

**ITEM NO.****COMMITTEE DATE:****26 JUNE 2016****APPLICATION NO:**

16/0603/03

FULL PLANNING PERMISSION

**APPLICANT:**Mr Lewis  
Iesis**PROPOSAL:**

Demolition of the existing garage buildings on site to construct a 68 bedroom student accommodation development split into one three storey block and one two storey block separated by an open courtyard. Associated facilities including common areas, waste and cycle storage, offices and plant are included.

**LOCATION:**

36 -38 Well Street, Exeter, EX4 6QQ

**REGISTRATION DATE:**

06/05/2016

**EXPIRY DATE:**

01/07/2016

**HISTORY OF SITE**

15/1477/03      Redevelopment to create 33 self-contained flats      REF 20/12/2005  
Appeal dismissed – 12.5.2006

**DESCRIPTION OF SITE/PROPOSAL**

The application site (0.09ha) is located on the site of the existing City Service Station on Well Street in the St James Ward. The site is currently occupied by a covered forecourt, central garage building and additional buildings/garages to the rear. Historic plans show that the site has been occupied by various buildings since the 1880s. More recently, the site has been used as a Service Station and it is believed that the original petrol tanks are still in situ. In more recent years, the pumps have been removed and the site is used for car sales and repairs.

The site fronts onto Well Street, with terraced properties on each side and a terrace of properties to the rear, on St James Terrace, which is accessed to the side of this site. The development site is flat, but the land slopes away to the rear so that the St James Terrace properties are about three metres below the ground level of the site. The site lies adjacent to the St Sidwells Conservation Area.

The application proposes to demolish the existing buildings and to remove the below ground petrol tanks and to construct 6 townhouses, a courtyard and rear studios. This would provide a 68 unit student housing development with communal common room and laundry facilities, creating a total floor area of 1,565m<sup>2</sup>. The accommodation would be provided as follows:

- 20 studio flats (situated around the rear courtyard);
- 48 bedrooms (8 per townhouse; 6 no. townhouses – all to the front of the site facing onto Well Street).

**SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

A Design and Access Statement, Flood Risk Assessment and Drainage Strategy, Land Quality Assessment and Travel Plan have been submitted with the application.

**REPRESENTATIONS**

64 letters of objection have been received up until 15th June 2016, concerned with the following:

- Long term effect on the value of adjacent property and loss of privacy through direct overlooking.

- Density of the development and the effect on car parking, noise pollution, and the overbearing nature of the building.
- A development involving less density and targeted at local residents would be more acceptable.
- On top of the football ground buildings, the cricket ground building and the previous garage in Well Street (near junction with Victoria Road), St James' is becoming a student ghetto.
- Residents already experience enough noise and disturbance from students throughout the night and until after 6am.
- Student blocks foster greater noise levels and a further reduced consideration for surrounding residents.
- Worsening parking situation in Well Street and no provision for drop off or deliveries.
- Students are transient and do not, as a rule, tend to respect their surroundings.
- Residents are surrounded by students who when they are not at University leave the area like a ghost town, which also affects local businesses, many of whom reduce hours or close out of term time.
- The development would significantly affect the amount of light reaching the St James Terrace which is lower than the street and therefore affect the quality of life of its residents.
- The student population of this part of Exeter has already overtaken the 50% mark which it was Exeter City Council's undertaking not to exceed.
- The proposal will not meet a social or educational need and will undermine key principles of the Neighbourhood Plan for St James.
- There is a degradation of the neighbourhood by the proliferation of bins in the streets, food waste and bottles left lying on the pavements.
- The proposal directly contravenes the St James Neighbourhood Plan which calls for a balanced community.
- Parking for student vehicles is not included in the plan. A Transport Plan does not address the issue. St James is overwhelmed with students' cars during term time with local residents struggling to find parking spaces.
- The design does not fit in with existing architecture. The building is dark and overbearing, the roof height is above that of those existing buildings and a lower ground floor is being constructed to cram in as many students as possible. The three above ground floors close the light on to the road and is oppressive, made more significant as the building edges directly onto the pavement.
- This is a missed opportunity for a development for housing for the people of Exeter. Student accommodation should be spread around the city more.
- The top floor dormer windows of Block A will look directly into the upper floors of the six houses in St James Terrace.
- Finishing the rear elevations of Block A and B in white render and fitting contemporary windows will be out of keeping with the period nature of the properties in both St James Terrace and in Well Street where there is a predominance of red brick. The scheme deprives the terrace houses on St James Terrace of natural light. All upper windows should be obscured.
- The suggestion of a 'green wall' is welcomed but the illustration shows climbers on trellis and does not show a green wall. It is difficult to assess the height of the replacement wall and the impact on light.
- Scale, height and size of development and impact on the street scene. The development is built right onto the pavement with no set back.
- Size of accommodation proposed is impractical for other future possible uses.
- Application is contrary to Policy C2 of the St James Neighbourhood Plan.
- Loss of a local business and employment.
- Density of people in the immediate area would be increased to an unsustainable level and place a strain on water, sewage and other existing services.

## **CONSULTATIONS**

### **Sustainable Transport Consultant:**

Cycle parking spaces should be provided in accordance with the agreed Sustainable Transport SPD, providing 39 on site spaces.

Cycle parking should be covered from the elements and be of a design such as a Sheffield stand that allows users to lock both their frame and wheels.

Drop kerbs to the front of the development should be incorporated to aid cycle and wheelchair access to the site.

### **South West Water:**

No objection

### **Environmental Health:**

Approval subject to the compliance with conditions relating to the submission and approval of a Construction Environmental Management Plan, Contaminated Land and Plant Noise.

### **Wales & West Utilities:**

Gas pipes may be present in this area. They must not be built over nor enclose any apparatus.

### **Highways:**

The principle is acceptable in highways terms.

There are some details with regarding servicing and pick up drop off which are not considered to be adequately addressed. However, the Highways Officer believes they can be overcome by amending the current parking arrangements on Well Street to provide facilities immediately adjacent to the site. The applicant has been asked to provide amended drawings to confirm what can be achieved and the costs of any changes and associated TRO would need to be covered by the developer.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance**

National Planning Policy Framework 2012:

4. Promoting Sustainable Transport
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

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

CP2 – Retention of Employment Land or Premises

CP5 – Student Accommodation

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

C5 - Archaeology

H1 – Housing land search sequence

H2 – Location Priorities

H5 – Diversity of Housing

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

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

- b) *The proposal will not create an overconcentration of the use in any one area of the city which would change the character 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.*

T1 – Hierarchy of modes of transport  
 T2 – Accessibility criteria  
 T3 – Encouraging use of sustainable modes of transport  
 EN2 – Contaminated land  
 DG1 - Objectives of Urban Design  
 DG2 – Energy conservation  
 DG7 – Crime prevention and safety

### **Exeter Development Delivery Document – Publication Version 2015**

DD1 – Sustainable Development  
 DD7 – Allocated Housing Sites  
 DD12 – Purpose Built Student Accommodation

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

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

- a) *Respects, and contributes positively towards, the character and appearance of the area;*
- b) *Does not result in unacceptable harm to the amenity of the neighbouring residents;*
- c) *Provides sufficient internal and external space for future occupiers;*
- d) *Makes appropriate provision for refuse storage, operational and disabled persons parking, servicing and cycle parking;*
- e) *Reduces the need to travel and would not cause unacceptable transport impacts; and,*
- f) *Is accompanied by a suitable Management Plan secured by planning obligation to demonstrate how the property will be managed in the long term.*

DD13 – Residential Amenity  
 DD20 – Sustainable Movement  
 DD21 - Parking  
 DD25 - Design Principles  
 DD26 - Designing out Crime  
 DD28 - Heritage Assets

### **Exeter City Council Supplementary Planning Documents**

Sustainable Transport SPD March 2013  
 Development Related to the University June 2007  
 Exeter St James Neighbourhood Plan March 2013

*Policy C2: Large Scale Purpose Built Student Accommodation*

*Large scale purpose built student accommodation will be permitted in areas where it can be properly integrated into the urban area. This 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.*

### **OBSERVATIONS**

The application seeks redevelopment of this old service station site with 68 units of student accommodation within the St James Ward. The report will assess the principle of student use for this site; the design principles; its appropriateness to neighbouring residential uses and acceptability in highway terms.

## **Student Use**

The principle of student accommodation is supported by the Core Strategy and the Development Delivery Development Plan Document. 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'*.

It is considered that the application site meets these locational criteria, being 8-10 minutes away from the Streatham Campus and borne out by the popularity of the St James ward for student accommodation. St James ward also benefits from an Article 4 Direction which requires changes of use from Class C3 homes to Class C4 (small HMOs) to obtain Local Authority Planning Approval, there are streets which were excluded from the Direction.

While reviewing the appropriateness of the development against the Exeter City Council policies, it is also particularly important to review the principle of the development against the St James Neighbourhood Plan in particular in relation to the section relating to the Community and Policy C2 (Large Scale Purpose Built Student Accommodation). The Plan states 'that development of appropriate housing to improve the social balance of the ward will be encouraged'. There is a high proportion of students in the ward, currently at around 52% of the overall population. A key aim of the plan is to ensure an appropriate balance between the student population and permanent residents. The addition of recently approved projects leads to a further imbalance of the community.

The Neighbourhood Plan also recognises that there are relatively few opportunities in the St James area for the development of large scale student accommodation, but Policy C2 does acknowledge that the principle of such a use in the area can be acceptable providing that it meets the identified criteria. The introductory text of Policy C2 and the text of Policy C2 (a) discourages large scale student development within existing streets which are 'characterised by intact streets of traditional terraced, semi-detached and detached forms of 2 - 3 storey residential buildings'. It is considered that Well Street does fit within this description, due to predominantly residential use and the existing terraces of two-storey houses.

Policy C2 (b) seeks to address the potential for the use to create an unacceptable loss of amenity to local residents through servicing and parking requirement. The scheme does not propose any parking spaces. However, the redevelopment of the site does result in a complete street frontage whereas currently there is a large access. The resulting infill and loss of vehicular access would allow for a Loading/Unloading zone to be identified on the road without any loss of parking. The applicant has also confirmed that residents would also be excluded from the Residents Parking Scheme.

Policy C2 (c) relates to the scale and massing of the proposed buildings which should be broadly similar to that of surrounding buildings. The front elevation facing Well Street has been designed to be in-keeping with the varying designs of buildings along Well Street and would reintroduce a strong building line in this section of Well Street.

## **Design Principles**

There is a strong building line along this section of Well Street, formed by the existing terraces of houses on each side of the street. These are both two-storey in height and constructed of brick in one terrace and render in the other. The design of the accommodation proposed attempts to mirror this design by using brick facades, replicating the building line of the street whilst also providing some setbacks to break up the length of the façade. The buildings are proposed to be two-storey with dormer style windows to the roof to provide further accommodation and reflecting other buildings of this design within the street. The dormers are to be standing seam metal clad. There would be six terraced townhouses in this block, emphasised through the introduction of rainwater pipes for each element and traditional front doors. The rear of the townhouses would have windows facing

St James Terrace but there is a distance of 30m between the two facades reducing the opportunity for overlooking or loss of privacy. There are also extensions to the rear of these townhouses at lower ground and ground level, facing into the courtyard but with angled windows to reduce overlooking and loss of privacy to the units on the other side of the courtyard and having no impact on the houses in St James Terrace. These internal elevations would be finished with a white render to keep the courtyard area bright.

To the rear of the site, there is an open courtyard proposed which would break up the massing of the overall development, with a further block of studio flats which would also contain the communal and administrative rooms. This accommodation backs onto the St James Terrace and has been designed to be the same height as the existing buildings on the site but extend the full width of the site. Currently the buildings only extend to just over half of the width of the site on this rear edge. The façade facing St James Terrace would not have any windows, as is the current situation and would remain brick faced, with the courtyard elevation finished with white render and angled windows. The courtyard would be excavated and dropped in height to around the level of St James Terrace to the rear in order to achieve the two storey studio block element.

Within the courtyard, a staircase would provide access to an elevated walkway to access the upper studio flats and the upper floor of the common room and administrative rooms. At lower ground level a large common room is also proposed with access into the courtyard and a laundry facility.

Bin storage is provided in a central area within the courtyard. It is intended that the site manager would move the bins to Well Street for collection and then returned to the bin store once emptied. Recycling facilities are also proposed.

### **Relevant Planning History**

In 2005, an application was submitted to redevelop the site with 33 self-contained flats in 3-4 storey blocks. The application was refused on the grounds of the footprint of the overall building, height, scale, massing, number of residential units and the relationship with nearby residential dwellings. An appeal was submitted against the decision, which was dismissed in May 2006. The main issues considered by the Inspector were:

- a) The character and appearance of Well Street and its surroundings;
- b) The amenities of nearby residents in terms of their outlook and privacy; and
- c) The amenities of the occupiers of the proposed apartments in terms of outlook and privacy.

The scheme submitted for Student Accommodation moves away from the design of the 2005 scheme by ensuring that the massing across the site is reduced to an acceptable level, with heights reducing to that of the existing garage block at the rear to reduce the impact to the housing on St James Terrace. By not including any windows at the rear of the site, this also protects the privacy of the existing residents with the distance between windows being 30m. The height of the buildings to the front of the site is also kept to a level which mimics the existing adjacent terraces, unlike that proposed in 2005.

### **Impact of residential amenities**

The application site does lie within the heart of a residential area. However, the plans and additional information provided indicate that an on-site management presence would be maintained at all time, which given the size of the proposed development is to be expected. A Student Management Plan would be required as part of the Section 106 Agreement if planning permission is granted, to control such things as safety and security matters, arrivals/departments arrangements as well as providing local residents with contact details for potential student disturbance issue if they were to arise.

To either side of the development are existing residential terraces of houses. The side walls of the proposed development would be blank to avoid any loss of privacy, however, there are windows to the side elevations of both number 35 and 39 Well Street, which provide light to rooms and stairs.

## **Highways**

There is no parking provision on site and although there is residents parking, residents of this development would be excluded from joining the scheme. The site is only 10 minutes' walk from both Exeter City Centre and the University and therefore in close proximity to local and national bus and train networks, negating the requirement for private transport.

Cycle parking (37 no. spaces) is proposed to be provided within the courtyard.

Level access is provided to three of the six townhouses and the studio flats can be accessed via the ramp leading down to St James Terrace, where the rear block of units is accessed from.

The submitted Travel Plan aims to encourage sustainable forms of transport, a reduction in the use of private vehicle use and also seeks to implement a residential drop off and pick up procedure and a management plan for servicing, refuse and recyclables collection. To alleviate the pressure on Well Street and the surrounding road networks when students move in and out, a timetable for arrivals and departures is proposed to be prepared each year to stagger movements over a three to four day period. For the servicing, deliveries would be per usual times for standard deliveries. The Management Company would be responsible for refuse collection and recycling.

A Travel Plan Co-ordinator is proposed to be employed to oversee the introduction and implementation of the Travel Plan.

## **Flood Risk/Drainage**

Foul and Surface water drainage currently drains to the South West water combined sewer in Well Street. The site is within a Flood Risk Zone 1, at low risk of flooding and is approximately 45m AOD (Mean Sea Level).

The report notes that the nearby railway cutting is shown to be at risk of flooding, so the management of surface water is an important consideration and steps should be taken to prevent the increased risk of flooding on the railway.

No oil interceptor has been recorded and there is no evidence of attenuation on the site. Runoff from roofs and paved areas therefore leads into the foul sewer. There is a further foul sewer running along the lane to the south of the site (St James Terrace).

The future strategy is to create a separate foul and surface water drainage system with part of the foul water discharging into the SWW sewer in Well Street, but gathering the surface water runoff into an attenuation system in the courtyard and then combining with the foul water from the western part of the site at the outlet and discharging into the foul sewer in St James Terrace. The aim is to reduce the current estimated run off of 11l/s to 2l/s. SWW has accepted the strategy. As the system serves a commercial property, it will not be adopted but will require a maintenance and inspection programme by the owner.

## **Landscaping**

There is currently no landscaping on the site so there is an opportunity to create a small communal space for the residents. The courtyard is proposed to be finished with a permeable surface with a surface water attenuation tank below. Some tree planting is proposed to soften the area, together with benches.

There is an opportunity to create a green wall along the rear elevation to St James Terrace to create a softer edge rather than all brick.

## **Section 106**

A Management Plan for the day to day operation of the Student Accommodation is required to be implemented by way of a legal agreement. There would also a requirement for CIL contributions amounting to £58,881.20.

## **Summary**

Having considered the proposal against the City Council policies and the St James Neighbourhood Plan, it is considered on balance that the scheme would not comply with Policy C2 (a) of the St James Plan and is therefore recommended for refusal on this basis.

## **RECOMMENDATION**

**REFUSE** for the following reason:

- 1) The application site forms a significant part of an intact street (Well Street), which is characterised by traditional terraced and semi-detached properties. As such, the scale and function of the proposed development would therefore be contrary to, and would be prejudicial to the achievement of, the objectives as set out in Policy C2 (a) of the Exeter St James Neighbourhood Plan.

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