

REPORT TO: PLANNING COMMITTEE
Date of Meeting: 4 December 2017
Report of: City Development Manager
Title: Appeals Report

Is this a Key Decision? No

Is this an Executive or Council Function? No

1. What is the report about?

- 1.1 The report provides Members with information on latest decisions received and new appeals since the last report.

2. Recommendation:

- 2.1 Members are asked to note the report.

3 Summary of Decisions received:

- 3.1 One decision has been received since the last report.

Application Number 16/1562/FUL. Builders Yard, Lower Albert Street, Exeter

The application sought the demolition of existing buildings within the builders yard and construction of a two storey building to house 15 student studios.

The Inspector considered that the main issues for consideration would be the effect of the development:

- On the maintenance of balanced communities having regard to the level of student housing; and
- On the living conditions of local residents having particular regard to privacy, noise and disturbance.

He noted that the area is located within walking distance of St Luke's Campus, has relatively good accessibility to the City centre and to transport links, as well as a small convenience store and pub. Housing is predominantly of traditional brick, with more modern styles at the entrance to Lower Albert Street and Newtown Close flats, so there is a mixed style and appearance to the area. The proposed two storey building height would remain similar to the ridge of Newtown Close and below the roofline of the terraces along Portland Street.

The Inspector stated that the evidence supports that there is increasing student numbers associated with the University. He noted that in response, the Council have sought purpose built accommodation to meet that need with the supporting text of Policy CP5 seeking that 75% or more of additional student numbers should be accommodated in such housing. Policies CP5 and H5 set out that such accommodation should meet the needs of all members of the community. It should be located where it would not harm the character of the area through over-concentration of use, or cause harm to the amenity, or living conditions of neighbouring occupiers. It was noted that the Council has considered existing impacts across the City when developing an approach to limit the conversion of existing properties which gives an indication of levels at which a concentration of student housing may lead to impact on the character and on the environment for permanent residents. It was acknowledged that there are a large number of student lets along Portland Street based on Council Tax returns which would represent an unbalance along this street, but across Newtown Ward, there is not an imbalance with the student population at just over 20%. The key issue is whether the introduction of 15 student flats on this site would compound the existing situation so as to result in an unacceptable impact on the community and specifically on neighbouring occupiers.

Limited weight was given to any benefit implied by the transfer of students from converted

housing and subsequent release of that housing to the open market as the focus for purpose built accommodation is to address the increased student numbers. However, the Inspector did consider that the type of accommodation to be provided differs notably from that of student house conversions; and supervision can also be applied to address the actions of residents. An SMP can address matters of noise, disturbance and antisocial behaviour as well as providing contact points for neighbouring occupiers. As a result, it was accepted that the characteristics, including noise and disturbance typically associated with some forms of student housing, is likely to be considerably reduced in this instance.

Consequently, in this case, it was considered that the addition of 15 studios would not lead to a further imbalance or intensification of use so as to harm the character of the area or of the local community. Furthermore, it was considered that the scale and type of accommodation to be provided would not lead to significant levels of noise or disturbance. In terms of privacy, the Inspector was satisfied that the narrowed design of the building and the positioning in relation to the Newtown Close flats would preserve the privacy of occupants of those units. The building would also be set back from the road, with a road separating the site from the rear gardens of Portland Street. Proposed windows to serve the first floor studios are designed to project from the façade at an angle only allowing a narrow and very oblique field of view. Therefore, actual impacts would be acceptable, albeit a change from the slightly more open aspect previously available but would comply with Policies H5 and CP5. The design, while more contemporary would, subject to the use of suitable materials, assimilate into this transitional area between the housing and the more utilitarian flats, with minimal loss of light to the rear gardens of Portland Street. There is only one drop off parking space proposed with parking restrictions in surrounding streets and, as a result, traffic associated with the site should be very limited with students unlikely to choose this accommodation if they are car owners.

For the reasons given above, the Inspector concluded that the appeal should be allowed and planning permission granted.

4. New Appeals:

4.1 Five new appeals have been received since the last report:

Application Ref: 17/0031 – 77 Thornpark Rise

The application sought a single storey rear extension with raised decking.

Application Ref: 17/0032 – 21 Elliott Close

The application sought a new infill dwelling on the existing plot.

Application Ref: 17/1121 – 11 Clyst Heath

The application sought the felling of two Pine trees.

Application Ref: 17/0898 – 34 Denmark Road

The application sought a roof terrace and balustrades.

Application Ref: 17/0899 – 13a&b St James Road

The application sought change of use and conversion of a domestic storage building into a dwelling with parking.

CITY DEVELOPMENT MANAGER

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling the report:

Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

Contact for enquiries: Democratic Services (Committees) - Room 2.3. Tel: 01392 265275