

PLANNING

Date: Monday 10 October 2022
Time: 5.30 pm
Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the rear of the Customer Service Centre, Paris Street.

Membership -

Councillors Morse (Chair), Sutton (Deputy Chair), Asvachin, Bennett, Bialyk, Branston, Foale, Hannaford, Jobson, Lights, Mitchell, M, Moore, D, Newby and Snow

Agenda

Part I: Items suggested for discussion with the press and public present

11 **Presentations for items 5 and 6** (Pages 3 - 22)

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 14 November 2022** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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Exeter City Council
Planning Committee
10 October 2022



Application 21/1564/OUT

Site: Former Police Station and Magistrates Court, Heavitree Road

Applicant: Police and Crime Commissioner for Devon and Cornwall and PBSA Heavitree Road S.A.R.L.

Proposal: Outline planning application with all matters considered in detail except landscaping, for the demolition of the existing buildings and construction of mixed-use development comprising Purpose-Built Student Accommodation (Sui Generis) and Co-Living (Sui Generis) with associated infrastructure. (Revised plans received)

Case Officer: Matthew Diamond

The applicants have contacted officers requesting a further deferral of the application in order to revise the proposals accounting for the issues raised by the Planning Committee.

Subject to an appropriate extension of time being agreed, the Director of City Development recommends that this time is granted so that Members can consider a revised set of proposals that better reflect Members' aspirations for the site and to ensure that any proposals considered at appeal are the most appropriate for the area.

NB. Conditions 1, 2 and 3 below have some minor changes from those in the Planning Committee Report

1. The proposed development would harm the character of the surrounding area along Heavitree Road and Gladstone Road, and the setting of the locally listed St Luke's College buildings, by virtue of the height and massing of the two buildings, which would be of a far greater scale than the majority of buildings in the area, and their siting in close proximity to the pavement and not in keeping with the sub-urban street scene. The proposed development is therefore contrary to Policy CP17 of the Core Strategy, which requires all proposals for development to complement or enhance Exeter's character and local identity, saved Policies H5 and DG1 of the Exeter Local Plan First Review 1995-2011, and paragraphs 130 and 197c) of the NPPF (2021).
2. The proposed development would harm the amenity, privacy and outlook of the adjacent residential properties, particularly in Higher Summerlands, due to the height, scale and massing of the proposed buildings and their siting in close proximity to the properties taking into account their designs. The proposed development is therefore contrary to saved Policies H5(a) and DG4(b) of the Exeter Local Plan First Review 1995-2011, and paragraph 130f) of the NPPF (2021).

RECOMMENDED REASONS FOR REFUSAL

3. The proposed development would have insufficient external amenity space for use by the high number of residents of the two buildings and the external amenity space proposed in the form of the internal courtyards would be poor quality, due to the overbearing design of the proposed buildings and reduced levels of daylight due to the scale of the proposed buildings. In addition, the small size of the studios within the co-living block combined with the amount of internal, shared communal space within the building would provide a poor living environment for residents that would have a negative impact on their health and well-being. The proposed development is therefore contrary to saved Policy DG4(b) of the Exeter Local Plan First Review 1995-2011 and paragraph 130e) and f) of the NPPF (2021).

4. Notwithstanding the applicant's agreement to pay £472,995 for the maintenance and upgrade of off-site public open spaces serving the development (to be spent on upgrades to Exeter City Council parks) and £121,095 for the maintenance and upgrade of off-site play areas serving the development (to be spent on the installation of outdoor adult fitness equipment) in accordance with the consultation response from the Public and Green Spaces team of Exeter City Council to mitigate the impact of additional demand on off-site Exeter City Council public spaces, the proposed development would have a negative impact on public spaces in the locality of the site, in particular Belmont Park approximately 400 metres north of the site, due to the additional use and demand of these spaces by residents of the proposed development and limited amount of on-site external amenity space provision. The proposed development is therefore contrary to Policy CP10 of the Core Strategy, which protects facilities that meet Exeter's community, social, health, leisure and recreational needs, and saved Policy DG4(a) of the Exeter Local Plan First Review 1995-2011 stating that residential development should be at the maximum feasible density taking into account site constraints and impact on the local area.

5. The proposed development would result in the loss of all trees on the site including several category A and B trees which contribute to the amenity of the locality and biodiversity of the site. Without a detailed landscaping scheme as part of the application, there is a lack of certainty that the loss of these trees will be adequately and appropriately compensated for to maintain or enhance the amenity and biodiversity value of the site. The indicative information submitted with the application in this regard does not demonstrate that this can be satisfactorily achieved. Therefore the proposed development is contrary to Policy CP17 of the Core Strategy, saved Policies H5(a), LS4 and DG1(c)(h) of the Exeter Local Plan First Review 1995-2011, and paragraphs 130 and 131 of the NPPF (2021).

6. In the absence of a s106 legal agreement to secure the following:
- 20% of the co-living units (i.e. 72) will be affordable private rented (5% of which will be wheelchair accessible) and priority will be given to essential local workers.
 - Habitats Mitigation = £370,612.34 (in relation to the co-living development only)
 - NHS Devon ICB contribution = £264,960.00 (£173,312 for PBSA and £91,648 for co-living)
 - Public open space contribution = £472,995.00 (£309,389 for PBSA and £163,606 for co-living)
 - Play (outdoor adult fitness equipment) contribution = £121,095.00 (£79,209 for PBSA and £41,886 for co-living)
 - Student Management Plan for PBSA block
 - Co-living Management Plan/Monitoring for Co-living block

the proposal is contrary to Exeter Local Development Framework Core Strategy 2012 Objectives 1, 3, 5, 6, 8 and 10, and policies CP7, CP10, CP16 and CP18, Exeter Local Plan First Review 1995-2011 saved policies L4, LS2, LS3 and DG4, Exeter City Council Affordable Housing Supplementary Planning Document 2014 and Exeter City Council Public Open Space Supplementary Planning Document 2005.

Applications 22/0236/FUL & 22/0237/LBC

Site: Royal Clarence Hotel, Cathedral Yard

Applicant: Mr James Brent, Southwest Lifestyle Brands Ltd

Proposal: Reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create commercial food and beverage units at ground floor and residential units from first to fifth floor.

Case Officer: Matthew Diamond

- **October 2016** – fire destroys hotel
- Works carried out to stabilise remaining building fabric – this obtained retrospective LBC in **July 2017**
- **December 2017** – planning permission and LBC granted to rebuild hotel with roof extension
- **January 2019** – LBC granted for additional demolition works and minor changes
- **2020/2021** – site sold to current owners and pre-application engagement with Council and Historic England
- **December 2021** – public consultation for current proposals
- **February 2022** – planning and LBC applications submitted for 23 residential apartments and commercial uses (restaurant and pub) on ground floor



PRESERVATION OF LISTED BUILDING FABRIC



PARTIAL DEMOLITION WORKS



DEGRADATION OF EXISTING FABRIC



DERELICT SITE HARMS HISTORIC SETTING

2022



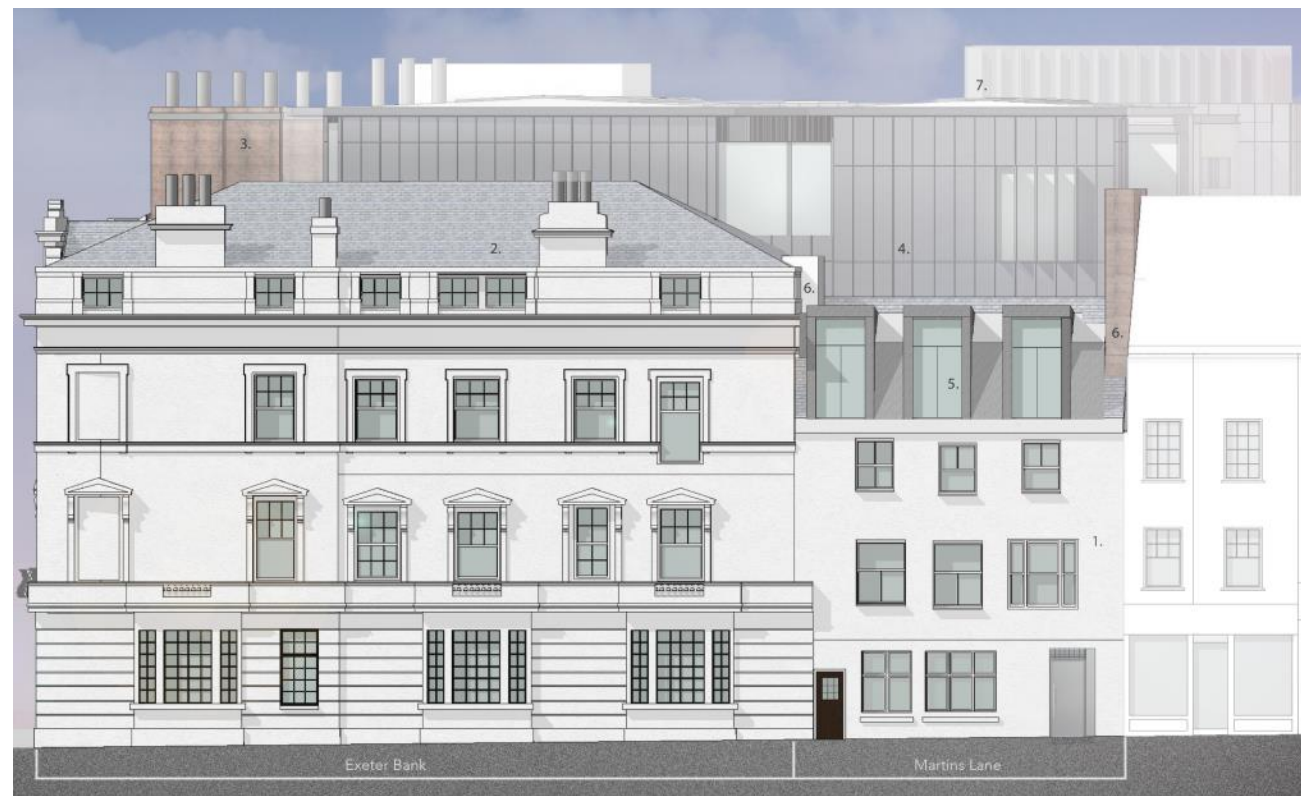
2017



CATHEDRAL YARD ELEVATION – COMPARISON WITH 2017 SCHEME



2022



2017

MARTIN'S LANE ELEVATION – COMPARISON WITH 2017 SCHEME



PERSPECTIVE VIEWS



PERSPECTIVE VIEWS

- Substantial public benefits outweigh the harm of the partial demolition works and 5th floor roof extension on the historic setting (see page 127 of Agenda reports pack)
- The proposed uses are acceptable and will enhance the vitality of the City Centre and the Cathedral Precinct
- The Presumption in Favour of Sustainable Development applies

Recommendations:

- APPROVE planning application subject to a s106 agreement and conditions
- APPROVE listed building consent subject to conditions
(see pages 134 and 135 of Agenda reports pack and Update Sheet)

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