

## **PLANNING**

Date: Monday 19 June 2023

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 rear of the Customer Service Centre, Paris Street.

### *Membership -*

Councillors Knott (Chair), Asvachin, Bennett, Branston, Hannaford, Jobson, Ketchin, Lights, Miller, Mitchell, M, Sheridan, Wardle, Warwick and Williams

## **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 25 May 2023.

(Pages 5 -  
26)

#### **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 10 am on the Thursday before the meeting (full details available on request from the Democratic Services Officer).**

#### 5 **Planning Application No, 21/1676/FUL - Land North East Of 371 Topsham Road, Exeter**

To consider the report of the Director City Development.

(Pages 27  
- 70)

#### 6 **Planning Application No. 22/1746/RES - West Park, University of Exeter, Stocker Road, Exeter**

To consider the report of the Director City Development.

(Pages 71  
- 212)

#### 7 **Planning Application No. 23/0321/FUL - Land on the West side of Belle Vue Road, Exeter**

To consider the report of the Director City Development.

(Pages  
213 - 232)

#### 8 **List of Decisions Made and Withdrawn Applications**

To consider the report of the Director City Development.

(Pages  
233 - 248)

#### 9 **Appeals Report**

To consider the report of the Director City Development.

(Pages  
249 - 250)

## **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 31 July 2023** at 5.30 pm in the Civic Centre.

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

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## PLANNING COMMITTEE

Thursday 25 May 2023

### Present:-

Councillor Paul Knott (Chair)  
Councillors Lights, Asvachin, Bennett, Hannaford, Jobson, Ketchin, Miller, Mitchell, M, Sheridan, Wardle, Warwick and Williams

### Also Present

Director of City Development, Service Lead City Development, Assistant Service Lead - Development Management (Major Projects), Principal Project Manager (Development Management) (CMB), Planning Solicitor, Principal Officer Ecology and Biodiversity, Senior Environmental Technical Officer and Democratic Services Officer (HB)

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### MINUTES

The minutes of the meeting held on 24 April 2023 were taken as read, approved and signed by the Chair as correct.

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### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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### PLANNING APPLICATION NO. 21/1676/FUL - LAND NORTH EAST OF 371 TOPSHAM ROAD, EXETER

The Assistant Service Lead - Development Management (Major Projects) presented the application for the development comprising change of use to golf driving range including construction of an 8 bay and 2 training bay facility incorporating equipment store and car park.

The Assistant Service Lead - Development Management (Major Projects) set out a detailed description of the site and the proposed development, including an aerial view, site and planting plans, views towards the site from Ludwell Valley Park photos showing the proposed building in the context of the surroundings and facilities within the existing golf driving range in Topsham Road which would be largely replicated in the proposed development. The report presented also set out the following key issues:-

- the principle of development;
- design, landscape and heritage;
- access and impact on local highways and parking;
- noise;
- impact on trees and biodiversity;
- flood risk and surface water management;
- sustainable construction and energy conservation;
- development plan, material considerations and presumption in favour of sustainable development

The Assistant Service Lead - Development Management (Major Projects) provided the following additional detail:-

- the proposed development was to change the use of the site from an agricultural field to a golf driving range, including the development of a single storey building and car park. Like the existing facility, the new facility will be available to use by members of Exeter Golf and Country Club/Topsham Golf Academy and not be open to the general public. A security fence was proposed along the boundary with Rydon Lane;
- the site was within the designated Ludwell Valley Park and Site of Nature Conservation Importance (SNCI) on the Local Plan First Review Proposals Map. The site was also located within the Landscape Setting area. The adjoining field to the northeast is part of the Ludwell Valley Park County Wildlife Site (CWS);
- the car park would be surfaced in grasscrete and the building would be sited adjacent to the car park to the east including eight bays and a specialised training bay. It will be constructed from timber and composite cladding similar to the building at the existing facility;
- the bays will face towards the northeast corner of the field and A379, away from the housing in Tollards Road and InFocus buildings. The ball striking zone will be 250 metres long compared with 180 metres at the existing facility. Unlike the existing facility there would be no flags or other paraphernalia in the ball striking zone. Instead users will be able to see the distance they strike the ball on a monitor in each bay;
- there would be no floodlighting; the Club having confirmed the facility will be viable to operate in daylight hours only. Due to the much larger size of the site compared to the existing facility, there would be no need for any safety netting. The applicant had confirmed verbally that no chemicals would be sprayed on the grass and none were being used at the existing facility;
- the applicant had submitted a Landscape and Ecological Mitigation Plan showing new planting on the site as part of the proposals to enhance biodiversity;
- an additional pre-commencement condition was proposed as requested by the Lead Local Flood Authority relating to drainage issues as shown on the update sheet.

In conclusion, the Assistant Service Lead - Development Management (Major Projects) advised:

- recreation uses are acceptable in the Valley Parks in accordance with Policy CP16 of the Core Strategy and saved Policy L1 of the Local Plan First Review;
- the open, rural appearance of the site will remain and the proposed building and car park will not have a significant impact on the character and local distinctiveness of the Valley Park;
- the building materials are appropriate and their colours can be controlled by condition;
- the soft landscaping proposed will enhance the biodiversity value of the site by 36.71% for habitats and 8.96% for hedges;
- the Council's Environmental Health Officer has not objected on noise grounds, as they consider it to be "not the loudest of uses" and a Noise Impact Assessment is conditioned;
- the Local Highway Authority had raised no objections on access or highways grounds;
- the proposal is for a high quality sporting facility for people of all ages who are members of Exeter Golf and Country Club/Topsham Golf Academy;
- the site is much larger than the existing site negating the need for netting;
- there will be no flood lighting.

The Assistant Service Lead - Development Management (Major Projects), in response to Members' queries, advised that:-

- the existing facility is off Exeter Road towards Topsham and is further away from the Exeter Golf and Country Club than the proposed facility which itself will have the same facilities but no netting nor golfing paraphernalia;
- grasscrete was proposed for the car park and not an artificial permeable surface and the ball strike area will remain as grass;
- it will be a relatively quiet use compared with sports stadia;
- the ball strike area is within the building which provides sound proof mitigation and there have been no noise complaints from the existing facility and a noise impact assessment has been added as a condition in case sound proofing measures are deemed necessary in the future; and
- the Club have provided assurances that netting will not be required for this much larger site and the ball strike area is angled away from the houses. Planning permission will be needed if netting was to be sought, but would be unlikely to be allowed because of the Valley Park.

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

- speaking on behalf of the residents of the Southbrook estate, the Southbrook Community Association and the campaign group;
- Since 1962 there have been around 10 attempts to develop this site and applications have failed, the latest in 2018, the Planning Inspector stating that the field was within the Ludwell character zone forming an integral part of the Ludwell Valley Park. It remains within the Valley Park designation in the Statutory Development Plan;
- residents are concerned that a change of use from agriculture to a golfing facility might in the future change it from a green field to a brown field site and make it more vulnerable to development;
- should approval of these plans be granted, is it possible to put a caveat preventing future development?
- the Southbrook Residents Association support the views of the experts, Devon Wildlife Trust (DWT), the managers of the Valley Park, when considering if the plans will affect the Ludwell Valley Park and its wildlife and they sent two letters of objection stating they consider the proposals do not provide sufficient evidence to satisfy the requirements relating to biodiversity. It is a crucial area of wildlife rich greenspace within the city, much of which is publicly accessible and managed for people and wildlife;
- there have been nearly 350 letters of objection to the plans, many from people who come to the Park for recreation and are not residents;
- the removal of course lighting so that it will operate in daylight hours only in the winter is welcome but there is no mention as to what lighting is intended around the building and in the car park area and how long it will remain on;
- Natural England have stated that any lighting that would cause additional illumination of hedgerows, which are important wildlife corridors, should be prevented;
- thankfully the Planning Assessment deemed a well-lit cycle park unnecessary;
- whilst the landscaping and planning proposed will have a positive effect, the border with the properties on Tollards Road has become overgrown and residents would require to be consulted as to how the border is managed. Existing mature pine trees at the top North East corner are becoming invasive and should be removed;
- the building should be left in natural wood and not unsightly materials;

- the RSPB have commented that herbicides and fertilisers should be excluded in the ball striking zone with management of this area being by cutting. Chemical herbicides and fertilisers could well pose a hazard to the wildlife flora and fauna of the area and the adjacent meadows. The whole of the site to be free from chemicals;
- the absence of high netting in use in Topsham is welcome as is the absence of Floodlighting, netting, flags or other golfing paraphernalia
- it is considered that opening at 9:30 am is too early, yet the Planning Assessment concludes with the information that it can open from 6:30am when daylight allows;
- the campaign group was formed in 2014 to become proactive in protecting the whole of the Ludwell Valley Park with a view to notifying users of any proposed changes. It supports the concerns of DWT, the RSPB and Natural England;
- there is a failure to mention the BERM lighting which is on the existing site in Topsham half way down the fairway will be relocated. Hopefully, the daylight opening hours will restrict the use of BERM and the need for floodlighting in the car park or in the reception building. There is no mention by the agent that it will be installed. Berm lighting is at ground level and it would be less intrusive for residents. However, moths and other nocturnal insects including badgers would be disturbed as would the protected bats. Internal lighting from the cabin would be unacceptable too;
- the Ludwell Valley Park supports a butterfly trail that would suffer in the event golf balls are permitted to fly around;
- should this application go ahead the campaign group suggest the times of operating should coincide with the Government guidance on lighting up times with the starting time no earlier than 10:00am ending at the latest, by 9:00 pm in the summer. These times should be applicable Monday to Saturday throughout the year. Sundays and Bank Holidays should be restricted to a start at 10:30am and close at 4:00pm in order for residents to enjoy their gardens. This would include the use of any machinery for ball collection or grass cutting implements;
- there is concern about the lack of any archaeological assessment. In 2014 and 2017 prehistoric remains were unearthed with evidence of Bronze age pottery;
- the campaign group have expressed concerns regarding the Golf Club's plans for 371 Topsham Road which, if demolished, could provide access and egress to a potential housing development The house remains unoccupied, but frequently is used as a car park and its use in this application remains unspecified. It could be converted into a club house;
- the campaign group are concerned over the lack of a risk assessment on the lane adjacent to the "In Focus" building. It is used by the disabled students, many in wheelchairs and is also a pedestrian entrance and exit for the Nursing Students of Plymouth University. The safety of all these students is paramount;
- no mention is made of the possible trajectory of these special light weight balls. Research has shown that many land far from off fairways and could land in the land of 'In Focus 'and residents' homes;
- the "grasscrete" leaves too much undecided for the surface of the car park and far too much leeway for the introduction of other surfaces. The concrete may be at some depth and involve the removal of large amounts of soil;
- the campaign group suggest that the club's statement that the site is closer to their existing driving range on Exeter Road is incorrect;
- there is therefore strong opposition to the driving range being relocated to an agricultural field within the Ludwell Valley and the Golf Club should return to its facilities to its own land on Topsham Road.

She responded as follows to Members' queries:-

- there are wildflowers on the field adjacent to the site;
- the campaign group are concerned regarding the safety of the lane although there are parking bays that do not impact on the width of the road

Mark Colgan, speaking against the application, raised the following points:-

- opponents exceed supporters by a factor of five and most are residents and/or users of Ludwell Valley Park;
- it is a beautiful Devon Valley unique in Exeter and was a haven during lockdown;
- although it does not have a right of way it is part of the Valley Park providing better biodiversity than a mowed field; and
- the change from agricultural land is one step closer to a residential development at a later date which has been attempted nine times previously especially if the Golf Club decides to move again;

Responding to a Member's query, he advised that the site offered considerable public amenity value despite the lack of public access. In particular, if constructed the facility would impact on views of Exmouth etc. from the rest of the Valley Park. The land should remain part of the Park.

Will Gannon, speaking in support of the application, raised the following points:-

- the Club has occupied its current site in Topsham Road for over 100 years and is fully owned by its 4,500 members who mainly live and work in Exeter and does not receive any external funding. It employs over 100 staff and provide sporting and leisure facilities for all our members specifically supporting families with 1000 junior members who have free access to golf, tennis, squash, racketball, fitness training in our gym and swimming;
- the Directors and Committee members are all unpaid and the sporting sections also raise and donate substantial funds to charities each year. There is no interest in property development;
- using my experience in the construction sector, I examined improvements to the ageing infrastructure and the creation of a proper golf practice facility to improve the open field we owned at Newcourt. By selling the field at Newcourt for residential development, it was possible to create a new golf practice facility in Topsham and using the surplus funds to improve the infrastructure at the Club. This came to fruition about three years ago when the Topsham Golf Academy was opened and the planned improvements at the main golf club site commenced. It became evident that the onset of residential development in the Topsham gap was accelerating and it seemed that a further relocation may be necessary. Land at Countess Wear is an alternative site following a failed planning application for residential development and is close to the existing site in Topsham Road, large enough to meet all the safety requirements and completely away from any conflict with housing; and
- if granted, the Topsham site will become available for much needed housing in the City and the Golf Club will have found a permanent home for its golf practice facility, that is a win/win situation for the Club, the local residents and the city.

He responded as follows to Members' queries:-

- it is not possible and impractical to provide this proposed facility on the existing site. It was developed in 2016 but the constriction of the Persimmon homes resulted in a reconfiguration of the course and, as a result, there is no spare land for practice;

- the grasscrete will only require the removal of the top soil and grass will grow through the concrete on the surface, the concrete being necessary to support the cars in the car park;
- the Club only ever wanted a practice facility to attract new members and the move to Topsham had been in the belief that it would be 10 to 15 years before any development took place. However, the loss of the Topsham Gap within two years has necessitated this application on a site three times larger than existing;
- the club owns the freehold of the site and has no intention of building on the site other than for golf practice. No insecticides are to be used, there will be limited grass cutting and a large part of the site will effectively remain in a re-wilding state;
- the golf club only wants to use a practice facility and not for any other purpose;
- the club has a proactive approach to their plans which were discussed with the Southbrook Residents Committee had it offered to contribute to the maintenance of the joint access road also used by InFocus;
- the new site is three times bigger but the facilities are the same;
- there will be no fixed lighting in the car park;
- the club has no need to use pesticides; and
- because of the potential for freak shots to impact on the surrounding houses next to the existing site with balls occasionally going astray despite the netting the club feels that it has a duty to find a more suitable location.

The Director City Development provided the following concluding points:-

- the key issues are the principle of the development, impact of traffic and highway safety, impact on residential amenity and ecology;
- it is a proposal for recreational use for all ages and accords with policies in the Local Plan;
- there was no significant impact on the local distinctiveness of the character of the Valley Park. Whilst the site is within the designation of the Valley Park, it is in private ownership and there is no right of public access and it is not included in that part of the Park managed by the Devon Wildlife Trust;
- there will be significant new landscaping and planting and the ecologist has confirmed that there will be no loss of biodiversity but a significant gain of up to 35% - this exceeds the 10% target of biodiversity gain in new developments to be set by the Government in new regulations;
- there would be no floodlighting, netting, flags or other golfing paraphernalia, all of which would require planning permission if sought; and
- issues around any future use of the current site are not relevant.

The Director of City Development and Service Lead provided the following clarification:-

- issues at the current site causing the desire to move are irrelevant;
- Brownfield refers to previously used land, often industrial, and Greenfield refers to land that has not had any development; and
- Members must consider the application in front of them and what is happening at the existing site is not relevant to judging the proposal.

Members expressed the following views in the debate:-

- in the event of approval the following should be added:-
  - colour and noise impact which are already in there;
  - border management;

- opening times;
  - lighting, which is linked to opening times;
  - can we put no future development except golf coursing?
- it is a difficult decision and there is concern by local residents the proposal could lead to residential development; and
  - the site has amenity value as it stands and will have great amenity value if developed, however there is an element of safety for the access in the field adjacent which doesn't seem to have been addressed.

Responding, the Director City Development indicated that future development, unless covered by the current application, would require planning permission and the Assistant Service Lead - Development Management (Major Projects) advised that there were already conditions for opening times and security lighting.

The Chair moved the recommendation for approval with the conditions in the report which was seconded, voted upon and LOST.

The Chair moved the deferral of the application in order for the applicant to be requested to make changes to the application in response to the issues raised by Members. The motion was seconded, voted upon and CARRIED.

Members expressed the following views on the changes:-

- there should be clear border management proposals;
- there should be no use of herbicides, pesticides or fertilisers on the site;
- there should be clarity on opening times;
- there should be clarity on colour;
- 6:30am opening time in condition is too early and there should be a later opening time;
- potential alternative opening hours could be 7:30 am or 9:30 am on weekdays and 10:00am on Sundays;
- loss of amenity is a concern of residents and can improved amenity be provided for the community;
- can the golf club work with the community to build some amenity in for the community;
- noise management and sound proofing should be included; and
- a condition for biodiversity monitoring.

**RESOLVED** that planning permission for the development comprising change of use to golf driving range including construction of an eight bay and two training bay facility incorporating equipment store and car park be **DEFERRED**, for the applicant to put forward changes to the application.

The meeting adjourned at 19:10 and re-convened at 19:15.

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**PLANNING APPLICATION NO. 22/1746/RES - WEST PARK, UNIVERSITY OF EXETER, STOCKER ROAD, EXETER**

The Principal Project Manager (Development Management) (CMB) presented the application for approval of reserved matters of access, appearance, landscaping, layout and scale in relation to outline permission 20/1684/OUT for student accommodation and ancillary amenity facilities, and external alterations and

refurbishment of Birks Grange Village Blocks A-E, with associated infrastructure, demolition of existing buildings and landscaping.

The Principal Project Manager (Development Management) (CMB) described the layout and location of the site comprising the western portion of the University of Exeter Streatham Campus through the site location plans, aerial views and photos of the site and panoramic views from and to adjoining areas, elevations, design and layout of the buildings, the report presented setting out the following key issues:-

- the principle of development;
- character and appearance;
- residential amenity;
- heritage and highways;
- biodiversity
- contamination
- flood risk and drainage
- sustainable construction; and
- economy.

The Principal Project Manager (Development Management) (CMB) advised that outline consent had been granted to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E to the site's north-west; with associated infrastructure, demolition of existing buildings and landscaping. The reserved matters application related to the proposed refurbished and new build student accommodation comprising eight new student accommodation blocks and ancillary amenity facilities. The current scheme accorded with maximum heights and floor area consented under Outline as well as with the illustrative/indicative site plans and visualisations presented to that Committee.

The Principal Project Manager (Development Management) (CMB) further advised that:-

- the scheme would result in a net increase of 1,474 no. student bed spaces, with 2,656no. new bed spaces being created following the loss of 582no. existing bed spaces, of which 290no. would be refurbished rather than demolished;
- landscaping and tree retention were not subject to the application as this aspect of the development had been approved at the outline stage and controlled via condition, which was under consideration as part of a separate application;
- a separate reserved matters application for the proposed replacement Estate Service Centre, which was now called Ground Compound Rennes Drive, was also under consideration;
- 16 letters of objection have been received regarding the application raising issues of: harm to visual amenity; harm to residential amenity/overlooking/loss of privacy; light and noise pollution; antisocial behaviour; lack of democratic process; inadequate community engagement; misinformation; inaccurate plans; harm to ecology and highways safety. Notwithstanding the objections the application comprised the reserved matters pertaining to outline consent ref. 20/1684/OUT, granted in 2021. The outline consent approved the proposed development in principle. Also, it approved the scheme's heights and maximum floor areas based on the indicative layout and verified views. The conditions attached to the outline consent also addressed much of the technical detail;
- officers had raised concerns with the applicant regarding the impact of proposed Block CB on the residential amenity, namely the loss of privacy to existing student accommodation Block J to the north as well as for future



occupiers. Following discussions with the applicant, officers were satisfied that an amended design, involving an increase in the separation gap between Blocks CB and J, together with the introduction of angled window bays, would be capable of overcoming the inter-visibility concerns. As such, the reserved matters application was considered acceptable overall and recommended for approval in its entirety, subject to the recommended conditions.

The Principal Project Manager (Development Management) (CMB) also advised that amended drawings had been received in response to officer concerns comprising the following revisions:-

- removal of the originally proposed footpath and access road leading to Building ST from the west;
- Block JK - amendment to the junction between roof levels of seven storey and nine storey sections to soften and simplify appearance at transition;
- Block EF - windows proposed in south-east elevation serving stairwell reduced in width to limit light spill;
- Block CB – service yard to south reduced in size; public realm to south improved; cycle storage relocated.

The update sheet detailed proposed amendments to conditions one in respect of plans, condition four in respect of landscaping details and condition nine in respect of a student privacy management plan.

The application was recommended for approval, subject to the conditions set out in the report and those as amended in the update sheet referred to above, in line with National Planning Policy Framework paragraph 11 (c).

The Principal Project Manager (Development Management) (CMB) in response to Members' queries, advised that:-

- the original concerns in respect of Block CB were the impact on the amenity of students in the existing adjacent blocks as well as the future occupants of CB itself. The block was now considered acceptable as the proposed north east elevation of block CB was set back further to increase the separation distance and the windows on the north elevation were altered to provide a saw tooth appearance with angled window bays to avoid overlooking so that there would be a 30 degree rather than a perpendicular view to neighbouring blocks. There would also be a privacy management plan to protect student residential amenity;
- a number of plans were approved at outline stage include height parameters setting out the maximum heights but not the number of storeys. Storey numbers are predicated on the differing site levels and in some cases the sites have been excavated to accommodate the number of storeys. The footprints are controlled under the land use parameters plan also agreed at outline;
- the request of the applicant for a lower than standard cycle provision because of the hilly nature of the site and to introduce electric bikes instead was not acceded to and two outline conditions require the standards to be met;
- objections relate to residential dwellings to the north and south of the Block GH were mitigated through the proposed window controlled zone and angled windows so that there was no direct overlooking of the northern and southern boundaries;
- there are significant separation gaps between the blocks and mature trees are maintained;
- an image was not taken from the back of Elmbridge Gardens but it was felt that the impact of overlooking and overbearing was not significant. Private views

could not be protected and, although there would be a change of views from neighbouring dwellings it was not a harm in planning terms; and

- there are no regulations relating to impact on privacy where a property has been in situ for 20 years.

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

- planning permission has not been granted;
- scale refers to height and width and is a reserved matter. Whilst the maximum height has been agreed at outline stage, the buildings do not have to go up to that maximum level;
- the approval of square meters could be achieved by half as many buildings at a reduced height;
- only illustrative plans were shown at outline and, accordingly, the orientation of the buildings, their relationship to each other and open space is yet to be determined;
- the total number of objections received are close to 50;
- it is a twin application as this and the proposal to demolish and relocate the estates building elsewhere on the campus were considered together at outline stage. Without permission in respect of the latter, it is suggested that, the former will not be able to proceed;
- the major concern of residents is the loss of amenity and their enjoyment of homes and gardens as a result of the impact of the huge buildings adjacent. Disturbance may also be caused by the social activity of students. Whilst the wellbeing of students has been taken into account, that of residents has not been and is an unfair balance;
- request refusal of Block CB as it is too close to residential gardens and no pictures have been taken from Elmbridge and Dunvegan to show the impact of the buildings; and
- the application should be deferred for a site visit.

He responded as follows to Members' queries:-

- there are approximately 40 properties in Elmbridge and Dunvegan which would be overshadowed as would other properties;
- the distances between the properties and the blocks is unclear and a site visit would help in this respect;
- there is a huge height differential between the properties and the blocks which is exacerbated by the steepness of the hill on which the blocks are to be located;
- a management plan for traffic movement is vital, particularly because of the number of supermarket and other deliveries made to the student blocks even though they are self-catering. Furthermore, the surrounding road network is very busy with constant reports of speeding and it is a designated HGV route which compromises the safety of students and others. A delivery management plan is also necessary; and
- footpath and cycle access should be revisited to ensure that they meet the guidelines within the National Planning Policy Framework.

Christopher Wakely, speaking against the application, raised the following points:-

- the Elmbridge and Dunvegan Residents' Association was formed in 2010 to collaborate with the City Council and the University on the re-development of Birks Village;

- there is a significant feeling amongst residents that the University have not sufficiently consulted on this proposal and that it is a fait accompli. Information has been hard to find and the University unresponsive when contacted;
- broadly support the view that it is good to use the campus site but mitigating solutions to reduce the detrimental effect on local residents are required;
- a comprehensive 3D plan of the site has not been available inspite of repeated requests;
- the steep gradient of the site has been underplayed;
- visualisations from Exwick were made available after the final date for submissions in February 2023 showing the overall impact of the development;
- there will be a loss of privacy in respect of the two buildings that directly overlook properties - CB and ST. Visualisations from Elmbridge and Dunvegan and from Exwick show how much these two buildings will intrude. CB is a six storey block with 41 windows overlooking Dunvegan Close from the north and should be reduced to a four storey block. ST is a four-storey block on the site of the current Estate Management building, high on a steep gradient with 52 windows directly overlooking homes from the east. A lower building on a lower part of the slope in 2010 was rejected and now a 10-storey block is proposed;
- an additional 1,750+ students will add to the already considerable noise, light and general disturbance;
- the present highways infrastructure does not have the capacity to sustain the proposed development. Birks Village opens onto a dangerous busy road on a blind corner. Glenthorne and Avanti Hall have increased student numbers in the area. Regular monthly speed checks have clocked cars at 60+mph in this 30mph zone with at least four fatalities in living memory. It is not possible to adjust the road and pavement alignment; and
- the rationale for building on campus is to release housing stock for local residents and, whilst this development is aimed at first year students, what happens when the 1,750+ students in this development look for accommodation in the city for their second and third years?.

He responded as follows to Members' queries:-

- block CB should be reduced from six to four blocks to match the height of the surrounding buildings and for block ST to be removed altogether which, because of the gradient, was equivalent to a 10 storey building;
- the residents accept that development will occur but seek mitigation measures to reduce the adverse effect on local residents;
- rather than a student block, the Estate Management Services building should remain in situ and re-developed to a higher specification instead of moved elsewhere on the campus. The site sits adjacent to an arboretum and an Italianate garden and intensification would have an overbearing impact. Updating the grounds maintenance site fits better with the character of the area. The reason given that it is at an end of a steep track making vehicle access difficult contradicts the proposal for a student block in this location which will also be served by a variety of vehicles;
- a major concern is the traffic infrastructure which cannot sustain the proposed development; and
- there is concern that the increase in hard standing in the development will risk flooding from run-off water down the steep slope and no adequate assurance has been provided by the developer that the drainage will prove sufficiently efficient.

Mike Shore-Nye, speaking in support of the application, raised the following points:-

- the heights, massing and the amount of accommodation complies with the approved outline permission parameters and this reserved matters application is predominantly concerned with the design of the proposed buildings, which has been developed through public consultation and the Design Review Panel. The result of this design process is a high-quality on-campus development, with excellent accommodation and landscaped public realm with over 1,300 secure cycle parking spaces with Electric Co Bike also proposed;
- the development will be constructed to the Passivhaus sustainability standard. This level of specification will significantly reduce operational carbon and the development achieves a 14% bio-diversity net gain;
- the proposed fire strategy exceeds Building Regulations requirements;
- the development is essential in allowing the University to meet the requirements of its first year and international student accommodation guarantee. It is anticipated that the development will be as popular as the other recent on-campus residential projects;
- a recent report released by Universities UK states that there has been a 34% increase in the impact on the national economy from international students between 2018 and 2022. For the 2021/22 cohort, the study shows that international students alone contributed £140.7 million to the city's economy. A separate independent economic impact study launched by the University last year found that the university contributes almost £1.6 billion of output to the UK economy;
- the West Park development will help to meet current and expected future student growth, facilitate further employment creation and economic activity within the Exeter and wider regional economy. The development would also reduce the need for private residential homes to be converted to houses in multiple occupation;
- the plan is for the first phase of accommodation to be available in the 2025 academic year. The provision of good quality well located student accommodation is essential to the success of the University.

He responded as follows to Members' queries:-

- 38% of the power needs of the blocks will be met by self-generation and there will also be other photovoltaic provision across the campus;
- provision will be for both first year UK students and, increasingly, post graduates and overseas students, the latter particularly valuing a campus location. It is not anticipated that this will lead to under occupation of Purpose Built Student Accommodation (PBSA) in the city. There has been a reduction in self-catering as students seem to need flexibility;
- unable to comment on the images circulated by Mr Wakely but the distances between the blocks proposed are significant – up to 90 metres;
- there will be the requisite level of cycle storage and will adapt to any future demand;
- drawings are designed to make understanding simpler. The net result will be 1,470 new rooms and demolition and refurbishment of existing rooms. These schemes are very complex and an ongoing significant financial investment designed to maximise the use of the site and to attract students to Exeter from all around the world when some other universities have been struggling. There is investment too in ensuring the wellbeing of students;
- block ST has been reduced from six storeys to four and three; and
- a Landscaping Visual Impact Assessment is used in the plan preparation instead of a balloon test which show the separation distances meet legal requirements.

Responding to Members' queries, the Director City Development and Planning Solicitor advised that:-

- 16 letters of objection were received and late letters would also have been considered. It is not the volume of objections but the weight given to the issues raised even if that would only be in the case of a single letter;
- matters agreed at outline stage should not be revisited when reserved matters are under consideration. Matters now to be determined as reserved matters are access, scale, landscaping and appearance and layout. What has been agreed in terms of heights had been through the heights parameters plan at outline stage as was the land use parameters plan which set out scale and massing. Similarly, highways issued had been determined at outline. There was also a Travel Plan agreed and operational issues were set out in a Management Plan covered by a Section 106 Agreement to be completed prior to occupation which included contact for residents with their concerns. Furthermore, there was a proposed condition regarding flooding;
- planning permission has been granted up to a maximum height with reserved matters now examining the details of the external appearance of those buildings; and
- the parameter plans set a framework for development up to 49,821 square metres within which details are provided for consideration.

Members expressed the following views:-

- the application was referred to the Committee by the Delegation Briefing;
- local residents are not opposed to development of the site but are concerned about scale, massing and impact on the local community which they maintain need to be addressed;
- the Glenthorne Road PBSA is an example of a local development impacting adversely on residents, an application which the University had opposed;
- the Birks Village and its students have generated anti-social behaviour issues;
- the maintenance depot acts as a barrier between residential properties and existing low level student blocks;
- residents have different views to three of the reasons given at outline stage that the development was acceptable;
- it is a large, complex development which will have a greater impact on residents than the East Park development;
- the correct decision is required for the long term benefit of both residents and students;
- twelve new documents were added to the website at late notice; and
- more work needs to be done to address residents' concerns and the application should be deferred for a site visit.

The Chair moved the deferral of the application for a site inspection which was seconded, voted upon and carried.

**RESOLVED** that the application for planning permission for reserved matters of access, appearance, landscaping, layout and scale in relation to outline permission 20/1684/OUT for student accommodation and ancillary amenity facilities, and external alterations and refurbishment of Birks Grange Village Blocks A-E, with associated infrastructure, demolition of existing buildings and landscaping be **DEFERRED** for a site inspection by the Committee.

The meeting adjourned at 21:00 and re-convened at 21:05.

**PLANNING APPLICATION NO 23/0151/VOC - SANDY PARK STADIUM,  
STADIUM PARK WAY, EXETER**

The Principal Project Manager (Development Management) (CMB) presented the application for the re-development to increase capacity from 10,750 to 20,600 by three new grandstands, additional parking, bus/coach drop off and extension to west stand including conference centre to south stand (Variation of condition 7 of [12/1030/FUL](#) to allow up to four music concerts on 17, 18, 24, 25 June 2023 only for an attendance of up to 15,000 people per concert.) (REVISED WORDING FOR CONDITION 7 VARIATION)

The Principal Project Manager (Development Management) (CMB) advised that original consent had been granted on 29 October 2012 comprising an increase capacity from 10,750 to 20,600 with three new grandstands, additional parking and bus/coach drop off; extension to west stand and a conference centre to south stand. It was also reported that the original consent had been for a permanent increase in capacity from the previous 10,744 to 20,600 in the form of an extension to the West stand and new permanent stands on the remaining three sides of the ground. These had been partially implemented and was, therefore, extant. Since the original consent had been granted, the Courtyard by Marriott Sandy Park has been completed to the south of the site, which had a footbridge connecting the hotel to the stadium site.

The report presented setting out the following key issues:-

- the principle of development;
- impact on character and appearance including landscaping;
- impact on residential amenity and heritage;
- highways, access and parking;
- ecology and contaminated land;
- air quality;
- flood risk;
- sustainable construction; and
- economy.

The Principal Project Manager (Development Management) (CMB) advised that the application sought to vary Condition seven of the planning permission in order to hold public performances of musical events to be held at the stadium. The originally proposed variation to Condition seven had been to allow up to eight music concerts per calendar year for an attendance of up to 15,000 people. This proposal had been amended so that the site shall not be used for public performance of musical events except to allow up to four music concerts on 17, 18, 24, 25 June 2023 only for an attendance of up to 15,000 people per concert.

A total of 41 representations had been received from separate addresses including three neutral and two in support. 36 letters of objection had been received, mostly concerning the impact on the residential amenity of noise, antisocial behaviour, traffic and parking, anti-social behaviour in residential areas and lack of due process regarding marketing and sale of tickets prior to planning consent. The presentation set out in detail the issues raised in the objections and the mitigating measures associated with each.

It was also recognised that objections initially raised by the Environmental Health Officer, the County Highways Authority and National Highways had been withdrawn.

Notwithstanding the above, it was considered that the proposed music events would give rise to economic benefits for the rugby club and the wider area, including the provision of employment opportunities. This carried substantial positive weight in the planning balance. It was considered that the proposal was capable of policy compliance, subject to conditions. On balance, the benefits of the scheme were considered to outweigh any adverse impacts the proposal representing sustainable development overall presenting the following positive aspects:-

- the proposed music events would be held within an existing stadium and not conflict with its primary purpose of holding rugby matches;
- it provides opportunity for employment together with community and leisure activities and mixed uses to support vitality of area;
- it contributes to the overall economic vitality of the City;
- it is considered acceptable, subject to conditions regarding impact of residential amenity and highways;
- only four fixed dates are proposed; and
- any future application will be informed by data obtained from these events and assessed on their own merits.

The application was recommended for approval, in line with National Planning Policy Framework paragraph 11 (c).

The Principal Project Manager (Development Management) (CMB) responded to Members' queries:-

- all operational times are set out in the report with the staff undertaking clear up after concerts with the staff car parking located outside the adjacent hotel;
- Sunday concerts are limited to one and not two on the same day reflecting changes in detail as the proposal emerged through the licensing process. Four concerts on four days are proposed;
- start and arrival times reflect the aim of diluting the number of spectators arriving and departing at the same time and times can be changed through condition;
- there is a limit of 75 decibels at the nearest receptor, although the consultants believe that the level will be below 75. The management and monitoring plan agreed with the applicant includes real time monitoring during the event which will enable adjustment of levels at front of house. A condition regarding the receptor level is more appropriate than one at front of house;
- the Digby Park and Ride will be closed during the concerts to limit pedestrian flow through Clyst Heath;
- roads in the Bishops Court estate are not adopted; and
- some of the documentation covers the whole of the site with access strategies relating to specific events ensuring that conferences will not be held at the same time.

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

- The Exeter Core Strategy – vision Exeter would embrace its role in the region by *delivering development to enhance Exeter's position as a premier retail and cultural destination*;

- The Local Plan Review: included the aim to create a prosperous city, and a cultural and fun place to be;
- The 2020 Exeter vision was to enhance Exeter as the regional capital. That became the guiding mission statement for Exeter City Council;
- The City Council's stated purpose in respect of its cultural offering has been to *provide great things for people to do and see*;
- The new Exeter 2040 vision says *Exeter will be known internationally as a city of Culture and "Exeter will be a young people friendly city."* It is a great place to live, recognised nationally and internationally;
- Exeter Chiefs have put Exeter on the international map for Sport, it provides entertainment and it has certainly enhanced the quality of life for people living and visiting the city;
- The incremental development of the facilities at Sandy Park is a deliberate strategy to allow for the steady increase in capacity to be accommodated on the transport network. Anyone visiting Sandy Park has to think about their journey, and it works;
- The Stadium has proven it can manage capacity crowds;
- Exeter does not have a large performance venue. A young people friendly city should have the opportunity to see good bands/acts;
- Providing things for people to do and see in the city attracts overnight hotel stays. This benefits our local economy;
- Occasionally, the city has been able to support gigs at Northernhay Gardens but the capacity is very limited;
- The Council's attitude has been one of balancing the need to provide things for people to see and do with not unduly impacting on residential amenity. As with so many things it is a balance;
- Sandy Park on the periphery of the city, close to Junction 30 alongside the M5 with its relatively high ambient background noise levels from the motorway, in a purpose-built stadium, is a good location for hosting a relatively small number of music events;
- The pitch can only be used for non-rugby events on a very limited number of weeks in the summer when the pitch is scheduled to be re-laid;
- In the summer sunset times are after 9pm, at Sandy Park the direction of the stage would project the music away from residential areas towards the M5 and the predominantly rural areas;
- A much-needed opportunity to bolster the finances of the Chiefs. Worcester and Wasps went into administration this past season and unfortunately there has been some concern raised in recent weeks with London Irish;
- Supporting local businesses is important and it goes to the heart of the National Planning Policy Framework to support business and the local economy.
- In conclusion:-
  - the city of Exeter needs the addition of this amenity;
  - it is consistent with the Development Plan and the City of Exeter's vision to support a young city and a culturally important city;
  - it adds another level of interest for visitors to the city and to provide things for people to see in the city;
  - it can be achieved without harming residential amenities and without harming the highway network;
  - this is a reasonable proposal and should be welcomed;
  - Members have the appropriate controls through licensing to ensure the activity is managed sensitively;
  - I believe a 11.00pm limit to be reasonable for these limited number of days in the summer, but anyhow that is matter that licensing can appropriately address.



He responded as follows to Members' queries:-

- issues relating to noise would be dealt with by the licensing conditions and it was not believed that families in the area would be adversely affected; and
- economic conditions and other factors have changed since the original planning consent in 2012 which had excluded live music events.

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

- Exeter Chiefs have brought a huge amount to Exeter and instigated the Exeter Chiefs Foundation;
- Worcester Warriors and Wasps Rugby Clubs have disbanded partly due to lack of income during Covid. Exeter Chiefs fared better but accrued significant debt and have explored revenue streams to plug the gaps. Visitors who attend such concerts may stay for a longer period and there will be a hidden economic benefit to the City;
- there are risks associated, such as the impact on the quality of life if living close to a sports stadium and concert venue;
- I represent over 7,000 residents across 4,000 households, 1,000 of these households are in the LA Polling District which is a distinct geographical area between the A379 and Rydon Lane. It includes the Digby, Kings Heath, Clyst Heath and Bishops Court developments;
- There have missed opportunities to engage with the people living in the shadow of Sandy Park regarding the application to vary the licensing conditions and now an additional use for the stadium. It would have been helpful if the Club had met with the community to discuss plans as with other developments affecting the St Loyes ward such as Morrisons, Hammersons, etc. recognising that the Members were the resident facing side of the Council;
- as the local councillor for St.Loyes Ward I have received multiple representations from residents regarding the application. There are 41 on the web site, 2 in favour, 3 neutral and 36 against;
- residents living on the Bishops Court/Redrow Development are dismayed that, in spite of 'conditions' imposed by the Licensing Sub Committee, Exeter Rugby Club Limited have now appealed these conditions, not yet been heard by the Magistrates;
- the residents of St. Loyes and others such as the Digby Residents Association undertake monthly litter picks across the Ward. Without exception, at the conclusion of a Rugby match a minority of spectators exit the ground frequently leaving a trail of rubbish in their wake;
- most rugby matches take place during daylight hours - any outdoor concerts will have huge gantries with lighting, some likely flashing, during the evening impacting on the immediate neighbourhood;
- in the transport strategy agreed with the local authorities it is essential that there is an even spread of supporters arriving and leaving the stadium. Currently Bishops Court and Digby are extended parking ranks for people picking up spectators after a match. A condition should be placed on Exeter Rugby Club Ltd. that an element of the ticket price include the shuttle bus to the various Park and Ride car parks. Structured in this way the exiting people may be better managed;
- the events are planned for the Summer months including Sundays when residents will likely have their windows open. So many of the families have young children and need to get them to sleep for school next day. Equally those folk working need sleep to function in their place of work; and

- the estates of Kings Heath, Clyst Heath, Digby and Bishops Court have open plan gardens which leaves the states open for folk to take 'short cuts' on their route home.

Kevin Cook, speaking against the application, raised the following points:-

- the original condition seven agreed in 2012 was before a number of additional properties were built in the area around the stadium;
- I am one of the near 40 objectors to the scheme, but there are more who feel this application is a "fait accompli". Residents who have objected, in writing and verbally, will be feeling that they are collateral damage;
- the substantial objections testify to the antisocial behaviour, traffic and parking violations, and damage to the environment, that residents already experience with rugby matches at Sandy Park and the granting of this application will exacerbate these issues if robust conditions are not included in any granting of this expansion application;
- residents, especially those with children, are contemplating having to relocate their children into quieter bedrooms, if these concerts go ahead;
- the parking statistics/formulas used are debatable and they will not prevent people violating parking restrictions in residential areas, especially at the top of Bishops Way, adjacent to the pedestrian/cycle path leading to Sandy Park. Bishops Way will resemble Wembley Way;
- the application should have been assessed on a "change of use" basis;
- the planning application should be multi-dimensional but has ended up as a one dimensional application - driven by finance. Some of that finance needs to be "ring fenced", solely for the provision of robust crowd dispersal, marshalling, prevention of anti-social behaviour and parking enforcement. Approval of this application, would be extremely detrimental to the whole area without these conditions being in place and it would be in Sandy Park's interest to facilitate/participate in these conditions;
- what next with future Sandy Park planning applications and will Sandy Park events, including music and entertainment, be the perennial soundtrack to residents' lives?; and
- clarification is required as to the suggestion that the four events over two consecutive weekends might contravene the licensing conditions. Tickets are being sold for each concert separately, there isn't a "weekend ticket" that includes both concerts, so there are clearly four events, not two.

He responded as follows to Members' queries:-

- the club do not accept responsibility for the behaviour of fans once they leave the ground;
- there has been a lack of consultation by the club and I have not been consulted personally;
- a reduced proposal of four concerts over two weekends remains unacceptable;
- antisocial behaviour includes damage to property, using private driveways to order taxis and fighting amongst match goers near to residential properties;
- there have been numerous parking violations at the Bishop's Court/Apple Way junction; and
- there is evidence that marshals leave the area before all of the fans have dispersed.

Tony Rowe CBE, speaking in support of the application, raised the following points:-

- speaking as the Chief Executive Officer of the Exeter Chiefs which is a members' owned club and have used my business expertise to develop the club over the last 30 years, including significant financial investment;
- the club is 150 years old and relocated to Sandy Park 17 years ago;
- the Club incurred significant financial losses during the Covid Pandemic and needs to recoup losses;
- Sandy Park is a purpose built stadium that includes conference and banqueting facilities;
- the noise generated during rugby matches is largely contained within the stadium;
- Sandy Park has a capacity of up to 15,000 and regularly holds 12,000 for rugby matches;
- the application is to hold music events for which it will be necessary to obtain a variation to condition seven;
- the club has listened to the concerns raised and, with 17 years' experience of traffic management in and around Sandy Park, has consulted with National Highways Agency and Devon County Council Highways to agree a traffic management plan; and
- an event management plan has been agreed as one of the licensing conditions.

He responded as follows to Members' queries:-

- leaflets had been hand delivered to surrounding residential properties detailing the events which included a dedicated contact line and event details were included on the Exeter Chiefs website;
- litter picking after concerts around the stadium can be organised;
- these are trial events and attendances of approximately 5,000 are anticipated;
- in accordance with the environmental assessment, it is agreed that the gates will open at 5pm and not 4pm;
- no fireworks will take place as part of the events in accordance with the agreed licensing conditions;
- whilst the club has no authority in this matter, the suggestion of providing marshals at the Apple Way/Bishops Court junction to discourage parking by concert goers will be discussed with the Exeter Chiefs Management Team;
- the club discourages parking in the Digby Park and Ride Car park;
- with free shuttle buses being provided;
- the concerts will offer a different social event at Sandy Park to rugby matches and it is anticipated that the concert goers will be a different cohort to rugby watching spectators and, accordingly, result in a different atmosphere and behaviour.

The Director City Development provided the following concluding points:-

- the proposal was to amend condition seven of the planning permission to permit four concert events over two weekends;
- it presented an unique opportunity for real time monitoring by City Council and County Council officers to take place on noise and traffic related issues respectively. The data could then be used to assess the suitability of any further concert events the club may wish to promote;
- if the Committee is minded to approve the application, detailed consideration of additional conditions will be required for which delegated authority to the Director and officers is sought;
- whilst licensing conditions are complementary to those required as part of the planning permission, both are independent of each other; and

- there is clear consensus from both the Highways Agency and Devon County Council Highways that there will be no adverse highways impact. Real time data to be obtained will evaluate the impact of the events on the highways network.

Responding to Members' queries, the Director City Development advised that:-

- the Planning Committee is unable to alter conditions set by Licensing which is covered by separate legislation and there should be no regard to the current appeal in respect of the licensing approval;
- any report emerging from the real-time monitoring will be considered at the same time as any further planning application from the club for concert events. The Senior Environment Technical Officer confirmed that Environmental Health Officers often undertook real-time monitoring of late night and other events and that it was the intention to provide a package of information and evidence as part of the post event assessment of the event management plan; and
- the grant of permission would not set a precedent for any future concert plans, each would be subject to planning permission and considered on their merits.

The meeting adjourned at 21:55 and re-convened at 22:00.

Members expressed the following views:-

- 400 to 500 residents in the neighbouring area will be affected and strict conditions are necessary if permission is granted;
- a condition in respect of timing should ensure gate opening time of 5:00pm not 4:00pm and end times being brought forward to 10:00pm for Saturday concerts and 9:00pm for Sunday concerts to ensure that the stadium has been cleared by 11:00pm and 10:00pm respectively;
- the marketing of the events, distribution of flyers etc. was premature and disconcerting to the neighbouring residential area and the Club should have acted in better faith;
- can a Police presence be provided for the concerts and warden control of parking in the Bishops Court estate?;
- a condition is needed to ensure the closure of the Digby Park and Ride; and
- Devon County Council to be requested to provide real time monitoring of the traffic conditions as part of the arrangements for the concerts.

Responding to Members' requests for amended and/or additional conditions, the Director City Development advised that, given delegated authority, these matters must be considered with regard to planning regulations, respecting the licensing decision and conditions and reflecting existing and ongoing dialogue with the club on the events and the associated management plan. The club itself may wish to review its arrangements for the events in light of the public concerns raised, independently of the planning conditions ultimately agreed. The following were put forward as additional elements to be considered in the context of formulating and reviewing overall conditions as part of the delegated authority sought:-

- stadium management and control in relation to opening and closing times and activities in and around the stadium;
- parking and control;
- noise and its impact on the neighbourhood and how it is managed and controlled;
- litter; and
- post event management.

The Chair moved the recommendation with the suggested amendments set out above to be considered by the Director City Development subject to prior consultation with the Chair which was seconded, voted upon and carried.

**RESOLVED** that, subject to prior consultation with the Chair, the Director City Development on potential additional conditions and/or amended existing conditions, be granted delegated authority to **APPROVE** planning permission for the re-development to increase capacity from 10,750 to 20,600 by three new grandstands, additional parking, bus/coach drop off and extension to west stand including conference centre to south stand (Variation of condition 7 of [12/1030/FUL](#) to allow up to 4 music concerts on 17, 18, 24, 25 June 2023 only for an attendance of up to 15,000 people per concert.) (REVISED WORDING FOR CONDITION 7 VARIATION be approved subject to the conditions set out in the report.

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#### **ADJOURNMENT OF MEETING**

The meeting was adjourned for the following items to be considered at a further meeting of this Committee to be held on Monday 12 June 2023 at 5:30pm.

Planning Application No. 23/0172/FUL - Station Road, Pinhoe Playing Fields,  
Station Road, Pinhoe, Exeter  
Planning Application No. 22/0756/FUL - Newbery Breakers Yard, Redhills, Exeter  
List of decisions made and withdrawn applications  
Appeals Report

(The meeting commenced at 5.30 pm and closed at 10.40 am)

Chair

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## Planning Committee Report 21/1676/FUL

### 1.0 Application information

<b>Number:</b>	21/1676/FUL
<b>Applicant Name:</b>	Mr Will Gannon, Exeter Golf and Country Club
<b>Proposal:</b>	Development comprising change of use to golf driving range including construction of an 8 bay and 2 training bay facility incorporating equipment store and car park.
<b>Site Address:</b>	Land North East Of 371 Topsham Road Access To West Of England School Exeter
<b>Registration Date:</b>	2 November 2021
<b>Link to Application:</b>	<a href="https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=R1YB39HBJMA00">https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=R1YB39HBJMA00</a>
<b>Case Officer:</b>	Matthew Diamond
<b>Ward Member(s):</b>	Cllr Marina Asvachin, Cllr Jane Begley, Cllr Tony Wardle

#### REASON APPLICATION IS GOING TO COMMITTEE

In accordance with the Delegation Briefing decision made on 12 July 2022, due to the high number of objections.

### 2.0 Update following 25 May 2023 Planning Committee

The application was deferred so that changes to the conditions could be carried out. A member also asked if amenity could be improved, taking into account the local community's concerns.

Accordingly, revised conditions have been agreed with the applicant, as set out at the end of this report. Condition 14 has been added to require a Border Management Plan. Condition 21 has been added to prevent the use of herbicides etc. Condition 17 (now 18) has been amended to provide opening hours of 9.30am during the week and 10.00am on Saturdays, Sundays and Bank/Public Holidays. Condition 13 has been amended to require biodiversity monitoring. No further condition has been added with respect to noise, as condition 5 already requires a Noise Impact Assessment to be submitted and approved by the Local Planning Authority, and any necessary mitigation measures to be implemented, as recommended by Environmental Health. Sound proofing can therefore be secured through this condition if it is considered necessary.

As amenity can cover a wide range of issues it has not been possible to pin down improvements in this regard. Officers did once again raise the issue of whether public access could be allowed on the site, for example when the facility is not in use;

however, the applicant stated that this was not possible for safety, security and insurance reasons. Members are reminded that this has no bearing on whether planning permission should be granted or refused. The original committee report at Appendix 1 contains an assessment of the salient planning issues that Members should consider when coming to a decision.

In respect of lighting in the car park, Members are reminded that condition 19 controls this, so no lighting can be installed unless this is agreed by the Local Planning Authority. The applicant confirmed that no lighting is proposed in any case.

### 3.0 Recommendation

GRANT permission with the following conditions:

#### 1. Standard Time Limit – Full Planning Permission

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

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

#### 2. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below:

- Location Plan (KGV\_EX\_1.0A)
- Proposed Site Layout (21.115-001 Rev PL-A)
- Plans and Elevations (21.115/002 Rev PL-A)
- Landscape + Ecological Mitigation Plan including Planting Plan (2211-01 Rev B)
- Landscape + Ecological Management Plan (2211--02 Rev B)

**Reason:** To ensure the development is constructed in accordance with the approved plans.

#### 3. Construction Hours

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 8 am 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.



## ***Pre-commencement Details***

### **4. Archaeology**

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

**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

### **5. Noise**

Prior to the commencement of development, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation measures contained in the approved report shall be implemented in full and maintained thereafter.

**Reason:** In the interests of local amenity. This assessment is required pre-commencement as specified to ensure that any mitigation measures required are implemented as part of the construction works.

### **6. Surface Water Drainage**

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- a) Soakaway test results in accordance with BRE 365, groundwater monitoring results in line with our DCC groundwater monitoring policy and evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins.
- b) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and the results of the information submitted in relation to (a) above.
- c) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
- d) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- e) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

**Reason:** The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

#### 7. Sustainable Construction (Policy CP15)

Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of the measures that will be included in the building to optimise its energy and water efficiency. The measures shall be implemented as approved and maintained thereafter.

**Reason:** In the interests of sustainability in accordance with Policy CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure the sustainability measures are accounted for in the detailed design and construction of the building.

#### 8. Tree/Hedge Protection

Prior to the commencement of the development hereby approved, a scheme for the protection of trees and hedges on-site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with BS 5837:2012 and include a tree protection plan. The scheme shall be implemented as approved.

**Reason:** To protect the trees and hedges on site during construction works. The scheme is required pre-commencement as specified to ensure the protection measures are satisfactory before construction works begin.

#### 9. Ecology

Prior to the commencement of the development, a letter by a suitably qualified ecologist shall be submitted to and approved in writing by the Local Planning Authority confirming the results of a survey of the site and the date this was carried out where the building and car park will be constructed, and avoidance/mitigation/compensation measures for any protected species that will be affected by the construction works. The measures shall be implemented as approved.

**Reason:** To ensure protected species will not be harmed by the construction works. The letter is required pre-commencement as specified to ensure that any mitigation measures necessary are agreed before construction works begin.

## 10. Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

**Reason:** To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

### ***Pre-Specific Works***

## 11. Materials

Prior to the construction of the building hereby approved (not including the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

**Reason:** To ensure that the materials are appropriate for the landscape setting, in accordance with Policies CP16 and CP17 of the Core Strategy, and saved Policies LS1 and DG1 of the Exeter Local Plan First Review.

## 12. Security Fence

Prior to its installation, detailed drawings of the security fence indicated on drawing number 21.115-001 Rev PL-A ('Proposed Site Layout') along the Rydon Lane boundary shall be submitted to and approved in writing by the Local Planning Authority. These shall include siting, elevations and foundations. The fence shall be implemented in accordance with the approved drawings.

**Reason:** To ensure the fence has an appropriate design for the landscape setting, in accordance with Policies CP16 and CP17 of the Core Strategy, and saved Policies LS1 and DG1 of the Exeter Local Plan First Review.

## ***Pre-Occupation***

### 13. LEMP

Prior to the occupation/first use of the facility hereby approved, a timetable for implementation of the landscaping and ecology work shown on drawing numbers 2211-01 Rev B ('Landscape + Ecological Mitigation Plan including Planting Plan') and 2211--02 Rev B ('Landscape + Ecological Management Plan') and details of the management regime and biodiversity monitoring shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and ecology work shall be implemented, managed and monitored as approved.

**Reason:** To enhance biodiversity on the site in accordance with Policy CP16 of the Core Strategy and paragraphs 174 and 180 of the NPPF.

### 14. Border Management Plan

Prior to the occupation/first use of the facility hereby approved, a Border Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. The BMP shall be implemented as approved.

**Reason:** To ensure that the borders of the site are managed appropriately in the interests of the amenity of the neighbouring land uses.

### 15. Cycle Parking

Prior to the occupation/first use of the facility hereby approved, cycle parking shall be provided on-site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be maintained at all times thereafter.

**Reason:** To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review, the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).

### 16. Disabled Parking Spaces

Prior to the occupation/first use of the facility hereby approved, three disabled parking spaces shall be marked out in the car park in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The disabled spaces shall be retained for disabled parking thereafter.

**Reason:** In the interests of equality and to comply with the minimum car parking standards for disabled users in Table 4 of the Sustainable Transport SPD.

### 17. EV Charging Points

Prior to the occupation/first use of the facility hereby approved, Electric Vehicle (EV) charging points shall be installed for two of the parking spaces in the car park in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The EV charging points shall be maintained thereafter.

**Reason:** In the interests of sustainability taking into account guidance in the Sustainable Transport SPD and paragraph 112e) of the NPPF (2021).

### ***Post Occupancy***

### 18. Opening Hours

The facility will open during daylight hours only and when daylight allows not outside the hours of 9:30am to 9.30pm on Mondays to Fridays and 10:00am to 8:00pm on Saturdays, Sundays and Bank/Public Holidays.

**Reason:** To prevent the need for lighting in the interests of biodiversity and in the interests of local amenity.

### 19. Security Lighting

No external security lighting shall be provided on the building or in the car park unless this is otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of protecting local amenity and biodiversity.

### 20. Reduced Flight Golf Balls

Reduced/limited flight golf balls shall be used in the facility only and no other type of golf ball shall be used.

**Reason:** In the interest of highways safety.

### 21. Herbicides Etc.

No herbicides, pesticides or fertilisers shall be used on the site.

**Reason:** In the interests of biodiversity.

### Informatives

1. For the avoidance of doubt this permission does not approve any floodlighting or netting on the site, or flags or other golfing paraphernalia in the ball striking zone.

2. In accordance with the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.
3. 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.

# Planning Committee Report 21/1676/FUL

## 1.0 Application information

<b>Number:</b>	21/1676/FUL
<b>Applicant Name:</b>	Mr Will Gannon, Exeter Golf and Country Club
<b>Proposal:</b>	Development comprising change of use to golf driving range including construction of an 8 bay and 2 training bay facility incorporating equipment store and car park.
<b>Site Address:</b>	Land North East Of 371 Topsham Road Access To West Of England School Exeter
<b>Registration Date:</b>	2 November 2021
<b>Link to Application:</b>	<a href="https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=R1YB39HBJMA00">https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=R1YB39HBJMA00</a>
<b>Case Officer:</b>	Matthew Diamond
<b>Ward Member(s):</b>	Cllr Marina Asvachin, Cllr Jane Begley, Cllr Tony Wardle

### REASON APPLICATION IS GOING TO COMMITTEE

In accordance with the Delegation Briefing decision made on 12 July 2022, due to the high number of objections.

## 2.0 Summary of recommendation

GRANT permission subject to conditions as set out in report.

## 3.0 Reason for the recommendation: as set out in Section 18 at end

The proposal is considered to accord with the Development Plan and there are no material considerations to indicate that planning permission should be refused. The biodiversity of the site will be enhanced, which is a sustainability benefit. The proposal does not include floodlighting.

## 4.0 Table of key planning issues

Issue	Conclusion
The Principle of the Proposed Development	The key development plan policies are Policy CP16 of the Core Strategy and saved Policies L1 and LS1 of the Local Plan First Review, although limited weight can be given to the latter. The proposed development is considered to accord with these policies and the development plan as a whole, as the

Issue	Conclusion
	<p>development is for a recreation use that will not adversely affect the character and local distinctiveness of the Valley Park to a significant degree. The site is not publicly accessible for informal recreation and there is no evidence to suggest that this will change in future. The majority of the site will remain as green open space, which will preserve the rural character of the site while the use continues. Floodlighting, netting, flags or other golfing paraphernalia are not included in the application.</p>
<p>Access and Impact on Local Highways</p>	<p>The Local Highway Authority has raised no objections to the proposal, as it will not have a severe impact on the local highway network given it will generate relatively few trips. The access to the site is also considered safe for all users. Therefore, there are no highways grounds to refuse the application. Cycle parking, EV charging and reduced flight balls shall be conditioned.</p>
<p>Parking</p>	<p>The proposed car park contains 26 standard spaces. The parking standard for D2, including leisure, uses is 1 space per 22 sq m equating to 11 spaces for the proposal, although the standards are indicative. A condition is required to convert 3 spaces into disabled spaces, which will reduce the total number of spaces in the car park as will provision of a cycle shelter. The level of parking is therefore considered acceptable and similar to the existing facility, so overspill parking on local roads will not occur.</p>
<p>Design, Landscape and Heritage</p>	<p>The new building will be single storey and primarily constructed from timber and composite cladding. A condition is required to agree the colour of the materials to ensure they fit into the landscape setting. The landscape</p>



Issue	Conclusion
	proposals include new planting outside the ball striking zone that will enhance the biodiversity of the site. The planting specification is well-suited for the landscape. The setting of heritage assets will not be affected. The standard archaeological condition is required.
Noise	Environmental Health has recommended a condition for a Noise Impact Assessment, including the noise of golf balls being struck, but does not consider it to be a particularly loud use overall.
Impact on Trees and Biodiversity	No trees will be affected. The proposals will result in a biodiversity net gain of 36.71% for habitats and 8.96% for hedges. No protected species will be harmed, although the Council's ecologist has recommended a condition for a walkover survey prior to construction works. The submitted LEMP will be conditioned to ensure appropriate long-term landscape management.
Flood Risk and Surface Water Management	The proposal is not at risk of flooding and a sustainable drainage system has been agreed with the Lead Local Flood Authority (DCC) including an attenuation basin. The car park will have permeable grasscrete, although the LLFA has asked if it can be connected to the attenuation basin in case the grasscrete does not perform well – applicant's response awaited.
Sustainable Construction and Energy Conservation	The proposed development does not meet the thresholds in Policy CP13 for connection to a Decentralised Energy Network. No information has been provided regarding the energy or water efficiency of the building in accordance with Policy CP15. A condition should be added to require details of this before construction begins.

Issue	Conclusion
Development Plan, Material Considerations and Presumption in Favour of Sustainable Development	The proposal accords with the development plan as a whole and there are no material considerations to indicate planning permission should be refused contrary to the development plan. The proposed biodiversity enhancement is a sustainability benefit. The presumption in favour of sustainable development in the NPPF supports granting planning permission.

## 5.0 Description of site

The site comprises an agricultural field northeast of InFocus, Topsham Road, which is a charity providing specialist services for young people with vision impairment and complex needs. The site is in Priory Ward and approximately 7 hectares. The site is within Ludwell Valley Park, but is private land not managed by Devon Wildlife Trust. It is not accessible to the public.

The site is bounded by the publicly accessible part of Ludwell Valley Park to the northeast, the A379 Rydon Lane to the southeast, InFocus and 39 Rydon Lane to the southwest, and the rear gardens of residential dwellings in Tollards Road to the northwest. Ordnance Survey and aerial mapping show an informal footpath through the site running in a straight line from the access in the southwest corner to the northeast boundary, where it appears to connect with paths in Ludwell Valley Park. There was no evidence of this path or a physical connection at a site visit carried out on 27 April 2023 and the access was gated. There is no public right of way across the land. There is a formal pedestrian access to the park from Wendover Way to the northwest. The site comprises semi-improved grassland and has an undulating topography generally rising to the north. The field is surrounded by hedgerows including trees except the southeast boundary which has a line of coniferous trees and provide screening from the A379.

The site is designated Valley Park on the Core Strategy Key Diagram. It is designated Valley Park and Site of Nature Conservation Importance (SNCI) on the Local Plan First Review Proposals Map. The site is also located within the Landscape Setting area. The adjoining field to the northeast is part of the Ludwell Valley Park County Wildlife Site (CWS). Topsham Road to the south is an Air Quality Management Area (AQMA). There are no above ground heritage assets within the vicinity. The site is in Flood Zone 1.

The site is within the Ludwell character zone in the Riverside & Ludwell Valley Parks Masterplan 2016-2026. This is characterised as natural green space where traditional mixed farming predominates, with irregular field patterns and dense hedgerows constructed on top of earth banks. The Masterplan states that 'The landscape has a

strong sense of place and an overriding spontaneous affinity with farmland, rolling fields and hedgerows, and a 'rural' look.'

The site was submitted for assessment in the Revised Strategic Housing Land Availability Assessment (SHLAA) 2015, but was excluded as a potential site for housing due to its conflict with strategic planning policy. An outline planning application for up to 123 houses on the site was submitted in April 2015 and refused in August 2016 (ref. [15/0436/OUT](#)). A follow-up application was submitted in January 2017 and refused in March 2017, and subsequently dismissed at appeal in February 2018 (ref. [17/0121/OUT](#)). The Inspector concluded the site was a 'valued landscape' with reference to paragraph 109 of the 2012 version of the NPPF, stating the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

A call for sites was carried out from November 2020 to January 2021 as part of the preparation of the new Exeter Plan. Potential housing sites were assessed in the Exeter Housing and Economic Land Availability Assessment (HELAA) (September 2022). The site was not submitted for assessment as part of this process, however the existing golf driving range site off Topsham Road was.

## **6.0 Description of development**

The proposed development is to change the use of the site from an agricultural field to a golf driving range, including the development of a single storey building and car park adjacent to the site access. The facility will replace the existing facility off Topsham Road, approximately 2km to the southeast, which it is understood will be vacated. Like the existing facility, the new facility will be available to use by members of Exeter Golf and Country Club/Topsham Golf Academy and not be open to the general public. A security fence is proposed along the boundary with Rydon Lane.

The car park will be surfaced in grasscrete and have up to 26 spaces (see 16.3). The building will be sited adjacent to the car park to the east. It will comprise a reception area, kitchen, WCs, tractor store, 8 bays (for striking the ball) and a specialised training bay. It will be constructed from timber and composite cladding, with a brick plinth and metal rainwater goods. It will have a building footprint of 251 sq m and appear similar to the building at the existing facility.

The bays will face towards the northeast corner of the field and A379, away from the housing in Tollards Road and InFocus buildings. The ball striking zone will be 250m long. This compares with approximately 180m at the existing facility. Unlike the existing facility there will be no flags (marking distances) or other paraphernalia in the ball striking zone (none are shown on the plans and this has been confirmed verbally). Instead users will be able to see the distance they strike the ball on a monitor in each bay, utilising the same camera technology used at professional golf events. There will be no floodlighting; the Club has confirmed the facility will be viable to operate in daylight hours only. Due to the much larger size of the site compared to

the existing facility, there will be no need for any safety netting. The applicant has confirmed verbally that no chemicals will be sprayed on the grass and none are used at the existing facility.

The applicant has submitted a Landscape and Ecological Mitigation Plan showing new planting on the site as part of the proposals to enhance biodiversity. This includes a woodland copse adjacent to the northeast boundary and further woodland planting along this and the southeast boundary. Another small area of woodland will be planted in the southeast part of the site, as well as small pockets of scrub planting and individual trees outside the ball striking zone. An area of scattered tree and scrub planting will be placed between the car park and the boundary with dwellings on Tollards Road.

Surface water drainage will be stored in a SuDS basin south of the new building, adjacent to the southwest boundary. Attenuated flows from this will discharge into the public sewer at a controlled rate. Foul water will be disposed to the mains beneath the access road.

## 7.0 Supporting information provided by applicant

- Planning Statement (October 2021)
- Golf Range Lighting Design (March 2021) – SUPERSEDED
- Statement of Community Involvement (October 2021)
- Report on New Practice Ground at Countess Wear Exeter Golf & Country Club (6<sup>th</sup> April 2021)
- Ecological Appraisal (March 2021)

### Additional Information Submitted During Application

- Landscape & Ecological Management Plan (14 April 2022) – SUPERSEDED
- An Overview of Cirl Bunting Surveys of the Proposed Development (11 April 2022)
- Cirl Bunting Survey (Summer 2020)
- Exeter Golf Club – measures for biodiversity
- Cirl Bunting Breeding & Wintering Bird Survey (March 2022)
- Flood Risk & Drainage Technical Note (22<sup>nd</sup> November 2022)
- Landscape & Ecological Management Plan Rev B (24 November 2022)

## 8.0 Relevant planning history

<a href="#">17/0121/OUT</a>	Outline planning application for up to 123 houses and associated infrastructure, with all matters reserved except for access.	REF Appeal Dismissed	28.03.2017 13.02.2018
<a href="#">15/0436/OUT</a>	Outline planning application for up to 123 houses and associated	REF	05.08.2016

	infrastructure, with all matters reserved except for access.		
<a href="#">01/1769/OUT</a>	Residential development and ancillary works including the demolition of 371 Topsham Road and the formation of a temporary construction access to Rydon Lane (all matters reserved for future consideration)	REF Appeal Dismissed by SoS	28.05.2002  16.01.2004
<a href="#">96/0620/OUT</a>	Residential development (all matters reserved for future consideration)	REF Appeal Dismissed by SoS	17.12.1996  15.09.1997
<a href="#">96/0209/OUT</a>	Residential development (all matters reserved for future consideration)	REF	04.06.1996

## 9.0 List of constraints

- The site is designated Valley Park
- The site is designated Landscape Setting
- The site is designated a Site of Nature Conservation Importance
- The site is adjacent to Ludwell Valley Park County Wildlife Site to the north
- The site is indicated as potentially contaminated on the Council's GIS
- Residential uses to the northwest
- Charity providing education, care and support services to people with visual impairment and other complex needs to south

## 10.0 Consultations

Below is a summary of the consultee responses. All consultee responses can be viewed in full on the Council's website.

**National Highways:** No objections – were satisfied the development is unlikely to result in an adverse impact on the safe operation of the strategic road network based on the scope of the proposal and associated traffic generation.

### Natural England:

#### *Original Response to the Application*

No objection – considered the development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Provided generic advice on other natural environment issues.

#### *Response to June 2022 Reconsultation on Landscape & Ecology Plans*

Welcomed the removal of floodlighting. Stated that conditions should prevent the installation of any lighting that would cause additional illumination of hedgerows, which are important wildlife corridors, and further conditions should protect hedgerows during construction and implement a Landscape and Ecological Management Plan (LEMP). Raised concerns over whether the proposal contributed to the Green Infrastructure Strategy, as the site is shown as part of Ludwell Valley Park within this document. Questioned whether the proposal complies with the Masterplan for Riverside and Ludwell Valley Parks. Advised the Council to consider whether the proposal would compromise the future delivery of Suitable Alternative Natural Greenspace (SANGs) under the South East Devon European Sites Mitigation Strategy; advised that with public access, the site could form a key green open space link between Ludwell Valley Park, existing and potential future residential development.

*Response to September 2022 Reconsultation on Additional Ecological Information*

Stated that they had no additional comments to make.

**RSPB:**

*Original Response to the Application*

Raised serious concerns, including:

- The proposal does not comply with local or national planning policy.
- It risks adverse impacts on biodiversity and greenspace.
- It does not provide sufficient ecological information.
- It could set a precedent for further built development.
- It has potential for adverse impacts on the biodiversity and public use of the adjacent parts of Ludwell Valley Park.
- The best way for the site to benefit biodiversity, landscape and people is for it to remain in agricultural use and be managed to enhance its habitats for biodiversity.
- The cirl bunting surveys did not follow RSPB's recommended methodology.
- The bat surveys did not accord with standards by the Bat Conservation Trust.
- There is insufficient information on lighting, which would impact bats and other light sensitive species.
- It is unclear whether golf balls would pose a safety risk to users of Ludwell Valley Park.
- A LEMP should be provided before determination.

*Response to September 2022 Reconsultation on Additional Ecological Information*

Remains concerned:

- Disappointed cirl bunting surveys did not fully accord with RSPB guidance, however we have no separate information cirl buntings are present on the site.
- Do not think the proposals will result in increased habitat opportunities for cirl buntings.
- Welcome removal of floodlighting.
- Recommend artificial lighting is not permitted at the car park or building.
- Operation hours should fall within daylight hours.
- A detailed habitat management plan should be conditioned to supplement the submitted LEMP.
- Snowberry should not be used around the parking area.
- Herbicides and fertilisers should be excluded in the ball striking zone with management of this area being cutting and removal of arisings.
- Recommend a s106 legal agreement to secure ongoing monitoring and habitat management of the site.
- Still very concerned the change of use will result in future proposals for further built development.

**South West Water:**

*Original Response to the Application*

Provided a copy of a letter to the agent advising that SWW foul and surface water sewers run beneath the site and they should contact SWW to discuss whether the proposals will be affected by the apparatus and the best way of dealing with any issues.

*Response to June 2022 Reconsultation on Landscape & Ecology Plans*

Commented that surface water sewers only convey domestic surface water drainage and it is not permitted to connect land drainage to public sewers.

**Local Highway Authority (Devon County Council):**

*Original Response to the Application*

No objection subject to conditions (cycle parking, illumination, EV charging, low flight balls). Satisfied the development will not generate a level of car trips that would represent a severe impact on the local highway network (based on 30 space car park). The vehicular access design is acceptable and of sufficient width to allow a vehicle and pedestrian/cycle to pass. Waste bins may need to be taken to the private

road, as there is limited space for a refuse vehicle to turn in the car park. Satisfied a fire appliance will be able to access the site. The level of car parking is suitable, but 20% should be EV charging. No cycle parking is shown and should be provided in a secure, covered and well-lit location. There have been no collisions at the Topsham Road/private road junction recorded over the most recently available 5-year period. The floodlighting should not exceed the level of illuminance in the Lighting Design Report to protect drivers on Rydon Lane. Only reduced flight balls must be used to avoid ball barriers next to Rydon Lane. If 10 staff or more are employed, a travel plan/pack is required.

*Response to June 2022 Reconsultation on Landscape & Ecology Plans*

There are limited impacts to the highway element of the planning application, therefore no objection and the previous comments still apply.

**Lead Local Flood Authority (Devon County Council):**

*Original Response to the Application*

No in-principle objection, but drainage information required.

*Response to June 2022 Reconsultation on Landscape & Ecology Plans*

Surface water will need to be managed from the building / parking area. Surface water should also be managed within the field. The surface water flooding maps suggest a flow path through the centre of the site (following the topography). The applicant could form a shallow bund along the southern boundary of the site to capture these flows.

*Response to December 2022 Reconsultation on Drainage Information*

The applicant should provide correspondence from South West Water to confirm that they will accept flows into their surface water drainage system at the proposed rate. The applicant must confirm how surface water within the car park shall be managed.

**Local Plans Team:** Saved Policies L1 and LS1 of the Local Plan First Review apply. Policy CP16 of the Core Strategy applies.

Re saved Policy L12, a view will need to be taken on whether the proposals harm existing or potential opportunities for informal recreation in Ludwell Valley Park.

Re saved Policy LS1, change of use to golf driving range could be considered to meet the land use criteria being a recreation use. A view will need to be taken on



whether the built development associated with the use would maintain the local distinctiveness and character of the area. Consideration of this policy can only be afforded limited weight, as it is based on outdated information and superseded national policy.

Re Policy CP16, a view will need to be taken on whether the proposals have a negative impact on the character and local distinctiveness of the area.

Policy DD29 of the Development Delivery DPD maintains some limited weight. It permits development in landscape setting areas where there is no harm to the distinctive characteristics and special qualities of the landscape setting of the City and the wider area and where it does not contribute to the urbanisation of these areas. A view will need to be taken on whether the proposals meet these criteria.

The Riverside & Ludwell Valley Parks Masterplan (2016) is a material consideration. The site lies within the Ludwell character zone. This is characterised as natural green space with long views out to the estuary and an area where traditional mixed farming predominates, a strong sense of place exists and an overriding affinity with farmland, rolling fields and hedgerows. It is described as “Little Devon”. The strategy/proposals map includes the retention of the application site as an open field.

### **Environmental Health:**

#### *Original Response to the Application*

A Noise Impact Assessment should be provided, including assessment of noise of golf balls being hit. The development could have a negative impact on local amenity as a result of obtrusive light from external lighting, including floodlighting. An assessment is required to determine whether light impacts will be adequately controlled. If this information is satisfactorily received, recommend approval with conditions (construction hours, lighting, noise).

#### *Response to June 2022 Reconsultation on Landscape & Ecology Plans*

Advised their comments remained the same.

#### *Response to September 2022 Reconsultation on Additional Ecological Information*

Initially advised no change to their original comments. Subsequently commented that if there is no floodlighting, they're happy not to comment on lighting. They are happy to condition a Noise Impact Assessment, as they consider it's not the loudest of uses.

**Principal Officer – Urban Design and Landscape:** Stated they had no substantial comments and the mitigating landscape proposals looked good. The layout is appropriate and planting specification well-suited. If the management notes on the (LEMP) drawing are followed then the increase in biodiversity that is hoped for should certainly be expected.

**Principal Officer – Heritage:** The site has the potential to contain locally or regionally significant archaeological remains from multiple periods, this potential does not preclude development but should however be mitigated by the requirement of a programme of archaeological works. A proportionate approach would be the implementation of a SMS (Strip, Map, Sample) of the footprint of the structure prior to commencement. In this way any impacts would be identified and mitigated by adhering to the principle of preservation by record. These works can be secured by the inclusion of the standard archaeological condition.

**Principal Officer – Ecology and Biodiversity:** Stated they were satisfied that the potential ecological impacts have been addressed with regards to light sensitive bats, cirl bunting, dormice and Ludwell Valley Park/ County Wildlife Site through the habitat enhancements proposed and the confirmed removal of the floodlighting. Requested the following changes to the Biodiversity Net Gain calculation, as there were several errors and some of the habitats proposed were unrealistic:

- Modified Grassland has been reduced to poor condition from moderate as per the original BNG back in 2021, so it should be switched back unless justified.
- Lowland deciduous woodland is proposed which is very high distinctiveness and unrealistic. It also penalises the score significantly. I'd suggest one of the moderate woodland types in moderate condition (mixed or other deciduous)
- Lowland meadow is high distinctiveness, unrealistic and penalises the score significantly. I'd suggest all as other neutral in moderate for the annual and biannual cut areas.
- The habitats lost and those created is not balanced. About 1.46 ha is missing. I presume this is the ball striking area? If so, it should go into the habitats created. I can't see how it's actually being created, but I'd suggest modified poor as it will be cut regularly and this is more precautionary considering they will want a pretty good surface (unless being enhanced in some way e.g. short meadow type seed mix?).
- There is no baseline for hedges inputted, which is why there is a 100% net gain, which is wrong.

These were carried out and the calculation updated. Stated they were satisfied with the Biodiversity Net Gain score of 36.71% for habitats and 8.96% for hedges as they demonstrate a measurable net gain. Noted that 10% net gain is not yet a statutory requirement. Recommended conditions (LEMP, Lighting Design Strategy, CEMP).

The score comes out positive as 36.71% for habitats and 8.96% for hedges.

**Tree Manager:** No arboriculture objections. Recommends a condition for tree/hedge protection during construction.

**Devon Wildlife Trust:**

*Original Response to the Application*

**Objects** – insufficient evidence on biodiversity:

- Indirect impacts on adjacent Ludwell Valley Park County Wildlife Site, such as light spill or noise disturbance, should be given detailed consideration.
- The bat survey does not meet the required standard – a survey during spring required. The curlew survey does not meet the required standard.
- Detailed mitigation and enhancement measures which have been incorporated into the scheme design must be provided.
- A lighting strategy/assessment has not been provided.
- The Biodiversity Net Gain calculations are based on a 'precautionary approach', but they must be based on a detailed landscaping plan and must show a minimum gain of 10%, although DWT recommends a 20% net gain for all development.

*Response to June 2022 Reconsultation on Landscape & Ecology Plans*

**Objects** – the proposed planting scheme appears broadly satisfactory, however we would like to see an extension to the width of the planting along the north and north-eastern boundaries. Welcomed label on the Landscape & Ecological Mitigation Plan stating 'The application does not include lighting of the ball strike area', but no reference is made to the lighting within the remainder of the site and the lighting plan is still included within the application. This is insufficient to address point 4 of previous comments. No additional information to address points 1, 2 and 5 of previous comments.

*Response to September 2022 Reconsultation on Additional Ecological Information*

Stated they had no further comments. Subsequently stated their role does not extend to determining when revisions have satisfied their objections and they do not remove or retract responses or decide if they have been dealt with. The Local Planning Authority will decide if and when comments or objections have been dealt with satisfactorily. The previous objections stand as a matter of record.

## **Southbrook Community Association:**

### *Original Response to the Application*

**Objects** – Stated there are two aspects to consider before making comment: the impact on residents on the Southbrook Estate, and the impact on Ludwell Valley Park and wildlife. A concern of residents is the change of use may alter the site from 'greenfield' to 'brownfield' and be more vulnerable to housing development – our view is the views of the 2018 appeal Inspector would still hold sway. Some residents consider the proposal will not significantly affect wildlife or LVP, while others consider it should either remain in agricultural use or be integrated into the park. The site is a vital part of the wildlife corridor between LVP and the Riverside Country Park. We support the Devon Wildlife Trust's objection. Pleased road access will not be via Tollards Road. Relieved by the absence of netting and would object to its installation in future. The impact on many residents on the estate will be minimal, but residents of the upper section of Tollards Road could be greatly affected. Objections relating to lighting of the field are covered by the DWT response. Lighting around the building and car park must be unobtrusive. Noise will be generated by grass cutting and ball retrieval. We consider the operating times of the existing facility should be adhered to at weekends, especially in winter to reduce light and noise pollution. Mowing and ball collection should not take place before 9am. Concerned with unsightly cladding on the building; should be wood to blend in with surroundings. Pleased to see requirement for landscaping with tree planting and managing boundaries. Tree planting behind the properties on Tollards Road would not be welcomed, due to the impact on views.

### *Response to June 2022 Reconsultation on Landscape & Ecology Plans*

Our policy is to support Devon Wildlife Trust and their objections have not been satisfied, although the removal of lighting of the driving area will have a very positive effect. Concerned a retrospective application for lighting or netting may follow. Agree it threatens the Riverside and Valley Parks Masterplan, which shows the field as part of Ludwell Valley Park. Many residents concerned the scheme will open door for housing development, while others hold the opposite view. Consider much of the landscaping/planting would have a positive effect. With the removal of lighting, very few residents are likely to be visually affected. A concern is no mention of what lighting is proposed around the driving bays and car park and the duration of use. 24-hour security lighting would be opposed. Ground lighting at the car park should be considered. The change in the position of the car park and planting of a hedge and trees to mask this and the building are noted. The building should be left in wood finish without cladding. Views from the estate or LVP will not be vastly affected, as only a small part of the site will be built on. The unsightly bright distance markers used at the existing facility should not be used. Concerned a 'Short Course' could be added later. The small woodland in the corner by Wendover Way looks good, but the existing pine trees should be removed as they are too tall and encroaching on the

first house. Scrub, brambles and nettles behind properties in Tollards Road should be removed. Residents should be pre-warned if weed killer is used. The committee represents residents of over 350 houses on the estate. Some strongly oppose the plan whilst many others are concerned the field should not be used for housing.

## 11.0 Representations

There were 344 objections and 72 letters of support. These can be viewed in full on the Council's website. The issues raised in the objections included:

- Noise nuisance to local residents and Valley Park
- View of green field will deteriorate
- Light pollution... should be limited to daylight hours only
- Loss of habitat
- Impact on skyline/view
- Additional traffic
- Loss of green space for pet walking/impact on mental health
- Land may be sold for housing if driving range goes ahead
- Disruption to wildlife in and around Ludwell Valley
- Ruse to build houses
- Public will no longer be able to access
- Does not benefit local community
- Topsham Road becomes gridlocked
- Safety of pedestrians (including InFocus) would be compromised by traffic
- Impact on wildlife corridors
- Building does not fit in with ethos of Ludwell Valley Park
- Extra traffic... increased pollution affecting air quality
- Impact on estuary view
- Intrusion into countryside
- Farmland should be protected
- Field should be donated to LVP
- Reduced privacy
- Impact of noise on adjoining school
- Visual pollution, e.g. coloured markers
- Contamination of soil and groundwater
- Additional pressure on water supply
- No archaeological survey
- No sustainability proposal
- Need local open space for well-being
- No transport assessment of ingress/egress of traffic onto Topsham Road
- Will adversely affect character and appearance of park and surrounding area
- Mar beauty of field
- Limited economic benefits
- Erode setting of Green Circle
- Increased risk of criminal activity

- Lighting around building and car park
- Cladding on building is unsightly and should be excluded
- Field is sanctuary for wildlife as not open to human/canine traffic
- Could Council purchase land?
- Commercial development will detract from beauty and tranquillity
- Contrary to Policy LS1
- Security fencing will be unsightly
- Counter to ECC parks and green spaces strategy
- Land is ancient meadow
- Building run off must be carefully managed to avoid flooding
- Noise pollution of golf balls being hit – impact on home working
- Risk of golf balls damaging property
- Contravenes climate change agenda
- Will harm views from LVP to north
- Ecological Appraisal lacks detail and not up-to-date
- SWW sewers run beneath the site and would be in vicinity of driving range and facilities
- SWW does not permit land drainage to public sewers
- Installation of drainage system will cause disruption and noise
- Plans do not include the colour of building cladding
- No details of height of security fencing along Rydon Lane
- Security concerns
- Unnecessary to widen entrance
- Impact on protected species
- Netting will be required
- An unexploded ordinance investigation should be carried out

The issue raised in the letters of support included:

- Driving range better option than houses
- Current site severely constrained by adjoining properties – potential damage
- Proposed new site much larger and more appropriate
- Oriented away from residential properties negating need for protective fencing
- Retains openness of site
- Compatible with policy aim of supporting recreation within the valley parks
- Habitat creation will enhance biodiversity
- Good use of land
- Will not detract from Ludwell Valley or spoil views of the estuary
- Existing driving range being encroached by housing – not fit for purpose
- Larger site will not require netting and will be safer
- Site does not have public access, it is private land
- Traffic will be light
- Physical and mental health benefit to players
- Site underused

- Improved sporting facility
- Existing site better for housing
- Proposed site is large – ideal use on land not suitable for housing
- Closer to Golf and Country Club than existing facility
- Is a quiet use
- Site will be preserved as green space
- Minimal impact on residents
- Range is important amenity for club and helps player development
- Will complement natural appearance of area
- EGCC is an important leisure facility for the city
- Will not impact on Ludwell Valley
- Will be suitable for all ages
- Building would not be prominent
- Noise will be minimal
- Retention of jobs
- Good access
- Balls will be hit away from houses
- Will protect site from further housing development

## 12.0 Relevant policies

### National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2021) – in particular sections:

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 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, flooding and coastal change
- 15. Conserving and enhancing the natural environment

Planning Practice Guidance (PPG):

- Climate change
- Design: process and tools
- Flood risk and coastal change
- Light pollution
- Natural environment
- Noise

Open space, sports and recreation facilities  
Travel Plans, Transport Assessment and Statements  
Use of planning conditions  
Water supply, wastewater and water quality

National Design Guide (MHCLG, 2021)

Protected species and development: advice for local planning authorities (Natural England and DEFRA, 7 January 2021)

Protected sites and areas: how to review planning applications (DEFRA and Natural England, 5 August 2016)

Biodiversity duty: public authority duty to have regard to conserving biodiversity (Natural England and DEFRA, 13 October 2014)

### Development Plan

Core Strategy (Adopted 21 February 2012)

CP10 – Meeting Community Needs

CP11 – Pollution

CP12 – Flood Risk

CP15 – Sustainable Construction

CP16 – Green Infrastructure, Landscape and Biodiversity

CP17 – Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

AP1 – Design and Location of Development

L1 – Valley Parks

T1 – Hierarchy of Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

LS1 – Landscape Setting

LS4 – Nature Conservation

EN2 – Contaminated Land

EN3 – Air and Water Quality

EN4 – Flood Risk

EN5 – Noise

DG1 – Objectives of Urban Design

DG7 – Crime Prevention and Safety



## Other Material Considerations

The Exeter Plan – Outline Draft Plan (September 2022)

- S1 – Spatial Strategy
- CE1 – Net Zero Exeter
- CE3 – Flood Risk
- STC2 – Active and Sustainable Travel in New Developments
- NE1 – Landscape Setting Areas
- NE2 – Valley Parks
- NE3 – Biodiversity
- NE4 – Green Infrastructure
- D1 – Design Principles
- IC2 – Community Facilities

Exeter City Council Supplementary Planning Documents:

- Sustainable Transport SPD (March 2013)
- Trees and Development SPD (Sept 2009)

- Riverside and Ludwell Valley Parks Masterplan 2016 - 2026
- Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)
- Green Infrastructure Study (April 2009)
- Green Infrastructure Strategy – Phase II (December 2009)
- Exeter Landscape Sensitivity Assessment (August 2022)
- Exeter Fringes Landscape Sensitivity and Capacity Study (February 2007)

### **13.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain properties where there may be some noise impact (this can be mitigated by conditions). However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area, and is proportionate given the

overall benefits of the scheme in terms of provision of an improved recreational facility, job retention/creation and biodiversity enhancement.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

#### **14.0 Public sector equalities duty**

As set out in the Equality Act 2010, all public bodies, in discharging their functions must have “due regard” to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

#### **15.0 Financial issues**

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and

- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

#### Material considerations

Job creation during construction

#### Non material considerations

The adopted CIL charging schedule applies a levy on certain proposals that create additional new floor space over and above what is already on a site. This proposal is not CIL liable.

The proposal will generate business rates.

### **16.0 Planning assessment**

The key issues are:

1. The Principle of the Proposed Development
2. Access and Impact on Local Highways
3. Parking
4. Design, Landscape and Heritage
5. Noise
6. Impact on Trees and Biodiversity
7. Flood Risk and Surface Water Management
8. Sustainable Construction and Energy Conservation
9. Development Plan, Material Considerations and Presumption in Favour of Sustainable Development

#### 1. The Principle of the Proposed Development

The site is designated as Valley Park. The relevant local planning policy context is as follows: Objective 8 of the Core Strategy is to 'Protect and enhance the city's unique historic character and townscape, its archaeological heritage, its natural setting that is provided by the valley parks and the hills to the north and west, and its biodiversity and geological assets.' Paragraph 10.37 of the Core Strategy refers to the

'Landscape Setting' areas and states, 'They are complimented by seven designated Valley Parks that provide 'green lungs' within the city, make an important contribution to biodiversity, provide formal and casual recreation opportunities, and are readily accessible by foot or cycle.' Policy CP16 protects the character and local distinctiveness of the Valley Parks and states that 'proposals for landscape, recreation, biodiversity and educational enhancement [will be] brought forward, in accordance with guidance in the Green Infrastructure Strategy, through the Development Management DPD.' (NB. The Development Management DPD is no longer being progressed, as it has been replaced by the Exeter Plan.) Saved Policy L1 states 'Measures to enhance the valley parks will be implemented based upon achieving a balance between the aims of conservation, recreation, public access and environmental education. Development which would harm existing or potential opportunities for informal recreation in the valley parks will not be permitted.'

Paragraph 219 of the NPPF states that due weight should be given to policies adopted before the NPPF was published according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). In addition, Paragraph 12 of the National Planning Practice Guidance on 'Determining a planning application' states that 'Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.'

Saved Policy LS1 protects the landscape setting of the city. It applies to areas of open space in and around the city, including the valley parks. It restricts development to certain purposes (including outdoor recreation) and it must maintain local distinctiveness and character. While the proposal is for an outdoor recreation use and therefore in conformity in land use terms with this policy, it has nevertheless been determined through various appeals that only limited weight can be applied to it, as it is deemed to be out of date in terms of its consistency with the NPPF and been superseded by Policy CP16.

Full weight can be applied to Policy CP16 and saved Policy L1 however. This was the view of the Inspector for the most recent appeal for housing on the site (ref. 17/0121/OUT) and while the NPPF has been updated since the appeal was determined, the national policy regarding the protection and enhancement of 'valued landscapes', which the Inspector considered this site to be, has not changed significantly. For the avoidance of doubt, the site is still considered to be a valued landscape with reference to paragraph 174 of the NPPF (2021).

With reference to Policy CP16, it is considered that the proposed development is acceptable: The majority of the site will remain as open space with a rural appearance. There will be no floodlighting, netting, flags or other golfing paraphernalia. The only physical development will take place on a relatively small

part of the site in the southwest corner, which is the lower part of the site near to existing built development, so it will not have a significant impact on the character/local distinctiveness of the Valley Park and it has been designed to fit into this character through its use of materials, such as timber cladding and grasscrete. It should also be noted that while the prior approval of the Council would still need to be given over the issues of siting, design and external appearance, the 'permitted development rights' would allow an agricultural building to be built on the site of up to 1,000 sq m ground area, which is considerably larger than the proposed building with a footprint of 251 sq m.

In terms of land use, while the facility will not be open to the general public, the proposal will provide a form of recreation with biodiversity enhancement, which Policy CP16 states will be brought forward in the protected areas, in accordance with guidance in the Green Infrastructure Strategy. The proposal therefore accords with this aspect of Policy CP16 and, as stated above, the background text to the policy confirms that the valley parks provide formal as well as casual recreation opportunities – the proposal would be a formal recreation use. The Newcourt Area Framework Plan in the Green Infrastructure Strategy – Phase II shows the site as Valley Park. One of the aims for this area is to provide multi-functional green spaces that promote health, well-being and a sustainable lifestyle. It is considered that the proposal will turn the field into a multi-functional green space by allowing access for formal recreation and by enhancing its biodiversity through the landscaping proposals.

Turning to saved Policy L1, it is considered that the first part of the policy stating, 'Measures to enhance the valley parks will be implemented based upon achieving a balance between the aims of conservation, recreation, public access and environmental education' is generally consistent with Policy CP16 and has been addressed by the preceding discussion. The second part of the policy states 'Development which would harm existing or potential opportunities for informal recreation in the valley parks will not be permitted.' This part of the policy is not consistent with Policy CP16, however it is considered that the proposal will not harm informal recreation opportunities in the publicly accessible part of Ludwell Valley Park to the north because the site will on the whole remain open and green, therefore the setting of the Valley Park contributing to people's enjoyment of it will not be adversely affected. In terms of potential opportunities for informal recreation on the site itself, again while this is not covered by Policy CP16 and the onus must be on this policy as the last policy adopted, there is no evidence to suggest that the current owners would be prepared to allow public access should the proposed development not go ahead. In terms of allowing public access alongside the proposals, officers have been informed this will not be possible due to safety risks. This means that the informal footpath through the site shown on Ordnance Survey and aerial mapping will not be reinstated, although Members should remember there is no formal right of way here and there is already formal access to the park via Wendover Way northwest of the site.

The Riverside & Ludwell Valley Parks Masterplan 2016 – 2026 is a material consideration. There are no proposals for the site shown on the Ludwell Proposals Map (Figure 109). One of the key project descriptions suggests the Council could purchase the private land within the Valley Park to secure public access, however there is no evidence this will happen for the site. The document includes a character area appraisal for Ludwell. This is summarised in section 5.0 of this report. For the reasons discussed above, it is considered that the proposed development will not conflict with this character to such a degree that it would justify refusal of the application in accordance with Policy CP16. It should be noted that the Council's Urban Design & Landscape Officer has raised no objections.

In conclusion, the proposed development is considered to accord with Policy CP16 and saved Policy LS1 (in so far as it carries weight), taking into account the Riverside & Ludwell Valley Parks Masterplan. It is considered that the character and local distinctiveness of Ludwell Valley Park will not be harmed by the proposed development to such a degree that it would justify refusal of the application. The main reason for this is the majority of the site will remain as green open space. In addition, with reference to saved Policy L1, it is considered that the proposed development will not harm informal recreation opportunities within Ludwell Valley Park to the north, as the setting of the park will not be adversely affected by the proposed development. Furthermore, there is no evidence to suggest that the proposal will harm potential opportunities for informal recreation, as there is no public access to the site at present or indication this is likely in future. Notwithstanding, this part of saved Policy L1 is not consistent with Policy CP16, which takes precedence as the more recent policy adopted.

## 2. Access and Impact on Local Highways

Access to the site will be via the existing private road providing access to InFocus, which connects to Topsham Road to the south. The Local Highway Authority has raised no objections given the development will generate a relatively low number of vehicular trips, which will not have a severe impact on local roads. The access is also considered safe for all users. Conditions are recommended to secure cycle parking, the level of illumination of floodlighting, EV charging units and use of low flight balls only. As floodlighting has been removed from the application, this condition is no longer necessary. It's debatable whether users of the facility will cycle when carrying golf clubs, but a condition securing some cycle parking for staff or users who might not have equipment is considered justified to encourage sustainable travel. A condition for EV charging units is supported by NPPF 112e) and therefore justified. Officers have been informed that only reduced flight balls will be used at the facility and a condition securing this is considered justified in the interests of highway safety, although its necessity is debatable given the much larger size of the site compared to the existing facility.

### 3. Parking

The Sustainable Transport SPD sets indicative car parking standards. The indicative standard for leisure uses is 1 space per 22 sq m. This means around 11 car parking spaces should be provided. The standards also require a minimum of 3 bays for disabled users. The site layout plan shows the car park with 26 spaces, but does not show any disabled spaces, therefore a condition is required to ensure these are provided in accordance with the SPD. This will reduce the overall number of spaces, as will provision of an outdoor cycle shelter in the car park (see '2' above). Therefore, the total number of car parking spaces is likely to be around 20. This is similar to the existing facility and considered acceptable, so overspill parking on local roads will not occur.

### 4. Design, Landscape and Heritage

The new building will have a shed like appearance. It will be constructed partly in timber and partly in composite cladding (colour to be confirmed). At least one objector has stated a preference for the building to be constructed from timber only to fit into the character of Ludwell Valley Park better. This is a subjective issue and the Urban Design and Landscape Officer has raised no concerns in this regard. Agricultural buildings are often constructed from materials other than timber. The important thing is they should have a dark, muted colour so they do not stand out in the landscape. Therefore the design of the building is considered acceptable, subject to a condition to confirm the specification and colour of the materials.

Following an on-site meeting with Devon Wildlife Trust, the applicant submitted a Landscape & Ecological Mitigation Plan including Planting Plan and a Landscape & Ecological Management Plan (LEMP) in May 2022. These were submitted to address comments made by Devon Wildlife Trust and others to show a commitment to undertake biodiversity improvements on-site and to base the Biodiversity Net Gain calculation on. The plans were subsequently revised following further consultee comments. Ecology issues are addressed below, but in purely landscape terms the proposals are considered acceptable. The Urban Design and Landscape Officer stated that the layout is appropriate and the planting specification well-suited.

A security fence is indicated on the plans behind the trees along the Rydon Lane boundary. Detailed drawings of this have not been provided and should be conditioned to ensure the design of this feature is acceptable for the landscape setting.

The proposal will not affect the setting of any heritage assets. The Council's Heritage Officer has recommended the standard archaeological condition, due to the potential for the site to contain locally or regionally significant archaeological remains.

## 5. Noise

Environmental Health initially requested a Noise Impact Assessment, including an assessment of the noise of golf balls being struck, however later agreed to deal with this issue by condition as the proposal is not, in their words, “the loudest of uses”. A condition in this regard is considered appropriate and to comply with the ‘tests’ for conditions (NPPF 56).

## 6. Impact on Trees and Biodiversity

There are no protected trees on or around the site and the proposed building works will not affect any trees, although the Tree Manager has recommended a condition for a scheme to protect trees and hedges during construction. In terms of impact on biodiversity, the RSPB and Devon Wildlife Trust raised objections to the application when first submitted in early 2022. This was primarily due to a lack of information and certainty over the impacts of the development on biodiversity and the proposals for mitigation and enhancement of biodiversity. As discussed above, the applicant submitted landscaping proposals and a LEMP in May 2022. They also removed floodlighting from the scheme to ensure no harm to bats. Additional ecological information was submitted in September 2022, including further survey information for curlew buntings, as the site is within a curlew bunting consultation zone. This concluded that there are no curlew buntings using the site.

The Council’s Ecology and Biodiversity Officer was satisfied that the potential impacts had been addressed through the proposed habitat enhancements and removal of floodlighting. There will be a Biodiversity Net Gain of 36.71% for habitats and 8.96% for hedges. The former exceeds the future statutory requirement to provide a 10% net gain and the latter was considered reasonable by the Ecology and Biodiversity Officer given the enhancements include the creation of a linear woodland of 1.3 ha. The following conditions were recommended: a condition to ensure the submitted LEMP is implemented; a condition to secure details of any lighting for the building or car park to ensure it is bat friendly; and a condition for an ecologist to check the site before construction works begin to ensure no other protected species have started using it and a Construction and Environmental Management Plan (CEMP) to ensure building works will not harm protected species or the environment. These conditions are considered acceptable, although have been simplified given the relatively small extent of the building works.

With reference to The Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.



## 7. Flood Risk and Surface Water Management

Saved Policy EN4 does not permit development if it would be at risk of flooding. The site is within Flood Zone 1 and the proposed development is partly classified as 'less vulnerable' (building and car park) and 'water-compatible' (outdoor sports/recreation area) (see PPG). 'Less vulnerable' and 'water compatible' developments are acceptable in Flood Zone 1, therefore the proposal accords with saved Policy EN4.

Policy CP12 requires all development proposals to mitigate against flood risk utilising SuDS where feasible and practical. The application form stated surface water would drain to the main sewer, however a revised drainage scheme was submitted in December 2022 proposing an attenuation basin south of the building, which will store water before discharging to the mains at a controlled rate. The Lead Local Flood Authority (DCC) raised no objection to this SuDS system, although requested correspondence from South West Water confirming they will accept flows to their system and sought confirmation on how the car park will drain. Subsequently they asked if the basin could be sized to take flows from the car park if the grasscrete doesn't perform well. The applicant's response is awaited and an update will be provided on the Additional Information Update Sheet.

## 8. Sustainable Construction and Energy Conservation

The proposed development does not meet the thresholds for connection to a Decentralised Energy Network (Policy CP13).

Policy CP15 requires development proposals to demonstrate how sustainable design and construction methods will be incorporated. No information has been provided with regard to energy or water efficiency matters. To address this a condition should be added to require details before construction begins.

Policy W4 of the Devon Waste Plan requires planning applications for major development to include a Waste Audit Statement. The proposal is a major development because the site area is over 1 ha, as opposed to the size of the building and it's considered unlikely it will generate large volumes of waste; however, a condition should be added to secure a Waste Audit Statement before construction begins to comply with this policy.

## 9. Development Plan, Material Considerations and Presumption in Favour of Sustainable Development

Planning legislation requires determination of planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Core Strategy (2012) and the saved policies of the Local Plan First Review (2005). It is considered that the proposed

development accords with the development plan as a whole. The key policies are CP16, L1 and LS1. As per the discussion under '1' above, the proposal is considered to accord with Policies CP16 and L1, which carry full weight, and Policy LS1, although this policy carries limited weight. The Riverside & Ludwell Valley Parks Masterplan 2016 – 2026 is a material consideration and there is nothing in this document to indicate that planning permission should be refused contrary to the development plan. The NPPF (2021) is another material consideration. It protects and seeks to enhance 'valued landscapes' such as the site, commensurate with their identified quality in the development plan (174a)). It also encourages net gains for biodiversity (174d) and 180d)). As the majority of the site will remain as green open space with a rural appearance, the landscape quality of the site will not be adversely affected and the landscaping proposed resulting in biodiversity net gain will be a sustainability benefit that weighs in the scheme's favour.

Therefore, planning permission should be granted. This is supported by paragraph 11 of the NPPF, which applies a presumption in favour of sustainable development for decision-taking, meaning developments that accord with an up-to-date development plan should be approved without delay. Policies CP16 and L1 are the most important policies for determining the application. They were given full weight by the Inspector for the last appeal on the site in 2018 and are up-to-date.

## **17.0 Conclusion**

This application for a golf driving range for use by Exeter Golf and Country Club/Topsham Golf Academy within Ludwell Valley Park is considered to be acceptable as a formal recreation use, which will not have a significant impact on the character and local distinctiveness of the Valley Park. It therefore accords with Policies CP16 and saved Policies L1 and LS1, although the latter carries limited weight. The main reason for this is that the majority of the site will remain as green open space with a rural appearance, thus it will fit into the character of the park and will not harm the enjoyment of people using the publicly accessible parts of the park to the north. The new building and car park will be sited on the lower part of the site near to the site access and existing built development. The materials used will be suitable, subject to a condition controlling their colour to ensure they're relatively dark and muted to fit into the landscape surroundings. There will be no floodlighting, netting, flags or other golfing paraphernalia that would harm the character of the site and biodiversity; these are not shown on the plans and the applicant has confirmed they are not necessary. They would need to be subject of separate planning applications. The proposed landscaping on the site will enhance its biodiversity value. Environmental Health does not expect the proposed use to be particularly loud, but has recommended a condition for a Noise Impact Assessment to be submitted prior to commencement of construction works and the implementation of any mitigation that may be required to protect local amenity.

## **18.0 Recommendation**

GRANT permission with the following conditions:

### 1. Standard Time Limit – Full Planning Permission

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

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

### 2. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below:

- Location Plan (KGV\_EX\_1.0A)
- Proposed Site Layout (21.115-001 Rev PL-A)
- Plans and Elevations (21.115/002 Rev PL-A)
- Landscape + Ecological Mitigation Plan including Planting Plan (2211-01 Rev B)
- Landscape + Ecological Management Plan (2211--02 Rev B)

**Reason:** To ensure the development is constructed in accordance with the approved plans.

### 3. Construction Hours

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 8 am 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.

### ***Pre-commencement Details***

### 4. Archaeology

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

**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

#### 5. Noise

Prior to the commencement of development, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation measures contained in the approved report shall be implemented in full and maintained thereafter.

**Reason:** In the interests of local amenity. This assessment is required pre-commencement as specified to ensure that any mitigation measures required are implemented as part of the construction works.

#### 6. Surface Water Drainage

TBC

#### 7. Sustainable Construction (Policy CP15)

Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of the measures that will be included in the building to optimise its energy and water efficiency. The measures shall be implemented as approved and maintained thereafter.

**Reason:** In the interests of sustainability in accordance with Policy CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure the sustainability measures are accounted for in the detailed design and construction of the building.

#### 8. Tree/Hedge Protection

Prior to the commencement of the development hereby approved, a scheme for the protection of trees and hedges on-site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with BS 5837:2012 and include a tree protection plan. The scheme shall be implemented as approved.

**Reason:** To protect the trees and hedges on site during construction works. The scheme is required pre-commencement as specified to ensure the protection measures are satisfactory before construction works begin.

## 9. Ecology

Prior to the commencement of the development, a letter by a suitably qualified ecologist shall be submitted to and approved in writing by the Local Planning Authority confirming the results of a survey of the site and the date this was carried out where the building and car park will be constructed, and avoidance/mitigation/compensation measures for any protected species that will be affected by the construction works. The measures shall be implemented as approved.

**Reason:** To ensure protected species will not be harmed by the construction works. The letter is required pre-commencement as specified to ensure that any mitigation measures necessary are agreed before construction works begin.

## 10. Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

**Reason:** To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

### ***Pre-Specific Works***

## 11. Materials

Prior to the construction of the building hereby approved (not including the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

**Reason:** To ensure that the materials are appropriate for the landscape setting, in accordance with Policies CP16 and CP17 of the Core Strategy, and saved Policies LS1 and DG1 of the Exeter Local Plan First Review.

## 12. Security Fence

Prior to its installation, detailed drawings of the security fence indicated on drawing number 21.115-001 Rev PL-A ('Proposed Site Layout') along the Rydon Lane

boundary shall be submitted to and approved in writing by the Local Planning Authority. These shall include siting, elevations and foundations. The fence shall be implemented in accordance with the approved drawings.

**Reason:** To ensure the fence has an appropriate design for the landscape setting, in accordance with Policies CP16 and CP17 of the Core Strategy, and saved Policies LS1 and DG1 of the Exeter Local Plan First Review.

### ***Pre-Occupation***

#### 13. LEMP

Prior to the occupation/first use of the facility hereby approved, a timetable for implementation of the landscaping and ecology work shown on drawing numbers 2211-01 Rev B ('Landscape + Ecological Mitigation Plan including Planting Plan') and 2211--02 Rev B ('Landscape + Ecological Management Plan') and details of the management regime shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and ecology work shall be implemented and managed as approved.

**Reason:** To enhance biodiversity on the site in accordance with Policy CP16 of the Core Strategy and paragraphs 174 and 180 of the NPPF.

#### 14. Cycle Parking

Prior to the occupation/first use of the facility hereby approved, cycle parking shall be provided on-site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be maintained at all times thereafter.

**Reason:** To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review, the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).

#### 15. Disabled Parking Spaces

Prior to the occupation/first use of the facility hereby approved, three disabled parking spaces shall be marked out in the car park in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The disabled spaces shall be retained for disabled parking thereafter.

**Reason:** In the interests of equality and to comply with the minimum car parking standards for disabled users in Table 4 of the Sustainable Transport SPD.

## 16. EV Charging Points

Prior to the occupation/first use of the facility hereby approved, Electric Vehicle (EV) charging points shall be installed for two of the parking spaces in the car park in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The EV charging points shall be maintained thereafter.

**Reason:** In the interests of sustainability taking into account guidance in the Sustainable Transport SPD and paragraph 112e) of the NPPF (2021).

## ***Post Occupancy***

## 17. Opening Hours

The facility will open during daylight hours only and when daylight allows not outside the hours of 6:30am to 9.30pm on Mondays to Fridays and 7:00am to 8:00pm on Saturdays, Sundays and Bank Holidays.

**Reason:** To prevent the need for lighting in the interests of biodiversity and in the interests of local amenity.

## 18. Security Lighting

No external security lighting shall be provided on the building or in the car park unless this is otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of protecting local amenity and biodiversity.

## 19. Reduced Flight Golf Balls

Reduced/limited flight golf balls shall be used in the facility only and no other type of golf ball shall be used.

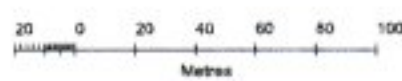
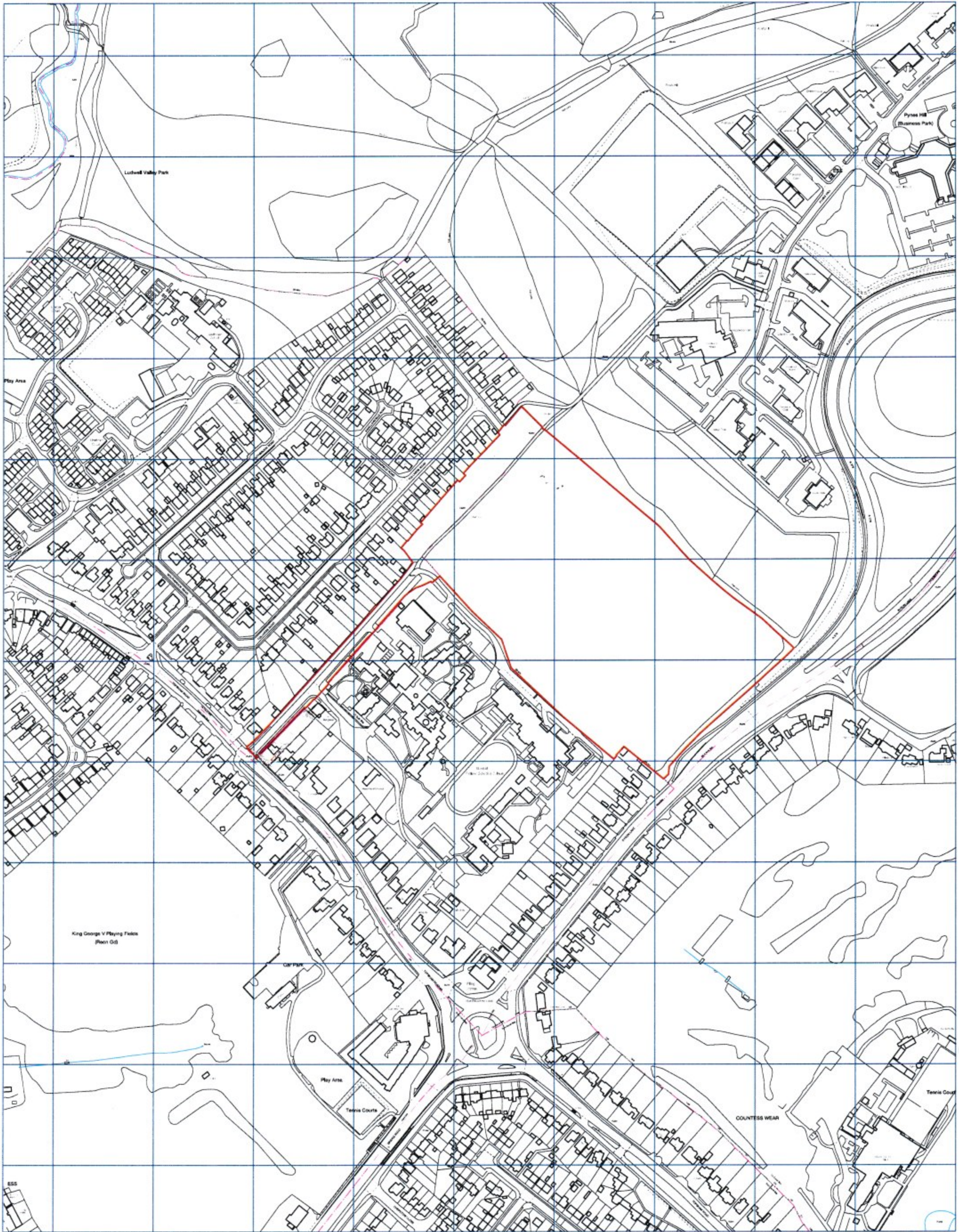
**Reason:** In the interest of highways safety.

## Informatives



1. For the avoidance of doubt this permission does not approve any floodlighting or netting on the site, or flags or other golfing paraphernalia in the ball striking zone.
2. In accordance with the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.

3. 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.





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	<b>SITE LOCATION PLAN</b>		<b>KGV_EX_1.0A</b>		
	LAND NORTHEAST OF 371 TOPSHAM ROAD, EXETER		EXETER GOLF & COUNTRY CLUB		
1:2500 @ A2 1/20/22 EXISTING	DATE: 1/20/22	BY: [Signature]	CHECKED BY: [Signature]	HILTON BARNFIELD ARCHITECTS 4 COURTNEY SQUARE, EXETER, EX1 1AA www.hiltonbarnfield.co.uk   01392 367273	PROJECT NO: 220101



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## Planning Committee Report 22/1746/RES

### 1.0 Application information

<b>Number:</b>	22/1746/RES
<b>Applicant Name:</b>	University Of Exeter And UPP
<b>Proposal:</b>	Approval of reserved matters of access, appearance, landscaping, layout and scale in relation to outline permission 20/1684/OUT for student accommodation and ancillary amenity facilities, and external alterations and refurbishment of Birks Grange Village Blocks A-E, with associated infrastructure, demolition of existing buildings and landscaping.
<b>Site Address:</b>	West Park University Of Exeter Stocker Road
<b>Registration Date:</b>	19 December 2022
<b>Link to Application:</b>	<a href="https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=RN8QATHB03800">https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=RN8QATHB03800</a>
<b>Case Officer:</b>	Catherine Miller-Bassi
<b>Ward Member(s):</b>	Cllr Kevin Mitchell, Cllr Michael Mitchell, Cllr Martin Pearce

#### REASON APPLICATION IS GOING TO COMMITTEE

The application is significant, complex and of local interest, so determination by the Planning Committee is appropriate following the Exeter City Council Constitution.

### 2.0 Summary of recommendation and update

#### **GRANT permission subject to conditions as set out in the report.**

This application was heard by Committee on 25/05/23 and deferred to 19/06/23 at members' request to allow for a site visit, due to take place on 09/06/23.

The update to the original committee report published on 24/05/23 is copied below:

#### **1. Correction to Section 6. Description of development**

##### **Paragraph currently reads:**

As confirmed by the applicant in an email dated 04/05/23, the scheme would result in a net increase of **1,769**no. student bed spaces, with 2,061no. new bed spaces being created following the removal/demolition of 292no. existing bed spaces.

**Paragraph to be replaced with:**

As confirmed by the applicant in an email dated 22/05/23, the scheme would result in a net increase of **1,474**no. student bed spaces, with 2,056no. new bed spaces being created following the loss of 582no. existing bed spaces, (of which 290no. would be refurbished rather than demolished).

**2. Amended drawings received**

The following amended drawings were received on 23/05/23:

BLOCK CB - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-CB-GF-DR-A-00200, Rev.P04

BLOCK CB - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-CB-01-DR-A-00201, Rev.P03

BLOCK CB - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-CB-02-DR-A-00202, Rev.P02

BLOCK CB - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-CB-03-DR-A-00203, Rev.P02

BLOCK CB - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-CB-04-DR-A-00204, Rev.P02

BLOCK CB - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-CB-05-DR-A-00205, Rev.P02

BLOCK CB - GA PLAN - ROOF PLAN, EXE-WIA-CB-RF-DR-A-00206, Rev.P02

BLOCK CB - GA ELEVATIONS - EAST & WEST, EXE-WIA-CB-ZZ-DR-A-00300, Rev.P03

BLOCK CB - GA ELEVATIONS - NORTH & SOUTH, EXE-WIA-CB-ZZ-DR-A-00301, Rev.P03

The following additional drawings were received on 23/05/23:

BLOCK ST - INTERNAL SECTIONAL ELEVATIONS - EXE-WIA-ST-ZZ-DR- A-00302, Rev.P01

BLOCK GH - INTERNAL SECTIONAL ELEVATIONS - EXE-WIA-GH-ZZ-DR- A-00302, Rev.P01

BLOCK CB - INTERNAL SECTIONAL ELEVATIONS - EXE-WIA-CB-ZZ-DR- A-00302, Rev.P01

The following amended drawings were received on 16/05/23:

PROPOSED SITE PLAN, EXE-WIA-ZZ-ZZ-DR-A-00100, Rev.P05

BLOCK CB - GA SECTIONS, EXE-WIA-CB-ZZ-DR-A-00400, Rev.P03

EXE-TLP-XX-XX-DR-L-10002 P05 Landscape General Arrangement - Birks

As such, recommended conditions 1. (Plans) and 9. (Landscaping Details) will be updated to include the latest revisions.

### **3. Student Privacy Management Plan**

A Privacy Management Plan was submitted on 22/05/23. This notes:

- The UPP student services offices are located in Ross House, immediately adjacent to Block J, that are open and staffed during general working hours and at weekends.
- an introduction sessions will be held for new students to meet the relevant pastoral staff and be informed of good neighbourly conduct including respecting fellow students' privacy
- Complaints regarding privacy issues can be made in person or by email and will be acknowledged, logged and escalated as required
- Student tenancy agreements set out the disciplinary procedures for such anti-social events, which may result in termination of the tenancy agreement for persistent offences.
- Privacy complaints with regard to the physical form of the building, i.e. windows, doors etc will be reported to the Facilities Management Team who would repair or improve privacy matters through secondary means such as installing additional blinds, screening or other such measures as deemed necessary.
- A follow up visit would be undertaken to ensure the issue has been resolved satisfactorily.

As such, recommended condition 4. will be updated as follows:

*The submitted Privacy Management Plan, dated 22/05/23, that sets out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy, shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.*

*Reason: In the interests of the residential amenity of neighbouring and future occupiers.*

### **4. Block CB – impact on residential amenity**

- The above-mentioned drawings comprise amendments sought by Officers to overcome concerns regarding the residential amenity of future occupiers of proposed Block CB and occupants of neighbouring Block J to the north.
- It was considered that the intervisibility between the existing and proposed windows, the majority of which would serve bedrooms, at a separation gap of 12m, would result in unacceptable loss of privacy.
- The proposed amendments comprise:

- A separation gap of approx. 13.3m, representing an increase of approx. 1.3m;
- The introduction of a saw-tooth profile on the proposed north elevation of Block CB, with angled projecting bays;
- The windows sited in the proposed bays would be angled at 30 degrees from the main elevation towards the north-west;
- This would avoid direct overlooking of the windows in Block J to the north;
- These angles would also increase the sightlines between the respective elevations to approx. 17m.
- The proposed amendments are accompanied by a Student Privacy Management Plan, as set out above.
- For these reasons, the original Officer concerns regarding loss of privacy are considered to have been overcome to an acceptable degree.

## **5. Addendum to Section 17. Conclusion**

By reason of the amended drawings and Privacy Management Plan for occupiers of the existing and proposed student accommodation received, Officer concerns regarding Block CB are now considered to have been overcome to an acceptable level.

As such, the reserved matters application is considered acceptable overall and recommended for approval in its entirety, subject to the recommended conditions.

### **3.0 Reason for the recommendation**

NPPF paragraph 11 states:

*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means: c) approving development proposals that accord with an up-to-date development plan without delay.*

15no. letters of objection have been received regarding this application. These have raised issues of: harm to visual amenity; harm to residential amenity/overlooking/loss of privacy; light and noise pollution; antisocial behaviour; lack of democratic process; inadequate community engagement; misinformation; inaccurate plans; harm to ecology; highways safety.

The application comprises all the reserved matters pertaining to outline consent ref. [20/1684/OUT](#), granted in September 2021 following a resolution at Planning Committee.

The outline consent approved the proposed development in principle. Also, it approved the scheme's heights and maximum floor areas based on the indicative

layout and verified views. The conditions attached to the outline consent also address much of the technical detail.

Officers have raised concerns with the applicant regarding the impact of proposed Block CB on the residential amenity, namely the loss of privacy to existing student accommodation Block J to the north as well as for future occupiers.

Following discussions with the applicant, Officers are satisfied that an amended design, involving an increase in the separation gap between Blocks CB and J, together with the introduction of angled window bays, would be capable of overcoming the intervisibility concerns.

At the time of writing, the Council is awaiting a formal submission of the amendments to proposed Block CB above. It is the Officers' view that the revised proposal should also be accompanied by a management plan that would set out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy.

An update on the above will be provided prior to the Planning Committee on 25 May.

On balance, therefore, it is considered that the reserved matters are capable of policy compliance subject to additional conditions relating to visual amenity, residential amenity and biodiversity.

As such, this application is recommended for approval, except for Block CB, in line with NPPF paragraph 11 c).

#### 4.0 Table of key planning issues

Issue	Summary
Principle of development	Acceptable – established at Outline
Character and appearance	Acceptable subject to further conditions
Residential amenity	Acceptable subject to further conditions
Heritage	Acceptable
Highways	Acceptable
Biodiversity	Acceptable subject to further conditions
Contamination	Acceptable
Flood risk and drainage	Acceptable
Sustainable construction	Acceptable
Economy	Acceptable
Other	Acceptable

#### 5.0 Description of site

The application site comprises the western portion of the University of Exeter Streatham Campus and lies approximately 1km north of Exeter city centre.

As shown on the submitted Existing Site Plan, the wider, blue-outlined site under the ownership of the applicant comprises the following elements (those within the red line - i.e., application site area - outlined in bold):

1. **Birks Grange Halls of Residence Blocks A-E** (within red outlined application site) (north-west of the site)
2. **Birks Grange Refectory** (within red outlined application site) (south of Birks Grange A-E beyond some interceding halls of residence)
3. Birks Bank Pinetum (beyond red outlined application site) (east of Birks Grange Halls of Residence Blocks A-E and Refectory and some interceding halls of residence also beyond red outline)
4. **Estate Services Centre** (within red outlined application site) (south of Birks Bank Pinetum)
5. **Nash Grove Accommodation** (within the red outlined application site) (in the eastern portion of the site)
6. **Clydesdale House** (within red outlined application site) (east of Pinetum)
7. **Clydesdale Court Accommodation** (within the red outlined application site) (between Clydesdale Rise and Clydesdale House)
8. **Clydesdale Rise Accommodation** (within the red outlined application site) (east of Pinetum)
9. **Holland Hall Car Park** (within the red outlined application site) (east of Clydesdale Rise)
10. Holland Hall (beyond the red outlined application site) to the east of the site
11. Mardon Hall (beyond red outlined application site) to the east of the site
12. **Tennis Courts** (within red outlined application site) (east of Nash Grove Accommodation)
13. Reed Hall (beyond the red outlined application site) to the east of the site

The application site also includes:

- Clydesdale Road to the east of the Pinetum lies within the site;
- The vehicular Access to Birks Halls leading off New North Road to the west of the site, lying to the north of Dunvegan Close; and
- Part of Streatham Drive and a small part of Queen's Drive adjacent to the north-east of the university's Washington Singer buildings.

The eastern part of the application site lies within the Locally Listed Historic Park and Garden titled Exeter University Campus, a non-designated heritage asset.

Grade II listed Reed Hall lies beyond the application site to the south-east at approximately 74m from the eastern site boundary.

To the south of the site lies a residential area, including dwellings in Elmbridge Gardens, Dunvegan Close, Lodge Hill, Streatham Rise and Streatham Drive.



## 6.0 Description of development

This application is for approval of reserved matters.

The outline consent granted under application ref. [20/1684/OUT](#) was to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E; with associated infrastructure, demolition of existing buildings and landscaping.

This reserved matters application pertains to the proposed refurbished and new build student accommodation.

The following drawings were approved under consent ref. [20/1684/OUT](#):

- Site Location Plan 010002 Rev P2,
- Demolition Plan (dwg no. 010003 Rev P2);
- Land Use Parameters Plan (dwg no. 010010 Rev P2);
- Movement and Access Parameter Plan (dwg no. 010011 Rev P2);
- Heights Parameter Plan (dwg no. 010012 Rev P2)
- Landscape and Biodiversity Parameter Plan (Figure 1, dated 16th April 2020)

As such, the proposed demolition of the existing development has been agreed in principle as follows:

- Birks Grange Refectory (south-west of application site)
- Estate Services Centre (southern part of application site)
- Nash Grove Accommodation (the eastern portion of the application site)
- Clydesdale House (the east portion of the application site)
- Clydesdale Court Accommodation (the eastern part of the application site)
- Clydesdale Rise Accommodation (the eastern portion of the application site)
- Holland Hall Car Park (the eastern portion of the application site)
- Tennis Courts (the eastern portion of the application site)

The proposal comprises the erection of 8no. new residential buildings as follows:

1. **Block CB** – south-west of site (to replace Birks Grange Refectory), (permission granted for relocation of mature magnolia tree ref. [22/1724/TPO](#));
2. **Block ST** – south of the site (to replace Estate Services Centre, including greenhouses);
3. **Block QR** – south of the site (to north-east of ST, replacing Nash Grove blocks E and F);
4. **Block GH** – north-east of the site (replacing blocks A, B and C Clydesdale Rise, west of the car park adjacent to Holland Hall);
5. **Block JK** – south of Block GH (replacing blocks 1-4, 5-8 and 9-16 Clydesdale Court);
6. **Block EF** to the west of Block JK – also south of Block GH (replacing blocks 1-4, 5-8 and 9-16 Clydesdale Court);

7. **Block LP** to the west of Mardon Hall and south of Block JK (replacing blocks A, B, C and D Nash Grove, Clydesdale House and tennis courts); and
8. **Block AD** to the west of Block LP and south of Block EF (replacing blocks A, B, C and D Nash Grove, Clydesdale House and tennis courts).

The proposal also includes refurbishing the existing Birks Grange Village blocks A, B, C, D and E to the site's north-west.

As confirmed by the applicant in an email dated 04/05/23, the scheme would result in a net increase of **1,769**no. student bed spaces, with 2,061no. new bed spaces being created following the removal/demolition of 292no. existing bed spaces.

Landscaping and tree retention are not subject to this application as this aspect of the development was approved at the outline stage and controlled via condition, which is under consideration as part of a separate application.

Amended drawings have been received in response to officer concerns comprising the following revisions:

- Removal of the originally proposed footpath and access road leading to Building ST from the west;
- Block JK – amendment to the junction between roof levels of 7-storey and 9-storey sections to soften and simplify appearance at transition;
- Block EF – windows proposed in south-east elevation serving stairwell reduced in width to limit light spill;
- Block CB – service yard to south reduced in size; public realm to south improved; cycle storage relocated.

A separate reserved matters application for the proposed replacement Estate Service Centre (now called Ground Compound Rennes Drive) is currently under consideration, ref. [22/1735/RES](#).

Separate discharge of conditions applications are also under consideration regarding condition nos. 4, 5, 6, 7, 8, 9, 10, 11, 13, 17, 19, 20, 24 and 25, under refs. [23/0351/DIS](#) and [23/0495/DIS](#).

## **7.0 Supporting information provided by applicant**

- Arboricultural Impact Assessment Plan A1 L NTS D36 50 P3.1 UoE Resi (02/11/22)
- Application Form
- Bat Survey Report (08/12/22)
- Biodiversity Net Gain Note, by The Landmark Practice, dated 16/09/22
- Birks Grange - Inclusive design statement for planning
- Constraints Report UoE Resi 2, D36 50 02
- Covering Letter - 16 December 2022
- Demolition Plan, 00020- Rev.P01, (19/12/2022)

- Design and Access Statement Birks Grange
- Design and Access Statement LORES
- Drainage Strategy, EXE-AC-NB-XX-RP-C-00010, (19/12/2022)
- Fire service site plan, (19/12/2022)
- Fire Statement, 221216-R00-BA22059
- Letter West Park, D36 50 04
- Noise Planning Report, UoExeter West Park, R1462.1 V1, (19/12/2022)
- Outline Planting Schedule - West Park and Birks, EXE-TLP-XX-XX-SH-L-90003, (19/12/2022)
- Outline Tree Planting Schedule - West Park and Birks, EXE-TLP-XX-XX-SH-L-90001, (19/12/2022)
- Planning Statement - December 2022
- Statement of Community Involvement - December 2022
- Sustainability Statement December 2022 (Rev 2) (24/01/2023)
- Verified Views, EXE-TLP-ZZ-ZZ-VS-L-60001, (19/12/2022)
- West Park - Inclusive design statement for planning
- Wind\_Microclimate, UOE-FLO-RP, Rev.P03, (19/12/2022)

## 8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
<a href="#">23/0483/FUL</a>	Construction of two-storey detached building	PENDING	
<a href="#">23/0463/PDU</a>	Construction of detached single-storey prefabricated building on steel posts to store freezer units for Exeter Living Systems	PENDING	
<a href="#">23/0495/DIS</a>	Discharge of Conditions 6, 9, 17 on <a href="#">20/1684/OUT</a> - Outline planning application to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E; with associated infrastructure, demolition of existing buildings and landscaping (All Matters Reserved).	PENDING	
<a href="#">23/0496/DIS</a>	Discharge of Conditions 5 and 8 on <a href="#">20/1685/OUT</a> - Outline planning application to build a replacement Estates Services Centre and ancillary buildings and structures, with associated	PENDING	

	infrastructure and landscaping (All Matters Reserved).		
<a href="#">23/0351/DIS</a>	Discharge of Conditions 4, 5, 7, 8, 10, 11, 13, 19, 20, 24 and 25 of permission <a href="#">20/1684/OUT</a> - Outline planning application to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E; with associated infrastructure, demolition of existing buildings and landscaping (All Matters Reserved).	PENDING	
<a href="#">23/0348/DIS</a>	Discharge of Conditions 4, 6, 7, 9, 10, 11, 12, 14, and 22 of permission: <a href="#">20/1685/OUT</a> - Outline planning application to build a replacement Estates Services Centre and ancillary buildings and structures, with associated infrastructure and landscaping (All Matters Reserved).	PENDING	
<a href="#">22/1735/RES</a>	Approval of reserved matters of access, appearance, landscaping, layout and scale in relation to outline permission <a href="#">20/1685/OUT</a> to replace Estates Service Centre and ancillary buildings and structures.	PENDING	
<a href="#">22/1724/TPO</a>	Relocation of a mature magnolia tree	PER	17.01.2023
<a href="#">20/1684/OUT</a>	Outline planning application to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E, with associated infrastructure, demolition of existing buildings and landscaping (All Matters Reserved).	PER	17.09.2021
<a href="#">20/1685/OUT</a>	Outline planning application to build a replacement Estates Services Centre and ancillary buildings and structures,	PER	15.06.2021

	with associated infrastructure and landscaping (All Matters Reserved).		
<a href="#">20/1672/SO</a>	Screening opinion for the student accommodation and relocation of the Estate Service Centre.	EIANOT	11.12.2020

Table 1. [20/1684/OUT](#) Outline conditions for information

Condition Number	Requirement	Trigger	Details Submitted	Application Ref
1	Reserved Matters Approval	Prior to Commencement	Addressed by separate reserved matters submission	Current application
2	Time Limit	Compliance	N/A	
3	Approved Plans	Compliance	N/A	
4	Finished Floor Levels and Roof Heights	Prior to Commencement of any Individual Building	Height Parameter Comparison – EXE-WIA-ZZ-ZZ-D-A-00103 Rev P1	23/0351/DIS
5	Outline Landscape and Ecology Management Plan	Prior to Commencement	EXE-TLP-XX-XX-DR-E-00001 - LEMP - West Park and Birks_Rcd	23/0351/DIS
6	Detailed Arboricultural Method Statement and Tree Protection Plan	Prior to Commencement	West Park Arboricultural Method Statement – Report No. D36 50 05 Rev A Tree Protection Plans – drawing ref D36 50 P4 1 of 2 and 2 of 2	23/0495/DIS
7	Construction Environmental Method Statement	Prior to Commencement	West Park New Student Accommodation - CEMS C7	23/0351/DIS
8	Construction Traffic Management Plan	Prior to Commencement	West Park New Student Accommodation - CTMP C8	23/0351/DIS

9	Contamination Site Investigation	Prior to Commencement	Birks Grange and West Park Geo-Environmental Assessment – Report No. 14863 ( 1 to 5)	23/0495/DIS
10	Noise Impact Assessment	Prior to Commencement	R1462.1 V1 - UoExeter West Park - Noise Planning Report	23/0351/DIS
11	Internal and External Lighting Assessment	Prior to Commencement	West Park Lighting Impact Assessment March 2023	23/0351/DIS
12	Secure cycle parking details	Prior to Use	To be submitted separately.	
13	Written Scheme of Archaeological Work	Prior to Commencement	ACD2868 Clydesdale, Nash & Birks Grange, University of Exeter_WSI	23/0351/DIS
14	Reserved matters approval required	Compliance	Addressed by separate reserved matters submission	
15	Internal floor space limit	Compliance	N/A	
16	Secure by Design Gold Standard	N/A	To be submitted separately.	
17	Details of new Pedestrian Footway adjacent Streatham Drive	Prior to Occupation	103259-PEF-XX-XX-DR-C-0003-S2-PO2 General Arrangement Sheet 1 and 2	23/0495/DIS
18	Evidence of Passivhaus Principles	Prior to Occupation or as soon as practicable after Occupation	To be submitted separately.	
19	Unexploded Ordnance Investigation	Prior to Development	Detailed Risk Assessment Final CandBRP GCRD -	23/0351/DIS

			Brimestone 2021.07.16	
20	Waste Audit Statement	Prior to Commencement	West Park New Student Accommodation – Waste Audit Statement C20	23/0351/DIS
21	Details of Improvements to Streatham Drive	Prior to Occupation	To be submitted separately.	
22	Details of private highways works	Prior to Occupation	To be submitted separately.	
23	Cycle Parking Provision	Prior to Occupation	To be submitted separately.	
24	On site compound and Construction Method Statement	Prior to Commencement	West Park New Student Accommodation – CMS C24	23/0351/DIS
25	a) Soakaway testing b) Detailed drainage design c) Detailed surface water management and silt run off d) Adoption and maintenance of surface water system	Prior to or as part of Reserved Matters	Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (1 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (2 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (3 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (4 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (5 OF 5)	23/0351/DIS

## 9.0 List of constraints

- Smoke Control Area
- Locally Listed Historic Park and Garden

## 10.0 Consultations

Below is a summary of the consultee responses. The latest response has been summarised when more than one response was received. All consultee responses, including earlier responses, can be viewed in full on the Council's website.

### **Arboricultural Officer:**

Comments dated 17/02/23:

No objections subject to conditions

### **Devon & Somerset Fire & Rescue Service:**

Comments dated 30/01/23:

*The drawings would (without prejudice) appear to satisfy the criteria we would require for B5 access under Building Regulations and so we have no objection to this development at this time.*

### **Ecology Officer:**

Revised comments dated 29/03/23:

No objections following receipt of additional information subject to a condition regarding bat roosts.

### **Environmental Health:**

Comments dated 30/01/23:

*The submitted noise assessment recommends the following mitigation to ensure that the noise impacts of the scheme are reduced:*

- *screening to the ASHPs on the roof of blocks B1 and B2,*
- *screening for the bin stores, particularly for blocks B1 and C1 to reduce the sound reaching properties on Streatham Drive, and*
- *passive attenuators to the intake and exhaust of all air handling plant.*

*These are acceptable in noise terms.*

### **Exeter Civic Society:**

None received

### **Exeter Cycling Campaign:**

Updated comments provided 22/04/23 following amended plans:

**Objects** for the following reasons:

- Lack of visitor cycle parking
- Cycle parking too far from accommodation
- Two-tiered bike storage is not considered best practice and can be considered discriminatory
- Cycle parking should be secure (it appears they may only be 'covered'). Security should be provided by a combination of locked doors, passive surveillance and active CCTV surveillance



- Additional space should be provided within the cycle stores to accommodate non-standard bike forms (5%), an area for cycle maintenance and charging points for e-bikes.

**Health and Safety Executive (HSE):**

Comments dated 17/02/2023: No objections

**Local Highway Authority (Devon County Council):**

Comments dated 24/04/23:

Cycle parking provision is now acceptable

**Urban Design and Landscape Officer:**

Comments dated 15/05/23:

Previous concerns withdrawn following receipt of amended plans; no objections subject to conditions.

**Police Designing Out Crime Officer:**

Comments dated 02/02/23:

*The applicant has been in touch as they are seeking an SBD Gold award for the scheme. I have provided them with the relevant recommendations and criteria in order to attain the award so I have no concerns from a designing out crime perspective in relation to the scheme at this stage.*

## 11.0 Representations

15no. representations from separate addresses have been received, of which all are objections.

All responses can be viewed in full on the Council website. The following issues were raised in the objections:

**Objections:**

- Some of the plans/models presented by the developer have been unclear or inaccurate.
- Various reasonable mitigations could be incorporated into the proposals but have not (yet) been
- Since the Outline Planning Application went through in 2021, during COVID restrictions, approval was initially given at a time when the council could not properly discuss, organise, and consult [*Officer note: all decisions were undertaken in accordance with due process during the Covid restrictions including the use of technology to enable virtual meetings where face to face meetings was not permitted*]
- Despite many residents of Dunvegan Close and Elmbridge Gardens asking for better pictures or an image of the proposed buildings around them and how they will look from our points of view, when visualisations were done (In the verified

views document on 19/12/2022), none were done as asked for from any of our roads

- The high number (over 150) of application documents and building name/reference changes make understanding the application and its impact on visual and neighbouring amenities difficult and time-consuming.
- The proposal is out of scale and character with the area
- Includes tall buildings on high hills adjacent to small two-storey houses, which has a detrimental impact
- Contains a high number of openable windows overlooking neighbouring dwellings
- A new path facing us will go up Cardiac Hill from the car park to the main entrances on B1 (ST). This will cause a lot of noise and be used by students returning from a night out at all hours. Additionally, up till now, no traffic behind the fence on this site has been noticed. The new plan shows no fence, and the access road closer to the embankment's edge looming over our roads. With 155 students, cleaners, maintenance, emergency, dustcart, take away, and food delivery vehicles creating a considerable amount of extra road traffic up and down this dangerously steep hill at all hours. Add to this the fence has vanished that hid this, and the entrances are all facing us.
- In the last two months, some mature trees that would have screened some of this have been cut down.
- An outside socialising area will face us, causing us even more light and noise issues.
- It is in contravention of local planning policy and exceeds the student numbers noted in the Core Strategy for 2025/26
- Instead of facing us, the main entrances should be on the North elevation to channel some of the noise away from the houses.
- If a new path is needed, it should go behind the existing blocks, reducing noise increases.
- The road/outside social areas to the other entrances facing us should be behind fences similar to what has been there for 70 years.
- The designers have not accommodated residents' views at all
- I ask that images of this building and how it sits on the hill be submitted so people know what is planned.
- The design should respond to the surrounding area comprising families and retired private dwellings on three sides.
- The steep gradient of the site has been underplayed in what feels like a deliberate attempt to disguise the detrimental impact of the new buildings on the residents.
- An alternative site should be found to house the planned 155 bedrooms for block ST (B1).
- The ST block is surrounded on three sides by two-storey private dwellings of 3 and 4 beds. Putting a 155-bed four-storey block here on top of a 5-storey hill above our roads would massively impact all of us.
- We strongly believe that pedestrian traffic to any new building on this site should be directed UP the hill towards the University and via the new footpath planned for Streatham Drive. The pedestrian infrastructure on New North Road is already

inadequate. Pavements on the elevated section between Duryard and Birks Village and the onward section to Prince of Wales Road are narrow. They are massively overcrowded, with pedestrians continually being forced into the road to pass large groups of students. It is only a matter of time before a severe accident, and someone is killed or injured. This will worsen as the new halls in Glenthorne Road come into commission. Students in the new West Village should not be encouraged to add to the numbers using these pavements.

- More recently, there have been incidents of drug dealing in Dunvegan Close and Elmbridge Gardens: students linger in these quiet cul-de-sacs to meet dealers who arrive and depart in cars. This is causing further detriment to the quality of life of residents.
- To mitigate the issues listed above, we suggest the following:
  - An alternative site for building ST (B1) can be found on another part of the campus, not adjacent to a residential area.
  - If this cannot be done, then the height of ST (B1) be reduced from 4 storeys.
  - The main entrances to ST (B1) should face east, towards the University, thus encouraging pedestrian traffic to use the new planned footpath in Streatham Drive rather than the overburdened pavements on New North Road.
  - The orientation of the building ST (B1) should be changed from west to north-west facing (similar to the neighbouring building further up the hill). This would instantly remove the current lack of privacy issues with 51 windows directly looking into the gardens and bedrooms of Elmbridge Gardens and Dunvegan Close. Instead, students in ST (B1) would overlook students in Birks Village.
  - Remove the planned path from ST (B1) to the car park in Birks Village.  
*[Officer Note: This has been removed in the amended plans.]*
- As a former employee of the University (as are many of the residents of Dunvegan Close and Elmbridge Gardens), it saddens me to see how much the relationship between the University and residents has deteriorated.
- The University must, at some point, question whether the extra quantity of students will enable it to maintain high standards of academic education.
- The proposed six-storey 145-bedroom block *[Building CB]* with shop and socialising facilities has no window control zone facing us (South elevation towards Dunvegan Close), has 41 openable windows in our direction, is far wider than the buildings around it, and is two storeys higher than the buildings either side of it. At outline planning and during the feedback stages, numerous residents suggested that this building should be reduced in height to match the buildings around it, and no or few windows should face our houses. Residents have been continually ignored and lately told by the University team no windows would face our direction (due to the lack of an actual image or model of this building during both at outline planning application and the feedback stages last year) and that the height had been agreed with planners and could not be altered now so was not up for discussion. We discussed this and the number of windows anyway on feedback forms, objection letters, and discussions at exhibitions and meetings. At

none of these have designers even entertained altering the number of bedrooms, the height of the building or the number of windows facing us. They have even failed to show us any image at all of A1 until 24/01/2023. *[Officer Note: As mentioned in the representation above, there is no window-controlled zone to this building shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage.]*

- The extra two storeys of Building CB will be a visual intrusion on the north end of Dunvegan Close, with the building visible over and through the existing tree canopy and the light from all the windows, especially in the winter when the leaves are not on the trees which will be a new issue to residents.
- Changing the names of the proposed buildings at different stages of the plans and mislabelling images of the proposed plans has proved very confusing and left gaps of information as to what the true intended outcome will look like
- Public signs advertising the planning application in the local area have not been available *[Officer Note: 3no. Site Notices were displayed for this application at Streatham Drive, near the junction with The Queens Drive, Entrance to Birks Grange Village and Clydesdale Avenue, near the junction with Streatham Drive.]*
- Can the developers dig down a level and start Building CB lower, and can the main entrance doors be positioned on the side of the building away from Elmbridge Gardens so the noise travels towards the university campus instead? *[Officer Note: There are proposed entrances on all elevations, but the majority are on the east, which does not face towards Elmbridge Gardens]*
- The latest plans include a 'new' path that will be lit at night, right alongside the perimeter of my garden and from the main halls to the car park, which will cause noise and light pollution to my property. *[Officer Note: A new footpath is shown in the submitted Illustrative Masterplan - West Park and Birks, Rev.P03, leading to Building ST from the existing access road to the electricity substation rear (east) of no.10 Elmbridge Gardens. This footpath would run west to east to the south of existing Block P and north of the electricity substation and not adjacent to the dwellings on Elmbridge Gardens. However, this has been removed from the amended plans.]*
- Two proposed buildings cause considerable concern to neighbours on our roads, namely A1 and B1, or perhaps we should refer to them as CB and ST as renamed in some documentation.
- B1(or ST, or QR even) will be built on the present Estate Services Centre. This is in a most prominent position (except, of course, we keep being told that it will have trees planted to help hide it. Do the developers know something that we don't about how long it takes trees to grow?).
- The consultation period was too short and should be extended. *[Officer Note: The Case Officer has considered all representations received until the time of writing in mid-April.]*
- 32 Streatham Drive faces west, not north, as stated in the Planning Committee Report dated 10 December 2020. All windows on the East elevation of B1(ST), meaning more than 40 will look directly into our home.
- As proposed elsewhere, these windows should have a "window control zone" to prevent student blocks from directly facing residential property.

- Article 8 Right to respect for private and family life and home. We feel that all comments were not fully considered. It states that adverse impacts on neighbouring properties must be mitigated by imposing conditions to ensure there is no undue impact on the home and family life of the occupiers. This has not been addressed.
- B1 (ST) now has solar panels and an / air conditioning unit which will raise the height of the building.
- We are very disappointed to learn that 26 objection letters from residents of Dunvegan Close and Elmbridge Gardens that we were told would be forwarded to you by Exeter University/UPP were not sent to the council.
- Massive overdevelopment will result in biodiversity harm to the arboretum and wildlife such as badgers, deer, and sparrowhawks.
- Due to the natural steep incline of the land, high-rise blocks will be very overbearing to our houses in Elmbridge Gardens and Dunvegan Close, with student windows looking directly down onto our homes and gardens.
- We feel the applicants are disregarding us.
- Applicants have misinformed residents.
- Community consultation has been inadequate, and submitted information inaccurate.
- The scale of the building is a reserved matter and has yet to be finalised [*Officer Note: the maximum building heights were consented at the outline stage when the principle of the development was also found acceptable by the Planning Committee based on the submitted illustrative plans*]
- The impact of demolition and construction works traffic along these roads/paths has not been sufficiently investigated and considered, nor around the construction site [*Officer Note: this was assessed at the Outline stage, and a condition is attached to that permission*]
- 7 am is too early for construction work to start and will disrupt neighbours
- These are massive tower blocks and should be reduced in height
- Lights left on at night in communal spaces of tall university buildings such as Holland Hall are disruptive for neighbours
- We can also see into student bedrooms which is not nice
- I know I am insignificant compared to the University and the money you may receive on the back of such developments; however, my neighbourhood and views to and from the river could/should be considered. [*Officer Note: planning applications are assessed against local and national policy, and while the impact of a development on the neighbouring residential amenity is assessed, private views are not protected under these policies; the principle and heights of the proposed development have been approved under the Outline consent*]
- B1 development has windows directly overlooking 32 Streatham Drive, which we were told would not happen.
- The height of B1 (ST) has always been an issue, even though the height has been reduced a little.

- The noise from the windows overlooking 32 Streatham Drive from B1 and B2 will create considerable noise pollution. This happens when Holland Hall and Mardon Hall windows open in the summer.
- There is no boundary fence between B1 and 32 Streatham Drive; one must be installed.
- Trees bordering the same boundary and that of B2 need to be retained to reduce over-looking the garden of 32 Streatham Drive.
- Access to Streatham Drive from 32 Streatham Drive will be more difficult as the driveway is hidden from vehicles turning from Devonshire Drive.
- The speed limit needs to be reduced to 20 mph.
- The contractor should maintain the road and repair and resurface the road to a high quality. This was done exceptionally poorly after Holland Hall was built.
- Footpath needs to be built before demolition and building work takes place.
- A planned footpath through the greenery at the top of Streatham Drive will damage established conifer tree roots.

## 12.0 Relevant policies

### National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2021) – in particular sections:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places

Planning Practice Guidance (PPG):

- Consultation and pre-decision matters
- Design: process and tools
- Effective use of land
- Fire safety and high-rise residential buildings
- Housing needs of different groups
- Use of planning conditions

National Design Guide (MHCLG, 2021)

Biodiversity duty: public authority duty to have regard to conserving biodiversity (Natural England and DEFRA, 13 October 2014)

### Development Plan

## Core Strategy (Adopted 21 February 2012)

- CP5 - Meeting Housing Needs
- CP9 - Transport
- CP10 - Meeting Community Needs
- CP11 - Pollution and Air Quality
- CP12 - Flood Risk
- CP13 - Decentralised Energy Networks
- CP14 - Renewable and Low Carbon Energy
- CP15 - Sustainable Construction
- CP16 - Green Infrastructure, Landscape and Biodiversity
- CP17 - Design and Local Distinctiveness
- CP18 - Infrastructure

## Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

- AP1 – Design and Location of Development
- C2 – Listed Buildings
- C4 – Historic Parks and Gardens
- E4 – Exeter University Campus
- L7 – Local Sporting Facilities
- T1 – Hierarchy of Modes
- T2 – Accessibility Criteria
- T3 – Encouraging Use of Sustainable Modes
- T9 – Access to Buildings by People with Disabilities
- T10 – Car Parking Standards
- LS1 – Landscape Setting
- EN2 – Contaminated Land
- EN3 – Air and Water Quality
- EN4 – Flood Risk
- EN5 – Noise
- DG1 – Objectives of Urban Design
- DG2 – Energy Conservation
- DG4 – Residential Development
- DG7 – Crime Prevention and Safety

## Other Material Considerations

### The Exeter Plan – Outline Draft Plan (September 2022)

- S1 – Spatial strategy
- S2 – Liveable Exeter delivery principles
- CE1 – Net zero Exeter
- STC2 – Active and sustainable travel in new developments
- STC3 – Active travel proposals

NE3 – Biodiversity  
NE4 – Green infrastructure  
D1 – Design principles

Exeter City Council Supplementary Planning Documents:

Sustainable Transport SPD (March 2013)  
Residential Design SPD (September 2010)  
Trees and Development SPD (Sept 2009)  
University of Exeter Streatham Campus Masterplan Framework SPD (December 2010)

Development Related to the University of Exeter SPG (June 2007)  
Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)

### **13.0 Human rights**

Article 6 - Right to a fair trial.  
Article 8 - Right to respect for private and family life and home.  
The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain individual properties where there may be some adverse impact (e.g. noise) and this will need to be mitigated as recommended through imposing conditions to ensure that there is no undue impact on the home and family life for occupiers. However, any interference with the right to a private and family life and home arising from the scheme as result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme, including transport infrastructure and economic benefits.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

### **14.0 Public sector equalities duty**

As set out in the Equalities Act 2010, all public bodies in discharging their functions must have "due regard" to the need to:



- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

## **15.0 Financial issues**

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

### **Material considerations**

Job creation during construction

## **Non material considerations**

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site.

This proposal is CIL liable, being Student housing whose occupation is limited by planning permission or planning obligation.

CIL is charged for this development at a rate of £40.00 per sqm plus new index linking.

Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued before the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website.

In this case, there is a new build GIFA of 49,760sqm and 8,847sqm of demolished existing GIFA. The net floor area would, therefore, total 40,913sqm. Based on the indexed rate for 2023 of £63.39 per sqm, this would result in a liability of £2,593,475.07.

The CIL liability above is an estimate only.

## **16.0 Planning assessment**

### **1. Principle of Proposed Development**

Core Strategy paragraph 2.11 states:

*The University is very important to the economy and vitality of the city but the growth of student numbers also places pressure on the local community, particularly in terms of facilities and student accommodation and impact on the housing stock.*

Core Strategy paragraph 6.28 states:

*New purpose built student housing should be located on, or close to, the University Campuses...*

Core Strategy policy CP5 states:

*Purpose built student accommodation should be provided to meet the housing need.*

Core Strategy policy CP10 states:

*Facilities that meet Exeter's community, social, health, welfare, education, spiritual, cultural, leisure and recreation needs will be protected....*

Local Plan First Review Saved Policy E4 states:

*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.*

Local Plan First Review Saved Policy L7 states:

*Development that would result in the loss of sporting facilities which serve a local area will not be permitted if it would harm sports opportunities in the area.*

The University of Exeter SPG seeks:

- the provision of significant increases in purpose-built student residential accommodation (as much as possible)
- space on Streatham campus being reserved to meet any additional requirements for teaching related (non-accommodation) facilities
- the biodiversity of the site being conserved and enhanced
- high density managed accommodation on appropriate sites
- rigidly enforced car free accommodation
- improved sustainable travel
- any further major University developments to make significant advances in sustainable development / construction.

The University of Exeter Streatham Campus Masterplan SPD identifies the application site as follows:

- *Birks/Clydesdale Residences, part of Mardon Park*
- *a residential 'Park Living' area*
- *has potential for development*

Section 8.6.6 states:

- *New residential units are to be provided at Birks; these will form a series of blocks ranging from 4 to 6 storeys*
- *Additional student residences could be created by the consolidation and redevelopment of the cluster of student residences in the Clydesdale area of the Campus. The existing family centre and crèche could be redeveloped to provide a higher density development.*
- *Any new development should ensure that it creates a sense of place, with clear fronts and backs and entrances that overlook the key public spaces.*
- *Any new development should respond carefully to the topography and to views out over the wider landscape.*
- *Landscape & public realm:*
  - *Open up and improve the spatial structure of the woodland.*
  - *Develop and interpret the arboricultural interest at Birks Bank*
  - *Develop 'Japanese garden' at Birks.*

As noted above, the scheme proposes the following development, (Table 2**Error! Reference source not found.**), approved in principle at the Outline stage:

Table 2. Schedule of proposed development

	<b>Ensuite bed</b>	<b>Standard bed</b>	<b>Accessible bed</b>	<b>Ancillary space</b>	<b>Total bed spaces</b>
CB (A1)	144	0	0	Shop, Social and Study Areas, Multi-faith space	144
ST (B1)	149	0	0	Two small bookable study spaces	149
QR (B2)	78	0	1	Small bookable study space, small laundrette	79
AD (C1)	248	96	2	FM Reception, offices, facilities and workshop, large social/study space, flexible bookable spaces, vending, small laundrette, Changing places room, bookable kitchenette	346
LP (C2)	294	112	2	Bookable group study room, central laundrette, social and study areas	408
EF (D1)	163	48	0	Cycle storage, small laundrette	211
JK (D2)	266	0	0	Large plant room at ground floor	266
GH (E1)	58	110	0	Small laundrette, small	168

				bookable study spaces, bookable “quiet contemplation” room	
Birks A-E refurbishment	290	0	0	Faith Space, Study areas and Laundry	290
<b>TOTALS</b>	<b>1,691</b>	<b>366</b>	<b>5</b>		<b>2,061</b>

The principle of the proposed refurbishment, replacement and new student accommodation following demolition at the application site, including the loss of the tennis courts, was established under the outline consent, ref. 20/1684/OUT, pertaining to this reserved matters application.

## **2. Impact on Character and Appearance including Landscape**

Local Plan First Review Saved Policy DG1 states: *Development should:*

- (a) be compatible with the urban structure of the city, connecting effectively with existing routes and spaces and putting people before traffic;*
- (b) ensure that the pattern of street blocks, plots and their buildings (the grain of development) promotes the urban character of Exeter;*
- (c) fully integrate landscape design into the proposal and ensure that schemes are integrated into the existing landscape of the city, including its three-dimensional shape, natural features and ecology;*
- (d) be at a density which promotes Exeter's urban character and which supports urban services...*
- (f) be of a height which is appropriate to the surrounding townscape and ensure that the height of constituent part of buildings relate well to adjoining buildings, spaces and to human scale;*
- (g) ensure that the volume and shape (the massing) of structures relates well to the character and appearance of the adjoining buildings and the surrounding townscape;*
- (h) ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape;*
- (i) use materials which relate well to the palette of materials in the locality and which reinforce local distinctiveness.*

Local Plan First Review Saved Policy DG4 states:

*Residential development should:*

- (a) be at the maximum feasible density taking into account site constraints and impact on the local area;*
- (b) ensure a quality of amenity which allows residents to feel at ease within their homes and gardens;*
- (c) ensure that the boundaries of private rear gardens facing public places are designed to make a positive contribution to the townscape;*

*(d) where front gardens are included provide enclosure to create defensible space.*

Local Plan First Review Saved Policy LS1 states:

*Development which would harm the landscape setting of the city will not be permitted. Proposals should maintain local distinctiveness and character and:*  
*(a) be reasonably necessary for the purposes of agriculture, forestry, the rural economy, outdoor recreation or the provision of infrastructure; or*  
*(b) be concerned with change of use, conversion or extension of existing buildings: Any built development associated with outdoor recreation must be essential to the viability of the proposal unless the recreational activity provides sufficient benefit to outweigh any harm to the character and amenity of the area.*

Core Strategy policy CP16 seeks to protect and enhance green infrastructure.

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity and cultural diversity.

NPPF paragraph 126 states:

*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...*

Outline consent, ref. 20/1684/OUT, approved, among others, the following plans:

- Land Use Parameters Plan (dwg no. 010010 Rev P2);
- Movement and Access Parameter Plan (dwg no. 010011 Rev P2);
- Heights Parameter Plan (dwg no. 010012 Rev P2)

The Council's Urban Design and Landscape Officer has been consulted on this application and originally raised concerns regarding the detailed appearance of the proposed upper storeys and plant in general; the main entrances to the larger blocks; and the southern approach to Block CB.

Following the submission of amended drawings during the course of this application, these concerns have been overcome, subject to recommended conditions.

#### Heights, density and floor areas

In terms of maximum heights, the current proposal accords with the consented Heights Parameter Plan, as shown in Table 3 below.

Table 3. Comparison with outline consent of proposed heights

<b>Block</b>	<b>Max. storeys*</b>	<b>Parameter Plan</b> (metres above sea level/AOD)	<b>Proposed</b> (metres above sea level/AOD)
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AD	8	86.700	85.000 + 1.5 = 86.500
EF (upper roof)	9	89.000	86.800 + 1.5 = 88.300
EF (lower roof)		82.500	81.100 (top of plant enclosure)
GH (upper roof)	5	89.000	74.400 + 1.5 = 75.900
GH (lower roof)		76.000	74.400
JK (upper roof)	9	97.000	94.800 + 1.5 = 96.300
JK (lower roof)		94.000	91.950 (top of plant enclosure)
LP (upper roof)	10	96.700	94.800 + 1.5 = 96.300
LP (lower roof)		93.700	91.950 + 1.5 = 93.450
QR (B2)	4	73.000	69.950 + 1.5 = 71.450
ST (upper roof)	4	66.600	64.400 (top of plant enclosure)
ST (lower roof)		61.000	58.700 + 1.5 = 60.200
CB	6	49.400	44.700 + 1.5 = 46.200
Birks	As existing	+ 1m above existing	Varies, but all less than +1m

\* The proposed development has not been controlled via the number of storeys to each building but by the Land Use and Heights Parameter Plans approved at the Outline stage. The storeys are included in this table for information only.

The proposed scheme involves taller, larger buildings, with the greatest density, towards the centre of the eastern segment of the site. The buildings on the east side of this element have greater heights because of the existing buildings further east, on higher ground, which provide context for the scales proposed.

The proposed built form on the western side of this segment, adjacent to the landscaped Pinetum area, which slopes down to the west, would have slightly lower roof heights than the eastern side.

The proposed buildings to the north and south of this eastern segment would be lower in height than the tallest blocks proposed, to provide a transition to the domestic scale of the residential areas beyond the site.

The proposed new building to the south of the western segment would lie at a lower ground level again and have the lowest roof height, in keeping with the existing buildings at Birks Village.

Regarding the GIA (gross internal floor areas), the current proposal accords with the description and condition 15 of permission, 20/1684/OUT, which stipulates a maximum of 49,821 sqm, as shown in Table 4 below. The full breakdown per building per floor was confirmed by email dated 20/04/23.

Table 4. Schedule of proposed floor areas

<b>Block</b>	<b>GIA in sqm</b>
CB	4939
ST	4038
QR	2411
AD	10336
LP	10999
EF	5532
JK	7417
GH	4105
<b>TOTALS</b>	<b>49777</b>

The principle of the proposed density was approved at the Outline stage by way of the max. GIA, together with the approved Land Use and Heights Parameter Plans.

While the Illustrative Masterplan and visualisations were not part of the documents approved by the Outline consent, they were reviewed by the Planning Committee to inform that determination. These plans and visualisations have been closely adhered to in the current reserved matters application, and the proposed density conforms with the documents submitted at the outline stage.

As such, the proposed heights, density and areas of the proposed development are acceptable.

#### Scale, massing and materials

Based on indicative plans, the principle of the footprints, scale and massing was permitted at the outline stage. As such, this reserved matters application addresses only the technical details of these elements.

A report by the Landmark Practice dated December 2022 entitled Visualisations has been submitted as part of this application. This contains Accurate Visual Representations or Verified Views, which portray the proposed development as might be seen from agreed viewpoints as follows:

- From Station Road looking north-east
- View from Burrator Drive looking north-east

A Design and Access Statement for the West Park Student Accommodation, ref. EXE-WIA-XX-XX-DO-A-00001 was submitted with this application. This states that



the detailed design was informed by a design review by the Exeter Design Quality Partnership (EDQP) on 01/12/22. It also notes that the scheme has been broken down into character areas defined by a specific materials palette to help reduce the appearance of massing and scale.

The 5no. Character Areas proposed are described in the submitted Applicant Response to the Urban Design Officer's Comments, dated 14/04/23, as set out in Table 5 below:

Table 5. Proposed Character Areas

	<b>Character Area</b>	<b>Location</b>	<b>Existing features</b>	<b>Proposed development</b>	<b>Proposed materials palette</b>
1.	Birks Grange Village	West	Lower ground level, separated from rest of site by treed, landscaped area (Pinetum)	Block CB & refurbishment of blocks A-E	<i>Similar visual appearance and material palette to the existing 2008-2010 Birks Grange Village buildings. This does include an attic storey, in dark grey pigmented concrete to match its neighbours.</i>
2.	Nash Grove blocks E & F & Estate Services Centre	South	Lower ground level	Blocks ST & QR	<i>Low rise, (no more than four storeys) with simple brick facades to respond to the sensitive neighbour boundaries. They are constructed in a light red multi textured brick with regular, punched windows and simple, clean detailing to give a smaller scale residential feel to the buildings.</i>
3.	Clydesdale Court/ House & Nash Grove & Tennis Courts	South-east	Higher ground level, slopes down to south, rises to east	Blocks AD & LP	<i>Entrance to site. Taller blocks, with multi red/brown brick to respond to the central campus buildings, such as Northcote House, simple detailing and architectural features.</i>
4.	Clydesdale Rise	North-east	Highest ground level	Blocks JK & EF	<i>Similar in height to AD and LP but use a buff multi brick to reflect the palette of historic Reed Hall, and</i>

					<i>masonry-effect window surrounds and banding</i>
5.	Clydesdale Rise	North-most corner of eastern segment	Highest ground level	Block GH	<i>Lower height, transitioning to neighbours north of site. Similar design to QR and ST, in terms of material choice and simplicity of detail, and includes angled window bays on northern side</i>

The appearance of the proposed new or refurbished buildings is set out at Table 6 below:

Table 6. Appearance of proposed new/refurbished building/s

CA*	Block	Proposed form	Proposed materials
1.	Birks A-E	<ul style="list-style-type: none"> <li>• Refurbishment of existing building</li> <li>• 3-5 storeys</li> <li>• No ground floor level at eastern ends of bays</li> <li>• No 4<sup>th</sup> floor on western spine except for junctions with 2no. bays</li> <li>• Flat roofs, steps down to west</li> <li>• Solar panels on roofs</li> </ul>	<ul style="list-style-type: none"> <li>• Main façades pale grey multi-brick</li> <li>• Pale grey aluminium windows /doors</li> <li>• Vertical elements (junctions with bays/between blocks &amp; escape stairs) clad with perforated aluminium (patterned for wayfinding)</li> <li>• Soldier brick course at roof / aluminium coping</li> </ul>
	CB	<ul style="list-style-type: none"> <li>• 5-6 storeys (bays on west side 5 storeys only)</li> <li>• U-shaped planform, 2no. 5-storey bays &amp; 1no. ground floor bay, projecting from west elevation</li> <li>• Single storey, ground floor, flat roofed infill bay to west with 4no. rooflights</li> <li>• Flat roofs</li> <li>• Solar panels on main roofs</li> <li>• Ground floor retail unit, multi-faith room &amp; social space</li> <li>• 5no. stairwells</li> <li>• 1no. lift</li> <li>• 6no. student entrances</li> <li>• Service yard on south elevation enclosed by close-boarded</li> </ul>	<ul style="list-style-type: none"> <li>• Red light multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Grey concrete cladding to attic (5<sup>th</sup> floor) elevations</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR** louvres to match brickwork in colour</li> <li>• Grey concrete banding above ground floor &amp; coping at roof level</li> </ul>

		timber fencing (amended: reduced in size)	
2.	QR	<ul style="list-style-type: none"> <li>• 3-4 storeys (4 at northern end)</li> <li>• L-shaped planform</li> <li>• Flat roofs</li> <li>• Solar panels on roofs</li> <li>• Ground floor partially excavated into higher ground levels &amp; retaining wall with balustrade at lower ground levels due to steeply sloping site</li> <li>• 2no. stairwells</li> <li>• 2no. entrances</li> <li>• 1no. lift</li> </ul>	<ul style="list-style-type: none"> <li>• Red light multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR** louvres to match brickwork in colour</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> </ul>
	ST	<ul style="list-style-type: none"> <li>• 3-4 storeys (3 at southern end)</li> <li>• Reverse F-shaped planform</li> <li>• Flat roofs</li> <li>• Solar panels on roofs</li> <li>• 2no. stairwells</li> <li>• 2no. lifts</li> <li>• 2no. entrances</li> </ul>	<ul style="list-style-type: none"> <li>• Red light multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> </ul>
3.	LP	<ul style="list-style-type: none"> <li>• 7-10 storeys</li> <li>• 3no. interlinked blocks with elongated hexagonal planform</li> <li>• Flat roofs covered with solar panels</li> <li>• Roofs step down to south-east – 3 levels</li> <li>• Lower ground excavated at north-west end</li> </ul>	<ul style="list-style-type: none"> <li>• Red/brown multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Chocolate Brown aluminium doors/windows</li> <li>• MVHR louvres to match brickwork in colour</li> </ul>

		<ul style="list-style-type: none"> <li>• 7no. entrances on ground floor</li> <li>• 2no. entrances on lower ground floor</li> <li>• 4no. stairwells</li> <li>• 4no. lifts</li> </ul>	<ul style="list-style-type: none"> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> </ul>
	AD	<ul style="list-style-type: none"> <li>• 7-8 storeys (7 at south-eastern end)</li> <li>• 3no. interlinked blocks with elongated hexagonal planform</li> <li>• Flat roofs</li> <li>• Solar panels on roofs</li> <li>• 4no. main entrances on link towers (north-west and south-east elevations)</li> <li>• 1no. reception entrance on north-west end of central block</li> <li>• 2no. additional entrances to social spaces on sides of central block (north-east and south-west)</li> <li>• 4no. stairwells</li> <li>• 4no. lifts</li> <li>• Footbridge from higher ground to north leading to balcony at first floor on north-east elevation of central block</li> </ul>	<ul style="list-style-type: none"> <li>• Red/brown multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Chocolate Brown aluminium doors/windows</li> <li>• MVHR louvres to match brickwork in colour</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Glass/steel canopy over entrances on south-west elevation of central block</li> <li>• Glass balustrades to first floor balconies on north-east elevations and footbridge to first floor north-east elevation of central block</li> </ul>
4.	EF	<ul style="list-style-type: none"> <li>• 6-9 storeys (9 at south-eastern part)</li> <li>• Steps down to north-west closer to GH</li> <li>• Flat roofs – 2 levels</li> <li>• Solar panels on main roof</li> <li>• 3no. stairwells</li> <li>• 2no. lifts</li> <li>• 2no. main entrances on north-east elevation</li> </ul>	<ul style="list-style-type: none"> <li>• Buff light multi-brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Majority of windows (in main elevations) with concrete light buff surrounds</li> <li>• Moss Grey aluminium doors/windows</li> <li>• Moss grey metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> </ul>

	JK	<ul style="list-style-type: none"> <li>• 7-9 storeys (9 at south-eastern part)</li> <li>• F-shape planform with 2no. projecting bays to south-west and dog-leg to north-west end</li> <li>• Flat roofs – 3 levels</li> <li>• Solar panels on main roof</li> <li>• 4no. stairwells</li> <li>• 2no. lifts</li> <li>• 2no. entrances</li> </ul>	<ul style="list-style-type: none"> <li>• Buff light multi-brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Majority of windows (in main elevations) with concrete light buff surrounds</li> <li>• Moss Grey aluminium doors/windows</li> <li>• Moss Grey metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> </ul>
5.	GH	<ul style="list-style-type: none"> <li>• 3-5 storeys</li> <li>• No ground &amp; first floor levels at north-east end</li> <li>• No fifth floor at south-west end</li> <li>• H-shape planform with 2no. projecting bays to north-west &amp; south-east</li> <li>• 8no. angled bays on north-west elevations to prevent overlooking</li> <li>• Flat roofs – 2 levels</li> <li>• Solar panels on all roofs</li> <li>• 6no. stairwells</li> <li>• 2no. lifts</li> <li>• 3no. entrances</li> </ul>	<ul style="list-style-type: none"> <li>• Red/light multi-brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> </ul>

\* Character Area

\*\* Mechanical Ventilation with Heat Recovery (MVHR)

Concerns have been raised by the City Council’s Urban Design specialist and the Case Officer regarding the appearance of the proposed larger apartment blocks sited on the higher ground levels to the east of the site, namely EF, JK, AD and LP.

It is acknowledged that the visualisations submitted in the LVIA portray the proposed development as monolithic and homogeneous. However, it must be recognised that

the visualisations lack sufficient detail to demonstrate the techniques proposed to provide visual differentiation between the blocks themselves, the projecting bays and the upper storeys.

A range of finishing materials/methods, such as stone-effect concrete and rusticated brickwork, is proposed to emphasise the vertical elements and attic storey differentiation. This would enable the built volumes to be visually broken up more effectively and reduce the appearance of bulk and mass.

It is considered, therefore, that the proposed development is capable of policy compliance concerning visual amenity, subject to conditions detailing the proposed finishing materials.

### Block CB

Concerns were raised by the Case Officer and Urban Design specialist regarding the proposed service yard and public realm treatment adjacent to Block CB.

The initially proposed service yard would have extended the full width of the south elevation and been enclosed with close-boarded timber fencing. This would have resulted in a poor visual amenity at the gateway to the university campus when approaching from the south-west.

The above concerns also involved the proposed cycle stores east of the proposed building. These would have created a physical and visual barrier to the proposed public amenity space and reduced the usable area.

Amended plans have been submitted, considerably reducing the proposed service yard to the west side of the south elevation and improving the appearance of the south-west approach to the building.

The cycle stores have also been redistributed to the east and north sides of the building.

For these reasons, this element of the application is considered capable of policy compliance concerning visual amenity, subject to conditions detailing the proposed finishing materials.

### Landscaping

The Outline consent approved the Landscape and Biodiversity Parameter Plan and applied Condition 5. A separate discharge of condition application for the latter is under consideration, ref. 23/0351/DIS.

Outline condition 5 states:

*No development shall take place until an Outline Landscape and Ecology Management Plan, to include recommendations, has been submitted to and approved by the Local Planning Authority. The Management Plan shall indicate how the existing biodiversity of the site will be protected, in accordance with all relevant legislation;*  
*how the proposed development and associated works will enhance wildlife in the area; and*  
*how the landscaped area is to be managed to include an ecological clerk of works and shall be submitted to the Local Planning Authority for review on a 24 month basis unless otherwise agreed in writing.*  
*Reason: In the interests of nature conservation.*

It is acknowledged that the above condition does not include the implementation of the approved Landscape and Ecology Management Plan (LEMP). As such, it is considered reasonable to add a condition at the reserved matters stage to ensure that the LEMP, once approved, is implemented and maintained after that.

The following documents relating to the proposed landscaping have been submitted to accompany this reserved matters application:

- EXE-TLP-XX-XX-SH-L-90001 Outline Tree Planting Schedule West Park and Birks, dated 14/12/22
- EXE-TLP-XX-XX-SH-L-90003 Outline Planting Schedule West Park and Birks, dated 14/12/22
- EXE-TLP-XX-XX-DR-L-30001 P01 Landscape Planting Strategy West Park, dated 16/12/22
- EXE-TLP-XX-XX-DR-L-30002 P01 Landscape Planting Strategy Birks, dated 16/12/22
- EXE-TLP-XX-XX-DR-L-10007 P02 Landscape Treatments to Walls West Park, dated 16/12/22
- AMENDED EXE-TLP-XX-XX-DR-L-10001 P07 Landscape General Arrangement - West Park, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10002 P04 Landscape General Arrangement - Birks, received 09/05/23
- AMENDED EXE-TLP-XX-XX-DR-L-10004 P03 Landscape General Arrangement - West Park Detailed Area 1 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10005 P04 Landscape General Arrangement - West Park Detailed Area 2 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10006 P04 Landscape General Arrangement - West Park Detailed Area 3 of 3, received 14/04/23
- EXE-TLP-XX-XX-DR-L-90008 Block CB Landscape Sketch V2, received 09/05/23

The documents listed above demonstrate that the proposed development would involve considerable soft landscaping that would contribute to protecting and enhancing green infrastructure. However, further details regarding the quantum of planting and other scheme elements are required.

As such, the proposed landscaping is considered capable of policy compliance concerning visual amenity subject to a detailed landscaping condition.

### **3. Impact on Residential Amenity**

Local Plan First Review Saved Policy EN5 states:

*Noise-generating development will not be permitted if it would be liable to increase adversely the noise experienced by the users of existing or proposed noise-sensitive development nearby.*

Local Plan First Review Saved Policy DG7 states:

*The design of development should aim to achieve a safe and secure environment. Proposals should:*

- (a) ensure pedestrian routes and public spaces are overlooked and subject to natural surveillance;*
- (b) provide enclosure of properties, so that private spaces are well defined and fulfil the role of defensible space;*
- (c) ensure that lighting is located and designed in such a way as to deter and reduce the fear of crime;*
- (d) ensure that schemes for landscape design, including new planting, do not create opportunities for crime and that, where appropriate, species of plants are used to deter criminal or anti- social behaviour;*
- (e) integrate crime prevention measures in an unobtrusive manner, such that the fear of crime is not raised, and that there is no detrimental effect upon townscape and amenity.*

NPPF paragraph 174 e) states:

*Planning .. decisions should contribute to and enhance the natural and local environment by.. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of .. noise pollution...*

NPPF paragraph 185 a) states:

*Planning .. decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions .., as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: ...mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life...*

#### **Noise pollution**

Objections have been received regarding noise resulting from the proposed development.



A Noise Planning Report, by Red Twin Ltd, ref. R1472.1 V1, dated 15/12/22, has been submitted to accompany this application. This states that:

- *The site noise exposure is predominantly due to road traffic on Cowley Bridge Road, people, aircraft, and wildlife.*
- *The background sound is contributed to by distant road traffic believed to be the M5 to the East.*
- *The site is generally quiet and peaceful with occasional noisier events like an aircraft fly over, traffic on-site or maintenance works for example.*
- *The site use is not changing and it has been confirmed that the sounds of students will be managed to avoid undue disturbance to neighbours.*
- *Additional mitigation required involves:*
  - *screening to the ASHPs on the roof of blocks B1 and B2,*
  - *screening for the bin stores, particularly for blocks B1 and C1 to reduce the sound reaching properties on Streatham Drive, and*
  - *passive attenuators to the intake and exhaust of all air handling plant.*

The Council's Environmental Health Officer has been consulted on this application and has raised no concerns regarding the noise impact on the neighbouring amenity subject to implementing the mitigation in the submitted Noise Planning Report.

This consideration is also addressed via Condition 10 of the Outline consent, which states:

*The applicant shall undertake a noise impact assessment for this application, which shall be submitted and approved in writing prior to commencement of the development. This report shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as noise from deliveries, communal areas, residents and events.*

*If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the LPA and shall be implemented prior to and throughout the occupation of the development.*

*Reason: In the interests of residential amenity.*

Condition 10 is subject to a separate discharge of conditions application, ref. 23/0351/DIS, and is currently pending. The Noise Planning Report submitted to accompany application 23/0351/DIS is the same as the above report.

The additional noise mitigation recommended above would have an impact on the visual amenity that the recommended materials condition would address.

A Design & Access Statement – West Park Student Accommodation has been submitted to accompany this application, which notes:

- *The University is committed to ensuring that students behave as good neighbours, and matters relating to behaviour will be outlined in students' tenancy agreements.*

- *The University campus security team (Estate Patrol) will patrol the West Park student residences...*
- *The University Residence Life team has a night patrol team who visit the residential accommodation on a regular basis between the hours of 21:15 – 04:00.*
- *The University also liaises closely with the Police and the council's Environmental Health department*
- *A Student Management Plan will be submitted prior to occupation of the development.*

It is considered reasonable to impose a condition regarding submitting and implementing a Student Management Plan in the interests of the noise impact on residential amenity.

### Light pollution

Objections have been received regarding light spill from the proposed development. This consideration is addressed via Condition 11 of the Outline consent and is currently pending under a separate application, ref. 23/0351/DIS. Therefore, this aspect will not be further assessed here.

### Neighbouring dwellings

The dwellings most likely to be affected by the proposed development include:

- Homes at the northern ends of Dunvegan Close and Elmbridge Gardens (particularly nos. 22, 23 and 24 Dunvegan Close and nos. 7, 8, 9, 10 and 12 Elmbridge Gardens);
- Dwellings north of Lodge Hill, namely, Hillcot, Hidden House, St Clair and Summer Court;
- Nos. 30 and 32 Streatham Drive;
- Dwellings on Glenthorne Road, including The Cypress House, and nos. 6, 10, and Blocks A, B and C, Hill View Place;
- Dwellings on the northern side of Grafton Road, including nos. 2, 3 and 4 Highcroft Court, High Croft;
- No. 2 Clydesdale Road; and
- Existing student accommodation including Birks Halls Blocks F, G, K, J, H, L, M, N, P and Q.

Representations have been received raising concerns regarding the impact of noise and light pollution on the occupants of Dunvegan Close and Elmbridge Gardens dwellings and loss of privacy, particularly from the south elevation of the proposed 6-storey Building CB.

Concerning privacy, the council's Residential Design SPD states at paragraph 7.16: *A minimum back-to-back distance of 22 metres is required between habitable room windows.*

Paragraph 7.18 states:

*Where buildings of different storey heights back onto one another, or differences in site levels place buildings of the same storey height higher than those they back onto, privacy distances will need to be increased.*

Paragraph 7.19 states:

*Where the angle of properties backing onto each is 45 degrees or more the separation distance may be reduced to 15m between habitable room windows.*

## BLOCK CB

No window controlled zone to Building CB is shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage.

The south elevation proposed would contain 41no. windows on the first to the fifth floor, generally serving bedrooms.

The separation gap from the proposed south elevation to the northern boundary of the nearest neighbouring dwelling at no.24 Dunvegan Close would be over 56m. The intervening area contains mature trees, which would offer some screening.

It is acknowledged that the proposed building would have six storeys and would be situated on higher ground than the nearest neighbouring dwellings.

However, given the substantial separation gap involved, it is not considered that unacceptable overlooking would result.

## BLOCK ST

A window controlled zone to the south elevation of Building ST is shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage. However, it is recognised that windows are proposed for this elevation to serve kitchen-dining-living rooms and bedrooms on several storeys.

Notwithstanding the above, these windows are proposed to be sited within a series of triangular bays projecting at an approximately 45-degree angle from the principal elevation. As such, the orientation would be to the south-west rather than directly to the south. The separation gap to the southern site boundary would be over 22m.

It is acknowledged that proposed building ST would be relatively tall, with four storeys where these windows would be sited, and on elevated ground compared to the neighbouring dwellings on Dunvegan Close and Elmbridge Gardens. As such, screening provided by existing and proposed vegetation would be limited.

The proposed east elevation of Building ST would face towards the garden and rear (west) elevation of no.32 Streatham Drive. Because of the generous rear garden, the separation gap between the proposed building ST and the existing dwelling would measure approximately 60m.

The proposed development would considerably change the northern outlook from the neighbouring residential properties. However, it is not considered that the change would amount to harm in terms of overbearing impact, loss of light or privacy because of the separation distances involved and the angle of the windows proposed on the southern elevation of Building ST.

Objections were received regarding a proposed new footpath leading to Building ST from the existing access road to the electricity substation rear (east) of no.10 Elmbridge Gardens. This has now been removed from the amended scheme.

#### BIRKS VILLAGE BLOCK A-E

The proposal comprises the refurbishment of an existing building, and the window arrangement proposed in the north elevation is similar to that existing. As such, no unacceptable harm would be considered concerning the neighbouring amenity at the nearest dwellings to the north, namely nos. 6 and 10 Glenthorne Road and The Cypress House.

#### BLOCK GH

There is a window controlled zone to the north elevation of Block GH shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage. However, it is recognised that windows are proposed for this elevation to serve kitchen-dining-living rooms and bedrooms on several storeys.

Notwithstanding the above, these windows are proposed to be sited within a series of angled bays. The orientation would be predominantly to the west (with 1no. bay orientated north-east) rather than directly to the north.

It is acknowledged that proposed Block GH would be relatively tall, with up to 5 storeys where these windows would be sited, and on elevated ground as compared with the neighbouring dwellings on nos. 2, 3 and 4 Highcroft Court and no.2 Clydesdale Road.

In this case, the separation gap from the proposed window bays in question to the northern site boundary would be approx. 34 to 39m.

The existing mature trees to be retained within the intervening area to the north of Block GH would provide some screening.

By reason of the orientation of the proposed windows in the angled bays projecting from the north-west central elevation of Block GH, together with the separation distances involved, no unacceptable overlooking would be considered to ensue with regard to the neighbouring amenity.

#### Neighbouring student accommodation blocks

##### BLOCK CB

Birks Village Block K lies approx. 9m to the west of proposed Block CB, Block J lies approx. 11m to the north and Block H lies approx. 6.7m to the north-east.

**Birks Village Block K** comprises bedroom windows at first to third floor on its east elevation. However, proposed Block CB contains no windows in the elevations closest to Block K although it would contain windows serving a stairwell in the west facing elevation of the main building. The separation gap would measure approx. 18m.

Given the separation gap involved and the non-habitable nature of the spaces served by the proposed west-facing windows in Block CB, no unacceptable overlooking would be considered to result in relation to occupiers of Block K.

Notwithstanding the above, it is acknowledged that the south-western element of Block CB would give result in some overbearing impact in relation to the occupiers of the east facing bedrooms in the southern half of Block K. This is by reason of:

- The limited separation gap of approx. 9m
- The higher ground level of Block CB as compared with Block K
- The height of the end elevation of the projecting bay of Block CB in the south-west corner
- The blank appearance of the closest proposed façade – while the stairwell would be clad in perforated metal sheeting, which would provide some permeability, this would not be considered sufficient to overcome the appearance of bulk and mass at close proximity to Block K
- No landscaping has been proposed to provide any screening or softening of the visual impact.

However, the nature of a university campus differs from a general residential area in that a higher density of buildings would be expected with a closer proximity. Occupation of student halls of residence is usually term-time only and often for one academic year. Students are generally focussed on academic study and choose their residence with regard to the proximity of the faculties rather than the outlook of the accommodation itself.

For this reason, the policies set out in the Residential Design SPD have been applied with discretion. It is recognised that the outlook from Block K towards the east would

be changed as a result of proposed Block CB and would not be ideal. However, it is the Officer's view but this change would not amount to harm in this case.

It is considered reasonable to add a condition regarding vertical landscaping of the proposed west elevation in question to soften its impact.

**Birks Village Block J** lies at a higher ground level than proposed Block CB and contains windows predominantly serving bedrooms up to 4 storeys in its south elevation.

Block CB would contain 41no. windows in its north elevation from first to fifth floor predominantly serving bedrooms.

The separation gap between proposed Block CB and existing Block J would measure approx. 12m.

This matter has been raised with the applicant as a concern. As a result, the applicant has agreed to submit revised plans to overcome the potential loss of privacy resulting from the original scheme as follows:

- The northern elevation of proposed Block CB would be set back further to the south to increase the separation gap from Block J to the north;
- The internal layout would be amended to reduce the quantum of windows originally proposed for the northern elevation of proposed Block CB;
- A saw tooth elevation would be introduced on the north side of proposed Block CB whereby the windows would be located within angled bays to limit direct intervisibility and increase the sightlines from the windows of Block CB towards Block J;
- The sightlines from the windows in the north elevation of Block CB would be angled to the north-west or north-east rather than directly towards Block J to the north.

The amended drawings are expected to be formally submitted prior to the Planning Committee and an update will be published by way of the Addendum.

The revisions outlined here would be considered sufficient to mitigate the potential loss of privacy for occupants of Block J, subject to a management plan that would set out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy.

This privacy management plan would be required prior to first occupation as set out in recommended Condition no.4 at the end of this report.

For the above reasons, this element of the scheme is considered capable of policy compliance subject to approval of the amended plans and the management plan.

**Birks Village Block H** lies to the north-east of proposed Block CB and by reason of the respective orientation of the two buildings, no unacceptable overlooking would be considered to ensue regarding the existing or future occupiers.

#### Future occupiers

#### BLOCK QR

Following amendments agreed at the outline stage, block QR was re-orientated to align the main (north-west) elevation more closely with the adjacent access road.

However, concerns have been raised by the council's Urban Design specialist regarding the poor relationship between the north-west elevation of this building and the access road under the reserved matters application.

Amendments have been submitted relocating the main building entrance to the front (north-west) elevation, removing the lower ground floor and improving the waymarking for pedestrians through the proposed surface treatments adjacent the building.

As such, the amended scheme is considered capable of policy compliance with regard to the residential amenity of future occupiers, subject to conditions detailing the proposed finishing materials.

#### BLOCKS GH & JK

While the separation gap between proposed blocks GH and JK would measure approx. 7m at the shortest distance, no windows are proposed for the south-east elevation of block GH or the north-west elevation of block JK.

As such, no undue intervisibility would ensue with regard to the future occupiers of those accommodation blocks.

#### BLOCK CB

The proposed bedrooms on the north elevation of Block CB would be overlooked by the bedrooms at neighbouring Birks Block J, which could give rise to loss of privacy.

As noted above, this matter has been raised with the applicant as a concern and the applicant has agreed to submit revised plans as set out previously in the sub-section on the impact of the occupants of Birks Block J.

For the above reasons, this element of the scheme is considered capable of policy compliance subject to approval of the amended plans and the management plan.

## INTERNAL SPACE PROVISION

In terms of the proposed room sizes, the Residential Design SPD states at 9.44 that a single bedroom should have a min. size of 8.4sqm.

The applicant has confirmed by email dated 26/04/23, that all single bedrooms proposed would have an area of 8.7sqm for a standard room and 13sqm for a single bedroom including an ensuite shower room.

As such, this would be considered acceptable.

### Conclusion on residential amenity

Overall, the reserved matters are considered capable of policy compliance with the exception of Block CB. The impact of light pollution on the residential amenity is subject to consideration under a separate application.

## **4. Impact on Heritage**

Local Plan First Review Saved Policy C2 states:

*Development (including changes of use, alterations and extensions) which affects a listed building must have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.*

Local Plan First Review Saved Policy C4 states:

*Redevelopment within, adjacent to, or otherwise likely to affect the setting of, parks and gardens of special or local historic interest will not be permitted if the proposals:*  
*(a) would involve the loss of features considered to form an integral part of the character or appearance of the park and garden; and*  
*(b) would otherwise detract from the enjoyment, layout, design, character, appearance, or setting of the park and garden.*

NPPF paragraph 199 states:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

NPPF paragraph 203 states:

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application....*



The eastern part of the application site lies within the Locally Listed Historic Park and Garden titled Exeter University Campus, which comprises a non-designated heritage asset.

Grade II listed Reed Hall lies beyond the application site to the south-east at approx. 74m from the eastern site boundary. The listed buildings and curtilage would not be considered to be affected by the proposal by reason of the substantial separation gap involved, together with the intervening buildings and mature landscaping.

As noted above, the application under consideration comprises the reserved matters of Outline consent ref. 20/1684/OUT. That consent approved the Land Use Parameters Plan and Heights Parameter Plan, together with the principle of the proposed development.

As such, the impact of the scheme on the heritage assets has been considered at the Outline stage and found acceptable in terms of the proposed max. building heights and approx. siting of those buildings within the development area.

The site does not fall within an identified area of Archaeological Importance. However, given that the application is for major development, Condition 13 of the Outline consent has been applied requiring a written scheme of archaeological work prior to commencement.

This has been submitted as part of a separate discharge of conditions application, ref. 23/0351/DIS, and is currently under consideration.

For the above reasons, the reserved matters application is considered capable of policy compliance with regard to heritage assets.

## **5. Highways, Access and Parking**

Local Plan First Review Saved Policy T1 states:

*Development should facilitate the most sustainable and environmentally acceptable modes of transport, having regard to the following hierarchy:*

1. *Pedestrians*
2. *People with mobility problems*
3. *Cyclists*
4. *Public transport users*
5. *Servicing traffic*
6. *Taxi users*
7. *Coach borne visitors*
8. *Powered two wheelers*
9. *Car borne shoppers*
10. *Car borne commercial/ business users*
11. *Car borne visitors*
12. *Car borne commuters.*

Local Plan First Review Saved Policy T2 states:

*Residential development should be located within walking distance of a food shop and a primary school and should be accessible by bus or rail to employment, convenience and comparison shopping, secondary and tertiary education, primary and secondary health care, social care and other essential facilities.*

Local Plan First Review Saved Policy T3 states:

*Development should be laid out and linked to existing or proposed developments and facilities in ways that will maximise the use of sustainable modes of transport.*

*Proposals should ensure that:*

- (a) all existing and proposed walking and cycle routes are safeguarded or that alternative reasonably convenient routes are provided;*
- (b) suitable cycle parking provision is provided in accordance with the standards set out in schedule 2;*
- (c) where more than 20 people are employed facilities for showering and changing are provided;*
- (d) full account is taken of the needs of bus operation through and alongside new development by the provision of lay-bys, roads and other associated facilities;*
- (e) where appropriate, pedestrian and cycling links are provided to existing or proposed rail stations;*
- (f) the particular needs of people with disabilities are taken into account.*

Local Plan First Review Saved Policy T9 states:

*Proposals for the development, change of use, alteration or extension of non-domestic buildings, particularly those open to the public, will only be permitted if provision is made for safe and convenient access by people with disabilities.*

Local Plan First Review Saved Policy T10 states at Schedule 3:

*Car free developments may be permitted, in accordance with policy H2.*

Core Strategy policy CP9 encourages transport infrastructure improvements and sustainable transport measures.

NPPF paragraph 8 seeks to minimise waste.

NPPF paragraph 110 promotes sustainable transport modes and seeks safe and suitable access to the site for all users and that any significant impacts on the transport network (in terms of capacity and congestion), or on highway safety, to be cost effectively mitigated to an acceptable degree.

NPPF paragraph 111 states:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

County Highways has been consulted on this application and initially raised concerns regarding the proposed cycle parking provision. Following the submission of amended plans, these concerns have been withdrawn.

Environmental Health has been consulted on this application and has no comments with regard to the highways impact of the scheme.

The Exeter Cycling Campaign has been consulted on this application and has concerns regarding the lack of visitor cycle parking; cycle parking too far from accommodation; two-tiered bike storage is not considered best practice; cycle parking should be secure; additional space should be provided within the cycle stores to accommodate non-standard bike forms (5%), an area for cycle maintenance and charging points for e-bikes.

As noted above, the application under consideration comprises the reserved matters for Outline consent ref. 20/1684/OUT. That consent approved the Movement and Access Parameter Plan, together with the principle of the proposed development. It also included the following conditions:

- Construction Traffic Management Plan
- Secure cycle parking details
- Details of new Pedestrian Footway adjacent Streatham Drive
- Details of Improvements to Streatham Drive
- Details of private highways works
- Cycle Parking Provision

#### Access, traffic and parking

Access to the application site is via Streatham Drive to the south-east and Access to Birks Halls off New North Road to the west.

A Design & Access Statement – West Park Student Accommodation has been submitted to accompany this application, which notes:

- *The proposal being a car-free scheme, no vehicular impact will arise from the redevelopment, this being re-enforced by the University's campus restrictions which confirm that students are not permitted to bring vehicles to the site.*
- *The scheme is also to operate under the University's Travel Plan, thereby focusing all travel by sustainable modes of transport.*
- *Therefore, whilst student numbers will increase, in-line with the University's development proposals and campus wide masterplan, this will be achieved without an increase in car traffic.*
- **Streatham Drive / Holland Hall**
  - *Vehicular access to the retained Holland Hall Car Park and Holland Hall is via a new two-way route provided from Streatham Drive to run in front of Mardon Hall.*

- *The existing parking on Streatham Drive is to be converted to parallel parking bays to ensure that sufficient carriageway width is provided to allow for two-way movement for vehicles.*
- *The Spine*
  - *The central spine of the new West Park Student Village will predominantly be pedestrianised with cycle activity also catered for.*
  - *Service vehicles will be able to access this corridor for maintenance purposes entering and exiting via separate points on Clydesdale Avenue.*
  - *When accessed by vehicles the central avenue will operate on a one-way system with vehicles entering from the south-east and exiting to the north-west.*
  - *Bollards will be provided at either end of the avenue to prevent unauthorised use by non-estate traffic.*
  - *The corridor will be utilised at the start and end of terms to enable student drop-off and pick-up in proximity of their accommodation, with this managed by on-site staff.*
  - *During this period the oneway flow will be reversed to allow managed queuing on Clydesdale Avenue, away from the junction with Streatham Drive.*
- *Clydesdale Avenue west of blocks AD and EF*
  - *Two-way operation maintained albeit non-estate vehicles will be prevented from accessing the central avenue via this route by bollards.*
  - *The existing turning head is to be retained.*
  - *The road past the existing turning facility is to be downgraded*
  - *Traffic calming in proximity to Clydesdale House introduced via chicanes to prioritise pedestrian activity*
  - *A Co-Bike parking area will be located on the prominent pedestrian desire line.*
- *All delivery points have been located away from boundaries with residential neighbours.*
- *Emergency, maintenance and refuse vehicles will be able to access the central spine.*

In terms of the traffic impact of the proposed development, this would be predominantly car free but would result in some intensification of the existing use with some changes proposed to the existing parking arrangements.

The highways impact has been found acceptable at the Outline stage subject to the conditions noted above. These will be assessed under separate discharge of conditions applications.

The Travel Plan referenced above comprises the Sustainable Travel Plan for the Exeter Campuses 2021-2030, which is monitored and reviewed by the university's Environment and Climate Emergency Team (inc. Sustainable Transport).

As such, the reserved matters are considered capable of policy compliance in this regard.

### Accessibility

The submitted Design & Access Statement – West Park Student Accommodation notes:

- *Level access will be provided to the principal entrance of all buildings*
- *Lifts will be provided*
- *5no. wheelchair accessible bedrooms at ground floor level will be provided in the West Park area*
- *All cores will include disabled refuges to the common stairs*
- *The University has adopted, "PAS 6463:2022 - Neurodiversity and the built environment".*

A West Park – Inclusive Design Statement, dated December 2022, has been submitted to accompany this application. This notes that:

- *Where parking is provided in the context of this project, this will be provided as designated disabled parking bays only.*
- *All of these parking bays will also be provided with EV charging points.*
- *Blocks ST, EF, JK and GH, whilst not providing wheelchair accessible accommodation in these blocks, drop off provisions will be made along with designated disabled parking bay next to the main entrance*
- *Wheelchair accessible accommodation is being provided in Blocks QR, AD and LP*
- *One parking bay per wheelchair accessible bedroom will be provided next to the main entrance.*

A Birks Grange – Inclusive Design Statement, dated December 2022, has been submitted to accompany this application. This notes that:

- *Birks Grange will not provide wheelchair accessible accommodation*
- *Drop off provisions will be made, along with 3 designated disabled parking bays*

For the above reasons, it is considered that the proposed development would provide acceptable access for people with disabilities in line with Local Plan policies T3 (f) and T9 and NPPF paragraph 110.

### Cycle parking

For student accommodation, the Sustainable Transport SPD requires:

- *1 cycle parking space per bedroom for the first 10 bedrooms and 1 cycle parking space per 2 bedrooms for the 11<sup>th</sup> bedroom upwards; and*
- *1 cycle parking space per 20 bedrooms (minimum 2 spaces) for visitors.*

In this case, 2,061no. bedrooms are proposed. Therefore, the following provision would be required:

- 1,036no. cycle parking spaces
- 103no. visitor cycle spaces
- 1,139no. cycle parking spaces in total

The submitted Design & Access Statement – West Park Student Accommodation notes that cycle parking would be provided at a ratio of 1 space per 4 students, which would equate to 515no.

However, amendments have been secured during the course of this planning application in response to Officer concerns. As confirmed in the submitted Applicant Response, dated 14/04/23, the cycle parking provision would equate to 1 space per 2 bedrooms.

This element is addressed by the following conditions to the Outline application:

- Condition 12.  
*No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.*  
*Reason: To ensure that adequate facilities are available for the traffic attracted to the site.*
- Condition 23.  
*Prior to occupation of the development, details shall be submitted to the Local Planning Authority of cycle parking provision for the development. Development shall not be occupied until such details have been agreed in writing by the Local Planning Authority and Local Highway Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.*  
*Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 110 of the NPPF.*

As such, it is considered that the proposed development is capable of policy compliance with regard to cycle parking provision, subject to the Outline conditions above.

### Waste and recycling

The submitted Design & Access Statement – West Park Student Accommodation notes:

- *Kitchens will be provided with four compartment recycling bins; separate general refuse bins; and separate food waste caddies*
- *Refuse and recycling will be taken to the secure bin stores by students and deposited in 1100 litre Eurobins.*
- *Waste contractors will collect waste and recycling from the centralised bin stores using 32 tonne vehicles.*
- *Students will be informed of the recycling strategy and waste collection plan in the greeting pack and information posters*

As such, it is considered that the proposed development is capable of policy compliance in terms of waste management.

## **6. Biodiversity**

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017).

Core Strategy policy CP16 seeks to protect and enhance biodiversity.

The Trees and Development SPD seeks to protect wildlife habitats.

NPPF paragraph 174 d) states:

*Planning policies and decisions should contribute to and enhance the natural and local environment by: ...minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...*

NPPF paragraph 180 d) states:

*...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

A 10% Biodiversity Net Gain (BNG) will become mandatory under the Environment Act 2023 from November 2023.

The principle of the proposed development has been found acceptable at the Outline stage in terms of biodiversity, subject to the following conditions:

- Condition 5  
[See under Section 2 above]
- Condition 6  
*No development shall take place until a Detailed Arboricultural Method Statement in association with the Tree Protection Plan for the demolition and construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall also consider how trees adjacent to the site, including the Pinetum, are to be protected. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant shall proceed in accordance with the measures described in the Arboricultural Method Statement throughout the duration of the works.*  
*Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.*

The Outline consent also involved the approved plan: Landscape and Biodiversity Parameter Plan.

### Protected species

The council's Ecology Officer has been consulted on this application and has no objections subject to a condition regarding bat roosts.

This application is accompanied by a Bat Survey Report, dated December 2022, which notes that:

- As roosting bats were identified, a full European Protected Species (EPS) Licence (Bats) will be required before the commencement of works.
- Mitigation will be required including bird and bat boxes, increased planting and avoidance of lighting near roosts.

It is acknowledged that some conditions have been attached to the Outline consent regarding ecology. However, it is considered reasonable to attach further conditions at the reserved matters stage, regarding the specific matter of the licence in respect of bats and the mitigation recommended in the above report.

### Trees

The council's Arboricultural Officer has been consulted on this application and has no objections subject to conditions.

An Arboricultural Constraints Report, dated October 2019, has been submitted with this application, which includes:

- Tree Survey Schedule
- Tree Survey Plan
- Arboricultural Constraints Plan 1 of 2
- Arboricultural Constraints Plan 2 of 2

An Arboricultural Impact Assessment Plan, dated November 2022, has also been submitted with this application, which notes that:

- Most of the trees previously indicated as potentially being retained are now proposed to be removed;
- A number of Cat.B trees would be removed on the east side of Clydesdale Road and replaced;
- T36 is a veteran oak on the west side of the Holland Hall Car Park access road that should be retained;
- Cat.A trees and grassed area between Mardon Hall and proposed Block LP to be protected and retained;
- Cat.A trees adjacent Clydesdale Road to east of proposed Block QR, including tree T50 on north side of road, to be retained and protected;



- Cat.A trees in vicinity of junction between Clydesdale Road and Streatham Drive to be protected from construction traffic and activities;
- Birks Bank Arboretum to be excluded from development work;
- Trees on north-west side of proposed Block QR to be protected and retained;
- Cat.B tree T87 to be protected and retained [Officer note: previously proposed footpath in vicinity of this tree has been removed from the amended plans];
- New sewer to be re-routed to avoid trees T82 and T83;
- Mature magnolia to be removed or translocated if possible [Officer note: permission granted for relocation of mature magnolia tree ref. 22/1724/TPO];
- Mature oak tree, T81, between Birks Blocks A-E and Birks Block J, to be protected;
- Trees in vicinity of proposed footpath along Streatham Drive to be protected.

It is acknowledged that the above condition does not include implementation of the Detailed Arboricultural Method Statement and Tree Protection Plan once approved by the LPA. As such, it is considered reasonable to add a condition at the reserved matters stage to this end.

It is also recognised that the Outline condition pertains to the retention and protection of existing trees, rather than proposed new trees or other planting. Some details of proposed tree and other planting have been submitted to accompany this application and have been assessed under the Landscaping sub-section above.

As noted above, it is considered reasonable to add a condition regarding landscaping in terms of visual amenity. However, a condition is also required to address biodiversity enhancement, as discussed below.

The proposal is considered capable of policy compliance with regard to trees subject to the conditions attached at the Outline stage and recommended here.

### Biodiversity Net Gains

A Biodiversity Net Gain Note, by The Landmark Practice, dated 16/09/22, has been submitted to accompany this application. This states that the proposed development would deliver a net gain of approx.:

- +14% Habitat Units
- +103% Hedgerow Units

Given the above and the submitted documents noted in the sub-section on Landscape in Section 2 of this report, the proposed development is considered capable of policy compliance with regard to biodiversity net gains.

It is considered reasonable to impose conditions in this regard.

## **7. Contaminated Land**

Local Plan First Review Saved Policy EN2 states:

*Where development is proposed on or near a site where there is contamination or good reason to believe that contamination may exist, the developer should carry out a site assessment to establish the nature and extent of the contamination.*

*Development will not be permitted unless, in relation to the specific use for which permission is being sought, practicable and effective measures are to be taken to prevent unacceptable risks to human health or the environment. Remediation measures must ensure that the proposal will not:*

*(a) expose the occupiers of the development and neighbouring land uses to unacceptable risk;*

*(b) threaten the structural integrity of any building built, or to be built, on or adjoining the site;*

*(c) lead to the contamination of any watercourse, water body or aquifer;*

*(d) cause the contamination of adjoining land or allow such contamination to continue.*

*Contamination should be treated on site if possible. Any permission for development will require that the remedial measures agreed with the authority must be completed before the development is occupied.*

This consideration is addressed by Condition 9 of the Outline consent, which is subject to a separate discharge of condition application, currently pending under ref. 23/0495/DIS.

As such, no further assessment of this matter is required at this stage.

## **8. Impact on Air Quality**

Local Plan First Review Saved Policy EN3 states:

*Development that would harm air or water quality will not be permitted unless mitigation measures are possible and are incorporated as part of the proposal.*

Core Strategy policy CP11 states:

*Development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts.*

The principle of the proposed development has been approved at the Outline stage. The scheme is for new and replacement student accommodation on campus at the University of Exeter and would not involve any increase in traffic or parking.

No change of use would be involved and the existing situation would not be adversely affected with regard to air pollution.

In terms of dust or other air pollution arising from the construction phase, this matter is addressed by Condition 7 of the Outline consent, which is subject to a separate discharge of condition application, currently pending under ref. 23/0351/DIS.

As such, no further assessment of this matter is required at this stage.

## **9. Flood Risk and Surface Water Management**

Local Plan First Review Saved Policy EN4 states:

*Development will not be permitted if:*

- (a) it would increase the likelihood of flooding*
- (i) by reducing the capacity of, or increasing flows within, a flood plain, or*
- (ii) through the discharge of additional surface water, or*
- (iii) by harming flood defences;*
- (b) it would be at risk itself from flooding;*
- (c) it would require additional public finance for flood defence works;*
- (d) adequate provision is not made for access to watercourses for maintenance;*
- (e) it would threaten features of landscape or wildlife importance by reducing the recharge of local water tables.*

Core Strategy policy CP11 states:

*Development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts.*

Core Strategy policy CP12 seeks to reduce flood risk and promotes Sustainable drainage systems (SuDS).

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change.

Condition 25 of the Outline consent requires the submission of drainage details prior to or as part of the Reserved Matters application. However, this matter is currently subject to a separate discharge of conditions application, ref. 23/0351/DIS, pending determination.

As such, this matter will not be assessed at this stage.

## **10. Sustainable Construction and Energy Conservation**

Exeter City Council declared a Climate Emergency in July 2019 and has endorsed the Net Zero Exeter 2030 Plan (April 2020), by Exeter City Futures Community Interest Company (CIC), a collaboration involving Exeter City Council, Devon County Council, Exeter College, the University of Exeter and the Royal Devon & Exeter NHS Foundation Trust, as well as Global City Futures.

Local Plan First Review Saved Policy DG2 states:

*New development should be laid out and designed to maximise the conservation of energy. Proposals should:*

- (a) retain and refurbish existing buildings on site except where retention is unviable or the buildings are detrimental to the character of the site or would prejudice the best use of land;*
- (b) aim to gain maximum benefit from solar gain;*
- (c) be subject to landscape schemes which provide landform and planting that acts as a shelter for buildings.*

Core Strategy policy CP11 states:

*Development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts.*

Core Strategy policy CP13 states:

*New development (either new build or conversion) with a floorspace of at least 1,000 square metres, or comprising ten or more dwellings, will be required to connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution. Otherwise, it will be necessary to demonstrate that it would not be viable or feasible to do so. Where this is the case, alternative solutions that would result in the same or better carbon reduction must be explored and implemented, unless it can be demonstrated that they would not be viable or feasible.*

Core Strategy policy CP14 states:

*New development (either new build or conversion) with a floorspace of at least 1,000 sq. metres, or comprising ten or more dwellings, will be required to use decentralised and renewable or low carbon energy sources, to cut predicted CO2 emissions by the equivalent of at least 10% over and above those required to meet the building regulations current at the time of building regulations approval, unless it can be demonstrated that it would not be viable or feasible to do so.*

Core Strategy policy CP15 requires sustainable design and construction methods, resilience to climate change, BREEAM Excellence and zero carbon from 2019 onwards.

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change.

### **Decentralised and renewable or low carbon energy sources**

All of the submitted roof plans indicate solar panels on the proposed roofs.

### **Sustainable design**

A Sustainability Statement by Element 4 Group Ltd, dated 15/12/2022, has been submitted to accompany this application. This notes that:

- *The Proposed Development will be assessed against the WELL Community certification.*

- *A dedicated WELL pre-assessment workshop has been undertaken and it was concluded that a minimum score of 60 points which equates to a WELL 'Gold' rating is achievable.*
- *[Officer Note: The International WELL Building Institute (IWBI) has established a set of standards and design methodology for 'creating and certifying spaces that advance human health and well-being' entitled WELL Building Standard™ version 2 (WELL v2™) that has four levels: Bronze, Silver, Gold, Platinum)]*
- *The Proposed Development aims to exceed the targets set out in the RIBA 2030 Climate Challenge for upfront and embodied carbon*
- *The UK government is committed to achieving net zero emissions by 2050. The London Energy Transformation Initiative (LETI) was established to support the transition of the UK capital's built environment to net zero carbon. To achieve this, LETI believes that by 2025, 100 percent of new buildings must be designed to deliver net zero carbon. The Proposed Development will seek to reduce its embodied carbon and operational energy intensity to meet and where feasible exceed the LETI targets.*
- *The buildings will comply with Building Regulations Approved Document L2B: Conservation of Fuel and Power in new buildings other than dwellings (Part L2B 2013) incorporating 2016 amendments.*
- *Through Passivhaus, the Proposed Development's average residential Energy Use Intensity (EUI, excluding generation) is 45.4 kWh/m<sup>2</sup> year, well below the Target Emission Rate requirement by the Building Regulations Approved Document Part L2A, 2013 and it is 4.3 times lower than average university residential buildings (Russel Group), without energy generation.*
- *38% of the energy demand, equivalent to 1,012,445 kWh/year will be generated on site across all blocks.*
- *Water-consuming components will have at least 40% improvement in water consumption through BREEAM Wat01.*
- *The scheme will use a dedicated surface water drainage system to capture all rainfall on external paved areas and roof areas with allowance for climate change.*
- *The proposed development would consume four times less energy and produce six times less carbon emissions than what is recommended in CIBSE Guide F (2012) 'Good Practice Halls of Residence building types'.*

The submitted Planning Statement, dated December 2022, notes:

- *Birks Village Block A-E refurbishment*
  - *The EnerPHit standard is used for the Birks Village Block A-E since this comprises a refurbishment rather than a new-build.*
  - *The existing brick walls will be retained and overclad externally to improve the airtightness and thermal performance of the building envelope.*
  - *New high-performance triple-glazed windows will be installed throughout alongside full mechanical ventilation with heat recovery.*
  - *The existing pitched roof will be replaced with an insulated flat roof, on which PV panels will be installed.*

- *These will be mounted with as low profile as possible to reduce visual impact and glare.*
- *All this will allow the building to perform at and be certified to the low-energy Passivhaus EnerPHit standard with a heating demand of less than 20kWh/m2/year.*
- **West Park New Build**
  - *The new build accommodation will be built to achieve Passivhaus standard.*
  - *Thermal comfort will be achieved by maintaining constant internal temperatures*
  - *A Passivhaus building's superior ventilation system ensures ample fresh air at room temperature and makes for high indoor air quality without introducing cold draughts.*
  - *Triple glazed windows with louvred sunshades will provide excellent daylighting and ventilation with of high level of control.*
  - *The window size and design have been optimised through the computer modelling to ensure that bedrooms will not overheat.*
  - *The new development will be an entirely car-free development, in line with the University's commitment to Zero Carbon.*
  - *Buildings will all be highly insulated and will therefore require very little in the way of heating.*
  - *Buildings will have electric heating and hot water will be provided using highly efficient Air Source Heat Pumps.*
  - *A Constant supply of room temperature fresh filtered air will be supplied year-round, using mechanical ventilation unit with >80% heat recovery (MVHR).*
  - *The design proposals have been tested in the PHPP (Passive House Planning Package modelling) to deliver a 70% reduction in whole life carbon against a baseline case of 2005/6 of 'business as usual'.*
  - *The carbon reductions we will achieve will make these proposals well ahead of the targeted pathway to Zero Carbon by 2030.*

Condition 18 of the Outline consent states:

*The development shall be designed in accordance with Passivhaus Principles. Prior to occupation, or as soon as practicable after occupation, evidence of Passivhaus certification shall be submitted to and approved in writing by the local planning authority.*

*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.*

### **Construction waste**

The matter of waste arising from excavation, demolition and construction is addressed by Condition 20 of the Outline application and is subject to a separate discharge of condition application, ref. 23/0351/DIS, currently pending.

For the above reasons, it is considered that the proposed development is capable of policy compliance with regard to sustainable construction and energy conservation subject to the conditions attached to the Outline consent.

## **11. Impact on Economy**

Core Strategy policy CP18 states:

*...Developer contributions will be sought to ensure that the necessary physical, social, economic and green infrastructure is in place to deliver development. Contributions will be used to mitigate the adverse impacts of development (including any cumulative impact). Where appropriate, contributions will be used to facilitate the infrastructure needed to support sustainable development.*

This development is CIL liable, as set out in Section 15.0 Financial issues above.

By reason that the principle of the proposed development was found acceptable at the Outline stage, no further assessment of the scheme is required in terms of the above matter at this stage.

## **12. Other issues**

### **Fire Safety**

The Fire safety and high-rise residential buildings PPG notes:

- In the case of 'relevant buildings':
  - the developer is required to submit a fire statement setting out fire safety considerations specific to the development with a relevant application for planning permission for development which involves one or more relevant buildings, and
  - the Health and Safety Executive is a statutory consultee for relevant planning applications
- Relevant buildings are defined as those which:
  - contain two or more dwellings or educational accommodation and
  - meet the height condition of 18m or more in height, or 7 or more storeys [as measured to the floor level of the top storey not to the roof]

A Fire Statement Form, dated 16/12/2022, and Fire Service Site Plan, have been submitted to accompany this application.

Both the Health and Safety Executive (HSE) and Devon & Somerset Fire & Rescue Service have been consulted on this application and have raised no objections.

As such, the scheme is considered acceptable in planning terms with regard to fire safety.

## Wind Microclimate

Local Plan First Review Saved Policy AP1 states:

*Development should be designed and located to raise the quality of the urban and natural environment...*

The NPPF is silent on this issue.

A Wind Microclimate Assessment by Flosolve has been submitted to accompany this application. This notes:

- *The proposed Exeter University development constitutes a significant increase in the overall massing at the site*
- *The proposed development is taller than the surrounding buildings and on a hill*
- *However, due to the extensive tree cover on and around the site, the development is not exposed to the prevailing south, south westerly, and north westerly winds*
- *It is therefore not at significant risk of downdraft/downwash or flow channelling between the proposed buildings*
- *With regards to pedestrian safety:*
  - *All areas within the proposed site are safe throughout the year except for a small area to the northeast*
  - *Here, the wind conditions are not worsened by the development and as such, no mitigation is required*
- *With regards to pedestrian comfort:*
  - *All areas within the proposed site experience wind speeds that achieve their target pedestrian comfort category*

For the above reasons, the proposal is considered acceptable with regard to the impact of the development on the wind microclimate.

## Community Engagement

NPPF paragraphs 40 and 126 encourage community engagement by applicants, particularly prior to submitting an application.

The Consultation and Pre-Decision Matters PPG states that:

- *Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in article 15 of the Development Management Procedure Order (as amended)...*
- *The time period for making comments will be ... not less than 21 days...*
- *Local planning authorities may, at their discretion, take into account comments that are made after the closing date (but have no obligation to do so).*



A number of representations have been received raising concerns that the applicant's community engagement was poor or inadequate.

A Statement of Community Involvement by CarneySweeney, dated December 2022, has been submitted to accompany this application, which sets out the public consultation undertaken in respect of this application.

Notwithstanding the community engagement undertaken by the applicants, the council undertook its own public consultation in respect of this application, which involved letters to neighbours and the display of site notices.

The public consultation was open for more than 21 days and the Case Officer has taken into consideration any representations submitted after the closing date, up until the time of writing (04/05/23).

This report sets out the Case Officer's assessment of the material considerations including the representations received during the public consultation.

The Officer's recommendation will be considered by the Planning Committee who will determine the application in line with due process and in a democratic manner.

## **17.0 Conclusion**

NPPF paragraph 11 states:

*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means: c) approving development proposals that accord with an up-to-date development plan without delay.*

It is acknowledged that 16 no. letters of objection have been received regarding this application. However, the application comprises the reserved matters pertaining to outline consent ref. 20/1684/OUT, granted in 2021 following a resolution at Planning Committee. The outline consent approved the proposed development in principle. Also, it approved the scheme's heights and maximum floor areas based on the indicative layout and verified views. The conditions attached to the outline consent also address much of the technical detail.

Officers believe Block CB requires further detailed design work to overcome issues concerning the overbearing impact and loss of privacy. As such, this element is recommended for refusal through the recommended conditions.

Notwithstanding the above, it is considered that the remainder of the reserved matters are capable of policy compliance subject to additional conditions relating to visual amenity, residential amenity and biodiversity.

As such, this application is recommended for approval, except for Block CB, in line with NPPF paragraph 11 c).

## 18.0 Recommendation

GRANT PERMISSION with the following conditions:

### 1) PLANS

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 follows:

- SITE LOCATION PLAN, EXE-WIA-ZZ-ZZ-DR-A-00001, Rev.P01
- EXISTING SITE PLAN - LEVELS & DEMOLITION, EXE-WIA-ZZ-ZZ-DR-A-00020, Rev.P01
- PROPOSED SITE PLAN, EXE-WIA-ZZ-ZZ-DR-A-00100, Rev.P04
- PROPOSED SITE PLAN - BUILDINGS HEIGHT PARAMETERS - CONFORMITY, EXE-WIA-ZZ-ZZ-DR-A-00102, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 1 & 4, EXE-WIA-ZZ-ZZ-DR-A-00040, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 2, EXE-WIA-ZZ-ZZ-DR-A-00041, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 3, EXE-WIA-ZZ-ZZ-DR-A-00042, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 5, EXE-WIA-ZZ-ZZ-DR-A-00043, Rev.P01
- BLOCK CB - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-CB-GF-DR-A-00200, Rev.P03
- BLOCK CB - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-CB-01-DR-A-00201, Rev.P02
- BLOCK CB - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-CB-02-DR-A-00202, Rev.P01
- BLOCK CB - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-CB-03-DR-A-00203, Rev.P01
- BLOCK CB - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-CB-04-DR-A-00204, Rev.P01
- BLOCK CB - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-CB-05-DR-A-00205, Rev.P01
- BLOCK CB - GA PLAN - ROOF PLAN, EXE-WIA-CB-RF-DR-A-00206, Rev.P01
- BLOCK CB - GA ELEVATIONS - EAST & WEST, EXE-WIA-CB-ZZ-DR-A-00300, Rev.P02
- BLOCK CB - GA ELEVATIONS - NORTH & SOUTH, EXE-WIA-CB-ZZ-DR-A-00301, Rev.P02
- BLOCK CB - GA SECTIONS, EXE-WIA-CB-ZZ-DR-A-00400, Rev.P02
- BLOCK ST - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-ST-GF-DR-A-00200, Rev.P01

- BLOCK ST - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-ST-01-DR-A-00201, Rev.P01
- BLOCK ST - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-ST-02-DR-A-00202, Rev.P01
- BLOCK ST - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-ST-03-DR-A-00203, Rev.P01
- BLOCK ST - GA PLAN - ROOF PLAN, EXE-WIA-ST-RF-DR-A-00204, Rev.P01
- BLOCK ST - GA ELEVATIONS - NORTH & SOUTH, EXE-WIA-ST-ZZ-DR-A-00300, Rev.P01
- BLOCK ST - GA ELEVATIONS - EAST & WEST, EXE-WIA-ST-ZZ-DR-A-00301, Rev.P01
- BLOCK ST - GA SECTIONS, EXE-WIA-ST-ZZ-DR-A-00400, Rev.P01
- BLOCK QR - GA PLAN - LOWER GROUND FLOOR PLAN, EXE-WIA-QR-LG-DR-A-00200, Rev.P01
- BLOCK QR - GA PLAN - GROUND FLOOR PLAN, EXE - WIA-QR-GF-DR-A-00200, Rev.P02
- BLOCK QR - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-QR-GF-DR-A-00201, Rev.P01
- BLOCK QR - GA PLAN - FIRST FLOOR PLAN, EXE -WIA-QR-01-DR-A-00201, Rev.P02
- BLOCK QR - GA PLAN - UPPER GROUND FLOOR PLAN, EXE-WIA-QR-UG-DR-A-00202, Rev.P01
- BLOCK QR - GA PLAN - SECOND FLOOR PLAN, EXE - WIA-QR-02-DR-A-00202, Rev.P02
- BLOCK QR - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-QR-01-DR-A-00203, Rev.P01
- BLOCK QR - GA PLAN - THIRD FLOOR PLAN, EXE -WIA-QR-03-DR-A-00203, Rev.P02
- BLOCK QR - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-QR-02-DR-A-00204, Rev.P01
- BLOCK QR - GA PLAN - ROOF PLAN, EXE -WIA-QR-RF-DR-A-00204, Rev.P02
- BLOCK QR - GA PLAN - ROOF PLAN, EXE-WIA-QR-RF-DR-A-00205, Rev.P01
- BLOCK QR - GA ELEVATIONS - SOUTH WEST & NORTH EAST, EXE-WIA-QR-ZZ-DR-A-00300, Rev.P02
- BLOCK QR - GA ELEVATIONS - SOUTH EAST & NORTH WEST, EXE-WIA-QR-ZZ-DR-A-00301, Rev.P02
- BLOCK QR - GA SECTIONS, EXE-WIA-QR-ZZ-DR-A-00400, Rev.P02
- BLOCK AD - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-AD-GF-DR-A-00200, Rev.P01
- BLOCK AD - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-AD-01-DR-A-00201, Rev.P01
- BLOCK AD - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-AD-02-DR-A-00202, Rev.P01
- BLOCK AD - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-AD-03-DR-A-00203, Rev.P01
- BLOCK AD - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-AD-04-DR-A-00204, Rev.P01
- BLOCK AD - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-AD-05-DR-A-00205, Rev.P01

- BLOCK AD - GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-AD-06-DR-A-00206, Rev.P01
- BLOCK AD - GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-AD-07-DR-A-00207, Rev.P01
- BLOCK AD - GA PLAN - ROOF PLAN, EXE-WIA-AD-RF-DR-A-00208, Rev.P01
- BLOCK AD - GA ELEVATIONS - NORTH EAST, SOUTH EAST & NORTH WEST, EXE-WIA-AD-ZZ-DR-A-00300, Rev.P01
- BLOCK AD - GA ELEVATIONS - SOUTH WEST, EXE-WIA-AD-ZZ-DR-A-00301, Rev.P01
- BLOCK AD - GA SECTIONS, EXE-WIA-AD-ZZ-DR-A-00400, Rev.P01
- BLOCK LP - GA PLAN - LOWER GROUND & GROUND FLOOR PLAN, EXE-WIA-LP-ZZ-DR-A-00200, Rev.P01
- BLOCK LP - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-LP-01-DR-A-00201, Rev.P01
- BLOCK LP - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-LP-02-DR-A-00202, Rev.P01
- BLOCK LP - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-LP-03-DR-A-00203, Rev.P01
- BLOCK LP - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-LP-04-DR-A-00204, Rev.P01
- BLOCK LP - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-LP-05-DR-A-00205, Rev.P01
- BLOCK LP - GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-LP-06-DR-A-00206, Rev.P01
- BLOCK LP - GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-LP-07-DR-A-00207, Rev.P01
- BLOCK LP - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-LP-08-DR-A-00208, Rev.P01
- BLOCK LP - GA PLAN - ROOF PLAN, EXE-WIA-LP-RF-DR-A-00209, Rev.P01
- BLOCK LP - GA ELEVATIONS - NORTH EAST, SOUTH EAST & NORTH WEST, EXE-WIA-LP-ZZ-DR-A-00300, Rev.P01
- BLOCK LP - GA ELEVATIONS - SOUTH WEST, EXE-WIA-LP-ZZ-DR-A-00301, Rev.P01
- BLOCK LP - GA SECTIONS, EXE-WIA-LP-ZZ-DR-A-00400, Rev.P01
- BLOCK EF - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-EF-GF-DR-A-00200, Rev.P02
- BLOCK EF - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-EF-01-DR-A-00201, Rev.P02
- BLOCK EF - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-EF-02-DR-A-00202, Rev.P02
- BLOCK EF - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-EF-03-DR-A-00203, Rev.P02
- BLOCK EF - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-EF-04-DR-A-00204, Rev.P02

- BLOCK EF- GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-EF-05-DR-A-00205, Rev.P02
- BLOCK EF- GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-EF-06-DR-A-00206, Rev.P02
- BLOCK EF- GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-EF-07-DR-A-00207, Rev.P02
- BLOCK EF - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-EF-08-DR-A-00208, Rev.P02
- BLOCK EF- GA PLAN - ROOF PLAN, EXE-WIA-EF-RF-DR-A-00209, Rev.P02
- BLOCK EF- GA ELEVATIONS - NORTH EAST, EXE-WIA-EF-ZZ-DR-A-00300, Rev.P02
- BLOCK EF - GA ELEVATIONS - SOUTH WEST, EXE-WIA-EF-ZZ-DR-A-00301, Rev.P01
- BLOCK EF - GA ELEVATIONS - NORTH WEST & SOUTH EAST, EXE-WIA-EF-ZZ-DR-A-00302, Rev.P02
- BLOCK EF - GA SECTIONS - SECTION A-A, EXE-WIA-EF-ZZ-DR-A-00400, Rev.P01
- BLOCK EF - GA SECTIONS - SECTION B-B, EXE-WIA-EF-ZZ-DR-A-00401, Rev.P01
- BLOCK JK - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-JK-GF-DR-A-00200, Rev.P01
- BLOCK JK- GA PLAN - FIRST FLOOR PLAN, EXE-WIA-JK-01-DR-A-00201, Rev.P01
- BLOCK JK - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-JK-02-DR-A-00202, Rev.P01
- BLOCK JK - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-JK-03-DR-A-00203, Rev.P01
- BLOCK JK - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-JK-04-DR-A-00204, Rev.P01
- BLOCK JK- GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-JK-05-DR-A-00205, Rev.P01
- BLOCK JK- GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-JK-06-DR-A-00206, Rev.P01
- BLOCK JK- GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-JK-07-DR-A-00207, Rev.P02
- BLOCK JK - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-JK-08-DR-A-00208, Rev.P02
- BLOCK JK- GA PLAN - ROOF PLAN, EXE-WIA-JK-RF-DR-A-00209, Rev.P02
- BLOCK JK- GA ELEVATIONS - NORTH EAST, EXE-WIA-JK-ZZ-DR-A-00300, Rev.P02
- BLOCK JK - GA ELEVATIONS - SOUTH WEST, EXE-WIA-JK-ZZ-DR-A-00301, Rev.P02
- BLOCK JK - GA ELEVATIONS - SOUTH EAST, EXE-WIA-JK-ZZ-DR-A-00302, Rev.P02

- BLOCK JK - GA ELEVATIONS - NORTH WEST, EXE-WIA-JK-ZZ-DR-A-00303, Rev.P02
- BLOCK JK - GA SECTIONS - SECTION A-A, EXE-WIA-JK-ZZ-DR-A-00400, Rev.P02
- BLOCK JK- GA SECTIONS - SECTION B-B, EXE-WIA-JK-ZZ-DR-A-00401, Rev.P01
- BLOCK GH - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-GH-GF-DR-A-00200, Rev.P01
- BLOCK GH - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-GH-01-DR-A-00201, Rev.P01
- BLOCK GH - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-GH-02-DR-A-00202, Rev.P01
- BLOCK GH - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-GH-03-DR-A-00203, Rev.P01
- BLOCK GH - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-GH-04-DR-A-00204, Rev.P01
- BLOCK GH - GA PLAN - ROOF PLAN, EXE-WIA-GH-RF-DR-A-00205, Rev.P01
- BLOCK GH - GA ELEVATIONS - NORTH EAST & SOUTH WEST, EXE-WIA-GH-ZZ-DR-A-00300, Rev.P01
- BLOCK GH - GA ELEVATIONS - NORTH WEST & SOUTH EAST, EXE-WIA-GH-ZZ-DR-A-00301, Rev.P01
- BLOCK GH - GA SECTIONS, EXE-WIA-GH-ZZ-DR-A-00400, Rev.P01

as modified by other conditions of this consent.

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

## 2) MATERIALS

Prior to commencement of above ground works pertaining to any building hereby permitted, not including demolition, details of the materials and finishes to be used in the construction of the external surfaces, windows and doors of that building, shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

- a) detailed elevational drawings of the upper storeys demonstrating the composition of those façades;
- b) the details and appearance of the noise mitigation measures listed in Condition 5;
- c) the details and appearance of the means of enclosure to the service/delivery area adjacent to Block CB including constructional details / specification / sample materials;
- d) the details and appearance of the plant enclosures and lift over-run elements at roof level including constructional details / specification / sample materials.

Development shall be carried out in accordance with the approved details.

**Reason:** In the interests of visual amenity and character of the area.

## 3) NOISE MITIGATION

Prior to first use of each building hereby permitted, the noise mitigation measures set out in the Noise Planning Report, by Red Twin Ltd, ref. R1472.1 V1, dated 15/12/22, shall be implemented in full, including:

- e) screening to the ASHPs on the roof of blocks B1 and B2,
- f) screening for the bin stores, particularly for blocks B1 and C1 to reduce the sound reaching properties on Streatham Drive, and
- g) passive attenuators to the intake and exhaust of all air handling plant

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

#### **4) STUDENT PRIVACY MANAGEMENT PLAN**

The submitted privacy management plan dated XXX, ref. XXX, that sets out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy, shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of the residential amenity of neighbouring and future occupiers.

#### **5) BAT PROTECTION**

The demolition of buildings identified as supporting bat roosts shall not in any circumstances commence unless:

- a) under a bat license issued by Natural England; or
- b) either a statement in writing from Natural England is provided to the LPA detailing that a license is not required, or a Technical Note is submitted and approved by the LPA which details why a bat license is no longer considered necessary.

Unless otherwise agreed with Natural England, the bat license will include the relevant mitigation provided in the submitted report, Bat Survey Report, ref. 1631-BSR-SE, dated 08/12/2022

**Reason:** To safeguard the ecological interest of the site and ensure compliance with Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 and the NPPF.

#### **6) BAT/BIRD MITIGATION**

Prior to first occupation of the development hereby permitted, the mitigation measures identified in the submitted report, Bat Survey Report, ref. 1631-BSR-SE, dated 08/12/2022, shall be implemented in full and maintained thereafter, to include as a minimum:

- a) Pipistrelle species: Integrated bat boxes to be installed at a rate of 1:1 per roost lost;
- b) Brown long-eared: A roost within a roof void or standalone structure will need to be provided. The void height should be approximately 2.5m with a length and width of approximately 4x3m. The standalone structure should be a height of approximately 4m with a length and width of approximately 4x5m.
- c) Two additional integrated bat boxes per building should be installed within the fabric of the new buildings
- d) Four integrated bird boxes should be installed per building

e) Species-rich native planting around the roosts creating strong linear features to maintain connectivity across the site.

f) No lighting directed on the compensatory roost entrances

**Reason:** To safeguard the ecological interest of the site and ensure compliance with Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 and the NPPF.

## 7) LEMP IMPLEMENTATION

The development hereby permitted shall be implemented in accordance with the Detailed Arboricultural Method Statement and Tree Protection Plan as set out in Condition no.6 of the outline permission ref. 20/1684/OUT once approved by the Local Planning Authority.

**Reason:** In the interests of nature conservation.

## 8) TREE PROTECTION IMPLEMENTATION

The development hereby permitted shall be implemented in accordance with the Landscape and Ecology Management Plan as set out in Condition no.5 of the outline permission ref. 20/1684/OUT once it has been approved by the Local Planning Authority.

**Reason:** To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

## 9) LANDSCAPING DETAILS

No building hereby permitted shall be occupied until a detailed scheme for landscaping has been submitted to and approved by the Local Planning Authority to include:

- a) Details of the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences;
- b) Vertical landscaping measures to soften the visual impact of proposed Block CB in respect of the occupants of Block K to the west;
- c) Specification of materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required;
- d) The measures to deliver biodiversity net gains as set out in the submitted Biodiversity Net Gain Note, by The Landmark Practice, dated 16/09/22;
- e) The scheme shall be broadly in line with:
  - EXE-TLP-XX-XX-SH-L-90001 Outline Tree Planting Schedule West Park and Birks, dated 14/12/22
  - EXE-TLP-XX-XX-SH-L-90003 Outline Planting Schedule West Park and Birks, dated 14/12/22
  - EXE-TLP-XX-XX-DR-L-30001 P01 Landscape Planting Strategy West Park, dated 16/12/22
  - EXE-TLP-XX-XX-DR-L-30002 P01 Landscape Planting Strategy Birks, dated 16/12/22
  - EXE-TLP-XX-XX-DR-L-10007 P02 Landscape Treatments to Walls West Park, dated 16/12/22



- AMENDED EXE-TLP-XX-XX-DR-L-10001 P07 Landscape General Arrangement - West Park, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10002 P04 Landscape General Arrangement - Birks, received 09/05/23
- AMENDED EXE-TLP-XX-XX-DR-L-10004 P03 Landscape General Arrangement - West Park Detailed Area 1 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10005 P04 Landscape General Arrangement - West Park Detailed Area 2 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10006 P04 Landscape General Arrangement - West Park Detailed Area 3 of 3, received 14/04/23
- EXE-TLP-XX-XX-DR-L-90008 Block CB Landscape Sketch V2, received 09/05/23.

The landscaping shall thereafter be implemented in accordance with the approved scheme in the first planting season after commencement of the development unless agreed otherwise in writing by the Local Planning Authority, and shall be maintained for a period of 5 years. Such maintenance shall include the replacement of any trees and shrubs that die.

**Reason:** In the interests of visual and residential amenity and biodiversity.

#### **10) SOLAR PANELS**

No building hereby permitted shall be occupied until the solar panels have been implemented in accordance with the approved plans.

**Reason:** In the interests of renewable energy sources and the Climate Emergency.

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# Planning Committee Report 22/1746/RES

## 1.0 Application information

<b>Number:</b>	22/1746/RES
<b>Applicant Name:</b>	University Of Exeter And UPP
<b>Proposal:</b>	Approval of reserved matters of access, appearance, landscaping, layout and scale in relation to outline permission 20/1684/OUT for student accommodation and ancillary amenity facilities, and external alterations and refurbishment of Birks Grange Village Blocks A-E, with associated infrastructure, demolition of existing buildings and landscaping.
<b>Site Address:</b>	West Park University Of Exeter Stocker Road
<b>Registration Date:</b>	19 December 2022
<b>Link to Application:</b>	<a href="https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=RN8QATHB03800">https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=RN8QATHB03800</a>
<b>Case Officer:</b>	Catherine Miller-Bassi
<b>Ward Member(s):</b>	Cllr Kevin Mitchell, Cllr Michael Mitchell, Cllr Martin Pearce

### REASON APPLICATION IS GOING TO COMMITTEE

The application is significant, complex and of local interest, so determination by the Planning Committee is appropriate following the Exeter City Council Constitution.

## 2.0 Summary of recommendation

GRANT permission subject to conditions as set out in the report.

## 3.0 Reason for the recommendation

NPPF paragraph 11 states:

*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means: c) approving development proposals that accord with an up-to-date development plan without delay.*

15no. letters of objection have been received regarding this application. These have raised issues of: harm to visual amenity; harm to residential amenity/overlooking/loss of privacy; light and noise pollution; antisocial behaviour; lack of democratic process; inadequate community engagement; misinformation; inaccurate plans; harm to ecology; highways safety.

The application comprises all the reserved matters pertaining to outline consent ref. [20/1684/OUT](#), granted in September 2021 following a resolution at Planning Committee.

The outline consent approved the proposed development in principle. Also, it approved the scheme's heights and maximum floor areas based on the indicative layout and verified views. The conditions attached to the outline consent also address much of the technical detail.

Officers have raised concerns with the applicant regarding the impact of proposed Block CB on the residential amenity, namely the loss of privacy to existing student accommodation Block J to the north as well as for future occupiers.

Following discussions with the applicant, Officers are satisfied that an amended design, involving an increase in the separation gap between Blocks CB and J, together with the introduction of angled window bays, would be capable of overcoming the intervisibility concerns.

At the time of writing, the Council is awaiting a formal submission of the amendments to proposed Block CB above. It is the Officers' view that the revised proposal should also be accompanied by a management plan that would set out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy.

An update on the above will be provided prior to the Planning Committee on 25 May.

On balance, therefore, it is considered that the reserved matters are capable of policy compliance subject to additional conditions relating to visual amenity, residential amenity and biodiversity.

As such, this application is recommended for approval, except for Block CB, in line with NPPF paragraph 11 c).

#### 4.0 Table of key planning issues

Issue	Summary
Principle of development	Acceptable – established at Outline
Character and appearance	Acceptable subject to further conditions
Residential amenity	Acceptable subject to further conditions
Heritage	Acceptable
Highways	Acceptable
Biodiversity	Acceptable subject to further conditions
Contamination	Acceptable

Flood risk and drainage	Acceptable
Sustainable construction	Acceptable
Economy	Acceptable
Other	Acceptable

## 5.0 Description of site

The application site comprises the western portion of the University of Exeter Streatham Campus and lies approximately 1km north of Exeter city centre.

As shown on the submitted Existing Site Plan, the wider, blue-outlined site under the ownership of the applicant comprises the following elements (those within the red line - i.e., application site area - outlined in bold):

1. **Birks Grange Halls of Residence Blocks A-E** (within red outlined application site) (north-west of the site)
2. **Birks Grange Refectory** (within red outlined application site) (south of Birks Grange A-E beyond some interceding halls of residence)
3. Birks Bank Pinetum (beyond red outlined application site) (east of Birks Grange Halls of Residence Blocks A-E and Refectory and some interceding halls of residence also beyond red outline)
4. **Estate Services Centre** (within red outlined application site) (south of Birks Bank Pinetum)
5. **Nash Grove Accommodation** (within the red outlined application site) (in the eastern portion of the site)
6. **Clydesdale House** (within red outlined application site) (east of Pinetum)
7. **Clydesdale Court Accommodation** (within the red outlined application site) (between Clydesdale Rise and Clydesdale House)
8. **Clydesdale Rise Accommodation** (within the red outlined application site) (east of Pinetum)
9. **Holland Hall Car Park** (within the red outlined application site) (east of Clydesdale Rise)
10. Holland Hall (beyond the red outlined application site) to the east of the site
11. Mardon Hall (beyond red outlined application site) to the east of the site
12. **Tennis Courts** (within red outlined application site) (east of Nash Grove Accommodation)
13. Reed Hall (beyond the red outlined application site) to the east of the site

The application site also includes:

- Clydesdale Road to the east of the Pinetum lies within the site;
- The vehicular Access to Birks Halls leading off New North Road to the west of the site, lying to the north of Dunvegan Close; and
- Part of Streatham Drive and a small part of Queen's Drive adjacent to the north-east of the university's Washington Singer buildings.

The eastern part of the application site lies within the Locally Listed Historic Park and Garden titled Exeter University Campus, a non-designated heritage asset.

Grade II listed Reed Hall lies beyond the application site to the south-east at approximately 74m from the eastern site boundary.

To the south of the site lies a residential area, including dwellings in Elmbridge Gardens, Dunvegan Close, Lodge Hill, Streatham Rise and Streatham Drive.

## 6.0 Description of development

This application is for approval of reserved matters.

The outline consent granted under application ref. [20/1684/OUT](#) was to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E; with associated infrastructure, demolition of existing buildings and landscaping.

This reserved matters application pertains to the proposed refurbished and new build student accommodation.

The following drawings were approved under consent ref. [20/1684/OUT](#):

- Site Location Plan 010002 Rev P2,
- Demolition Plan (dwg no. 010003 Rev P2);
- Land Use Parameters Plan (dwg no. 010010 Rev P2);
- Movement and Access Parameter Plan (dwg no. 010011 Rev P2);
- Heights Parameter Plan (dwg no. 010012 Rev P2)
- Landscape and Biodiversity Parameter Plan (Figure 1, dated 16th April 2020)

As such, the proposed demolition of the existing development has been agreed in principle as follows:

- Birks Grange Refectory (south-west of application site)
- Estate Services Centre (southern part of application site)
- Nash Grove Accommodation (the eastern portion of the application site)
- Clydesdale House (the east portion of the application site)
- Clydesdale Court Accommodation (the eastern part of the application site)
- Clydesdale Rise Accommodation (the eastern portion of the application site)
- Holland Hall Car Park (the eastern portion of the application site)
- Tennis Courts (the eastern portion of the application site)

The proposal comprises the erection of 8no. new residential buildings as follows:

1. **Block CB** – south-west of site (to replace Birks Grange Refectory), (permission granted for relocation of mature magnolia tree ref. [22/1724/TPO](#));
2. **Block ST** – south of the site (to replace Estate Services Centre, including greenhouses);

3. **Block QR** – south of the site (to north-east of ST, replacing Nash Grove blocks E and F);
4. **Block GH** – north-east of the site (replacing blocks A, B and C Clydesdale Rise, west of the car park adjacent to Holland Hall);
5. **Block JK** – south of Block GH (replacing blocks 1-4, 5-8 and 9-16 Clydesdale Court);
6. **Block EF** to the west of Block JK – also south of Block GH (replacing blocks 1-4, 5-8 and 9-16 Clydesdale Court);
7. **Block LP** to the west of Mardon Hall and south of Block JK (replacing blocks A, B, C and D Nash Grove, Clydesdale House and tennis courts); and
8. **Block AD** to the west of Block LP and south of Block EF (replacing blocks A, B, C and D Nash Grove, Clydesdale House and tennis courts).

The proposal also includes refurbishing the existing Birks Grange Village blocks A, B, C, D and E to the site's north-west.

As confirmed by the applicant in an email dated 04/05/23, the scheme would result in a net increase of **1,769**no. student bed spaces, with 2,061no. new bed spaces being created following the removal/demolition of 292no. existing bed spaces.

Landscaping and tree retention are not subject to this application as this aspect of the development was approved at the outline stage and controlled via condition, which is under consideration as part of a separate application.

Amended drawings have been received in response to officer concerns comprising the following revisions:

- Removal of the originally proposed footpath and access road leading to Building ST from the west;
- Block JK – amendment to the junction between roof levels of 7-storey and 9-storey sections to soften and simplify appearance at transition;
- Block EF – windows proposed in south-east elevation serving stairwell reduced in width to limit light spill;
- Block CB – service yard to south reduced in size; public realm to south improved; cycle storage relocated.

A separate reserved matters application for the proposed replacement Estate Service Centre (now called Ground Compound Rennes Drive) is currently under consideration, ref. [22/1735/RES](#).

Separate discharge of conditions applications are also under consideration regarding condition nos. 4, 5, 6, 7, 8, 9, 10, 11, 13, 17, 19, 20, 24 and 25, under refs. [23/0351/DIS](#) and [23/0495/DIS](#).

## **7.0 Supporting information provided by applicant**

- Arboricultural Impact Assessment Plan A1 L NTS D36 50 P3.1 UoE Resi (02/11/22)
- Application Form
- Bat Survey Report (08/12/22)
- Biodiversity Net Gain Note, by The Landmark Practice, dated 16/09/22
- Birks Grange - Inclusive design statement for planning
- Constraints Report UoE Resi 2, D36 50 02
- Covering Letter - 16 December 2022
- Demolition Plan, 00020- Rev.P01, (19/12/2022)
- Design and Access Statement Birks Grange
- Design and Access Statement LORES
- Drainage Strategy, EXE-AC-NB-XX-RP-C-00010, (19/12/2022)
- Fire service site plan, (19/12/2022)
- Fire Statement, 221216-R00-BA22059
- Letter West Park, D36 50 04
- Noise Planning Report, UoExeter West Park, R1462.1 V1, (19/12/2022)
- Outline Planting Schedule - West Park and Birks, EXE-TLP-XX-XX-SH-L-90003, (19/12/2022)
- Outline Tree Planting Schedule - West Park and Birks, EXE-TLP-XX-XX-SH-L-90001, (19/12/2022)
- Planning Statement - December 2022
- Statement of Community Involvement - December 2022
- Sustainability Statement December 2022 (Rev 2) (24/01/2023)
- Verified Views, EXE-TLP-ZZ-ZZ-VS-L-60001, (19/12/2022)
- West Park - Inclusive design statement for planning
- Wind\_Microclimate, UOE-FLO-RP, Rev.P03, (19/12/2022)

## 8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
<a href="#">23/0483/FUL</a>	Construction of two-storey detached building	PENDING	
<a href="#">23/0463/PDU</a>	Construction of detached single-storey prefabricated building on steel posts to store freezer units for Exeter Living Systems	PENDING	
<a href="#">23/0495/DIS</a>	Discharge of Conditions 6, 9, 17 on <a href="#">20/1684/OUT</a> - Outline planning application to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E; with associated	PENDING	



	infrastructure, demolition of existing buildings and landscaping (All Matters Reserved).		
<a href="#">23/0496/DIS</a>	Discharge of Conditions 5 and 8 on <a href="#">20/1685/OUT</a> - Outline planning application to build a replacement Estates Services Centre and ancillary buildings and structures, with associated infrastructure and landscaping (All Matters Reserved).	PENDING	
<a href="#">23/0351/DIS</a>	Discharge of Conditions 4, 5, 7, 8, 10, 11, 13, 19, 20, 24 and 25 of permission <a href="#">20/1684/OUT</a> - Outline planning application to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E; with associated infrastructure, demolition of existing buildings and landscaping (All Matters Reserved).	PENDING	
<a href="#">23/0348/DIS</a>	Discharge of Conditions 4, 6, 7, 9, 10, 11, 12, 14, and 22 of permission: <a href="#">20/1685/OUT</a> - Outline planning application to build a replacement Estates Services Centre and ancillary buildings and structures, with associated infrastructure and landscaping (All Matters Reserved).	PENDING	
<a href="#">22/1735/RES</a>	Approval of reserved matters of access, appearance, landscaping, layout and scale in relation to outline permission <a href="#">20/1685/OUT</a> to replace Estates Service Centre and ancillary buildings and structures.	PENDING	
<a href="#">22/1724/TPO</a>	Relocation of a mature magnolia tree	PER	17.01.2023
<a href="#">20/1684/OUT</a>	Outline planning application to build student accommodation and ancillary amenity facilities (up to a maximum of 49,821 sq. metres) and external alterations and refurbishment of Birks Grange Village Blocks A-E, with associated infrastructure, demolition of	PER	17.09.2021

	existing buildings and landscaping (All Matters Reserved).		
<a href="#">20/1685/OUT</a>	Outline planning application to build a replacement Estates Services Centre and ancillary buildings and structures, with associated infrastructure and landscaping (All Matters Reserved).	PER	15.06.2021
<a href="#">20/1672/SO</a>	Screening opinion for the student accommodation and relocation of the Estate Service Centre.	EIANOT	11.12.2020

Table 1. 20/1684/OUT Outline conditions for information

Condition Number	Requirement	Trigger	Details Submitted	Application Ref
1	Reserved Matters Approval	Prior to Commencement	Addressed by separate reserved matters submission	Current application
2	Time Limit	Compliance	N/A	
3	Approved Plans	Compliance	N/A	
4	Finished Floor Levels and Roof Heights	Prior to Commencement of any Individual Building	Height Parameter Comparison – EXE-WIA-ZZ-ZZ-D-A-00103 Rev P1	23/0351/DIS
5	Outline Landscape and Ecology Management Plan	Prior to Commencement	EXE-TLP-XX-XX-DR-E-00001 - LEMP - West Park and Birks Rcd	23/0351/DIS
6	Detailed Arboricultural Method Statement and Tree Protection Plan	Prior to Commencement	West Park Arboricultural Method Statement – Report No. D36 50 05 Rev A Tree Protection Plans – drawing ref D36 50 P4 1 of 2 and 2 of 2	23/0495/DIS
7	Construction Environmental Method Statement	Prior to Commencement	West Park New Student Accommodation - CEMS C7	23/0351/DIS

8	Construction Traffic Management Plan	Prior to Commencement	West Park New Student Accommodation - CTMP C8	23/0351/DIS
9	Contamination Site Investigation	Prior to Commencement	Birks Grange and West Park Geo-Environmental Assessment – Report No. 14863 ( 1 to 5)	23/0495/DIS
10	Noise Impact Assessment	Prior to Commencement	R1462.1 V1 - UoExeter West Park - Noise Planning Report	23/0351/DIS
11	Internal and External Lighting Assessment	Prior to Commencement	West Park Lighting Impact Assessment March 2023	23/0351/DIS
12	Secure cycle parking details	Prior to Use	To be submitted separately.	
13	Written Scheme of Archaeological Work	Prior to Commencement	ACD2868 Clydesdale, Nash & Birks Grange, University of Exeter_WSI	23/0351/DIS
14	Reserved matters approval required	Compliance	Addressed by separate reserved matters submission	
15	Internal floor space limit	Compliance	N/A	
16	Secure by Design Gold Standard	N/A	To be submitted separately.	
17	Details of new Pedestrian Footway adjacent Streatham Drive	Prior to Occupation	103259-PEF-XX-XX-DR-C-0003-S2-PO2 General Arrangement Sheet 1 and 2	23/0495/DIS
18	Evidence of Passivhaus Principles	Prior to Occupation or as soon as practicable after Occupation	To be submitted separately.	

19	Unexploded Ordnance Investigation	Prior to Development	Detailed Risk Assessment Final CandBRP GCRD - Brimstone 2021.07.16	23/0351/DIS
20	Waste Audit Statement	Prior to Commencement	West Park New Student Accommodation – Waste Audit Statement C20	23/0351/DIS
21	Details of Improvements to Streatham Drive	Prior to Occupation	To be submitted separately.	
22	Details of private highways works	Prior to Occupation	To be submitted separately.	
23	Cycle Parking Provision	Prior to Occupation	To be submitted separately.	
24	On site compound and Construction Method Statement	Prior to Commencement	West Park New Student Accommodation – CMS C24	23/0351/DIS
25	a) Soakaway testing b) Detailed drainage design c) Detailed surface water management and silt run off d) Adoption and maintenance of surface water system	Prior to or as part of Reserved Matters	Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (1 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (2 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (3 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (4 OF 5) Drainage Strategy EXE-AC-NB-XX-RP-C-00010 (5 OF 5)	23/0351/DIS

## 9.0 List of constraints

- Smoke Control Area
- Locally Listed Historic Park and Garden

## 10.0 Consultations

Below is a summary of the consultee responses. The latest response has been summarised when more than one response was received. All consultee responses, including earlier responses, can be viewed in full on the Council's website.

### **Arboricultural Officer:**

Comments dated 17/02/23:

No objections subject to conditions

### **Devon & Somerset Fire & Rescue Service:**

Comments dated 30/01/23:

*The drawings would (without prejudice) appear to satisfy the criteria we would require for B5 access under Building Regulations and so we have no objection to this development at this time.*

### **Ecology Officer:**

Revised comments dated 29/03/23:

No objections following receipt of additional information subject to a condition regarding bat roosts.

### **Environmental Health:**

Comments dated 30/01/23:

*The submitted noise assessment recommends the following mitigation to ensure that the noise impacts of the scheme are reduced:*

- *screening to the ASHPs on the roof of blocks B1 and B2,*
- *screening for the bin stores, particularly for blocks B1 and C1 to reduce the sound reaching properties on Streatham Drive, and*
- *passive attenuators to the intake and exhaust of all air handling plant.*

*These are acceptable in noise terms.*

### **Exeter Civic Society:**

None received

### **Exeter Cycling Campaign:**

Updated comments provided 22/04/23 following amended plans:

**Objects** for the following reasons:

- Lack of visitor cycle parking
- Cycle parking too far from accommodation
- Two-tiered bike storage is not considered best practice and can be considered discriminatory

- Cycle parking should be secure (it appears they may only be 'covered'). Security should be provided by a combination of locked doors, passive surveillance and active CCTV surveillance
- Additional space should be provided within the cycle stores to accommodate non-standard bike forms (5%), an area for cycle maintenance and charging points for e-bikes.

**Health and Safety Executive (HSE):**

Comments dated 17/02/2023: No objections

**Local Highway Authority (Devon County Council):**

Comments dated 24/04/23:

Cycle parking provision is now acceptable

**Urban Design and Landscape Officer:**

Comments dated 15/05/23:

Previous concerns withdrawn following receipt of amended plans; no objections subject to conditions.

**Police Designing Out Crime Officer:**

Comments dated 02/02/23:

*The applicant has been in touch as they are seeking an SBD Gold award for the scheme. I have provided them with the relevant recommendations and criteria in order to attain the award so I have no concerns from a designing out crime perspective in relation to the scheme at this stage.*

## 11.0 Representations

15no. representations from separate addresses have been received, of which all are objections.

All responses can be viewed in full on the Council website. The following issues were raised in the objections:

**Objections:**

- Some of the plans/models presented by the developer have been unclear or inaccurate.
- Various reasonable mitigations could be incorporated into the proposals but have not (yet) been
- Since the Outline Planning Application went through in 2021, during COVID restrictions, approval was initially given at a time when the council could not properly discuss, organise, and consult [*Officer note: all decisions were undertaken in accordance with due process during the Covid restrictions including the use of technology to enable virtual meetings where face to face meetings was not permitted*]

- Despite many residents of Dunvegan Close and Elmbridge Gardens asking for better pictures or an image of the proposed buildings around them and how they will look from our points of view, when visualisations were done (In the verified views document on 19/12/2022), none were done as asked for from any of our roads
- The high number (over 150) of application documents and building name/reference changes make understanding the application and its impact on visual and neighbouring amenities difficult and time-consuming.
- The proposal is out of scale and character with the area
- Includes tall buildings on high hills adjacent to small two-storey houses, which has a detrimental impact
- Contains a high number of openable windows overlooking neighbouring dwellings
- A new path facing us will go up Cardiac Hill from the car park to the main entrances on B1 (ST). This will cause a lot of noise and be used by students returning from a night out at all hours. Additionally, up till now, no traffic behind the fence on this site has been noticed. The new plan shows no fence, and the access road closer to the embankment's edge looming over our roads. With 155 students, cleaners, maintenance, emergency, dustcart, take away, and food delivery vehicles creating a considerable amount of extra road traffic up and down this dangerously steep hill at all hours. Add to this the fence has vanished that hid this, and the entrances are all facing us.
- In the last two months, some mature trees that would have screened some of this have been cut down.
- An outside socialising area will face us, causing us even more light and noise issues.
- It is in contravention of local planning policy and exceeds the student numbers noted in the Core Strategy for 2025/26
- Instead of facing us, the main entrances should be on the North elevation to channel some of the noise away from the houses.
- If a new path is needed, it should go behind the existing blocks, reducing noise increases.
- The road/outside social areas to the other entrances facing us should be behind fences similar to what has been there for 70 years.
- The designers have not accommodated residents' views at all
- I ask that images of this building and how it sits on the hill be submitted so people know what is planned.
- The design should respond to the surrounding area comprising families and retired private dwellings on three sides.
- The steep gradient of the site has been underplayed in what feels like a deliberate attempt to disguise the detrimental impact of the new buildings on the residents.
- An alternative site should be found to house the planned 155 bedrooms for block ST (B1).
- The ST block is surrounded on three sides by two-storey private dwellings of 3 and 4 beds. Putting a 155-bed four-storey block here on top of a 5-storey hill above our roads would massively impact all of us.

- We strongly believe that pedestrian traffic to any new building on this site should be directed UP the hill towards the University and via the new footpath planned for Streatham Drive. The pedestrian infrastructure on New North Road is already inadequate. Pavements on the elevated section between Duryard and Birks Village and the onward section to Prince of Wales Road are narrow. They are massively overcrowded, with pedestrians continually being forced into the road to pass large groups of students. It is only a matter of time before a severe accident, and someone is killed or injured. This will worsen as the new halls in Glenthorne Road come into commission. Students in the new West Village should not be encouraged to add to the numbers using these pavements.
- More recently, there have been incidents of drug dealing in Dunvegan Close and Elmbridge Gardens: students linger in these quiet cul-de-sacs to meet dealers who arrive and depart in cars. This is causing further detriment to the quality of life of residents.
- To mitigate the issues listed above, we suggest the following:
  - An alternative site for building ST (B1) can be found on another part of the campus, not adjacent to a residential area.
  - If this cannot be done, then the height of ST (B1) be reduced from 4 storeys.
  - The main entrances to ST (B1) should face east, towards the University, thus encouraging pedestrian traffic to use the new planned footpath in Streatham Drive rather than the overburdened pavements on New North Road.
  - The orientation of the building ST (B1) should be changed from west to north-west facing (similar to the neighbouring building further up the hill). This would instantly remove the current lack of privacy issues with 51 windows directly looking into the gardens and bedrooms of Elmbridge Gardens and Dunvegan Close. Instead, students in ST (B1) would overlook students in Birks Village.
  - Remove the planned path from ST (B1) to the car park in Birks Village.  
*[Officer Note: This has been removed in the amended plans.]*
- As a former employee of the University (as are many of the residents of Dunvegan Close and Elmbridge Gardens), it saddens me to see how much the relationship between the University and residents has deteriorated.
- The University must, at some point, question whether the extra quantity of students will enable it to maintain high standards of academic education.
- The proposed six-storey 145-bedroom block *[Building CB]* with shop and socialising facilities has no window control zone facing us (South elevation towards Dunvegan Close), has 41 openable windows in our direction, is far wider than the buildings around it, and is two storeys higher than the buildings either side of it. At outline planning and during the feedback stages, numerous residents suggested that this building should be reduced in height to match the buildings around it, and no or few windows should face our houses. Residents have been continually ignored and lately told by the University team no windows would face our direction (due to the lack of an actual image or model of this building during both at outline planning application and the feedback stages last year) and that



the height had been agreed with planners and could not be altered now so was not up for discussion. We discussed this and the number of windows anyway on feedback forms, objection letters, and discussions at exhibitions and meetings. At none of these have designers even entertained altering the number of bedrooms, the height of the building or the number of windows facing us. They have even failed to show us any image at all of A1 until 24/01/2023. *[Officer Note: As mentioned in the representation above, there is no window-controlled zone to this building shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage.]*

- The extra two storeys of Building CB will be a visual intrusion on the north end of Dunvegan Close, with the building visible over and through the existing tree canopy and the light from all the windows, especially in the winter when the leaves are not on the trees which will be a new issue to residents.
- Changing the names of the proposed buildings at different stages of the plans and mislabelling images of the proposed plans has proved very confusing and left gaps of information as to what the true intended outcome will look like
- Public signs advertising the planning application in the local area have not been available *[Officer Note: 3no. Site Notices were displayed for this application at Streatham Drive, near the junction with The Queens Drive, Entrance to Birks Grange Village and Clydesdale Avenue, near the junction with Streatham Drive.]*
- Can the developers dig down a level and start Building CB lower, and can the main entrance doors be positioned on the side of the building away from Elmbridge Gardens so the noise travels towards the university campus instead? *[Officer Note: There are proposed entrances on all elevations, but the majority are on the east, which does not face towards Elmbridge Gardens]*
- The latest plans include a 'new' path that will be lit at night, right alongside the perimeter of my garden and from the main halls to the car park, which will cause noise and light pollution to my property. *[Officer Note: A new footpath is shown in the submitted Illustrative Masterplan - West Park and Birks, Rev.P03, leading to Building ST from the existing access road to the electricity substation rear (east) of no.10 Elmbridge Gardens. This footpath would run west to east to the south of existing Block P and north of the electricity substation and not adjacent to the dwellings on Elmbridge Gardens. However, this has been removed from the amended plans.]*
- Two proposed buildings cause considerable concern to neighbours on our roads, namely A1 and B1, or perhaps we should refer to them as CB and ST as renamed in some documentation.
- B1(or ST, or QR even) will be built on the present Estate Services Centre. This is in a most prominent position (except, of course, we keep being told that it will have trees planted to help hide it. Do the developers know something that we don't about how long it takes trees to grow?).
- The consultation period was too short and should be extended. *[Officer Note: The Case Officer has considered all representations received until the time of writing in mid-April.]*

- 32 Streatham Drive faces west, not north, as stated in the Planning Committee Report dated 10 December 2020. All windows on the East elevation of B1(ST), meaning more than 40 will look directly into our home.
- As proposed elsewhere, these windows should have a "window control zone" to prevent student blocks from directly facing residential property.
- Article 8 Right to respect for private and family life and home. We feel that all comments were not fully considered. It states that adverse impacts on neighbouring properties must be mitigated by imposing conditions to ensure there is no undue impact on the home and family life of the occupiers. This has not been addressed.
- B1 (ST) now has solar panels and an / air conditioning unit which will raise the height of the building.
- We are very disappointed to learn that 26 objection letters from residents of Dunvegan Close and Elmbridge Gardens that we were told would be forwarded to you by Exeter University/UPP were not sent to the council.
- Massive overdevelopment will result in biodiversity harm to the arboretum and wildlife such as badgers, deer, and sparrowhawks.
- Due to the natural steep incline of the land, high-rise blocks will be very overbearing to our houses in Elmbridge Gardens and Dunvegan Close, with student windows looking directly down onto our homes and gardens.
- We feel the applicants are disregarding us.
- Applicants have misinformed residents.
- Community consultation has been inadequate, and submitted information inaccurate.
- The scale of the building is a reserved matter and has yet to be finalised [*Officer Note: the maximum building heights were consented at the outline stage when the principle of the development was also found acceptable by the Planning Committee based on the submitted illustrative plans*]
- The impact of demolition and construction works traffic along these roads/paths has not been sufficiently investigated and considered, nor around the construction site [*Officer Note: this was assessed at the Outline stage, and a condition is attached to that permission*]
- 7 am is too early for construction work to start and will disrupt neighbours
- These are massive tower blocks and should be reduced in height
- Lights left on at night in communal spaces of tall university buildings such as Holland Hall are disruptive for neighbours
- We can also see into student bedrooms which is not nice
- I know I am insignificant compared to the University and the money you may receive on the back of such developments; however, my neighbourhood and views to and from the river could/should be considered. [*Officer Note: planning applications are assessed against local and national policy, and while the impact of a development on the neighbouring residential amenity is assessed, private views are not protected under these policies; the principle and heights of the proposed development have been approved under the Outline consent*]

- B1 development has windows directly overlooking 32 Streatham Drive, which we were told would not happen.
- The height of B1 (ST) has always been an issue, even though the height has been reduced a little.
- The noise from the windows overlooking 32 Streatham Drive from B1 and B2 will create considerable noise pollution. This happens when Holland Hall and Mardon Hall windows open in the summer.
- There is no boundary fence between B1 and 32 Streatham Drive; one must be installed.
- Trees bordering the same boundary and that of B2 need to be retained to reduce over-looking the garden of 32 Streatham Drive.
- Access to Streatham Drive from 32 Streatham Drive will be more difficult as the driveway is hidden from vehicles turning from Devonshire Drive.
- The speed limit needs to be reduced to 20 mph.
- The contractor should maintain the road and repair and resurface the road to a high quality. This was done exceptionally poorly after Holland Hall was built.
- Footpath needs to be built before demolition and building work takes place.
- A planned footpath through the greenery at the top of Streatham Drive will damage established conifer tree roots.

## 12.0 Relevant policies

### National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2021) – in particular sections:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places

Planning Practice Guidance (PPG):

- Consultation and pre-decision matters
- Design: process and tools
- Effective use of land
- Fire safety and high-rise residential buildings
- Housing needs of different groups
- Use of planning conditions

National Design Guide (MHCLG, 2021)

Biodiversity duty: public authority duty to have regard to conserving biodiversity  
(Natural England and DEFRA, 13 October 2014)

### Development Plan

Core Strategy (Adopted 21 February 2012)

- CP5 - Meeting Housing Needs
- CP9 - Transport
- CP10 - Meeting Community Needs
- CP11 - Pollution and Air Quality
- CP12 - Flood Risk
- CP13 - Decentralised Energy Networks
- CP14 - Renewable and Low Carbon Energy
- CP15 - Sustainable Construction
- CP16 - Green Infrastructure, Landscape and Biodiversity
- CP17 - Design and Local Distinctiveness
- CP18 - Infrastructure

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

- AP1 – Design and Location of Development
- C2 – Listed Buildings
- C4 – Historic Parks and Gardens
- E4 – Exeter University Campus
- L7 – Local Sporting Facilities
- T1 – Hierarchy of Modes
- T2 – Accessibility Criteria
- T3 – Encouraging Use of Sustainable Modes
- T9 – Access to Buildings by People with Disabilities
- T10 – Car Parking Standards
- LS1 – Landscape Setting
- EN2 – Contaminated Land
- EN3 – Air and Water Quality
- EN4 – Flood Risk
- EN5 – Noise
- DG1 – Objectives of Urban Design
- DG2 – Energy Conservation
- DG4 – Residential Development
- DG7 – Crime Prevention and Safety

### Other Material Considerations

The Exeter Plan – Outline Draft Plan (September 2022)

S1 – Spatial strategy  
S2 – Liveable Exeter delivery principles  
CE1 – Net zero Exeter  
STC2 – Active and sustainable travel in new developments  
STC3 – Active travel proposals  
NE3 – Biodiversity  
NE4 – Green infrastructure  
D1 – Design principles

Exeter City Council Supplementary Planning Documents:

Sustainable Transport SPD (March 2013)  
Residential Design SPD (September 2010)  
Trees and Development SPD (Sept 2009)  
University of Exeter Streatham Campus Masterplan Framework SPD (December 2010)

Development Related to the University of Exeter SPG (June 2007)  
Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)

### **13.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain individual properties where there may be some adverse impact (e.g. noise) and this will need to be mitigated as recommended through imposing conditions to ensure that there is no undue impact on the home and family life for occupiers. However, any interference with the right to a private and family life and home arising from the scheme as result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme, including transport infrastructure and economic benefits.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **14.0 Public sector equalities duty**

As set out in the Equalities Act 2010, all public bodies in discharging their functions must have “due regard” to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

## **15.0 Financial issues**

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

## **Material considerations**

Job creation during construction

## **Non material considerations**

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site.

This proposal is CIL liable, being Student housing whose occupation is limited by planning permission or planning obligation.

CIL is charged for this development at a rate of £40.00 per sqm plus new index linking.

Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued before the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website.

In this case, there is a new build GIFA of 49,760sqm and 8,847sqm of demolished existing GIFA. The net floor area would, therefore, total 40,913sqm. Based on the indexed rate for 2023 of £63.39 per sqm, this would result in a liability of £2,593,475.07.

The CIL liability above is an estimate only.

## **16.0 Planning assessment**

### **1. Principle of Proposed Development**

Core Strategy paragraph 2.11 states:

*The University is very important to the economy and vitality of the city but the growth of student numbers also places pressure on the local community, particularly in terms of facilities and student accommodation and impact on the housing stock.*

Core Strategy paragraph 6.28 states:

*New purpose built student housing should be located on, or close to, the University Campuses...*

Core Strategy policy CP5 states:

*Purpose built student accommodation should be provided to meet the housing need.*

Core Strategy policy CP10 states:

*Facilities that meet Exeter's community, social, health, welfare, education, spiritual, cultural, leisure and recreation needs will be protected....*

Local Plan First Review Saved Policy E4 states:

*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.*

Local Plan First Review Saved Policy L7 states:

*Development that would result in the loss of sporting facilities which serve a local area will not be permitted if it would harm sports opportunities in the area.*

The University of Exeter SPG seeks:

- the provision of significant increases in purpose-built student residential accommodation (as much as possible)
- space on Streatham campus being reserved to meet any additional requirements for teaching related (non-accommodation) facilities
- the biodiversity of the site being conserved and enhanced
- high density managed accommodation on appropriate sites
- rigidly enforced car free accommodation
- improved sustainable travel
- any further major University developments to make significant advances in sustainable development / construction.

The University of Exeter Streatham Campus Masterplan SPD identifies the application site as follows:

- *Birks/Clydesdale Residences, part of Mardon Park*
- *a residential 'Park Living' area*
- *has potential for development*

Section 8.6.6 states:

- *New residential units are to be provided at Birks; these will form a series of blocks ranging from 4 to 6 storeys*
- *Additional student residences could be created by the consolidation and redevelopment of the cluster of student residences in the Clydesdale area of the Campus. The existing family centre and crèche could be redeveloped to provide a higher density development.*
- *Any new development should ensure that it creates a sense of place, with clear fronts and backs and entrances that overlook the key public spaces.*
- *Any new development should respond carefully to the topography and to views out over the wider landscape.*
- *Landscape & public realm:*
  - *Open up and improve the spatial structure of the woodland.*
  - *Develop and interpret the arboricultural interest at Birks Bank*
  - *Develop 'Japanese garden' at Birks.*



As noted above, the scheme proposes the following development, (Table 2**Error! Reference source not found.**), approved in principle at the Outline stage:

Table 2. Schedule of proposed development

	<b>Ensuite bed</b>	<b>Standard bed</b>	<b>Accessible bed</b>	<b>Ancillary space</b>	<b>Total bed spaces</b>
CB (A1)	144	0	0	Shop, Social and Study Areas, Multi-faith space	144
ST (B1)	149	0	0	Two small bookable study spaces	149
QR (B2)	78	0	1	Small bookable study space, small laundrette	79
AD (C1)	248	96	2	FM Reception, offices, facilities and workshop, large social/study space, flexible bookable spaces, vending, small laundrette, Changing places room, bookable kitchenette	346
LP (C2)	294	112	2	Bookable group study room, central laundrette, social and study areas	408
EF (D1)	163	48	0	Cycle storage, small laundrette	211
JK (D2)	266	0	0	Large plant room at ground floor	266

GH (E1)	58	110	0	Small laundrette, small bookable study spaces, bookable “quiet contemplation” room	168
Birks A-E refurbishment	290	0	0	Faith Space, Study areas and Laundry	290
<b>TOTALS</b>	<b>1,691</b>	<b>366</b>	<b>5</b>		<b>2,061</b>

The principle of the proposed refurbishment, replacement and new student accommodation following demolition at the application site, including the loss of the tennis courts, was established under the outline consent, ref. [20/1684/OUT](#), pertaining to this reserved matters application.

## **2. Impact on Character and Appearance including Landscape**

Local Plan First Review Saved Policy DG1 states: *Development should:*

- (a) be compatible with the urban structure of the city, connecting effectively with existing routes and spaces and putting people before traffic;*
- (b) ensure that the pattern of street blocks, plots and their buildings (the grain of development) promotes the urban character of Exeter;*
- (c) fully integrate landscape design into the proposal and ensure that schemes are integrated into the existing landscape of the city, including its three-dimensional shape, natural features and ecology;*
- (d) be at a density which promotes Exeter's urban character and which supports urban services...*
- (f) be of a height which is appropriate to the surrounding townscape and ensure that the height of constituent part of buildings relate well to adjoining buildings, spaces and to human scale;*
- (g) ensure that the volume and shape (the massing) of structures relates well to the character and appearance of the adjoining buildings and the surrounding townscape;*
- (h) ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape;*
- (i) use materials which relate well to the palette of materials in the locality and which reinforce local distinctiveness.*

Local Plan First Review Saved Policy DG4 states:

*Residential development should:*

- (a) be at the maximum feasible density taking into account site constraints and impact on the local area;*

- (b) ensure a quality of amenity which allows residents to feel at ease within their homes and gardens;*
- (c) ensure that the boundaries of private rear gardens facing public places are designed to make a positive contribution to the townscape;*
- (d) where front gardens are included provide enclosure to create defensible space.*

Local Plan First Review Saved Policy LS1 states:

*Development which would harm the landscape setting of the city will not be permitted. Proposals should maintain local distinctiveness and character and:*

- (a) be reasonably necessary for the purposes of agriculture, forestry, the rural economy, outdoor recreation or the provision of infrastructure; or*
- (b) be concerned with change of use, conversion or extension of existing buildings: Any built development associated with outdoor recreation must be essential to the viability of the proposal unless the recreational activity provides sufficient benefit to outweigh any harm to the character and amenity of the area.*

Core Strategy policy CP16 seeks to protect and enhance green infrastructure.

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity and cultural diversity.

NPPF paragraph 126 states:

*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...*

Outline consent, ref. 20/1684/OUT, approved, among others, the following plans:

- Land Use Parameters Plan (dwg no. 010010 Rev P2);
- Movement and Access Parameter Plan (dwg no. 010011 Rev P2);
- Heights Parameter Plan (dwg no. 010012 Rev P2)

The Council's Urban Design and Landscape Officer has been consulted on this application and originally raised concerns regarding the detailed appearance of the proposed upper storeys and plant in general; the main entrances to the larger blocks; and the southern approach to Block CB.

Following the submission of amended drawings during the course of this application, these concerns have been overcome, subject to recommended conditions.

#### Heights, density and floor areas

In terms of maximum heights, the current proposal accords with the consented Heights Parameter Plan, as shown in Table 3 below.

Table 3. Comparison with outline consent of proposed heights

<b>Block</b>	<b>Max. storeys*</b>	<b>Parameter Plan</b> (metres above sea level/AOD)	<b>Proposed</b> (metres above sea level/AOD)
AD	8	86.700	85.000 + 1.5 = 86.500
EF (upper roof)	9	89.000	86.800 + 1.5 = 88.300
EF (lower roof)		82.500	81.100 (top of plant enclosure)
GH (upper roof)	5	89.000	74.400 + 1.5 = 75.900
GH (lower roof)		76.000	74.400
JK (upper roof)	9	97.000	94.800 + 1.5 = 96.300
JK (lower roof)		94.000	91.950 (top of plant enclosure)
LP (upper roof)	10	96.700	94.800 + 1.5 = 96.300
LP (lower roof)		93.700	91.950 + 1.5 = 93.450
QR (B2)	4	73.000	69.950 + 1.5 = 71.450
ST (upper roof)	4	66.600	64.400 (top of plant enclosure)
ST (lower roof)		61.000	58.700 + 1.5 = 60.200
CB	6	49.400	44.700 + 1.5 = 46.200
Birks	As existing	+ 1m above existing	Varies, but all less than +1m

\* The proposed development has not been controlled via the number of storeys to each building but by the Land Use and Heights Parameter Plans approved at the Outline stage. The storeys are included in this table for information only.

The proposed scheme involves taller, larger buildings, with the greatest density, towards the centre of the eastern segment of the site. The buildings on the east side of this element have greater heights because of the existing buildings further east, on higher ground, which provide context for the scales proposed.

The proposed built form on the western side of this segment, adjacent to the landscaped Pinetum area, which slopes down to the west, would have slightly lower roof heights than the eastern side.

The proposed buildings to the north and south of this eastern segment would be lower in height than the tallest blocks proposed, to provide a transition to the domestic scale of the residential areas beyond the site.

The proposed new building to the south of the western segment would lie at a lower ground level again and have the lowest roof height, in keeping with the existing buildings at Birks Village.

Regarding the GIA (gross internal floor areas), the current proposal accords with the description and condition 15 of permission, [20/1684/OUT](#), which stipulates a maximum of 49,821 sqm, as shown in Table 4 below. The full breakdown per building per floor was confirmed by email dated 20/04/23.

Table 4. Schedule of proposed floor areas

<b>Block</b>	<b>GIA in sqm</b>
CB	4939
ST	4038
QR	2411
AD	10336
LP	10999
EF	5532
JK	7417
GH	4105
<b>TOTALS</b>	<b>49777</b>

The principle of the proposed density was approved at the Outline stage by way of the max. GIA, together with the approved Land Use and Heights Parameter Plans.

While the Illustrative Masterplan and visualisations were not part of the documents approved by the Outline consent, they were reviewed by the Planning Committee to inform that determination. These plans and visualisations have been closely adhered to in the current reserved matters application, and the proposed density conforms with the documents submitted at the outline stage.

As such, the proposed heights, density and areas of the proposed development are acceptable.

#### Scale, massing and materials

Based on indicative plans, the principle of the footprints, scale and massing was permitted at the outline stage. As such, this reserved matters application addresses only the technical details of these elements.

A report by the Landmark Practice dated December 2022 entitled Visualisations has been submitted as part of this application. This contains Accurate Visual Representations or Verified Views, which portray the proposed development as might be seen from agreed viewpoints as follows:

- From Station Road looking north-east

- View from Burrator Drive looking north-east

A Design and Access Statement for the West Park Student Accommodation, ref. EXE-WIA-XX-XX-DO-A-00001 was submitted with this application. This states that the detailed design was informed by a design review by the Exeter Design Quality Partnership (EDQP) on 01/12/22. It also notes that the scheme has been broken down into character areas defined by a specific materials palette to help reduce the appearance of massing and scale.

The 5no. Character Areas proposed are described in the submitted Applicant Response to the Urban Design Officer's Comments, dated 14/04/23, as set out in Table 5 below:

Table 5. Proposed Character Areas

	<b>Character Area</b>	<b>Location</b>	<b>Existing features</b>	<b>Proposed development</b>	<b>Proposed materials palette</b>
1.	Birks Grange Village	West	Lower ground level, separated from rest of site by treed, landscaped area (Pinetum)	Block CB & refurbishment of blocks A-E	<i>Similar visual appearance and material palette to the existing 2008-2010 Birks Grange Village buildings. This does include an attic storey, in dark grey pigmented concrete to match its neighbours.</i>
2.	Nash Grove blocks E & F & Estate Services Centre	South	Lower ground level	Blocks ST & QR	<i>Low rise, (no more than four storeys) with simple brick facades to respond to the sensitive neighbour boundaries. They are constructed in a light red multi textured brick with regular, punched windows and simple, clean detailing to give a smaller scale residential feel to the buildings.</i>
3.	Clydesdale Court/ House & Nash Grove & Tennis Courts	South-east	Higher ground level, slopes down to south, rises to east	Blocks AD & LP	<i>Entrance to site. Taller blocks, with multi red/brown brick to respond to the central campus buildings, such as Northcote House, simple detailing and architectural features.</i>

4.	Clydesdale Rise	North-east	Highest ground level	Blocks JK & EF	<i>Similar in height to AD and LP but use a buff multi brick to reflect the palette of historic Reed Hall, and masonry-effect window surrounds and banding</i>
5.	Clydesdale Rise	North-most corner of eastern segment	Highest ground level	Block GH	<i>Lower height, transitioning to neighbours north of site. Similar design to QR and ST, in terms of material choice and simplicity of detail, and includes angled window bays on northern side</i>

The appearance of the proposed new or refurbished buildings is set out at Table 6 below:

Table 6. Appearance of proposed new/refurbished building/s

CA*	Block	Proposed form	Proposed materials
1.	Birks A-E	<ul style="list-style-type: none"> <li>• Refurbishment of existing building</li> <li>• 3-5 storeys</li> <li>• No ground floor level at eastern ends of bays</li> <li>• No 4<sup>th</sup> floor on western spine except for junctions with 2no. bays</li> <li>• Flat roofs, steps down to west</li> <li>• Solar panels on roofs</li> </ul>	<ul style="list-style-type: none"> <li>• Main façades pale grey multi-brick</li> <li>• Pale grey aluminium windows /doors</li> <li>• Vertical elements (junctions with bays/between blocks &amp; escape stairs) clad with perforated aluminium (patterned for wayfinding)</li> <li>• Soldier brick course at roof / aluminium coping</li> </ul>
	CB	<ul style="list-style-type: none"> <li>• 5-6 storeys (bays on west side 5 storeys only)</li> <li>• U-shaped planform, 2no. 5-storey bays &amp; 1no. ground floor bay, projecting from west elevation</li> <li>• Single storey, ground floor, flat roofed infill bay to west with 4no. rooflights</li> <li>• Flat roofs</li> <li>• Solar panels on main roofs</li> <li>• Ground floor retail unit, multi-faith room &amp; social space</li> <li>• 5no. stairwells</li> <li>• 1no. lift</li> </ul>	<ul style="list-style-type: none"> <li>• Red light multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Grey concrete cladding to attic (5<sup>th</sup> floor) elevations</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR** louvres to match brickwork in colour</li> </ul>

		<ul style="list-style-type: none"> <li>• 6no. student entrances</li> <li>• Service yard on south elevation enclosed by close-boarded timber fencing (amended: reduced in size)</li> </ul>	<ul style="list-style-type: none"> <li>• Grey concrete banding above ground floor &amp; coping at roof level</li> </ul>
2.	QR	<ul style="list-style-type: none"> <li>• 3-4 storeys (4 at northern end)</li> <li>• L-shaped planform</li> <li>• Flat roofs</li> <li>• Solar panels on roofs</li> <li>• Ground floor partially excavated into higher ground levels &amp; retaining wall with balustrade at lower ground levels due to steeply sloping site</li> <li>• 2no. stairwells</li> <li>• 2no. entrances</li> <li>• 1no. lift</li> </ul>	<ul style="list-style-type: none"> <li>• Red light multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR** louvres to match brickwork in colour</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> </ul>
	ST	<ul style="list-style-type: none"> <li>• 3-4 storeys (3 at southern end)</li> <li>• Reverse F-shaped planform</li> <li>• Flat roofs</li> <li>• Solar panels on roofs</li> <li>• 2no. stairwells</li> <li>• 2no. lifts</li> <li>• 2no. entrances</li> </ul>	<ul style="list-style-type: none"> <li>• Red light multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> </ul>
3.	LP	<ul style="list-style-type: none"> <li>• 7-10 storeys</li> <li>• 3no. interlinked blocks with elongated hexagonal planform</li> <li>• Flat roofs covered with solar panels</li> </ul>	<ul style="list-style-type: none"> <li>• Red/brown multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Chocolate Brown aluminium doors/windows</li> </ul>



		<ul style="list-style-type: none"> <li>• Roofs step down to south-east – 3 levels</li> <li>• Lower ground excavated at north-west end</li> <li>• 7no. entrances on ground floor</li> <li>• 2no. entrances on lower ground floor</li> <li>• 4no. stairwells</li> <li>• 4no. lifts</li> </ul>	<ul style="list-style-type: none"> <li>• MVHR louvres to match brickwork in colour</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> </ul>
	AD	<ul style="list-style-type: none"> <li>• 7-8 storeys (7 at south-eastern end)</li> <li>• 3no. interlinked blocks with elongated hexagonal planform</li> <li>• Flat roofs</li> <li>• Solar panels on roofs</li> <li>• 4no. main entrances on link towers (north-west and south-east elevations)</li> <li>• 1no. reception entrance on north-west end of central block</li> <li>• 2no. additional entrances to social spaces on sides of central block (north-east and south-west)</li> <li>• 4no. stairwells</li> <li>• 4no. lifts</li> <li>• Footbridge from higher ground to north leading to balcony at first floor on north-east elevation of central block</li> </ul>	<ul style="list-style-type: none"> <li>• Red/brown multi brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Chocolate Brown aluminium doors/windows</li> <li>• MVHR louvres to match brickwork in colour</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Glass/steel canopy over entrances on south-west elevation of central block</li> <li>• Glass balustrades to first floor balconies on north-east elevations and footbridge to first floor north-east elevation of central block</li> </ul>
4.	EF	<ul style="list-style-type: none"> <li>• 6-9 storeys (9 at south-eastern part)</li> <li>• Steps down to north-west closer to GH</li> <li>• Flat roofs – 2 levels</li> <li>• Solar panels on main roof</li> <li>• 3no. stairwells</li> <li>• 2no. lifts</li> <li>• 2no. main entrances on north-east elevation</li> </ul>	<ul style="list-style-type: none"> <li>• Buff light multi-brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Majority of windows (in main elevations) with concrete light buff surrounds</li> <li>• Moss Grey aluminium doors/windows</li> <li>• Moss grey metal cladding at ground floor of external</li> </ul>

			<ul style="list-style-type: none"> <li>stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> </ul>
	JK	<ul style="list-style-type: none"> <li>• 7-9 storeys (9 at south-eastern part)</li> <li>• F-shape planform with 2no. projecting bays to south-west and dog-leg to north-west end</li> <li>• Flat roofs – 3 levels</li> <li>• Solar panels on main roof</li> <li>• 4no. stairwells</li> <li>• 2no. lifts</li> <li>• 2no. entrances</li> </ul>	<ul style="list-style-type: none"> <li>• Buff light multi-brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Majority of windows (in main elevations) with concrete light buff surrounds</li> <li>• Moss Grey aluminium doors/windows</li> <li>• Moss Grey metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> </ul>
5.	GH	<ul style="list-style-type: none"> <li>• 3-5 storeys</li> <li>• No ground &amp; first floor levels at north-east end</li> <li>• No fifth floor at south-west end</li> <li>• H-shape planform with 2no. projecting bays to north-west &amp; south-east</li> <li>• 8no. angled bays on north-west elevations to prevent overlooking</li> <li>• Flat roofs – 2 levels</li> <li>• Solar panels on all roofs</li> <li>• 6no. stairwells</li> <li>• 2no. lifts</li> <li>• 3no. entrances</li> </ul>	<ul style="list-style-type: none"> <li>• Red/light multi-brick, various textures &amp; bonds to differentiate vertical sections etc</li> <li>• Concrete banding above ground floor &amp; coping at roof level to match brickwork in colour</li> <li>• Anthracite Grey aluminium doors/windows</li> <li>• Chocolate Brown metal cladding at ground floor of external stairwells &amp; perforated mesh at upper storeys</li> <li>• MVHR louvres to match brickwork in colour</li> </ul>

\* Character Area

\*\* Mechanical Ventilation with Heat Recovery (MVHR)

Concerns have been raised by the City Council's Urban Design specialist and the Case Officer regarding the appearance of the proposed larger apartment blocks sited on the higher ground levels to the east of the site, namely EF, JK, AD and LP.

It is acknowledged that the visualisations submitted in the LVIA portray the proposed development as monolithic and homogeneous. However, it must be recognised that the visualisations lack sufficient detail to demonstrate the techniques proposed to provide visual differentiation between the blocks themselves, the projecting bays and the upper storeys.

A range of finishing materials/methods, such as stone-effect concrete and rusticated brickwork, is proposed to emphasise the vertical elements and attic storey differentiation. This would enable the built volumes to be visually broken up more effectively and reduce the appearance of bulk and mass.

It is considered, therefore, that the proposed development is capable of policy compliance concerning visual amenity, subject to conditions detailing the proposed finishing materials.

#### Block CB

Concerns were raised by the Case Officer and Urban Design specialist regarding the proposed service yard and public realm treatment adjacent to Block CB.

The initially proposed service yard would have extended the full width of the south elevation and been enclosed with close-boarded timber fencing. This would have resulted in a poor visual amenity at the gateway to the university campus when approaching from the south-west.

The above concerns also involved the proposed cycle stores east of the proposed building. These would have created a physical and visual barrier to the proposed public amenity space and reduced the usable area.

Amended plans have been submitted, considerably reducing the proposed service yard to the west side of the south elevation and improving the appearance of the south-west approach to the building.

The cycle stores have also been redistributed to the east and north sides of the building.

For these reasons, this element of the application is considered capable of policy compliance concerning visual amenity, subject to conditions detailing the proposed finishing materials.

#### Landscaping

The Outline consent approved the Landscape and Biodiversity Parameter Plan and applied Condition 5. A separate discharge of condition application for the latter is under consideration, ref. [23/0351/DIS](#).

Outline condition 5 states:

*No development shall take place until an Outline Landscape and Ecology Management Plan, to include recommendations, has been submitted to and approved by the Local Planning Authority. The Management Plan shall indicate how the existing biodiversity of the site will be protected, in accordance with all relevant legislation;*  
*how the proposed development and associated works will enhance wildlife in the area; and*  
*how the landscaped area is to be managed to include an ecological clerk of works and shall be submitted to the Local Planning Authority for review on a 24 month basis unless otherwise agreed in writing.*

*Reason: In the interests of nature conservation.*

It is acknowledged that the above condition does not include the implementation of the approved Landscape and Ecology Management Plan (LEMP). As such, it is considered reasonable to add a condition at the reserved matters stage to ensure that the LEMP, once approved, is implemented and maintained after that.

The following documents relating to the proposed landscaping have been submitted to accompany this reserved matters application:

- EXE-TLP-XX-XX-SH-L-90001 Outline Tree Planting Schedule West Park and Birks, dated 14/12/22
- EXE-TLP-XX-XX-SH-L-90003 Outline Planting Schedule West Park and Birks, dated 14/12/22
- EXE-TLP-XX-XX-DR-L-30001 P01 Landscape Planting Strategy West Park, dated 16/12/22
- EXE-TLP-XX-XX-DR-L-30002 P01 Landscape Planting Strategy Birks, dated 16/12/22
- EXE-TLP-XX-XX-DR-L-10007 P02 Landscape Treatments to Walls West Park, dated 16/12/22
- AMENDED EXE-TLP-XX-XX-DR-L-10001 P07 Landscape General Arrangement - West Park, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10002 P04 Landscape General Arrangement - Birks, received 09/05/23
- AMENDED EXE-TLP-XX-XX-DR-L-10004 P03 Landscape General Arrangement - West Park Detailed Area 1 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10005 P04 Landscape General Arrangement - West Park Detailed Area 2 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10006 P04 Landscape General Arrangement - West Park Detailed Area 3 of 3, received 14/04/23
- EXE-TLP-XX-XX-DR-L-90008 Block CB Landscape Sketch V2, received 09/05/23

The documents listed above demonstrate that the proposed development would involve considerable soft landscaping that would contribute to protecting and enhancing green infrastructure. However, further details regarding the quantum of planting and other scheme elements are required.

As such, the proposed landscaping is considered capable of policy compliance concerning visual amenity subject to a detailed landscaping condition.

### **3. Impact on Residential Amenity**

Local Plan First Review Saved Policy EN5 states:

*Noise-generating development will not be permitted if it would be liable to increase adversely the noise experienced by the users of existing or proposed noise-sensitive development nearby.*

Local Plan First Review Saved Policy DG7 states:

*The design of development should aim to achieve a safe and secure environment.*

*Proposals should:*

- (a) ensure pedestrian routes and public spaces are overlooked and subject to natural surveillance;*
- (b) provide enclosure of properties, so that private spaces are well defined and fulfil the role of defensible space;*
- (c) ensure that lighting is located and designed in such a way as to deter and reduce the fear of crime;*
- (d) ensure that schemes for landscape design, including new planting, do not create opportunities for crime and that, where appropriate, species of plants are used to deter criminal or anti- social behaviour;*
- (e) integrate crime prevention measures in an unobtrusive manner, such that the fear of crime is not raised, and that there is no detrimental effect upon townscape and amenity.*

NPPF paragraph 174 e) states:

*Planning .. decisions should contribute to and enhance the natural and local environment by.. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of .. noise pollution...*

NPPF paragraph 185 a) states:

*Planning .. decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions .., as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: ...mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life...*

## Noise pollution

Objections have been received regarding noise resulting from the proposed development.

A Noise Planning Report, by Red Twin Ltd, ref. R1472.1 V1, dated 15/12/22, has been submitted to accompany this application. This states that:

- *The site noise exposure is predominantly due to road traffic on Cowley Bridge Road, people, aircraft, and wildlife.*
- *The background sound is contributed to by distant road traffic believed to be the M5 to the East.*
- *The site is generally quiet and peaceful with occasional noisier events like an aircraft fly over, traffic on-site or maintenance works for example.*
- *The site use is not changing and it has been confirmed that the sounds of students will be managed to avoid undue disturbance to neighbours.*
- *Additional mitigation required involves:*
  - *screening to the ASHPs on the roof of blocks B1 and B2,*
  - *screening for the bin stores, particularly for blocks B1 and C1 to reduce the sound reaching properties on Streatham Drive, and*
  - *passive attenuators to the intake and exhaust of all air handling plant.*

The Council's Environmental Health Officer has been consulted on this application and has raised no concerns regarding the noise impact on the neighbouring amenity subject to implementing the mitigation in the submitted Noise Planning Report.

This consideration is also addressed via Condition 10 of the Outline consent, which states:

*The applicant shall undertake a noise impact assessment for this application, which shall be submitted and approved in writing prior to commencement of the development. This report shall consider the impact of noise from the development on local receptors and shall include noise from plant and equipment as well as noise from deliveries, communal areas, residents and events.*

*If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity.*

*These measures shall be agreed in writing by the LPA and shall be implemented prior to and throughout the occupation of the development.*

*Reason: In the interests of residential amenity.*

Condition 10 is subject to a separate discharge of conditions application, ref. [23/0351/DIS](#), and is currently pending. The Noise Planning Report submitted to accompany application [23/0351/DIS](#) is the same as the above report.

The additional noise mitigation recommended above would have an impact on the visual amenity that the recommended materials condition would address.

A Design & Access Statement – West Park Student Accommodation has been submitted to accompany this application, which notes:

- *The University is committed to ensuring that students behave as good neighbours, and matters relating to behaviour will be outlined in students' tenancy agreements.*
- *The University campus security team (Estate Patrol) will patrol the West Park student residences...*
- *The University Residence Life team has a night patrol team who visit the residential accommodation on a regular basis between the hours of 21:15 – 04:00.*
- *The University also liaises closely with the Police and the council's Environmental Health department*
- *A Student Management Plan will be submitted prior to occupation of the development.*

It is considered reasonable to impose a condition regarding submitting and implementing a Student Management Plan in the interests of the noise impact on residential amenity.

#### Light pollution

Objections have been received regarding light spill from the proposed development. This consideration is addressed via Condition 11 of the Outline consent and is currently pending under a separate application, ref. [23/0351/DIS](#). Therefore, this aspect will not be further assessed here.

#### Neighbouring dwellings

The dwellings most likely to be affected by the proposed development include:

- Homes at the northern ends of Dunvegan Close and Elmbridge Gardens (particularly nos. 22, 23 and 24 Dunvegan Close and nos. 7, 8, 9, 10 and 12 Elmbridge Gardens);
- Dwellings north of Lodge Hill, namely, Hillcot, Hidden House, St Clair and Summer Court;
- Nos. 30 and 32 Streatham Drive;
- Dwellings on Glenthorne Road, including The Cypress House, and nos. 6, 10, and Blocks A, B and C, Hill View Place;
- Dwellings on the northern side of Grafton Road, including nos. 2, 3 and 4 Highcroft Court, High Croft;
- No. 2 Clydesdale Road; and
- Existing student accommodation including Birks Halls Blocks F, G, K, J, H, L, M, N, P and Q.

Representations have been received raising concerns regarding the impact of noise and light pollution on the occupants of Dunvegan Close and Elmbridge Gardens

dwellings and loss of privacy, particularly from the south elevation of the proposed 6-storey Building CB.

Concerning privacy, the council's Residential Design SPD states at paragraph 7.16: *A minimum back-to-back distance of 22 metres is required between habitable room windows.*

Paragraph 7.18 states:

*Where buildings of different storey heights back onto one another, or differences in site levels place buildings of the same storey height higher than those they back onto, privacy distances will need to be increased.*

Paragraph 7.19 states:

*Where the angle of properties backing onto each is 45 degrees or more the separation distance may be reduced to 15m between habitable room windows.*

## BLOCK CB

No window controlled zone to Building CB is shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage.

The south elevation proposed would contain 41no. windows on the first to the fifth floor, generally serving bedrooms.

The separation gap from the proposed south elevation to the northern boundary of the nearest neighbouring dwelling at no.24 Dunvegan Close would be over 56m. The intervening area contains mature trees, which would offer some screening.

It is acknowledged that the proposed building would have six storeys and would be situated on higher ground than the nearest neighbouring dwellings.

However, given the substantial separation gap involved, it is not considered that unacceptable overlooking would result.

## BLOCK ST

A window controlled zone to the south elevation of Building ST is shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage. However, it is recognised that windows are proposed for this elevation to serve kitchen-dining-living rooms and bedrooms on several storeys.

Notwithstanding the above, these windows are proposed to be sited within a series of triangular bays projecting at an approximately 45-degree angle from the principal elevation. As such, the orientation would be to the south-west rather than directly to the south. The separation gap to the southern site boundary would be over 22m.



It is acknowledged that proposed building ST would be relatively tall, with four storeys where these windows would be sited, and on elevated ground compared to the neighbouring dwellings on Dunvegan Close and Elmbridge Gardens. As such, screening provided by existing and proposed vegetation would be limited.

The proposed east elevation of Building ST would face towards the garden and rear (west) elevation of no.32 Streatham Drive. Because of the generous rear garden, the separation gap between the proposed building ST and the existing dwelling would measure approximately 60m.

The proposed development would considerably change the northern outlook from the neighbouring residential properties. However, it is not considered that the change would amount to harm in terms of overbearing impact, loss of light or privacy because of the separation distances involved and the angle of the windows proposed on the southern elevation of Building ST.

Objections were received regarding a proposed new footpath leading to Building ST from the existing access road to the electricity substation rear (east) of no.10 Elmbridge Gardens. This has now been removed from the amended scheme.

#### BIRKS VILLAGE BLOCK A-E

The proposal comprises the refurbishment of an existing building, and the window arrangement proposed in the north elevation is similar to that existing. As such, no unacceptable harm would be considered concerning the neighbouring amenity at the nearest dwellings to the north, namely nos. 6 and 10 Glenthorne Road and The Cypress House.

#### BLOCK GH

There is a window controlled zone to the north elevation of Block GH shown on the drawing Parameter Plan – Heights, Rev.P01, approved at the outline stage. However, it is recognised that windows are proposed for this elevation to serve kitchen-dining-living rooms and bedrooms on several storeys.

Notwithstanding the above, these windows are proposed to be sited within a series of angled bays. The orientation would be predominantly to the west (with 1no. bay orientated north-east) rather than directly to the north.

It is acknowledged that proposed Block GH would be relatively tall, with up to 5 storeys where these windows would be sited, and on elevated ground as compared with the neighbouring dwellings on nos. 2, 3 and 4 Highcroft Court and no.2 Clydesdale Road.

In this case, the separation gap from the proposed window bays in question to the northern site boundary would be approx. 34 to 39m.

The existing mature trees to be retained within the intervening area to the north of Block GH would provide some screening.

By reason of the orientation of the proposed windows in the angled bays projecting from the north-west central elevation of Block GH, together with the separation distances involved, no unacceptable overlooking would be considered to ensue with regard to the neighbouring amenity.

#### Neighbouring student accommodation blocks

##### BLOCK CB

Birks Village Block K lies approx. 9m to the west of proposed Block CB, Block J lies approx. 11m to the north and Block H lies approx. 6.7m to the north-east.

**Birks Village Block K** comprises bedroom windows at first to third floor on its east elevation. However, proposed Block CB contains no windows in the elevations closest to Block K although it would contain windows serving a stairwell in the west facing elevation of the main building. The separation gap would measure approx. 18m.

Given the separation gap involved and the non-habitable nature of the spaces served by the proposed west-facing windows in Block CB, no unacceptable overlooking would be considered to result in relation to occupiers of Block K.

Notwithstanding the above, it is acknowledged that the south-western element of Block CB would give result in some overbearing impact in relation to the occupiers of the east facing bedrooms in the southern half of Block K. This is by reason of:

- The limited separation gap of approx. 9m
- The higher ground level of Block CB as compared with Block K
- The height of the end elevation of the projecting bay of Block CB in the south-west corner
- The blank appearance of the closest proposed façade – while the stairwell would be clad in perforated metal sheeting, which would provide some permeability, this would not be considered sufficient to overcome the appearance of bulk and mass at close proximity to Block K
- No landscaping has been proposed to provide any screening or softening of the visual impact.

However, the nature of a university campus differs from a general residential area in that a higher density of buildings would be expected with a closer proximity. Occupation of student halls of residence is usually term-time only and often for one academic year. Students are generally focussed on academic study and choose

their residence with regard to the proximity of the faculties rather than the outlook of the accommodation itself.

For this reason, the policies set out in the Residential Design SPD have been applied with discretion. It is recognised that the outlook from Block K towards the east would be changed as a result of proposed Block CB and would not be ideal. However, it is the Officer's view but this change would not amount to harm in this case.

It is considered reasonable to add a condition regarding vertical landscaping of the proposed west elevation in question to soften its impact.

**Birks Village Block J** lies at a higher ground level than proposed Block CB and contains windows predominantly serving bedrooms up to 4 storeys in its south elevation.

Block CB would contain 41no. windows in its north elevation from first to fifth floor predominantly serving bedrooms.

The separation gap between proposed Block CB and existing Block J would measure approx. 12m.

This matter has been raised with the applicant as a concern. As a result, the applicant has agreed to submit revised plans to overcome the potential loss of privacy resulting from the original scheme as follows:

- The northern elevation of proposed Block CB would be set back further to the south to increase the separation gap from Block J to the north;
- The internal layout would be amended to reduce the quantum of windows originally proposed for the northern elevation of proposed Block CB;
- A saw tooth elevation would be introduced on the north side of proposed Block CB whereby the windows would be located within angled bays to limit direct intervisibility and increase the sightlines from the windows of Block CB towards Block J;
- The sightlines from the windows in the north elevation of Block CB would be angled to the north-west or north-east rather than directly towards Block J to the north.

The amended drawings are expected to be formally submitted prior to the Planning Committee and an update will be published by way of the Addendum.

The revisions outlined here would be considered sufficient to mitigate the potential loss of privacy for occupants of Block J, subject to a management plan that would set out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy.

This privacy management plan would be required prior to first occupation as set out in recommended Condition no.4 at the end of this report.

For the above reasons, this element of the scheme is considered capable of policy compliance subject to approval of the amended plans and the management plan.

**Birks Village Block H** lies to the north-east of proposed Block CB and by reason of the respective orientation of the two buildings, no unacceptable overlooking would be considered to ensue regarding the existing or future occupiers.

#### Future occupiers

#### BLOCK QR

Following amendments agreed at the outline stage, block QR was re-orientated to align the main (north-west) elevation more closely with the adjacent access road.

However, concerns have been raised by the council's Urban Design specialist regarding the poor relationship between the north-west elevation of this building and the access road under the reserved matters application.

Amendments have been submitted relocating the main building entrance to the front (north-west) elevation, removing the lower ground floor and improving the waymarking for pedestrians through the proposed surface treatments adjacent the building.

As such, the amended scheme is considered capable of policy compliance with regard to the residential amenity of future occupiers, subject to conditions detailing the proposed finishing materials.

#### BLOCKS GH & JK

While the separation gap between proposed blocks GH and JK would measure approx. 7m at the shortest distance, no windows are proposed for the south-east elevation of block GH or the north-west elevation of block JK.

As such, no undue intervisibility would ensue with regard to the future occupiers of those accommodation blocks.

#### BLOCK CB

The proposed bedrooms on the north elevation of Block CB would be overlooked by the bedrooms at neighbouring Birks Block J, which could give rise to loss of privacy.

As noted above, this matter has been raised with the applicant as a concern and the applicant has agreed to submit revised plans as set out previously in the sub-section on the impact of the occupants of Birks Block J.

For the above reasons, this element of the scheme is considered capable of policy compliance subject to approval of the amended plans and the management plan.

## INTERNAL SPACE PROVISION

In terms of the proposed room sizes, the Residential Design SPD states at 9.44 that a single bedroom should have a min. size of 8.4sqm.

The applicant has confirmed by email dated 26/04/23, that all single bedrooms proposed would have an area of 8.7sqm for a standard room and 13sqm for a single bedroom including an ensuite shower room.

As such, this would be considered acceptable.

### Conclusion on residential amenity

Overall, the reserved matters are considered capable of policy compliance with the exception of Block CB. The impact of light pollution on the residential amenity is subject to consideration under a separate application.

## **4. Impact on Heritage**

Local Plan First Review Saved Policy C2 states:

*Development (including changes of use, alterations and extensions) which affects a listed building must have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.*

Local Plan First Review Saved Policy C4 states:

*Redevelopment within, adjacent to, or otherwise likely to affect the setting of, parks and gardens of special or local historic interest will not be permitted if the proposals:*  
*(a) would involve the loss of features considered to form an integral part of the character or appearance of the park and garden; and*  
*(b) would otherwise detract from the enjoyment, layout, design, character, appearance, or setting of the park and garden.*

NPPF paragraph 199 states:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

NPPF paragraph 203 states:

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application....*

The eastern part of the application site lies within the Locally Listed Historic Park and Garden titled Exeter University Campus, which comprises a non-designated heritage asset.

Grade II listed Reed Hall lies beyond the application site to the south-east at approx. 74m from the eastern site boundary. The listed buildings and curtilage would not be considered to be affected by the proposal by reason of the substantial separation gap involved, together with the intervening buildings and mature landscaping.

As noted above, the application under consideration comprises the reserved matters of Outline consent ref. [20/1684/OUT](#). That consent approved the Land Use Parameters Plan and Heights Parameter Plan, together with the principle of the proposed development.

As such, the impact of the scheme on the heritage assets has been considered at the Outline stage and found acceptable in terms of the proposed max. building heights and approx. siting of those buildings within the development area.

The site does not fall within an identified area of Archaeological Importance. However, given that the application is for major development, Condition 13 of the Outline consent has been applied requiring a written scheme of archaeological work prior to commencement.

This has been submitted as part of a separate discharge of conditions application, ref. [23/0351/DIS](#), and is currently under consideration.

For the above reasons, the reserved matters application is considered capable of policy compliance with regard to heritage assets.

## **5. Highways, Access and Parking**

Local Plan First Review Saved Policy T1 states:

*Development should facilitate the most sustainable and environmentally acceptable modes of transport, having regard to the following hierarchy:*

1. *Pedestrians*
2. *People with mobility problems*
3. *Cyclists*
4. *Public transport users*
5. *Servicing traffic*
6. *Taxi users*
7. *Coach borne visitors*

8. *Powered two wheelers*
9. *Car borne shoppers*
10. *Car borne commercial/ business users*
11. *Car borne visitors*
12. *Car borne commuters.*

Local Plan First Review Saved Policy T2 states:

*Residential development should be located within walking distance of a food shop and a primary school and should be accessible by bus or rail to employment, convenience and comparison shopping, secondary and tertiary education, primary and secondary health care, social care and other essential facilities.*

Local Plan First Review Saved Policy T3 states:

*Development should be laid out and linked to existing or proposed developments and facilities in ways that will maximise the use of sustainable modes of transport.*

*Proposals should ensure that:*

- (a) all existing and proposed walking and cycle routes are safeguarded or that alternative reasonably convenient routes are provided;*
- (b) suitable cycle parking provision is provided in accordance with the standards set out in schedule 2;*
- (c) where more than 20 people are employed facilities for showering and changing are provided;*
- (d) full account is taken of the needs of bus operation through and alongside new development by the provision of lay-bys, roads and other associated facilities;*
- (e) where appropriate, pedestrian and cycling links are provided to existing or proposed rail stations;*
- (f) the particular needs of people with disabilities are taken into account.*

Local Plan First Review Saved Policy T9 states:

*Proposals for the development, change of use, alteration or extension of non-domestic buildings, particularly those open to the public, will only be permitted if provision is made for safe and convenient access by people with disabilities.*

Local Plan First Review Saved Policy T10 states at Schedule 3:

*Car free developments may be permitted, in accordance with policy H2.*

Core Strategy policy CP9 encourages transport infrastructure improvements and sustainable transport measures.

NPPF paragraph 8 seeks to minimise waste.

NPPF paragraph 110 promotes sustainable transport modes and seeks safe and suitable access to the site for all users and that any significant impacts on the transport network (in terms of capacity and congestion), or on highway safety, to be cost effectively mitigated to an acceptable degree.

NPPF paragraph 111 states:

*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

County Highways has been consulted on this application and initially raised concerns regarding the proposed cycle parking provision. Following the submission of amended plans, these concerns have been withdrawn.

Environmental Health has been consulted on this application and has no comments with regard to the highways impact of the scheme.

The Exeter Cycling Campaign has been consulted on this application and has concerns regarding the lack of visitor cycle parking; cycle parking too far from accommodation; two-tiered bike storage is not considered best practice; cycle parking should be secure; additional space should be provided within the cycle stores to accommodate non-standard bike forms (5%), an area for cycle maintenance and charging points for e-bikes.

As noted above, the application under consideration comprises the reserved matters for Outline consent ref. [20/1684/OUT](#). That consent approved the Movement and Access Parameter Plan, together with the principle of the proposed development. It also included the following conditions:

- Construction Traffic Management Plan
- Secure cycle parking details
- Details of new Pedestrian Footway adjacent Streatham Drive
- Details of Improvements to Streatham Drive
- Details of private highways works
- Cycle Parking Provision

#### Access, traffic and parking

Access to the application site is via Streatham Drive to the south-east and Access to Birks Halls off New North Road to the west.

A Design & Access Statement – West Park Student Accommodation has been submitted to accompany this application, which notes:

- *The proposal being a car-free scheme, no vehicular impact will arise from the redevelopment, this being re-enforced by the University's campus restrictions which confirm that students are not permitted to bring vehicles to the site.*
- *The scheme is also to operate under the University's Travel Plan, thereby focusing all travel by sustainable modes of transport.*
- *Therefore, whilst student numbers will increase, in-line with the University's development proposals and campus wide masterplan, this will be achieved without an increase in car traffic.*
- *Streatham Drive / Holland Hall*



- *Vehicular access to the retained Holland Hall Car Park and Holland Hall is via a new two-way route provided from Streatham Drive to run in front of Mardon Hall.*
- *The existing parking on Streatham Drive is to be converted to parallel parking bays to ensure that sufficient carriageway width is provided to allow for two-way movement for vehicles.*
- *The Spine*
  - *The central spine of the new West Park Student Village will predominantly be pedestrianised with cycle activity also catered for.*
  - *Service vehicles will be able to access this corridor for maintenance purposes entering and exiting via separate points on Clydesdale Avenue.*
  - *When accessed by vehicles the central avenue will operate on a one-way system with vehicles entering from the south-east and exiting to the north-west.*
  - *Bollards will be provided at either end of the avenue to prevent unauthorised use by non-estate traffic.*
  - *The corridor will be utilised at the start and end of terms to enable student drop-off and pick-up in proximity of their accommodation, with this managed by on-site staff.*
  - *During this period the oneway flow will be reversed to allow managed queuing on Clydesdale Avenue, away from the junction with Streatham Drive.*
- *Clydesdale Avenue west of blocks AD and EF*
  - *Two-way operation maintained albeit non-estate vehicles will be prevented from accessing the central avenue via this route by bollards.*
  - *The existing turning head is to be retained.*
  - *The road past the existing turning facility is to be downgraded*
  - *Traffic calming in proximity to Clydesdale House introduced via chicanes to prioritise pedestrian activity*
  - *A Co-Bike parking area will be located on the prominent pedestrian desire line.*
- *All delivery points have been located away from boundaries with residential neighbours.*
- *Emergency, maintenance and refuse vehicles will be able to access the central spine.*

In terms of the traffic impact of the proposed development, this would be predominantly car free but would result in some intensification of the existing use with some changes proposed to the existing parking arrangements.

The highways impact has been found acceptable at the Outline stage subject to the conditions noted above. These will be assessed under separate discharge of conditions applications.

The Travel Plan referenced above comprises the Sustainable Travel Plan for the Exeter Campuses 2021-2030, which is monitored and reviewed by the university's Environment and Climate Emergency Team (inc. Sustainable Transport).

As such, the reserved matters are considered capable of policy compliance in this regard.

### Accessibility

The submitted Design & Access Statement – West Park Student Accommodation notes:

- *Level access will be provided to the principal entrance of all buildings*
- *Lifts will be provided*
- *5no. wheelchair accessible bedrooms at ground floor level will be provided in the West Park area*
- *All cores will include disabled refuges to the common stairs*
- *The University has adopted, "PAS 6463:2022 - Neurodiversity and the built environment".*

A West Park – Inclusive Design Statement, dated December 2022, has been submitted to accompany this application. This notes that:

- *Where parking is provided in the context of this project, this will be provided as designated disabled parking bays only.*
- *All of these parking bays will also be provided with EV charging points.*
- *Blocks ST, EF, JK and GH, whilst not providing wheelchair accessible accommodation in these blocks, drop off provisions will be made along with designated disabled parking bay next to the main entrance*
- *Wheelchair accessible accommodation is being provided in Blocks QR, AD and LP*
- *One parking bay per wheelchair accessible bedroom will be provided next to the main entrance.*

A Birks Grange – Inclusive Design Statement, dated December 2022, has been submitted to accompany this application. This notes that:

- *Birks Grange will not provide wheelchair accessible accommodation*
- *Drop off provisions will be made, along with 3 designated disabled parking bays*

For the above reasons, it is considered that the proposed development would provide acceptable access for people with disabilities in line with Local Plan policies T3 (f) and T9 and NPPF paragraph 110.

### Cycle parking

For student accommodation, the Sustainable Transport SPD requires:

- 1 cycle parking space per bedroom for the first 10 bedrooms and 1 cycle parking space per 2 bedrooms for the 11<sup>th</sup> bedroom upwards; and

- 1 cycle parking space per 20 bedrooms (minimum 2 spaces) for visitors.

In this case, 2,061no. bedrooms are proposed. Therefore, the following provision would be required:

- 1,036no. cycle parking spaces
- 103no. visitor cycle spaces
- 1,139no. cycle parking spaces in total

The submitted Design & Access Statement – West Park Student Accommodation notes that cycle parking would be provided at a ratio of 1 space per 4 students, which would equate to 515no.

However, amendments have been secured during the course of this planning application in response to Officer concerns. As confirmed in the submitted Applicant Response, dated 14/04/23, the cycle parking provision would equate to 1 space per 2 bedrooms.

This element is addressed by the following conditions to the Outline application:

- Condition 12.  
*No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.  
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.*
- Condition 23.  
*Prior to occupation of the development, details shall be submitted to the Local Planning Authority of cycle parking provision for the development. Development shall not be occupied until such details have been agreed in writing by the Local Planning Authority and Local Highway Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.  
Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 110 of the NPPF.*

As such, it is considered that the proposed development is capable of policy compliance with regard to cycle parking provision, subject to the Outline conditions above.

### Waste and recycling

The submitted Design & Access Statement – West Park Student Accommodation notes:

- *Kitchens will be provided with four compartment recycling bins; separate general refuse bins; and separate food waste caddies*
- *Refuse and recycling will be taken to the secure bin stores by students and deposited in 1100 litre Eurobins.*

- *Waste contractors will collect waste and recycling from the centralised bin stores using 32 tonne vehicles.*
- *Students will be informed of the recycling strategy and waste collection plan in the greeting pack and information posters*

As such, it is considered that the proposed development is capable of policy compliance in terms of waste management.

## **6. Biodiversity**

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017).

Core Strategy policy CP16 seeks to protect and enhance biodiversity.

The Trees and Development SPD seeks to protect wildlife habitats.

NPPF paragraph 174 d) states:

*Planning policies and decisions should contribute to and enhance the natural and local environment by: ...minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...*

NPPF paragraph 180 d) states:

*...opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

A 10% Biodiversity Net Gain (BNG) will become mandatory under the Environment Act 2023 from November 2023.

The principle of the proposed development has been found acceptable at the Outline stage in terms of biodiversity, subject to the following conditions:

- Condition 5  
[See under Section 2 above]
- Condition 6  
*No development shall take place until a Detailed Arboricultural Method Statement in association with the Tree Protection Plan for the demolition and construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall also consider how trees adjacent to the site, including the Pinetum, are to be protected. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant shall proceed in accordance*

*with the measures described in the Arboricultural Method Statement throughout the duration of the works.*

*Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.*

The Outline consent also involved the approved plan: Landscape and Biodiversity Parameter Plan.

### Protected species

The council's Ecology Officer has been consulted on this application and has no objections subject to a condition regarding bat roosts.

This application is accompanied by a Bat Survey Report, dated December 2022, which notes that:

- As roosting bats were identified, a full European Protected Species (EPS) Licence (Bats) will be required before the commencement of works.
- Mitigation will be required including bird and bat boxes, increased planting and avoidance of lighting near roosts.

It is acknowledged that some conditions have been attached to the Outline consent regarding ecology. However, it is considered reasonable to attach further conditions at the reserved matters stage, regarding the specific matter of the licence in respect of bats and the mitigation recommended in the above report.

### Trees

The council's Arboricultural Officer has been consulted on this application and has no objections subject to conditions.

An Arboricultural Constraints Report, dated October 2019, has been submitted with this application, which includes:

- Tree Survey Schedule
- Tree Survey Plan
- Arboricultural Constraints Plan 1 of 2
- Arboricultural Constraints Plan 2 of 2

An Arboricultural Impact Assessment Plan, dated November 2022, has also been submitted with this application, which notes that:

- Most of the trees previously indicated as potentially being retained are now proposed to be removed;
- A number of Cat.B trees would be removed on the east side of Clydesdale Road and replaced;
- T36 is a veteran oak on the west side of the Holland Hall Car Park access road that should be retained;

- Cat.A trees and grassed area between Mardon Hall and proposed Block LP to be protected and retained;
- Cat.A trees adjacent Clydesdale Road to east of proposed Block QR, including tree T50 on north side of road, to be retained and protected;
- Cat.A trees in vicinity of junction between Clydesdale Road and Streatham Drive to be protected from construction traffic and activities;
- Birks Bank Arboretum to be excluded from development work;
- Trees on north-west side of proposed Block QR to be protected and retained;
- Cat.B tree T87 to be protected and retained [Officer note: previously proposed footpath in vicinity of this tree has been removed from the amended plans];
- New sewer to be re-routed to avoid trees T82 and T83;
- Mature magnolia to be removed or translocated if possible [Officer note: permission granted for relocation of mature magnolia tree ref. [22/1724/TPO](#)];
- Mature oak tree, T81, between Birks Blocks A-E and Birks Block J, to be protected;
- Trees in vicinity of proposed footpath along Streatham Drive to be protected.

It is acknowledged that the above condition does not include implementation of the Detailed Arboricultural Method Statement and Tree Protection Plan once approved by the LPA. As such, it is considered reasonable to add a condition at the reserved matters stage to this end.

It is also recognised that the Outline condition pertains to the retention and protection of existing trees, rather than proposed new trees or other planting. Some details of proposed tree and other planting have been submitted to accompany this application and have been assessed under the Landscaping sub-section above.

As noted above, it is considered reasonable to add a condition regarding landscaping in terms of visual amenity. However, a condition is also required to address biodiversity enhancement, as discussed below.

The proposal is considered capable of policy compliance with regard to trees subject to the conditions attached at the Outline stage and recommended here.

### Biodiversity Net Gains

A Biodiversity Net Gain Note, by The Landmark Practice, dated 16/09/22, has been submitted to accompany this application. This states that the proposed development would deliver a net gain of approx.:

- +14% Habitat Units
- +103% Hedgerow Units

Given the above and the submitted documents noted in the sub-section on Landscape in Section 2 of this report, the proposed development is considered capable of policy compliance with regard to biodiversity net gains.

It is considered reasonable to impose conditions in this regard.

## **7. Contaminated Land**

Local Plan First Review Saved Policy EN2 states:

*Where development is proposed on or near a site where there is contamination or good reason to believe that contamination may exist, the developer should carry out a site assessment to establish the nature and extent of the contamination.*

*Development will not be permitted unless, in relation to the specific use for which permission is being sought, practicable and effective measures are to be taken to prevent unacceptable risks to human health or the environment. Remediation measures must ensure that the proposal will not:*

- (a) expose the occupiers of the development and neighbouring land uses to unacceptable risk;*
- (b) threaten the structural integrity of any building built, or to be built, on or adjoining the site;*
- (c) lead to the contamination of any watercourse, water body or aquifer;*
- (d) cause the contamination of adjoining land or allow such contamination to continue.*

*Contamination should be treated on site if possible. Any permission for development will require that the remedial measures agreed with the authority must be completed before the development is occupied.*

This consideration is addressed by Condition 9 of the Outline consent, which is subject to a separate discharge of condition application, currently pending under ref. 23/0495/DIS.

As such, no further assessment of this matter is required at this stage.

## **8. Impact on Air Quality**

Local Plan First Review Saved Policy EN3 states:

*Development that would harm air or water quality will not be permitted unless mitigation measures are possible and are incorporated as part of the proposal.*

Core Strategy policy CP11 states:

*Development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts.*

The principle of the proposed development has been approved at the Outline stage. The scheme is for new and replacement student accommodation on campus at the University of Exeter and would not involve any increase in traffic or parking.

No change of use would be involved and the existing situation would not be adversely affected with regard to air pollution.

In terms of dust or other air pollution arising from the construction phase, this matter is addressed by Condition 7 of the Outline consent, which is subject to a separate discharge of condition application, currently pending under ref. [23/0351/DIS](#).

As such, no further assessment of this matter is required at this stage.

## **9. Flood Risk and Surface Water Management**

Local Plan First Review Saved Policy EN4 states:

*Development will not be permitted if:*

- (a) it would increase the likelihood of flooding*
  - (i) by reducing the capacity of, or increasing flows within, a flood plain, or*
  - (ii) through the discharge of additional surface water, or*
  - (iii) by harming flood defences;*
- (b) it would be at risk itself from flooding;*
- (c) it would require additional public finance for flood defence works;*
- (d) adequate provision is not made for access to watercourses for maintenance;*
- (e) it would threaten features of landscape or wildlife importance by reducing the recharge of local water tables.*

Core Strategy policy CP11 states:

*Development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts.*

Core Strategy policy CP12 seeks to reduce flood risk and promotes Sustainable drainage systems (SuDS).

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change.

Condition 25 of the Outline consent requires the submission of drainage details prior to or as part of the Reserved Matters application. However, this matter is currently subject to a separate discharge of conditions application, ref. 23/0351/DIS, pending determination.

As such, this matter will not be assessed at this stage.

## **10. Sustainable Construction and Energy Conservation**

Exeter City Council declared a Climate Emergency in July 2019 and has endorsed the Net Zero Exeter 2030 Plan (April 2020), by Exeter City Futures Community Interest Company (CIC), a collaboration involving Exeter City Council, Devon County Council, Exeter College, the University of Exeter and the Royal Devon & Exeter NHS Foundation Trust, as well as Global City Futures.



Local Plan First Review Saved Policy DG2 states:

*New development should be laid out and designed to maximise the conservation of energy. Proposals should:*

*(a) retain and refurbish existing buildings on site except where retention is unviable or the buildings are detrimental to the character of the site or would prejudice the best use of land;*

*(b) aim to gain maximum benefit from solar gain;*

*(c) be subject to landscape schemes which provide landform and planting that acts as a shelter for buildings.*

Core Strategy policy CP11 states:

*Development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts.*

Core Strategy policy CP13 states:

*New development (either new build or conversion) with a floorspace of at least 1,000 square metres, or comprising ten or more dwellings, will be required to connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution. Otherwise, it will be necessary to demonstrate that it would not be viable or feasible to do so. Where this is the case, alternative solutions that would result in the same or better carbon reduction must be explored and implemented, unless it can be demonstrated that they would not be viable or feasible.*

Core Strategy policy CP14 states:

*New development (either new build or conversion) with a floorspace of at least 1,000 sq. metres, or comprising ten or more dwellings, will be required to use decentralised and renewable or low carbon energy sources, to cut predicted CO2 emissions by the equivalent of at least 10% over and above those required to meet the building regulations current at the time of building regulations approval, unless it can be demonstrated that it would not be viable or feasible to do so.*

Core Strategy policy CP15 requires sustainable design and construction methods, resilience to climate change, BREEAM Excellence and zero carbon from 2019 onwards.

Core Strategy policy CP17 requires a high standard of sustainable design that is resilient to climate change.

### **Decentralised and renewable or low carbon energy sources**

All of the submitted roof plans indicate solar panels on the proposed roofs.

### **Sustainable design**

A Sustainability Statement by Element 4 Group Ltd, dated 15/12/2022, has been submitted to accompany this application. This notes that:

- *The Proposed Development will be assessed against the WELL Community certification.*
  - *A dedicated WELL pre-assessment workshop has been undertaken and it was concluded that a minimum score of 60 points which equates to a WELL 'Gold' rating is achievable.*
  - *[Officer Note: The International WELL Building Institute (IWBI) has established a set of standards and design methodology for 'creating and certifying spaces that advance human health and well-being' entitled WELL Building Standard™ version 2 (WELL v2™) that has four levels: Bronze, Silver, Gold, Platinum]*
- *The Proposed Development aims to exceed the targets set out in the RIBA 2030 Climate Challenge for upfront and embodied carbon*
- *The UK government is committed to achieving net zero emissions by 2050. The London Energy Transformation Initiative (LETI) was established to support the transition of the UK capital's built environment to net zero carbon. To achieve this, LETI believes that by 2025, 100 percent of new buildings must be designed to deliver net zero carbon. The Proposed Development will seek to reduce its embodied carbon and operational energy intensity to meet and where feasible exceed the LETI targets.*
- *The buildings will comply with Building Regulations Approved Document L2B: Conservation of Fuel and Power in new buildings other than dwellings (Part L2B 2013) incorporating 2016 amendments.*
- *Through Passivhaus, the Proposed Development's average residential Energy Use Intensity (EUI, excluding generation) is 45.4 kWh/m<sup>2</sup> year, well below the Target Emission Rate requirement by the Building Regulations Approved Document Part L2A, 2013 and it is 4.3 times lower than average university residential buildings (Russel Group), without energy generation.*
- *38% of the energy demand, equivalent to 1,012,445 kWh/year will be generated on site across all blocks.*
- *Water-consuming components will have at least 40% improvement in water consumption through BREEAM Wat01.*
- *The scheme will use a dedicated surface water drainage system to capture all rainfall on external paved areas and roof areas with allowance for climate change.*
- *The proposed development would consume four times less energy and produce six times less carbon emissions than what is recommended in CIBSE Guide F (2012) 'Good Practice Halls of Residence building types'.*

The submitted Planning Statement, dated December 2022, notes:

- *Birks Village Block A-E refurbishment*
  - *The EnerPHit standard is used for the Birks Village Block A-E since this comprises a refurbishment rather than a new-build.*
  - *The existing brick walls will be retained and overclad externally to improve the airtightness and thermal performance of the building envelope.*
  - *New high-performance triple-glazed windows will be installed throughout alongside full mechanical ventilation with heat recovery.*

- *The existing pitched roof will be replaced with an insulated flat roof, on which PV panels will be installed.*
- *These will be mounted with as low profile as possible to reduce visual impact and glare.*
- *All this will allow the building to perform at and be certified to the low-energy Passivhaus EnerPHit standard with a heating demand of less than 20kWh/m<sup>2</sup>/year.*
- **West Park New Build**
  - *The new build accommodation will be built to achieve Passivhaus standard.*
  - *Thermal comfort will be achieved by maintaining constant internal temperatures*
  - *A Passivhaus building's superior ventilation system ensures ample fresh air at room temperature and makes for high indoor air quality without introducing cold draughts.*
  - *Triple glazed windows with louvred sunshades will provide excellent daylighting and ventilation with of high level of control.*
  - *The window size and design have been optimised through the computer modelling to ensure that bedrooms will not overheat.*
  - *The new development will be an entirely car-free development, in line with the University's commitment to Zero Carbon.*
  - *Buildings will all be highly insulated and will therefore require very little in the way of heating.*
  - *Buildings will have electric heating and hot water will be provided using highly efficient Air Source Heat Pumps.*
  - *A Constant supply of room temperature fresh filtered air will be supplied year-round, using mechanical ventilation unit with >80% heat recovery (MVHR).*
  - *The design proposals have been tested in the PHPP (Passive House Planning Package modelling) to deliver a 70% reduction in whole life carbon against a baseline case of 2005/6 of 'business as usual'.*
  - *The carbon reductions we will achieve will make these proposals well ahead of the targeted pathway to Zero Carbon by 2030.*

Condition 18 of the Outline consent states:

*The development shall be designed in accordance with Passivhaus Principles. Prior to occupation, or as soon as practicable after occupation, evidence of Passivhaus certification shall be submitted to and approved in writing by the local planning authority.*

*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.*

### **Construction waste**

The matter of waste arising from excavation, demolition and construction is addressed by Condition 20 of the Outline application and is subject to a separate discharge of condition application, ref. [23/0351/DIS](#), currently pending.

For the above reasons, it is considered that the proposed development is capable of policy compliance with regard to sustainable construction and energy conservation subject to the conditions attached to the Outline consent.

## **11. Impact on Economy**

Core Strategy policy CP18 states:

*...Developer contributions will be sought to ensure that the necessary physical, social, economic and green infrastructure is in place to deliver development. Contributions will be used to mitigate the adverse impacts of development (including any cumulative impact). Where appropriate, contributions will be used to facilitate the infrastructure needed to support sustainable development.*

This development is CIL liable, as set out in Section 15.0 Financial issues above.

By reason that the principle of the proposed development was found acceptable at the Outline stage, no further assessment of the scheme is required in terms of the above matter at this stage.

## **12. Other issues**

### **Fire Safety**

The Fire safety and high-rise residential buildings PPG notes:

- In the case of 'relevant buildings':
  - the developer is required to submit a fire statement setting out fire safety considerations specific to the development with a relevant application for planning permission for development which involves one or more relevant buildings, and
  - the Health and Safety Executive is a statutory consultee for relevant planning applications
- Relevant buildings are defined as those which:
  - contain two or more dwellings or educational accommodation and
  - meet the height condition of 18m or more in height, or 7 or more storeys [as measured to the floor level of the top storey not to the roof]

A Fire Statement Form, dated 16/12/2022, and Fire Service Site Plan, have been submitted to accompany this application.

Both the Health and Safety Executive (HSE) and Devon & Somerset Fire & Rescue Service have been consulted on this application and have raised no objections.

As such, the scheme is considered acceptable in planning terms with regard to fire safety.

## Wind Microclimate

Local Plan First Review Saved Policy AP1 states:

*Development should be designed and located to raise the quality of the urban and natural environment...*

The NPPF is silent on this issue.

A Wind Microclimate Assessment by Flosolve has been submitted to accompany this application. This notes:

- *The proposed Exeter University development constitutes a significant increase in the overall massing at the site*
- *The proposed development is taller than the surrounding buildings and on a hill*
- *However, due to the extensive tree cover on and around the site, the development is not exposed to the prevailing south, south westerly, and north westerly winds*
- *It is therefore not at significant risk of downdraft/downwash or flow channelling between the proposed buildings*
- *With regards to pedestrian safety:*
  - *All areas within the proposed site are safe throughout the year except for a small area to the northeast*
  - *Here, the wind conditions are not worsened by the development and as such, no mitigation is required*
- *With regards to pedestrian comfort:*
  - *All areas within the proposed site experience wind speeds that achieve their target pedestrian comfort category*

For the above reasons, the proposal is considered acceptable with regard to the impact of the development on the wind microclimate.

## Community Engagement

NPPF paragraphs 40 and 126 encourage community engagement by applicants, particularly prior to submitting an application.

The Consultation and Pre-Decision Matters PPG states that:

- *Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in article 15 of the Development Management Procedure Order (as amended)...*
- *The time period for making comments will be ... not less than 21 days...*
- *Local planning authorities may, at their discretion, take into account comments that are made after the closing date (but have no obligation to do so).*

A number of representations have been received raising concerns that the applicant's community engagement was poor or inadequate.

A Statement of Community Involvement by CarneySweeney, dated December 2022, has been submitted to accompany this application, which sets out the public consultation undertaken in respect of this application.

Notwithstanding the community engagement undertaken by the applicants, the council undertook its own public consultation in respect of this application, which involved letters to neighbours and the display of site notices.

The public consultation was open for more than 21 days and the Case Officer has taken into consideration any representations submitted after the closing date, up until the time of writing (04/05/23).

This report sets out the Case Officer's assessment of the material considerations including the representations received during the public consultation.

The Officer's recommendation will be considered by the Planning Committee who will determine the application in line with due process and in a democratic manner.

## **17.0 Conclusion**

NPPF paragraph 11 states:

*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means: c) approving development proposals that accord with an up-to-date development plan without delay.*

It is acknowledged that 16 no. letters of objection have been received regarding this application. However, the application comprises the reserved matters pertaining to outline consent ref. [20/1684/OUT](#), granted in 2021 following a resolution at Planning Committee. The outline consent approved the proposed development in principle. Also, it approved the scheme's heights and maximum floor areas based on the indicative layout and verified views. The conditions attached to the outline consent also address much of the technical detail.

Officers believe Block CB requires further detailed design work to overcome issues concerning the overbearing impact and loss of privacy. As such, this element is recommended for refusal through the recommended conditions.

Notwithstanding the above, it is considered that the remainder of the reserved matters are capable of policy compliance subject to additional conditions relating to visual amenity, residential amenity and biodiversity.

As such, this application is recommended for approval, except for Block CB, in line with NPPF paragraph 11 c).

## 18.0 Recommendation

GRANT PERMISSION with the following conditions:

### 1) PLANS

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 follows:

- SITE LOCATION PLAN, EXE-WIA-ZZ-ZZ-DR-A-00001, Rev.P01
- EXISTING SITE PLAN - LEVELS & DEMOLITION, EXE-WIA-ZZ-ZZ-DR-A-00020, Rev.P01
- PROPOSED SITE PLAN, EXE-WIA-ZZ-ZZ-DR-A-00100, Rev.P04
- PROPOSED SITE PLAN - BUILDINGS HEIGHT PARAMETERS - CONFORMITY, EXE-WIA-ZZ-ZZ-DR-A-00102, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 1 & 4, EXE-WIA-ZZ-ZZ-DR-A-00040, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 2, EXE-WIA-ZZ-ZZ-DR-A-00041, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 3, EXE-WIA-ZZ-ZZ-DR-A-00042, Rev.P01
- SITE SECTIONAL ELEVATIONS EXISTING & PROPOSED 5, EXE-WIA-ZZ-ZZ-DR-A-00043, Rev.P01
- BLOCK CB - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-CB-GF-DR-A-00200, Rev.P03
- BLOCK CB - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-CB-01-DR-A-00201, Rev.P02
- BLOCK CB - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-CB-02-DR-A-00202, Rev.P01
- BLOCK CB - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-CB-03-DR-A-00203, Rev.P01
- BLOCK CB - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-CB-04-DR-A-00204, Rev.P01
- BLOCK CB - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-CB-05-DR-A-00205, Rev.P01
- BLOCK CB - GA PLAN - ROOF PLAN, EXE-WIA-CB-RF-DR-A-00206, Rev.P01
- BLOCK CB - GA ELEVATIONS - EAST & WEST, EXE-WIA-CB-ZZ-DR-A-00300, Rev.P02
- BLOCK CB - GA ELEVATIONS - NORTH & SOUTH, EXE-WIA-CB-ZZ-DR-A-00301, Rev.P02
- BLOCK CB - GA SECTIONS, EXE-WIA-CB-ZZ-DR-A-00400, Rev.P02
- BLOCK ST - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-ST-GF-DR-A-00200, Rev.P01

- BLOCK ST - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-ST-01-DR-A-00201, Rev.P01
- BLOCK ST - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-ST-02-DR-A-00202, Rev.P01
- BLOCK ST - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-ST-03-DR-A-00203, Rev.P01
- BLOCK ST - GA PLAN - ROOF PLAN, EXE-WIA-ST-RF-DR-A-00204, Rev.P01
- BLOCK ST - GA ELEVATIONS - NORTH & SOUTH, EXE-WIA-ST-ZZ-DR-A-00300, Rev.P01
- BLOCK ST - GA ELEVATIONS - EAST & WEST, EXE-WIA-ST-ZZ-DR-A-00301, Rev.P01
- BLOCK ST - GA SECTIONS, EXE-WIA-ST-ZZ-DR-A-00400, Rev.P01
- BLOCK QR - GA PLAN - LOWER GROUND FLOOR PLAN, EXE-WIA-QR-LG-DR-A-00200, Rev.P01
- BLOCK QR - GA PLAN - GROUND FLOOR PLAN, EXE - WIA-QR-GF-DR-A-00200, Rev.P02
- BLOCK QR - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-QR-GF-DR-A-00201, Rev.P01
- BLOCK QR - GA PLAN - FIRST FLOOR PLAN, EXE -WIA-QR-01-DR-A-00201, Rev.P02
- BLOCK QR - GA PLAN - UPPER GROUND FLOOR PLAN, EXE-WIA-QR-UG-DR-A-00202, Rev.P01
- BLOCK QR - GA PLAN - SECOND FLOOR PLAN, EXE - WIA-QR-02-DR-A-00202, Rev.P02
- BLOCK QR - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-QR-01-DR-A-00203, Rev.P01
- BLOCK QR - GA PLAN - THIRD FLOOR PLAN, EXE -WIA-QR-03-DR-A-00203, Rev.P02
- BLOCK QR - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-QR-02-DR-A-00204, Rev.P01
- BLOCK QR - GA PLAN - ROOF PLAN, EXE -WIA-QR-RF-DR-A-00204, Rev.P02
- BLOCK QR - GA PLAN - ROOF PLAN, EXE-WIA-QR-RF-DR-A-00205, Rev.P01
- BLOCK QR - GA ELEVATIONS - SOUTH WEST & NORTH EAST, EXE-WIA-QR-ZZ-DR-A-00300, Rev.P02
- BLOCK QR - GA ELEVATIONS - SOUTH EAST & NORTH WEST, EXE-WIA-QR-ZZ-DR-A-00301, Rev.P02
- BLOCK QR - GA SECTIONS, EXE-WIA-QR-ZZ-DR-A-00400, Rev.P02
- BLOCK AD - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-AD-GF-DR-A-00200, Rev.P01
- BLOCK AD - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-AD-01-DR-A-00201, Rev.P01
- BLOCK AD - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-AD-02-DR-A-00202, Rev.P01
- BLOCK AD - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-AD-03-DR-A-00203, Rev.P01
- BLOCK AD - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-AD-04-DR-A-00204, Rev.P01
- BLOCK AD - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-AD-05-DR-A-00205, Rev.P01



- BLOCK AD - GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-AD-06-DR-A-00206, Rev.P01
- BLOCK AD - GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-AD-07-DR-A-00207, Rev.P01
- BLOCK AD - GA PLAN - ROOF PLAN, EXE-WIA-AD-RF-DR-A-00208, Rev.P01
- BLOCK AD - GA ELEVATIONS - NORTH EAST, SOUTH EAST & NORTH WEST, EXE-WIA-AD-ZZ-DR-A-00300, Rev.P01
- BLOCK AD - GA ELEVATIONS - SOUTH WEST, EXE-WIA-AD-ZZ-DR-A-00301, Rev.P01
- BLOCK AD - GA SECTIONS, EXE-WIA-AD-ZZ-DR-A-00400, Rev.P01
- BLOCK LP - GA PLAN - LOWER GROUND & GROUND FLOOR PLAN, EXE-WIA-LP-ZZ-DR-A-00200, Rev.P01
- BLOCK LP - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-LP-01-DR-A-00201, Rev.P01
- BLOCK LP - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-LP-02-DR-A-00202, Rev.P01
- BLOCK LP - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-LP-03-DR-A-00203, Rev.P01
- BLOCK LP - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-LP-04-DR-A-00204, Rev.P01
- BLOCK LP - GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-LP-05-DR-A-00205, Rev.P01
- BLOCK LP - GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-LP-06-DR-A-00206, Rev.P01
- BLOCK LP - GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-LP-07-DR-A-00207, Rev.P01
- BLOCK LP - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-LP-08-DR-A-00208, Rev.P01
- BLOCK LP - GA PLAN - ROOF PLAN, EXE-WIA-LP-RF-DR-A-00209, Rev.P01
- BLOCK LP - GA ELEVATIONS - NORTH EAST, SOUTH EAST & NORTH WEST, EXE-WIA-LP-ZZ-DR-A-00300, Rev.P01
- BLOCK LP - GA ELEVATIONS - SOUTH WEST, EXE-WIA-LP-ZZ-DR-A-00301, Rev.P01
- BLOCK LP - GA SECTIONS, EXE-WIA-LP-ZZ-DR-A-00400, Rev.P01
- BLOCK EF - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-EF-GF-DR-A-00200, Rev.P02
- BLOCK EF - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-EF-01-DR-A-00201, Rev.P02
- BLOCK EF - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-EF-02-DR-A-00202, Rev.P02
- BLOCK EF - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-EF-03-DR-A-00203, Rev.P02
- BLOCK EF - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-EF-04-DR-A-00204, Rev.P02

- BLOCK EF- GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-EF-05-DR-A-00205, Rev.P02
- BLOCK EF- GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-EF-06-DR-A-00206, Rev.P02
- BLOCK EF- GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-EF-07-DR-A-00207, Rev.P02
- BLOCK EF - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-EF-08-DR-A-00208, Rev.P02
- BLOCK EF- GA PLAN - ROOF PLAN, EXE-WIA-EF-RF-DR-A-00209, Rev.P02
- BLOCK EF- GA ELEVATIONS - NORTH EAST, EXE-WIA-EF-ZZ-DR-A-00300, Rev.P02
- BLOCK EF - GA ELEVATIONS - SOUTH WEST, EXE-WIA-EF-ZZ-DR-A-00301, Rev.P01
- BLOCK EF - GA ELEVATIONS - NORTH WEST & SOUTH EAST, EXE-WIA-EF-ZZ-DR-A-00302, Rev.P02
- BLOCK EF - GA SECTIONS - SECTION A-A, EXE-WIA-EF-ZZ-DR-A-00400, Rev.P01
- BLOCK EF - GA SECTIONS - SECTION B-B, EXE-WIA-EF-ZZ-DR-A-00401, Rev.P01
- BLOCK JK - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-JK-GF-DR-A-00200, Rev.P01
- BLOCK JK- GA PLAN - FIRST FLOOR PLAN, EXE-WIA-JK-01-DR-A-00201, Rev.P01
- BLOCK JK - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-JK-02-DR-A-00202, Rev.P01
- BLOCK JK - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-JK-03-DR-A-00203, Rev.P01
- BLOCK JK - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-JK-04-DR-A-00204, Rev.P01
- BLOCK JK- GA PLAN - FIFTH FLOOR PLAN, EXE-WIA-JK-05-DR-A-00205, Rev.P01
- BLOCK JK- GA PLAN - SIXTH FLOOR PLAN, EXE-WIA-JK-06-DR-A-00206, Rev.P01
- BLOCK JK- GA PLAN - SEVENTH FLOOR PLAN, EXE-WIA-JK-07-DR-A-00207, Rev.P02
- BLOCK JK - GA PLAN - EIGHTH FLOOR PLAN, EXE-WIA-JK-08-DR-A-00208, Rev.P02
- BLOCK JK- GA PLAN - ROOF PLAN, EXE-WIA-JK-RF-DR-A-00209, Rev.P02
- BLOCK JK- GA ELEVATIONS - NORTH EAST, EXE-WIA-JK-ZZ-DR-A-00300, Rev.P02
- BLOCK JK - GA ELEVATIONS - SOUTH WEST, EXE-WIA-JK-ZZ-DR-A-00301, Rev.P02
- BLOCK JK - GA ELEVATIONS - SOUTH EAST, EXE-WIA-JK-ZZ-DR-A-00302, Rev.P02

- BLOCK JK - GA ELEVATIONS - NORTH WEST, EXE-WIA-JK-ZZ-DR-A-00303, Rev.P02
- BLOCK JK - GA SECTIONS - SECTION A-A, EXE-WIA-JK-ZZ-DR-A-00400, Rev.P02
- BLOCK JK- GA SECTIONS - SECTION B-B, EXE-WIA-JK-ZZ-DR-A-00401, Rev.P01
- BLOCK GH - GA PLAN - GROUND FLOOR PLAN, EXE-WIA-GH-GF-DR-A-00200, Rev.P01
- BLOCK GH - GA PLAN - FIRST FLOOR PLAN, EXE-WIA-GH-01-DR-A-00201, Rev.P01
- BLOCK GH - GA PLAN - SECOND FLOOR PLAN, EXE-WIA-GH-02-DR-A-00202, Rev.P01
- BLOCK GH - GA PLAN - THIRD FLOOR PLAN, EXE-WIA-GH-03-DR-A-00203, Rev.P01
- BLOCK GH - GA PLAN - FOURTH FLOOR PLAN, EXE-WIA-GH-04-DR-A-00204, Rev.P01
- BLOCK GH - GA PLAN - ROOF PLAN, EXE-WIA-GH-RF-DR-A-00205, Rev.P01
- BLOCK GH - GA ELEVATIONS - NORTH EAST & SOUTH WEST, EXE-WIA-GH-ZZ-DR-A-00300, Rev.P01
- BLOCK GH - GA ELEVATIONS - NORTH WEST & SOUTH EAST, EXE-WIA-GH-ZZ-DR-A-00301, Rev.P01
- BLOCK GH - GA SECTIONS, EXE-WIA-GH-ZZ-DR-A-00400, Rev.P01

as modified by other conditions of this consent.

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

## 2) MATERIALS

Prior to commencement of above ground works pertaining to any building hereby permitted, not including demolition, details of the materials and finishes to be used in the construction of the external surfaces, windows and doors of that building, shall be submitted to and approved in writing by the Local Planning Authority, and shall include:

- a) detailed elevational drawings of the upper storeys demonstrating the composition of those façades;
- b) the details and appearance of the noise mitigation measures listed in Condition 5;
- c) the details and appearance of the means of enclosure to the service/delivery area adjacent to Block CB including constructional details / specification / sample materials;
- d) the details and appearance of the plant enclosures and lift over-run elements at roof level including constructional details / specification / sample materials.

Development shall be carried out in accordance with the approved details.

**Reason:** In the interests of visual amenity and character of the area.

## 3) NOISE MITIGATION

Prior to first use of each building hereby permitted, the noise mitigation measures set out in the Noise Planning Report, by Red Twin Ltd, ref. R1472.1 V1, dated 15/12/22, shall be implemented in full, including:

- e) screening to the ASHPs on the roof of blocks B1 and B2,
- f) screening for the bin stores, particularly for blocks B1 and C1 to reduce the sound reaching properties on Streatham Drive, and
- g) passive attenuators to the intake and exhaust of all air handling plant

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

#### **4) STUDENT PRIVACY MANAGEMENT PLAN**

The submitted privacy management plan dated XXX, ref. XXX, that sets out how the University would manage any privacy issues in the event that a complaint is made by an occupant regarding overlooking and privacy, shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of the residential amenity of neighbouring and future occupiers.

#### **5) BAT PROTECTION**

The demolition of buildings identified as supporting bat roosts shall not in any circumstances commence unless:

- a) under a bat license issued by Natural England; or
- b) either a statement in writing from Natural England is provided to the LPA detailing that a license is not required, or a Technical Note is submitted and approved by the LPA which details why a bat license is no longer considered necessary.

Unless otherwise agreed with Natural England, the bat license will include the relevant mitigation provided in the submitted report, Bat Survey Report, ref. 1631-BSR-SE, dated 08/12/2022

**Reason:** To safeguard the ecological interest of the site and ensure compliance with Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 and the NPPF.

#### **6) BAT/BIRD MITIGATION**

Prior to first occupation of the development hereby permitted, the mitigation measures identified in the submitted report, Bat Survey Report, ref. 1631-BSR-SE, dated 08/12/2022, shall be implemented in full and maintained thereafter, to include as a minimum:

- a) Pipistrelle species: Integrated bat boxes to be installed at a rate of 1:1 per roost lost;
- b) Brown long-eared: A roost within a roof void or standalone structure will need to be provided. The void height should be approximately 2.5m with a length and width of approximately 4x3m. The standalone structure should be a height of approximately 4m with a length and width of approximately 4x5m.
- c) Two additional integrated bat boxes per building should be installed within the fabric of the new buildings
- d) Four integrated bird boxes should be installed per building

e) Species-rich native planting around the roosts creating strong linear features to maintain connectivity across the site.

f) No lighting directed on the compensatory roost entrances

**Reason:** To safeguard the ecological interest of the site and ensure compliance with Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 and the NPPF.

## 7) LEMP IMPLEMENTATION

The development hereby permitted shall be implemented in accordance with the Detailed Arboricultural Method Statement and Tree Protection Plan as set out in Condition no.6 of the outline permission ref. 20/1684/OUT once approved by the Local Planning Authority.

**Reason:** In the interests of nature conservation.

## 8) TREE PROTECTION IMPLEMENTATION

The development hereby permitted shall be implemented in accordance with the Landscape and Ecology Management Plan as set out in Condition no.5 of the outline permission ref. [20/1684/OUT](#) once it has been approved by the Local Planning Authority.

**Reason:** To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

## 9) LANDSCAPING DETAILS

No building hereby permitted shall be occupied until a detailed scheme for landscaping has been submitted to and approved by the Local Planning Authority to include:

- a) Details of the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences;
- b) Vertical landscaping measures to soften the visual impact of proposed Block CB in respect of the occupants of Block K to the west;
- c) Specification of materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required;
- d) The measures to deliver biodiversity net gains as set out in the submitted Biodiversity Net Gain Note, by The Landmark Practice, dated 16/09/22;
- e) The scheme shall be broadly in line with:
  - EXE-TLP-XX-XX-SH-L-90001 Outline Tree Planting Schedule West Park and Birks, dated 14/12/22
  - EXE-TLP-XX-XX-SH-L-90003 Outline Planting Schedule West Park and Birks, dated 14/12/22
  - EXE-TLP-XX-XX-DR-L-30001 P01 Landscape Planting Strategy West Park, dated 16/12/22
  - EXE-TLP-XX-XX-DR-L-30002 P01 Landscape Planting Strategy Birks, dated 16/12/22
  - EXE-TLP-XX-XX-DR-L-10007 P02 Landscape Treatments to Walls West Park, dated 16/12/22

- AMENDED EXE-TLP-XX-XX-DR-L-10001 P07 Landscape General Arrangement - West Park, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10002 P04 Landscape General Arrangement - Birks, received 09/05/23
- AMENDED EXE-TLP-XX-XX-DR-L-10004 P03 Landscape General Arrangement - West Park Detailed Area 1 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10005 P04 Landscape General Arrangement - West Park Detailed Area 2 of 3, received 14/04/23
- AMENDED EXE-TLP-XX-XX-DR-L-10006 P04 Landscape General Arrangement - West Park Detailed Area 3 of 3, received 14/04/23
- EXE-TLP-XX-XX-DR-L-90008 Block CB Landscape Sketch V2, received 09/05/23.

The landscaping shall thereafter be implemented in accordance with the approved scheme in the first planting season after commencement of the development unless agreed otherwise in writing by the Local Planning Authority, and shall be maintained for a period of 5 years. Such maintenance shall include the replacement of any trees and shrubs that die.

**Reason:** In the interests of visual and residential amenity and biodiversity.

#### **10) SOLAR PANELS**

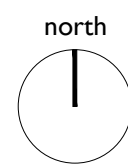
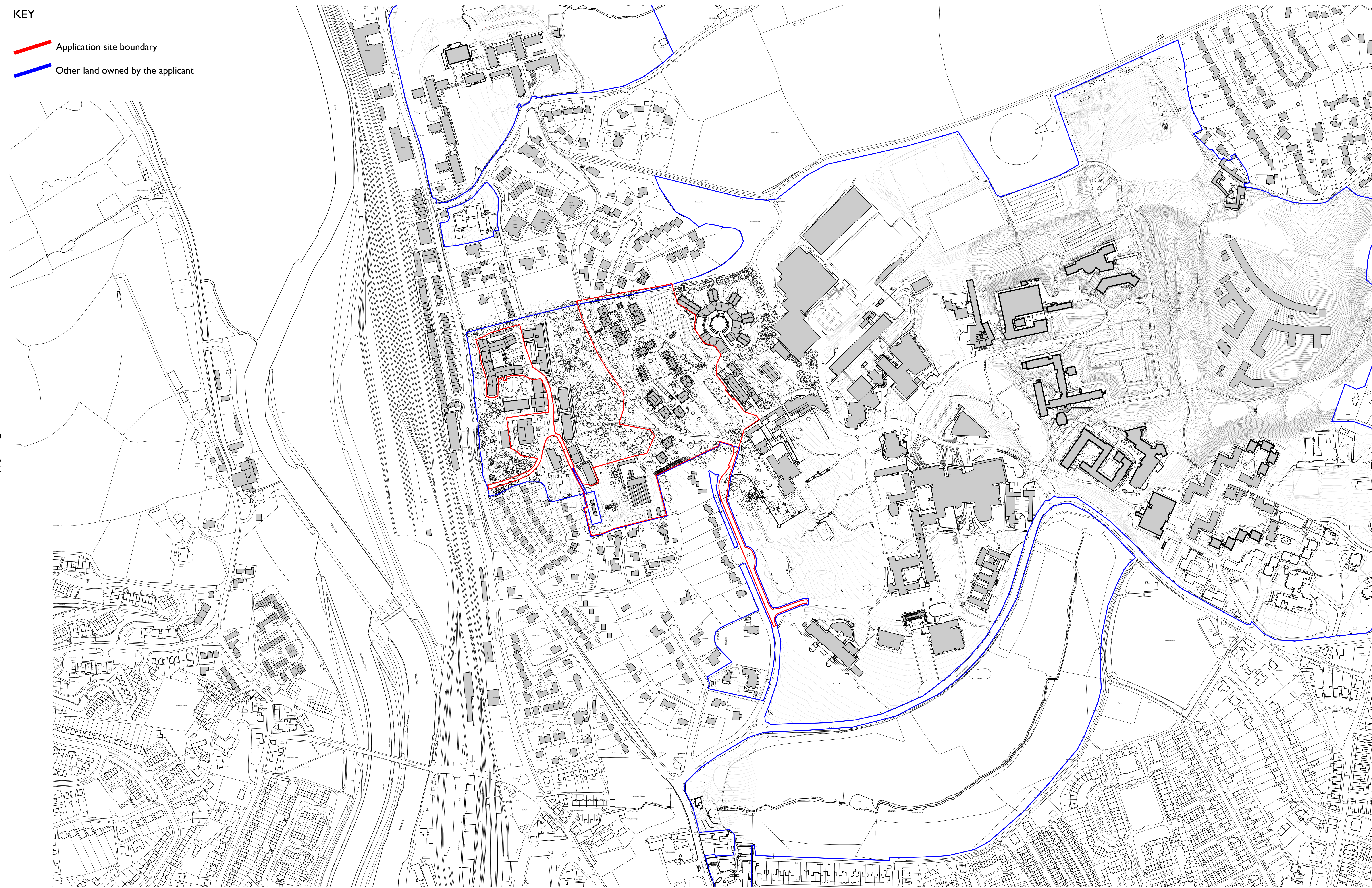
No building hereby permitted shall be occupied until the solar panels have been implemented in accordance with the approved plans.

**Reason:** In the interests of renewable energy sources and the Climate Emergency.



KEY

- Application site boundary
- Other land owned by the applicant





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## Planning Committee Report – 23/0321/FUL

### 1.0 Application Information

<b>Number:</b>	23/0321/FUL
<b>Applicant:</b>	University of Exeter
<b>Proposal:</b>	The erection of a fixed ground mounted Solar Photovoltaic array with an expected capacity of no less than 1.07MWp of generating capacity, a transformer substation, cable run, associated access, fencing, biodiversity measures and ancillary works.
<b>Site Address:</b>	Land On The West Side Of Belle Vue Road Exeter
<b>Registration Date:</b>	6 <sup>th</sup> April 2023
<b>Link to Application:</b>	<a href="https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=RR5RJSBHM9A00">https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=RR5RJSBHM9A00</a>
<b>Ward Member(s):</b>	Cllrs Mitchell, Mitchell and Pearce.

**Reason Application is going to Committee:** Requested by Members at Delegation Briefing.

### 2.0 Summary of recommendation

APPROVE subject to conditions.

### 3.0 Reason for the recommendation:

The harms identified through landscape impact on the setting of the city and the rural character and appearance of the Duryard Valley Park mean that the scheme conflicts with policy L1 and LS1 of the Exeter Local Plan 1<sup>st</sup> Review.

However very substantial weight is given to the benefits of the scheme in terms of renewable energy generation, and hence it is considered that it does comply with policy EN6.

On balance it is therefore concluded that the benefits of the scheme in terms of renewable energy generation outweigh the visual and landscape harm and harm to the Duryard Valley Park, and the proposal is therefore considered to be in conformity with the development plan taken as a whole.

### 4.0 Table of key planning issues

Issue	Conclusion
Principle of development	<p>Policies L1 and LS1 of the Local Plan 1<sup>st</sup> Review and policy CP16 of the Core Strategy protect the valley park site from development other than in connection with the open spaces use of the site. Policy EN6 of the Local Plan allows renewable energy development where the Landscape impact are considered to be outweighed by the benefits of the development.</p> <p>The principle of development is only acceptable therefore if the benefits are considered to outweigh the landscape harm, and all other harms.</p>
Scale, design, impact on character and appearance	<p>The scale of development and the design, with low angled panels on the upper parts of the site and short runs of panels arranged around the contours of the hill, is considered to make good use of the site extent whilst reducing its potential visual impact and glare. The design of means of enclosure and provision of landscaping enhancement can be secured by condition.</p>
Impact on residential amenity	<p>The Noise Assessment concludes that the development is not likely to harm amenity of local residents through noise, which can be conditioned to be part of any consent.</p> <p>Whilst the array will be directly visible from a small number of dwellings and will result in visual prominence and some reflective glare, the magnitude of these harms are not considered to be such the magnitude of these impacts are not considered to be such to result in unacceptable of loss of residential amenity.</p>
Access	<p>There are no highways impact concerns.</p>

	<p>The proposals include permissive access to the lower part of the field containing the proposed solar array.</p> <p>The construction access route is considered to be the least harmful to landscape and tree planting available through the University estate. A condition can require reinstatement of the access track to greenfield or to more rural character for maintenance access purposes once no longer required for construction can be required by condition.</p>
Wildlife, Ecology and Biodiversity	<p>The site is a County Wildlife Site and is designated as Site of Nature Conservation Importance. Policies LS4 of the Local Plan 1<sup>st</sup> Review guides that development that harms such a site would only be permitted if the need for the development outweighs the harm, the extent of damage is kept to a minimum and appropriate mitigation and compensatory measure are implemented.</p> <p>The comments of the Ecology and Biodiversity Officer, including in relation to the objection form the Devon Wildlife trust are noted.</p> <p>Provided the mitigation measures set out in the Ecological Impact Assessment are secured by condition, with the changes to the landscape and ecological mitigation identified, the proposals are considered to accord with the aims of Policy LS4.</p>
Impact on landscape	<p>The development is considered harmful to the landscape quality and character of this part of the Duryard Valley Park through an urbanising impact.</p>

	<p>As such the development is contrary to Policies L1 and LS1 of the Local Plan and policy CP16 of the Core Strategy.</p> <p>Reinstatement of the site to greenfield once no longer required for solar generation can be required by condition.</p>
<p>Net Zero and Renewable Energy Generation</p>	<p>Policy EN6 supports Renewable Energy proposals where the renewable energy benefits outweigh any harm to landscape.</p> <p>It is considered that very significant weight should be given to the provision of this additional 1MW solar PV installation in the interests of meeting Net Zero Carbon targets and mitigating the effects of climate change given the scale of additional generation considered to be required in the City.</p>

## 5.0 Description of site

The selected site is located 2km north of the city centre bound to the north by residential development, to the west by the grounds of Avanti Hall School, to the south by the University student accommodation, and to the east by the Duryard Valley.

The site is comprised of a field sloping down towards the south and west where it is bounded by established treed landscape.

The Site of the proposed development extends to 2.3 Hectares with 1 hectare being the solar array. The remainder of the application site is required to accommodate the construction of a temporary access track and associated landscaping and biodiversity mitigation and enhancement measures.

The site falls within the Duryard Valley Park and is a designated a Site of Nature Conservation Importance and County Wildlife Site. The site of the solar array is Grade 3 agricultural land.

The Duryard Valley is recognised for its matrix of meadows and woodland which host a wide range of wildlife that thrive in its quiet valleys.

## **6.0 Description of development**

A fixed ground mounted Solar Photovoltaic array with an expected capacity of no less than 1.07MWp of generating capacity, a transformer substation, cable run which allows a direct electrical connection into the University's private H/V electrical network with below ground cables, associated access, fencing, biodiversity measures and ancillary works.

A temporary construction access with a crossing of the brook is proposed with a construction compound on an existing University Duryard Residences hardstanding car park. Access being via the University Estate from Cowley Bridge Road.

## **7.0 Supporting information provided by applicant**

The applicant has submitted the following documents in support of the application:

- Planning Statement
- Biodiversity net gain report
- Construction Plan
- Design and Access Statement
- Flood Risk Assessment
- Grid Connection Offer
- Land Classification and Use Report
- Landscape Specification
- Glare Study
- Substation and Transformer information
- Landscape and Visual Impact Assessment
- 3D Visualisations

## **8.0 Relevant planning history**

[23/0319/SO](#) Screening Opinion for Solar Farm. Not EIA Development.  
13.03.2023.

## **9.0 List of constraints**

Valley Park  
Landscape Setting of City  
Site of Importance for Nature Conservation  
County Wildlife Site

## **10.0 Consultations**

All consultee responses can be viewed in full on the Council's website.

Exeter Airport: This proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria. Accordingly, Exeter Airport have no safeguarding objections to this development provided there are no changes made to the current application.

ECC Environmental Health: Approve with conditions, CEMP, noise, unsuspected contamination.

ECC Trees Officer: There are no arboriculture objections to the above proposal. The loss of trees (T20) is of course regrettable, but understandable given its poor condition and the need to make way for the access track. Removed tree to be replaced by a robust replanting plan that is to be approved by the councils Landscape Officer. The proposed planting in the vicinity of the veteran trees on site is expected to help to create continuity of habitat. However, care must be taken not to plant too close to existing trees, particularly veteran specimens, which may be vulnerable to disturbance and competition from newly planted trees.

ECC Landscape and Urban Design Officer: Construction and repair of construction access needs clarification. In use access track is unsuitable as proposed. Permissive access to the field in which the solar panels are located is welcomed. Consider additional planting to the north of the proposed arrays. Consider hedge planting to perimeter in addition to stock fencing. Substation is isolated and placement should be reviewed.

The residual scale of change from viewpoints 01d, 02a, 04 and 05 is considered to be medium/large rather than small.

ECC Ecology & Biodiversity Officer:

The assessment of the grassland is accurate with the area mapped as a poor example of MG5 on the southern side of the northern field, and rest of the grassland as other neutral. It presents as an old meadow that has been under-managed, with coarse grasses now dominating forming an MG1 type community. With the site under a management plan, there is potential to restore and enhance this part of the CWS over the life of the scheme.

I have also read the DWT response, and feel that the concerns in relation to the grassland and management can be addressed through the LEMP condition. With regards to reptiles, DWT objected to a lack of survey. My view is that while surveys would have provided more information, I don't feel their confirmed rather than assumed presence would alter the mitigation proposed, since there would not be a need to translocate reptiles for a solar farm as the grassland is retained and because the construction impacts are short-term and localised. The CEMP condition below will secure appropriate reptile mitigation.

With regards to the woodland removal, it is regrettable that the section of woodland is to be removed for access, but as it is temporary and will be restored, the overall effect is not considered significant.

The Ecological Impact Assessment (GE Consulting, 2023) recognises that the site forms part of a County Wildlife Site and it proposes various measures which are proportionate to the biodiversity value of the site. The measures proposed should be secured through planning conditions.

The report states that no lighting is proposed, therefore on this basis, a sensitive lighting strategy condition is not necessary.

No objection to the proposals with suggested conditions, but request a reduction in tree planting within the grassland and some other specifics which can be secured by the suggested conditions.

Suggested conditions cover off the CEMP, Ecology, LEMP, enhancements and EPS licence for dormouse.

Devon Wildlife Trust: We object to the planning application because we consider that the proposals do not provide sufficient evidence to satisfy the requirements relating to biodiversity in paragraphs 174d, 180a and 180d of the National Planning Policy Framework or the requirements of paragraph 99 of ODPM Circular 06/2005 Biodiversity and Geological Conservation. Furthermore, the Environment Act 2021 and National Planning Practice Guidance requirements relating to biodiversity net gain have not been addressed.

## **11.0 Representations**

The application has been advertised by neighbour letter, site notice and press notice. 13 objections or representations have been received raising the following concerns:

- Objections to location, not principle of solar energy.
- Solar farm proposed because the land is unsuitable for buildings and motivated by profit.
- Would harm character of Duryard Valley
- Permissive path should extend to Lower Argyle Road
- Space should be enhanced for use by residents as is the Hoopern Valley.
- Would set a precedent for further development.
- Solar panels should be put on buildings on campus not in the valley park.
- Harm to green resource, no benefit to residents.
- Trees should be granted TPO status.
- Widely visible from south sides of Duryard Valley.
- Should prohibit vehicular access from West Garth Road.

- Would harm landscaper setting of the city contrary to policy LS1.
- Loss of grazing/foraging habitat.
- Construction and operation will generate noise pollution.
- Loss of a green resource for future generations.
- Construction route destructive of habitat and disruptive of wildlife corridor.
- Alternative better sites for PV are available.
- Construction Access should be through Thomas Hall.

## 12.0 Relevant policies

### National Planning Policy Framework

Paragraph 158. When determining planning applications for renewable and low carbon development, local planning authorities should:

(a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

(b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

### Development Plan

Core Strategy (Adopted 21 February 2012)  
CP16 - Green Infrastructure

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)  
L1 - Valley Parks  
LS1 - Landscape Setting  
LS4 - Sites of Nature Conservation Importance  
EN5 - Noise  
EN6 - Renewable Energy

### Other material considerations

The Exeter Plan – Outline Draft Plan (September 2022)  
CE1 – Net Zero Exeter  
NE3 – Biodiversity



Trees and development DPD  
Exeter Fringes Landscape Sensitivity and Capacity Study 2007 (excluded)  
Exeter Landscape Sensitivity Assessment Aug 2022 (LP38)  
Net Zero Exeter Plan 2023, Exeter City Futures.

### **13.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

It is acknowledged that there are certain properties where they may be some impact through visual impact and glare (this can be mitigated by conditions) However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of renewable energy.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

### **14.0 Public sector equalities duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and person who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the equality Act 2010.

## **15.0 Financial Issues**

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
- b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

### **Material considerations**

The development would create additional employment in construction and operation phases.

### **Non material considerations**

The development would not be CIL liable.

The proposal will not generate business rates.

## **16.0 Planning assessment**

### Principle of development

Policies L1 and LS1 of the Local Plan and policy CP16 of the Core Strategy protect the site from development other than in connection with the open spaces use of the site. Policy EN6 of the Local Plan allows renewable energy development where the Landscape impact are considered to be outweighed by the benefits of the development.

The principle of development is therefore only acceptable if the benefits of the development in terms of generation of renewable energy are considered to outweigh the landscape harm, and all other harms.

### Scale, design, and appearance

The modest scale of the solar array and the design, with low angled panels on the upper parts of the site and short runs of panels arranged around the contours of the hill, enclosed by a stock fence is considered to make good use of the site extent that is suitable for solar generation whilst minimising its potential visual impact and glare.

The design of the means of enclosure and provision of landscaping enhancements can be secured by condition.

### Impact on residential amenity

The position of the transformer extends the development area but reduces potential noise impact on dwellings. The Noise Assessment concludes that the development is not likely to harm amenity of local residents through noise and can be conditioned to be part of any consent. As such it considered to accord with the aims of Policy EN5 of the Exeter Local Plan 1<sup>st</sup> Review.

Whilst the array will be directly visible from a small number of dwellings and will result in some reflective glare, the size and layout of the array is considered to mean that the magnitude of these impacts are not considered to be such to result in unacceptable of loss of residential amenity.

### Access

There are no highways impact concerns.

The proposals include proposals to grant permissive access to the lower part of the field containing the proposed solar array.

The construction access route is considered to be the least harmful to landscape and tree planting available through the University estate. The comments of the Tree Officer in respect of the condition of the tree to be removed are noted. A condition can require reinstatement of the access track to green field, or to a more rural character for maintenance access purposes, once no longer required for construction can be required by condition to ensure that this happens as proposed.

Operational phase maintenance access will be via the existing track with restoration and improvements on that alignment.

#### Wildlife, Ecology and Biodiversity

The site is a County Wildlife Site and is designated as Site of Nature Conservation Importance. Policies LS4 of the Local Plan 1st Review guides that development that harms such a site would only be permitted if the need for the development outweighs the harm, the extent of damage is kept to a minimum, and appropriate mitigation and compensatory measure are implemented.

The comments of the Ecology and Biodiversity Officer, including in relation to the objection from the Devon Wildlife Trust are noted.

Provided the mitigation measures set out in the Ecological Impact Assessment are secured by condition, with the changes to the landscape and ecological mitigation identified, the proposals are considered to accord with the aims of Policy LS4 in minimising harm and securing appropriate mitigation..

#### Impact on landscape

No external lighting is proposed as part of the development.

Additional planting to the north of the proposed arrays and at low level to the perimeter could further reduce visual impact. This could not be in such position or level to shade the array.

Nevertheless the residual scale of change from viewpoints 01d, 02a, 04 and 05 assessed in the Landscape and Visual Impact Assessment is considered to be medium/large rather than small, and the impact would be to urbanise part of the Valley Park.

Given the topography the main visual impacts and harms are considered to be localised, to the Duryard Valley Park rather than to the setting of the city.

The proposals therefore are considered to harm the green rural character of this part of the Duryard Valley Park.

Any consent could be conditioned to be removed and the site reinstated to a green field at any such time the solar array ceases to be used.

#### Solar PV and Netzero.

Exeter City Council (ECC) declared a Climate Emergency in 2019 and pledged to work towards creating a carbon neutral city by 2030. The target year is 20 years in advance of the nationally set net zero 2050 target required to be achieved by the Climate Change Act.

The Centre for Energy and the Environment at the University of Exeter was commissioned to establish a baseline greenhouse gas (GHG) inventory for the city, quantify the reductions required to achieve net zero in 2030 and identify more specific and timely metrics for monitoring progress towards carbon neutrality in each emissions sector.

To achieve net zero carbon emissions the Centre for Energy and the Environment at the University of Exeter commissioned by the City Council projected that non-domestic solar PV installations need to increase from 5MW total installed capacity in 2020, to 42 MW. This application, for over 1 MW generating capacity, would be the second ground mounted solar installation within Exeter.

It is considered that very significant weight should be given to the provision of additional non-domestic solar PV installations in the interests of meeting Net Zero, whether this is by 2030 or 2050, given the substantial shortfall in provision and the importance of addressing climate change challenge through carbon emissions reduction.

Exeter Local Plan 1<sup>st</sup> Review Policy EN6 supports Renewable Energy proposals where the renewable energy benefits outweigh harm to landscape.

## **17.0 Conclusion**

The harms identified through landscape impact on the setting of the city and the rural character and appearance of the Duryard valley park mean that the scheme conflicts with policy L1 and LS1 of the Exeter Local Plan 1<sup>st</sup> Review.

However very substantial weight is given to the benefits of the scheme in terms of renewable energy generation, and hence it is considered that it does comply with policy EN6.

On balance it is therefore concluded that the benefits of the scheme in terms of renewable energy generation outweigh the visual and landscape harm and harm to the Duryard Valley Park, and the proposal is therefore considered to be in conformity with the development plan taken as a whole.

## 18.0 Recommendation

APPROVE subject to conditions below the wording of 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 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 6 April 2013 (including drawings numbers listed below) as modified by other conditions of this consent.

784-B030890\_ T00002 Site Layout Plan P02  
784-B030890\_ T00003 Site Sections P01  
Noise Assessment Report R1  
CONSTRUCTION PLAN ZLC-DURYARD-INSTALL-REP-CPP-01.RevA1  
Substation ZLC-DURYARD-SUB-01.RevA1  
DESIGN AND ACCES STATEMENT-01.RevA3  
LAYOUT PV ZLC-DURYARD-GA-01-D  
25-40kW Inverter Datasheet Solis  
525-550Wp Panel Datasheet JA Solar  
SGB Transformers Planning Information  
0915-PAA-002\_ISS\_01  
0915-PAA-003\_ISS\_01  
0915-UPA-002\_ISS\_01  
0915-UPA-003\_ISS\_01

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

3) Prior to the commencement of the development (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Exeter City Council.

Reason: Required prior to commencement of development to satisfy the Exeter City Council that the trees and hedges to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, and pursuant to section 197 of the Town and Country Planning Act 1990.

4) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the construction and maintenance access routes, including reinstatement where required, have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details.

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

5) No development shall take place (including demolition, ground works, vegetation clearance) until a construction ecological management plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include, but not be limited to, the measures proposed within the Ecological Impact Assessment (GE Consulting, 1523-EclA-MD, April 2023). The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

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.

6) No development shall take place until a finalised Biodiversity Enhancement Plan has been submitted to and approved by the local planning authority showing the bird, bat, hedgehog and dormouse boxes and hibernacula, as proposed in The Ecological Impact Assessment (GE Consulting, 2023). The approved plan will be implemented in accordance with the approved details.

7) 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 site access point(s) of all vehicles to the site during the construction phase.
- b) The erection and maintenance of securing hoarding, if appropriate.
- c) Wheel washing facilities.
- d) Measures to monitor and control the emission of dust and dirt during construction.
- e) No burning on site during construction or site preparation works.
- f) Measures to monitor and minimise noise/vibration nuisance to neighbours from plant and machinery.
- g) 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 strictly adhered to throughout the construction period of the development.

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.

8) No development shall take place until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following: a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). g) Details of the body or organization responsible for implementation of the plan. h) Ongoing detailed monitoring of the grassland and remedial measures and i) a future baseline at decommission. The LEMP shall include but not be limited to the measures proposed within the Ecological Impact Assessment (GE Consulting, 1523-EcIA-MD, April 2023) in relation to the management of the grassland, woodland, stream, trees/scrub, invasive species, new and restored orchard and other created habitats. The approved plan will be implemented in accordance with the approved details.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

All post-construction site management shall be undertaken in accordance with the LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policy CP16 of the Core Strategy, Policies LS4 and DG1 of the Local Plan First Review and paragraphs 58, 109 and 118 of the NPPF.

9) Unless otherwise agreed, the woodland and scrub works required to enable the construction shall only commence under a European Protected Species Mitigation Licence for dormouse. The works will be conducted in accordance with the Outline Mitigation Strategy (section 5.3.5, Ecological Impact Assessment (GE Consulting, 1523-EcIA-MD, April 2023)) unless otherwise negotiated with Natural England during the licence application process. If for any reason it is later determined that the necessary works can commence without an EPS licence, a method statement shall be submitted to and approved in writing by the local planning authority either separately or as part of the CEcMP.

10) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an [amended] investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.



Reason: In the interests of protecting human health and the natural environment.

11) A detailed scheme for landscaping, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority and the solar panels hereby approved 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 shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

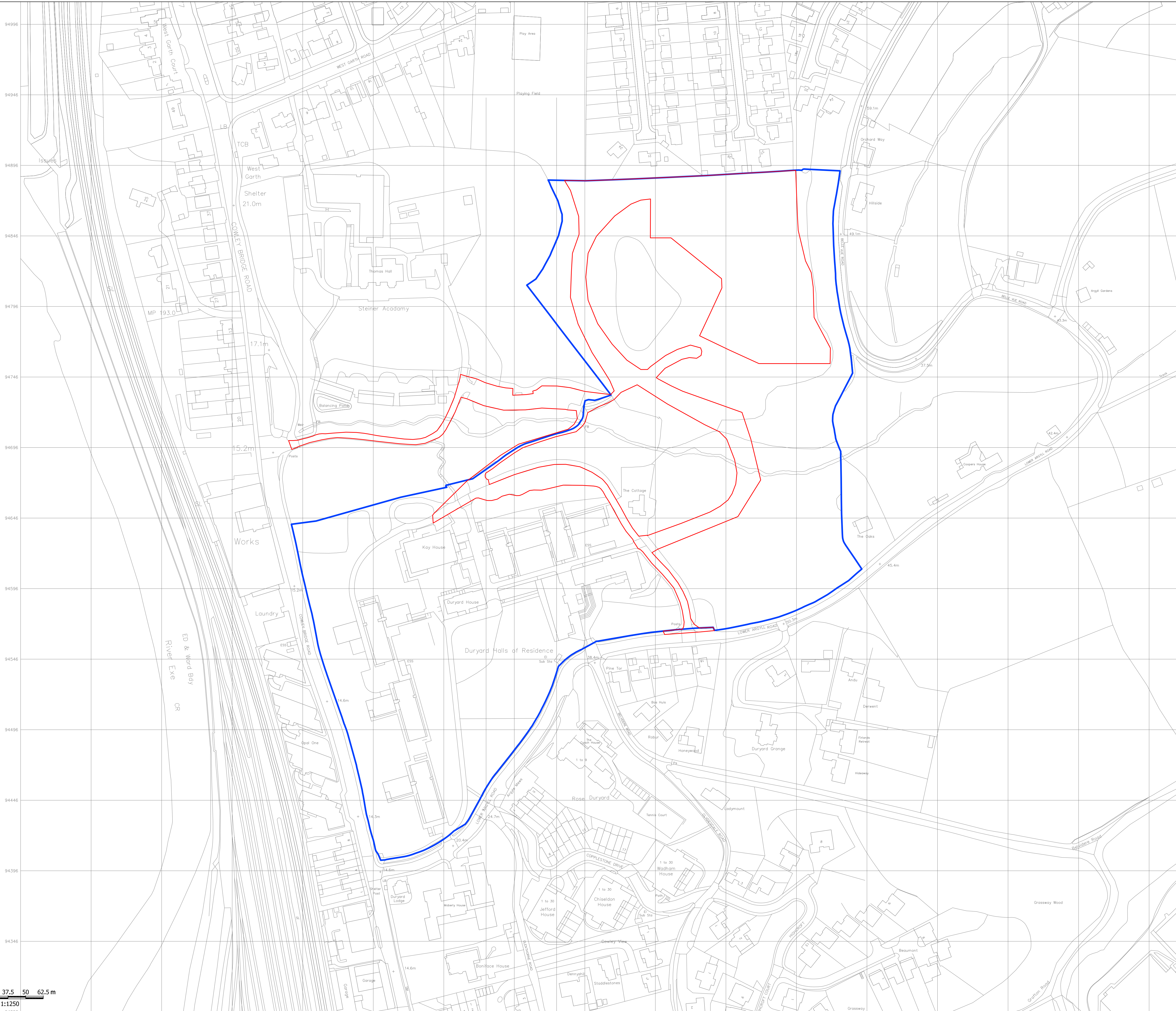
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

12) At such time that the development hereby approved ceases to be used for the generation of electricity the solar panels, supporting structures, transformer substation and base, hardstandings, fencing, and associated development shall be removed from the site. Within one year of the date of the cessation of electricity generation the site shall have been reinstated to its current green field state, or such other landscaped condition as has been agreed in writing by the Local Planning Authority.

Reason: To ensure the site is only used for the approved development and is restored afterwards.

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- Legend**
- Site boundary
  - Other land in applicant's ownership

**FOR PLANNING**

P01	ISSUED FOR PLANNING	02.03.2023	TP	ER	JH
Rev	Description	Date	Iss	CR	App
	Document Control				

Issuing Office  
**Tetra Tech Cardiff**  
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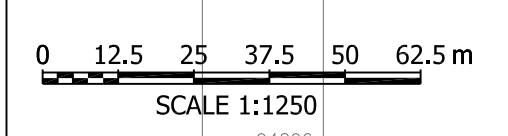
Client  
**UNIVERSITY OF EXETER**

Project Name  
**DURYARD SOLAR PV**

Sheet Title  
**SITE LOCATION PLAN**

Model Reference  
 N/A

TTE Project Number	Drawn By	Date	Checked By	Date	Approved By	Date	Scale @ A0	Status
B030890	TP	Mar '23	ER	Mar '23	JH	Mar '23	1:1250	S0
Client Project Number	Originator	Function	Spatial	Form	Role	Number	Revision	
ESS-SC	- TTE	- 00	- ZZ	- DR	- T	- 0001	P01	





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## REPORT TO: PLANNING COMMITTEE

Date of Meeting: 19<sup>th</sup> June 2023

Report of: City Development Strategic Lead

Title: Delegated Decisions and Planning Report Acronyms

## 1 WHAT IS THE REPORT ABOUT

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

## 2 RECOMMENDATION

- 2.1 Members are requested to advise the Assistant Service Lead City Development (Roger Clotworthy) or the Director of City Development (Ian Collinson) 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

## 4 PLANNING REPORT ACRONYMS

The following list explains the acronyms used in Officers reports:

AH Affordable Housing

AIP	Approval in Principle
BCIS	Building Cost Information Service
CEMP	Construction Environmental Management Plan
CIL	Community Infrastructure Levy
DCC	Devon County Council
DCLG	Department for Communities and Local Government: the former name of the Ministry of Housing, Communities & Local Government
DfE	Department for Education
DfT	Department for Transport
dph	Dwellings per hectare
ECC	Exeter City Council
EIA	Environment Impact Assessment
EPS	European Protected Species
ESFA	Education and Skills Funding Agency
ha	Hectares
HMPE	Highway Maintainable at Public Expense
ICNIRP	International Commission on Non-Ionizing Radiation Protection
MHCLG	Ministry of Housing, Communities & Local Government
NPPF	National Planning Policy Framework
QBAR	The mean annual flood: the value of the average annual flood event recorded in a river
SAM	Scheduled Ancient Monument
SANGS	Suitable Alternative Natural Green Space
SEDEMS	South East Devon European Sites Mitigation Strategy
SPA	Special Protection Area
SPD	Supplementary Planning Document
SPR	Standard Percentage Runoff
TA	Transport Assessment
TEMPro	Trip End Model Presentation Program
TPO	Tree Preservation Order
TRO	Traffic Regulation Order
UE	Urban Extension

**Ian Collinson**

Director of City Development

**All Planning Decisions Made and Withdrawn Applications  
between 16/05/2023 and 08/06/2023**

<b>Alphington</b>	
<b>Delegated Decision</b>	
Application Number: 22/1047/FUL	Delegation Briefing: 12/01/2023
Decision Type: Permitted	Date: 30/05/2023
Location Address: Parking Area Retail Park Close Exeter Devon	
Proposal: Change of use of existing car park to residential (C3 Use Class) comprising 2no. three storey four bed dwellings, detached garage, central parking court, communal bin store and associated works.	
<b>Delegated Decision</b>	
Application Number: 23/0013/LBC	Delegation Briefing: 27/04/2023
Decision Type: Permitted	Date: 31/05/2023
Location Address: 47 Ide Lane Alphington Exeter Devon EX2 8UT	
Proposal: Installation of Sun Tunnel to Rear roof slope.	
<b>Delegated Decision</b>	
Application Number: 23/0014/LBC	Delegation Briefing: 27/04/2023
Decision Type: Permitted	Date: 31/05/2023
Location Address: 47 Ide Lane Alphington Exeter Devon EX2 8UT	
Proposal: Replace ground floor side window with obscured glass replacement.	
<b>Delegated Decision</b>	
Application Number: 23/0146/FUL	Delegation Briefing: 06/04/2023
Decision Type: Permitted	Date: 17/05/2023
Location Address: St Michaels And All Angels Church Rectory Drive Exeter Devon EX2 8XJ	
Proposal: Raise height of flagpole sign from 6 to 8 metres.	
<b>Delegated Decision</b>	
Application Number: 23/0158/PNT	Delegation Briefing: 16/02/2023
Decision Type: Prior Approval Required and Granted	Date: 22/05/2023
Location Address: Alphington Road Exeter Devon	
Proposal: Installation of 17m high 5G monopole, and associated equipment cabinets	
<b>Delegated Decision</b>	
Application Number: 23/0315/FUL	Delegation Briefing: 30/03/2023
Decision Type: Permitted	Date: 02/06/2023
Location Address: Az - Zahra Centre 3 Chapel Road Exeter Devon EX2 8TB	
Proposal: First floor rear extension and new rooflights to existing roof.	

<b>Delegated Decision</b>	
Application Number: 23/0381/FUL	Delegation Briefing:
Decision Type: Permitted	Date: 05/06/2023
Location Address: 21 Cowick Hill Exeter Devon EX2 9NQ	
Proposal: Proposed revisions to existing single storey rear extension, decking and steps.	
<b>Delegated Decision</b>	
Application Number: 23/0513/PD	Delegation Briefing:
Decision Type: Prior Approval Not Required	Date: 22/05/2023
Location Address: 103 Broadway Exeter Devon EX2 9NU	
Proposal: Prior approval application for single storey rear extension measuring 3.75m (depth), 3.55m (maximum height) and 2.15m (eaves height).	
<b>Delegated Decision</b>	
Application Number: 23/0520/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 24/05/2023
Location Address: 69 Parkway Exeter Devon EX2 9NB	
Proposal: Loft conversion with hip to gable and rear dormer.	
<b>Duryard And St James</b>	
<b>Delegated Decision</b>	
Application Number: 22/1642/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 25/05/2023
Location Address: 8 Velwell Road Exeter Devon EX4 4LE	
Proposal: Change of use of property from HMO for up to 7 persons to HMO for up to 8 persons	
<b>Delegated Decision</b>	
Application Number: 23/0006/FUL	Delegation Briefing: 09/02/2023
Decision Type: Permitted	Date: 31/05/2023
Location Address: 8 Oxford Road Exeter Devon EX4 6QU	
Proposal: Installation of railings to front steps and lightwell.	
<b>Delegated Decision</b>	
Application Number: 23/0007/LBC	Delegation Briefing: 09/02/2023
Decision Type: Permitted	Date: 31/05/2023
Location Address: 8 Oxford Road Exeter Devon EX4 6QU	
Proposal: Installation of railings to front steps and lightwell and retention of replacement rainwater goods and flat roof finish of rear extension.	



<b>Delegated Decision</b>	
Application Number: 23/0053/FUL	Delegation Briefing: 16/03/2023
Decision Type: Permitted	Date: 18/05/2023
Location Address: 55 Cowley Bridge Road Exeter Devon EX4 5AF	
Proposal: Rear, side and roof extensions and alterations, including rear dormer	
<b>Delegated Decision</b>	
Application Number: 23/0171/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 24/05/2023
Location Address: Land Adjacent To 17 New North Road New North Road Exeter Devon	
Proposal: A lawful development certificate is sought in connection with the demolition of an existing garage, in respect of a planning permission to 'Demolition of existing garages and construction of 1 building to form 5 new apartments with associated landscaping' - LPA reference 19/0360/FUL. These works were undertaken on 29 October 2022, in advance of the permission lapsing.	
<b>Delegated Decision</b>	
Application Number: 23/0404/FUL	Delegation Briefing: 13/04/2023
Decision Type: Refuse Planning Permission	Date: 01/06/2023
Location Address: 19 Old Tiverton Road Exeter Devon EX4 6LG	
Proposal: Replacement of the existing single storey rear extension to include first floor terrace and a new single-storey extension into the side return, PV panels added to rear roof, velux window added to rear roof.	
<b>Delegated Decision</b>	
Application Number: 23/0407/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 25/05/2023
Location Address: 26 Well Street Exeter Devon EX4 6QL	
Proposal: House in multiple occupation for five people	
<b>Delegated Decision</b>	
Application Number: 23/0429/FUL	Delegation Briefing: 20/04/2023
Decision Type: Permitted	Date: 16/05/2023
Location Address: 45 Prospect Park Exeter Devon EX4 6NA	
Proposal: Single storey rear extension.	



<b>Delegated Decision</b>			
Application Number:	23/0346/FUL	Delegation Briefing:	30/03/2023
Decision Type:	Permitted	Date:	25/05/2023
Location Address:	12 Halses Close Exeter Devon EX4 2NX		
Proposal:	Wrap around single storey ground floor extension to side/rear, Side extension, alterations to entrance on front elevation; includes other minor alterations.		
<b>Delegated Decision</b>			
Application Number:	23/0428/FUL	Delegation Briefing:	
Decision Type:	Withdrawn by Applicant	Date:	02/06/2023
Location Address:	95 Buddle Lane Exeter Devon EX4 1JP		
Proposal:	Convert front garden into driveway.		
<b>Heavitree</b>			
<b>Delegated Decision</b>			
Application Number:	23/0362/FUL	Delegation Briefing:	30/03/2023
Decision Type:	Refuse Planning Permission	Date:	02/06/2023
Location Address:	3 Third Avenue Heavitree Exeter Devon EX1 2PJ		
Proposal:	Rear extension and adjoining, partial replacement of side extension.		
<b>Delegated Decision</b>			
Application Number:	23/0397/LBC	Delegation Briefing:	06/04/2023
Decision Type:	Permitted	Date:	17/05/2023
Location Address:	9 Church Street Exeter Devon EX2 5EH		
Proposal:	Replacement downpipes and fascia board on front elevation.		
<b>Delegated Decision</b>			
Application Number:	23/0477/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	07/06/2023
Location Address:	61 Butts Road Exeter Devon EX2 5BE		
Proposal:	Loft conversion and rear ground floor extension.		
<b>Delegated Decision</b>			
Application Number:	23/0526/PD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	07/06/2023
Location Address:	61 Butts Road Exeter Devon EX2 5BE		
Proposal:	Single storey rear extension measuring 4m deep, maximum height 3.1m and height of eaves 3m.		



<b>Delegated Decision</b>	
Application Number: 23/0380/LBC	Delegation Briefing:
Decision Type: Withdrawn by Applicant	Date: 02/06/2023
Location Address: 13A Lyndhurst Road Exeter Devon EX2 4PA	
Proposal: Placement of timber pergola in rear garden to cover seating area, provide privacy and protect from deciduous tree debris from above.	
<b>Delegated Decision</b>	
Application Number: 23/0439/FUL	Delegation Briefing: 13/04/2023
Decision Type: Refuse Planning Permission	Date: 25/05/2023
Location Address: 2 Baring Crescent Exeter Devon EX1 1TL	
Proposal: Two storey side extension.	
<b>Delegated Decision</b>	
Application Number: 23/0464/LED	Delegation Briefing:
Decision Type: Was lawful use	Date: 01/06/2023
Location Address: 115 Old Tiverton Road Exeter Devon EX4 6LD	
Proposal: To confirm that the use of the property is classified as a House in Multiple Occupation, (Planning use class C4)	
<b>Delegated Decision</b>	
Application Number: 23/0541/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 07/06/2023
Location Address: 42 Fairpark Road Exeter Devon EX2 4HL	
Proposal: As you look at the property from the front, from Fairpark Road, it is the smaller of the two large trees. I.e the acer on the left. We would like a tree surgeon to professionally remove all of the tree. We have already consulted with a tree surgeon.	
<b>Delegated Decision</b>	
Application Number: 23/0577/CAT	Delegation Briefing:
Decision Type: Permitted	Date: 17/05/2023
Location Address: 27 Belmont Road Exeter Devon EX1 2HF	
Proposal: T1 - Walnut - Repollard to a finished height of 4-5M. T2 - Birch - Reduce crown by 2m and lift crown over roadside and footpath to give 3-4m clearance.	
<b>Delegated Decision</b>	
Application Number: 23/0630/NMA	Delegation Briefing:
Decision Type: Permitted	Date: 30/05/2023
Location Address: Land Between 106 Hamlin Gardens And 65 Carlyon Gardens Hamlin Gardens Exeter	
Proposal: Non-material amendment to approval 18/0878/ECC including: Amendments to site boundary to create access to the stream to north of site and associated reduction in garden space and layout changes.	

## Pennsylvania

### Delegated Decision

Application Number: 23/0285/FUL Delegation Briefing: 27/04/2023  
Decision Type: Permitted Date: 31/05/2023  
Location Address: 12 Clinton Avenue Exeter Devon EX4 7BA  
Proposal: Construction of rear extension and rear dormer for loft conversion.

### Delegated Decision

Application Number: 23/0320/FUL Delegation Briefing: 23/03/2023  
Decision Type: Permitted Date: 07/06/2023  
Location Address: First Steps Community Playgroup Stoke Hill Infant School  
Margaret Road Exeter Devon EX4 7DQ  
Proposal: Replacement of existing nursery building; with slight increase in size.

### Delegated Decision

Application Number: 23/0367/FUL Delegation Briefing: 20/04/2023  
Decision Type: Permitted Date: 06/06/2023  
Location Address: 17 Collins Road Exeter Devon EX4 5DH  
Proposal: Single storey extension to rear elevation, including terrace.

### Delegated Decision

Application Number: 23/0392/FUL Delegation Briefing: 30/03/2023  
Decision Type: Permitted Date: 16/05/2023  
Location Address: 50A St Johns Road Exeter Devon EX1 2HR  
Proposal: Change of use from workshop (Use Class E) to educational facility (Use Class F1).

### Delegated Decision

Application Number: 23/0502/FUL Delegation Briefing: 27/04/2023  
Decision Type: Permitted Date: 06/06/2023  
Location Address: 185 Mincinglake Road Exeter Devon EX4 7DR  
Proposal: Single storey side extension replacing outbuildings.

### Delegated Decision

Application Number: 23/0510/FUL Delegation Briefing: 27/04/2023  
Decision Type: Permitted Date: 23/05/2023  
Location Address: 51 Mincinglake Road Exeter Devon EX4 7DZ  
Proposal: Construction of an outbuilding within the rear garden.

## Pinhoe

### Delegated Decision

Application Number: 22/1656/RES Delegation Briefing: 08/12/2022  
Decision Type: Permitted Date: 06/06/2023  
Location Address: Land To The South Of Tithebarn Way Tithebarn Way Exeter Devon  
Proposal: Application for the approval of reserved matters pursuant to outline permission 18/1145/OUT for residential development of up to 80 dwellings (all matters reserved except access).

### Delegated Decision

Application Number: 22/1750/PNT Delegation Briefing: 13/04/2023  
Decision Type: Prior Approval Required and Date: 01/06/2023  
Granted  
Location Address: Grass Verge On Pinn Lane Between Monkerton Drive And Harts Lane And Opposite Old Pinn Lane And Grasslands Drive Devon  
Proposal: Installation of telecommunications monopole (20 metres high) and associated equipment cabinets

### Delegated Decision

Application Number: 23/0150/VOC Delegation Briefing: 02/03/2023  
Decision Type: Permitted Date: 07/06/2023  
Location Address: 13 Masefield Road Exeter Devon EX4 8HA  
Proposal: Variation of condition two of 20/1412/FUL for revised plans showing velux windows to allow the loft space to be used as habitable rooms.

### Delegated Decision

Application Number: 23/0431/FUL Delegation Briefing: 04/05/2023  
Decision Type: Permitted Date: 02/06/2023  
Location Address: 6 Finning Avenue Exeter Devon EX4 8FA  
Proposal: Single storey rear extension and alterations to existing garage.

## Prory

### Delegated Decision

Application Number: 23/0220/FUL Delegation Briefing: 09/03/2023  
Decision Type: Permitted Date: 01/06/2023  
Location Address: 10 Earl Richards Road North Exeter Devon EX2 6AG  
Proposal: Rear gable extension would add approximately 45 cubic metres Rear single-storey extension, loft conversion with rear gable extension, side roof extension for headroom access. Replacement rear extension at first floor level and associated works.

<b>Delegated Decision</b>	
Application Number: 23/0357/FUL	Delegation Briefing: 20/04/2023
Decision Type: Permitted	Date: 02/06/2023
Location Address: 87 Earl Richards Road South Exeter Devon EX2 6AP	
Proposal: Rear extension.	
<b>St Davids</b>	
<b>Delegated Decision</b>	
Application Number: 22/0942/FUL	Delegation Briefing: 26/01/2023
Decision Type: Permitted	Date: 19/05/2023
Location Address: 11 Friars Walk Exeter Devon EX2 4AY	
Proposal: Proposed change of use from C3 residential to C2 residential childrens home.	
<b>Delegated Decision</b>	
Application Number: 22/0943/LBC	Delegation Briefing: 26/01/2023
Decision Type: Permission not required	Date: 19/05/2023
Location Address: 11 Friars Walk Exeter Devon EX2 4AY	
Proposal: Proposed change of use from C3 residential to C2 residential childrens home.	
<b>Delegated Decision</b>	
Application Number: 22/0944/FUL	Delegation Briefing: 26/01/2023
Decision Type: Refuse Planning Permission	Date: 19/05/2023
Location Address: 11 Friars Walk Exeter Devon EX2 4AY	
Proposal: Proposed removal of existing double garage and construction of single storey, 1-bed unit with ancillary landscaping.	
<b>Delegated Decision</b>	
Application Number: 22/0945/LBC	Delegation Briefing: 26/01/2023
Decision Type: Refuse Planning Permission	Date: 19/05/2023
Location Address: 11 Friars Walk Exeter Devon EX2 4AY	
Proposal: Proposed removal of existing double garage and construction of single storey, 1-bed unit with ancillary landscaping.	
<b>Delegated Decision</b>	
Application Number: 23/0342/LED	Delegation Briefing:
Decision Type: Permitted	Date: 17/05/2023
Location Address: 4A St Davids Hill Exeter Devon EX4 3RG	
Proposal: Retrospective lawfulness of maisonette as HMO.	



<b>Delegated Decision</b>	
Application Number: 23/0373/LBC	Delegation Briefing: 20/04/2023
Decision Type: Permitted	Date: 17/05/2023
Location Address: 10 Atwill Palmer New North Road Exeter Devon EX4 4JT	
Proposal: Repairs to gable coping and flashing (on both sides).	
<b>Delegated Decision</b>	
Application Number: 23/0528/TPO	Delegation Briefing:
Decision Type: Permitted	Date: 07/06/2023
Location Address: 5 Dinham Crescent Exeter Devon EX4 4EF	
Proposal: T1 - Sycamore tree - Reduce in height by approximately 4 metres, and reshape laterals by approximately 3 metres to leave a balanced form.	
<b>St Loyes</b>	
<b>Delegated Decision</b>	
Application Number: 23/0530/LPD	Delegation Briefing:
Decision Type: Was lawful use	Date: 22/05/2023
Location Address: 30 Purcell Close Exeter Devon EX2 5QS	
Proposal: Loft conversion with flat roof dormer to rear elevation and Velux roof windows to front elevation.	
<b>St Thomas</b>	
<b>Delegated Decision</b>	
Application Number: 23/0280/PDCD	Delegation Briefing:
Decision Type: Prior Approval Required and Refused	Date: 25/05/2023
Location Address: Garage-Workshop Adjacent Pocombe Orchard Tedburn Road Exeter	
Proposal: Prior approval for the conversion of the existing workshop (B1/8 use) to a one bed one person dwelling	
<b>Topsham</b>	
<b>Delegated Decision</b>	
Application Number: 22/1086/DIS	Delegation Briefing:
Decision Type: Condition(s) Fully Discharged	Date: 19/05/2023
Location Address: Broom Park Nurseries Exeter Road Topsham Exeter Devon EX3 0LY	
Proposal: Discharge of condition 20 (Soft Landscaping) relating to application 20/0321/FUL	

<b>Delegated Decision</b>	
Application Number:	22/1335/FUL Delegation Briefing: 02/02/2023
Decision Type:	Refuse Planning Permission Date: 02/06/2023
Location Address:	75A Fore Street Topsham Exeter Devon EX3 0HQ
Proposal:	Conversion of uninhabited two bedroom maisonette into two self-contained one bedroom flats and installation of free-standing balcony, bin and bicycle storage in rear courtyard.
<b>Delegated Decision</b>	
Application Number:	22/1336/LBC Delegation Briefing: 02/02/2023
Decision Type:	Refuse Planning Permission Date: 02/06/2023
Location Address:	75A Fore Street Topsham Exeter EX3 0HQ
Proposal:	Conversion of uninhabited two bedroom maisonette into two self-contained one bedroom flats with associated internal alterations, removal of chimney and replacement rear door, installation of free-standing balcony in rear courtyard and alterations to rear of ground floor commercial unit.
<b>Delegated Decision</b>	
Application Number:	22/1533/FUL Delegation Briefing: 02/02/2023
Decision Type:	Permitted Date: 19/05/2023
Location Address:	Land Off Bewick Avenue Topsham Bewick Avenue Exeter Devon
Proposal:	Erection of bollard lighting to car park and lighting to building (Retrospective Application).
<b>Delegated Decision</b>	
Application Number:	22/1641/FUL Delegation Briefing: 16/03/2023
Decision Type:	Permitted Date: 07/06/2023
Location Address:	460 Topsham Road Exeter Devon EX2 7AL
Proposal:	Construction of new two bedroom attached dwelling with landscaping and associated works.
<b>Delegated Decision</b>	
Application Number:	23/0071/FUL Delegation Briefing: 23/02/2023
Decision Type:	Permitted Date: 01/06/2023
Location Address:	Cemetery Lodge Elm Grove Road Topsham Exeter EX3 0BW
Proposal:	Replacement single storey extension at the side and rear.
<b>Delegated Decision</b>	
Application Number:	23/0307/FUL Delegation Briefing: 06/04/2023
Decision Type:	Permitted Date: 22/05/2023
Location Address:	54 Bridge Road Exeter Devon EX2 7BB
Proposal:	Rear extension comprising bathroom, and bedroom to allow for live in carer.

<b>Delegated Decision</b>	
Application Number:	23/0327/FUL
Decision Type:	Permitted
Location Address:	The Olive Tree Old Rydon Lane Topsham Exeter Devon EX2 7JW
Proposal:	First floor extensions with reconfiguration of roof line. Internal alterations. The current driveway/turning circle to become garden space with other existing entrance to be used as new driveway.
<b>Delegated Decision</b>	
Application Number:	23/0399/FUL
Decision Type:	Permitted
Location Address:	Topsham Rugby Football Club Exeter Road Topsham Exeter Devon EX3 0LY
Proposal:	Retention of temporary site compound area to create an overflow car parking area for the rugby club.
<b>Delegated Decision</b>	
Application Number:	23/0462/FUL
Decision Type:	Permitted
Location Address:	4 Elm Grove Road Topsham Exeter Devon EX3 0BW
Proposal:	Remove side and rear extensions and construct single storey rear extension, two-storey side extension with replacement windows and door and create double vehicle car port.
<b>Delegated Decision</b>	
Application Number:	23/0475/LBC
Decision Type:	Permitted
Location Address:	2 Lower Shapter Street Topsham Exeter Devon EX3 0AT
Proposal:	Internal alterations at second floor to form an ensuite, including new stud walls and formation of new doorway.
<b>Total Applications: 71</b>	

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**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 19<sup>th</sup> June 2023  
**Report of:** City Development Strategic Lead  
**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. Appeal Decisions**

- 3.1 [22/1073/FUL](#) – 30 Barley Lane – *Roof extension including dormer window at rear of dwelling.*

The application relates to a modest twentieth century bungalow across the road from Barley Lane School. The proposed scheme includes raising the roof ridge of the property and adding a large flat roof dormer window on the rear to create 3 new bedrooms at first floor level (and 5 in total). The Council's Householder's Guide to Extension Design Supplementary Planning Document seeks to ensure that dormers do not harm the character and appearance of buildings by dominating the roof and are primarily required to provide light rather than headroom. Although the Agent pointed to the existence of flat roof dormers elsewhere in the vicinity, the Council observed that many of these were some distance away or part of the original design of dwellings built around 60 years ago (which in any case did not wholly dominate the roof). The Agent also argued that, as a fallback position, a large dormer window could be built under Permitted Development without raising the roof ridge. Nonetheless, the Council refused planning permission on the grounds of poor design. A Juliet balcony on the dormer was also considered to harm neighbouring residential amenities, particularly in respect of overlooking.

The Inspector also noted the fallback position but concluded that "the combination of the proposed dormer and raising of the ridge by 300mm ... would create a top heavy addition to the property when viewed together with the ground floor. This change to the roofscape would be prominent and visible in the Barley Lane street scene and would interrupt the pattern of development that currently exists with the identical bungalows either side". It was also agreed that the inclusion of a Juliet balcony would harm neighbouring residential amenities.

Consequently, the appeal has been dismissed.

- 3.2 [22/0928/FUL](#) – 32 Hawthorn Road – *Two-storey side extension.*

This proposal relates to a property on the Wonford housing estate, which has a strong character and layout including a uniformity of design/materials and open corners. This scheme, for a two storey side extension, would have resulted in the partial closing of one of those open corners. The Council therefore refused planning permission because of the

detrimental impact on the appearance of the area as well as concerns about harm to neighbouring residential amenities.

The Inspector dismissed the appeal and agreed that “the openness and spaciousness of corner amenity areas is a key part of the character of the area, which would be eroded and disrupted by the appeal proposal”. On neighbouring residential amenity, the Inspector also concluded that there would be a negative impact on outlook from No. 3 Laurel Road.

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

##### **4.1 [22/1337/LED](#) – 66 Merrivale Road – *Construction of a single storey annex within the rear garden.***

Ian Collinson  
**Director of City Development**

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

Background papers used in compiling the report:

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

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