

ITEM NO.

COMMITTEE DATE: 7 SEPTEMBER 2015

APPLICATION NO:

15/0792/16

FULL PLANNING PERMISSION

APPLICANT:

Mr Stenning
Exeter City Council

PROPOSAL:

Demolition of two storey car park, relocation of western power substation, relocation of O2 substation and erection of new residential development containing 26 flats including new adjacent car parking facilities and landscaped areas

LOCATION:

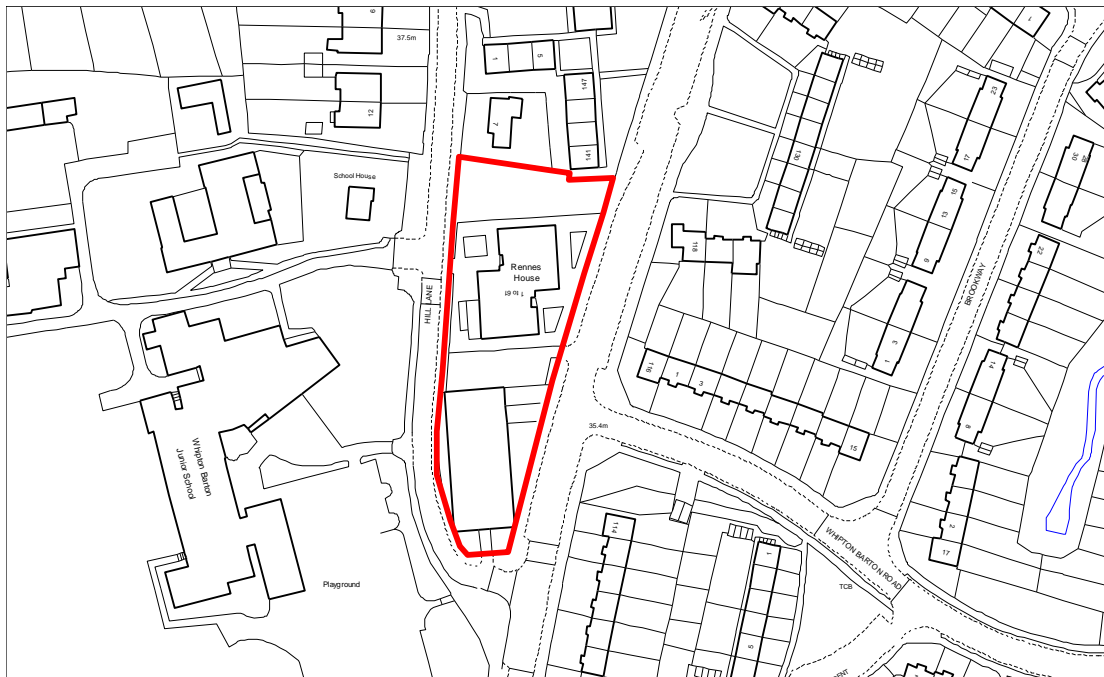
Rennes House And Land Adjoining, Vaughan Road, Exeter, EX1 3JW

REGISTRATION DATE:

15/07/2015

EXPIRY DATE:

14/10/2015



Scale 1:2000

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HISTORY OF SITE

89/0165/03 -	Erection of 33 flats	PER	02/10/1989
10/1278/16 -	Redevelopment to provide four storey building comprising 21 self contained flats with basement parking, access to highway and associated works	PER	28/10/2010
13/4078/16 -	Redevelopment to provide four storey building comprising 21 self contained flats with basement parking, access to highway and associated works (Extension of Time application of extant Planning Permission Ref No 10/1278/16 granted 28 October 2010)	PER	29/11/2013
14/2016/16 -	Demolition of existing two storey car parking and erection of a new block of flats (3/4 storeys) containing 26 flats, including on site car parking, amendments to existing access and relocation of telecoms equipment cabinet.	REF	03/02/2015

DESCRIPTION OF SITE/PROPOSAL

The application site comprises Rennes Tower, surrounding land to the north and south, and an existing 2 storey concrete frame car park. The site is bounded to the north by existing residential development, to the east by Vaughan Road and the west by Hill Lane which joins Vaughan Road at the southernmost point of the site. The land north of Rennes House consists of a maintained lawn with trees while the area between the tower block and the concrete frame car park is devoted to open parking. Whipton Barton School is situated opposite the site on the other side of Hill Lane and the remainder of the surrounding area is predominantly characterised by two storey housing. The total site area extends to just over 3000m².

Planning permission is sought to demolish the car park and replace it with a new block comprising 26 flats (3 x 2 bed, and 23 x 1 bed). One of the ground floor flats is designed as a mobility unit.

The building is a curved shape with living rooms and kitchen windows facing onto a shared communal garden space on the west side of the building. All of the non-ground floor flats are provided with balconies which form an integral part of the overall design. The proposed materials comprises render finish for walls, standing seam metal roof, and timber framed aluminium clad powder coated windows and doors.

At its highest point the building is almost 16m high reducing to 10.5m at the lowest point at the southern most end. Rennes House itself is around 29m high, and the houses in Vaughan Road are approx. 7m high. At the closest point the gap between the proposed building and the existing Rennes House is 14m. There is a minimum distance of 22m between the proposed building and the nearest existing residential neighbours on Vaughan Road.

Parking to serve the new units, and the existing Rennes House, will be provided in two locations. The area between the proposed building and Rennes House, which is already hard surfaced and used for car parking (currently providing 8 spaces), will be reconfigured to provide 14 parking spaces served by an existing access off Vaughan Road. The remainder of the parking will be provided north of Rennes House with the redevelopment of part of the existing communal landscaped space to provide 10 parking spaces served by a new vehicular access off Hill Lane. Overall 24 parking spaces are provided, 8 for the new flats and 16 to serve the existing accommodation within Rennes House. 27 cycle parking spaces are also proposed in a secure area within the building.

All trees on the southern part of the site will be removed as part of the development with their loss mitigated as part of the landscaping scheme for the new development. The existing trees along the northern boundary with existing residential properties will be retained.

Bin storage areas are provided within the communal open space which can be serviced directly from the adjacent public highway. An existing substation serving Rennes House, and a telecommunications cabinet, will be relocated as part of the development and sited to adjoin the new vehicular access off Hill Lane.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents -

- Planning Statement
- Design and Access Statement
- Phase 1 Habitat Survey and CSH Ecology Credit Assessment
- Geotechnical and Geo-environmental Investigation

PRE- APPLICAITON CONSULTATION

Exeter City Council, Housing Development Team, have engaged with the residents of the local area, and particularly focused on engagement with the residents of Rennes House, as they are more closely affected than other residents locally. It has held a number of consultation and information events over the last five years. Most recently (Wednesday 24 June) the team met with Rennes House and surrounding residents at a three hour drop in session to discuss the updated design, car parking and the enhanced landscaping area to the north/east of Rennes House.

Feedback from this meeting fed into the finalised design and it is their intention to engage further with the Rennes House residents over the design of their new garden area.

REPRESENTATIONS

Three objections have been received. Concerns focus on the adequacy of the car parking, the communal garden area, the design and other matters:

- 23 car parking spaces is inadequate for 87 homes, there are 60 spaces at present serving 60 homes.
- How will the use of the parking spaces be controlled?
- There are eight blue badge holders in Rennes House.
- Rennes House needs an allocation of at least 30 car parking spaces.
- Visitors and carers will need to park on Vaughan Road.
- Communal garden area is inadequate size, c 2sqm for each of potential 120 residents of Rennes House.
- Garden area on northern side of building prone to wind tunnel effect and only receives late afternoon sun.
- Loss of previous benches for sitting.
- Garden needs adequate fencing and key coded gate.
- Sub-station being relocated to one of the sunniest areas.
- Prefer garden area on southern side of the building proposed for car parking.
- Design unaltered since previous rejected scheme.
- New block will shade lower five floors of Rennes House.
- Design not in keeping with surrounding development.
- Council should prioritise building on other garage areas.
- Upgrading of Rennes House should be undertaken first not after the new build.
- Those attending the consultation meeting were extremely concerned re the lack of car parking and repositioning of the communal garden.

CONSULTATIONS

DCC (Head of Planning, Transportation and Environment) - Comments as follows :-

"The submitted application is for the demolition of existing two storey car park and erection of a new block of flats containing 26 flats, including car parking and amendments to existing access at Land adjoining Rennes House, Vaughan Road.

From a highways perspective the submitted application is not drastically different to the previous application, and therefore this response reiterates many of the points previously raised.

The proposal includes the provision of a new vehicular access onto Hill Lane, widening of the at grade entry to Vaughan Road and the closure of two of the existing accesses to the multi storey car park. The access onto Hill Lane will need to be a dropped kerb crossing.

The applicant is advised that to provide a new access, they **must** apply for and receive the appropriate licenses prior to undertaking any work in the highway. This applies to

- Creation of a new access (S184)
- widening of the existing access (S171)
- Closing off old accesses (S171)

During any works, the existing double yellow lines along Hill Lane will need to be retained, and the proposed works must be managed accordingly.

The relevant parking standard is set out in chapter 6 of Exeter City Council's adopted Residential Design Guide. This sets out that for the proposed development, a minimum of 21 unallocated spaces should be provided, and therefore subject to spaces being unallocated, the proposed 24 parking spaces is acceptable from a highways view.

The submitted application proposes 26 cycle parking spaces, which is welcomed. As it is not sufficiently clear from the plans, the applicant is advised that a hard surfaced path should be provided connecting the cycle store and the public highway.

It is recommended that the conditions relating to closure of redundant accesses and provision of access and on site parking facilities prior to occupation are secured as part of any permission. Subject to such conditions being attached in the granting of any permission, no objection."

Environmental Health - Recommends conditions concerning construction hours, CEMP, land contamination and noise levels.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - NPPF - Particularly Paras 11-16 Presumption in favour of sustainable development, Para 17 Core Planning Principles, Paras 29-41 Promoting sustainable transport, Paras 47-55 Delivering a wide choice of high quality homes and Paras 56-68 Requiring Good Design.

Exeter Local Development Framework Core Strategy

- CP3 – Housing development
- CP4 – Housing density
- CP5 – Meeting housing needs
- CP14 – Renewable and low carbon energy
- CP15 – Sustainable design and construction
- CP17 – Design and local distinctiveness

Exeter Local Plan First Review 1995-2011

- AP1 - Design and Location of Development
- AP2 - Sequential Approach
- H1 - Search Sequence
- H2 - Location Priorities
- H5 - Diversity of Housing
- H6 - Affordable Housing
- H7 - Housing for Disabled People
- T1 - Hierarchy of Modes
- T2 - Accessibility Criteria
- T3 - Encouraging Use of Sustainable Modes
- T10 - Car Parking Standards
- EN2 - Contaminated Land
- DG1 - Objectives of Urban Design
- DG4 - Residential Layout and Amenity
- DG2 - Energy Conservation

DG6 - Vehicle Circulation and Car Parking in Residential Development
DG7 - Crime Prevention and Safety

Exeter City Council Development Delivery DPD (Publication Version)

DD1 - Sustainable Development
DD5 - Access to Jobs
DD8 - Housing on Unallocated Site
DD9 - Accessible, Adaptable and Wheelchair User Dwellings
DD13 - Residential Amenity
DD20 - Sustainable Movement
DD21 - Parking
DD22 - Open Space
DD25 - Design Principles
DD26 - Designing Out Crime
DD34 - Pollution

Supplementary Planning Documents

Residential Design
Sustainable Transport
Affordable Housing
Planning Obligations
Trees and Development

OBSERVATIONS

Policy H1 of Exeter Local Plan First Review prioritises the use of previously developed land for the development of new housing. Policy H2 states that "priority will be given to meeting housing needs on previously-developed land by applying the search sequence set out in policy H1 and by permitting residential development at the highest density that can be achieved without detriment to local amenity, the character and quality of the local environment and the safety of local roads, whilst having regard to the need to provide a variety of housing provision which is accessible to a range of employment, shopping, education, health and social care, leisure and community facilities." The application site is previously developed land.

Consent was granted in October 2010 for the redevelopment of the existing 2 storey concrete car park and surrounding land with a four storey building containing basement car parking and 21 flats (predominantly 2 beds). Since this scheme was approved housing needs in Exeter have changed with an increased demand for 1 bed units for over 55s. Consequently a revised scheme based on the same principles in terms of footprint, massing, and building position was submitted in 2014 (ref 14/2016/16). Although the total gross internal area of the redesigned scheme has remained similar to the approved scheme because the units were smaller the total number of flats increased from 21 to 26 . This scheme was refused on the 3rd February for the following reason -

"The proposal is contrary to the Exeter City Council Core Strategy 2012 (Policy CP4), Exeter Local Plan First Review 1995-2011 (saved policies DG4 (a) & (b), and H5 (a), and chapter 7 (Residential Amenity) of the Council's adopted Residential Design SPD because -

- (i) It would result in the loss of existing open space serving the residents of Rennes House to the provision of parking facilities at the cost of the residential amenity of those occupants and the character and quality of the local environment,*
- (ii) The proposal fails to provide adequate communal and private amenity space to serve the residents of the new flats, and*

(iii) It incorporates habitable room windows directly abutting the public highway which would compromise the ability of the residents of those units to feel at ease within their homes."

Since the refusal the scheme has been revisited to address these concerns and a revised proposal has now been submitted, again for 26 units, that utilises less of the existing amenity space north of Rennes House for parking provision, and incorporates slightly enlarged balconies to provide more private amenity space for the new flats. The existence of a valid consent (application 13/4078/16) for a building of similar footprint/massing is a material consideration in respect of this latest revised proposal. The proposed design is unusual, and not of a scale or appearance which is directly comparable with other buildings in the vicinity (neither is Rennes House). However, it is of a high quality which will not detract from the character of the area or the quality of the local environment.

In assessing this revised proposal the key issues are not therefore the principle of the redevelopment and general massing of the building, as this has effectively already been determined as acceptable by virtue of the previous consent. Rather the main considerations are the amenity standards (both internal and external) in respect of the revised accommodation, any change in the relationship between existing surrounding properties and the proposal, and the revised parking arrangements.

The revised scheme has been designed to ensure that the internal space standards of the proposed flats are largely compliant with the standards set out in the Council's adopted Residential Design SPD. As with the previous proposal a secure shared private amenity space is provided around the building to serve the residents. The proposal also incorporates a roof terrace, accessible from the second floor of the building, as additional communal amenity space. Compared to the previously approved scheme there are a greater number of flats with less overall communal amenity space, as was the case with the recently refused scheme. However, following the recent refusal the balconies on each flat have been slightly increased in depth to provide more private amenity space and the amount of the existing communal amenity space serving Rennes House lost to car parking has been significantly reduced (by approx 50%). In respect of the new flats the total area of shared external amenity would still be deficient in terms of compliance with the standard set out in the Residential Design SPD. However, coupled with the increased balcony sizes it is considered to represent an acceptable level of provision, in the context of the extant approval and given the significant affordable housing need that the proposal would meet. The level of amenity space provision still represents a compromise on the levels of provision referred to in the Residential Design SPD and it is only considered acceptable in the interests of achieving a viable scheme delivering a solely affordable housing scheme for people aged 55 or over on a challenging site.

The proposed parking arrangements for the revised scheme provide surface level parking rather than the expensive basement parking incorporated within the previous approval. In order to provide an acceptable level of combined parking provision for the new flats and the existing Rennes House (which has been influenced by the current take up of parking spaces by existing Rennes House residents) it has been necessary to provide some of this parking on the current communal landscaped space north of Rennes House. In the recently refused scheme all of this communal open space serving the existing residents was lost, however the revised scheme now under consideration has managed to retain approximately half of this area. The amount of communal open space that would be available to serve existing residents of Rennes House would still be significantly short of the standards that would be sought for a new flat development to comply with the Residential Design SPD standards. This is considered acceptable in the context of the overall merits of this proposal in providing much needed affordable housing.

Aside from the use of basement parking which has been ruled out there is no scope to achieve a level of parking provision that would be acceptable without utilising some of this amenity area. Therefore it is necessary to consider the merits of the current scheme in the full

knowledge of the consequent reduction in external amenity space to serve the existing residents of Rennes House, and that this represents a negative impact of the proposal and compromise on standards of amenity space that would be sought in respect of any new development. However the fact that the existing units within Rennes House are also aimed at those over 55 yrs of age rather than families is also relevant in terms of considering the likely use of the existing amenity space and its partial loss. This negative aspect of the development has to be weighed against the delivery of much needed sustainably designed downsizing accommodation and affordable housing. Whilst the relative proximity of existing public parks is not acceptable as a routine justification for reduced on site amenity standards it is noted that there are public parks and open spaces within reasonable proximity of the site.

The proposal has been carefully designed to minimise overlooking or overbearing of neighbouring properties. Habitable room windows are at least 22m apart in accordance with the Residential Design SPD apart from between the new flats and Rennes House where the distance is slightly less. However the relevant windows are bedroom/kitchen windows as opposed to living room ones, and are at a slightly oblique angle to Rennes House. Therefore it is not considered that the proposal will give rise to any undue overlooking of dwellings within Rennes House.

Houses in Vaughan Road are the most likely to be affected because the nearest ones are modest in scale and occupants may feel that the new higher building opposite is overbearing. However, the proposal will not reduce the amenity of the private areas of these dwellings, and will not have sufficient impact to justify refusal. These properties are also separated from the application site by Vaughan Road itself and are considered to have sufficient separation distance between them, especially given that this relationship is between the front elevations and not the rear where these properties have their private amenity space.

The parking provision for the 26 new flats equates to 8 of the 14 spaces and this is provided on land between the site and Rennes House. Some of the parking provisions for Rennes House itself will be provided on the current landscaped area north of Rennes House which will become hard surfaced for parking (10 spaces). A total of 24 parking spaces will be provided (including 16 to serve the existing Rennes House units). Information submitted in respect of the recently refused scheme stated that of the existing parking spaces available on the site only 9 spaces are currently let to residents of Rennes House and this, together with the fact that Rennes House provides accommodation for aged 55+, has informed the level of provision of spaces within this revised scheme that will be available to Rennes House (16 spaces). The site is well located in terms of proximity to bus stops which provide convenient links to the local and national railway network and there are local shops and facilities within the nearby parade on Pinhoe Road (within easy walking distance). The scheme incorporates secure cycle parking. Given the relatively sustainable location of the development, and the nature of the scheme, the level of parking provision proposed, although on the low side, is considered acceptable.

Part of the reason for refusal on the previous scheme was the presence of habitable room windows directly abutting the public highway, and the potential impact this would have on the quality of life of future residents. It has been clarified as part of this scheme that due to the finished floor levels within this building the cill level of the ground floor windows will be 2 metres above the footpath and therefore higher than a standing person. This will eliminate the potential for passing pedestrian to look into these windows and will ensure the privacy of future occupants of the ground floor units.

In order to comply with policy H6 of Exeter Local Plan First Review, it will be necessary for a legal agreement to be completed in accordance with section 106 of the Town and Country Planning Act 1990, to secure 35 per cent of the proposed housing as affordable in perpetuity.

SUSTAINABILITY

The highly sustainable nature of the design is welcomed. The building design is based on 'Passiv-Haus' principles. A passive house is a building in which a comfortable interior climate can be maintained without active heating and cooling systems. The buildings heat and cool themselves. The principles were developed in Germany and are used to achieve the highest levels of energy efficiency and ecological design standards. Increased insulation standards, exceptional levels of air tightness and a compact building skin mean that heat losses can be reduced to a minimum resulting in a requirement for very low space heating. By choosing the best orientation for the buildings and by optimising solar gains, the energy performance of the proposed design has been improved so that a conventional heating system is not required.

CONCLUSION

On balance, whilst the impact on the open space to serve Rennes House is still a major downside to the scheme (albeit improved by the retention of more of this space compared to the recent refusal), the overall benefits in terms of delivery of affordable housing, and potential release of larger affordable housing properties as a result of tenants down-sizing to the proposed flats, are considered to outweigh this concern. The proposal will help to meet the huge demand and need for rented social housing in the city. As a downsizing scheme, the proposal diversifies the range of accommodation available in the area. The site is well served by local shops and facilities, and by public transport. The proposal would generate approx 180k in New Homes Bonus over the payable 6 year period.

RECOMMENDATION

Subject to the completion of a legal agreement (in the form of a Unilateral Undertaking) to secure provision of 35% of the units as affordable in perpetuity, and limitation on occupation to age 55 and over, APPROVE subject to the conditions below -

In the event that the section 106 agreement is not completed within a reasonable period, authority be delegated to the Assistant Director City Development to REFUSE permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the section 106 agreement.

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 21st August and 13th November 2014 (dwg. nos. AL(0)500 Rev P4, AL(0)100 Rev P3, AL(0)110 Rev P3, AL(0)120 Rev P3, AL(0)130 Rev P3, AL(0)151 Rev P8 and AL(0)150 Rev P8), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) The existing accesses onto Hill Lane and Vaughan Road shall be permanently closed and footway reinstated in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority as soon as the new access is capable of use.

Reason: To minimise the number of redundant accesses on to the public highway, in the interest of public safety.

- 7) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided in accordance with the details specified on drawing no. AL(0)100 Rev P3. Thereafter the said cycle parking facilities shall be retained for that purpose at all times.
REASON: To ensure that adequate facilities are available for the traffic attracted to the site.
- 8) No part of the development hereby approved shall be occupied until the access and on-site parking facilities have been provided surfaced and marked out in accordance with the requirements of this permission. Thereafter they shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 9) Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of local amenity.
- 10) No development shall take place on site until a full survey of the site has taken place to determine the extent of contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that the site is in such a condition as to be suitable for the proposed use.
Reason: In the interests of the amenity of the occupants of the building hereby approved.
- 11) Details of all building services plant, including sound power levels and predicted pressure levels at a specified location outside the building envelope, are to be submitted to and approved in writing, by the LPA. The predicted noise levels shall be submitted prior to commencement of the development and shall be demonstrated by measurement prior to occupation of the development.
Reason: In the interests of local amenity.
- 12) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.
Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 13) No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the agreed details.
Reason: In the interests of local amenity.
- 14) Prior to the development hereby approved being brought into use a scheme of allocation for the parking spaces shall be submitted to and approved by the Local Planning Authority. Thereafter the use of the parking spaces shall accord with the approved scheme unless otherwise agreed by the Local Planning Authority.
Reason: To minimise on street parking in the area.

- 15) Notwithstanding condition 2, unless otherwise agreed on writing by the Local Planning Authority no development shall take place until revised drawings showing the details agreed with the Police Architectural Liaison Officer have been formally submitted to and agreed in writing by the Local Planning Authority.
Reason: In the interests of ensuring that the potential for crime and the fear of crime is minimised.

Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:

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