

PLANNING COMMITTEE

Monday 2 September 2019

Present:-

Councillor Lyons (Chair)
Councillors Williams, Bialyk, Branston, Harvey, Mrs Henson, Pierce, Sheldon and Sutton

Apologies

Councillors Foale, Mitchell, M and Morse

Also Present

Service Lead City Development, Assistant Service Lead (Planning) City Development,
Principal Project Manager (Development) (PJ) and Democratic Services Officer

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MINUTES

The minutes of the meeting held on 22 and 29 July were taken as read, approved and signed by the Chair as correct.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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PLANNING APPLICATION NO. 19/0560/FUL - BEECH HILL HOUSE, WALNUT GARDENS, EXETER

The Principal Project Manager (Development) (PJ) presented the application for residential accommodation for students.

A total of 166 bedspaces (138 student bedrooms within cluster flats, 19 self-contained studio flats and 9 accessible studios) were proposed on five levels with the basement comprising a plant area, gym and cinema. Vehicular access would be through a secure main entry gate with landscaped and outdoor seating areas. There was a reduction of 26 bedspaces from the original scheme, refused under delegated powers which was currently at appeal. The Principal Project Manager (Development) (PJ) explained the changes at the different levels and the differing impacts on the surrounding area.

The Principal Project Manager (Development) (PJ) detailed proposed changes to the conditions including an additional condition in respect of drainage. He reported that further verbal comments had been received suggesting better integration between students and the local community; a more robust student management plan, the transplantations of the walnut tree, use of CIL money towards community provision in the St David's area and concerns regarding drainage run off into Looe Road. Responding to a Member, he confirmed that the development would be 20 metres from the adjacent terrace in St David's Hall.

Councillor Sills, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- St. David's and St. James' wards both suffer from an excess of student populations;
- the decision to refuse the previous application was correct and this decision

should be upheld for the revised application where there has only been a minimal reduction in the number of units;

- the proposal remains unsuitable in terms of size and massing and is cramped and unsuitable for the St David's ward and will impact adversely on the character of the area;
- 1,800 students are registered in the St David's Ward with an excess of 50% in some streets which impacts adversely on the community feel;
- this historic area with the Ironbridge, the St David's and St. Michael's Churches as well as the Almshouses should be protected and towerblock developments of this nature opposed;
- there will be an adverse impact on vulnerable young people in the area such as the occupants of Esther Community and the YMCA; and
- although the County Council are supportive of pedestrian and cycling improvements feel that further improvements are required.

Councillor D. Moore, having given notice under Standing Order No. 44, spoke on the item. She raised the following points:-

- thank Crosslane for meeting on site to show key features of the application and have also met residents across the neighbourhood;
- object on three grounds - first it doesn't meet the Council's own planning policies, second significant loss of amenity for the neighbourhood if the development is not controlled and thirdly material matters which do not make this application acceptable;
- proposal conflicts with Local Plan Policy H5(b) as it is an over concentration of purpose built student housing changing the character of the area and creating an imbalance in the community. It is an area of multiple deprivation and a lower super output area so a balanced community is crucial to its stability and viability as set out by the Local Community in the Vision 2020 Community Plan. If this development proceeds, increasing the numbers of the transient community will further erode that balance. The site should be allocated to mixed use residential accommodation;
- the Council's Heritage conservation policy states that developments must demonstrably improve the appearance and functioning of an area and must not have a detrimental effect on the character and setting of adjacent listed buildings. Purpose built student housing will not improve this Conservation Area. Students bring cars and there will be deliveries and other service vehicles;
- a large block designed for students must be properly managed in order to avoid conflict and distress. Staffing during the day only is not an acceptable approach, for students or neighbours. Proper 24/7 paid staffing is required, especially if any noise and nuisance in the garden just outside Walnut Cottages where students will gather. A clear condition for this is required;
- the tree planted in memory will no longer be accessible by the public and a condition is required that if the tree doesn't survive its relocation that it is immediately replaced. There must also be a plaque put up in the garden in her memory. Proposal is required for the listed garden;
- Crosslane are keen for the students to be a part of the community, through volunteering. The Vision 2020 community plan sets out a myriad ways volunteers can get involved in the community but this has to be organised and managed safely and a planning condition is required to help pay for this activity;
- a condition is required to bring forward a biodiversity improvement plan for the site and the provision of replacement trees to the Devon standard;
- residents have also identified two further concerns that are not properly addressed in the application. The development is on the edge of a steep slope overlooking Bonhay and Looe Roads. Reassurance required that both

construction and the management of drainage and run-off does not result in soil/land slippage down the very steep slopes above properties in Bonhay and Looe Roads; and

- have Highways approved gates on the boundary of the Walnut Gardens property because of vehicles needing to stop on the road, open the gates and gain access at a point that is just at a brow of a hill? A clear proposal and the agreement of Walnut cottages residents much be secured.

Jill Hughes spoke against the application. She raised the following points:-

- speaking on behalf of neighbours in Montpelier Court and vicinity where the proposed development will have a considerable impact. A large development for 166 young people who are only there temporarily and therefore have no roots in the community is inappropriate in a settled residential area with retirement and family homes;
- the St. David's Ward has a large amount of student accommodation, both purpose built and multi occupancy - in 2017 the University recorded 1,805 students in the area with a further 475 in development, so there is already an imbalance;
- impact of increased pollution and noise is a concern. St David's Hill is a busy road with constant traffic and congestion. The development will result in increased traffic from administrative staff, gardeners etc;
- increased noise will also be a problem as a result of a late night style of living. This already occurs and will increase. Walnut Cottage residents will also be affected by noise from students collecting or returning bicycles at the cycle racks;
- the open space allocated for reading and smoking is immediately behind the cottages and under bedroom windows so there will be pollution from cigarette smoke. A 7pm curfew may not be enforceable. The management company is proposing to employ a mature student at night instead of professionally trained personnel. This student's authority might not be accepted and the policy raises major concerns about the handling of any crisis; and
- object to this application.

Lisa Timberlake spoke in support of the application. She raised the following points:-

- the Crosslane Group will develop, and subsequently manage, the proposed accommodation and will remain stakeholders in the local community;
- Crosslane require high standards of behaviour and respect for the amenities of neighbours. The on-site management teams provide a point of contact for neighbours;
- Crosslane have carefully assessed the market for student accommodation. Findings support the Council's assessment confirming a student population in need of housing of just under 20,000, against an existing supply of circa 7,750 student bedspaces which could increase to over 10,000 if all potential pipeline supply is delivered. A ratio of approximately one student bedspace for every two students suggests that Exeter has not yet reached a position of oversupply of Purpose-Built Student Accommodation;
- there remains substantial unsatisfied demand for good quality accommodation in appropriate locations where students wish to live;
- the only alternative is to compete in the market for normal rented accommodation which places pressure on housing for families. Housing students in purpose-built accommodation will reduce pressure on the local housing market. It will also potentially reduce conflicts arising from students living in unmanaged accommodation next to general market housing;

- the development will be car free and occupiers will not be eligible for parking permits; and
- the site is an optimal location for student accommodation.

She responded as follows to Members' queries:-

- wardens will be on duty 8am to 6pm Monday to Friday and 9am to 5pm on Saturdays with student ambassadors on call during other times. The latter will benefit from reduced rents and will be paid a fee. All entrances are monitored by CCTV with security alarms for medical/fire emergencies. There will be 24 hour support but regular staff will not be on site after 6pm. Any wider issues raised by the local community can be discussed with staff during day time;
- there will be a mix of cluster flats for 2nd and 3rd years and studios for overseas students and postgraduates;
- anti-social behaviour will not be tolerated and it is anticipated that many students will not wish to jeopardise their accommodation by behaving unacceptably;
- students will sign an undertaking not to bring cars. Although this cannot be policed by the company, where such usage is reported when parked off site, a "three strikes and out" policy will operate. The company has issued warnings in other student developments;
- co-living, involving both students and the wider population, was an unproven model but was being developed by the company in London through its co-living department. It could involve extra provision for non-students such as larger accommodation and parking spaces; and
- cinema/gym provision would occupy the basement space where accommodation could not be provided.

Members felt that the scale and massing of the proposal was unsuitable in this area of the city. They referred to the village feel of the area, the eclectic style of surrounding properties and the historical aspects of the neighbourhood concluding that the design failed to add positively to this important part of the city. They emphasised that it was the unsuitable nature of the proposal in terms of size, massing and design in the context of its wider setting that was of paramount concern rather than the fact that it would herald a further increase in student numbers in an area already considered by many to be overpopulated with this cohort. In this context, it was suggested that a shift from the city centre to the more peripheral areas of the city as locations for purpose built student accommodation would be preferable to avoid the growing ghettoization of certain inner city areas.

Other Members referred to the design being inappropriate for a Conservation Area, the unacceptable thinning out of trees on the lower boundary and the potential impact on Looe Road because the steep bank overlooking those residences could be destabilised by the development because of increased drainage pressures.

The recommendation was for approval, subject to the conditions as set out in the report.

A proposal to refuse the application was moved and seconded voted upon and carried unanimously.

RESOLVED that the application for residential accommodation for students (166 bedspaces) be **REFUSED** for the following reasons

The proposal is contrary to Core Planning Policy Section 4, 11, 12 and 16 of the National Planning Policy Framework, Objective 9 and Policy CP4 and Cp17 of the

Exeter Local Development Framework Core Strategy and Policies H5(a), C1, C2, C3, T3, DG1 (b) 9c) (d) (f), (g) and (h) of the Exeter Local Plan First Review 1995-2011 because by virtue of:-

- i) its siting, footprint, height, massing and design, the proposal would appear as a cramped and overly dominant form of development of excessive density, unsympathetic with and detrimental to the character of the St Davids Conservation Area failing to respect its local distinctiveness;
- ii) its dense, bulky and uniformed appearance would appear as a visually intrusive form of development that would be visually detrimental when viewed from St Davids Hill and the wider views from the west of the City unsympathetic with, and detrimental to, the character of the historic townscape of the area;
- iii) its height, massing and design has a detrimental impact on the residential amenities in respect of No. 55 to 61 St Davids Hill specifically in respect of loss of light, outlook and privacy not allowing existing and future residents to feel at ease with their home and garden;
- iv) the building's siting will result in the removal of existing trees within the site that contributes to the character and appearance of the area. The siting and footprint of the existing building will allow limited opportunity for replacement planting and have a detrimental impact on the character and appearance of the St Davids Conservation Area;
- v) the proposal would result in the overconcentration of student accommodation on the site to the detriment of nearby existing residents amenities to the extent that it would change the character of the area and exacerbate existing problems of imbalance in the local community.

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PLANNING APPLICATION NO. 19/0433/FUL - 54 MAIN ROAD, PINHOE

The Assistant Service Lead City Development presented the application for the re-development of former Poltimore Arms site for ground floor commercial premises (A1 use) with three residential apartments on first floor over with onsite parking and amenity.

The development included solar panels on the roof and three parking spaces only to help reduce reliance on cars. The site also benefited from an existing nearby car park for community parking.

Councillor Oliver, having given notice under Standing Order No. 44, spoke on the item. She raised the following points:-

- welcome new retail provision but concerned about additional traffic generation in an area suffering significantly from congestion and pollution around the double roundabout. Both residents of the flats and the public including children visiting the shops and the Spar supermarket will be affected by the increased pollution; and
- the receipt of only three letters of objections presumably reflects the concerns expressed over the other, larger residential developments in the area.

Councillor Wood, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- the Pinhoe/Monkerton area has witnessed huge housing developments in

recent months in both the City Council and East Devon administrative areas with associated infrastructure and general transport issues;

- Poltimore Arms site was cleared by the community but there are concerns that the retail element will generate additional traffic and parking problems. Accept that three parking spaces for three flats is adequate but problem parking already exists in the area such as parking on double yellow lines in Langaton Lane including the larger white vans which will increase with this development; and
- suggest that “pull in” areas be provided along Langaton Lane to reduce illegal parking.

Kate Jago spoke against the application. She raised the following points:-

- Chair of the Pinhoe Village Community Action Group constituted in August which is seeking to make a formal application for a Neighbourhood Plan;
- scale of development in Pinhoe has prompted widespread concern across the area, specifically in Monkerton, with residents fearing disempowerment and the destruction of the Pinhoe Village;
- accessibility and traffic concerns;
- concerns regarding the environmental impact and seek improved landscaping for example on footpaths by providing shrubs and planters to prevent illegal parking;
- need for a local medical practice and improved infrastructure;
- seek a wider strategic vision for the area and integrated thinking with a new approach to development; and
- cannot support application and call for further stakeholder consultation.

The Highways Development Management Officer responded that the level of parking provision was acceptable given the nearby car park and the sustainability goals of encouraging people to reduce reliance on cars. The proximity of other shops in the area would also encourage linked trips. He and the Assistant Service Lead City Development confirmed that Langaton Lane was too narrow to facilitate “pull in” areas.

Members welcomed the proposal as an improvement to this brown field site which was previously an eyesore. A Member referred to the general pressures on the highway network in this area as a result of the housing developments and another stated that the introduction of charging in the nearby car park was part of the “stick” approach to encourage greater walking and cycling and reduce car journeys in line with the Council’s goal of reducing carbon emissions.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded.

RESOLVED that the application for the re-development of former Poltimore Arms site for ground floor commercial premises (A1 use) with three residential apartments on first floor over with onsite parking and amenity be **APPROVED**, subject to the following 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 22 March 2019 (including dwg. nos. 1803-100 Rev B; 1803-101 Rev B; 1803-102 Rev B received on 04 June 2019) 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 development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: In compliance with Policy DG1 (i), 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 shall be submitted to the Local Planning Authority and no dwelling or 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: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 5) No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:
- a) The site access point(s) of all vehicles to the site during the construction phase.
 - b) The parking of vehicles of site operatives and visitors.
 - c) The areas for loading and unloading plant and materials.
 - d) Storage areas of plant and materials used in constructing the development.
 - e) The erection and maintenance of securing hoarding, if appropriate.
 - f) Wheel washing facilities.
 - g) Measures to control the emission of dust and dirt during construction.
 - 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.
 - k) No driven piling without prior consent from the LPA.
- The approved Statement shall be strictly adhered to throughout the construction period of the development.
- 6) No development shall take place on site until a full investigation of the 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 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.

- 7) Prior to commencement of the development, the applicant shall submit a noise assessment for approval in writing by the LPA. The assessment should include (but not be limited to) the impact of existing ambient noise on the residential development, the impact of noise from the proposed commercial premises on existing and proposed residential development, the impact of plant and equipment, noise from deliveries and collections, and both air borne & structure borne noise and vibration.
If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of mitigation. This shall be based on the results of the above assessment and shall be submitted to and approved by the Local Planning Authority before development commences. All works that form part of the scheme shall be completed before any of the permitted development is occupied.
- 8) No part of the development hereby approved shall be brought into its intended use until vehicular spaces, double yellow lines are extended, footway adjacent to the site is provided and the redundant accesses on Langaton Lane are reinstated to a full height kerb as indicated by Drawing Number 1803-100 REV B 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 provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework
- 9) No part of the development hereby approved shall be brought into its intended use until details are submitted to the Local Planning Authority of secure covered cycle parking provision for the development. No part of the development hereby approved shall be brought into its intended use until such details have been agreed in writing by the Local Planning Authority, and prior to occupation the cycle parking shall be provided in accordance with the submitted details.
Reason: To provide adequate facilities for sustainable transport.

Informatives

- 1) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the

development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).

- 2) In accordance with Paragraph 38 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.
- 3) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. 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.
- 4) The applicant is advised that any dropped kerb will need to be built in accordance with the highway authority's specification and that that they must apply and receive permission before undertaking any such works on the highway. In order to make these spaces easily accessible, the applicant has chosen to "fill in" the missing double yellow lines (DYL's) on Langaton Lane and as such a Traffic Regulation Order is needed to extend the double DYL's and therefore a contribution of £3,000 is required.

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PLANNING APPLICATION NO. 19/0287/FUL - LAND BETWEEN HOLLOW LANE AND HARTS LANE, MONKERTON, EXETER

The Service Lead City Development presented the application for the construction of a two storey primary school with a nursery and associated play areas, sports pitch and parking.

The Service Lead City Development advised that the application had been deferred at the previous meeting following Members' concerns about access. Some further information seeking to allay these concerns had been submitted within the update report together with a representation from the Department of Education which reminded Members that the NPPF gave great weight to the need to create schools. Notwithstanding the concerns regarding access, Members were advised that:-

- 1) the site was allocated in the Core Strategy specifically for a school. This had been deemed by Members to be the best location within the urban extension for a school;
- 2) the Committee had previously approved a much larger school, on the same site without any drop-off; and
- 3) there was no objection from the Highway Authority and the school access road had been designed and part constructed. The access had also been subject to a successful Road Safety Audit for the larger school.

The Service Lead City Development stated that the National Planning Policy Framework required that Local Planning Authorities approve development proposals that accord with the development plan without delay unless there was significant harm to be evidenced. It was noted that the school travel plan provided

a mechanism for the continuous review of the access strategy.

The Assistant Service Lead City Development advised that the playing field would be grassed and that discussions were on-going regarding dual usage.

Councillor Wood, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- the development provides welcome additional infrastructure to the area where there has been huge housing provision;
- the school will relieve pressure on the existing Pinhoe Primary School;
- the Monkerton Master Plan is some five years old and therefore the data is not up to date;
- parking by parents dropping off and collecting children is a great concern as some tend to arrive an hour early in the afternoons resulting in congestion; and
- urge the County Council to quickly adopt the road to facilitate enforcement and effective management by the school itself.

Councillor Oliver, having given notice under Standing Order No. 44, spoke on the item. She raised the following points:-

- welcome new school provision which is a badly needed facility in a rapidly growing urban area;
- walking distance for many children from the new estates will be some 30/40 minutes and it is likely therefore that they will be delivered and collected by their parents in cars. As well as ensuring their child's safety there will also be a health rationale because of pollution concerns from increased traffic. Anticipate that 80% of children will arrive by cars; and
- the school should introduce communal transport provision for pupils.

Kate Jago spoke against the application. She raised the following points:-

- speaking as elected Chair of Pinhoe Village Community Action Group;
- excessive scale of local development in Pinhoe, specifically regarding impact of intensified traffic flow across the centre of the village where this site is located;
- significant community concerns in respect of density of traffic, congestion, environmental issues and need for strategic vision to protect all members of community;
- note objection from the Civic Society;
- the Pinhoe community supports Exeter City Council's aim to be carbon neutral by 2030 and calls for integrated strategic thinking to be applied at this critical stage
- cannot support application and call for further stakeholder consultation.

Rory McHugh spoke in support of the application. He raised the following points:-

- representing Hydrock, the transport consultants;
- previous comments of the Committee have been taken very seriously. At its existing site, the Trust operates a sustainable school, with measures such as a dedicated minibus, and staff who monitor and manage travel and parking. The same approach would carry-over to Monkerton;
- a Travel Plan with 43 separate initiatives and measures produced to be monitored by Exeter City Council and Devon County Council;
- direct engagement with Ward Members and the local community will take place with a new infrastructure for walking or cycling to school, greater communication with pupils and parents and strategies to manage the

- movement of large vehicles outside of peak times;.
- school committed to delivering the Travel Plan to place the school at the heart of Monkerton and create a sustainable community well served by existing and future walking, cycling and public transport links;
- car trips to the school by staff and by parents dropping-off or picking-up will be minimised due to the local catchment and sustainable links. Staff parking space will be provided on-site, and the school access road was designed and Road Safety Audited by Devon County Council in order to accommodate a larger school than is now proposed;
- the outline planning consent for a larger school on the site included no on-site drop-off or pick-up facilities; however, the plans include eight spaces, turning-over regularly at peak times, monitored and controlled by school staff at the beginning and end of the day. This is in addition to the ability of the access and surrounding estate roads to accommodate parking;
- the number of trips to the site by all modes of transport have been assessed, based on patterns of travel at other Exeter schools. Using local and national data, Hydrock, WSP and Devon County Council have concluded that traffic capacity will not be an issue for the current proposals, or for the larger school which was previously permitted; and
- hope that the additional information provided now demonstrates that this school site, identified in policy and supported by access designs undertaken by the County Council, will operate safely and sustainably.

He responded as follows to Members' queries:-

- the school operates a minibus for school travel trips but not for picking up and dropping off pupils. However, a robust travel assessment indicates that traffic congestion will not be an issue; and
- will be engagement with Members and the community on bio-diversity issues.

Members reiterated concerns expressed regarding potential traffic congestion along the access road and possible tailbacks from the school to Cumberland Way and for the need for the County Council to quickly adopt highways around the site and ensure robust enforcement of unmaintained policy.

The School represented a key piece of infrastructure required to support the Monkerton urban extension. Given this, it was important for the School to be built and opened as soon as possible.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded.

RESOLVED that, subject to the satisfactory resolution of items relating to SUDS, landscaping and noise, the Service Lead City Development, subject to prior consultation with the Chair of this Committee, be authorised to **APPROVE** planning permission for the construction of a two storey primary school with a nurse's office and associated play areas, sports pitch and parking, subject to the following 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 29 July 2019 (Written Scheme of Archaeological Work), 24 July 2019 (Construction Phase Plan – Incorporating Health, Safety, Quality and Environment), 12 July 2019 (dwg. nos. FS0622-HYD-00-ZZ-DR-C-7010 Rev. P03, FS0622-SBA-00-XX-DR-A-0010 Rev. P4, FS0622-SBA-00-XX-DR-A-1002 Rev. P3, FS0622-SBA-00-XX-DR-A-1003 Rev. P3, FS0622-HYD-00-ZZ-DR-C-7200 Rev. P07 and 1353-01 Rev. F and Design and Access Statement), 14 June 2019 (dwg. nos. FS0622-SBA-00-XX-DR-A-0008 Rev. P2, FS0622-SBA-00-XX-DR-A-1006 Rev. P3, FS0622-HYD-00-XX-DR-E-8500 Rev. P07 and FS0622-HYD-00-XX-DR-E-8501 Rev. P04 and cladding materials Reynobond Reynolux Sample 2423G/18 in copper patina and Tata Steel Colorcoat Prisma in Anthracite), 7 June 2019 (Air Quality Assessment and Arboricultural Impact Assessment), 26 April 2019 (dwg. no. FS0622-HYD-00-XX-DR-C-7400 Rev. P04 and FS0622-SBA-00-XX-DR-A-0026 Rev. P1, Logistics Plan and Phase 2a Preliminary Ground Investigation) and 25 February 2019 (Site Waste Management Plan) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved details.
- 3) Prior to their use on site, samples of the bricks and any paving materials shall first be submitted to, and approved by, the Local Planning Authority. The proposed cladding materials have already been submitted and approved as part of this consent. If a subsequent change is required, samples of alternative cladding must first be submitted to, and approved by, the Local Planning Authority. The approved materials must thereafter be used in the construction of the development.
Reason: To ensure the materials are of a quality that is not harmful to the character and appearance 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 shall be submitted to the Local Planning Authority and the building shall not 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: To ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.
- 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 ensure the landscaping scheme provides a positive setting for the school building, enhances the character and appearance of the area and mitigates the impact of the development on biodiversity.
- 6) **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 Arboricultural Impact Assessment received on 7 June 2019 and the Landscape Strategy (dwg. no. 1353-01 Rev. F) received on 12 July 2019. 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 construction phase of the development.

- 7) Unless otherwise agreed by the Local Planning Authority, the building hereby approved must achieve a level of sustainability that is equivalent to BREEAM excellent and shall be constructed in accordance with the commitments made in the submitted Sustainability Statement and BREEAM Pre-Assessment Report (received on 7 June 2019). A post-completion report shall be submitted to the Local Planning Authority, within three months of completion of the scheme, setting out how the development has met the minimum standards required by this condition.
Reason: In the interests of delivering sustainable development.
- 8) The habitable building comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that the fixed internal systems for space and water heating are capable of being connected to the local energy network. Prior to occupation of the building, the necessary on-site infrastructure (including pipework, plant and machinery) for connection of the building's internal systems to the network shall have been put in place in a manner agreed in writing by the Local Planning Authority.
Reason: To ensure that the proposal complies with Policy CP13 of the Council's adopted Core Strategy and paragraph 153 of the National Planning Policy Framework and in the interests of delivering sustainable development.
- 9) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of the locality, especially for people living and/or working nearby.
- 10) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.
Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in

writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

- 11) Before occupation of the development, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full and maintained thereafter.
Noise from mechanical building services plant should not exceed a rating noise level (measured in accordance with BS4142:2014) of 36dB at 1m from any noise sensitive receptor.
Reason: In the interests of amenity and to ensure that noise does not have an unacceptable impact on any neighbouring noise-sensitive development.
- 12) No part of the development hereby approved shall be brought into its intended use until the vehicular access, vehicular spaces and turning area as indicated on the Proposed Site Plan (dwg. no. FS0622-SBA-00-XX-DR-A-0010 received on 12 July 2019) 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 provide a safe and suitable access, in accordance with Paragraph 108 of the National Planning Policy Framework.
- 13) No part of the development hereby approved shall be brought into its intended use until the 3m width path from Hollow Lane running down the eastern side of the site, the cycle storage facilities and visibility splays with Hollow Lane (details of which shall first be submitted to and approved by the Local Planning Authority) have been provided and made available for use. Thereafter, these items shall be maintained for these purposes at all times.
Reason: To provide adequate facilities to promote the use of sustainable modes.
- 14) The School Travel Plan, received on 7 June 2019, shall be implemented in accordance with the submission hereby approved and reviewed on an annual basis. Any amendments identified in the annual review shall be submitted to, and agreed in writing by, the Planning Authority and shall thereafter form part of the approved plan.
Reason: To promote the use of sustainable transport modes, in accordance with paragraph 111 of the National Planning Policy Framework.
- 15) Unless otherwise agreed with the Local Planning Authority, the development shall be undertaken in line with the Recommendations of the approved Ecological Assessment received on 7 June 2019.
Reason: In the interests of protecting and enhancing biodiversity on the site.
- 16) Prior to installation on site, details of any external lighting and enclosure for the sub-station shall be submitted to, and approved by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.
Reason: In the interests of biodiversity and the overall design quality of the development.

- 17) The biodiversity enhancements on the site shall include amphibian refuges/hibernacula. Details of these shall first be submitted to, and approved by, the Local Planning Authority. The refuges/hibernacula shall thereafter be installed in accordance with these approved details as part of the implementation of the wider landscaping scheme approved by this permission.

Reason: In the interests of biodiversity and the overall design quality of the development.

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**PLANNING APPLICATION NO. 19/0479/FUL AND LISTED BUILDING
CONSENT NO. 19/0480/LBC - 2 REGENTS PARK, EXETER**

The Principal Project Manager (Development) (PJ) presented the applications for planning permission and listed building consent for the change of use from dwelling/bed and breakfast to Home in Multiple Occupation.

The Principal Project Manager (Development) detailed the internal and external changes as part of the Listed Building consent sought and advised that it would be a car free development and, as such, occupants would not be able to apply for parking permits. Ten objections had been received notably in respect of potential occupation by students which, although possible, it was understood that the intention was to market to the general population, in particular professionals associated with the nearby hospital. It was not anticipated that the property would revert to a single dwelling.

Carl Wills spoke in support of the application. He raised the following points:-

- the applicant is committed to a quality renovation involving the use of traditional construction methods;
- this Victorian property will be converted into an 11 bedroom HMO for working professionals in the area. The intended occupants will be professionals working at the hospital given the close proximity to the RD&E site. The internal works are very minor only removing a few partitions and forming a new opening;
- apart from the new bike store and some light landscaping works the appearance of the existing property will remain unchanged. A sprinkler system will be introduced;
- a site visit took place with the case officer and conservation officer to ensure the proposed works were satisfactory; and
- the impact of the proposal on neighbouring properties will be very low as the proposal will be setup with adequate cycle storage for the occupants. There will be a few spaces for visitors and deliveries.

Members welcomed the proposal which would provide housing opportunities for the wider public especially those seeking a residence with no garden and who did not own a car. A Member suggested the potential opportunity for co-living given the proximity of the University's St. Luke's campus.

The recommendation was for approval, subject to the conditions as set out in the report.

The recommendation was moved and seconded.

RESOLVED that the change of use from dwelling/bed and breakfast to Home in Multiple Occupation be **APPROVED**, subject to the following 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 2 April 2019 (dwg nos. 0259_REG_EX_1.0; 0259_REG_PL_2.0 rev A; 0259_REG_PL_2.1 rev A; 0259_REG_EX_3.0 & 0259_REG_PL_3.0) as modified by other conditions of this consent.

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

- 3) Prior to the occupation of the development, details of the secure covered cycle parking and refuse storage areas shall be submitted to and approved in writing by the Local Planning Authority and maintained in accordance with the approved details at all times.

Reason: To provide adequate cycle and refuse storage facilities.

- 4) No site machinery or plan shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

RESOLVED that Listed Building Consent for the change of use from dwelling/bed and breakfast to Home in Multiple Occupation be APPROVED subject to the following conditions:-

- 1) The works to which this listed building consent relate must be begun not later than the expiration of three years beginning with the date on which this consent is granted.

Reason: To comply with Section 18 of the Planning Listed Building and Conservation Areas Act 1990 as amended.

- 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 2 April 2019 (dwg nos. 0259_REG_EX_1.0; 0259_REG_PL_2.0 rev A; 0259_REG_PL_2.1 rev A; 0259_REG_EX_3.0 & 0259_REG_PL_3.0) as modified by other conditions of this consent.

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

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Service Lead City Development was submitted.

RESOLVED that the report be noted.

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APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

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SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 17 September 2019 at 9.30 a.m. The Councillors attending will be Mitchell, Morse and Pierce.

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UPDATE SHEET

(The meeting commenced at 5.30 pm and closed at 8.20 pm)

Chair