

**COMMITTEE DATE:** 21/05/2018

**APPLICATION NO:** 17/1198/FUL  
**APPLICANT:**  
**PROPOSAL:** Construction of student accommodation including the creation of access and associated infrastructure  
**LOCATION:** Land At Glenthorne Road, Exeter, Devon

**REGISTRATION DATE:** 28/07/2017  
**EXPIRY DATE:**

### **DESCRIPTION OF SITE/PROPOSAL**

The steeply sloping application site (0.5 ha) is located on the eastern side of Glenthorne Road. The land is steeply sloping from Clydesdale Road down to Glenthorne Road bordered to the north by the Dennyhill Care Home and two dwellings, Clydesdale Road west of the site and to south by a number of large mature trees and Birks Hall of Residence. The site adjoins the Exeter University Campus and has its pedestrian connection to the campus via Clydesdale Road in the southeast corner where the main entrance also is situated. The vehicular access to the site is from Glenthorne Road. The proposal is to accommodate up to 244 students and occupy an overall floor space of 7,294 sq. metres divided into four blocks.

Dennyhill Care Home and the detached dwelling of 3 Cowley View are the closest properties and located to the north. The bungalow of 2 Clydesdale Road is on the opposite side of Clydesdale Road. To the south opposite Glenthorne Road is a row of two storey detached dwellings at 5 -10 Glenthorne Road. The boundary of the site is defined by a number of former hedgerows which are now unmanaged and neglected. Two substantial oak trees are located on land to the south of the application site.

Blocks A, B and D would be set into the slope and therefore the east elevation of the buildings will be one storey lower than the west elevation. Block A would extend along the site's eastern boundary. It would provide the main access into the scheme for occupants, with the Reception located within this block. Block A would also provide the main communal facilities for the scheme with a common room, lounge/TV room and laundry all located within this building.

The scheme is designed to be lower near neighbouring dwellings and increase in height further away. This means that the highest building blocks, 6 storeys high including the rooftop units, are to the south of the site. The building height is lower, 2 ½ - 3 storeys high, to the north and along Glenthorne Road. The buildings along Clydesdale Road are even lower if measured from the level of the road.

The main vehicular entrance would be off Glenthorne Road and serve four parking bays with two specified for disabled parking. The pedestrian link and main entrance is from Clydesdale Road.

The building is proposed to be constructed of brick with grey metal cladding which would contrast with the heavy brick and articulate the elevation. The façade of the building is further

broken up with the use of glazing and metal cladding to emphasize rooftop units and kitchen/living areas. Natural slate tiles are used as roofing materials except the green roof over the main entrance.

The scheme is fully accessible and has two external lifts that create access routes connecting the buildings on the site. It is possible for a wheelchair user to reach all seating areas and freely move between buildings. The scheme has been designed to meet BREEAM 'excellent' rating and a Sustainable Drainage System will be ensured by a condition. The submitted plans also include designated areas for refuse disposal and cycle parking storage.

## **DESIGN REVIEW PANEL**

The proposal was reviewed twice by the Design Review Panel as part of the pre-application with the Council before the submissions of the application. The sessions were held at Exeter City Council 24 February and 27 April 2017. As a result all the comments from the Panel were addressed and resulted in a proposal that was supported by the Panel.

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

Planning Statement  
Design and Access Statement  
Transport Statement with supplementary Technical Notes including Road Safety Review  
Geotechnical & Geo-Environmental Investigation Report  
Ecological Impact Assessment  
Arboricultural Impact Assessment Report with Tree Protection plan  
Student Demand Report  
Fire Safety Strategy  
Construction Management Plan  
Student Management Plan  
Ecological Impact Assessment  
Flood Risk Assessment  
Statement of Community Involvement  
Sustainability and Energy Strategy  
Site Accessibility Plan  
Additional illustrative material (Computer Generated Images)  
Daylight Assessment

## **REPRESENTATIONS**

42 representations has been received, 41 being objections including the objections from Duryard Trust, University of Exeter and separately an objection on the behalf of residents at Glenthorne Road.

### **University of Exeter**

The University object to this application because they will not grant permission to use their roads for vehicular access either for construction or by occupants. They would not allow Clydesdale Avenue (the part of Clydesdale Road owned by the University) to be altered in any way to facilitate access to the proposed development, that would include any use of bollards or changed ground levels. They have also concerns regarding health, safety and traffic management issues.

## **Duryard Trust**

The Trust objects to the development and has serious concerns regarding the safety and management of traffic caused by development during construction and occupation. They are concerned with the safe use and maintenance of the roads and paths particular the suitability of Glenthorne Road as an access road because of its physical limits. They argue therefore that the capacity of Glenthorne Road is fairly fixed and not suitable for the number vehicles from a development of this size. They especially draw attention to the conflict between pedestrian and vehicles.

Generally, The Trust is positive to the new turning area on Glenthorne Road and the location of the main entrance, although they draw attention to the absence of an agreement of accessing the University grounds via Clydesdale Road. They mention that other development in the area has contributed through s106 agreement towards maintenance and improvement of surrounding roads and paths and they would like to see such an agreement to include themselves and the University.

The Trust is critical of the Transport Statement and the Construction Management Plan. In their view the documents are unclear and the underlying data of these documents cannot be relied on. They requested that consideration of this proposal be delayed until the planned Road Safety Audit is published and consulted on, including any consequential improvements incorporated in the proposal. After the re-consultation which included the revised Transport Statement with a Technical Note, the Duryard Trust consider that the Transport Statement cannot be relied on.

## **Residents at Glenthorne Road**

A Highway and Traffic Assessment has been prepared on behalf concerned residents. It was submitted together on the behalf of the residents at Glenthorne Road. The Traffic Assessment draws attention to the insufficient junction separation, and substandard visibility splay where Glenthorne Road meets Coplestone Drive. It also mention that Glenthorne Road is not capable of accommodating two way traffic, or forward visibility along its first section and lack of footway provision. The assessment also raised several questions regarding construction management and the impact and management of traffic.

Following principal planning issues was raised by the objectors:-

### **Amenity**

1. Overlooking
2. Overbearing
3. Loss of privacy
4. Shade from development
5. Close to adjoining properties
6. Students in residential area
7. Impact on business and residents at the Dennyshill Care Home

### **Traffic or Highways**

1. Inadequate parking provision
2. Inadequate vehicle access
3. Impact from construction traffic
4. Increase in traffic
5. Increased pedestrian movements
6. Concerns regarding traffic safety along Glenthorne Road
7. Unwanted traffic and parking on adjacent roads

## 8. Unsustainable location

### Overdevelopment

1. Massing and density
2. Development too high
3. More open space needed on development
4. Larger buildings than surrounding area
5. Out of keeping with character of the area
6. Student numbers already too great for the area

### Natural Environment and Health

1. Affect wildlife and local ecology
2. Flood Risk
3. Increased light pollution
4. Potentially contaminated land
5. Noise nuisance
6. Noise and dust during construction
7. Increase of pollution

### Design

1. Appearance
2. Daylight
3. Geotechnical and structural matters

### Other

1. No need for purpose built student accommodation in Exeter

## **CONSULTATIONS**

### **DCC Transportation**

The County Head of Planning Transportation and Environment comments that from a transportation perspective, the provision of student flats on Campus represents a highly sustainable development that is unlikely to create any significant highway issues.

Streatham Campus is within walking distance - the main pedestrian / student entrance is located to the east of the site, providing a direct, convenient access to the University area, via the existing linkages i.e. Clydesdale Avenue and/or Grafton Road.

To the south of the site (via Grafton Road), there is footpath connection towards the city centre along Cowley Bridge Road/New North Road which is approximately 1.2km in length, a walkable distance. Although there is a footway in place, the guard rails protecting pedestrians from the road below are, in places, substandard in height. This concern was raised by ECC Members at Planning Committee for the student accommodation unit at Moberly House (Planning application number 17/0724/03). The Committee resolution stated that a £25,000 contribution was to be sought and such money could be used to improve the barriers located adjacent to Cowley Bridge Road. Therefore, for consistency, the applicant is to provide a monetary sum of £30,000 (which has been worked out on a pro-rata basis) or required to carry out the works, which then could be used to replace the barriers to a suitable standard. As with any new infrastructure on the highway, and approved by DCC's structure team. In addition, the applicant

has also committed to improving the existing footpath along Grafton Road (albeit on private ground) which is also welcomed.

Vehicular access will be provided to the development (as per existing) via Glenthorne Road/ Coplestone Drive. The visibility splays for the informal junction are 2m x 23m and have been shown on figure 0403-PHL-1001 Rev A. The current informal junction arrangement has no road markings creating an area of uncertainty, reducing driver confidence – these conditions are conducive to a low speed environment and hence the existing visibility splays are acceptable. There have been no accidents attributed to vehicles coming in and out of this access in the past 5 years. These views are reflected by a road safety officer at DCC.

The student accommodation block is being promoted as car free, which for a sustainably located student development is acceptable. There will be a drop off zone at the end of Glenthorne Road with two disabled spaces and two staff spaces. Students will not be entitled to park on site or receive a Residential Permit under existing Council policy. This should be enforced by the applicant through a Management Plan.

Deliveries to the site can be accommodated on site. The site has sufficient space to enable the turning of delivery vehicles, enabling a delivery lorry to exit the site in forward gear. Although, the submitted drawings seem to show that vehicles reverse into Grafton Road (where pedestrians may be present) this does raise concerns as to how delivery vehicles turn around safely. However, this arrangement is off the public highway, and it is for the developer to resolve how they see fit. Nevertheless, the applicant has stated that the turning head would be available for use at all times, by all users. Given that there is not an existing turning head on Glenthorne Road such a facility is welcomed.

The Transport Statement also includes a section which outlines the probability of two vehicles meeting along Glenthorne Road. Studies have been carried out from adjacent student accommodation units to understand the level of traffic associated with delivery movements. The resultant analysis has shown that the proposed development is expected to generate 6 extra vehicle movements per hour, totalling 13 trips per hour with existing traffic movements. Although the level of traffic associated with deliveries is not desirable, it is not significant and is not enough to form a reason for refusal – especially as these conflicts will take place on a private road, rather than an adopted highway.

To help mitigate the possibility of a conflict, a passing place along the frontage of the site has been proposed, providing enough space for two OGV's (Ordinary Goods Vehicles) to get past one another (5.5m in width). Furthermore, the applicant has proposed to include service vehicle management measures within the Travel Plan which will require drivers of larger vehicles to contact the site operator prior to arrival. This should eliminate the chances for two service vehicles to meeting on Glenthorne Road, alleviating some of the concerns raised. It should be noted that the submitted Road Safety Audit has not raised a conflict as a safety issue.

There have been some comments from residents that there will also be pedestrian/service vehicle conflict along Glenthorne Road. The level of traffic associated with the proposal is low especially as most students will head east towards the University. For those who wish to head west, a shared space philosophy is used, which is acceptable given the size of this application. Students who do wish to head towards Lower Argyll Road, the approved scheme at Moberly House includes a new steps, providing a cut through, segregating vehicles and pedestrians. The shared space philosophy is deemed to be acceptable in the submitted Road Safety Audit.

## **Management**

The applicant is advised that the peak periods of student drop off and collection should be carefully managed to make best use of the designated spaces. These arrangements can be agreed through either a Travel Plan or a Management Plan as part of any legal agreements attached to the site. The applicant should make sure that the student arrival/ departure is managed appropriately minimising the impact on Glenthorne Road. A robust method of traffic management should be implemented so that residents are aware of the times of student move in/move out.

## **On-site facilities**

It is essential that the secure cycle parking, in accordance with the standards set out in the Exeter City Council Sustainable Transport Supplementary Planning Document, are achieved. The applicant proposes 132 cycle spaces, meeting the SPD and will be secured by condition.

## **Construction**

It is anticipated that construction (and demolition) will be over a long period and therefore it needs to be carefully managed to ensure the impact on the public highway is minimised. It is therefore recommended that a condition for a Construction Management Plan is attached in the granting of any permission and the applicant is advised to liaise with the Highway Authority prior to commencement.

The LPA may want to ask for a before and after survey to indicate/prove whether construction traffic has changed the road surface/construction in any way. It is once again flagged that Glenthorne Road is private and the Highway Authority is not responsible for the maintenance of the road.

Subject to the above conditions regarding on site facilities, turning head, passing place, management/travel plan improvements to the footway on Grafton Road, S106 contributions towards pedestrian/cycling improvements at Cowley Bridge Road and CMP being attached in the granting of any planning permission, **no objection**.

## **Natural England**

Natural England does not object to the development. In their initial response they asked that a thorough evidence based Habitat Regulation Assessment be carried out to justify why the recreational impacts of students can be exempt from paying mitigation contributions. The Council has provided more information aligned with previous answers on requests of Habitat Regulation Assessment for purpose built student accommodation. The Council has also met Natural England regarding this matter and no further observations have been received.

## **Devon and Somerset Fire & Rescue Service**

The Fire Service does not object to the development. It has advised that the access is poor for emergency and long reach vehicles but that this is not a reason for refusal of the application. Additional technical requirements under the Building Regulations will be necessary to comply too. The Fire Service has confirmed that they will address these matters with the developer and Building Control if the application is approved.

## **South West Water**

SWW has no objection subject to foul and surface water drainage being managed in accordance with the Flood Risk Assessment contained in the application.

## **Environmental Health**

No objection to the development subject to conditions regarding noise, air quality, Construction Environmental Management Plan and contaminated land.

## **Wales & West Utilities**

Wales and West Utilities have no objections to the proposal. However, apparatus may be at risk during construction works and should the application be approved then it will be necessary for the promoter of these works to contact Wales and West Utilities directly to discuss requirements in detail. Should diversion works be required these will be fully chargeable.

## **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
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment

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

- CP1 - Spatial Approach
- CP4 – Housing density
- CP5 – Meeting housing needs
- CP9 – Strategic transport measures to accommodate development
- CP11 – Pollution and air quality
- CP15 – Sustainable design and construction
- CP17 - Design and Local Distinctiveness

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

- AP1 - Design and Location of Development
- AP2 - Sequential Approach
- E4 – Exeter University Campus
- H1 – Housing land search sequence
- H5 - Diversity of Housing
- H7 – Housing for disabled people
  
- T1 - Hierarchy of Modes
- T2 - Accessibility Criteria
- T3 - Encouraging Use of Sustainable Modes
- T9 – Access to building by people with disabilities
- T10 - Car Parking Standards
- C5 – Archaeology
- EN2 - Contaminated Land
- EN3 - Air and Water Quality
- EN4 - Flood Risk
- EN5 - Noise
- DG1 - Objectives of Urban Design
- DG2 - Energy Conservation
- DG4 - Residential Layout and Amenity
- DG6 Vehicular Circulation and Car Parking in Residential Development
- DG7 - Crime Prevention and Safety

Exeter Development Delivery Document – Publication Version 2015

DD1 – Sustainable Development

DD7 – Allocated Housing Sites

DD9 – Accessible, Adoptable and Wheelchair User Dwellings

DD12 – Purpose Built Student Accommodation

DD13 – Residential Amenity

DD20 – Sustainable Movement

DD21 – Parking

DD25 – Design Principles

DD26 – Designing out Crime

DD31 – Biodiversity

DD33 – Flood Risk

DD34 – Pollution

**Exeter City Council Supplementary Planning Documents:-**

Sustainable Transport March 2013

Trees in relation to Development September 2009

Residential Design Guide September 2010

University SPG 2007

University of Exeter Streatham Campus Masterplan Framework SPD 2010

**Devon Waste Plan**

Policy W4: Waste Prevention

Policy W10: Protection of Waste Management Capacity

**Devon County Council Supplementary Planning Document**

Waste Management and Infrastructure

**OBSERVATIONS**

The proposal will have an impact on the surrounding area and the amenity including the view and outlook from existing dwellings. It will change the character of the area because of its fundamental change of use from unused land with low vegetation to a development housing up to 244 students. It will also increase the traffic and pedestrian movements.

This development for purpose-built student accommodation development is highly sustainable because the site adjoins Streatham Campus. In accordance to the development plan priority for purpose built student accommodation should be given to locations which are close to the University. Core Strategy Policy CP5 supports the provision of additional student numbers in appropriate locations. As is the case for conventional housing there is no requirement for the applicant to prove the need for student accommodation. The application must be considered on its merits.

**Amenity**

The development will not cause any detrimental overlooking or unacceptable decrease in privacy to neighbouring dwellings and the Dennyshill Care Home. The distances to habitable rooms in neighbouring dwellings conform to the 22 metres specified in the Residential Design SPD or, if closer, obscured or designed to mitigate overlooking. The distance between habitable



rooms within in the scheme are closer but deemed acceptable for a purpose-built student accommodation in this location.

The development although consisting of four large building blocks is deemed not be overbearing and conforms to the Residential Design SPD because the heights decrease towards the existing dwellings and the care home. The highest building blocks, 6 storeys high including the rooftop units, are to the south of the site. The buildings are lower, 2 ½ - 3 storeys high, to the north and along Glenthorne Road. The buildings along Clydesdale Road are even lower if measured from the level of the road.

The shading from the development will have insignificant impact on daylight and a minor impact on sunlight in neighbouring gardens. The impact has been considered with regard to the existing trees along the north boundary and Clydesdale Road.

The surrounding area includes both residential and student accommodation. Any noise caused by students will therefore not be a new experience to the area. Both Clydesdale Road and Glenthorne Road are already used by students walking to and from the University. This development will not significantly increase this pedestrian traffic to the University having the main entrance adjacent to the University Campus. Pedestrian traffic to other destinations than the University will increase but is deemed not to increase noise nuisance significantly. The noise nuisance from students within the site is also deemed not to have a significant impact on neighbours.

The change of amenity when this unused site is developed will change the setting of the care home. This change would occur for any new development on the site. Even if a change of setting has an impact on the business for the care home it is not reason for refusal. The design of the scheme has considered the setting of the care home and proposed a landscaping scheme that mitigates the impact from the development.

Some correspondents argue that the approval of the scheme will lead to the future conversion of residential properties in the area to HMOs. This is of course possible although it could equally be argued that the further provision of purpose-built accommodation will reduce pressure on the existing housing stock. Either way the application before Members needs to be considered on its merits and not the on the basis of speculation.

### **Traffic/Highways**

The development is proposed as a car free scheme. This is suitable for purpose-built student accommodation that adjoins the University Campus. That it is car free means that there are no parking places for the occupiers of this development except for service vehicles and disabled parking. The proposed number of parking bays has not raised any objection from DCC Highways. The management plan also includes car and parking restrictions for students living in the proposed development. Promotion of the use of other means of transportation and for developments to be car free is supported in NPPF, Council policies and in the Sustainable Transport SPD.

The vehicle access to site via Glenthorne Road is deemed adequate with the proposed turning head and passing place. These works are improvements to the existing road situation that serve 24 dwellings and the care home; and are beneficial for existing users of Glenthorne Road. Furthermore, the applicant has proposed to include service vehicle management measures within the Travel Plan. The development will increase traffic on Glenthorne Road but weighed with the proposed improvements the traffic situation as a whole is deemed not significantly

worse or better than existing conditions. The increased traffic at the junction between Glenthorne Road and Lower Argyll Road is deemed acceptable with the existing road layout.

Neighbours and The Duryard Trust have raised concerns regarding traffic safety along Glenthorne Road. The concerns are mainly based on the conflict between vehicles and pedestrians made worse by increased vehicle and pedestrian traffic caused by the new development and a general increase of student numbers in the area. The Transport Statement with the Road Safety Audit has not raised any significant traffic issues caused by the proposed development.

Via Grafton Road to the south of the site is a footpath that connects the development with the city centre along Cowley Bridge Road and New North Road - a distance less than a mile. The applicant is willing to contribute to an upgrade of the fence along this footpath as part of a s106 agreement and in addition also improving the existing footpath along Grafton Road. Both the footpath along Cowley Bridge Road and the improvement of Grafton Road will improve the standard and safety of the pedestrian links adjacent to the development.

Neighbours, The Duryard Trust and the University have raised concerns that not all vehicles visiting the proposed development will use Glenthorne Road. In particular the University opposes any vehicle use of their roads to access the development. The development has been entirely designed to receive all vehicle access to and from Glenthorne Road. The site is fully accessible and includes a designated area for delivery and pick up from Glenthorne Road. There are no major short cuts from the development through the University campus to the City Centre or the Quay. Therefore it is deemed that the scheme is not dependent on any vehicles using Clydesdale Avenue and therefore cannot, from a planning perspective, be responsible for traffic using university roads. Consequently it cannot be refused for that reason.

This is a highly sustainable development that is unlikely to create any significant highway issues, which is a view that is shared with DCC Highways. Subject to conditions regarding proposed on-site facilities, turning head, passing place, management/travel plan improvements to the footway on Grafton Road, S106 contributions towards pedestrian/cycling improvements at Cowley Bridge Road and a Construction Management Plan being attached in the granting of any planning permission, DCC Highways have no objection. These conditions and agreements will be added to the planning permission.

### **Overdevelopment**

The proposed density of this development is high and with a massing that has considered both the lower residential development and correspond in height with other purpose-built student accommodation in the area. The development has gone through several stages of improvement during pre-application including two sessions with the Design Review Panel. After public consultations in response to objections by neighbours the massing and height have been further decreased. A scheme for student accommodation in a suitable location adjacent to the University Campus should, like any residential development, seek the highest appropriate density in accordance to Core Strategy Policy CP4. The development has achieved this. With regard to the proposed use considering the constraints of the site the massing and density is acceptable. The design and landscape is of high quality and is architecturally considerate towards neighbours and future occupants. The open space within the scheme is sufficient for the future occupants of this development.

As previously mentioned with regard to the amenity of the neighbouring properties, the shading from the development will have insignificant impact on daylight and a minor impact on sunlight

in neighbouring gardens. Internally both the individual student units and common rooms are well-lit by daylight, the daylight for some student units on the ground floor facing north the north is worse off but sufficient because of the design of the student units.

The student numbers are high in the area and this development will further increase the student population in this location. To increase the student population in this area on the door step of the University is both positive and expected, the alternative would be to increase the student population further away from the University which is less favourable and not as sustainable.

There are no apparent geotechnical problems other than the sloping site, therefore any geotechnical matters that arrive during the construction phase will be dealt with through building regulations.

### **Natural Environment and Health**

The development will have an impact on the existing wildlife on the site. The proposed landscape scheme will create new opportunities for wildlife which will also be followed up in a planning condition for a wildlife plan. The submitted ecology report does not show any presence of protected species or habitats. The focus in such a wildlife plan is therefore to enhance the biodiversity and create new habitats. There will also be conditions regarding lighting and pollution to avoid and minimize negative impact. A condition for a Construction and Environment Management Plan (CEMP) will be added to handle the matters of noise and dust during construction. The development will not increase the flood risk because the runoff is deemed not to increase the surface water runoff compared with the existing condition for site.

### **Student accommodation in Exeter**

There is a need to build student housing in Exeter. The need of student housing is especially important in the proximity of the University. The applicant has submitted a study showing the need for student accommodation, Glenthorne Road Student Demand Report - June 2017.

### **CIL and s106 agreement**

The applicant agrees to provide the sum of £30,000 towards the cost of upgrading the railings along the Cowley Bridge Road footpath between the Birks Grange access road and Grafton Road; or to undertake the works themselves subject to consultation with DCC, which will be included within the Section 106 Agreement.

The submitted Student Management Plan and Transport Statement are dealing with matters such as disturbance, noise nuisance, traffic safety, deliveries and parking. It is essential that the principles in these documents are secured.

The creation of 7294 sq. metres of student accommodation will equate to £407661.66 of CIL based on the 2018 figure of £55.89 per sq. metre. In addition, the development will receive New Homes Bonus.

### **DELEGATION BRIEFING 20 OCTOBER 2017**

Members were advised of the details of the proposal and the objections received confirmed that the access was a crucial planning matter. Another very important issue was the relationship with surrounding properties including the Care Home. It was noted that accessibility and provision for disabled students is a central part of this scheme. It was felt that units for the disabled should be ground floor only.

Members were concerned about fire safety, cladding and use of sprinklers. A Fire Safety Report has been submitted in the application and the Devon and Somerset Fire and Rescue Service have no objection to the development but want to be contacted at an early stage of construction. Cladding, sprinklers and insulation are matters for Building Control but the building material proposed is not highly flammable.

Members requested an update on the University's vision and information on its future expansion plans, the current and intended student numbers, how many would require accommodation in Exeter, what the current accommodation supply was and whether there was a shortfall.

Members requested the application be considered by the Planning Committee.

## **RECOMMENDATION**

Subject to the completion of a Section 106 Agreement securing a Student Management Plan, a Traffic Management Plan and a financial contributions towards pedestrian/cycling improvements along Cowley Bridge Road **APPROVE** the application subject to the following conditions:-

## **CONDITIONS**

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

**Reason:** To ensure compliance with sections 91 and 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 28 July 2017 (including dwg. nos 01001 Rev PL04, 01004 Rev PL04, 01005 Rev PL04, 01006 Rev PL04, 01050 Rev PL04, 01051 Rev PL04, 01052 Rev PL04, 01053 Rev PL04, 01056 Rev PL04, 01057 Rev PL04, 01058 Rev PL04, 01059 Rev PL04, 02004 Rev PL04, 02006 Rev PL04, 02007 Rev PL04, 02008 Rev PL04, 02009 Rev PL04, 02011 Rev PL04, 02012 Rev PL04, 03001 Rev PL04, 03002 Rev PL04, 03003 Rev PL04), on 25 October 2017 (including dwg. nos 02001 Rev PL05, 02002 Rev PL05, 02003 Rev PL05, 02005 Rev PL05, 02013 Rev PL05, 01002 Rev PL05, 01003 Rev PL05, 01070 Rev PL05, 01054 Rev PL05, 01055 Rev PL05, RF17-392-D01 Rev B, RF17-392-D02) , on 30 November 2017 (including dwg. nos 0403-PHL-1101, 00004 Rev PL07, 02010 Rev PL05, RF17-392-L02 Rev F, RF17-392-L03 Rev F), on 5 December 2017 (including dwg. nos 00005 Rev PL07 02013 Rev PL06, RF17-392-L01 Rev G, RF16-000-X01 Rev B) as modified by other conditions of this consent.

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

3) **Pre-commencement condition:** If not otherwise agreed with Local Planning Authority in writing samples of the materials that are 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) **Pre-commencement condition:** A Construction Environmental Management Plan 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.

The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) The erection and maintenance of securing hoarding, if appropriate, which shall be kept clear of graffiti and fly-posting.
- e) Wheel washing facilities.
- f) Measures to control the emission of dust and dirt during construction.
- g) A scheme for recycling/disposing of waste resulting from construction works, with priority given to reuse of building materials on site wherever practicable.
- h) No burning on site during construction or site preparation works
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.

**Reason for pre-commencement condition:** In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

5) **Pre-commencement condition:** No development (including ground works) or vegetation clearance works shall take place until a Waste Audit Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall cover construction and operational stages.

**Reason for pre-commencement condition:** To ensure that the proposal complies with DCC Policy W4, W10 and W21 of Devon Waste Plan and Waste Management and Infrastructure SPD, in the interests of delivering sustainable development.

6) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until part (a) has been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part (b) has been complied with in relation to that contamination.

(a) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(b) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved updated remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part (a). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7) **Pre-commencement condition:** Before the commencement of any development here by approved, an updated Habitat Survey (under The Conservation of Habitats and Species Regulations) shall have been submitted to the Local Planning Authority, to establish the absence of reptiles, badgers and other protected species.

**Reason for pre-commencement condition:** In the interest of conservation of habitats and species.

8) **Pre-commencement condition:** Unless otherwise agreed in writing by the Local Planning Authority the specify building hereby approved shall achieve a BREEAM excellent standard as a minimum. Prior to commencement of development of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

**Reason for pre commencement condition:** To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development. The design stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

9) **Pre-commencement condition:** A detailed scheme for landscaping in accordance with dwg. no RF17-392-L02 Rev F, including the planting of trees and or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted prior to commencement of the development to the Local Planning Authority and no building shall be occupied 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 shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

**Reason for pre-commencement condition:** To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

10) **Pre-commencement condition:** The development shall not commence until an Arboricultural Method Statements have been submitted to, and approved by, the Local Planning Authority. The Arboricultural Method Statements shall comply with the Tree Protection Plan (dwg. no 04498 TPP RevC), the Arboricultural Impact Assessment Report - received 24 July 2017 and with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The development shall thereafter be carried out in accordance with the Tree Protection Plan and the approved Arboricultural Method Statements.

**Reason for pre-commencement condition:** To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

11) **Pre-commencement condition:** No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with the Tree Protection Plan (dwg. no 04498 TPP RevC). The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

**Reason for pre-commencement condition:** To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

12) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until provision for nesting swifts and roosting bats in accordance with details that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

**Reason for pre-commencement condition:** In the interests of preservation and enhancement of biodiversity in the locality.

13) **Pre-commencement condition:** No building hereby permitted shall be occupied until sustainable surface water drainage works (SuDS) have been implemented in accordance with details that have been submitted prior to commencement of the development to, and approved in writing by, the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, National Planning Policy Guidance and the Department for Environment, Food and Rural Affairs Sustainable Drainage Systems Non-statutory technical standards for sustainable drainage systems, and the results of the assessment provided to the local planning authority.

The submitted details for the sustainable drainage scheme shall:

- i. show how the rainwater falling on roofs and other surfaces are managed to restrict both the flow rate and the volume surface runoff;
- ii. show how the SuDS scheme is achieving a flow rate and a volume surface runoff approximate to the site greenfield response;

- iii. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- iv. show how the SuDS scheme is integrated in the landscape scheme and contributes to biodiversity;
- iii. include a timetable for its implementation; and
- iv. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

**Reason for pre-commencement condition:** To ensure the satisfactory sustainable drainage of the development.

14) **Pre-commencement condition:** Prior to commencement of the development hereby approved a Wildlife Plan which demonstrates how the proposed development has been designed to preserve and enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out and managed strictly in accordance with the approved measures and provisions of the Wildlife Plan.

**Reason for pre-commencement condition:** In the interests of protecting and improving existing, and creating new wildlife habitats in the area.

15) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until pedestrian access to the main entrance, including works on Grafton Road and Clydesdale Road, have been provided and maintained in accordance with details, in compliance with dwg. nos RF17-392-L02 Rev F and RF16-392-D03 Rev A, that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

**Reason for pre-commencement condition:** To ensure that adequate facilities are available for the traffic attracted to the site

16) **Pre-commencement condition:** No part of the development hereby approved shall be occupied until vehicle access to the development, including turning head and passing place on Glenthorne Road and improvements on Grafton Road and Clydesdale Road, have been provided and maintained in accordance with details, in compliance with dwg. nos RF17-392-L02 Rev F, that shall have been submitted prior to commencement of the development to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

**Reason for pre-commencement condition:** To ensure that adequate facilities are available for the traffic attracted to the site

17) 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.

18) A detailed scheme for lighting including fixtures and time of use shall be submitted to the Local Planning Authority and work shall not be carried out on this lighting scheme until the Local Planning Authority have approved the lighting scheme. The lighting scheme shall thereafter be



implemented in accordance with the approved scheme if not otherwise been agreed with 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.

19) No part of the development hereby approved shall be occupied until the on-site cycle and vehicular parking facilities (as indicated in the proposed site block plan) have been provided surfaced and marked out in accordance with details that shall be 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.

20) Prior to occupation of the development hereby permitted, a travel pack shall be provided informing all residents of walking and cycling routes and facilities, and public transport routes and timetables, car sharing schemes, and the location of local and central shopping and leisure facilities, the form and content of which shall have previously been approved in writing by the Local Planning Authority.

**Reason:** To ensure that all occupants of the development are aware of the available sustainable travel options

21) Each unit of the development hereby permitted shall be occupied only by a person engaging in a university.

**Reason:** The scheme is designed for a specific age group and is not suitable for unrestricted occupation.

22) Prior to the occupation of each unit hereby approved, ducting or equivalent service routes should be installed capable of accommodating at least 6 separate fibre-optic cables that enable electronic communications services network suppliers to freely connect between the boundary of the site and the inside of each dwelling for the purposes electronic communications. If not otherwise agreed in writing by the Local Planning Authority.

**Reason:** To contribute to the development of high speed broadband communication networks and to ensure that adequate provision is made to meet the needs of future occupants of the dwellings for high speed internet access in line with paragraph 42 of the National Planning Policy Framework.

23) No part of the development hereby approved shall be occupied until parking spaces have been provided and maintained in accordance with dwg. RF17-392-L02 Rev F and 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

24) Prior to the installation of any new plant on the site, details of the plant shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design (including any compound) and noise specification. The plant shall not exceed 5dB below the existing background noise level at the site boundary. If the plant exceeds this level, mitigation measures shall be provided to achieve this in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (All measurements shall be made in accordance with BS 4142:2014).

**Reason:** In the interests of the amenity of the area, especially nearby residential uses. These details are required pre-commencement as specified to ensure that the plant will not give rise to significant adverse impacts on the amenity of neighbouring receptors.

## **INFORMATIVE**

Surface water runoff should be discharged as high up the hierarchy of discharge solutions as is practicable;

1. Discharge into the ground (infiltration);
2. Discharge to a surface water body (with written permission from the riparian owner);
3. Discharge to a surface water sewer, highway drain, or other drainage system (with written permission from South West Water Ltd., Devon County Council Highways, or the riparian owner, respectively);
4. Discharge to a combined sewer (with written permission from South West Water Ltd.).

What is practicable with regard to above discharge hierarchy includes the impact infiltration can have on the stability off the site. Although soakaways should be avoided as the only means to dispose surface water on this site the geo-technical constraints does not exclude the implementation of a SuDS scheme with infiltration and absorption into the soft landscape. Although overland flow routes and water storage shall be used in the SuDS scheme, underground storage and pumping to reach a suitable surface water sewer could be considered in a SuDS scheme for this location. In all other respects the SuDS scheme shall conform to Sustainable Drainage Systems: Guidance for Devon Version 1.6 (January 2017).

*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*