2), accommodation for a pre-school, access related works, provision of landscaping and open space and other associated works be

APPROVED, subject also to a condition requiring the provision of four residents' parking spaces within the development site and to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

- (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 19th and 23rd October 2017 14th February and 16th March 2018 20 (including dwg. nos specified on drawing registers by Carless & Adam Partnership CAP:10 Issue 1 Rev 2 and Clifton Emery Design revised 16th March 2018) as modified by other conditions of this consent.

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

- 3) Pre-commencement condition: The development hereby approved (planning application no. 17/1640/FUL) shall not be implemented until a Traffic Regulation Order (TRO) in respect of the formation of the access from Weirfield Road to serve the care home/assisted living elements of the scheme and associated removal of existing on-street parking spaces has been approved and implemented by Devon County Council as the relevant Highway Authority, and all works necessary to implement the Order have been completed to the Highway Authority's satisfaction and the Order brought into force.

Reason for Pre-commencement condition: To ensure that the proposed access to serve this part of the development is capable of being delivered in accordance with the approved plans and thereby safe and suitable access to serve the development is provided.

- 4) Pre-commencement condition: Prior to the commencement of the development a further bat survey as recommended in the submitted Ecological and Further Bat Survey Report dated October 2017 prepared by Clarkson & Woods Ecological Consultants shall be carried out and the results submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with any recommendations/mitigation works identified as necessary based on the results of the additional survey work.

Reason for Pre-commencement condition: To ensure that the development proceeds based on up to date information in relation to potential bat habitats and is implemented in a manner that minimises and ameliorates any identified impact on protected species.

- 5) Samples/further details of all the materials it is intended to use externally in the construction of the development (including all hard surface and road materials) shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples/details in all respects.

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

- 6) Pre commencement condition: No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
Reason for pre commencement condition: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.
- 7) Pre commencement condition: 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 buildings 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 for pre-commencement condition: In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.
- 8) Pre-commencement condition: The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of all dwellings and the Care home/assisted living units, and the final levels of all roads forming part of the development, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. The information submitted pursuant to this condition will be expected to confirm any finished floor levels/overall building heights already indicated on the approved plans referred to in condition 2. Thereafter the development shall be implemented in accordance with the approved details.
Reason for Pre-commencement condition: In the interests of the visual amenities of the area and the residential amenities of future occupants of the development and the occupants of existing neighbouring properties.
- 9) Pre-commencement condition: A Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic and traffic routing, the effects of piling and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.
Reason for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the

development works are properly considered and addressed at the earliest possible stage.

- 10) Prior to the commencement of the development hereby approved a Biodiversity Mitigation and Enhancement Plan for the site incorporating the recommendations set out in the submitted Ecological and Further Bat Survey report by Clarkson and Woods dated October 2017 shall be submitted to and approved by the Local Planning Authority. The Plan shall incorporate the provision of integral bat and bird bricks in line with the advice set out in the Council's adopted Residential Design SPD. The Biodiversity Mitigation and Enhancement Plan should also incorporate a Habitat Management Plan. Thereafter the development shall be implemented and maintained in accordance with the approved details.
Reason: To enhance the biodiversity of the site and clarify how newly planted areas of the site will be managed so as to maximise their biodiversity value and achieve objectives of ecological mitigation and compensation/enhancement.
- 11) Pre-commencement condition: No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.
Reason for pre-commencement condition: To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.
- 12) Prior to commencement of the development details of any proposed CHP plant shall be submitted to and approved in writing by the LPA. The submitted details shall include as a minimum: fuel type, appliance size (net rated thermal input), maximum fuel consumption rate, flue gas abatement equipment if fitted, maintenance scheme, chimney height and a chimney height calculation to demonstrate adequate dispersal of the products of combustion. CHP plant shall only be installed in accordance with the agreed details, and operated as agreed thereafter.
Reason: In the interests of residential amenity.
- 13) **Pre-Commencement Condition** - 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 in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk Assessment (report Ref. Exeter Royal Academy for

Deaf Education; dated September 2017), Outline Drainage and Finished Floor Levels (drawing No. 162290-GA-010; Rev. C; dated 16th March 2018) and Micro Drainage Model Outputs for the site (Ref. File 162290_SWS_V2.MDX; dated March 2018). The details submitted pursuant to this condition shall also include full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system.

Reason for pre-commencement condition: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

- 14) **Pre-Commencement Condition:** No part of the development hereby permitted shall be commenced until details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason for pre-commencement condition: To ensure that the surface water runoff generated from rainfall events in excess of the design standard of the proposed surface water drainage management system is safely managed.

- 15) **Pre-Commencement Condition:** 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 for pre-commencement condition: 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.

- 16) No part of the development hereby approved shall be brought into its intended use until a 3.5m shared footway/cycleway along the frontage of the scheme/vehicular access (on Topsham Road) as indicated by Drawing Number "162290_G_01 Rev B" and ped/cycle access points onto Topsham Rd as indicated by Drawing Number "160601 L 02 01 Rev AD" have been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and shall thereafter be retained for that purpose at all times.

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the National Planning Policy Framework.

- 17) No part of the development hereby approved shall be brought into its intended use until the access point for the care home/assisted living units as indicated by Drawing Number "160601 L 02 01 Rev AD", with a facility to prevent uncontrolled discharge of water over the highway, have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter it shall be 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.

- 18) Unless otherwise agreed in writing by the Local Planning Authority (LPA), the buildings comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that their internal systems for space and water heating, including appropriate space for plant and machinery, are capable of being connected to the proposed low temperature hot water district heating network. Prior to commencement of development routes for the connection of those systems to the network at points at the application site boundaries shall be agreed in writing by the LPA.
Reason: To ensure that the proposal complies with Policy CP13 of Councils Adopted Core Strategy and paragraph 96 of the NPPF and in the interests of delivering sustainable development.
- 19) Before commencement of construction of the superstructure of the development hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.
Reason: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.
- 20) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and no dwelling or building shall be occupied until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme and no planting included within the scheme shall be subsequently felled, lopped or removed without the prior written consent of the Local Planning Authority. The details submitted pursuant to this condition will be expected to be in accordance with the details set out in the submitted Landscape Strategy report dated 16/10/2017 and drawing nos. MWA-16.13-900_04 (Tree Planting Strategy) and MWA-16.13-100_05 (Landscape Plan) prepared by Matthew Wigan Associates.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 21) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 22) No part of the development hereby approved shall be brought into its intended use until the vehicular parking facilities for the care home/assisted

living units and pedestrian crossing on Weirfield Road as indicated by Drawing Number "160601 L 02 04 Rev C" have been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter they shall be 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.

- 23) Prior to its construction details of the proposed pedestrian/cycle connection of a minimum 3 metre width between the care home site and the residential site (adjacent to plot 126) shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be constructed in accordance with the approved details.

Reason: In the interests of permeability and the use of sustainable modes of transport.

- 24) Prior to its construction details of the proposed pedestrian connection between the residential site to Trews Weir Reach shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be constructed in accordance with the approved details.

Reason: In the interests of permeability and the use of sustainable modes of transport.

- 25) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and any Order revoking and re-enacting that Order with or without modification, no development of the types described in the following Classes of Schedule 2 shall be undertaken on any of the dwellings/plots comprised in this development without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

Part 1, Class A extensions and alterations

Part 1, Classes B and C roof addition or alteration

Part 1, Class D porch

Part 1, Class E swimming pools and buildings incidental to the enjoyment of the dwellinghouse

Part 1, Class F hard surfaces

Reason: In order to protect residential amenity and to prevent overdevelopment given the density of this development, relative juxtaposition of buildings and the relationship to surrounding properties bordering the site.

- 26) The level of noise emitted from the plant on the site shall not exceed the levels in the table below (measured as a rating noise level using the methodology in BS4142:2014). The developer shall demonstrate by measurement compliance with the levels prior to occupation of the development and as requested by the LPA thereafter.

Plant rating noise levels at nearest sensitive receptors

Daytime (07:00-23:00) Night (23:00-07:00)

37 dB 30 dB

Reason: In the interests of residential amenity

- 27) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched

from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

- 28) Prior to construction commencing on any of the buildings comprised in this development, details shall be submitted to the Local Planning Authority of secure cycle parking provision/staff changing facilities for the development. Construction of the buildings 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.
Reason: To provide adequate facilities for sustainable transport.
- 29) A comprehensive Framework Travel Plan/Parking Management Plan for the Care Home and assisted living site shall be submitted to and approved in writing by the Local Planning Authority in advance of occupation of the development. Thereafter the development shall be implemented in accordance with the approved travel plan measures. A review of travel patterns for the site shall be undertaken within 6 months of occupation of the development and updated on a basis as agreed in writing with the Local Planning Authority thereafter.
Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.
- 30) Prior to the use of the pre-school facility commencing a Travel Plan to promote the use of sustainable means of transport shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the pre-school shall be operated in accordance with the approved Travel Plan.
Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car.

In the event that the Section 106 agreement is not completed within 6 months of the date of this committee meeting, authority be delegated to the City Development Manager to **REFUSE** permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the section 106 agreement.

Informatives

- (1) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
- (2) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website. It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (i.e. where pre-commencement conditions have not been discharged) the Local Authority may impose a

surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.

- (3) A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.
- (4) Your attention is drawn to the need to obtain an appropriate European Protected Species Licence from Natural England prior to the demolition/destruction of buildings and identified bat roosts on the site.

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PLANNING APPLICATION NO. 17/1658/VOC - HONITON INN, 74 PARIS STREET

The Principal Project Manager (Development) (PJ) presented the application for the variation of condition 2 of planning application 16/1210/03 granted permission on 12 April 2017 to allow for the reduction/removal of areas of communal space to be replaced with 12 additional bed spaces.

The applicant was seeking the removal of a gym and cinema previously approved to provide additional units of accommodation. The need for student accommodation was supported by Development Plan Policy and Supplementary Planning Guidance and student accommodation was an appropriate use of this former pub site which was not in a residential area and was close to the city centre. The University Guild had been consulted on the proposal and, whilst recognising that the gym and cinemas elements were largely superfluous, did express concerns regarding amenity provision and unit size for students in general.

The Principal Project Manager explained the changed configurations sought for the revised unit numbers and the City Development Manager commented on the reduction in the communal areas and advised that there was no policy guidance on student unit designs and general amenity provision for purpose built student accommodation.

The City Development Manager tabled the latest statistics on student numbers provided by the University of Exeter's Estates department and from Council Tax exemption records. These were referenced against the nine principles set out in supplementary planning guidance produced in 2007, two of which are set out below:-

- supports the intention of the University to expand. The City Council, where appropriate, will impose planning conditions or seek a planning obligation to ensure that expansion in the University's teaching, research and general facilities is accompanied by the provision of significant increases in purpose-built student residential accommodation, such that 75% or more of the additional student numbers are accommodated; and
- seeks the provision of as much purpose built student housing as possible to reduce the impact on the private sector housing market.

The City Development Manager explained that, whilst the target of 75% of all new accommodation to be provided in purpose built accommodation since the 2007 policy had been introduced would be met, he pointed out that overall student numbers in purpose built student accommodation would still be deficient.

The City Development Manager responded to Member's queries on the statistics, referring to a previous assessment of student numbers collected in relation to assessing the City's housing supply needs and advised that a consultant had been engaged to report back for a review of policy on student numbers to be undertaken.

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

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

- had been the architect for the original scheme on behalf of the then pub owner but there was no student accommodation provider at that time;
- have analysed scheme on behalf of the current owner - a student accommodation provider - concluding that the communal areas were oversized and, consequently, the overall space was re-designed;
- the scheme is of a high standard to compete in the local market for students, the applicant understanding the workings of this market;
- kitchens in the cluster flats have sufficient storage and seating space for dining and therefore the kitchens work;
- some communal space has been replaced by studio flats with communal space within them; and
- there was some criticism of the gym and cinema provision within the original design as these facilities are available in the city centre.

He responded to Members' queries:-

- the original application had been excessive in terms of the proposed cinema and gym which were subsequently deemed unnecessary;
- a communal area remained on the ground floor, available for occupants of the whole block;
- on the lowest level, the gym and cinema were both to be replaced with four bed sit flats each with their own kitchens; and
- there are no flats provided for disabled students as the University require these to be provided on campus.

Whilst one Member who had not supported the original scheme felt that she could also not support the amended proposal, other Members were in support. One Member referred to the increase in student mental health issues and suggested that consultation with the University of Exeter, the University Guild and student accommodation providers should be carried out to seek views on good quality rental provision for students for policy guidelines to be developed. The suggestion that a report be brought to the Planning Member Working Group on this was supported.

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

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure a Student Management Plan, a financial contribution of £19,429 towards the delivery of District Heating in the area and a Traffic Regulation Order, planning permission for the variation of condition 2 of planning application 16/1210/03 granted permission on 12 April 2017 to allow for the reduction/removal of areas of communal space to be replaced with 12 additional bed spaces be **APPROVED**, subject to the following conditions:-

- (1) The development to which this permission relates must be begun before 12 April 2020.

Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

- (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 20 October 2017 (dwg. nos 1188 PL05 rev D; PL06 rev C; PL07 rev B; PL09 rev B; PL10 rev *; PL11 rev *; PL12 rev C; PL13 rev *; PL14 rev A and PL15 rev C) as modified by other conditions of this consent.

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

- (3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.

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

- (4) No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

- (5) The demolition hereby approved shall not be carried out until a building contract has been entered into for the erection of the replacement building permitted by this planning permission and satisfactory evidence to that effect has been produced to the Local Planning Authority.

Reason: In the interests of the appearance of the Conservation Area.

- (6) The residential accommodation 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, showing provision for heat exchangers and for connection to a District Heating Network in the Highway 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: To ensure that the proposal complies with Policy CP14 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

- (7) No part of the development hereby approved shall be brought into its intended use until the loading bay as indicated on Drawing Number 1188/PL05 Rev B (of at least 2.5m in width) on Paris Street, and raised pedestrian crossing at the vehicular access have been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

Reason: To provide suitable facilities for the traffic attracted to the site.

- (8) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities as indicated on Drawing Number 1188/PL05 Rev B and an external door into the cycle store, 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 for sustainable transport and ensure that adequate facilities are available for the traffic attracted to the site,
- (9) No development shall commence until a noise assessment report, including noise from the any plant machinery has been submitted to and approved in writing by the Local Planning Authority providing details of any sound insulation measures and mitigation measures required and shall thereafter be provided in accordance with such details:
Reason: Insufficient information has been submitted with the application and in the interests of future residential amenity.
- (10) No development shall take place, including any works of demolition, 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) the parking of vehicles of site operative and visitors
 - b) loading and unloading of plant and material;
 - c) storage of plant and materials used in the constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - 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 demolition and construction works
 - h) construction 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 the occupants of nearby buildings.
- (11) Before the cafe/bar hereby permitted opens, a scheme for the installation of equipment to control the emission of fumes and smell from the cafe/bar use shall be submitted to, and approved in writing by, the Local Planning Authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall be thereafter be operated and maintained in accordance with the manufacturers instructions.
Reason: To protect the amenity of nearby occupants.
- (12) Unless otherwise agreed in writing by the Local Planning Authority the building hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1st January 2019. Prior to commencement of development of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local

Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development. The design stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

- (13) Prior to occupation of any dwelling hereby approved, details of provision for nesting swifts shall be submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

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

- (14) 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 the amenity of the occupants of the building(s) hereby approved.

- (15) 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 in accordance with the principles of sustainable drainage systems, and those set out in the Drainage Strategy Statement (Report Ref. -, Rev. P01, dated November 2016) and the Strategic SW Drainage Layout Drawing (Drawing No. 1004, Rev. P01, dated 28th November 2016).

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

- (16) No part of the development hereby permitted shall be commenced until details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the surface water runoff generated from rainfall events in excess of the design standard of the proposed surface water drainage management system is safely managed.

- (17) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the cafe/bar refuse area have been provided has been submitted to and approved in writing by the Local Planning Authority and thereafter be provided in accordance with such details:
Reason: Insufficient information has been submitted with the application and in the interests of amenity.
- (18) No development shall commence until an air quality assessment report, has been submitted to and approved in writing by the Local Planning Authority providing details of any mitigation measures required and shall thereafter be provided in accordance with such details:
Reason: Insufficient information has been submitted with the application and in the interests of future residential amenity.

Informatives

- (1) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
- (2) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. A Liability Notice is attached to this decision notice.
It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.

117 **PLANNING APPLICATION NO. 17/1617/VOC - ST JAMES PARK, STADIUM WAY**

Councillor Denham declared a disclosable pecuniary interest and left the meeting during consideration of this item.

The Principal Project Manager (Development) (PJ) presented the application for the variation of Condition 2 of planning application 17/0188/37 granted permission on 1 March 2017 to allow an additional 24 bed spaces/studio flats within an extended lower ground floor level; relocation of common room and bin stores; provision of outside cycle parking and re-arrangement of internal stair cores.

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

Councillor Owen, having given notice under Standing Order No.44, spoke on the item. He raised the following points:-

- request deferral of the application as another application for student accommodation originally set to be presented at this Committee had been deferred, the argument for deferring the application because it was a new application being irrelevant;
- a deferral was also necessary because of errors in the report as the statistics provided date from 2016/17, yet the latest figures on the University

website covered the 2017/18 period. Moreover, all statistics included accommodation on the Cornwall campus and therefore did not accurately depict the Exeter situation;

- the update sheet provided details of the public objections but these were received prior to the publication of the original agenda and should have been included in that agenda which is another reason why the application should be deferred;
- if not deferred, the application should be refused as it impacts adversely on the community balance in the St. James ward, the need to retain balance specifically referred to in both the Exeter Local Plan and the St. James Neighbourhood Plan. The original report to Committee seeking permission for 312 units conceded that there was an impact on community balance but approval had been given because of other factors notably the need to ensure that the re-development of the adjoining St. James Park football ground could proceed - this reason is no longer relevant as the re-development will proceed regardless and the requirement for 24 more units has nothing to do with the Football Club. The reason for the application is to increase the developer's profit;
- the student population of the ward at the time of the original application was 55% and this imbalance will now be increased; and
- the application should also be refused as the quality of the amenity space and facilities was inadequate. There is a darker outlook for the additional units which can impact adversely on students' mental health. Government guidance requires adequate communal space as essential for student accommodations.

Councillor Mitchell, having given notice under Standing Order No.44, spoke on the item. He raised the following points:-

- accept that lower standards of accommodation apply for students but the quality of these additional units is not acceptable – the additional units look out onto cycle racks and the Big Bank of St James' Park. The level of amenity is unacceptable;
- the application does not take into account the aims of the St James Neighbourhood Plan;
- the additional student accommodation leads to further community imbalance in the St James Ward. The Committee cannot judge the true impact as information is required on the number of purpose built units in the St James ward, the occupancy rate of the current purpose built units, how many units have received consent in St James and the percentage of student numbers compared with the number of other residents;
- there is inconsistency between the student number figures provided. The 2007 supplementary planning guidance, in particular, is out of date and therefore misleading as it fails to show the changes over the past 11 years especially when compared with the St. James Neighbourhood Plan of 2013;
- the positive impact of the University on the City in financial, social and cultural terms as well as raising Exeter's profile is welcomed but a review is needed of the impact of purpose built student accommodation on the City and local communities. The growth of this type of accommodation needs to be managed;
- a review of Council policy on student accommodation is necessary first before considering applications for purpose built student accommodation;
- question justification for the additional accommodation sought. During negotiations with the original developer and the Football Club there had been some reduction in the number of units but there had also been an insistence on provision of student units without which the Club's re-

development proposals could not proceed. This enabling argument for the Football Club is now irrelevant as the additional units will have no impact on the football club plans; and

- the application should be refused or deferred for clarification on all issues raised.

The City Development Manager, in response to the queries, stated that the figures on student numbers had been provided by the University Estates' team and that officers had been aware that the objections had been omitted from the original report. He advised that the policy on student numbers would be reviewed. He also stated that, although it was not possible to disaggregate student numbers in houses in multiple occupation and that there was some increase in purpose built accommodation, there was sufficient information provided on student numbers to determine the application.

Mrs Jobson spoke against the application. She raised the following points:-

- approval has already been given for 312 student flats and rejection of the new site owners' application to increase this number is requested. It may only be 24 additional units but it will be a further nail in the coffin of the over-riding objective of the St James Neighbourhood Plan to create better community balance;
- there remains doubt as to whether additional numbers of student flats will be required and this building could not, as currently designed, be put to alternative use;
- there is no evidence in St James, where it is understood that the figures will show that Council Tax exemptions continue to rise, that purpose built student accommodation's are reducing the demand for residential houses;
- the Neighbourhood Plan became an important Planning Document some years ago. At that time, just under 50% of the residents of the Ward were students. The settled residents of St. James are fast becoming a shrinking minority. The residents should be supported as they have spent many hours creating a plan they believed would deliver the long term goal of a balanced and vibrant neighbourhood. They have been repeatedly let down by this Council. Show the residents of St. James that the importance of the Plan is acknowledged;
- the new site owners knew the number of units when they purchased the site from Yelverton – presumably they undertook due diligence on what they were acquiring and balanced cost with profit before paying the price. These plans can therefore safely be rejected without jeopardising the development;
- the residents of St. James are not opposed to students and do not wish to see them living in a basement that overlooks nothing more attractive than cycle lockers and a blank space. It should be seen as an unacceptable proposal contrary to any notion of good design contrary to Neighbourhood Plan Policy D1;
- the six storey block is one storey higher than the listed buildings on Old Tiverton Road;
- a further 24 students means a further 24 drop-offs at the start and end of each term. Most of these take place during the football season and all have to use Stadium Way already congested with football traffic and pedestrians. This is unacceptable, particularly for the residents of Lucombe Court;
- if approval is granted, the Section 106 Agreement should contain a requirement for at least a monthly clean of the gap between the new wall and the listed walls of Old Tiverton Road;
- only approve the building of a wall not a wall/hybrid wood panelled structure. It should be made clear in the Section 106 that any member of the student

housing company on site 24/7 is a properly paid employee or employees;
and

- please reject this application and support the settled residents of St James.

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

- the proposed amendments enable the reinvestment of the added value back into the development, provide increased common room facilities, and also increase green space. The amendments do not result in any increase in height to the approved building, or negative visual impact from the surrounding properties;
- the additional fit out works can be finished within the current construction period, so there will be no increase in time on site;
- GSA purchased this development after the current consent was obtained and, since this point, the scheme has been enhanced and key features added such as a full sprinkler system, card access control, increased management facilities and a BREEAM rating will be sought;
- the building will be managed by the company's operations team, who have been awarded student operator of the year for three years running. In addition, a student wellbeing programme will be applied at this building. GSA is proud to be leading the way with this programme and have been commended by Universities. Literature has been provided on the programme and the additional common spaces proposed with this amendment will help further enhance the wellbeing activities provided;
- GSA are excited about joining the local community and helping to keep it a balanced and vibrant place;
- there is still headroom and need for further well managed student beds in the City. The proposed additional 24 beds are in the form of cluster bedrooms; and
- the amendment will allow the provision of more amenity space and support a wellbeing programme. It will make better use of the site, with no negative visual impact, and help meet the current demand for student beds.

He responded to Members' queries:-

- the scheme was reviewed with view to both a better use of the value asset of the land and to re-invest back into the scheme by providing more communal facilities;
- the lower ground floor will, in fact, be at ground floor level with an outlook onto softer landscaping than previously proposed - the occupants will look out on to a cycle block not the cycle racks themselves and the block itself will be softened in appearance. Light to these units will be in excess of legislative requirements and there is no issue regarding the quality of the scheme;
- the amended proposal improves the investment potential, whilst providing more amenity space overall, improving the quality of the customer with no impact on neighbouring properties; and
- negotiations will be entered into with neighbours regarding the party wall to achieve consistency of design and the company will maintain landscaping and the appearance of the overall site to a high quality.

Members felt that there would be an unacceptable impact on the community balance of the neighbourhood, noting that the original application had been approved because of the implications on a wider development proposals for the

area, specifically the desire to provide for the community through improving the existing community facility of the football club.

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

RESOLVED that the application for the variation of Condition 2 of planning application 17/0188/37 granted permission on 1 March 2017 to allow an additional 24 bed spaces/studio flats within an extended lower ground floor level; relocation of common room and bin stores; provision of outside cycle parking and re-arrangement of internal stair cores be **REFUSED** as the application is contrary to the aims of the St James Neighbourhood plan leading to a further imbalance in the community because of the increase in student numbers.

118 **PLANNING APPLICATION NO. 17/1824/FUL - PINHOE LODGE, GIPSY HILL LANE**

The City Development Manager presented the application for two storey extension and detached garage.

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

RESOLVED that planning permission for two storey extension and detached garage be **APPROVED**, subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.
- (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 22 November 2017 (including dwg. nos 002; 003; 004; 005; 006; 007; 008; 009; 010; 011A; 012A; 013; 014; and email received 2 February 2018 from applicant detailing proposed brick) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) The walls and roof of the extension hereby approved shall have an external finish to match the existing building unless otherwise agreed and approved in writing by the Local Planning Authority.
Reason: To protect the character and appearance of the existing building and the wider street scene.

Informatives

- (1) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.

119 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

120

APPEAL REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

121

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 10 April 2018 at 9.30 a.m. The Councillors attending will be Councilors Mrs Henson, Edwards and one other.

Additional Information Circulated after Agenda Dispatched - attached as an appendix

(The meeting commenced at 5.30 pm and closed at 8.45 pm)

Chair

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**PLANNING COMMITTEE
19 MARCH 2018**

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

**Agenda item 5 - application ref: 17/1871/FUL
Land at Tesco Stores
Russell Way**

No further information.

**Agenda item 6 - application ref: 17/1640/FUL
Exeter Royal Academy for Deaf Education
50 Topsham Road**

Affordable housing

Following further negotiations relating to the provision of affordable housing an increased level of provision is now proposed equating to 28%, and increase of 4% on the original proposals. This equates to an additional 6 affordable dwellings. The provision of affordable housing now proposed therefore comprises a total of 41 dwellings, of which 23 would be social rented units comprising a mix of 1, 2 and 3 bed apartments and 3 and 4 bed houses, together with 18 shared ownership units.

Taking into consideration the substantial abnormal developments costs associated with this development (relating to demolition, asbestos removal, site remediation and significant cut and fill requirements across the site), and the genuine fall-back position with regard to Vacant Building Credit (VBC) (which applied in full would result in significantly less affordable housing provision on the site amounting to 16%), the level of provision now proposed following the further discussions with the applicant is considered acceptable and recommended to Members by officers.

An updated consultation response has been received from DCC (Lead Local Flood Authority). This now comprises a response of no objection subject to the following conditions which replace condition 13 as listed in the main report (other conditions will need to be renumbered accordingly) –

An updated Acoustic Assessment relating to the Nursery has been submitted which confirms the building will incorporate appropriate glazing to ensure a satisfactory environment will be created to allow the building to function as a pre-school nursery.

Since the main report was prepared 3 further representations have been received, one in support and two objections. The points raised in these representations are similar to those already summarised in the main report. One of the objections refers to the fact the formal consultation response of the Highway Authority was not available until after the deadline for representations had passed. Whilst this objection disputes conclusions reached by the Highway Authority in respect of the transportation/highway impacts of the scheme the concerns it raises have already been expressed in other representations and are considered to be covered by the summary of representations set out in the main report. This objection also refers to the public speaking arrangements for Committee being unfair where there are distinctly separate issues raised by different groups of people adjoining different parts of the

development. It contends that only allowing one speaker doesn't facilitate equal opportunity for the varying interests to be raised through a single public speaker slot.

Agenda item 7 - application ref: 17/1658/VOC

Honiton Inn

Paris Street

For the purposes of clarification the figure referred to on Page 50 as the total number of students at the university includes both the Exeter campuses and the Penryn campus. The "Exeter only" figure for 2015/16 is 17,399. For 2016/17 it is 18,246.

Agenda item 8 - application ref: 17/1617/VOC

St James Park

Stadium Way

Representations

St James Neighbourhood Forum objected on the following grounds:-

1. The proposal to increase the No of students by 24 is unacceptable and contrary to the ESJF Neighbourhood Plan.
2. The loss of the amenity space that will be caused by moving the cycle lockers into that space is unacceptable and will leave little or no amenity space in this crowded development
3. It is unclear what the new proposals are with respect to the boundary walls with Old Tiverton Road, and will apparently leave a gap between the existing boundary wall and a new part timber wall - it is not clear who will be responsible for cleaning that gap. The original plan was for a planting scheme along the existing boundary walls and it is wholly unclear as to why it is necessary to change the plan as originally granted.
4. There is a lack of clarity as to why the road arrangement needs to be altered to permit fire tender and vehicle turning as shown on the plan on Page 23 D & A Statement.
5. It is not clear why the angle of the parking bays for disabled users has been altered (plan on Page 23) it appears from the drawing that these reconfigured spaces will be less convenient for disabled users.
6. There is insufficient consideration given to the access and egress via the main entrance on Stadium Way, particularly in the event of emergencies at either the flats or the football stadium on match days requiring an evacuation of both
7. It is unclear as to what is meant on Page 23 (Point 5) where it states that the retaining wall will be relocated to the boundary with the Big Bank Stand
8. A significant factor in the original scheme being approved was the benefit to the Football Club and this scheme will provide no further financial benefit from the new development - this is no more than a naked attempt to maximise profit at a loss of amenity to the students and further increasing the community imbalance that is already endemic with the scheme as approved.
9. If the Developer is stating that the football club will gain benefit from this then that should be properly set out so that it can be properly considered by the full Planning Committee.
10. It is accepted that student housing does not require the same level of consideration as to room size, amenity space etc as residential housing, but that is not a reason for failing to consider the impact upon the 24 students who will be looking out onto cycle lockers and into what will be, as a result, a somewhat dark space, being bordered by the flats on 3 sides and the Big Bank Stand on the 4th. Have the Student Guild been consulted at all as to what the students feel about these developments?
11. The Council is already aware that having approved so much student accommodation within the St James Ward in spite of the overriding objective of the Neighbourhood Plan this unnecessary increase in numbers will further increase that imbalance and the Planning Committee and Council should on this occasion at least recognise the importance of the Plan

as a Planning Document of the Council

12. From recollection the original scheme was for about this number of students. The then Developer made great play of the fact that the numbers had been reduced and the height of the buildings had been marginally reduced as a "concession" to the ESJF. Whilst the height of the building is not been proposed to be reversed students are now being expected to live at lower floor level in order to increase numbers again. If the number of flats as approved was right in the eyes of the Planning Committee then that it the number that should be retained.

13. There are no particular comments as to whether the rooms should be individual or arranged as cluster flats, provided that the overall number of students does not increase.

18 Letters/emails of objections including Prospect Park Residents Association and Exeter Civic Society regarding:-

1. Height, scale, bulk and massing of building out of keeping/ unsympathetic/inappropriate/overbearing to the surrounding residential area;
2. Contrary/disregards the principles of the St James Neighbourhood Plan (Policy SD1, C2 and C3) particularly in regard to the need for a balanced community;
3. Undermines overall aims of the St James Neighbourhood Plan;
4. Site should be used for alternative residential uses eg affordable housing/ a more varied housing stock/properties to buy rent for families/first time buyers
5. Already too many students already living in the city;
6. Increased traffic and pedestrian movement in the area;
7. Insufficient parking available leading to pressure on already existing congested St James streets;
8. Increased late night noise/litter/unsociable behaviour from students;
9. Concern about management of emergency services serving the football club or the student accommodation
10. Little consideration given to student wellbeing;
11. Student accommodation looking out onto cycle locker representing a poor level of amenity for students;
12. Loss of amenity space with the introduction of the cycle lockers into an area previously identified as amenity space;
13. Increased size of electricity sub-station.

For the purposes of clarification the figure referred to on Page 65 as the total number of students at the university includes both the Exeter campuses and the Penryn campus. The "Exeter only" figure for 2015/16 is 17,399. For 2016/17 it is 18,246.

Agenda item 9 - application ref: 17/1824/FUL

**Pinhoe Lodge
Gipsy Hill Lane**

No further information

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