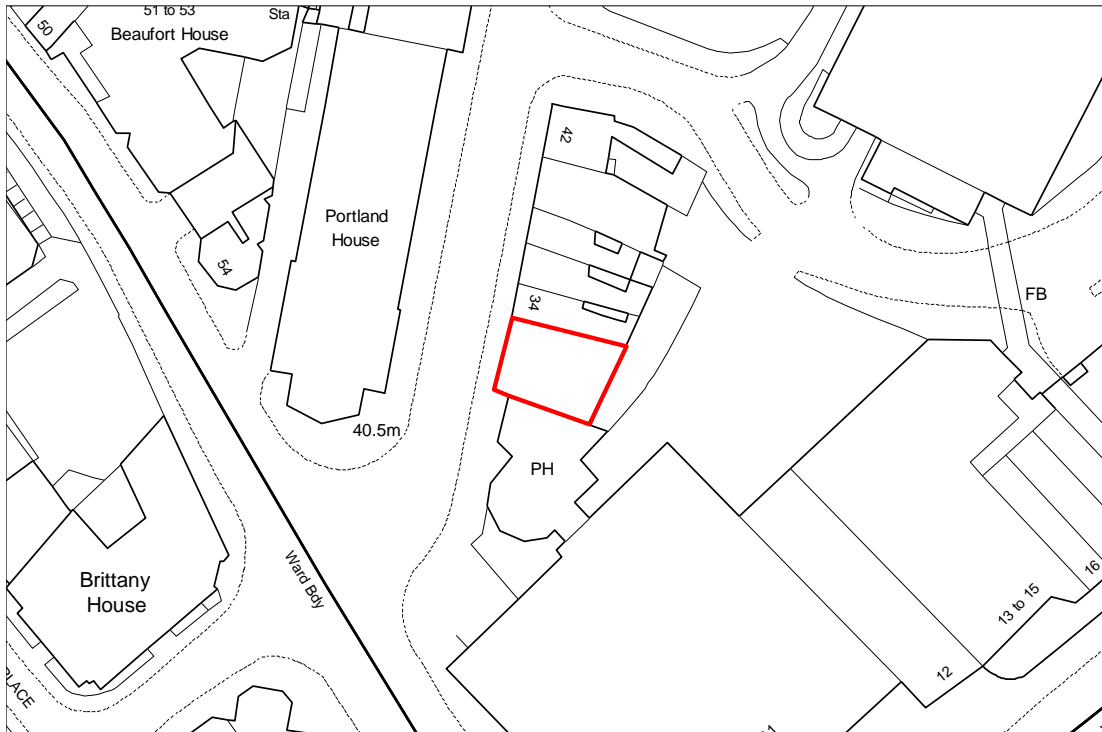


**ITEM NO. 6**

**COMMITTEE DATE: 30 NOVEMBER 2015**

**APPLICATION NO:** 15/0645/03 FULL PLANNING PERMISSION  
**APPLICANT:** Mr N Radbourne  
Barchester Properties  
**PROPOSAL:** Construction of a six storey building comprising ground floor retail use and student accommodation for 25 studio units  
**LOCATION:** 30-32, Longbrook Street, Exeter, EX4 6AE  
**REGISTRATION DATE:** 09/06/2015  
**EXPIRY DATE:** 04/08/2015



Scale 1:1000

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**HISTORY OF SITE**

Planning permission was granted in 1989 and subsequently renewed in 1994 for a three storey building comprising of a shop/office for financial and professional services (Use Class A2) on the ground floor and first/second floor for office use (Class A2).

An application for a nine storey building comprising of a retail unit on the ground floor, office at first floor and 13 two bed roomed apartments was withdrawn in 2008.

**DESCRIPTION OF SITE/PROPOSAL**

The application site is located on the eastern side of Longbrook Street between the King Billy public house and No.34 The Hair Shop. The site was previously used a vehicle repairs garage, which has since been demolished and consequently the site has remained open and vacant for several years. In addition, the application site includes land beyond an existing brick wall which appears to be part of the John Lewis rear service/parking area. The agent has confirmed that the land is not within John Lewis's ownership and therefore forms part of the application site.

The application site has a frontage of 10 metres and extends to the rear by 20 metres along its northern boundary with the hairdressers and a distance of 15 metres along its southern boundary with the King Billy public house. Given the tapered nature of the site, the rear boundary has a width of 12 metres. The rear section of the site includes part of the historic boundary wall which is to be retained, repaired and reduced in height by approximately 1 metre to allow light into the lower rear section of the proposed building. In addition, the existing pedestrian access is to be repositioned within the existing wall to benefit the proposed building's internal layout.

The application site is adjacent the detached King Billy building, which due to the changes in levels along Longbrook Street appears as a three storey building, although in terms of use comprises a public house on the ground floor with a residential flat above. To the north of the site lies a three storey row of terraced properties, albeit with some properties incorporating dormer windows within the roofspace, containing a mixture of retail and financial/professional service use on the ground floor with residential and/or storage uses above. On the opposite side of Longbrook Street, Portland House comprises student accommodation within a six and seven storey building reducing to four storeys on the lower part of Longbrook Street, which eventually leads into the Longbrook Street Conservation Area. The application site occupies a prominent location at the top of Longbrook Street and approximately 40 metres to the south the Conservation Area. Although located between two existing three storey structures any new building would also be viewed against the backdrop of the John Lewis building.

The application seeks to provide a new retail unit on the ground floor with a further five floors above each containing 5 units to provide a total of 25 studio flats. The resultant six storey building would occupy the majority of the site, with the rear boundary of the building located adjacent to the existing brick boundary wall. Pedestrian access would be gained from the building through this existing wall via a new repositioned access way and lead to an outside area containing floor mounted cycle stands for up to 25 bikes and a secure communal bin storage building. The retail unit would occupy a floor area of 70 sq metre, with direct access from Longbrook Street via double doors within a predominantly glazed shop front. This would also allow for deliveries as per the current arrangement for the commercial units within the existing parade of 5 units comprising of a hairdressers, opticians, estate agents, butchers and language school. A ramp from Longbrook Street allows access to the student flats above via the stairs and lift and also provide access through the building to the rear outside cycle/bin stores. The student flats follow an identical arrangement over the five floors with each flat served from a central corridor, which accesses the stairs and lift. All the flats have ensuite facilities and range in floor area from between 13.5 sq metres and 19.5 sq metres.

The ground floor front elevation is predominantly glazed fronting onto Longbrook Street with an area allowed for shop signage above. The other ground floor elevations are obscured by the existing neighbouring buildings or the historic boundary wall. The main element of the upper building is a proposed red brick finish, with grey powder coated aluminium infill panels and grey powder coated aluminium framed doubled glazed windows. The windows and panels are combined to provide a series of horizontal and vertical features within the main red brick facade. In addition, the windows are designed to be dual facing within three of the four corners of the building. Obscurely glazed windows are proposed within the lower south eastern section of the building to prevent overlooking into the existing windows contained within the first floor flat of the King Billy public house.

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

A Design and Access Statement, Transport Report, Heritage Statement and Environment/contamination reports have been submitted with the application.

## **REPRESENTATIONS**

6 letters/emails including one from Exeter Civic Society of objection/comment have been received which cover the following issues:-

- i) Building too high and will appear out of place within the existing streetscene;
- ii) Proposed timber cladding is an unacceptable material for this location; (*external material has since been changed from the original submission*)
- iii) Too many students within Exeter and in particular the St James Ward;
- iv) Site would be better suited for affordable housing;
- v) Loss of light to adjacent business;
- vi) Overlooking into the neighbouring residential flat within the upper floor of the King Billy public house;
- vii) Restricts the future development of the adjacent site;
- viii) Internal accommodation too small for future residents;
- ix) Lack of a common room for student use;
- x) Proposed bin/cycle storage located within neighbours ownership (*since clarified that it is within the application site*);
- xi) Ground floor retail unit will be difficult to let.

1 letter of support which comments that the proposal will improve the streetscene in this location.

St James Neighbourhood Forum raise no objection but highlight some concerns following a meeting of the Forum's Planning and Design Panel:

- i) the development should comply in every respect to Neighbourhood Plan policy C2;
- ii) alternative forms of residential use would have been suitable for this site and acceptance that purpose built student block in this location should not be taken as a general acquiescence for more student accommodation in St James;
- iii) Panel would have preferred the proposed building being 1 storey lower but acknowledge tall buildings in the immediate vicinity;
- iv) clarification over the access of area for cycle storage and refuse collection area needed;
- v) ensure roofscape of the proposed building is well integrated into the final design and has a low visual impact. Suggest that this matter can be controlled by condition;
- vi) details of the materials will be crucial to the success of the scheme in particular around the windows and ground floor interface with Longbrook Street and should be controlled by condition;
- vii) need for a Construction Management Plan given the small constrained nature of the site and the potential significant disruption which could occur during the construction phase;
- viii) concern regarding the apparent isolation of students given the very small self contained rooms and lack of communal and administrative space. Reassurance is required that the room sizes are adequate, well ventilated and doubled glazed for better sound proofing.

## **CONSULTATIONS**

The County Head of Planning, Transportation and Environment comments that student units in this location is acceptable from a highway view. Secure cycle parking should be provided within the provision of sufficient numbers of Sheffield stands as set out in the Sustainable Transport SPD.

Environmental Health Officer recommends that conditions should be imposed in respect of hours of construction/demolition within a Construction and Environmental Management Plan, contamination report and noise mitigation measures.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance - National Planning Policy Framework

Exeter Local Development Framework Core Strategy

CP5 - Student Accommodation  
CP8 - Retail Development  
CP10 - Meeting Community Needs  
CP15 - Sustainable Construction  
CP17 - Design and Local Distinctiveness

St James Neighbourhood Plan March 2013

D1 - Good Quality Design  
D2 - Retail and Commercial Frontages  
C2 - Large Scale Purpose Built Student Accommodation  
SD4 - Adapting to Climate Change  
T1 - Sustainable Transport

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  
S1 - Retail Proposal  
S3 - Shopping Frontages  
T1 - Hierarchy of Modes  
T2 - Accessibility Criteria  
T3 - Encouraging Use of Sustainable Modes  
C5 - Archaeology  
EN2 - Contaminated Land  
EN5 - Noise  
DG1 - Objectives of Urban Design  
DG2 - Energy Conservation  
DG7 - Crime Prevention and Safety

Development Delivery Development Plan Document (Publication Version)

DD1 - Sustainable Development  
DD13 - Residential Amenity  
DD20 - Sustainable Movement  
DD21 - Parking  
DD25 - Design Principles

Exeter City Council Supplementary Planning Documents:-

Sustainable Transport March 2013

## **OBSERVATIONS**

The proposed scheme is for a mixed use development comprising a retail unit on ground floor but the predominant use is for student accommodation. Although the retail unit would be outside the City Centre's designated primary and secondary shopping area it would be within an established retail parade. Consequently this additional retail unit would add to the vitality and viability of the area and would be wholly appropriate in this location. The principal consideration for this application is therefore the appropriateness of a student accommodation use in this location and the impact of the proposed building of the character and appearance of the area.

The principle of student accommodation in a City Centre location is supported to by Exeter's development plans including the Core Strategy, St James Neighbourhood Plan, Exeter Local Plan, University Supplementary Planning Guidance and the publicised version of the Development Delivery Development Plan Document subject to certain criteria. Policy CP5 of the Core Strategy states that purpose built student accommodation should be provided to meet housing need. In paragraph 6.28 it states that '*75% or more of additional student numbers should be accommodated in purpose built student housing. New purpose built student housing should be located on, or close to, the University campuses, at sustainable locations at or near to major transport routes, or in the City Centre*'. Whilst some concern has been raised regarding the need for additional purpose built student accommodation in the city, the University's plans for growth means that an approximate 1,900 additional bedrooms will still be needed by 2018/19 and therefore if appropriate sites are available opportunity for new purpose built accommodation should be welcomed provided they meet the relevant development plan policies. The detailed considerations of the policies are contained with the St James Neighbourhood Plan, Exeter Local Plan and the Development Delivery Development Plan Document.

The Exeter St James Neighbourhood Plan Policy C2 states that large scale (ie 10 or more beds) purpose built student accommodation will be permitted in areas where it can be properly integrated into the urban area which means locations:-

- a) *that are not predominantly characterised by intact streets of traditional terraced, semi detached and detached forms of 2-3 storey residential development;*
- b) *where the servicing and parking requirements could be achieved with no unacceptable impact on the amenity of the adjacent area for residents;*
- c) *where the scale and massing of any purpose built accommodation proposed would be broadly similar to that of surrounding buildings.*

The Exeter Local Plan Policy H5 also supports student accommodation providing that:-

- a) *the scale and intensity of use will not harm the character or the... locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on street parking problem.*
- b) *the proposal will not create an over concentration of the use in any one area of the City which would change the character of the neighbourhood or create an imbalance in the local community;*
- d) *student accommodation is located so as to limit the need to travel to the campus by car.*

The publication version of the Development Delivery Development Plan Document contains specific criteria against which purpose built accommodation will be permitted namely:-

- a) *it responds well to the local context and reinforces local distinctiveness*
- b) *appropriate provision is made for refuse storage, parking for disabled persons and cycle parking;*
- c) *sufficient internal and external amenity space is provided such that students feel at ease and comfortable;*
- d) *it does not detract from the amenity of neighbouring residents; and*
- e) *a suitable management plan is submitted to demonstrate how the property will be managed in the long term to ensure acceptable amenity levels for occupiers and neighbouring residents.*

The city centre location for this student scheme minimises the relevance of many of the criteria which are set out in the above policies. The St James Neighbourhood Plan, Local Plan and Development Delivery Development Plan Document in part seek to address issues raised when new purpose built accommodation is located close to existing residential properties. In this location the area is of mixed uses but predominantly commercial in character, as expected within a city centre setting. Whilst there is some impact of the

residential amenity from the building, as will be explained later, the surrounding uses and buildings are essentially non residential. Consequently it is considered that impact of the use in the area would be acceptable, particularly given the presence of an existing and larger student scheme in Portland House, located on the opposite side of the road. It is not considered that the combined number of students in this area would result in an over concentration in the immediate locality, given the overall activity associated within a city centre location and limited student numbers proposed for this scheme. Indeed the provision of additional student numbers within a central location and away from the more established residential area is to be welcomed and accordingly minimises the amenity concerns which the criteria within the relevant policies seek to address. In conclusion, it is considered that the principle of student use in this location is acceptable representing a site which is easily accessible to the university campus and with limited impact, in terms of use, on the surrounding existing commercial and residential occupants.

Whilst it is considered that the provision of student accommodation in this central location is supported, further assessment is needed to address issues relating to external appearance of the building within Longbrook Street against the relevant development plan policies. The fundamental issue for this application is the height and external treatment of the proposed building and its appropriateness within this location. As previously stated the proposed six storey building would be located between existing three storey buildings. However the wider setting of the area comprises taller buildings and in particular the John Lewis store. However it would not be appropriate to use the John Lewis buildings as the guiding reference point in terms of height, as clearly a building of a similar height would be wholly inappropriate for this site. Consequently an assessment is needed as to the appropriate scale of building when viewed within its more immediate setting and in particular its location approximately 40 metres from the Longbrook Street Conservation Area. The Inspector who allowed the appeal for an additional storey at the Portland House building opposite commented in 2014 that *'the building is located at the southern end of Longbrook Street, in close proximity to a number of other tall buildings. In this context the impact of the limited additional mass created at 6<sup>th</sup> floor height would be unexceptional. There would be no adverse impact on the character and appearance of the Conservation Area'*. Whilst it should be noted that this related to an existing building rather than a new building, as is the case for this application, the acknowledgement of the building height characteristics of the area is important. It is considered that the site requires a building of significant presence to match the changing character of the area as reflected by the John Lewis refurbishment and more recently the Portland House development. Given the limited site area this can be achieved by a taller building than its immediate neighbours. Whilst the proposed building is higher than the adjacent three storey terraced parade it does not overly dominate these buildings, as can be seen from the photomontage images. The need for a 'gateway' building can be highlighted by the negative appearance of the existing King Billy public house within Longbrook Street, which is a poorly designed building and which fails to take proper account of its prominent location. The proposed height of the building would create the necessary presence required by this site without over-dominating the immediate neighbouring building. Whilst the overall height of the building has been reduced since its initial submission it is considered that a lower building would fail to maximise the need for focal building in this location.

In addition to the height of the building, its elevational treatment is an important consideration to ensure the successful integration of the building into the surrounding area. The original submission proposed a timber clad building, which was considered to be an inappropriate choice of material within its setting of predominantly rendered and brick faced neighbouring buildings. Whilst the choice of material did not necessarily have to reflect these types of materials the architect was asked to explore alternative external finishes. Following several options submitted the scheme now proposes a combination of a red brick and aluminium clad finish. This will reflect the material found with the adjacent terraced parade and although clearly of contrasting heights will help to visually link the new and old buildings. It is considered that the use of this similar material is helpful to reduce the negative visual perception of the

building's height, which was questioned within the earlier submission. Whilst the use of red brick could be considered a 'safe' option given that many buildings in the area use a similar material, it is considered that the inclusion of metal infill panels and windows, including the corner window arrangement will create the necessary level of visual interest a building in this location requires.

In conclusion, it is considered that the combination of the building's scale and proposed external materials would create an appropriate building within this location. Whilst the site is located outside the Conservation Area, clearly its height would inevitably mean that it would be seen from inside and within the setting of the Longbrook Street Conservation Area located approximately 40 metres away. It is considered that the assessment of the building's design takes account of the conservation area's proximity and accordingly represents a building which will preserve and enhance the character and appearance of the area.

Following comments raised on behalf of the occupants of the first floor flat within the King Billy public house, partial obscure glazing has been introduced within a section of the building to avoid the previously unacceptable relationship between the student accommodation use and an existing bedroom window. This arrangement is now considered acceptable and a condition can be imposed to ensure that this is maintained. In addition, the owners of the neighbouring hairdressers have raised concern about loss of light to their rear studio area as a result of the scale and massing of the building. Unfortunately the development of this site will inevitably result in loss of light to this room and to eliminate this problem completely would require a complete redesign which could make the site undevelopable. Given the length of time that the site has remained vacant and the need for a scheme which contributes to the character and appearance of the area this is not a preferred option. However it is considered that further investigation into creating a lighter coloured material closest to the affected roof light windows could be beneficial and therefore may result in amended plans being submitted to address this matter.

The scheme does involve the renovation and reduction of the historic boundary wall to the rear of this site as well as a repositioning of the existing opening. The Heritage Officer has assessed the detailed submitted with the application and included within the Heritage Statement and concluded that subject to an archaeological condition being imposed the scheme is acceptable. As a result of additional comments made by the Heritage Officer further investigation work was undertaken in respect of the underground passages but concluded that the proposed building will have no impact on these existing structures.

A Section 106 Agreement will be required for a student management plan. Some comment was raised about the size of units and lack of common room leading to concern about the social well being of the students who occupy the rooms. However it is considered that the necessary support and, if needed, management of student behaviour in relation to nearby existing uses can be control through this management plan.

In conclusion, it is considered that the scheme represent an opportunity for the site, which has remained vacant for many years to be developed for uses which are appropriate for this location. Whilst initial concerns were raised about the height and external finish of the buildings these issues have now been satisfactorily resolved and the scheme is considered acceptable. The development will generate a Community Infrastructure Levy payment of approximately £26,000 and provide the City Council a New Homes Bonus of approximately £115,000.

## **DELEGATION BRIEFING**

**7 July 2015** - Members were advised that the application related to a six storey development that would comprise ground floor retail and five storeys of student flats between the hairdressers and the King Billy pub on Longbrook Street. A parking area together with cycle spaces and bin storage had been identified but appeared to be outside the application site. This issue had not been clarified. It was considered that the case for six storeys,

notwithstanding the student flats on the opposite side of the road, had not been proved. It was not thought that the size of the John Lewis building was relevant in this context, as it was considered to be unique in the city landscape. The timber cladding proposed was not felt appropriate in a city centre location although the statement that the building could act as a gateway feature for Longbrook Street was felt to be relevant. The St. James Forum had been consulted and verbally shared the views set out above. Members supported refusal of the application under delegated powers.

**21 July 2015** - Since the previous delegation meeting the agent had submitted two alternative designs each with different proportions of render, brick and some timber cladding. It was contended by the agent that the render reflected the render used on the John Lewis building. The applicant had served notice on the City Council of its wish to purchase the land to pursue this proposal and an agreement would need to be reached separately from the planning consent. The applicant would be advised of the need for a secure area for bin storage given that some problems had been experienced by occupiers of flats above shops adjacent to the site with uncontrolled access to their bins.

It had been hoped that a more unique design should be aimed for and, although a tall building would be appropriate, given the heights of neighbouring buildings it was thought that further consideration should be given to the impact of the building from all directions. Members supported further discussions with the applicant, advising that any timber cladding was not supported and that part red brick would be a preferable to improve the overall building's appearance. Details of window treatment would also be sought. The proposal would be further considered at the next delegation briefing.

**15 September 2015** - Members considered that the proposal submitted since the original application had some merit and consequently with the heights of neighbouring John Lewis building and the Portland House buildings, a six storey building could be considered acceptable, although one Member stated that a reduction by one storey would be beneficial.

Although few objections had been received, the St James Neighbourhood Forum had echoed the call for a higher quality design whilst also expressing concerns over the height. A minor concern regarding the potential overlooking from windows into the first floor of the King Billy pub had been supported and the applicant was willing to provide obscure glazing as appropriate. Further negotiations would take place with the applicant on the design issue and, because of the high profile of the site, the application would be put to the Planning Committee.

## **RECOMMENDATION**

Subject to the completion of a Section 106 Agreement securing a Student Management Plan **APPROVE** the application 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 3 November 2015 (dwg no. GA-01; GA-02; GA-10; EL-01; EL-02; EL-03 & EL04) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases;



availability of areas to accommodate operatives' vehicles, construction plant and material; emissions of noise and dust and hours of demolition/construction work.

**Reason:** In the interest of the environment of the site and surrounding areas.

- 5) The contamination remediation must be carried out in accordance with the John Grimes Partnership Environmental Report dated January 2015, unless otherwise agreed in writing by the Local Planning Authority. 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 the amenity of the occupants of the buildings hereby approved.
- 6) C57 - Archaeological Recording
- 7) The building hereby approved shall be brought into its intended use until secure cycle parking facilities for residents have been provided in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the said cycle parking facilities shall be retained for that purpose at all times  
**Reason:** To ensure that cycle parking is provided, in accordance with Exeter Local Plan Policy T3.
- 8) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:  
a) windows to include means of opening, reveals, cills and headers;  
b) layout of roof area and roof mounted plant equipment;  
c) shop front external window and door display;  
d) rainwater goods; and  
e) refuse storage building.  
**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 9) Before the first occupation of the building hereby permitted the window in the southern elevation as shown on dwg no. EL-02 shall be fitted with obscure glazing to be agreed in writing with the Local Planning Authority and shall be permanently retained in that condition thereafter.  
**Reason:** To prevent overlooking of the neighbouring residential flat

**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