

**ITEM NO. 7****COMMITTEE DATE:** 09/01/2017

**APPLICATION NO:** 16/1488/03 FULL PLANNING PERMISSION  
**APPLICANT:** Mr M Gould  
Premier Development (SW) Ltd  
**PROPOSAL:** Demolition and refurbishment of part of existing building to create 12 new residential apartments and construction of 28 new residential apartments and associated car parking, cycle parking, access road and landscaping.  
**LOCATION:** Arthur Roberts House, 121 Burnthouse Lane, Exeter, EX2 6NB  
**REGISTRATION DATE:** 17/11/2016  
**EXPIRY DATE:** 16/02/2017

**HISTORY OF SITE**

97/0612/26 -	Rear conservatory extension and construction of terrace, extension of canopy over front entrance and external alterations including replacement windows	Raise No Obj	22/10/1997
98/1073/26 -	Alterations to provide Day Centre, extension to car park (4 extra spaces) and patio area on front elevation	Raise No Obj	19/01/1999

**DESCRIPTION OF SITE/PROPOSAL**

The application site (0.4009ha) is located in Burnthouse Lane, close to the Lidl supermarket. The site is currently occupied by a vacant Care Home, which is for sale by Devon County Council. The home ceased use in September 2014 but was used as a Day Centre for a period of time before being vacated completely.

The site fronts Burnthouse Lane, the building is set back within the site and there is a long, landscaped area to the front, with a number of existing large trees, none of which are protected. The building is centrally located within the plot and was extended at some point on the east side with a wing extending towards Burnthouse Lane, which provided additional bedroom areas and extended day facilities on the ground floor. There are currently two vehicle access points into the site, one leading to the small front car park and the other leading to the east side of the building for deliveries and servicing.

The building is surrounded by existing residential dwellings. To the east of the building there are existing three storey flats. To the north side of Burnthouse Lane, the buildings are predominantly terraced houses. To the west side and to the south there are single storey bungalows.

The application proposes to demolish the wing on the east side of the building and to convert the remaining building into 12 one bedroom residential apartments with two additional one bedroom apartments constructed on the north western end of the existing building. On the area currently occupied by the extended wing, it is proposed to develop three new buildings to house 28 new two bedroom apartments. This would provide 40 new residential units in total with 40 car parking spaces to the front of the site and communal gardens to the rear.

**SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

A Design and Access Statement, Planning Statement, Arboricultural Impact Assessment, Arboricultural Method Statement, CGI Renderings, Landscape Report, Viability Assessment and Ecology Report have been submitted with the application.

## **REPRESENTATIONS**

5 letters of support have been received and two letters of objection. The objections contain the following comments:

- The proposed vehicular access crosses an existing cycleway with an increased risk of collision;
- There is a proposed rumble strip across the cycleway which could be un-rideable;
- The siting of the communal bicycle stores between Blocks A and D is insecure and remote from the intended users block A. The site layout implies these stores have doors, whereas the landscaping proposals show these as open stores. The doors are not overlooked by adjacent properties so are susceptible to being forced open. Proposals should have regard to the Secured by Design;
- Lack of visitor cycle parking;
- The proposed development has a disproportionately high number of car parking spaces;
- A car free development should be encouraged;
- A Travel Plan has not been submitted.

## **CONSULTATIONS**

**South West Water** - No objection provided any additional surface water generated by the development is dealt with by means of a SUDS or connected to the dedicated public surface water sewer network.

**Environmental Health Officer** - Approval subject to a condition requiring submission of a Construction & Environment Management Plan.

**Wales & West Utilities** - No objection

**Devon County Council Children's Services** - Due to the number of families and children expected to move into this development, it is anticipated that this application will put pressure on local schools, where there is limited capacity to accommodate them. This should be funded through CIL contributions.

**Devon County Council Highways** - To Follow

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance**

National Planning Policy Framework 2012:

4. Promoting Sustainable Transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment

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

- CP3 Housing
- CP4 Housing Density
- CP5 Meeting Housing Needs
- CP7 Affordable Housing
- CP12 Flood Risk
- CP14 Renewable & Low Carbon Energy
- CP15 Sustainable Construction
- CP17 Design and Local Distinctiveness

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

- AP1 Design and Location of Development
- AP2 Sequential Approach

H1 Housing land search sequence  
H2 Location Priorities  
H5 Diversity of Housing  
H6 Affordable Housing  
H7 Housing for Disabled People  
T1 Hierarchy of modes of transport  
T2 Accessibility criteria  
T3 Encouraging use of sustainable modes of transport  
T10 Parking Standards  
EN4 Flood Risk  
DG1 Objectives of Urban Design  
DG2 Energy conservation  
DG4 Residential Layout & Amenity  
DG6 Vehicle Circulation & Car Parking in Residential Developments  
DG7 Crime prevention and safety  
EN4 Flood Risk

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

DD1 Sustainable Development  
DD7 Allocated Housing Sites  
DD12 Purpose Built Student Accommodation  
DD13 Residential Amenity  
DD20 Sustainable Movement  
DD21 Parking  
DD25 Design Principles  
DD26 Designing out Crime

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

Sustainable Transport SPD March 2013

### **OBSERVATIONS**

The application seeks to redevelop part of the original care home through conversion to 12 flats. Three additional new buildings would be developed within the site to provide a further 28 new residential flats. The report will assess the principle of residential use on this site; the design principles; its appropriateness to neighbouring residential uses and acceptability in highway terms.

### **Residential Use**

The principle of residential accommodation in this location is supported by the Core Strategy and Local Plan policies. The site is a windfall, brownfield site. The care home ceased residential use in September 2014 and has only been used subsequently for Day Centre uses. The building has been unused now since around February 2016. It is an ideal site to bring back into use and the size allows additional residential development with adequate parking facilities.

It is recognised that this is a fairly dense development with the provision of forty new homes. However, this is in line with the NPPF 2012, Core Strategy and Local Plan policy.

### **Design Principles**

The east wing of the existing building is proposed to be demolished. Three new stair housings are proposed to be constructed to the front of the existing building to enable access to the first floor apartments. These would be constructed in brick. The walls are to remain rendered. An entire new roof will be installed. At the western end of the building, there is currently a wide landscaped gap and it is proposed to extend the existing building to create an additional two apartments. To the rear, privacy screens would be erected between the ground floor apartments. Juliette balconies are provided to the upper floor apartments. All of the ground floor and first floor apartments would be one bedroom units.

The overall plot has a large area of 4,009m<sup>2</sup>, hence it is proposed to construct an additional three new apartment blocks within the grounds of the original building. The new blocks will be constructed of similar materials. The lower floors will be rendered and brick to match the existing building and those of the adjacent residential dwellings. The upper floor will be clad, with a flat roof to keep the overall roof level to a minimum. The front and middle blocks are proposed to be three storeys, 8 metres (G + 2 floors). The block to the rear of site is proposed to be four storeys, 10.6 metres (G + 3 floors) because the land falls away to the rear, meaning that that the overall height would only be 1.4 metres taller than the existing building.

The new apartment blocks would be mix of 1 bedroom and 2 bedroom units. The units all comply with the Technical Housing Standards. There are no balconies provided to the upper floor accommodation, however, adequate communal open space is provided for the dwellings.

### **Highways**

Three accesses to the front of the site are proposed; one vehicular access and two pedestrian accesses. To the rear of the site, two further pedestrian accesses are to be provided to enable direct access to the facilities at the rear of the site.

Parking spaces will utilise permeable paving where possible as part of an overall SUDS strategy. Forty car parking spaces are provided to the front of the site, one per unit, which is in accordance with Local Plan Policy.

Cycle parking and storage is also provided with 1 space per dwelling. The external stores, which can each hold 8 cycles are now all located within the communal areas to ensure that they are within areas which are overlooked and well accessed. Further spaces are provided beneath the stair blocks of each of the new apartment buildings.

The site accesses an existing cycle way which runs along Burnthouse Lane and connects to surrounding cycle way networks. The scheme has been amended to reflect the comments regarding the rumble strips across the vehicular entrance. The rumble strips have now been removed.

### **Landscaping**

To maintain the soft landscape buffer along Burnthouse Lane, a hedge will be planted along the entire frontage broken only by the vehicular and pedestrian entrances. The two large acacia trees within the front garden will be removed but the existing ash tree will be retained and new trees planted to soften the front parking area. The acacia trees have been categorised as low value in the Arboricultural Report due to their low life expectancy, defects, poor form and age.

Surrounding the new apartment buildings, hedge planting will be planted to create defensible private space with lawns and terraces to the ground floor flats. To the rear of the site, a large grassed area is retained as communal space, with dedicated formal and informal social spaces. The existing foxglove tree will be retained, the other existing trees such as the cherry and plum trees will be removed to facilitate development but new additional trees will be planted as part of the comprehensive landscaping plan.

The hard surfaces are proposed to be tarmac to the road surfaces and footpaths, block paving to parking bays and paving slabs to the garden thresholds. The paving is to have a recycled content of at least 50% to improve the BREEAM rating.

Bin storage is provided at the front of the site within the parking areas. Twenty 1100 litre bins will be housed within the two storage areas for recycling and general waste.

### **Biodiversity**

A survey has been carried out on the site and the ecologist's report recommends the following:

One further bat emergence/re-entry survey to be carried out between May to August prior to any works being undertaken to confirm a negative result;  
Any trenches left exposed overnight will have a means of escape for badgers and wildlife. This will comprise at least one shallow graded edge or have an escape plank situated at an angle no steeper than 30 degrees;  
Demolition of the building and clearance of vegetation should take place between September to February to avoid the bird nesting season;  
If works which are likely to damage bird nests need to be carried out during the nesting period there is potential that nesting birds could be harmed and disturbed. To ensure legal compliance, a check must be undertaken by an ecologist within 48 hours of works commencing on each habitat feature to confirm the presence/absence of nest sites;  
To ensure that the habitat on site is unsuitable for reptiles, the unmanaged grass at the eastern end of the building will be mown to a sward height of less than 5cm before the end of February and maintained as such thereafter;  
New tree planting should include species which are known to provide a good food source for birds, such as hawthorn, apple/crab apple, rowan, dogwood and guelder-rose;  
To compensate for loss of nesting habitat in the trees, shrubs and building, bird nest boxes will be provided on site to include two sparrow terraces and two tit nest boxes.  
For enhancement of the site it is recommended to add a hedgehog box and two swift bricks.

### **Section 106 Agreement**

Discussions regarding the provision of Affordable Housing are currently taking place and an update will be provided at the Planning Committee Meeting on the 9 January 2017. There is also a requirement for CIL contributions amounting to £135,179.36.

### **Summary**

As a windfall site, the opportunity to provide a sustainable housing scheme in an area which is well served by public transport and is in close proximity to local shops, facilities, valley park and schools is welcomed. The design has been carefully considered to reflect the materials of existing dwellings and to provide as many new dwellings as possible on this site without compromising the amenity and privacy of neighbouring properties. The contemporary design complements the existing building which is to be renovated to modern standards. The site layout provides for adequate parking, cycle parking, safe communal open space and bin storage and therefore the development is supported. A New Homes Bonus will be generated of around £143,000 to Exeter City Council at the current rates.

### **RECOMMENDATION**

**APPROVE** subject to the completion of a Section 106 agreement for the Affordable Housing, the CIL provision and 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 17 May 2016 (*Dwg. Nos. BD 0148 SD 801 R02; 897,81-08D; 897,81-09E; 897,81-10K; 897,81-11E; 897,81-12E; 897,81-13B; 897,81-14D; 897,81-17A*), as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) **Pre-commencement Condition:**  
Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the development shall not be started before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.  
**Reason for Pre-Commencement Condition:** To ensure that the materials conform with the visual amenity requirements of the area.

- 4) C37 - Replacement Planting
- 5) No part of the development hereby approved shall be brought into its intended use until the vehicular and secure cycle parking facilities have been provided and maintained in accordance with the requirements of this permission and retained for those purposes at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 6) Travel Plan measures including the provision of sustainable transport welcome packs, shall be provided in accordance with the details hereby approved by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.  
**Reason:** To promote the use of sustainable transport modes, in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.
- 7) **Pre-commencement condition:**  
No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
  - a) There shall be no burning on site during demolition, construction or site preparation works;
  - b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
  - c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance;
  - d) Details of access arrangements and timings and management of arrival and departure of vehicles.The approved CEMP shall be adhered to throughout the construction period.  
**Reason for Pre-commencement condition:** In the interests of the occupants of nearby buildings.
- 8) The existing building should be assessed for possible bat interest prior to works to the roof being carried out. This should involve inspection of the roof to be removed for potential roosting opportunities. If bats are found to be using the roof, the advice of a bat consultant should be sought to prevent disturbance / injury to bats which would constitute an offence.  
**Reason:** To comply with the Wildlife and Countryside Act 1981 and amended by the Countryside and Rights of Way Act 2000
- 9) In order to mitigate and compensate for the ecological impacts as a result of this development, mitigation and compensation measures shall be carried out and implemented as stated in Appendix 4 of the Preliminary Ecological Appraisal Report dated December 2016.  
**Reason:** In the interests of preservation and enhancement of biodiversity in the locality.

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