

COMMITTEE DATE: 19/03/2018

APPLICATION NO:

17/1617/VOC

APPLICANT:

Mr Harris

PROPOSAL:

Variation of Condition 2 of planning application 17/0188/37 granted permission on 1 March 2017 to allow an additional 24 bed spaces/studio flats within an extended lower ground floor level; relocation of common room and bin stores; provision of outside cycle parking and re-arrangement of internal stair cores.

LOCATION:

Exeter City Afc Ltd
St James Park
Stadium Way
Exeter
Devon
EX4 6PX

REGISTRATION DATE:

13/10/2017

EXPIRY DATE:

HISTORY OF SITE

The original planning application (15/1283/03) was approved in May 2016 for the redevelopment of the football ground, principally the rebuilding of the old grandstand and a new building for student accommodation including 312 bedspaces.

A planning application (15/1275/03) was approved on the adjacent site 31-35 Old Tiverton Road. This development sought the demolition of the existing structures on the site, principally a former petrol filling station, and erection of a new three storey building comprising ground floor retail use and student accommodation for 9 studio flats above with associated vehicular/cycle parking and bin storage.

In January 2018 a non-material amendment application (ref. 17/1627/NMA) was approved to reconfigure the internal arrangement of the student accommodation, improvement to circulation within the stairwells and for the repositioning of the cycle storage to a centralised location. The application resulted in no significant changes to the external appearance of the building and the number of students remained unchanged at 312.

DESCRIPTION OF SITE /PROPOSAL

The application site includes an area of vacant land behind the Big Bank stand; which comprised of the former garage workshop and associated buildings for vehicular related uses located on the 'Yeo Davey' site. The site is contained to the north/west by the railway line/embankment and the Big Bank stand of the football club and to the south east by existing terraced properties in Old Tiverton Road which tapers towards the north eastern edge of the site and ends at No 36 Old Tiverton Road.

The closest listed buildings are located alongside the site in Old Tiverton Road. Nos 21 to 30 (inclusion) and 36 and 37 Old Tiverton Road are grade II listed. The application site is close to the Belmont Conservation Area.

The approved application (15/1283/03) sought to develop the land to the rear of the Big Bank stand and part of the Yeo Davey Properties' land to the rear of the three storey terraced properties which front onto Old Tiverton Road for student accommodation. It proposed to build up to a total of 312 student bedrooms in new purpose built accommodation, via a combination of shared cluster flats, self-contained studios flats and disabled accessible units. To facilitate these works approval was granted to demolish the existing garages/workshop; remove the existing Big Bank wc block and clear trees and vegetation alongside the Network Rail land to the north east of the site. The main pedestrian/vehicular access to the site was approved from Stadium Way. The original application included a new pedestrian footway to be provided from Old Tiverton Road to the site between 20 and 21 Old Tiverton Road, however this has subsequently been omitted from the scheme as has the proposal to convert No. 20 Old Tiverton Road to student accommodation for up to 6 units. This property will now remain in residential use.

The approved scheme grants permission for 312 purpose built student bedrooms and studios within 4, 5 and 6 storey blocks together with associated ancillary accommodation to include refuse and secure cycle storage, administration and management suite, student common room facilities, plant rooms, laundry room and storage areas within a gross internal floor area of up to 9,322 sq metres. In addition, associated external works are proposed for the student block to include external student amenity areas of hard and soft landscaping together with access for emergency vehicles and refuse collection vehicles and up to 5 parking spaces for disabled and management staff use.

The student accommodation has been designed with a series of distinctive 6 interconnecting blocks ranging from 4 to 6 levels. The 6 storey block would have a maximum height of 18.5 metres when measured from the new ground level, stepping down to 15.8 metres at 5 storey and 12.8 metres at 4 storey level. The site has significant changes in levels and whilst the development overall seeks to regularise the ground floor level of the new accommodation, a stepped level is incorporated alongside the railway embankment. The proposed 6 storey element of the new build would establish a parapet line approximately 1 storey higher than the ridge line of the Old Tiverton Road properties and is between 55 metres and 70 metres away from these existing properties. The accommodation blocks closest to the rear of this terrace reduces in height to 5 and 4 storey and retains a minimum distance of approximately 30 metres.

This application seeks amendments to the student accommodation scheme as approved in May 2016. The most significant change is the increase in the overall number of bedspaces by 24, from 312 to 336 in total. Whilst the overall external appearance of the building, footprint and height of the building will remain unchanged the increased numbers have been achieved through the creation of additional floors at lower ground level to the block closest to the Big Bank. The relationship of the new build to existing properties in Old Tiverton Road will remain unchanged in terms of proximity to the building and overall height. In addition, the application seeks to make internal alterations within the increased space allocated for communal activities, a new building for cycle storage to the rear of the Big Bank and the redesigning of the internal courtyard space to address the new rooms at the lower level.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

Design and Access Statement submitted providing an overview of the proposed amendments namely:-

Amendments to retaining structures to allow the development of the lower ground floor area to add 24 additional cluster bedrooms in two areas beneath the approved accommodation blocks;

Associated amendments to the building's elevation and the hard landscaping;
Common room and main entrance to be relocated to the lower ground floor level;
Relocation of cycle storage facilities from behind the existing car wash to the courtyard adjacent to the Big Bank stand;
General amendments to the studios, cluster and staircores.

In response to objections raised regarding the loss of green space on the site for the students the applicant has commented that the proposed application has reduced hard landscaping and increased the amount of green space from 139m² to 176m² within the proposed 336 bed scheme.

The applicant has responded to local resident's concerns about the boundary walls adjacent to the rear walls of Old Tiverton Road which could leave a gap with no-one claiming responsibility for clearing litter etc. This is currently being agreed within the Party Wall Agreement. The applicant will be responsible for the internal fence including maintenance and debris clearance. The main reason behind the new wall is security to the boundary to ensure both neighbours and students are safe. The applicant's intention is that this will be carried for the scheme as approved and is not exclusively for the 336.

The applicant has stated that the scheme will operate a 24 hour, 7 day a week security policy whereby a member of the Student Housing Company is always present within the building. This reduces student disruption late at night as well as handling any emergencies if they arise.

All external areas of the carpark and courtyards are covered by CCTV along with extensive CCTV within the building to keep our students safe as well as offering protection to the neighbouring properties, CCTV is monitored via large screens within the Reception Management Suite.

The building is secured by a smart door access system whereby students use their phones as well as keyfobs to access the building, this system allows the tracking of each student within the building and out of the building. In the rare event of any nuisances we would be able to track student's movements and capture them on CCTV.

The applicant have produced a Wellbeing Brochure and state 'We pride ourselves at being one of the front runners in the industry in the wellbeing of our students and as such have given lectures and speeches to the others in our industry, most notably at last year's National Student Conference'.

The overall common spaces has been increased from 194.7m² (0.6m² per student) to 255.7m² (0.8m² per student) within the proposed scheme

The Architects have confirmed there are 192 cycle spaces located on the lower ground floor, using a double stacked system.

The applicant has confirmed that a sprinkler system will be installed throughout the building.

CONSULTATIONS

County Head of Planning Transportation and Environment comments that this application is only for an additional 24 bed spaces and circumstances have not significantly changed at this

location since the previous submission. Therefore, it is recommended that the observations/conditions that were recommended for the previous application still hold.

However, the proposed GA site plan shows that a covered cycle store is to accommodate 160 spaces - this falls short of the standard set out in the Sustainable Transport SPD. Therefore, an increase in capacity of the secure, covered cycle store is requested.

The agent has been provided this further information within a revised plan.

The parking bays have been realigned and the quanta provided remain the same - 5 spaces (three of which are marked out as disabled). Although acceptable in principle, the applicant is reminded of the comments made in the previous highway response i.e. –

“Considering that pick up and drop off occurs over a number of weeks, that occupants come by various modes and that specific time slots allocated to each occupant and the 9 spaces could be sufficient. This does however appear to be dependent on the spread of arrivals over different weekends and therefore it is recommended that provision is secured through the management agreements in the S106 to provide funds for up to 5 years after opening for any parking restrictions that maybe required in the vicinity.”

As such, the applicant is advised to update the student management/travel plan to take into account the increase in rooms proposed.

Finally, it is noted that the substation access is to be relocated. A management plan should be in place detailing how vehicles service the substation – in particular, the parking arrangements should be outlined, ensuring that parking is not compromised during student pick up/drop off periods. If the applicant wishes to undertake works on the highway, it is advised that before any works are undertaken, the applicant must obtain the appropriate highway licences. Subject the conditions recommend as part of the original application (15/1238/03) no objection.

Police Architectural Liaison Officer views awaited.

Devon and Somerset Fire Service comment that observations have already been made in relation to the building regulation application received via the applicant's approved inspectors. For information the building will have a sprinkler system installed.

Exeter University Student Guild comment that they would like developers to make due consideration for the need of adequate communal space (internal) and consider it an essential rather than a desirable part of building student accommodation.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - National Planning Policy Framework

- 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
 - 12. Conserving and enhancing the historic environment
- Plan making
Decision making

Exeter Local Development Framework Core Strategy

CP5 - Student Accommodation

Relevant text states that:-

-purpose built student accommodation should be provided to meet the housing need.

CP10 - Meeting Community Needs

CP15 - Sustainable Construction

CP17 - Design and Local Distinctiveness

St James Neighbourhood Plan March 2013

D1 - Good Quality Design

C1 - Houses in Multiple Occupation

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.*

SD1 – Football Club/Yeo and Davey Site

Proposals that secure the continued vitality and viability of the Football Club and encourage comprehensive well-designed mixed use development will be supported provided they would;

- a) result in positive, attractive and well-designed frontages of an appropriate scale to Well Street, St James Road, Old Tiverton Road and the railway corridor;*
- b) be of a scale, form, and character appropriate to the residential nature of St James;*
- c) adopt high standards of sustainable design;*
- d) take account of the need to improve the balance of the community;*
- e) adopt layout and arrangement of access and egress that minimise the impact of additional traffic on surrounding residential streets such as Oxford Road;*
- f) encourage a flexible and 'joined up plan' for both the Football Club and the Yeo & Davey site.*

H1 - Heritage

SD4 - Adapting to Climate Change

T1 - Sustainable Transport

E1 - Employment and Enterprise

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

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 or 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

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

C1 - Conservation Areas

C2 - Listed Buildings

C3 - Buildings of Local Importance

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) 2015

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 - Sustainable Development

DD7 - Allocated Housing Sites

DD11 - Residential Conversions and HMOs

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 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

DD34 - Pollution

Exeter City Council Supplementary Planning Documents:-

Sustainable Transport March 2013

Development Related to the University June 2007

Houses in Multiple Occupation (including Class C4 Uses) SPD

OBSERVATIONS

The original planning application attracted significant levels of public support and objection, which was understandable given the issues being considered. Whilst the improvements to the football stadium were wholly supported there was concern that the accompanying student accommodation scheme, necessary to fund the works to the club, would have a detrimental effect on the 'community balance' of the area as identified in the St James Neighbourhood Plan. The application acknowledged that the introduction of 312 additional students in the area would have an impact on the character of the area but this was weighed up against other objectives of the development plan which included continued support for the football club as a community facility and the need to increase the provision of purpose built student accommodation in the city. The previous planning approval has therefore accepted the principle of student accommodation on this site. As outlined in the description of the development the footprint and height of the building will remain unchanged from the approved scheme. The physical appearance of the building will therefore remain largely unaltered from that approved and the relationship with neighbouring residential properties unchanged. The internal changes, introduction of cycle storage and amendments to hard and soft landscaping will have minimal impact beyond the site. Consequently the key issue in considering this application is the impact of 24 additional students will have on the overall character and appearance of the area over and above the number that has previously been approved.

Objectors have highlighted the key factor in approving the previous application was that the development would fund the football club refurbishment programme and ensure its future on this site. The works to the football club, as approved, are currently being implemented and it should be noted that the additional student numbers proposed will provide no further funding to the club. However although the direct correlation of the student scheme to the football club was highlighted as a positive benefit within the assessment of the application, this was not the sole reason for supporting the development of this site for student accommodation. The financial benefit of the scheme was one factor in the assessment of the various material planning issues. Whilst the concerns of local residents and the St James Neighbourhood Forum clearly stated the detrimental impact increased student numbers could have in the area, this was weighed up against the benefits (aside from those to the funding of the football club redevelopment) of providing purpose built student accommodation in appropriate location. The approved application concluded that the site met the criteria in terms of providing student accommodation in a sustainable location to the University and contributed to provide significant numbers of bedspaces to help address the need to increase supply. It is therefore considered that the original assessment, which accepted this site as an appropriate location for student accommodation, is still valid.

Members have requested further information in respect for the supply and demand for student accommodation within the city. Whilst a fuller report will be presented to members and made publicly available some key information can be provided now which should help members contextualise the proposal.

- The total number of students at the University for the 2015/16 academic year (the latest year for which figures are available) is 21,691.
- This figure represents an increase of 5971 since the Council adopted its University SPG in 2007.

- During the same period the number of bed spaces in student accommodation has increased from around 4000 to 8500.
- The number of council tax exempt homes (a proxy for student HMOs) remains fairly constant over the past few years. In May 2011 (the first year this data was collected) the figure stood at 2,120 whilst the figure for February of this year was 2080 an increase of 50 since the data was last collected in June 2016.

One may draw a number of conclusions from this data but the figures suggest that PBSA has largely accommodated the growth in student numbers over the last decade or so. One assumes they would have been housed in HMOs had the PBSA not been delivered.

Going forward it is expected that the growth in student numbers will reduce to around 350 annually and that the supply of PBSA will outstrip this. (There are 1114 bed spaces under construction and another 2279 consented). The market believes that these new developments will provide an alternative to the "traditional" HMOs and the change in emphasis in new schemes away from single studios to cluster flats is clearly aimed at encouraging such a trend. Such a shift could deliver the policy objective of releasing former family homes back into the open market.

As previously stated the proposed physical changes proposed to the building are minimal in terms of the visual impact the scheme will have to neighbouring properties and the surrounding character of the area. There would be no additional impact on neighbour heritage assets in terms of listed buildings or Belmont Park Conservation Area. However it is accepted that the creation of two additional storeys and the change to the re-profiling of the site could lead to a more prolonged construction period on the site and the potential for noise and disturbance to occupant of nearby residential properties. However it is considered that the imposition of a Construction and Environmental Management Plan would address this issue. In addition, it may be that the greater number of students entering and leaving the site could create further noise and disturbance issues for nearby residents. However the requirement for a student management plan within the Section 106 Agreement will seek to address these onsite management issues and therefore it is not considered that the increase in 24 additional students would result in such harm that permission should be refused.

Whilst the concerns of local residents and the St James Forum are understood it is considered that this site represents an appropriate location for purpose built student accommodation. The principle of this use has already been established by the previous approval and therefore it is important in planning terms to make the most efficient use of the site. As previously stated there remains future demand for student accommodation in the city and this scheme will help to address the existing shortfall. Accordingly it is considered that the application should be approved with a repeat of the previous planning conditions, the need for a Section 106 agreement for a student management plan and a revised CIL liability notice to take account of the additional floor area created by the 24 additional bedspaces.

DELEGATION BRIEFING

21 November 2017 - The planning case officer informed Members that the application was a variation on the original application to increase the number of student bedrooms to 24, an increase of 8% of the total, but the build scale and height would remain the same. There had been objections concerned with further degradation in the balance of the community. He highlighted that the amended application related only to accommodation, where the original application also included the football club.

Members discussed accommodation amenities and the case officer informed that there was no extra money being generated from the increase in student numbers. He would write to the Exeter University student guild representative to discuss student accommodation and future development plans to bring to Planning Committee. Members agreed the application would go to Planning Committee.

RECOMMENDATION

Subject to the completion of a Section 106 Agreement including the securing of a Student Management Plan APPROVE the application subject to the following conditions:

1) The development to which this permission relates must be begun not later than 13 May 2019.
Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

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 Dated 16 November 2015 (dwg nos. PL01.02 rev A; PL02.01 rev A; PL02.02 rev A; PL02.04 rev A; PL02.05 rev A; PL03.01 rev A; PL03.02 rev A; PL04.01 rev A; PL04.02 rev A; PL04.03 rev A; PL04.04 rev A; PL04.05 rev A & PL04.06 rev A); 25 November 2015 (dwg nos. 1213 PL01.01 rev A & PL02.03 rev A) and 2017***** (dwg nos *****) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

3) Samples of the materials it is intended to use externally in the construction of the football stadium development and the student accommodation development shall be submitted to the Local Planning Authority and the relevant development shall not be started before their approval is obtained in writing and the materials used in the construction of the relevant development shall correspond with the approved samples in all respects.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

4) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences for the football stadium development and the student accommodation development shall be submitted to the Local Planning Authority and no relevant development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping for the relevant development shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

5) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

6) No football stadium development or student accommodation development related works shall take place within the site until a written scheme of archaeological work for the relevant development has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on-site work, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works for the relevant development shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

7) No football stadium development or student accommodation development shall take place on site until a full investigation of the relevant site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The relevant 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 no unacceptable risks remain.

Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.

8) No football stadium development or student accommodation development shall take place, including any works of demolition and any earthworks, until a Construction and Environment Management Plan (CEMP) for the relevant development 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) include details of access arrangements and timings and management of arrivals and departures of vehicles

b) There shall be no burning on site during demolition, construction or site preparation works;

c) 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;

d) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.

The relevant approved CEMP shall be adhered to throughout the construction period for the relevant development.

Reason: In the interests of highway safety and public amenity.

9) No part of the student block hereby approved shall be brought into its intended use until the vehicular parking facilities as indicated on Drawing Hardworks Plan Rev P2 have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority and retained for that purpose at all times:

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

10) No part of the student block shall be brought into its intended use until the pedestrian routes to the development at 31-35 Old Tiverton Road to the north east and to Stadium Way on the Hardworks Plan Rev P2 have been provided and maintained for these purposes at all times.

Reason: To provide safe and suitable access for the pedestrians attracted ensure that adequate facilities are available for the traffic attracted to the site.

11) No part of the student block shall be brought into its intended use until the secure cycle parking facilities have been provided in accordance with the submitted details and maintained for these purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site

12) Notwithstanding the description of development hereby approved, there shall be no change of use of 20 Old Tiverton Road to six student rooms with shared facilities, and 20 Old Tiverton Road shall remain in Class C3 residential use and there shall be no pedestrian access between 20/21 Old Tiverton Road. Prior to commencement of the student accommodation development a plan showing which parts of 20 Old Tiverton Road are to remain in residential use shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the dwelling remains in C3 use albeit parts of the external area of 20 Old Tiverton Road will be incorporated within the student development.

13) Travel Plan measures for the football stadium development and student accommodation development including the provision of sustainable transport welcome packs, shall be provided for the relevant development in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the relevant development.

Reason: To promote the use of sustainable transport modes, in accordance with paragraphs 32 and 36 of the NPPF.

14) Unless otherwise agreed in writing, no student accommodation development shall take place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

Reason: In the interests of the preservation and enhancement of biodiversity in the locality.

15) The development shall proceed in accordance with the Flood Risk Assessment produced by AWP dated 12 November 2015.

Reason: In the interests of flood mitigation and protection.

16) The football stadium development and student accommodation development hereby approved shall not commence until relevant details of the proposed finished floor levels and overall ridge heights of specified buildings, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority for the relevant development. Thereafter the relevant development shall be implemented in accordance with the approved details

Reason: In the interests of the visual amenities of the area and the residential amenities of existing neighbouring occupants.

17) No development shall commence until details of the restoration and rebuilding of the existing boundary wall (including where necessary structural repairs) and additional boundary treatments/means of enclosure fronting onto St James Road and Well Street have been submitted to and approved in writing by the Local Planning Authority and thereafter be completed and maintained in accordance with the agreed plans.

Reason: In the interest of visual amenity and highway safety.

18) The specification for maximum mechanical plant noise included in the Noise Assessment prepared by Peter Ashford dated 6 November 2015 shall not be exceeded.

Reason: In the interests of residential amenity.

19) The new stand in the football stadium development shall not be used until a scheme for the installation of equipment to control the emission of smoke, fumes and smell from cooking at that part of the development has been submitted to, and approved in writing, the Local Planning Authority and the approved scheme has been implemented. All equipment installed as part of the scheme shall be operated and maintained in accordance with the manufacturer's instructions thereafter.

Reason: In the interests of residential amenity.

20) The development shall proceed in accordance with mitigation and enhancement issues identified within the Ecological Impact Assessment prepared by EAD Ecology dated November 2015.

Reason: In the interests of environmental issues identified within the site.

21) The student accommodation hereby approved shall not be occupied until the practical completion of the identified stadium works (comprising the demolition and replacement of the Stagecoach Stand and associated facilities, improved facilities for the players managers and referees under the main stand, new toilet facilities for the Big Bank stand and the maintenance and rebuilding of the retaining wall along St James Road/Well Street) has been achieved.

Reason: To ensure that the necessary identified improvement works in connection with the football club are carried out

22) The football stadium works hereby approved shall not be used until details of any new public announcement system have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented at all times in accordance with the approved details.

Reason: In the interest of residential amenity.

23) The football stadium works hereby approved shall not be used until details of the floodlights to be installed on the replacement stand have been submitted to and approved in writing by the Local Planning Authority and thereafter installed and retained in accordance with the approved details at all times.

Reason: To avoid the potential for light spillage and in the interest of residential amenity.

24) Before commencement of the student accommodation development the applicant or the developer shall submit a SAP calculation which demonstrates that a 14% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of the student accommodation the developer of the student accommodation will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.

Reason: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.

25) No part of the student block hereby approved shall be brought into its intended use until details of the access strategy regarding the relocated substation have been provided and maintained in accordance with details approved in writing by the Local Planning Authority at all times unless otherwise agreed in writing.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

INFORMATIVES

1) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

2) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. A Liability Notice is attached to the decision notice.

It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.

3) A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.

4) This application includes all conditions relating to application nos. 15/1283/03 as amended by application 17/018/37 for completeness. It is acknowledged that applications for the full or partial discharge of some of the conditions will have already been submitted and approved.

Accordingly the resubmission of an application for the discharge of conditions relating to this application will not be required where previously agreed.

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