

## PLANNING

Date: Monday 29 October 2018

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

### *Membership -*

Councillors Sutton (Chair), Lyons (Deputy Chair), Bialyk, Branston, Edwards, Foale, Harvey, Mrs Henson, Morse, Prowse, Sheldon, Thompson and Vizard M

## Agenda

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

#### **1 Apologies**

To receive apologies for absence from Committee members.

#### **2 Minutes**

To approve and sign the minutes of the meeting held on 1 October 2018.

(Pages 5 -  
10)

#### **3 Declarations of Interest**

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

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

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

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

#### **Public Speaking**

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

#### **5 Planning Application No. 18/1185/RES - East Park, University of Exeter, Streatham Campus, Exeter**

To consider the report of the City Development Manager. (Pages 11 - 32)

#### **6 Planning Application No 18/1405/FUL - Land at Summerland Street, Exeter**

To consider the report of the City Development Manager. (Pages 33 - 50)

#### **7 Planning Application No 18/1241/ECC - Arena Skate Park, Summer Lane, Exeter**

To consider the report of the City Development Manager. (Pages 51 - 56)

#### **8 List of Decisions Made and Withdrawn Applications**

To consider the report of the City Development Manager. (Pages 57 - 72)

#### **9 Appeals Report**

To consider the report of the City Development Manager. (Pages 73 - 76)

#### **10 SITE INSPECTION PARTY**

To advise that the next Site Inspection Party will be held on Tuesday 20 November 2018 at 9.30 a.m. The Councillors attending will be Foale, Sutton and Thompson.

### **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 3 December 2018** at 5.30 pm in the Civic Centre.

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

**Follow us:**

[www.twitter.com/ExeterCouncil](http://www.twitter.com/ExeterCouncil)

[www.facebook.com/ExeterCityCouncil](http://www.facebook.com/ExeterCityCouncil)

**Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.**

This page is intentionally left blank

## PLANNING COMMITTEE

Monday 1 October 2018

### Present:-

Councillor Sutton (Chair)

Councillors Lyons, Bialyk, Denham, Edwards, Foale, Harvey, Mrs Henson, Morse, Thompson and Vizard M

### Apologies

Councillors Branston and Prowse

### Also Present

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

171

### MINUTES

Subject to Min. Nos. 167 and 168 referring to the applications being those of Exeter City Council, the minutes of the meeting held on 3 September 2018 were approved and signed by the Chair as correct.

172

### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

173

### PLANNING APPLICATION NO. 18/1007/OUT - DEVON AND CORNWALL CONSTABULARY POLICE TRAINING COLLEGE, ALDERSON DRIVE, EXETER

The Assistant City Development Manager reported that the applicant for the demolition of existing buildings and construction of a mixed use development at the above site had requested that the application be deferred. This request had been made in order to provide more time to resolve highway issues with the Local Highway Authority.

**RESOLVED** that the application be **DEFERRED**.

174

### PLANNING APPLICATION NO. 18/0886/18 - 78-84 BOVEMOORS LANE, EXETER

The Principal Project Manager (Development) (MH) presented the application for the demolition of two no. residential buildings containing four no. flats and 30 no. garages, and redevelopment of site comprising construction of 10 no. three bed, four person terraced houses and associated access and parking.

The applicant was Exeter City Council.

Responding to Members, the Principal Project Manager (Development) (MH) confirmed that South West Water were satisfied with the drainage design details and that a disabled resident adjacent to the development would be able to access the parking bays. He also advised that these passiv house properties would be sold on the open market.

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

**RESOLVED** that planning permission for the demolition of two no. residential buildings containing four no. flats and 30 no. garages, and redevelopment of site comprising construction of 10 no. three bed four person terraced houses and associated access and parking 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 91-92 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 7<sup>th</sup> June, 9<sup>th</sup> and 21<sup>st</sup> August, and 3<sup>rd</sup>, 13<sup>th</sup> and 26<sup>th</sup> September 2018 (*dwg. nos. AL(0)40/500 Rev T1, AL(0)40/501 Rev C4, AL(0)401BL Rev P5, AL(0)402BL Rev P3, AL(0)403BL Rev P5, LL(0)400BL Rev C-03, LL(0)470-BL Rev C-03, E1206-GSA-TR-DR-A-2206 Rev C1, 170501/BL/100, 170501/BL/101 and 170501/BL/110 Rev D and 170501/BL/111 Rev D*, as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- (3) 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.
- (4) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- (5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. AL(0)40/501 Rev C2, and the cycle parking shall be maintained at all times thereafter.  
**Reason:** To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- (6) **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.

- (7) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851b, August 2018 Version 2) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation 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. 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 updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason:** No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

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

**Reason:** in the interests of local amenity.

- (9) Each of the dwellings hereby approved shall incorporate an integral bat/bird nesting box in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation. The dwellings shall not be occupied until they have been completed in accordance with the approved details.

**Reason:** To ensure that the scheme makes a positive contribution to the enhancement of the ecological interest of the site.

- (10) Within 1 month of occupation all occupants of the new dwellings hereby approved shall be provided with a residential travel pack containing details (and maps if appropriate) of walking and cycling routes in the area and their links to wider networks within the city, and timetables and routes of public transport provision in the area.

**Reason:** To encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles.

- (11) 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 comprised in this consent 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 dwelling house  
**Reason:** In order to protect residential amenity and to prevent overdevelopment.

175 **PLANNING APPLICATION NO. 18/0890/18 - THORNPARK RISE AND BIRCHY  
BARTON HILL**

The Principal Project Manager (Development) (MH) presented the application for the demolition of 54no. garages and redevelopment of site comprising construction of nine no three bed, four person terraced and semi-detached houses and associated access and parking.

The applicant was Exeter City Council.

Responding to Members, the Principal Project Manager (Development) (MH) confirmed that South West Water were satisfied with the drainage design details and he also advised that these passiv house properties would be sold on the open market.

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

**RESOLVED** that planning permission for the demolition of 54no. garages and redevelopment of site comprising construction of nine no three bed four person terraced and semi-detached houses and associated access and parking 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 91-92 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 8<sup>th</sup> June, 9<sup>th</sup> and 21<sup>st</sup> August, and 3<sup>rd</sup> and 13<sup>th</sup> September 2018 (dwg. nos E1206-GSA-TR-DR-A-501 Rev C2, AL(0)201TR Rev P6, AL(0)202TR Rev P6, AL(0)203TR Rev P6, AL(0)204TR Rev P7, E1206-GSA-TR-DR-A-500 Rev P6, AL(0)205TR Rev P3, AL(0)206TR Rev P2, E1206-GSA-TR-DR-A-2206 Rev C1 and 170501/TR/104 Rev B) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.



- (3) 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.
- (4) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- (5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. E1206-GSA-TR-DR-A-501 Rev C2, and the cycle parking shall be maintained at all times thereafter.  
**Reason:** To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.
- (6) The development hereby approved shall be implemented in accordance with provisions and recommendations set out in the Construction Environmental Management Plan prepared by EBC on behalf of the applicant and which was submitted to the Local Planning Authority by email dated 28th September 2018 (from Scott Moore of BakerRuff Hannon).  
**Reason:** In the interest of the environment of the site and surrounding areas.
- (7) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851d, August 2018 Version 2) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation 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. 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 updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.  
**Reason:** No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.
- (8) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at

any time on Sundays, Bank or Public Holidays.

**Reason:** in the interests of local amenity.

- (9) Within 1 month of occupation all occupants of the new dwellings hereby approved shall be provided with a residential travel pack containing details (and maps if appropriate) of walking and cycling routes in the area and their links to wider networks within the city, and timetables and routes of public transport provision in the area.

**Reason:** To encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles.

- (10) 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 comprised in this consent 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

**Reason:** In order to protect residential amenity and to prevent overdevelopment.

176

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

The report of the City Development Manager was submitted.

**RESOLVED** that the report be noted.

177

#### **APPEALS REPORT**

The schedule of appeal decisions and appeals lodged was submitted.

**RESOLVED** that the report be noted.

178

#### **SITE INSPECTION PARTY**

**RESOLVED** that the next Site Inspection Party will be held on Tuesday 16 October at 9.30 a.m. The Councillors attending will be Harvey, Sutton and Bialyk.

(The meeting commenced at 5.30 pm and closed at 5.55 pm)

Chair

# Agenda Item 5

**COMMITTEE DATE:** 29/10/2018

**APPLICATION NO:** 18/1185/RES

**APPLICANT:** University of Exeter and University Partnerships Programme

**PROPOSAL:** Development to build student accommodation and central amenity facilities up to a maximum of 32,230 sq metres with associated infrastructure (Reserved matters application for access, appearance, landscaping, layout and scale following outline permission 16/1232/OUT granted 5 July 2017).

**LOCATION:** East Park , University Of Exeter, Streatham Campus, Exeter, EX4 4QJ

**REGISTRATION DATE:** 06/08/2018

**EXPIRY DATE:**

## **HISTORY OF SITE**

Members resolved to grant outline planning permission April 2017 for student accommodation and ancillary central amenity facilities up to a maximum of 32,230 sq metres with associated infrastructure and landscaping under application 16/1232/OUT with all matters reserved. Planning permission was approved in July 2017 following the completion of a Section 106 agreement in respect of a student management plan and financial contribution towards traffic regulations orders in the vicinity. This consent imposed specific conditions which limited the total building's floor area to 32,230 sq metres and placed restrictions on the site's development in respect of the heights of buildings; number of storeys and the developable area through three constraint plans namely the Building Heights Parameter Plan; Land Use Parameter Plan and Landscape and Biodiversity Plan.

A planning application (ref 18/1186/FUL) has been submitted to provide a temporary construction road, improvements to the southern access and associated infrastructure works to allow work to commence on the site prior to the completion of the discharge of conditions being agreed (although this would not allow the commencement of the student accommodation buildings). This application is currently being considered under delegated powers, as agreed by Members at the Delegated Briefing meeting in May 2018.

## **DESCRIPTION OF SITE/PROPOSAL**

The application site (5.14ha) is located on the eastern side of the University of Exeter's Streatham Campus, 1.4km north of the city centre. The majority of the site is currently used as an arable field with some trees centrally located and mature landscaping alongside the west, south and east boundary and an open paddock to the north. The site slopes steeply from north to south with the higher ground to the north west of the site. The site is convex in its topography with the west, east and south east edges descending steeply into small valleys beyond the boundary of the site. The site ranges from 70 metres AOD in the south to 105 metres AOD in the north. The residential area of Pennsylvania Road and Hoopern Avenue lies to the east of the site. Alongside the western

boundary is located the University's Arboretum with Rennes Drive, the University car parking and academic buildings beyond. South of the site is predominantly University student residences which are accessed from St Germans Road. To the north of the site is an existing paddock adjacent to Higher Hoopern Lane.

This application seeks approval for all the reserved matters namely access, appearance, landscaping, layout and scale following outline planning permission granted in July 2017. The application proposes a total of 1182 study bedrooms in a variety of cluster flat sizes. Communal and ancillary facilities, including laundry and reception, cycle store, study rooms and plant are proposed across the site. The total proposed floor area is 32,199 sq metres. The development ranges from 3 storeys (approximately 10 metres in height) at the north of the site to 8 storeys (approximately 24 metres high) at the south. Cluster flats range in size from 6 to 10 beds with each flat having a shared communal kitchen. As part of the overall provision of accommodation 24 standard wheelchair accessible rooms and 10 enhanced accessible rooms are located across the whole of the site. 34 designated disabled parking bays are provided to serve these units. A total of 602 secure cycle spaces are proposed throughout the site. The main social hub is within the centrally located Block F, although no bar facility is provided on the site.

The student accommodation is arranged within a series of 11 blocks. The blocks are set against the slope of the site in a series of terraces with a central green/access section which provides stepped access through the site; spaces for informal meeting places; landscaped areas and access to some of the accommodation. The main reception and social hub are centrally located although there are number of smaller social/work spaces contained within other blocks throughout the site.

Vehicular access to the site is provided from the north and south reflecting the position as shown in the original indicative masterplan. A pedestrian and cycle only route is proposed from the north western corner of the site to run along Hoopern Farm connecting into Higher Hoopern Lane in accordance with the requirement of the outline planning consent. No student parking is proposed onsite except for disabled units although pick up/drop off areas are provided throughout the site.

The scheme contains significant areas of landscaping both formal and informal with extensive areas of meadow to the north and east of the site. The applicant has indicated that approximately 456 additional trees will be planted and the existing mature trees within the site and the existing boundary landscaping will be retained. The building blocks are proposed to be constructed on a brick plinth with rainscreen cladding on the upper levels of the building separated by a feature band. The windows are designed to be full height with distinctive metal clad ventilation panels alongside.

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

### **Planning Statement**

- The principle of development is acceptable given that planning permission has already been granted for the proposed development. The development accords with approved outline permission for the site.
- The proposed development accords with the approved outline parameters with regard to the amount, location and scale of the development in accordance with policies CP1, CP4 and CP5.
- The proposed layout and appearance of the development is of a high quality and relates well to the local context in accordance with policies CP15, CP17, AP1, DG1, DG4 and DG7.
- The development achieves an 'Excellent' BREEAM rating in accordance with the requirements set out by the outline permission and policies CP13 and CP15.

- The proposed landscape scheme is of high quality and successfully integrates the proposed buildings within the landscape in accordance with policies CP17, AP1 and LS1.
- The proposals introduce appropriate measures to reduce the impact upon the amenity of neighbouring properties in accordance with policy DG4.
- The proposal is acceptable in terms of access and highways considerations in accordance with policies CP9, T1, T2, T3, T10 and DG6.
- The proposals protect existing ecological interests and goes beyond the outline requirements for the site by enhancing the biodiversity of the site in accordance with the approved Landscape and Biodiversity Plan.
- An appropriate detailed surface water drainage management system is proposed to ensure that the development does not give rise to flooding elsewhere in accordance with policies CP12, EN3 and EN4.

### **Design and Access Statement**

The outline application established a set of parameters for the development:-

Maximum floor area – limited to 32,230 sq metres

Building Heights Parameter Plan – limits extent of development within site; sets maximum heights ordinance datum; sets maximum storey heights (between 3 and 8 storeys).

Land use Parameter Plan – sets extent of built form; sets specific landscape requirements; establishes a green corridor (Green Spine) to preserve views & sets zone for mixed use building (social hub).

Landscape and Biodiversity Plan – identifies important trees & areas for student activity to be set within the formal landscape setting.

### **Overall Masterplan**

- Buildings arranged across the three terraces working with the contours of the site.
- Development of the principle of the green spine to provide a series of squares that link into the terraces and building entrances.
- Upper terrace is a broad pedestrian priority zone providing access to A to J.
- 34 accessible parking bays are included around the development together with bin and cycle stores.
- Buildings A to D are 3 storey buildings accessible from the pavement whereas E to J vary in height from 4 to 6 storeys and area accessed via a bridge at level 2
- Mid square lies to the east of the main hub and provides a space where a range of external activities can take place, for example coffee stand, pop up markets etc. From this square buildings F, G and K can be accessed.
- Lower Square provides access to building L and is the lowest point of the green spine. This is another area where outdoor activities can take place.
- 2 access points to the site from the north and the south. Both routes facilitate access for fire and refuse as well as access to designated accessible parking. The northern route will also facilitate delivery access to the main hub.
- Both access routes will cater for pedestrians and cyclist as well as vehicles.
- Pedestrians can move about the site either by using the green spine or incline walk. This provides access from north to south and vice versa.
- Down the west edge of the site the new spine road will provide infrequent access for maintenance during term time. This road will be controlled by bollards to prevent unauthorised use. During arrivals and departures this spine road will be opened up facilitate students arriving and leaving with their belongings at the start and end of term.
- New meadows are created to the north and east of the site to help provide additional ecological benefits whilst enhancing the setting of the buildings.
- Acoustic separation from neighbouring private residential properties by keeping buildings away from sensitive boundaries.

- Utilising spoil from the site provide acoustic screening to north meadow where possible.
- Meeting with police architectural liaison officer to achieve secure by design gold.

#### Architectural Concept

- Inspiration has been drawn from the character and materiality of the buildings found on the campus, to ensure that the proposals are sympathetic whilst at the same time ensuring the proposals create a community with its own identity and character.
- The scheme makes references to the brickwork of the campus, utilising this to form a 'plinth' to the buildings acting to ground them and provide robust treatments at ground level. In addition to this the idea of a solid plinth that steps up the site creates a juxtaposition with the natural sloping topography, this creating opportunities to break up the mass of the taller buildings.
- Above the solid plinth a lightweight cladding is proposed which allows choice of panel size and proportion to bring a more human scale to the buildings. The junction between the two materials is strongly emphasised by introducing a 'feature band'.
- In developing the fenestration strategy we have sought to exploit the long distance views towards the city that the taller buildings offer. We have therefore located social spaces (kitchen, living and dining) at the ends of the building with increased amounts of glazing the design provides rhythm and patterns in the window using the ventilation panel to the side.
- The architectural concept of the building stepping down the landscape has in part been achieved by increasing parapet height; the massing of the upper terrace building has been broken up by the creation of recessed entrances; red multi stock brick is proposed similar to that found on the Forum building, rainscreen cladding is proposed for the upper sections of the buildings; feature banding provides a separation between the brickwork and cladding.
- Windows are generally full height fixed glazed panels with a side ventilation panel. Internally this comprises of an inward opening door. Externally this is faced with a perforated panel. There will be two colours for these panels. The first will be a feature colour picking up on the feature band. The second will be a dark grey to match the window frames.

Phasing of development – The proposed development will be constructed in 2 phases. Phase 1 will comprise of constructing buildings A to D and G to J (northern terrace and eastern section of the mid terrace) totalling 604 beds. Within this phase a temporary reception will be constructed in building C. Phase 2 will comprise of constructing buildings E to F, K and L totalling 578 beds. During this phase the temporary reception from phase 1 will be replaced with a 6 bed cluster flat.

#### Landscape Statement

- The site is highly distinctive and characterised by its uniform steep slope, south-facing aspect, panoramic views and enclosing wooded valleys to the east and west. This distinctiveness is accentuated by its location within an urban context.
- The landscape masterplan has been developed in a way that is sympathetic to the character of the existing campus. It will achieve this by creating a deliberately urban character in both buildings and the public realm and by contrasting this with an equally deliberate natural character of the surrounding landscape and immediate natural hinterland. This is expressed through the creation of managed meadows (2ha approx); biodiversity (specifically for protected species and the creation of additional new habitats and ecological corridors); existing trees (retention of large groups of Lucombe oaks); connected landscape (edges of the site are deliberately blurred with no site boundary fencing to provide a seamless transition with the adjacent valley landscapes); protected landscape and relevance to the wider campus.
- The landscape masterplan has five principal character areas; Upper Terrace, Green Spine, Reception and Mid Square, Lower Square and Meadows which have distinctive styles.

- A range of different spaces will be created across the site such as the meadows which will be large scale and primarily act as an attractive outlook from the buildings or a setting for the development. Other spaces will be smaller scale and arranged as a hierarchy of places.
- The Green Spine will provide a continuous route from the lower square to the upper terrace and act as a gathering space for communal activities in a public realm setting. Other incidental spaces along the Green Spine will be of a smaller more intimate and informal scale.
- Significant tree planting is proposed to work in tandem with a variety of architectural approaches to reduce the apparent scale of the buildings, reduce overlooking and integrate the development within its wooded context to both the east and west.
- The Green Spine includes extensive use of birch and rowan will provide good screening of potential inter-visibility between pedestrian and occupants and enclosure to provide a series of semi screened small scale spaces associated with the series of steps and terraces.
- The meadows that envelope the scheme to the north, east and south-eastern sides of the development are principally a visual and ecological asset providing an attractive outlook from the buildings and an important element that helps integrate the development within its landscape context.
- Physical access to the meadows are limited partly due to the steep gradient, the need to maintain their ecological value and to reduce student activity closer to the boundaries of the site. Access with the meadows will be allowed principally through managed mown paths.
- Wildlife boxes are provided in consultation with applicant's ecologist and the RSPB. 7 no. bat boxes; 1 no hibernation box; 40 no. swift boxes; 1 no peregrine box and 4 no. invertebrate features.
- Extensive SuDs provision has not be possible due to the extreme gradients rendering ponds and swales unfeasible and poor percolation rates of the soils. This has been accepted by the DCC as the Lead Local Flood Authority. Surface water discharge will be reduced and controlled through the use of side cast drainage from paved surfaces wherever possible to allow discharge into adjacent soft landscape areas; widespread use of filter drains at the foot slopes; use of localised berms (and swales where space permits) to control surface water flows in extreme events and green roofs on bin and cycle stores.
- These measures will be supplemented by the installation of a 'silt-buster' system and associated construction methodology to prevent any contamination issues affecting the adjacent watercourses.
- External lighting incorporates best practice design and technology to reduce light spill to minimum through the use of full vertical cut off lanterns and careful placement of light columns. Projected isobar light spill drawings show minimal light spill affect only the very edge of the adjacent woodland habitat.
- The ecological appraisal concludes that the lighting impacts on bats and wildlife generally have been minimised and will not be significant.

A total of approximately 456 trees will be planted.

**Statement of Community involvement** – The report sought pre-application discussion with Councillors, Council officer, stakeholder groups including the University of Exeter Students' Guild; Bury Meadow Residents' Association; Elmbridge Residents' Association; Argyll Road Residents' Association; Duryard Trust; St James Forum; Hillcrest Park Residents' Association and Rosebarn Lane Residents' Association and during a public exhibition, University website and public notice in the Express and Echo. A total of 24 responses were received covering the following key points (including applicant responses):-

- Increase in massing east of the site as compared with the indicative masterplan;  
*(The scheme is within the defined parameters contained within the outline planning consent. The request for additional landscaping at this boundary has been incorporated within the proposals and the applicant has stated that further planting could be provided if necessary)*

- Management of construction traffic;  
(The working hours are conditioned within the outline permission 0800-1800 Monday to Friday and 0800-1300 on Saturday and not on Sunday. Construction traffic will be routed through the campus only. A construction and environmental management plan has been submitted to address this issue imposed by condition 7 of the outline consent).
- Increased noise levels from students associated activities;  
(as part of the landscaping proposal, the meadows have been designed to over-grow to discourage groups of students congregating on the eastern boundary of the site. The scheme does not provide any catering or drinking facilities and therefore limits loud functions on site. Facilities on the East Park site include study areas, TV lounges, a multi-function room for activities such as yoga and games room located at the western edge of the site. The residential buildings are well insulated and either meet or exceed standards of building regulations in respect of acoustics. In response to condition 10 of the outline planning permission, a noise impact assessment will be submitted to clarify the noise level to the local community.
- Loss of view, particularly to the Cathedral;  
(As part of the outline permission balloon tests were carried out to establish the appropriate scale and heights of the buildings which informed the maximum storey and AOD heights stipulated within the approved Building Heights Parameters Plan)
- Increased potential for student parking on neighbouring streets;  
(Given the sustainable location of the site it was accepted that no parking should be provided for students apart from for disabled users. The outline permission did however require a contribution to be paid towards a Traffic Regulation Order. This allows the County Council to consult local residents regarding the potential for additional Resident Parking Zones)
- Pedestrian and delivery routes;  
(The East Park site will predominantly be a pedestrian area. All vehicles will access the site at the north of the haul road from a single lane access road with passing spaces and speed restrictions. The access road connects the haul road to the campus. No vehicles will be able to access East Park directly from neighbouring residential roads to the north and the east of the site)
- Permeability across the site;  
(There are no plans to include any routes across the site. The upper terrace road is effectively a dead end with a turning head for vehicles. The east meadow has self-contained paths (mown grass) without any routes from there to Hooper Avenue and onto Pennsylvania Road. Existing pedestrian pathways at the south of the site will be maintained).
- Pedestrian/cycle access  
(The spine road is a pedestrian access route only and includes stairs so use of bicycles will not be possible. However, the roads within the East Park will be lightly trafficked and therefore suitable for bicycle use without the need for dedicated cycle lanes. This is in line with most of the existing roads within the Streatham campus).
- Existing footpaths  
(The existing footpaths will be maintained throughout the duration of construction work and will not be affected by the permanent existence of East Park thereafter).
- External materials  
(Residents raised concerns regarding the light colours proposed for the external cladding panels, thus making them more visible within the landscape. The design project team is looking into the final material palette but it will ensure that there are no large, uninterrupted areas of lighter cladding that potentially impact on the campus environment).



The Statement of Community Involvement states that UPP Projects Ltd and the University of Exeter remain committed to thorough and meaningful public consultation. The reports states that the submission of the planning application does not mark the end of this consultation and the team will continue to meet with local groups and individuals as appropriate throughout this process.

**Noise Impact Assessment** – submitted in respect of condition 10 of the approved outline permission. The report considers the impact of the existing noise sources of the proposal and potential noise from the development to surrounding areas are considered.

The site is affected by movement and activity arising from the University campus, with aspects of mechanical services noise audible from the university estate. Noise from the surrounding road traffic network also contributes. Consequently, an adequate level of noise mitigation measures will be required to ensure that future residents of the site are protected from ambient noise.

If mitigation measures are included to achieve the specified internal noise levels, future residents of the proposed development will be protected from the dominant noise sources. Mitigation measures should include the use of appropriate acoustic glazing with natural ventilation providing purge ventilation on demand.

In the interests of preserving off site residential amenity, noise generated by the development is also considered in terms of new items of mechanical services plant proposed, deliveries to the site and construction noise limits.

**Construction and Environmental Management Plan** – submitted in respect of condition 7 of the approved outline permission. The report states that the sole vehicular access for construction vehicles will be from the southern entrance with the northern access only to be used for emergency purposes during the construction phase. Construction access will be reach from New North Road, Streatham Rise, Prince of Wales Road and through the campus only. The plan also includes a water management plan, dust management strategy and noise control within the working hours of Monday to Friday 0800 – 1800 and Saturday 0800 – 1300. The site will be secured by perimeter fencing and the permissive path which links to the campus to Pennsylvania Road will be unaffected. The Landscape and Ecology Management Plan covers protection of existing trees, woodland, hedgerows, watercourses and protected species and will include an ecological clerk of works. In addition, the CEMP states that the site will follow the Considerate Construction Scheme and offer opportunity for student work placement on the site.

**Flood Risk Assessment and Drainage Strategy** – submitted in respect of condition 22, 23 and 24 of the approved outline permission. The surface water drainage proposal is for the development to discharge into the dedicated surface water sewer, with storage provided on site for events up to and including the 1 in 100 year event plus and allowance for climate change of 40%. This is the preferred solution in accordance with SUDS hierarchy, after infiltration drainage proved unsuitable following failed infiltration testing.

The new infrastructure will manage surface water within three systems, split over the three terraced levels. Detailed hydraulic modelling of the proposed network has been carried out, with the analysis indicating there is sufficient capacity for the management of surface water.

During the construction phase of the development overland surface flow will be diverted away from the site compound area and prevented from the using the haul road as a conduit towards the existing ornamental pond, via swales and/ditches. The intended function of these features will be to control run-off velocity during these rainfall events, to remove entrained sediments and to minimise sediment release to receiving watercourses. Runoff collected from the construction/hardstanding areas will pass through required treatment processes before being discharged overland.

Exceedance flows from extremely rare events will be managed on site, with storage provided in parking areas, pathways and with ditches /swales outlined to intercept exceedance run-off at site

boundaries in low lying areas. Should flood flows exceed these features run-off from these extremely rare events is significantly less than those in the greenfield arrangement, offering significant betterment and reducing flood risk to areas directly to the south of the site. The proposed drainage design complies with the NPPF

**Air Quality Assessment** – report to be submitted to address condition 12 of the granted outline planning permission. The non-technical summary states that the objective of the Air Quality Assessment is to determine whether the operations of two Combined Heat and Power (CHP) units and two natural gas boilers meet the required air quality standards or air quality environmental assessment units for the protection of human health, vegetation and habitats. The long-term and short predicted environmental concentrations of NO<sub>2</sub> from the CHP and boiler operations are all below the relevant air quality objectives. The significance of effects on the receptors, in respect to long-term NO<sub>2</sub> exposure from the CHP and boiler operations is determined to be ‘negligible’ to ‘slight’ for both the existing and proposed new development receptors.

The short-term predicted environmental concentrations of CO from the CHP and boiler operations are below the relevant air quality objectives. The contributions to the effects from the releases of NO<sub>x</sub> (as NO<sub>2</sub>) from the CHP and boiler operations on ecological receptors are negligible. Therefore, the predicted concentrations of the modelled pollutants from the boiler operations are considered acceptable for both the protection of human health and protection of vegetation and habitats. As such, no additional mitigation measures are required.

**Energy reports** – various reports submitted to cover this issue and conditions 16, 17 and 18 of the approved outline planning permission. The summary states that:-

- The Building Carbon Emission Rate is less than the Target Emission Rate hence achieving compliance against Building Regulations Approved Document Part L2A 2013.
- The scheme will accord with Core Strategy Policies CP13 and CP15, proposes a CHP system that in effect provides a low temperature hot water District Heating Network across the East Park development site.
- The development is expected to achieve a BREEAM ‘Excellent’ rating hence satisfying the requirement under Core Strategy Policy CP15; Sustainable Construction. A separate BREEAM pre-assessment has been completed by the appointed licenced BREEAM Assessor to supplement this Energy Statement report.
- The scheme proposed incorporating a CHP unit is expected to reduce the carbon production by 35% over an equivalent gas fired boiler baseline. With carbon reduction incorporated from the Building Regulations 2006 baseline (ie 34%) the total carbon reduction equates to 69% which far exceeds the University’s aspiration of 43% carbon reduction.
- The scheme is based on three principal categories of passive, good practice energy saving technology and renewable/low zero carbon energy with the inclusion of a Combined Heat and Power energy centre serving all blocks will minimise the amount of energy used and emit reduced carbon emissions.

### **Fire Strategy**

- The overall design has been developed in consultation with Devon and Somerset Fire Service. Where a residential block is more than 6 storeys or over 18 metres in height (whichever is lower) a sprinkler system is to be provided.
- The proposed scheme is to be used primarily as a student residential accommodation a secondary use for conference letting is proposed. Further enhancements are proposed including an enhanced detection and alarm system linked to a monitoring centre.
- A 24 hour centralised fire alarm/site management or remote call handling premises to inform the fire service of any alarm activation.

- The principle mode of evacuation is that only occupants of the cluster of the fire origin will evacuate. This standard approach reflects the high degree of compartmentation present in these types of building and minimises the impact of false alarms – an important consideration in student accommodation.
- Further evacuation of apartments will not take place automatically and relies on the fire service, management or the independent action of occupants.
- Non-residential accommodation ie social and ancillary areas will operate on a simultaneous evacuation policy where the entire compartment will evacuate upon detection.
- In a building with a storey 18 metres or more above ground level, every element of the external wall will need to be of limited combustibility. All non-loadbearing cladding material will include non-combustible insulation, regardless of height.
- Access to the site is designed in such a way that the Fire Service can easily access the site upon a fire situation. Provisions are made at the design stage to ensure any new build scheme is provided with adequate and sufficient means for the fire service to enter the site.
- All bedrooms will have a visual and audible fire alarm signal, in addition to the requirement of Part B of the Building Regulations. All buildings housing accessible rooms are designed to have two means of escape in the event of a fire. The design of the buildings ensure that occupants within a wheelchair are able to wait in a non-fire-affected compartment until they are safely evacuated from the building.

### **Ecological Appraisal and Landscape and Ecology Management Plan**

The various submitted reports provide detailed comments and mitigation measures in respect of habitats/designated sites and protected species ie dormice, bats, badger, birds and reptiles

In addition, an **Arboricultural Method Statement, Construction Enabling Works and Accurate Visual Representation Document** have also been submitted with the application

### **REPRESENTATIONS**

16 letters/emails of objection in total. Principal concerns raised:-

- 1 Already too many students in the City;
2. Loss of important wildlife area;
3. Proximity of five storey building near to eastern boundary;
4. Potential overlooking;
5. Height of building visually intrusive;
6. Light pollution to nearby residential properties;
7. Concern over working hours;
8. Need for improvements to cycle/pedestrian routes;
9. Design needs to improve to blend better into the surrounding area;
10. Noise pollution from the use and onsite energy generating system;
11. Concern about parking on surrounding roads;
12. Potential closure of permissive path;
13. Result in greater access into the meadow area to the north;
14. Need for greater emphasis on environmental/sustainable buildings;
15. Increased litter in the area.

### **CONSULTATIONS**

**The County Head of Planning, Transportation and Environment** comments that the proposed works are on private roads which fall within the University estate. The impact of development was

originally included in the approved outline consent and it was considered that the provision of student flats on campus represented a highly sustainable development and was unlikely to create any significant highway issues. The development is being promoted as car free with the exception of deliveries and the provision of disabled spaces.

The submitted plans (in line with masterplan presented at the outline) shows there are two points of vehicular access both of which are from Rennes Drive (a private Road). Both points also act as pedestrian & cycling access points and should meet visibility requirements for a slow speed environment.

In addition, the applicant should be providing dedicated walking and cycling links towards the campus and the surrounding areas to promote sustainability. The applicant has indicated a cycle/footway link on the Landscape Masterplan from the northern boundary to Higher Hoopern Lane which is welcomed – this link should be at least 3m in width.

To provide permeability to the east, a pedestrian/cycle route which runs through the valley, past Hoopern ponds, linking the campus to Pennsylvania Road was secured at outline stage (condition 14). It is expected for the applicant to provide this link and as such more information to discharge the condition is required.

The site plans do show areas for student pick up/drop off at the end of term and for deliveries; this is felt to provide adequate provision. The applicant is advised that the peak periods of student pick up/drop off should be carefully managed to make best use of these spaces. The applicant has provided tracking diagrams to show that vehicles can turn and exit in forward gear.

A condition attached to the outline consent ensured that adequate cycle parking should be provided on site. The submitted plans indicate that the cycle standards are below those set in the Exeter City Council Sustainable Transport Supplementary Planning Document. Reflecting the sustainable nature of the site, cycle parking should be well located (in proximity to cycling routes) and the number of spaces should be enhanced, reinforcing the car free nature of the development.

Finally, there are a number of areas of shared spaces being promoted within the scheme. Albeit on private ground, the applicant should be made aware of the recent DfT guidance on pausing shared space schemes. Therefore, the applicant is advised to consider equalities duties, guidance and/or legislation in light of the DfT position in the Inclusive Transport Strategy.

Subject to the above conditions regarding on site facilities, the pedestrian/cycle links being attached in the granting of any planning permission (including the discharge of outline conditions), no objection.

**Environmental Health Officer** comments that emissions from the CHP plant must be included in the air quality impact assessment which will be submitted to discharge a condition on the outline consent. In addition, noise from all building services plant must be included in the noise assessment that will be submitted also to discharge a condition on the outline planning consent. *The environmental health officer has subsequently confirmed that the details provided in respect of the air quality and noise assessment are acceptable.*

**Devon and Cornwall Police Service** The applicant has met with the Police Designing Out Crime officer who is satisfied with the overall approach in respect of concealed spaces, surveillance and the layout. The latest round of discussions is in respect of matters of details regarding fixture and fittings and the potential need a video intercom system on the entrance doors.

**Devon and Somerset Fire Service** The applicant has met with the Fire Service to discuss of fire safety in respect of the proposed design team and they confirmed their support for the overall approach. Details discussions are currently ongoing to in respect of matters of detail. The issue of sprinklers installation was discussed and it has been agreed that none of the blocks require sprinklers under the Building Regulations, which are only needed for residential buildings above 30m in height. However the University has insisted upon them for blocks over 6 storey/18m in height, i.e. blocks K and L which is over and above the building regulations requirements. In addition it has been agreed that all of the buildings above 3 storeys benefit from a dual means of escape for each occupant. So blocks K and L have both dual means of escape and sprinklers. The University do not want sprinklers in all of the buildings as fire safety can be equally beneficial through dual means of escape, enhanced fire detection, enhanced compartmentation and having a fire safety management strategy. The 24 hour management referred to in the DAS refers to a team of trained first responders who liaise with the fire service over false alarms etc that they field through the centralised fire alarm system. In the event of emergencies, they are on site 24 hours to instigate evacuations prior to the fire service arriving. They also deal with the other emergency services as required. All cladding and insulation is non-combustible.

**County Flood Risk Officer** views awaited.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance**

National Planning Policy Framework July 2018

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well designed places
- 14. Meeting the challenge of climate change and flooding
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

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

- CP1 - Spatial Approach
- CP4 - Density
- CP5 - Student Accommodation
- CP9 - Transport
- CP10 - Meeting Community Needs
- CP11 - Pollution
- CP12 - Flood Risk
- CP13 - Decentralised Energy Networks
- CP14 - Using Renewable and Low Carbon Energy in New Development
- CP15 - Sustainable Construction
- CP17 - Design and Local Distinctiveness

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

AP1 - Design and Location of Development

AP2 - Sequential Approach

E4 - Exeter University Campus

*The development of education uses, student housing and research and development initiatives, including ancillary production, will be permitted on the University of Exeter Campus provided that the character and setting of the Campus is protected.*

H5 - Diversity of Housing

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

*a) the scale and intensity of use will not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems;*

*b) the proposal will not create an overconcentration of the use in any one area of the city which would change the character or the neighbourhood or create an imbalance in the local community;*

*d) student accommodation is located so as to limit the need to travel to the Campus by car*

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

C1 - Conservation Areas

C2 - Listed Buildings

C3 - Buildings of Local Importance

C4 – Historic Park and Garden

C5 - Archaeology

EN2 - Contaminated Land

EN3 - Air and Water Quality

EN4 - Flood Risk

EN5 - Noise

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG4 - Residential Layout and Amenity

DG6 Vehicular Circulation and Car Parking in Residential Development

DG7 - Crime Prevention and Safety

LS1 - Landscape Setting

LS4 - Local Nature Conservation Designations

## **Exeter City Council Development Delivery DPD**

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

DD1 - Sustainable Development

DD12 - Purpose Built Student Accommodation

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

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

*a) respects, and contributes positively towards, the character and appearance of the area;*

*b) does not result in unacceptable harm to the amenity of neighbouring residents;*

*c) provides sufficient internal and external space for future occupiers;*

*d) makes appropriate provision for refuse storage, operational and disabled persons parking,*

*servicing and cycle parking;*

*e) reduces the need to travel and would not cause unacceptable transport impacts; and,*

*f) is accompanied by a suitable Management Plan secured by planning obligation to demonstrate how the property will be managed in the long term.*

DD13 - Residential Amenity

DD20 - Sustainable Movement

DD21 - Parking

DD25 - Design Principles

DD26 - Designing Out Crime

DD28 - Heritage Assets

DD29 - Protection of Landscape Setting Areas

DD30 - Green Infrastructure

DD31 - Biodiversity

DD32 - Local Energy Networks

DD33 - Flood Risk

DD34 - Pollution

### **Exeter City Council Supplementary Planning Document**

Archaeology and Development November 2004

Sustainable Transport March 2013

Development Related to the University June 2007

Planning Obligations April 2014

University of Exeter Masterplan Development 2010

Trees in relation to Development September 2009

### **OBSERVATIONS**

An outline planning application was reported to Planning Committee in April 2017 on the site for student accommodation. The application attracted a significant number of objections (383 letters/emails) given the scale of the development, which was estimated to create approximately 1200 student bedspaces. Members considered and accepted the principle of the development in terms of the NPPF, Core Strategy, Exeter Local Plan First Review, University 2010 Masterplan and the overall need for further student accommodation in the City. Consequently the principle of student accommodation on this site is approved. This reserved matters application seeks to approve the reserved matters namely access, layout, landscaping, scale and appearance for which the principle of development has already been established.

The outline permission imposed a total of 24 planning conditions which covered issues such as the need for a construction environmental method statement (CEMP); contamination; noise impact assessment; external lighting; air quality assessment, cycle parking; cycle route; archaeology; energy/BREEAM statements; secured by design gold standard and drainage/flooding strategy. Specific conditions were also imposed to address the scale of the development through the control of the maximum permitted floor space allowed (a maximum of 32,230 sq metres floor area) a Building Heights Parameter Plan (restricting maximum heights ordinance datum and maximum storey heights of between 3 and 8 storeys); Land Use Parameter Plan (limiting the extent of the built form; setting specific landscape requirements and the establishment of a green corridor through the site) and Landscape and Biodiversity Plan (identifying important trees and areas for student activity set within a landscaping setting). These conditions effectively seek to limit and control the overall scale and form of the development. Members are advised that the submitted supporting information and drawings show that the applicant's scheme is within these agreed

parameters. However whilst these broad parameters provide an important constraint to the future development of the site, assessment still needs to be made of the detailed information submitted. The applicant has supplied a significant amount of supporting information, which has been summarised within this report. Further comment will therefore focus on the main issues raised by residents' objections.

### **Construction phase**

It is understandable given the scale of development that residents will be concerned about issues arising during the construction phase of the development. The applicant has submitted a CEMP in respect of condition 7 of the outline permission, which states that the sole access for vehicles will be from the southern access with the northern access only used for emergency purposes during the construction phase. The applicant has submitted a separate application (ref 18/1186/FUL), which seeks to provide a temporary construction road from the southern access point and through the centre of the site, which avoids the existing vegetation to the western side of the site and is a significant distance from residential properties to the north and east. In addition, the applicant have provided a construction vehicular route plan which indicates access to the site from New North Road, Streatham Rise, Prince of Wales Road and through the campus only. The CEMP provides a water management plan, dust management strategy and noise control during the working hours as stated within the outline planning permission of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturday and at no time on Sundays or Bank Holidays. The environmental health officer has assessed the proposed details and accepts the observations and mitigation approach as set out within the submitted CEMP. Prior to acceptance of this report specific areas of comments raised by the environmental health officer were clarified. In particular it was confirmed that no piling will occur on site; dust will be regularly monitored and controlled during construction and in respect of the request for formalised liaison with local councillors/residents the University will be employing an Impact Mitigation Manager to address concerns during the construction phase.

### **Access and Parking**

Residents have continued to raise concern regarding vehicular arrangement to the site and potential for additional parking on surrounding roads. This detailed application confirms the information shown on the illustrative masterplan that vehicular access would be via enhancement of an existing access to the south-western corner and a new access to the north-western corner of the site, both from Rennes Drive, a private road within the campus. These points of access raise no concerns from the County highway officer and will have no direct impact on nearby residential roads. The scheme proposes no student parking other than 34 spaces for designated disabled parking bays with restriction on student parking achieved by the terms of the 106 agreement under the student management plan. In addition, this agreement provides a financial contribution of £20,000 towards a review of the existing residential parking zones, the making and implementation of traffic order and meeting the costs associated with the technical design and physical road marking/signing to address potential parking by students in nearby roads. The highway officer is satisfied the areas identified for student pick up/drop off are acceptable in technical terms for turning provision but makes comment that these areas need to be carefully managed. The original outline consent requires secure cycle storage, which has been indicated throughout the site at 602 spaces and considered acceptable given the sustainable location of this development on campus. In addition, the outline consent requires details of a permissive pedestrian/cycle route linking the campus to Higher Hoopern Lane in the vicinity of Higher Hoopern Farm. Details have been provided which show the location of the route which is considered acceptable and will improve the strategic links through the campus, an objective of the University's masterplan.



### **Impact on Residential Amenity**

The original illustrative masterplan indicated the potential for student accommodation closer to existing properties in Hoopern Avenue and Pennsylvania Road than ultimately approved. Following objections raised during the course of the outline application, it was agreed to reduce the amount of the built form away from the eastern boundary of the site. This resulted in the revision of the both the Land Use Parameter Plan and Buildings Heights Parameter Plan. The detailed submitted plan conforms with these approved land use layout and heights plans and therefore are considered acceptable. The distance of the closest Block (J) is approximately 75 metres from the nearest dwelling in Hoopern Avenue and approximately 140 metres from the closest dwelling in Pennsylvania Road. The five storey block element of Block J would be approximately 15 metres in heights with the four storey section reducing in height to approximately 12 metres. Although windows will face towards these existing properties given the distances retained and the presence of existing vegetation this is considered to be acceptable within the context of the site and in accordance within the parameters previously agreed within the outline planning consent. It should also be noted that there is a significant change in levels between the new build and the existing dwellings, as indicated on the submitted sectional drawings and therefore this will further reduce the impact of the built development on neighbouring resident's amenities as these dwellings are at a higher level. The distance from existing properties in Higher Hoopern Lane are approximately 106 metres from the proposed upper terraced blocks which are all three storey at a height of approximately 10 metres. The largest block on the site is Block L located to the southern section of the site at eight storeys and would be approximately 24 metres in height but a considerable distance from existing residential properties. In summary, although it clear that the scale of the development will result in significant change to the character and appearance of the area, it does confirm to the parameters originally approved and accordingly the impact on the residential amenity from the built form is considered acceptable.

### **Disturbance to residential amenity from student use.**

The impact of external light and noise from plant equipment and the combined heat and power plant is controlled through conditions imposed by the outline application and will be assessed as to their suitability by the environmental health officer. However particular concern has been raised by local residents as to noise from the student activities when the whole site is operational. The outline application's associated Section 106 agreement requires a student management plan to be submitted prior to commencement of the development, which includes operational management and how complaints regarding student behaviour will be dealt with. The applicant has stated that each student must sign a residency agreement which includes the following obligation *'to keep noise at a level that does not interfere with the study, sleep or comfort of persons living and/or working in the Residence or any neighbouring property (whether or not such property is owned by us) and, in particular, not to make or allow any loud noise (including television, playing music or musical instruments)'*. The applicants have stated that this obligation would be enforced through the presence of on-site wardens, UPP staff and 24 hour security staff. In addition, it is noted that the bedroom windows are sealed and fixed units with the only opening element the insulated ventilation panel at the side, opening inwardly into the room, which will help to minimise noise from the individual rooms. The reception area and main social hub are located within Block F, which is centrally located on the western side of the site and therefore a significant distance from residential properties. It is also noted that there is no bar on the site, no sound system and this communal space is proposed to shut down at 11pm. Consequently although the presence of 1182 bedspaces and associated activities on the site will give rise to some noise issues, it is therefore considered that the layout, built form and management regime proposed will minimise levels of disturbance to local residents to an acceptable level.

## **Sustainable Design**

The applicant has confirmed that the East Park development includes a Combined Heat and Power (CHP) unit (with back up boilers) within a centralised Energy Centre/Plant Area located within Block G. This will circulate heat around the site, via underground pre-insulated pipework, arranged in a flow and return distribution network which serves all new buildings within the East Park development. The CHP unit will generate electricity for the site while producing heat for the heating network, thus reducing carbon production. This system is in effect providing its own low temperature hot water District Heating Network across the East Park development site. If a viable opportunity to connect to a future external district heating network becomes available, the currently proposed Energy Centre in Block G could potentially accommodate for it. Condition 12 of the outline application requires an air quality assessment to be submitted prior to commencement of development which has been assessed by the environmental health officer and considered acceptable. In addition, the applicants have confirmed that the development will be BREEAM 'excellent' which has been confirmed and accepted in the pre-assessment report.

## **Design and Landscape**

The NPPF section 'achieving well designed places' makes clear that the creation of high quality building and places is fundamental to the planning and development process. It states that early discussion with local residents and design review panels is important for clarifying expectations and reconciling local and commercial interests. Within this submission the applicant has demonstrated a commitment to local community engagement through public exhibitions and individual correspondence to local amenity groups prior to the submission of the reserved matters application. In addition, the applicant has taken the scheme to the Devon Design Review Panel at both the outline and reserved matters stage.

The conditions imposed on the outline consent in respect of the Building Heights Parameter Plan, Land Use Parameter Plan and Landscape/Biodiversity Plan coupled with the site's natural constraints have effectively dictated the resultant design, although the form of the external appearance of the buildings has largely been determined from the applicant's design team. Clearly the applicant will seek to maximise the amount of floor space and building heights as agreed at the outline stage and it is accepted that these parameters have not been exceeded. The site also benefits from the presence of mature landscape to the boundary which is to remain to the west and the east the scheme. It is considered that the overall built form will appear as an acceptable addition within the context of the University campus, the existing residential properties in the area and the wider landscape setting.

The Design Review Panel raised concern regarding the amenities for future student occupants proposed within the northern terrace which given the nature of the site would offer a poor level of overlook and light entering the rooms. Following this concern the height of bank to the rear of the upper terrace blocks has been reduced from 6 to 4 metres and a planted slope has been proposed. This significantly increases both daylight levels and views from the building of the northern meadow to an acceptable level and therefore addresses the Panel's concern.

Given the scale and in particular the height it is clear that the proposed buildings will have a significant impact on the character and appearance of the surrounding area. It is considered that the strategy to create a green corridor through the centre of the site helps to visually breakdown the overall scale and massing of the development. The landscape strategy seeks to connect the proposed meadows back to woodland associated with valleys to the east and west of the site and to existing meadows to the north. The overall approach proposed by the applicant's design team,

which seeks to integrate the existing and proposed landscaping whereas possible, is considered logical and reflects the positive comments raised by the Design Review Panel.

In terms of the external treatment of the buildings the architect has proposed a limited palette of materials, which replicates the 'strong formal form' welcomed by the Design Review Panel. The material's rationale proposes a red brick plinth, feature banding and light coloured cladding above to the middle and lower terraced blocks. The upper terrace is predominantly built of red brick. The choice of brick colour was made in response to comments made by the Design Review Panel. The Panel did also recommend the introduction of a variation in appearance for the blocks, as they felt that upper levels could appear too uniform across the site. The applicant's design team however considers that the combination of brick plinth, feature banding glazing coupled with variation in the colour of the side ventilation panels would provide the level of visual interest required across the site. Given the overall design strategy is strongly influenced by the landscaping setting and additional planting proposed, the suggestion to provide different colours for each of the blocks would it is considered overcomplicate the intended design and appear visually 'fussy'. This approach is accepted as being logical in design terms and therefore the intention to provide a uniform colour for the cladding is considered appropriate. In respect of criticism by the Panel of the upper terrace appearing too homogeneous the applicant's design team has responded with the introduction of deeper reveals and metal cladding. This has resulted in a more appropriate appearance for the three storey upper terrace and therefore considered acceptable.

The choice and colour of proposed material will have an important impact on the appearance of the buildings themselves and their impact within the landscape. A condition will therefore be imposed to ensure specific details are submitted to address all aspects of the external building works including type of brick, cladding type and colour, window frames, rainwater goods and roof material. However the level of detailed design work submitted by the applicant so far, and as recognised by the Panel, is considered appropriate and will ultimately result in an external appearance which will complement its position within the campus and the wider landscape.

### **Summary**

The previous outline application approved the site as an appropriate location for student accommodation. Such a significant number of student bedspaces (1182) will have a substantial impact on student accommodation provision within the city, which will help to meet the demand required by the University and help to reduce pressure on the existing housing stock and land in the City. The outline permission effectively accepted that the principle of the use and as highlighted within the report the conditions and section 106 agreement provision required significant further information to be submitted to meet specific areas of concern. Given the number of conditions imposed it is not necessary to replicate control of these issues within the reserved matters application. This application essentially seeks to provide details of the intended design, layout, access arrangement and landscaping which follows on from the conditions imposed by the outline permission through the approval of detailed plans. The outline and reserved matters application are to be read in conjunction with one another to cover all matters of the development. The report has concentrate on the more specific issues raised by local residents and it is considered that the approach taken in respect of access, appearance, design, and landscaping by the applicant is appropriate. It is understood that the applicant are keen to commencement development shortly as evident from their application for a temporary construction traffic access road. It is considered that once completed East Park will represent a distinctive areas on the campus for student accommodation which will integrate with the existing landscape and with the mitigation measures controlled through the conditions and legal agreement will represent an acceptable facility to existing residents in the immediate locality.

The development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature/scale of the development it has been concluded that an AA is required. This AA has been carried out and concludes that the nature of the development is such that the proposal would have no significant impact on the Exe Estuary Special Protection Area and therefore no further mitigation is required.

The application will generate a CIL contribution of £1,799,658 based on a floor area of 32,200 sq metres at the current 2018 rate.

## **DELEGATION BRIEFING**

22 May 2018 - The Principal Project Manager confirmed that the application would be reported to the Planning Committee, as 16 objections had been received. The objections included issues such the design, materials, parking ratio, noise, overlooking and litter. The case officer stated that the application was reported to this meeting for information purposes only. No specific comments were raised by Members given the application would be reported to Planning Committee.

## **RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. The development hereby approved must be begun with five years from the date of the grant of outline planning permission, or two years from the final approval of the reserved matters, whichever is the longer.

**Reason:** To ensure compliance with section 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 \*\*\*\*\*.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. All conditions imposed on notice of outline approval (ref no. 16/1232/FUL) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.

**Reason:** To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

5. Notwithstanding condition 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and shall thereafter be provided in accordance with such details:

- i) brick detailing including mortar colour;
- ii) cladding including colour and fixings;
- iii) windows framing including reveals and cills;
- iv) hard surfacing material;
- v) external light fittings;

vi)roofing material

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

### **Notes to Applicant:**

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 permission.

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](http://www.exeter.gov.uk/cil).

3. In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. This AA has been carried out and concludes that the development is such that it is highly unlikely to have a significant impact on protected habitats, alone or in combination with other plans or projects.

*Local Government (Access to Information) 1985 (as amended),*

*Background papers used in compiling the report:*

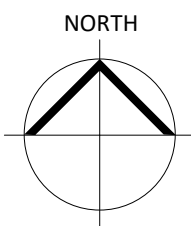
*Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter. Telephone 01392 265223*

This page is intentionally left blank



Page 31

Responsibility is not accepted for errors made by others in scaling from this drawing.  
All construction information should be taken from figured dimensions only.



A1	A02	03/08/2018	PLANNING ISSUE
STATUS	REV	DATE	DESCRIPTION
CLIENT			
University Partnership Programme			REVISED BY Lee Diggle
			CHECKED BY Tom Reed
			ORIGINATOR NO 151295

CONSULTANT  
**STRIDE TREGLOWN**  
www.stride-treglow.com © Stride Treglow Limited 2016

PROJECT  
University of Exeter  
East Park

DRAWING TITLE  
Site Location Plan

SUITABILITY STATUS A1 : APPROVED STAGE COMPLETE		SCALE 1 : 1250 @ A3
PROJECT   ORIGINATOR   ZONE   LEVEL   TYPE   ROLE   CLASSIFICATION   NUMBER 151295-STL-00-ZZ-DR-A-ZZZZ-10010		REVISION A02

This page is intentionally left blank



# Agenda Item 6

**COMMITTEE DATE:** 29/10/2018

**APPLICATION NO:** 18/1405/FUL

**APPLICANT:** Graduation Exeter (Phase 2) Ltd

**PROPOSAL:** Demolition of existing buildings (Transport Club and Exeter Auto Centre) and redevelopment to provide student accommodation (sui generis), ancillary facilities, and ground floor uses in classes A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements.

**LOCATION:** Land At Summerland Street, Exeter, EX1 2LB

**REGISTRATION DATE:** 24/09/2018

**EXPIRY DATE:**

## **HISTORY OF SITE**

15/1360/31 - Demolition of existing buildings and redevelopment to provide student accommodation (Sui Generis) totalling around 640 bedspaces with ancillary facilities, also ground floor retail/leisure uses of around 3200sqm, with cycle parking provision and landscaping.

NOT EIA DEVELOPMENT

18/01/2016

16/0405/03 - Demolition of existing buildings. Redevelopment to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), D1 (non-residential institutions) and D2 (assembly and leisure), with cycle parking provision and public realm improvements.

PER

27/01/2017

18/0545/FUL - Demolition of existing buildings (Transport Club and Exeter Auto Centre) and redevelopment to provide student accommodation (Sui Generis), ancillary facilities, and ground floor uses in classes A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements. REF

02/08/2018

18/0636/NMA - Non-material amendment of planning permission reference 16/0405/FUL (phase 1) to link with to development proposed as application 18/0545/FUL (phase 2) with corridor access linkage and arrangements for sharing bin stores, cycle stores, internal and external amenity space, locating accessible standard rooms within the second phase and two additional student rooms. PCO

18/0682/DEM - Prior notification of demolition of buildings (Transport Club, car parking area and Exeter Auto Centre).

Prior Approval Required and Approved

24/05/2018

## **DESCRIPTION OF SITE AND PROPOSAL**

The application site is 0.07 hectare and fronts Summerland Street between Belgrave Road and Bampfylde Street junctions. The site is currently occupied by the former Transport Club and a car repair garage buildings with a separate small hardstanding in between, all of which are currently vacant. No planning permission is required for the demolition of the buildings which are not listed, not dwellings and not in a conservation area or subject of other relevant designation. The Local Planning Authority has received notification of the intention to demolish these buildings and has approved details of the method of demolition.

The proposed development is for 114 student bedrooms, these are arranged as 102 bedrooms in cluster flats and 12 in studios. The Building is 6 storeys but is split to accommodate the change in levels between Bampfylde Street and Belgrave Road. The proposals include 295 square metres of ground floor retail/business/leisure uses arranged as two units, with landscaping and public realm.

The proposals have been screened in accordance with the Environmental Impact Assessment (EIA) Regulations and it was concluded that the proposed development is not EIA development.

The proposals have been amended since the previous application ref. 18/0545/FUL to revise the external design and increase the number of studio rooms by 3 through subdivision of a larger studio and enlargement of the top floor.

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

- CIL Form;
- Application Drawings;
- Design and Access Statement
- Landscape and Visual Photomontages;
- Statement of Community Involvement;
- Heritage Statement and Archaeological Desk Based Assessment;
- Transport Statement and Travel Plan;- Flood Risk Assessment and Drainage Strategy;
- Foul Sewage Assessment;
- Utilities Statement;
- Biodiversity Assessment;
- Air Quality Assessment;
- Noise Impact Assessment;
- Sustainability Statement;
- Energy Strategy;
- Land Contamination Assessment;
- Student Management Plan.

## **REPRESENTATIONS**

The application has been advertised by site notices, press notice and neighbour letters. One public response has been received raising the following issues:

- the applicant should provide details on the visual impacts from York Road as I believe that this will be significant.
- concern about community balance given that the football club accommodation for 300 students.
- concern about the safety implications of the junction of Sidwell Street and York Road.

The previous application received 5 public comments raising the following issues:

- Visitor Cycle parking and an e-bike hire dock should be provided.
- Too much student housing.
- Too big, too tall, not in keeping and too much in one area. Will turn streets into dark canyons.
- Design is industrial rather than residential
- Need for social housing
- Question need form more student housing
- Good that it is car free.
- Will staff share welfare facilities in phase 1?
- Students housing only occupied half the year and is harming local economy.

UNIT 1 (Nightclub): No representations received. With the previous application the following points were raised.

Exeter Civic Society Planning Sub-committee: We are disappointed with the revised application. This application, although having alterations, does not in our view address the central issue "a rectangular block, pressed against but not related to phase 1" This is regrettable and on these grounds we find it very unacceptable and would strongly urge for its refusal again.

RSPB: Baring in mind the total mass of the proposed development and the numerous locations which would be suitable at least twenty four boxes would be more appropriate. The fact that there are other developments and a swift tower in the vicinity are in our view irrelevant, as they will be there for the life time of the buildings, some locations will be more favored than others and none of them are likely to be occupied all of the time. Internal boxes are far less likely to overheat than the external variety so within reason they can be located on any elevation giving a much wider choice. This is an area of Exeter where there are a reasonable number of swifts despite the drop in numbers elsewhere, additionally this type of box recreates the cavities found in older buildings and is likely to be used by most other building dependent species.

## **CONSULTATIONS**

Environment Agency: Standing advice applies.

Devon County Council Highways Network Management: From a highways perspective, the key areas of consideration related to appropriate pedestrian and cycle access routes to the site, student pick up and drop off and the landscaping proposals directly adjacent to the site.

The student accommodation element is expected to generate approximately 258 two-way pedestrian movements. The bulk demand for this movement is expected to be heading west across Bampfylde Street towards the City Centre and/or the University. Hence improved pedestrian/cycling facilities/crossing points in the immediate area and on Bampfylde Street are required, providing suitable access for all users. This can be resolved through detailed design and secured by condition (the applicant has agreed to confirm details as part of the S278 works in conjunction with Phase 1 of the student accommodation works). In addition to this, the applicant needs to reinstate the redundant dropped kerbs on Summerland Street/Bampfylde Street.

Given that the site is being promoted as car free (with the exception of some deliveries and at student pick up/drop off) there will be a net benefit to the vehicular network. Secure cycle parking for students and the retail uses should be provided. The level of parking should be in accordance with the Exeter City Council Sustainable Transport Supplementary Planning Document. The exact arrangements for this should be provided for approval in advance of commencement and in place prior to occupation - it is noticed that some stands (visitor) are located on the highway. With the proposed building being set back from the current boundary, a

larger area of public realm is created in the space between the carriageway and the proposed building. This new area of urban realm includes tree planting and street furniture is achieved on land combining both public highway and private land. In principle, the proposed arrangements are broadly acceptable, however, a number of further refinements will be required on the exact locations of any planting to ensure suitable widths of public footway are retained and maximised to provide a suitable route for all users. The method of delineation of public and private highways, street lighting, drainage etc and the exact location and angle of cycle stands also need to be confirmed. The applicant is advised that they would need to be responsible for maintenance of any trees. The applicant will need to enter into a S278 to provide further detail regarding the larger area of public realm and to agree pedestrian/cycling facilities/crossing points as discussed above.

#### Management

To accommodate for student pick up/drop off and deliveries, the applicant is reliant upon the laybys created in Belgrave Road and Bampfylde Street which will need to be managed appropriately. This can be done by the means of updating the existing management plan and/or providing a new plan for phase 2 of the development. The 'Student Management Plan' should provide further details regarding the arrangements of tenants moving in and out during term times - satisfying that the development will be managed properly (in conjunction with Phase 1), the second phase is unlikely to have a detrimental impact upon the highway. The Transport Statement also indicates that nearby car parks could be utilised - details (timescales and procedures) will need to be agreed prior to occupation or secured through the Management

#### Plan/Travel Plan.

The site is located in a prominent city centre location adjacent to a number of traffic sensitive streets - particularly Cheek Street for bus services and Belgrave Road and Summerland Street for cross city traffic. The applicant should be aware of the interim Bus Station arrangements which have now been approved. Demolition and subsequent construction will therefore need to be carefully managed to ensure the impact of these is minimised and the potential for large plant, including cranes, on the highway is likely to be limited. It is therefore recommended that a condition for a Construction Traffic Management Plan (CTMP) is attached in the granting of any permission.

In summary, the development will result in a significant number of new pedestrian and cycle trips. To cater for this additional demand, the development should improve pedestrian crossing points, provide appropriate levels of secure cycle storage and create a larger area for pedestrians on the Summerland Street/Bampfylde Street/Belgrave Road frontage. These changes are welcomed, but the specific details including planting, furniture, surfacing, pedestrian crossing points and maintenance etc. will need to be agreed through the S278 process. Therefore, subject to appropriate conditions being attached in the granting of any permission, no objection.

ECC Environmental Health Officer:

Contamination - The risk assessment submitted with the report concludes that no further planned site investigation is required. We do not agree. Given the potential sources of contamination on this site I do think that intrusive investigation is necessary in order to better understand any risks that contamination may pose. I have therefore recommended a condition below which requires this to be conducted prior to commencement of the development. If the developer is able to complete this work before the consent is granted, then the condition could be varied accordingly. Noise. We propose an ambient noise condition below. Recommend approval with conditions - CEMP, contaminated land, UXO, air quality, noise.

Natural England: This development falls within the 'zone of influence' for the Exe Estuary SPA, as set out in the Local Plan and the South East Devon European Sites Mitigation Strategy (SEDEMS). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of the SAC/SPA due to the risk of increased recreational pressure caused by that development. In line with the SEDEMS and the Joint Approach of Exeter City Council, Teignbridge District Council and East Devon District Council, we advise that mitigation will be required to prevent such harmful effects from occurring as a result of this development. Permission should not be granted until such time as the implementation of these measures has been secured. Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017. Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Devon & Somerset Fire and Rescue Services: No response received at time of writing.

Planning Member Working Group: The proposed development was presented to planning member working group on 20 March 2018 and the following points were raised: Uninspiring design, car use and ownership concern about future use of ground floor for student accommodation, desire to see community uses on ground floor or reduced rent retail units, and need to integrate into the community.

Alternative designs for the proposed development were presented to Planning Member Working Group again on 28 August 2018 and the following points were raised: Differing views were expressed on both the original application refused at Committee and the revised options with no option receiving universal support. The continuation pitched roof from phase 1 attracted only limited support. The mansard and revised flat roof schemes were preferred by a majority. This use of matching materials and introduction of framed grouped windows to reflect other buildings in the area were supported.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance  
NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy  
CP1 - The Spatial Approach  
CP2 - Employment  
CP3 - Housing Distribution  
CP5 - Meeting Housing Needs  
CP8 - Retail  
CP10 - Meeting Community Needs  
CP11 - Pollution and Air Quality  
CP13 - Decentralised Energy Networks  
CP15 - Sustainable Construction  
CP17 - Design and Local Distinctiveness  
CP18 - Infrastructure

Exeter Local Plan First Review 1995-2011  
AP1 - Design and Location of Development

AP2 - Sequential Approach  
 E3 - Retention of Employment Land or Premises  
 H1 - Search Sequence  
 H2 - Location Priorities  
 H5 - Diversity of Housing  
 H6 - Affordable Housing  
 H7 - Housing for Disabled People  
 S1 - Retail Proposals /Sequential Approach  
 S3 - Shopping Frontages  
 S5 - Food and Drink  
 CS6 - Community Spaces  
 T1 - Hierarchy of Modes  
 T2 - Accessibility Criteria  
 T3 - Encouraging Use of Sustainable Modes  
 T5 - Cycle Route Network  
 T6 - Bus Priority Measures  
 T9 - Access to Buildings by People with Disabilities  
 T10 - Car Parking Standards  
 T11 - City Centre Car Parking Spaces  
 C1 - Conservation Areas  
 C5 - Archaeology  
 EN2 - Contaminated Land  
 EN3 - Air and Water Quality  
 EN4 - Flood Risk  
 EN5 - Noise  
 DG1 - Objectives of Urban Design  
 DG2 - Energy Conservation  
 DG3 - Commercial Development  
 DG4 - Residential Design  
 KP1 - Pedestrian Priority Zone  
 KP3 - Bus and Coach Station

#### Exeter Development Delivery Document - Publication Version 2015

DD1 - Sustainable Development  
 DD7 - Allocated Housing Sites  
 DD9 - Accessible, Adoptable and Wheelchair User Dwellings  
 DD12 - Purpose Built Student Accommodation  
 DD13 - Residential Amenity  
 DD20 - Sustainable  
 Movement DD21 - Parking  
 DD25 - Design Principles  
 DD26 - Designing out  
 Crime DD31 - Biodiversity  
 DD33 - Flood Risk  
 DD34 - Pollution

Exeter City Council Supplementary Planning  
 Documents: Trees in relation to Development September  
 2009

Residential Design Guide September 2010

University SPG 2007

Sustainable Transport SPD 2013

Other Relevant Documents:

Grecian Quarter Height Constraints Analysis

2008. City Centre Vision 2011

Bus & Coach Station Development Principles 2012

## OBSERVATIONS

At the time of writing the site is occupied by the former Transport Club and a car repair garage buildings (which are in the process of demolition), with a small separate hardstanding in between. No planning permission is required for the demolition of the buildings which are not listed, not dwellings and not in a conservation area or subject of other relevant designation. The Local Planning Authority received notification of the intention to demolish these buildings and has approved details of the method of demolition within the 28 day period allowed. Following demolition of the buildings it is considered that the site would comprise one planning unit with nil use.

The Core Strategy was adopted in February 2012, and sets out the strategic vision for development in the City. The site falls within the Grecian Regeneration area as defined by the Core Strategy. The Core Strategy Policy CP17 guides that 'All proposals for development will exhibit a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity and cultural diversity.' Development in the City Centre and Grecian Regeneration Area will: 'enhance the city's unique historic townscape quality; protect the integrity of the city wall and contribute positively to the historic character of the Central and Southernhay and Friars Conservation Areas; create places that encourage social interaction, utilising public art as an intrinsic component of a high quality public realm; enhance and expand the city's retail function to improve Exeter's draw as a regional shopping centre; include residential development in a mix of uses that encourage vitality and establish a safe and secure environment; create a City Centre that is vital and viable and presents a positive experience to the visitor; enhance the biodiversity of the City Centre and improve the links to the green infrastructure network; contribute to the establishment of a decentralised energy network.'

The site, within the city centre boundary and outside the areas of restriction of student housing, is considered to be well located for student housing development in accordance with the hierarchy set out by policy H5 of the Exeter Local Plan First Review. It has good links to public transport facilities and amenities, and good links to the two University Campuses. Given the pressure on the city to accommodate the rising number of students, the capacity of the site to meet this specific housing need should be maximised. The site is much less well suited to other housing types for amenity reasons. The Council also supports the development of purpose-built student housing to meet housing need and to help ease pressure on family housing. It is not current policy to seek affordable housing from purpose-built student accommodation developments. As such the proposals are considered to comply with policy H5 of the Exeter Local Plan First Review. The potential for the intense residential occupation of the site, including the arrival and departure of occupiers in a short time period to cause nuisance can be controlled through appropriate measures within a 'Student Management Plan' secured by section 106 agreement. Arrivals and departures by car would be accommodated in laybys on Belgrave Road and Bampfylde Street and would be by allocated timeslot to avoid congestion. It is noted that there are also public car parks on Belgrave Road and Bampfylde Street which occupiers may choose to use for this purpose. The development provides no parking on site for residents and such agreement needs to include a prohibition on residents keeping cars at or near the site and a restriction to student occupation. A total of 356 cycle parking spaces are proposed in two tier stands in an enclosed cycle store serving both phases. No objection has been raised by the County Council in highways terms, subject to suggested conditions and legal agreement. The conditions are attached to the recommendation as condition 17 to 21.

Part of the site was formerly occupied by a car repair garage, a B2 use which in planning terms is considered an employment use. The inclusion of three ground floor commercial units which

may be occupied in A1-4, B1, D1-2 uses is considered to make adequate alternative employment opportunities and as such is considered to comply with the aims of policy E3 of the Exeter Local Plan First Review. Part of the site was formerly occupied by the transport workers club. The building remains but is vacant and in the process of demolition at the time of writing. Policy CS6 protects Community Spaces where there is a shortfall of provision in the area, however text supporting this policy refers specifically to community halls. Core Strategy policy CP10 guide that facilities which meet Exeter's community, social, health, welfare, education spiritual cultural, leisure and recreation needs will be protected. Demolition of the buildings on site would however constitute permitted development as they are not listed, are not within a conservation area, and are not dwellings or public houses. Following demolition of the buildings the three current planning units would become one and the existing uses would be

extinguished, leaving the site with nil use in accordance with the principle established by the Iddenden case. Whilst the buildings remain at the time of writing the lawfulness of demolition without further consent remains a consideration in determining this application. In principle the redevelopment of this site for student accommodation on the upper floors, with town centre active ground floor uses at street level below, is supported. The key issues in determining this application are considered to be: the height, massing and design of the proposed building, potential for contamination and the impact of noise on living conditions of future occupiers.

### Height Massing and Design

The height and massing of the proposed building is a key issue in determining this application. The 'Grecian Quarter Height Constraints Analysis 2008' produced for Exeter City Council looked at the potential for tall buildings in this area to impact on views through the site. It recommended that buildings in the identified areas should be up to 21m in height with variation in massing of up to 25 metres in height. It acknowledges that impact on views is one factor which needs to be considered the appropriate height of buildings. The site is outside the most sensitive part of the study area for which an absolute height limit was recommended. The location of the site means that the building will be a skyline feature when viewed from public spaces in Newtown, St. James and Lower Pennsylvania. The site falls within the area to which the Bus and Coach Station Area Development Principles apply and were approved for Development Control Purposes in June 2012. They draw on the Exeter Vision, the City Centre Vision and the Traffic, Retail, Building Heights and Urban analyses and relevant Local Planning Policies and sets out a series of 10 Principles to guide development proposals in the area between Paris Street and Summerland Street. It was subject of public consultation and was approved for Development Control Purposes in 2012, but has limited weight, not being a Supplementary Planning Document. It identified land adjacent Paris Street Roundabout and junction of Paris Street with Sidwell Street as the locations for landmark buildings. The site of this building is not identified in previous urban analysis or the Bus and Coach Station Area Development Principles as appropriate or requiring a landmark building, not being a prominent corner site or the focus of significant views. The design reinforces Summerland Street as the primary frontage and travel route and activates the grounds floor on Belgrave Road, Summerland Street and Bampfylde Street. The proposed development acts as a second phase of the approved redevelopment of the former Bus Depot site matching the height of the eastern end of the building approved, completing the enclosure of the private amenity space central to that scheme and the perimeter development of this city block.

The site is currently hard landscaped and the redevelopment provided the opportunity to incorporate some green landscape into the street. Tree planting on the Summerland Street frontage will be above existing levels due to service congestion under the pavement. Measures that enhance biodiversity, including bird nesting opportunities, can be secured by condition.



The volume and massing of the building is considered to maximise density whilst still relating well to highways spaces which are enlarged by the buildings stepping back from the back of pavement to create more public realm and forecourts to the commercial units. The building is considered to respond well to changing site levels stepping the building down the gradient towards Western Way.

The use of brick on upper floors as proposed is supported as it is considered to respond to the context and the residential use and to use a brick colour that responds to the palette of materials in the locality and which reinforces local distinctiveness.

The revisions to the design, following a review of different design options, do not change the shape of the building. They do however introduce new architectural treatment of the windows by grouping and framing them. The brickwork is proposed to match phase 1 and the changes to the windows results in the brickwork areas being more extensive and more visually dominant. The enlargement of the upper floor is not considered visually un-intrusive.

The 'Grecian Quarter' was identified in the Core Strategy and the City Centre Vision as an area of regeneration that can accommodate higher densities and larger floorplates that would be less likely to be acceptable within the historic core. As such the proposals are considered to protect the integrity of the city wall and contribute positively to the historic character of the city centre whilst improving the quality of the public realm. The development includes a mix of uses that will help create a City Centre that is vital and viable and presents a positive experience to the visitor. As such the proposals are considered to accord with the aims of policies DG1 and DG4 of the Exeter Local Plan, Policy CP17 of the Exeter Core Strategy and the Bus and Coach Station Area Development Principles.

The development will introduce further residential uses into the 'Grecian Quarter' regeneration area supporting the ground floor units which could be occupied by Class A uses (including retail and restaurants), business (B1) and leisure uses. These are designed to have active and transparent frontages. The hours of use of these areas can be controlled by condition. The landscape scheme includes tree planting, though given the extensive underground services these will necessarily be in raised planters. Conditions are proposed to secure details of landscaping and external materials.

## Noise

A Construction Environment Management Plan can be secured by recommended condition 9 in the interests of protecting residential amenity and the environment during construction. The development is proposed in an area where there are existing noise generating uses, most notably the night club (Unit 1) and car part fitting centre on Summerland Street and the bus station, all of which have the potential to impact on residential occupiers of the site. The proposed ground floor uses have the potential to impact both on residential occupiers of the site and neighbouring occupiers. Noise assessments of the current noise environment submitted with the application have demonstrated that measures to adequately provide for the living conditions of future occupiers can be achieved within the construction of the building. The applicant has also confirmed that adequate standards of internal comfort will be achieved with individually controlled mechanical ventilation avoiding the need to open windows, though windows will still be openable. A condition is suggested below as condition 10 to be attached to any consent and require the developer to submit a further ambient noise assessment to better understand the noise environment and inform the detailed design of the building facade, and to submit those construction details for approval, to ensure that the design will achieve the required standard of mitigation.

Approval of details of all plant, including smoke and odour control, serving the ground floor units will be required by suggested condition 11. Overall plant noise is proposed to be restricted by suggested condition 13. A condition requiring further assessment of potential for noise before either of the commercial units are brought in to use as Q3, A4, D1 or D2 type uses proposed condition 12 as the type of activities proposed on the ground floor raises potential noise/other impacts on residential occupiers in particular.

## Sustainability

Whilst experience shows that BREEAM 'Excellent' standard can be achieved in purpose built student housing it has also shown the difficulty of achieving BREEAM 'Excellent' in speculative retail units where the tenant is responsible for fit out internally. The residential elements of the scheme will be required to be designed to connect to District Heating in future and internal systems and plant room to allow for this connection and to accord with the CIBSE UK Code of Practice for District Heating Networks. The scheme also makes a contribution towards the delivery of a District Heating Network to the site. These measures plus landscaping and biodiversity enhancements (including provision for nesting birds) which can be secured by the recommended conditions and Section 106 agreement. As such the proposals are considered to accord with the aims of policies DG1 of the Exeter Local Plan 1st Review and CP13 and CP15 of the Exeter Core Strategy.

## Habitats Regulations and Environmental Impact Assessment Regulations.

This development has been screened as required by the Environmental Impact Assessment Regulations in respect of the need for an Environmental Statement given the nature/scale of the development and its potential impacts and the character of the receiving environment it has been concluded that the development is unlikely to give rise to significant environmental impacts and as such the development is not EIA development requiring an Environmental Statement.

This development has been screened as required by the Habitats Regulations in respect of the need for an Appropriate Assessment (AA) and given the nature/scale of the development it has been concluded that an AA is required. This AA has been carried out and concludes that the nature of the development is such that the proposal would have no significant impact on the relevant SPA's, and that no further mitigation is required.

## Link to 'Phase 1' Bus Depot Development

The proposed development will be occupied as an extension or second phase of the development on the former bus depot site originally permitted as permission 16/0405/FUL. The first phase was self-contained as consented. If this application is approved the two phases will be constructed as one building with the phases being mutually dependent, bin storage will be provided in phase 2 for the whole development, with cycle storage and internal and external amenity spaces provided in phase 1. The two phases will be connected internally and have a single management arrangement. A Section 106 legal agreement will therefore be required to ensure that the phases are not constructed or occupied independently.

## Financial Considerations

Exeter City Council will receive New Homes Bonus for the 18 units of accommodation (13 studios and 9 clusters) that would be created by this development. The development will also be liable for Community Infrastructure Levy which has been calculated as £180,301.14 at 2018 rate.

## RECOMMENDATION

Delegate authority to officers **APPROVE** the application subject to the completion of a Section 106 Agreement securing a restriction to student occupation, Student Management Plan, a financial contribution towards District Heating delivery to this site (£19,968.72), that occupation is only in conjunction with phase 1 development, and off site highway works and the following conditions (which may be varied):-

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 91-92 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 as listed below and as modified by other conditions of this consent.

Floor and roof plans 001224-AHR-AP-010 rev P03, AP-011 rev P03, AP-012 rev P03, AP-013 rev P03, AP-014 rev P03, AP-015 rev P03, AP-016 rev P03, and AP-017 rev P03 received 26 September 2018.

Elevations 001224-AHR-AP-110 rev P03, AP-111 rev P03, AP-112 rev P03, and AP-113 rev P03 received 26 September 2018.

Sections drawings 001224-AHR-AP-200 rev P03, AP-201 rev P03, and AP-202 rev P03, and AP-203 rev P03 received 26 September 2018.

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

3) A schedule of all materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. Samples of the materials shall be submitted as requested. 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 materials in all respects.

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

4) A detailed scheme for landscaping and ecological enhancement of the site, including the planting of trees and/or shrubs, the use of surface materials and opportunities for wildlife shall be submitted to the Local Planning Authority and the development shall not be brought into use 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 and ecological enhancement measures shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

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

5) 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.

6) No development related works, with the exception of demolition works, shall take place 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.

7) 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 parts 1 to 4 have 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 condition 4 has been complied with in relation to that contamination.

a. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - ground waters and surface waters,
  - ecological systems,
  - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c. 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.

**d. 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 in accordance with the requirements of part a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved 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 c.

**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.

8) No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors.
  - b) Loading and unloading of plant and materials.
  - c) Storage of plant and materials used in constructing the development.
  - d) The erection and maintenance of securing hoarding, if appropriate, which shall be kept clear of graffiti and fly-posting.
  - e) Wheel washing facilities.
  - f) Measures to control the emission of dust and dirt during construction.
  - g) A scheme for recycling/disposing of waste resulting from construction works, with priority given to reuse of building materials on site wherever practicable.
  - h) No burning on site during construction or site preparation works
  - i) Measures to minimise noise and vibration nuisance to neighbours from plant and machinery.
  - j) No driven piling without prior consent from the LPA.
  - k) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
- The approved Statement shall be adhered to throughout the construction period of the development.

**Reason:** In the interest of the reasonable amenity of surrounding occupiers.

9) Details of the storage and management of waste for each commercial unit and the residential accommodation shall be agreed in writing by the Local Planning Authority before that part of the development is first occupied.

**Reason:** In the interest of public health and amenity and to ensure footways are not obstructed.

10) The applicant shall make recommendations for sound insulation based on the submitted Mach Residential Environmental Noise Assessment revision P08 dated 21 September 2018. The sound insulation measures shall be submitted to the LPA for approval in writing prior to commencement of the development, and implemented in full prior to occupation of the development. The approved insulation shall be maintained as agreed thereafter. Measures to

protect against noise should not conflict with the needs of future occupants to prevent and address over-heating.

**Reason:** In the interests of the living conditions of future occupiers.

11) Prior to the commencement of any commercial kitchen, the kitchen ventilation system for kitchen 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, and how the system shall be maintained to ensure it does not adversely affect the amenity of surrounding uses. The applicant is advised that further guidance on the required information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

**Reason:** In the interests of the amenity of the area, especially nearby residential uses.

12) Before any unit is brought into an A3, A4, D1 or D2 use, a noise assessment shall be undertaken and submitted for approval to the LPA. This shall assess the impact of noise from the use on nearby receptors, and make recommendations for mitigation or control measures where necessary. The report shall be approved in writing by the LPA, and any agreed mitigation and control measures implemented in full prior to the commencement of the use.

**Reason:** In the interests of residential amenity.

13) 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 cumulative noise from all 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.

14) The Energy Plant installed and operated at the development shall meet all the criteria and specifications described in section A4 of the submitted report 'Air Quality Assessment: Land Off Summerland Street Exeter' (ref J322), from Air Quality Consultants dated 18 April 2018. Any changes to the criteria and specifications (either at the time of installation or at any point thereafter) should be agreed in writing in advance with the Local Planning Authority.

**Reason:** In the interests of protecting air quality.

15) No part of the development hereby approved shall be brought into its intended use until further details of pedestrian/cycle facilities/crossing points in the immediate area (including from the site to Belgrave Road/Bampfylde Street) have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times. The applicant will need to enter into a S278 agreement.

**Reason:** To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the NPPF

16) No part of the development hereby approved shall be brought into its intended use until the redundant dropped kerbs adjacent to the site have been reinstated 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 safe and suitable access and adequate facilities for traffic attracted to the site.

17) Travel Plan measures including the provision of sustainable transport welcome packs and details of the arrangements of how student pick up/drop off will be managed, shall be provided

in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.

**Reason:** To promote the use of sustainable transport modes and in the interest of highway safety, in accordance with paragraphs 32 and 36 of the NPPF.

18) No development shall take place until adequate areas shall have been made available within the site, or other areas as agreed in writing by the local planning authority, to accommodate operatives' vehicles, construction plant and materials and a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.

The statement should include details of access arrangements, measures to minimise the impact on the adjacent footpath and timings of the proposed works. The approved Statement shall be adhered to throughout the construction period.

**Reason:** In the interests of highway safety and public amenity

19) Details of secure cycle parking provision for the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be occupied until the secure cycle parking facilities have been provided in accordance with the submitted details.

**Reason:** To provide adequate facilities for sustainable transport.

20) The residential accommodation shall be constructed with centralised 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:** In accordance with the requirements of policy CP13 of the Exeter Core Strategy 2012 and in the interests of sustainable development.

21) Unless otherwise agreed, notwithstanding condition no. 3, no work shall commence on the fit-out of tenant and associated landlord areas of the A, B and D class units on the ground and lower ground floors until 'Sustainable Fit-out Guidance' for these areas has been submitted to and approved by the Local Planning Authority. The fit-out of these areas shall only thereafter be carried out in accordance with the approved guidance.

**Reason:** Insufficient information has been submitted with the application and in the interests of sustainable development.

22) Unless otherwise agreed in writing by the Local Planning Authority the A, B and D class units on the ground and lower ground floors hereby approved shall achieve an overall BREEAM scoring of 60 percent or greater for shell and core only. Unless otherwise agreed in writing by the Local Planning Authority the residential units hereby approved shall achieve an overall BREEAM scoring of "excellent" (70 percent or greater). Prior to commencement of any above ground construction works the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report(s) to demonstrate the score expected to be achieved. Where this does not meet the above requirements the developer must provide details of what changes will be made to the development to achieve that standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of the building hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.

**Reason:** To ensure that the proposal is in accordance with the aims of Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

23) The recommendations in section 8 of the Explosive Ordnance Desk Top Study for Stagecoach Bus Depot, Belgrave Road, Exeter (project 15200) dated 11/05/2015 shall be complied with in full, throughout the works to implement this consent.

**Reason:** In the interests of public safety.

#### INFORMATIVES

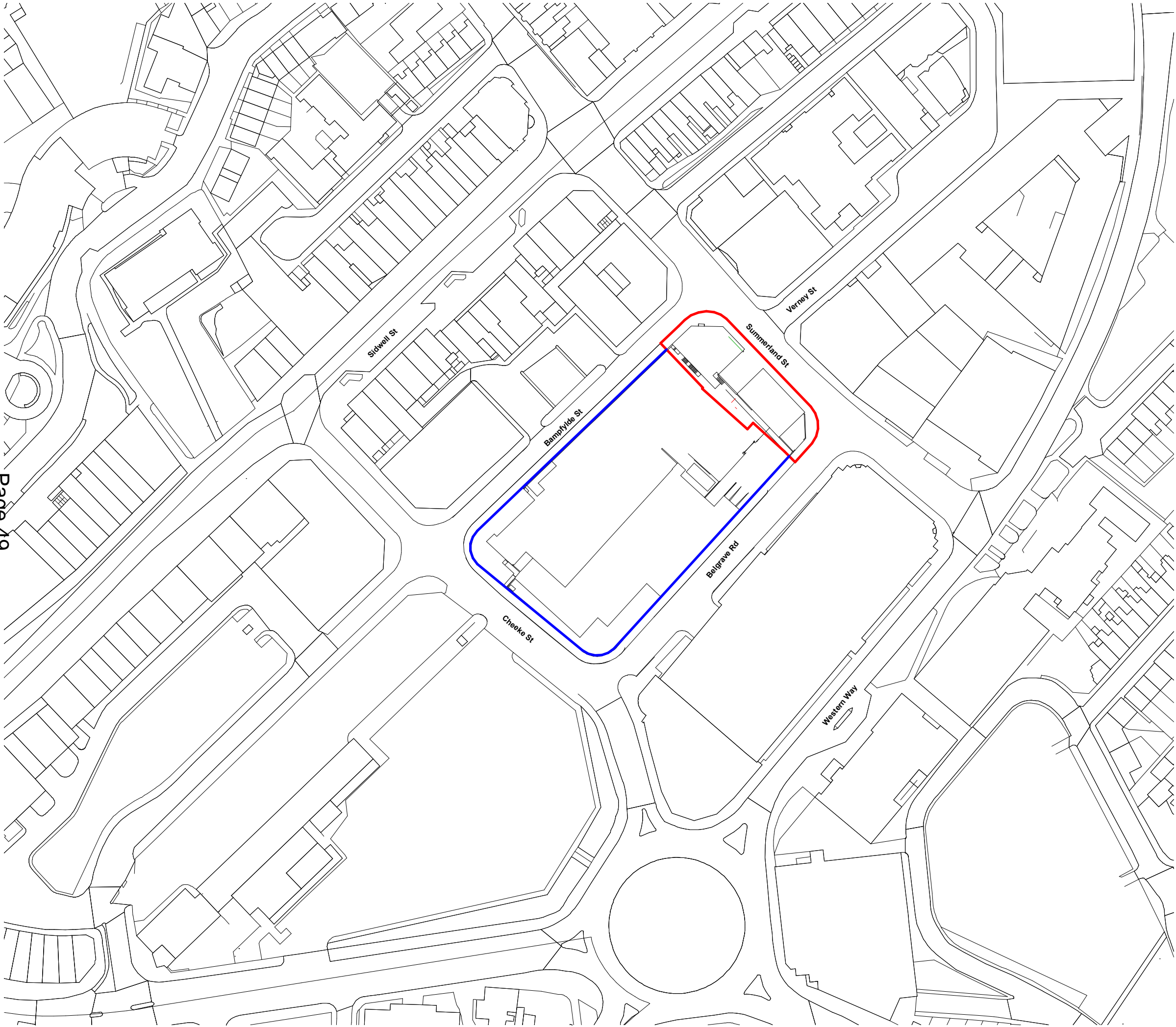
1. In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The Local Planning Authority considers that this development 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 (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](http://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. In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. This AA has been carried out and concludes that the development is such that it is highly unlikely to have a significant impact on protected habitats, alone or in combination with other plans or projects.

*Local Government (Access to Information) 1985 (as amended),*

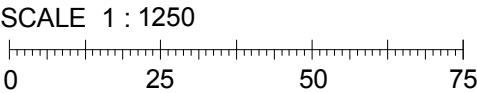
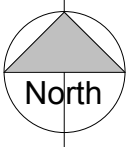
*Background papers used in compiling the report:*

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





- Application Site Boundary
- Ownership Boundary



P01	Planning Issue	12.03.18	PKL	KJB
Rev	Description	Date	Dr by	App by
original by	date created	approved by		
PKL	08.03.2018	KJB		

**AHR**  
AHR Architects Ltd  
8th Floor  
Clifton Heights  
Triangle West  
Bristol  
BS8 1EJ  
United Kingdom

T +44(0)117 9299146  
E bristol@ahr-global.com  
www.ahr-global.com

client name		
MACE		
project		
LAND ADJACENT TO SUMMERLAND STREET		
drawing		
SITE LOCATION PLAN		
computer file		plot date
C:\Users\Philip.Leighton\Documents\2016-01224-000\2016-01224-000-SITE-PLAN-001.dwg		
project number	scale	
2016.01224.000	1 : 1250	@A3
drawing number	issue	rev
001224-AHR-AP-001	Planning	P01

This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before commencing any work or producing shop drawings. The originator should be notified immediately of any discrepancy. This drawing is copyright and remains the property of AHR.

This page is intentionally left blank

**COMMITTEE DATE:** 29/10/2018

**APPLICATION NO:** 18/1241/ECC

**APPLICANT:** Exeter City Council

**PROPOSAL:** Replacement of existing skate facility with the addition of a lighting system.

**LOCATION:** Arena Skate Park, Summer Lane, Exeter, EX4 8NN

**REGISTRATION DATE:** 15/08/2018

**EXPIRY DATE:**

## **DESCRIPTION OF SITE/PROPOSAL**

The skate park is located on the Exeter Arena sports complex in Pinhoe. The site is bordered by the car park for the site to the east, the athletics stadium to the north, the highway of Summer Lane and Willowbrook School to the west, and a railway line to the south.

The site is not in a conservation area and has no other designations, although the athletics track and wider area is designated as sports stadia.

The proposal is for the replacement of the existing skate facility with the addition of a lighting system comprising 6 lighting columns, 8m in height.

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

Light spill technical information.

### **Supporting statement**

Hours of use will be more effectively controlled by the light control mechanism sending a clear message the skate park is “closed” when the lights go off at 21:30, as at other skate parks. This improves on the current situation where skaters are used to using the ambient light from the adjacent street lights.

Light spill is negligible and will not cause distractions to road users and others (see lighting plan). There are existing high level lights on the adjacent car park that do not have the spill limitations of the skate park lights. Due to the existing lights in the vicinity which are on for a longer period of time, and use of LED lamps at the skate park, there is no adverse impact on wildlife.

The car park gates on Summer Lane are locked overnight and this practice will continue. Increased use of the area by skaters has been proven to have a deterrent effect on ASB, due in no small part to social media. Skaters have no interest in damaging skate parks.

The original skate park used box frame construction, which could amplify sound as the skates and bikes landed on ramps. The new skate park is in-situ cast concrete, so will be considerably quieter. Ambient noise from the adjacent road and railway will mask noise generated on the site.

The proposal for surface water drainage is to put the run-off to a soakaway, via a closed drainage system, subject to suitable ground conditions. Percolation tests will be carried out, if required; if found to be lacking, we will consider alternatives. Suitable attenuation will also be provided for extreme rainfall events.

## **REPRESENTATIONS**

1 comment, 2 objections

### **Issues raised**

- What time will the lights be switched off
- Existing anti-social behaviour at skate park and wider area
- Improvements needed to deal with anti-social behaviour
- Increased use of facility with lights will increase anti-social behaviour
- Additional information/explanation on drainage requested. Concern of soakaway in close proximity to railway
- Work has started during consultation period
- Height of lighting poles and potential for light pollution
- Noise from users skating on the ramps, and playing music on site
- Rubbish
- Potential for overlooking from higher parts of the skate park

## **CONSULTATIONS**

### **ECC Environmental Health**

The light spill plans show no significant spill to neighbours properties. Recommend controls over hours of use and motion sensor. The replacement of the skate park equipment and addition of flood lights seems in itself unlikely to increase any anti-social behaviour.

Recommends condition on construction hours

### **DCC Highways**

Did not wish to provide a formal consultation response, and referred to standing advice which does not provide any information of relevance to this proposal.

Informally they have advised on consideration of options for the E4 cycle route in the area.

### **Network Rail**

Make comments on asset protection including the lighting is not to distract drivers or signals, and no drainage to be constructed within 5m of the railway. If following installation and operation of the site, the lighting is found to interfere with operation of the railway, alterations will be required.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance

National Planning Policy Framework 2018

Exeter Local Development Framework Core Strategy

Key recreation and leisure issues

Objective 6

CP10 – Community facilities

## CP17 - Design and local distinctiveness

Exeter Local Plan First Review 1995-2011

DG1 – Objectives of urban design

DG4 – Residential layout and amenity

L6 – Intensive use facilities

L7 – Local sporting facilities

L9 – Sport stadia

Exeter City Council Development Delivery DPD

### **OBSERVATIONS**

The principle of a new facility to replace the existing dilapidated skate park that is beyond repair, and with a similar relationship to existing residential properties is acceptable. The information provided on drainage is considered acceptable. The addition of lighting is a valuable contribution to the use of the site, and meets the key issues for recreation and leisure as described in the Exeter Local Development Framework Core Strategy. It is also considered the impact of the additional lighting will be negligible given the limited light spill and existing highway and car park lighting. The lighting will be turned off at 9.30pm, clearly signalling the skate park is closed. There are no objections from DCC Highways, Environmental Health or Network Rail.

In terms of anti-social behaviour, the car park gates will be locked overnight, and the increased use of the site may prevent anti-social behaviour due to increased surveillance. The applicant has confirmed additional litter bins will be installed. There is no objection from Environmental Health on anti-social behaviour. It is considered that there is insufficient evidence to suggest any significant increase in anti-social behaviour to warrant refusal and any such behaviour would continue to be dealt with by site management and police.

It is considered that the new facility would represent no significant increase in noise, disturbance or overlooking compared to the existing stake park, particularly considering the other leisure uses nearby, and disturbance caused by the railway line. The proposal would be an enhancement on existing facilities providing a valuable community facility, outweighing any potential harm to residential amenity, and should therefore be approved.

The proposal is in accordance with the development plan and is recommend for approval.

### **Delegation Briefing 25 September 2018**

The Project Officer (Planning) discussed the application, highlighting that two objections had been received about anti-social behaviour, noise issues and the potential for light pollution and recommended the application be taken to the Planning Committee.

Members agreed the application would go to the Planning Committee.

### **RECOMMENDATION**

Approve 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 15 August 2018 (including concept drawings, light spillage ISO contours plan, light spillage results plan, and technical specification for lights), and 26 September 2018 (dwg. no. Exeter-DLP01) as modified by other conditions of this consent.

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

3) 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.

4) The floodlights hereby approved shall only be illuminated between 16.00 hours and 21.30 hours Monday to Sunday.

**Reason:** In the interests of residential amenity.

*Local Government (Access to Information) 1985 (as amended),*

*Background papers used in compiling the report:*

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



D

C

B

A



SCALE BAR 1:500 @ A3

# LOCATION PLAN

<b>EXETER</b> SKATEPARK	 <b>MAVERICK</b> INDUSTRIES
CONCEPT 3	DATE 05.07.18 SCALE 1:500 @ A3



This page is intentionally left blank



**REPORT TO: PLANNING COMMITTEE****Date of Meeting: 29 OCTOBER 2018****Report of: City Development Manager****Title: Delegated Decisions****1 WHAT IS THE REPORT ABOUT**

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

**2 RECOMMENDATION**

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

**3 PLANNING APPLICATION CODES**

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

OUT	Outline Planning Permission
RES	Approval of Reserved Matters
FUL	Full Planning Permission
TPO	Works to Tree(s) with Preservation Order
ADV	Advertisement Consent
CAT	Works to Tree(s) in Conservation Area
LBC	Listed Building Consent
ECC	Exeter City Council Regulation 3
LED	Lawfulness of Existing Use/Development
LPD	Certificate of Proposed Use/Development
TEL	Telecommunication Apparatus Determination
CMA	County Matter Application
CTY	Devon County Council Application
MDO	Modification and Discharge of Planning Obligation Regulations
NMA	Non Material Amendment
EXT	Extension to Extant Planning Consent
PD	Extension - Prior Approval
PDJ	Office to Dwelling - Prior Approval

- 3.2 The decision type uses the following codes:

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

**ANDY ROBBINS**  
**CITY DEVELOPMENT MANAGER**

This page is intentionally left blank

# All Planning Decisions Made and Withdrawn Applications between 22/09/2018 and 18/10/2018

## Alphington

Application Number:	18/0961/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	15/10/2018	Delegated Decision
Location:	4B Ide LaneAlphingtonExeterDevonEX2 8UP			
Proposal:	Two storey side extension.			

Application Number:	18/1255/FUL	Delegation Briefing:	30/08/2018	
Decision Type:	Permitted	Decision Date:	26/09/2018	Delegated Decision
Location:	81A BroadwayExeterDevonEX2 9LY			
Proposal:	Ground floor rear and side extension.			

## Duryard And St James

Application Number:	18/0555/FUL	Delegation Briefing:	05/07/2018	
Decision Type:	Refuse Planning Permission	Decision Date:	26/09/2018	Delegated Decision
Location:	20 Victoria StreetExeterDevonEX4 6JQ			
Proposal:	Ground and first floor extensions.			

Application Number:	18/0676/FUL	Delegation Briefing:	26/07/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	57 Argyll RoadExeterDevonEX4 4RX			
Proposal:	Side extension and rear dormer with alterations to rear elevation and front rooflights.			

Application Number:	18/0775/FUL	Delegation Briefing:	31/05/2018	
Decision Type:	Permitted	Decision Date:	27/09/2018	Delegated Decision
Location:	St Sidwells CentreSidwell StreetExeterDevonEX4 6NN			
Proposal:	Construction of workshop and office building for use by St Sidwell's Community Centre.			

## Duryard And St James

Application Number:	18/1025/FUL	Delegation Briefing:	26/07/2018	
Decision Type:	Permitted	Decision Date:	15/10/2018	Delegated Decision
Location:	9 Powderham CrescentExeterDevonEX4 6DA			
Proposal:	Double garage at rear			

Application Number:	18/1184/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	15/10/2018	Delegated Decision
Location:	East ParkStocker RoadExeterDevonEX4 4QN			
Proposal:	Discharge of Condition 18 (Sustainable Design and Construction Strategy) of planning application 16/1232/OUT granted 5 July 2017			

Application Number:	18/1368/NMA	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	04/10/2018	Delegated Decision
Location:	Unit 131-35 Old Tiverton RoadExeterDevonEX4 6LG			
Proposal:	Non-material amendment to retail unit including new ATM facility; replacement doors; change to shopfront colour frames; repositioning of external access and escape doors; new louvre panel and installation of smoke ventilators as part of planning application 15/1275/03 granted on 13 May 2016.			

## Exwick

Application Number:	18/0700/FUL	Delegation Briefing:	02/08/2018	
Decision Type:	Permitted	Decision Date:	04/10/2018	Delegated Decision
Location:	96 Gloucester RoadExeterDevonEX4 2ED			
Proposal:	Extension over existing garage			

## Heavitree

## Heavitree

Application Number:	18/0628/FUL	Delegation Briefing:	12/07/2018	
Decision Type:	Permitted	Decision Date:	11/10/2018	Delegated Decision
Location:	26 Regent SquareExeterDevonEX1 2RL			
Proposal:	Proposed first floor extension to provide new bathroom over existing rear single storey part of the building. Also remove existing rear window at ground floor level in the dining area and replace with new door; Remove existing exit door from kitchen area and replace with new window. Minor internal alterations.			

Application Number:	18/0862/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	61 Lonsdale RoadExeterDevonEX1 3DP			
Proposal:	Change the use of the land to a garden to include 1.82m high fence.			

Application Number:	18/0880/FUL	Delegation Briefing:	26/07/2018	
Decision Type:	Permitted	Decision Date:	17/10/2018	Delegated Decision
Location:	1A Bickton PlaceExeterDevonEX1 2PF			
Proposal:	Single storey side and rear extension and detached studio in rear garden			

Application Number:	18/0881/LBC	Delegation Briefing:	26/07/2018	
Decision Type:	Permitted	Decision Date:	17/10/2018	Delegated Decision
Location:	1A Bickton PlaceExeterDevonEX1 2PF			
Proposal:	Side and rear extension, as well as internal rearrangements.			

Application Number:	18/0886/ECC	Delegation Briefing:	05/07/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Committee Decision
Location:	78-84 Bovemoors Lane And Garage Blocks To RearBovemoors LaneExeterEX2 5BW			
Proposal:	Demolition of 2 no. residential buildings containing 4 no. flats and 30 no. garages, and redevelopment of site comprising construction of 10 no. 3 bed 4 person terraced houses and associated access and parking.			

## Heavitree

Application Number:	18/1245/FUL	Delegation Briefing:		
Decision Type:	Permission not required	Decision Date:	09/10/2018	Delegated Decision
Location:	37 Bonnington GroveExeterDevonEX1 2QY			
Proposal:	Proposed single storey rear extension.			

Application Number:	18/1329/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/10/2018	Delegated Decision
Location:	38 Meadow WayExeterDevonEX2 5BJ			
Proposal:	Discharge of condition 3 of planning permission 17/1517/FUL			

Application Number:	18/1470/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	10/10/2018	Delegated Decision
Location:	60 Chard RoadExeterDevonEX1 3AX			
Proposal:	Discharge of Condition 3 (Materials) relating to planning application 18/0091/FUL approved on 11 April 2018.			

## Mincinglake And Whipton

Application Number:	18/0938/FUL	Delegation Briefing:	13/09/2018	
Decision Type:	Permitted	Decision Date:	05/10/2018	Delegated Decision
Location:	13 Bennett SquareExeterDevonEX4 8AY			
Proposal:	Single storey rear extension			

## Newtown And St Leonards

Application Number:	18/0447/FUL	Delegation Briefing:	13/09/2018	
Decision Type:	Permitted	Decision Date:	05/10/2018	Delegated Decision
Location:	11 Marlborough RoadExeterDevonEX2 4TJ			
Proposal:	Outbuilding			

## Newtown And St Leonards

Application Number:	18/0626/FUL	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	04/10/2018	Delegated Decision
Location:	1 Fairpark RoadExeterDevonEX2 4HL			
Proposal:	Proposal to change a window at the rear of the property to a door. Relocation of existing pier by 800mm, and removal of stone wall to widen the entrance. Change of use from (B1) Offices to D1 (Non Residential Institution)			

Application Number:	18/0885/FUL	Delegation Briefing:	05/07/2018	
Decision Type:	Permitted	Decision Date:	16/10/2018	Delegated Decision
Location:	91-93 Magdalen Road Exeter EX2 4TG			
Proposal:	Subdivide and change the use of upper floor maisonette to 4 no. 1-bed flats at 91 Magdalen Road, together with flat roof dormer window and external alterations to the rear of the building, and demolish 2 storey rear extension/garage at 93 Magdalen Road and redevelop to provide a 2 and a half storey extension with 3 no. 2-bed flats, with associated bin store/bike store and landscaping.			

Application Number:	18/0925/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	24 Marlborough RoadExeterDevonEX2 4TJ			
Proposal:	Ground and first floor rear extensions. Single storey side extension.			

Application Number:	18/1246/FUL	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	08/10/2018	Delegated Decision
Location:	Flat 5155 Magdalen RoadExeterDevonEX2 4TT			
Proposal:	Replacement of timber casement window (south elevation 2nd floor level).			

Application Number:	18/1247/LBC	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	08/10/2018	Delegated Decision
Location:	Flat 5155 Magdalen RoadExeterDevonEX2 4TT			
Proposal:	Replacement of timber casement window (south elevation 2nd floor level).			

## Newtown And St Leonards

Application Number:	18/1272/FUL	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	09/10/2018	Delegated Decision
Location:	5 The QuadrantExeterDevonEX2 4LE			
Proposal:	Construction of rear single storey extension (Revised design) - Demolition of existing detached garage and construction of replacement garage / storage (Revised design) - Reconstruction of temporary opening in boundary wall.			

Application Number:	18/1273/LBC	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	09/10/2018	Delegated Decision
Location:	5 The QuadrantExeterDevonEX2 4LE			
Proposal:	Construction of rear single storey extension (Revised design) - Demolition of existing detached garage and construction of replacement garage / storage (Revised design) - Reconstruction of temporary opening in boundary wall.			

Application Number:	18/1345/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	17/10/2018	Delegated Decision
Location:	79 Heavitree RoadExeterDevon			
Proposal:	Discharge of condition 3 (District Heating) and condition 9 (Bird boxes) of planning permission 17/0459/FUL.			

Application Number:	18/1374/LED	Delegation Briefing:		
Decision Type:	Was lawful use	Decision Date:	25/09/2018	Delegated Decision
Location:	8 Gordon RoadExeterDevonEX1 2DH			
Proposal:	Certificate of Lawfulness for Existing Use as C4 HMO			

## Pennsylvania

Application Number:	18/0934/FUL	Delegation Briefing:	13/09/2018	
Decision Type:	Permitted	Decision Date:	05/10/2018	Delegated Decision
Location:	61 Florida DriveExeterDevonEX4 5EX			
Proposal:	New rear exterior timber staircase and landing from first floor living area to ground floor garden.			



## Pennsylvania

Application Number:	18/0982/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	39 Mayflower AvenueExeterDevonEX4 5DS			
Proposal:	Single storey side extension			

## Priory

Application Number:	18/0698/FUL	Delegation Briefing:	26/07/2018	
Decision Type:	Permitted	Decision Date:	26/09/2018	Delegated Decision
Location:	26 Exe Vale RoadExeterDevonEX2 6LF			
Proposal:	Rear single storey lean-to kitchen extension, Replacement of hung tiles to elevations with new rendered panels.			

Application Number:	18/0856/FUL	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	28/09/2018	Delegated Decision
Location:	31 Alice Templer CloseExeterDevonEX2 6AE			
Proposal:	Single storey rear extension and two storey side extension			

## St Davids

Application Number:	18/0617/LBC	Delegation Briefing:	12/07/2018	
Decision Type:	Permitted	Decision Date:	05/10/2018	Delegated Decision
Location:	30 The MintExeterDevonEX4 3BL			
Proposal:	Replacement of two existing roof light to the front elevation. Installation of two roof lights to the rear elevation of the building.			

Application Number:	18/0906/ADV	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	16/10/2018	Delegated Decision
Location:	6 Isambard ParadeExeterDevonEX4 4BX			
Proposal:	Alterations to shopfront signage: replace existing fascia sign with metallic letter sign and renew hanging sign.			

## St Davids

Application Number:	18/0955/LBC	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	08/10/2018	Delegated Decision
Location:	9 Queens TerraceExeterDevonEX4 4HR			
Proposal:	Remove modern window and infill opening on rear elevation.			

Application Number:	18/0966/NMA	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	27/09/2018	Delegated Decision
Location:	Renslade HouseBonhay RoadExeterDevonEX4 3AY			
Proposal:	Non-material amendment to allow the reconfiguration of ground floor layout; increase of parapet height by 750 mm; alterations to fenestration and internal configuration and amendments to fourth floor roof top plant and screening relating to planning application 17/0001 granted on 7 April 2017.			

Application Number:	18/1090/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	21 Waterbeer StreetExeterDevonEX4 3EH			
Proposal:	Replacement shop fronts			

Application Number:	18/1236/FUL	Delegation Briefing:	30/08/2018	
Decision Type:	Permitted	Decision Date:	16/10/2018	Delegated Decision
Location:	59 Magdalen StreetExeterDevonEX2 4HY			
Proposal:	Alterations to rear conservatory and courtyard			

Application Number:	18/1279/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	28/09/2018	Delegated Decision
Location:	Land At Junction Of Frog Street And Mission CourtExeterDevonEX4 3AY			
Proposal:	Discharge of condition 6 (Frog Street steps) of prior notification application 16/0474/40 granted on 17 June 2016.1953-PP207			

## St Davids

Application Number:	18/1280/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	28/09/2018	Delegated Decision
Location:	Land At Junction Of Frog Street And Mission CourtExeterDevonEX4 3AY			
Proposal:	Discharge of condition 8 (Frog Street steps) of planning application 16/0481/03 granted on 14 February 2017.			

Application Number:	18/1281/DIS	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	28/09/2018	Delegated Decision
Location:	Land At The Junction Of Frog Street And Mission CourtExeterDevonEX4 3AY			
Proposal:	Discharge of condition 7 (Frog Street steps) of planning application 17/0001/03 granted on 7 April 2017.1953-PP2061953-PP207			

## St Loyes

Application Number:	18/0709/FUL	Delegation Briefing:	26/07/2018	
Decision Type:	Permitted	Decision Date:	27/09/2018	Delegated Decision
Location:	2 Culm GroveDigbyExeterDevonEX2 7QX			
Proposal:	Single storey extension.			

Application Number:	18/0890/ECC	Delegation Briefing:	05/07/2018	
Decision Type:	Permitted	Decision Date:	03/10/2018	Committee Decision
Location:	Existing Garage Site Between Thornpark Rise And Birchy Barton HillExeter			
Proposal:	Demolition of 54no. garages and redevelopment of site comprising construction of 9no 3 bed 4 person terraced and semi-detached houses and associated access and parking.			

Application Number:	18/1348/PD	Delegation Briefing:		
Decision Type:	Prior Approval Not Required	Decision Date:	05/10/2018	Delegated Decision
Location:	54 Quarry LaneExeterDevonEX2 5PR			
Proposal:	Removal of exiting conservatory and construction of single storey extension extending a maximum 4.44m from the rear elevation, height to eaves 2.6m and maximum overall height 3.5m			

## St Thomas

## St Thomas

Application Number: 17/0901/FUL Delegation Briefing:

Decision Type: Withdrawn by Applicant Decision Date: 03/10/2018 Delegated Decision

Location: 1 Regent Street Exeter EX2 9EJ

Proposal: Covert ancillary residential storage outbuilding (2 storey) to one bedroom independent dwellinghouse, with associated external alterations. (Retrospective) (INVALID - NO DAS)

Application Number: 18/0338/ADV Delegation Briefing:

Decision Type: Permitted Decision Date: 12/10/2018 Delegated Decision

Location: 6 St Thomas Centre Exeter Devon EX4 1DG

Proposal: Non illuminated fascia sign

Application Number: 18/0828/FUL Delegation Briefing: 16/08/2018

Decision Type: Permitted Decision Date: 26/09/2018 Delegated Decision

Location: 4 Princes Street South Exeter Devon EX2 9AW

Proposal: Single storey rear side extension

Application Number: 18/1135/VOC Delegation Briefing: 13/09/2018

Decision Type: Permitted Decision Date: 05/10/2018 Delegated Decision

Location: 1 Cowick Lane Exeter Devon EX2 9HP

Proposal: Application Reference Number: 14/4821/FUL - Date of Decision: 25/02/2015 - Variation of Condition 2 of permission 14/4821/03 to alter the approved green wall to render (smooth finish and colour to match adjacent properties), in lieu of the approved green wall additional planting will be provided to the front of the plot in order to reduce the environmental impact, the additional plants provided will be a Buddleia Tree, Lavender and Rose Trees.

Application Number: 18/1309/FUL Delegation Briefing: 13/09/2018

Decision Type: Permitted Decision Date: 05/10/2018 Delegated Decision

Location: 50 Okehampton Street Exeter Devon EX4 1DY

Proposal: Single storey rear extension

## St Thomas

Application Number:	18/1312/FUL	Delegation Briefing:	13/09/2018	
Decision Type:	Permitted	Decision Date:	09/10/2018	Delegated Decision
Location:	St Thomas Baptist ChurchDorset AvenueExeterDevonEX4 1LZ			
Proposal:	Front extension to enlarge entrance lobby.			

## Topsham

Application Number:	18/0652/VOC	Delegation Briefing:	16/08/2018	
Decision Type:	Permitted	Decision Date:	09/10/2018	Delegated Decision
Location:	Beech CottageOld Rydon CloseExeterDevonEX2 7JR			
Proposal:	Variation of condition 2 (approved drawings) of application ref 17/0352/FUL for the construction of 5 detached dwellings granted 4th July 2017) incorporating minor amendments to the footprint, internal layout and external appearance of the dwellings and positioning of plot 5.			

Application Number:	18/0692/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	Devon County CouncilTopsham LibraryNelson CloseTopshamExeterDevonEX3 0DX			
Proposal:	Installation of stonework planters and bicycle hoops. Relocate benches, bin and associated works			

Application Number:	18/0693/ADV	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	Devon County CouncilTopsham LibraryNelson CloseTopshamExeterDevonEX3 0DX			
Proposal:	Retrospective application for No. 6 non-illuminated signs (No.4 wall mounted directional; No.1 freestanding directional; No.1 plaque)			

Application Number:	18/0769/FUL	Delegation Briefing:	09/08/2018	
Decision Type:	Permitted	Decision Date:	27/09/2018	Delegated Decision
Location:	24 Majorfield RoadTopshamExeterDevonEX3 0ES			
Proposal:	Ground floor side extension			

## Topsham

Application Number:	18/0785/FUL	Delegation Briefing:	09/08/2018	
Decision Type:	Permitted	Decision Date:	10/10/2018	Delegated Decision
Location:	5 Parkfield WayTopshamExeterDevonEX3 ODP			
Proposal:	Demolition of existing wall and sliding gate to relocate 5.2m back from road to create off-road parking and provide electrical charging; Creation of new permeable hard-standing and electrical charging point.			

Application Number:	18/0822/FUL	Delegation Briefing:	02/08/2018	
Decision Type:	Permitted	Decision Date:	17/10/2018	Delegated Decision
Location:	EnterpriseGlobe LaneTopshamExeterDevonEX3 OEX			
Proposal:	Proposed replacement dwelling and demolition of existing bungalow.			

Application Number:	18/0854/FUL	Delegation Briefing:		
Decision Type:	Withdrawn by Applicant	Decision Date:	15/10/2018	Delegated Decision
Location:	23 Exeter RoadTopshamExeterDevonEX3 0LX			
Proposal:	Extend existing garage to form a larger garage with room for mobility car access and granny annex suitable for elderly relatives with wheelchair use as necessary.			

Application Number:	18/0868/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Refuse Planning Permission	Decision Date:	15/10/2018	Delegated Decision
Location:	24 Monmouth AvenueTopshamExeterDevonEX3 0AF			
Proposal:	Two rear dormer windows			

Application Number:	18/1056/FUL	Delegation Briefing:	20/09/2018	
Decision Type:	Permitted	Decision Date:	12/10/2018	Delegated Decision
Location:	21 Ashford RoadTopshamExeterDevonEX3 0LA			
Proposal:	Single storey side and rear extensions. Front canopy.			

## Topsham

Application Number:	18/1176/LBC	Delegation Briefing:	06/09/2018	
Decision Type:	Permitted	Decision Date:	03/10/2018	Delegated Decision
Location:	9 Ferry RoadTopshamExeterDevonEX3 0JN			
Proposal:	Full replacement of modern front elevation windows.			

Application Number:	18/1264/LBC	Delegation Briefing:	13/09/2018	
Decision Type:	Permitted	Decision Date:	17/10/2018	Delegated Decision
Location:	16 Majorfield RoadTopshamExeterDevonEX3 0ES			
Proposal:	Replacement windows and sunroom roof and retention of existing rear utility/store extension.			

Application Number:	18/1292/PD	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	03/10/2018	Delegated Decision
Location:	55 Exeter RoadTopshamExeterDevonEX3 0LX			
Proposal:	Proposed single storey flat-roofed rear extension extending a maximum of 4.9m from rear elevation, height to eaves 3m and max. overall height 3m.			

Application Number:	18/1495/LPD	Delegation Briefing:		
Decision Type:	Permitted	Decision Date:	18/10/2018	Delegated Decision
Location:	23 Exeter RoadTopshamExeterDevonEX3 0LX			
Proposal:	Alteration and extension of existing garage to create storage room and home office			

Total Number of Decisions Made

63

This page is intentionally left blank



**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 29 OCTOBER 2018  
**Report of:** City Development Manager  
**Title:** Appeals Report

**Is this a Key Decision?** No

**Is this an Executive or Council Function?** No

**1. What is the report about?**

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

**2. Recommendation:**

- 2.1 Members are asked to note the report.

**3. Summary of Decisions Received**

**3.1 20 Cornflower Hill, Exeter – Application Ref 18/0445/FUL.**

The application was retrospective for a single storey rear extension.

The appeal site is a semi-detached property within an established residential area. The conservatory extension projects 5 metres from the rear elevation of the property and due to the drop in level to the neighbouring property, the development protrudes significantly above the existing boundary fence and rises above the sill of the first floor level windows at the neighbouring property.

The Inspector considered that the depth of the conservatory, combined with its height, proximity to the boundary and substantial changes in level, constitute an oppressive and visually intrusive outlook for the occupiers of the adjoining property.

Finding unacceptable harm to the living conditions of the occupants of 18 Cornflower Hill, the Inspector dismissed the appeal.

The extension had originally been constructed under the prior approval procedure (neighbour consultation scheme). However, the notification was not received by the Council. The appellant raised concerns about the Householder Guide to Extension Design SPD and noted that the aim of the document was primarily to provide design principles for householder extensions which were considered relevant to this appeal and accord with key principles set within the framework.

The application for award of costs was also refused, with the Inspector concluding there was no unreasonable behaviour that has directly caused another party to incur unnecessary or wasted expense in the appeal process. The applicant's grounds for applying for an award of costs were lack of evidence from the Council to demonstrate issues raised within the planning statement, the relevance of the Householder Guide to Extension Design SPD and the 'fall back' position following the decision to refuse planning permission.

As above the SPD was found to be relevant to this appeal as it amplifies the saved policies DG1 and DG4. The supporting documents are referred to in the report which suggests it was taken into consideration. The Inspector also concluded that the reasons for refusal were clearly detailed within the decision notice and the supporting officer report.

### **3.2 16 Higher Kings Avenue, Exeter – Application Ref 17/110/FUL**

The application sought a single storey rear extension.

The main issues were the effect of the proposal upon the living conditions of the occupants of no.18 Higher Kings Avenue, with particular reference to light, outlook and privacy; and the character and appearance of the dwelling and the area.

Located within an established residential area, the appeal site comprises a semi-detached dwelling set within a proportionately sized plot. There is an existing terrace to the rear of the property, beyond which land drops considerably into the garden area. The boundary shared with the adjoining dwelling at no.18 Higher Kings Avenue is currently marked by a 1.6 metre high timber fence where the terrace is located. Beyond that point, it then extends in a staggered fashion to reflect the changes in level, and is complemented with landscaping to soften the appearance of the fence.

The proposed extension would be built within proximity to the boundary shared with no.18 Higher Kings Avenue. It would also be directly adjacent to the sliding doors serving the living room of this neighbouring property, which provide access onto a terrace. Although only part of the extension would sit alongside the shared boundary before being angled away from no.18, the Inspector considered that it would, by reason of its height, massing, depth and closeness, appear oppressive and overbearing to existing and future occupants of this adjoining property. As well as appearing visually intrusive, the extension would cause harm to the outlook from within this property's habitable room and outdoor amenity area to an unacceptable degree.

The Inspector noted that the proposed terrace would extend further into the plot, where changes in level are particularly pronounced. Although overlooking of gardens is to some extent unavoidable in this suburban setting, the elevated position of the terrace and staircase would in this instance enable views into the garden of the neighbouring property above the intervening boundary fence to a harmful degree. The proposal included a landscaping strategy, which would include additional planting to act as a screen in order to reduce overlooking. The appellant also suggested a condition requiring the installation of a privacy screen. However, given the layout of the proposed development and site topography, he did not consider that new planting or a privacy screen would be able to successfully mitigate the potential loss of privacy due to overlooking.

The appellant had submitted a review of the light and solar orientation which showed that the impact of the extension on the living conditions of the adjoining property would be minimal with regard to day lighting, due to the southern orientation of the gardens. Based on the evidence, he considered that there would not be a significant loss of light to no.18. However, this did not alter or outweigh the harm that would be caused to the living conditions of these neighbouring residents, with regard to outlook and privacy.

For these reasons, the Inspector concluded that the proposed development would have an adverse effect on the living conditions of the existing and future residents of no.18 Higher Kings Avenue, with regard to outlook and privacy. It would subsequently fail to accord with the aims of saved Policies DG1(f), DG1(g) and DG4(b) of the Exeter Local Plan First Review 1995-2011 (the Local Plan), which he found to be broadly consistent with the National Planning Policy Framework (the Framework), and the Householder's Guide to Extension Design Supplementary Planning Document, Adopted September 2008 (the SPD). It would also be contrary to paragraph 127(f) of the Framework, in that it would not provide a high standard of amenity for existing and future users.

The proposed extension would be characterised by its contemporary appearance, which would be notably built using different materials to the host dwelling. The appellant submitted a design statement in support of the planning application, to justify the contemporary approach of the proposal and choice of materials. In addition to this, the Inspector had regard to the further evidence prepared as part of the appeal, explaining how it would complement the host property and the local vicinity, in accordance with the requirements set

within the SPD. He considered that the contemporary appearance of the proposed extension had been satisfactorily justified. On this issue, he therefore concluded that the design of the proposal would not cause harm to the character and appearance of the host dwelling and the local vicinity. As such, it would accord with Policy DG1 of the Exeter Local Plan First Review 1995-2011 and the Householder's Guide to Extension Design SPD.

The Inspector was referred to other extensions which have been granted planning permission by the Council at Nos.2, 10 and 56 Higher Kings Avenue. However, each proposal has to be assessed on its own merits and, other than being located on the same road, he was not persuaded that the circumstances of these other cases are directly comparable to the appeal proposal. Based on the evidence, nothing suggested that the Council's decision-making has been inconsistent.

He noted the comments made by the appellant regarding the age of the SPD, and subsequent changes to national legislation. However, the SPD clearly states that it solely applies to developments requiring planning permission. Having regard to the SPD, he has found that the design principles set out within this document were relevant to this appeal and were in accord with the design principles contained within the National Planning Policy Framework, particularly paragraph 127.

The appellant also suggested that a large outbuilding could be built alongside the boundary with no.18 at a height of 2.5m without the need for planning permission. However, the Inspector had no substantive evidence indicating that there was a realistic prospect that such an outbuilding would be constructed, should this appeal be dismissed, thus limiting the weight he could afford to this argument. Furthermore, this would not outweigh the harm which would be caused.

The neighbouring resident was concerned that the proposed development would encroach onto land within her ownership and cause the loss of her boundary wall. However, ownership issues constitute a private matter between the relevant parties, outside the Inspector's jurisdiction.

Although the proposal would not have an adverse effect upon the character and appearance of the dwelling and area, he found that it would have a materially harmful effect upon the living conditions of existing and future occupants of no.18. The other considerations advanced did not outweigh this finding.

The Inspector therefore concluded that the appeal should be dismissed.

#### **4. New Appeals**

##### **4.1 17/1924/ADV – Renslade House, Bonhay Road, Exeter.**

The application sought a sign in relation to use as Holiday Inn Express hotel.

#### **5. Appeal Withdrawn**

##### **5.1 17/1879/FUL – Grove Hill House, Grove Hill, Topsham.**

The application sought a new dwelling in the grounds of Grove Hill House.

#### **CITY DEVELOPMENT MANAGER**

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

##### **Background papers used in compiling the report:**

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

Contact for enquiries: Democratic Services (Committees) - Room 2.3. Tel: 01392 265275

This page is intentionally left blank