

## **PLANNING COMMITTEE**

Monday 21 May 2018

### **Present:-**

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

### **Also Present**

City Development Manager, Assistant City Development Manager, Principal Project  
Manager (Development), Project Manager (Planning) and Democratic Services Officer  
(Committees) (HB)

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### **MINUTES**

The minutes of the meeting held on 23 April 2018 were approved and signed by the  
Chair as correct.

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### **DECLARATION OF INTEREST**

Councillor Denham declared a personal interest in respect of Min. No. 135 and left the  
meeting during consideration of this matter.

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### **PLANNING APPLICATION NO. 17/1198/FUL - GLENTHORNE ROAD, EXETER**

The Project Manager (Planning) (GM) presented the application for the construction  
of student accommodation including the creation of access and associated  
infrastructure.

Members were circulated with an update sheet.

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

- not many Members attended the site inspection on 21 November;
- will focus on highway issues, Councillor Mitchell to address other matters of  
concern;
- unlike other applications for purpose built student accommodation, road  
safety for both the general public and students is a major feature and a  
highway officer should ideally be in attendance;
- Glenthorne Road is the only, rather than the major, access point to the site;
- because of the potential for clashes between vehicles and vehicles and  
pedestrians, the applicant in the early stages of the application proposed the  
provision of an adjustable bollard at the entrance to the road but this was  
rejected by residents;
- no confidence in the figures provided in the report as many of the statistics  
provided are contradictory. The validity of the transport data is therefore  
questioned;

- it is a narrow road with a bend at the narrowest point with great risks of collision between vehicles and between pedestrians and vehicles;
- Glenthorne Road is a pedestrian route and its use by students will increase by some 500 on the completion of both this development and that of the Moberley block;
- students may not bring cars but their lifestyle through ordering takeaways, use of supermarket deliveries and hiring taxis to and from the city centre will greatly increase traffic flow. Taxi use in particular will be significant in light of the reduction of the H bus service. All these elements will increase traffic congestion in the city and increase air pollution;
- students will also use Glenthorne Road to access the supermarket and go to bus stop on Cowley Bridge Road;
- Glenthorne Road is a private road and not the responsibility of the County Council as Highway Authority;
- vehicles often meet on Glenthorne Road leading to the lower vehicle reversing back onto Lower Argyll Road which is a dangerous manoeuvre;
- the report makes no reference to previous planning applications which were refused. In 1989, the County Highways officer commented that an application for a ten dwelling development was unsuitable because of the increased use of the turning point and the Cowley Bridge Road and Glenthorne Road junction. In 2004, in respect of a single dwelling, the highways officer commented that the carriageway was too narrow with no pedestrian footway and that any additional vehicular use was a cause for concern;
- the Duryard Trust letter refers to the absence of any reference to road ownership in the report nor to the problems of vehicles reversing back down the road;
- on 7 March an ambulance was hindered from reaching a critically ill resident of the Dennyshill Care Home because its path was blocked by an oncoming car and was unable to reach the individual in time;
- this is the first time that the University has objected in 17 years to an application which reflects the degree of concern over this application, the University referring to health and safety issues and transport movement which endangers its students for whom it has a duty of care;
- the proposed passing bay will impinge on Glenthorne Road and disrupt traffic flow to the residences and the turning head should be restricted to within the development;
- the narrowness of the road will cause problems for larger construction vehicles, cars dropping off and collecting students at the beginning and end of terms and delivery vehicles;
- problems during construction will be exacerbated with works to the Moberley block which will overlap;
- parking in the area is limited; and
- urge rejection or deferral on highway and traffic safety grounds.

He responded as follows to Members' queries:-

- the application lacks consistent highway data and the lack of clarity on road ownership is also a concern with the management committee of the Duryard Trust possibly be able to assist in respect of this issue;
- the over intensification of the site is a legitimate reason for refusal particularly in respect of the height of the upper block as evidenced by photos from a neighbouring garden;
- further information is needed from the highways officer in relation to the Glenthorne Road/Lower Argyll Road junction; and

- the Duryard Trust should be able to advise on the impact of extra vehicles and construction vehicles on Glenthorne Road

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

- support views of Councillor Owen and add additional reasons for refusal or deferral which are scale of development, difficulty of access for fire and emergency vehicles and lack of information on level and need for student accommodation in the City;
- although the report recommends approval it refers to concerns regarding the impact on the character of the area and the setting of the Dennyshill Care Home, potential for future conversion of properties into houses in multiple occupation (HMO's), poor access for emergency vehicles and conflict between pedestrian and vehicular use of Glenthorne Road;
- report also states that excessive noise will not be a new phenomena for the area, therefore suggesting that it should be acceptable;
- the University objects on grounds of additional traffic movements and creation of additional noise and movement along Glenthorne Road;
- negative impact on neighbouring properties including 3 Cowley View which is only seven metres from part of the development which is well below Supplementary Planning Guidance;
- incident on 7 March emphasises the difficulty of access for fire and emergency vehicles. The Fire Service have advised that access is not ideal and that whilst access to Block C is acceptable, access to Blocks A, B and D will be compromised. Further clarification, including direct advise. if possible, from the Fire Service is required;
- further information is required on student accommodation numbers in Exeter without which the need for this development cannot be properly assessed. Detailed figures are required on the number of HMO's occupied by students, the number of purpose built student accommodation (PBSA) units both constructed and in the pipeline, the percentage occupation by students of those existing PBSA's and the level of student HMO's in different areas of the City;
- the 2007 Supplementary Planning Guidance for the University is out of date and over a decade old but is still being used to judge planning applications for student accommodation on the grounds that such provision frees up HMO's for use by the wider population. The City Council 2016/17 update on student numbers etc. is also out of date. The University report on student numbers being prepared by the University of Loughborough is still awaited;
- a large quantum of PBSA had recently been granted permission including 1,200 bed spaces at East Park, 108 at the King Billy and 107 at the Honition Inn bringing the total of such future provision to some 4,000;
- the Habitats Regulation Assessment on PBSA concluded that there was no evidence of HMO's reverting back to family accommodation;
- the number of HMO's remains constant which suggests that there is no evidence that purpose built student accommodation has resulted in the release of conventional housing back to non-student use. The current policies are therefore not working and the application should be refused or deferred until accurate information on student accommodation needs are provided; and
- the application should be refused on grounds of severe transport and access difficulties, unacceptable over development, poor access for fire and emergency vehicles and insufficient information on future demand for student accommodation in the City.

He responded as follows to Members' queries:-

- the Duryard Trust can advise on any agreements to be negotiated with the developer on the use of the road and contributions towards its future maintenance;
- the view that the current level of PBSA provision in the City has in fact reduced the pressure on HMO's thus explaining the static level of student occupation of the latter, cannot be substantiated because of the need for up to date data on student numbers etc.

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

- Hines submitted an initial offer to acquire this site three years ago. Unlike many applicants for student housing in Exeter, Hines manages its own accommodation meaning that the application is informed by real world operating experience. Currently have eight operating sites and a pipeline of more than a dozen developments, with a particular focus on top tier institutions;
- for this site, a methodical and diligent process has been adopted. It has included six pre-application meetings with officers prior to submission, a meeting with the Planning Member Working Group, public and private consultations with residents and with the university and two sessions with the South West Design Review panel. Further revisions and improvements to the scheme followed submission. There has been extensive email correspondence with local residents throughout. The proposal is reaching committee some 10 months after the original submission;
- the site is located in a highly sustainable location with the only pedestrian entrance fronting directly on the campus. Looking across Exeter as a whole, the proximity of this site to campus must make it one of the most appropriate for student use in the city;
- vehicular traffic flows and road safety have been closely examined with two specialist engineers, including one chosen by the Duryard Trust. In spite of some residents' concerns, the conclusion of both firms, along with that of the County Council, was of a limited overall impact;
- have met the South West Design Review Panel twice. They concluded that the proposals represented - "very well considered, high quality architecture". In addition to the building exteriors, the proposal contains innovative thinking in terms of unit design and layout to facilitate community building among the students. The secure perimeter of the site will ensure a respectful interface with the local residents;
- unlike the university residences in the immediate area, the site will be fully staffed which will facilitate student experience while, in parallel, enabling control over student behaviour; and
- noting the special provisions of the Exeter University Supplementary Planning Guidance, it is believed that the proposal will help Exeter address the university's rapid growth and reduce the burden on the local housing stock;

He responded to Members' queries:-

- will work with the Duryard Trust to agree on access rights and maintenance issues. Have obtained clear legal advice regarding right of access and to build on the site;
- the University objection is based largely on desire to satisfy local residents and possibly its own future plans for development including provision of student accommodation which will generate income;

- road strength will be assessed as part of the construction brief. The risk of excessive use by heavier lorries will be addressed through the provision of an off-site delivery area for collection of materials by smaller vehicles to deliver to the site;
- an operational management plan will be put in place to help control, as far as possible, the level of deliveries by supermarkets and takeaway establishments;
- there will be regular dialogue with residents to address any areas of concern;
- vehicle access via the lower part of the site will be controlled by staff at the main access at the higher part of the site and monitored via CCTV – two staff will be on site at all times;
- the turning circle will be large enough to accommodate the larger vehicles but not articulated lorries and these vehicles will be able to turn around within the site. Staff will be on hand night and day during the construction period to oversee these operations;
- prepared to sign up to a Traffic Management Plan and to liaise with the City Council to monitor;
- Exeter has the characteristics of undersupply of student housing. These are evidenced in the private accommodation, high rents, rents increasing year on year, long lease terms, and early sell-out of blocks. Exeter also has a higher percentage of students living in HMO's - 42% - compared to the national average of 32%;
- in Exeter, supply reflects the market and occupation of purpose built student occupation is some 97%, well above the national average; and
- at Russell Group universities across the UK, changes in supply of student housing is resulting in falling rents rather than vacancies in PBSA's and there is no clear saturation point. This is particularly true for a university that has managed to grow and maintain a high ranking over many years. With the financial incentives so clear and with the number of UK 18 years olds set to start growing from 2020, the University is likely to continue on this path over the medium term.

Members were advised that, in respect of earlier planning applications, the National Planning Policy Framework, which had been published subsequently, set out that planning applications should not be refused unless there was a severe impact on the neighbourhood and it was noted that the site had been vacant for 20 years. The City Development Manager advised that, in respect of student housing, student HMO levels in Exeter were currently 2,082 and that the figure had fluctuated around 2,000 over the past seven years and that the existing provision of PBSA was 7,677 with 1,216 under construction and another 2,430 consented, although not all of these would be built.

The Assistant City Development Manager advised that, in respect of 3 Cowley Bridge Road, the closest part of the building was 8.4 metres from part of the proposed development rather than 7 metres and that it faced a blank wall. In respect of access for appliances etc., the Devon and Somerset Fire and Rescue Service, whilst stating that access was not ideal, sought appropriate use of materials and were suggesting mitigation measures such as sprinklers. He reiterated that the highway authority was comfortable with traffic management in the area.

Members felt that the design was of a good standard noting that it had been considered by the Design Review Panel and that a number of Members had attended the site inspection. One Member referred to the evident and continued demand for student accommodation of this nature in the city, another remarking that a location next to the University campus was a logical solution and was consistent with Core Strategy policy seeking such proximity.

In respect of transport matters, residential accommodation as opposed to provision for students would lead to additional car usage in the area. In light of recent scrutiny Task and Finish Groups on Green Travel including a group assessing Ikea's Green Travel Plan it was suggested that the Traffic Management Plan for this development should be signed off at the Council's Delegation Briefing.

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 securing a Student Management Plan, a Traffic Management Plan and a financial contribution towards pedestrian/cycling improvements along Cowley Bridge Road, details of the Traffic Management Plan to be delegated to the City Development Manager after prior consultation at a City Council Delegation Briefing, planning permission for the construction of student accommodation including the creation of access and associated infrastructure be **APPROVED**, subject also 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 28 July 2017 (including dwg. nos 01001 Rev PL04, 01004 Rev PL04, 01005 Rev PL04, 01006 Rev PL04, 01050 Rev PL04, 01051 Rev PL04, 01052 Rev PL04, 01053 Rev PL04, 01056 Rev PL04, 01057 Rev PL04, 01058 Rev PL04, 01059 Rev PL04, 02004 Rev PL04, 02006 Rev PL04, 02007 Rev PL04, 02008 Rev PL04, 02009 Rev PL04, 02011 Rev PL04, 02012 Rev PL04, 03001 Rev PL04, 03002 Rev PL04, 03003 Rev PL04), on 25 October 2017 (including dwg. nos 02001 Rev PL05, 02002 Rev PL05, 02003 Rev PL05, 02005 Rev PL05, 02013 Rev PL05, 01002 Rev PL05, 01003 Rev PL05, 01070 Rev PL05, 01054 Rev PL05, 01055 Rev PL05, RF17-392-D01 Rev B, RF17-392-D02) , on 30 November 2017 (including dwg. nos 0403-PHL-1101, 00004 Rev PL07, 02010 Rev PL05, RF17-392-L02 Rev F, RF17-392-L03 Rev F), on 5 December 2017 (including dwg. nos 00005 Rev PL07 02013 Rev PL06, RF17-392-L01 Rev G, RF16-892-DB3 Rev B) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- (3) **Pre-commencement condition:** If not otherwise agreed with Local Planning Authority in writing samples of the materials that are 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 for pre-commencement condition:** To ensure that the materials conform with the visual amenity requirements of the area.
- (4) **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.

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 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.

- (5) **Pre-commencement condition:** No development (including ground works) or vegetation clearance works shall take place until a Waste Audit Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall cover construction and operational stages.

**Reason for pre-commencement condition:** To ensure that the proposal complies with DCC Policy W4, W10 and W21 of Devon Waste Plan and Waste Management and Infrastructure SPD, in the interests of delivering sustainable development.

- (6) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until part (a) has been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part (b) has been complied with in relation to that contamination.

(a) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(b) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved updated remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part (a). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- (7) **Pre-commencement condition:** Before the commencement of any development here by approved, an updated Habitat Survey (under The Conservation of Habitats and Species Regulations) shall have been submitted to the Local Planning Authority, to establish the absence of reptiles, badgers and other protected species.  
**Reason for pre-commencement condition:** In the interest of conservation of habitats and species.
- (8) **Pre-commencement condition:** Unless otherwise agreed in writing by the Local Planning Authority the specify building hereby approved shall achieve a BREEAM excellent standard as a minimum. 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 for pre commencement condition:** 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.
- (9) **Pre-commencement condition:** A detailed scheme for landscaping in accordance with dwg. no RF17-392-L02 Rev F, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted prior to commencement of the development to the Local Planning Authority and no 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.

**Reason for pre-commencement condition:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- (10) **Pre-commencement condition:** The development shall not commence until an Arboricultural Method Statements have been submitted to, and approved by, the Local Planning Authority. The Arboricultural Method Statements shall comply with the Tree Protection Plan (dwg. no 04498 TPP RevC), the Arboricultural Impact Assessment Report - received 24 July 2017 and with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The development shall thereafter be carried out in accordance with the Tree Protection Plan and the approved Arboricultural Method Statements.

**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.

- (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 the Tree Protection Plan (dwg. no 04498 TPP RevC). 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) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until provision for nesting swifts and roosting bats in accordance with details that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

**Reason for pre-commencement condition:** In the interests of preservation and enhancement of biodiversity in the locality.

- (13) **Pre-commencement condition:** No building hereby permitted shall be occupied until sustainable surface water drainage works (SuDS) have been implemented in accordance with details that have been submitted prior to commencement of the development to, and approved in writing by, the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, National Planning Policy Guidance and the Department for Environment, Food and Rural Affairs Sustainable Drainage Systems Non-statutory technical standards for sustainable

drainage systems, and the results of the assessment provided to the local planning authority.

The submitted details for the sustainable drainage scheme shall:

- i. show how the rainwater falling on roofs and other surfaces are managed to restrict both the flow rate and the volume surface runoff;
- ii. show how the SuDS scheme is achieving a flow rate and a volume surface runoff approximate to the site greenfield response;
- iii. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- iv. show how the SuDS scheme is integrated in the landscape scheme and contributes to biodiversity;
- iii. include a timetable for its implementation; and
- iv. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

**Reason for pre-commencement condition:** To ensure the satisfactory sustainable drainage of the development.

- (14) **Pre-commencement condition:** Prior to commencement of the development hereby approved a Wildlife Plan which demonstrates how the proposed development has been designed to preserve and enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out and managed strictly in accordance with the approved measures and provisions of the Wildlife Plan.

**Reason for pre-commencement condition:** In the interests of protecting and improving existing, and creating new wildlife habitats in the area.

- (15) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until pedestrian access to the main entrance, including works on Grafton Road and Clydesdale Road, have been provided and maintained in accordance with details, in compliance with dwg. nos RF17-392-L02 Rev F and RF16-392-D03 Rev A, that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

**Reason for pre-commencement condition:** To ensure that adequate facilities are available for the traffic attracted to the site

- (16) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until vehicle access to the development, including turning head and passing place on Glenthorne Road and improvements on Grafton Road and Clydesdale Road, have been provided and maintained in accordance with details, in compliance with dwg. nos RF17-392-L02 Rev F, that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

**Reason for pre-commencement condition:** To ensure that adequate facilities are available for the traffic attracted to the site

- (17) 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.
- (18) A detailed scheme for lighting including fixtures and time of use shall be submitted to the Local Planning Authority and work shall not be carried out on this lighting scheme until the Local Planning Authority have approved the lighting scheme. The lighting scheme shall thereafter be implemented in accordance with the approved scheme if not otherwise been agreed with 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.
- (19) No part of the development hereby approved shall be occupied until the on-site cycle and vehicular parking facilities (as indicated in the proposed site block plan) have been provided surfaced and marked out in accordance with details that shall be 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.
- (20) Prior to occupation of the development hereby permitted, a travel pack shall be provided informing all residents of walking and cycling routes and facilities, and public transport routes and timetables, car sharing schemes, and the location of local and central shopping and leisure facilities, the form and content of which shall have previously been approved in writing by the Local Planning Authority.  
**Reason:** To ensure that all occupants of the development are aware of the available sustainable travel options
- (21) Each unit of the development hereby permitted shall be occupied only by a person engaging in a university.  
**Reason:** The scheme is designed for a specific age group and is not suitable for unrestricted occupation.
- (22) Prior to the occupation of each unit hereby approved, ducting or equivalent service routes should be installed capable of accommodating at least 6 separate fibre-optic cables that enable electronic communications services network suppliers to freely connect between the boundary of the site and the inside of each dwelling for the purposes electronic communications. If not otherwise agreed in writing by the Local Planning Authority.  
**Reason:** To contribute to the development of high speed broadband communication networks and to ensure that adequate provision is made to meet the needs of future occupants of the dwellings for high speed internet access in line with paragraph 42 of the National Planning Policy Framework.
- (23) No part of the development hereby approved shall be occupied until parking spaces have been provided and maintained in accordance with dwg. RF17-392-L02 Rev F and 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

- (24) Prior to the installation of any new plant on the site, details of the plant shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design (including any compound) and noise specification. The plant shall not exceed 5dB below the existing background noise level at the site boundary. If the plant exceeds this level, mitigation measures shall be provided to achieve this in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (All measurements shall be made in accordance with BS 4142:2014).

**Reason:** In the interests of the amenity of the area, especially nearby residential uses. These details are required pre-commencement as specified to ensure that the plant will not give rise to significant adverse impacts on the amenity of neighbouring receptors.

134 **PLANNING APPLICATION NO. 17/1914/FUL - ELIZABETH HOUSE, EMPEROR WAY, EXETER**

The Principal Project Manager (Development) (MD) presented the application for the change of use of premises from office (Use Class B1) to NHS Depression and Anxiety Service (DAS) (Use Class D1).

The Chair read out the comments of Mr Ridgers, an objector who had to leave the meeting before this item was considered.

- note that seven parking spaces have been allocated for patients to service seven treatment surgeries. At any one time there would be two patients for every one parking spot. A patient who is in treatment and another one arriving for their appointment looking to park. This would result in an additional seven drivers looking to park. Finding a parking space on this Office Park is highly stressful, as there is no free parking spaces within a ½ - 1 mile radius. This would place un-necessary stress on individuals with mental health and anxiety issues;
- adjacent to the site is the Clare Milne Centre for children with learning difficulties who use the roadways for exercising, as the children and their carers go on their regular daily walks around the centre. There are no footpaths and the children walk in the middle of the roads. Due to the severe nature of the mental and physical disabilities of the children drivers have to regularly stop to a halt for the children to be moved to the side of the road. Regular users can be prepared but there is a likely accident potential with drivers who are un-aware of the children and their issues; and
- the original plan for the site was an office park – the infrastructure was not designed for continual daily traffic looking to access and park for short periods. Urge Members to conduct a site tour and assess the issues.

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

- the Depression and Anxiety Service in Devon was established in 2009. Thousands of clinicians were trained as part of a national programme. In Devon, it is delivered within the local communities and it contributes to the overall wellbeing of the population;
- offers a completely free NHS service, staffed by highly trained and accredited clinicians. It will be one of the few self-referral mental health services around that will be easy to access, negating the need for people to see a GP;

- have received over 130,000 referrals since inception in 2009 and currently receive well over 20,000 referrals a year. It is believed that only between 15% and 19% of the population struggling with these conditions are being helped and over 80% of people do not get help;
- the NHS has a five year plan to significantly increase the number of people able to access such services, with Devon aiming to treat a further 10,000 people a year by 2021;
- a move to Elizabeth House for the East and Mid Devon team is a critical to enable expansion. A clinical base at Elizabeth House will be highly accessible for people in East Exeter and East and Mid Devon. It will treat not only the resident population, but people who commute in and out of Exeter for work as well as students;
- Tiverton does not adequately serve patients' needs and Exeter, as a growing city and regional capital, needs this service;
- if unable to relocate to suitable premises in the East of Exeter, it will be very difficult to offer treatment to more people, and will likely result in longer waiting times, more people going without help and poorer community wellbeing; and
- a move to Elizabeth House will enable expansion of the free NHS therapy service, reduce distress and improve community wellbeing.

He responded as follows to Members' queries:-

- there will be no weekend working, weekday hours of operation to be 8:00am to 8:00pm for appointments to be offered before and after the 9:00am to 5:00pm hours of working;
- information to patients will include reference to the adjacent Clare Milne Centre and use of the roads by the children using the centre;
- the unit offers both improved accessibility and an improved operational centre. The Service employs 200 staff and clinicians who serve the whole of Devon visiting hospitals and some 100 GP surgeries which is more central and easier to access than the Tiverton base. A City presence will also make it more accessible to patients than a rural base as many live and work in Exeter. The goal is to treat 10,000 individuals by 2021;
- will encourage and promote sustainable transport. Many staff currently travel by car to Tiverton and, as many live in Exeter will, in future, have the option to use public transport or cycle to work. The Centre's Magdalen Road base has limited parking and staff there are used to a parking rota; and
- with seven staff parking spaces and seven patient spaces, staggered appointment times will ensure that overflowing will not occur.

Members supported the proposal that planning permission be granted, subject to the completion of a Green Travel Plan for monitoring by the City Council.

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

**RESOLVED** that, subject to the completion of a Green Travel Plan for consideration and approval at a City Council Delegation Briefing, planning permission for the change of use of premises from office (Use Class B1) to NHS Depression and Anxiety Service (DAS) (Use Class D1) be **APPROVED**, subject to the following conditions:-

(1) Standard Time Limit – Full Planning Permission

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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

(2) Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

- Site Location Plan (Dwg No: 17062.01.01)
- Proposed Floor Plans (Dwg No: 17079.P02.11 Rev A)

**Reason:** In order to ensure compliance with the approved plans and for the avoidance of doubt.

(3) Travel Plan

No part of the development shall be occupied until a travel plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the travel plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

**Reason:** To encourage travel by sustainable means in accordance with Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

(4) Staff Cycle Parking

Prior to the occupation of the development hereby permitted, cycle parking for staff and access thereto shall be provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking and access thereto shall be maintained for the lifetime of the development.

**Reason:** To provide suitable cycle parking for staff in accordance with the Sustainable Transport SPD (Table 2 and Paragraph 5.3.1).

(5) Visitor Cycle Parking

Prior to the occupation of the development hereby permitted, cycle parking for visitors and access thereto shall be provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking and access thereto shall be maintained for the lifetime of the development.

**Reason:** To provide suitable cycle parking for visitors in accordance with the Sustainable Transport SPD (Table 2 and Paragraph 5.4.1).

(6) Disabled Parking Space

Prior to the occupation of the development hereby permitted, one disabled parking space shall be provided in the car park in accordance with details previously submitted to and approved in writing by the Local Planning

Authority. The disabled parking space shall be maintained for the lifetime of the development.

**Reason:** To provide suitable car parking for disabled users in accordance with the minimum standards set out in Table 4 of the Sustainable Transport SPD.

(7) Restrict Use Classes Order

The premises shall be used for mental health consultation rooms and offices (to provide an NHS Depression and Anxiety Service) only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**Reason:** To control the use in the interests of the amenity of the area and development plan policies.

(8) Restrict GPDO

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

Part 4, Class D – shops, financial, cafes, takeaways etc to temporary flexible use

**Reason:** To control the use in the interests of the amenity of the area and development plan policies.

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**PLANNING APPLICATION NO. 18/0519/FUL - LAND AT HEAVITREE PLEASURE GROUNDS, WHIPTON LANE**

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

The City Development Manager presented the application for the construction of single-storey cafe and community hub building; replacement of BMX track in alternative location in park.

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

- speaking as the Chair of Trustees for Park Life Heavitree, a grass roots, community led charity working in and around Heavitree Pleasure Grounds since 2011 with over 40 active volunteers helping to reduce social isolation, improve community cohesion, provide opportunities for people to get active and to create a more socially, economically and environmentally sustainable community;
- long term aim is to expand the services and activities through a facility in the park. This will be a café with indoor and outdoor seating and a community hall space for hire;
- the building will help to reduce loneliness in the area. A recent report states that in Heavitree there is a high risk of being lonely. Having a place to gather, meet and take part in social events will bring people out of their homes and into a warm, dry, friendly place in a green space. It will improve health and wellbeing and provide a well-designed space that can be hired to encourage

- people to get active all year round. At the moment activities like Heavitree Fit Club are seasonal as classes move indoors in winter but out of Heavitree;
- it will create a community led not for profit business offering employment, training, volunteer and work experience opportunities;
  - a fully costed business plan shows that the facility will work and put money back into the park and the community;
  - it will be a focus and a 'shop-front' for Park Life's activities/engagement and act as a community hub for other groups;
  - people will be encouraged to use sustainable transport, particularly walking and cycling;
  - the current BMX mud humps will be relocated to a site near the skate park;
  - the operational management plan, to be submitted as a pre commencement condition, will ensure that there is no detriment to immediate neighbours in terms of opening times, noise and lighting.

He responded as follows to Members' queries:-

- the provision of solar panels and rainwater harvesting are not included in the plans at this stage but their potential will be investigated;
- support for sustainable transport is acknowledged and secure cycle parking will be provided;
- as an alcohol licence is not being sought at this stage for the cafe, anyone consuming alcohol either within or immediately outside the premises, will be asked to leave; and
- it was considered that concerns expressed regarding the loss of open space were addressed through enhancing the overall provision, the BMX facility being very basic and no more than mud overlaying a former play area which had a concrete base.

Members noted that, whilst the hall would be open from 8:00am to 10:00pm, the opening times for the café also extended on some evenings to 10:00pm which some felt was too late for a café and it was suggested that the suitability of these hours should be monitored. Members welcomed the initiative which was community led and for the benefit of the community.

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

**RESOLVED** that, subject to the opening hours of the café with the 10:00pm closing time being supported for the time being, being monitored over the first 12 months of operation and reviewed after this period at a City Council Delegation Briefing, planning permission for the construction of single-storey cafe and community hub building; replacement of BMX track in alternative location in park 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 27 March 2018 (including dwg. nos 000.010 Rev A; 000.011; 000.020; 100.001 Rev A; 100.002 Rev A; 200.001; 300.001 Rev A; 300.002 Rev A) as modified by other conditions of this consent.

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

- (3) No development should take place until a report has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the development is resilient to climate change and optimises energy and water efficiency through appropriate design, insulation, layout, orientation, landscaping and materials, and by using technologies that reduce carbon emissions. The report will be expected to demonstrate BREEAM 'Excellent' standards wherever possible and where it is not possible, to explain the reasons why the standards cannot be met. The development should take place in accordance with the agreed details.

**Reason:** In the interests of promoting sustainable design and construction methods. It is necessary for this information to be submitted prior to the commencement of the development to ensure that sustainable construction methods are incorporated into the design.

- (4) Prior to the commencement of the use, the applicant shall submit for approval an operational management plan for the development. This should describe the steps that will be taken to ensure that the use and operation of the development does not have an adverse effect on local amenity. It should include, but not be limited to, the hours of use of the development, maintenance of kitchen extraction, control of noise and audible music, types of activities and external lighting. The approved plan shall be implemented whenever the development is in use and shall be reviewed as required on request of the LPA.
- (5) Prior to the commencement of the use hereby permitted, the kitchen ventilation system for the unit shall be installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The details shall include drawings of the location and design of the system, and information on how odour emissions shall be controlled, including abatement if necessary, and how the system shall be maintained to ensure it does not adversely affect the amenity of surrounding uses.
- (6) Details of all building services plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope, to be submitted to and approved in writing by the LPA. The predicted noise levels shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.
- (7) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
- a) There shall be no burning on site during demolition, construction or site preparation works;
  - b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
  - c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.
  - d) Site hoarding shall be kept clear of graffiti and fly-posting.
- The approved CEMP shall be adhered to throughout the construction period.

- (8) If, during demolition/ development, contamination not previously identified is found to be present at the site then the Local Authority shall be notified as soon as practicable and no further development (unless otherwise agreed in writing with the Local Planning Authority), shall be carried out until the developer has submitted an investigation and risk assessment, and where necessary a remediation strategy and verification plan, detailing how this unsuspected contamination shall be dealt with. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy, shall be submitted to and approved by the Local Planning Authority.
- (9) Prior to commencement of the development, details shall be submitted to the Local Planning Authority of secure cycle parking provision for the development. Development shall not be commenced until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.  
**Reason:** To provide adequate facilities for sustainable transport.
- (10) No part of the development hereby approved shall be brought into its intended use until the pedestrian access to the site from Whipton Lane as indicated on *Drawing number 000,010 Rev A* has been provided in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority.  
**Reason:** To ensure that a safe and suitable access is achieved in accordance with paragraphs 32 and 41 of the National Planning Policy Framework.
- (11) The use of the cafe hereby approved shall not be carried out other than between the hours of throughout March to October 0700 to 1900 Monday to Wednesday, 0700 to 2200 Thursday to Saturday and 0800 to 1700 on Sundays and Bank Holidays. November to February hours of use are 0800 to 1600 Monday to Wednesday, 0800 to 2200 Thursday to Saturday and 0800 to 1600 Sundays and Bank Holidays. The use of the community hall hereby approved shall not be carried out other than between the hours of 0800 to 2200.  
**Reason:** So as not to detract from the amenities of the nearby residential property.
- (12) Prior to the commencement of the construction of the community hub building, the construction of the BMX track must be completed and available for use.  
**Reason:** To ensure the continued use of the BMX track.

The Project Manager (Planning) (GM) presented the application for the reconstruction of a dwelling along with a two storey rear extension and front porch.

Members were circulated with an update sheet.

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

**RESOLVED** that planning permission for the reconstruction of a dwelling along with a two storey rear extension and front porch 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 submitted details received by the Local Planning Authority on 25 April 2016 (dwg. no(s). AP(0)51 Rev.A) and on 1 July 2016 (dwg. no. AP(0)49 Rev.A), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- (3) C75 - Construction/demolition hours
- (4) Pre-commencement condition: A Construction Environmental Management Plan (CEMP) 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 CEMP 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.

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

The report of the City Development Manager was submitted.

**RESOLVED** that the report be noted.

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#### **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

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#### **SITE INSPECTIONS - ROTA FOR VISITS**

The report of the Corporate Manager Democratic & Civic Support was submitted.

**RESOLVED** that the circulated rota of site inspection be approved, subject to any changes during the course of the year.

**SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 12 June at 9.30 a.m. The Councillors attending are Edwards, Mrs Henson and Prowse.

(The meeting commenced at 5.30 pm and closed at 8.28 pm)

Chair