PLANNING

Date: Monday 8 December 2025
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 Mark Devin, Democratic Services Officer - democratic.services@exeter.gov.uk.

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

Membership -
Councillors Knott (Chair), Rolstone (Deputy Chair), Asvachin, Atkinson, Banyard, Hughes, Hussain, Ketchin, Mitchell, M, Pole and Williams, M

Agenda

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

1 **Apologies**

To receive apologies for absence from Committee members.

2 **Minutes**

To approve and sign the minutes of the meeting held on 10 November 2025. (Pages 3 - 16)

3 **Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC**

It is not considered that the Committee would be likely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed: -

RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972,

the press and public be excluded from the meeting for particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part I of Schedule 12A of the Act.

Public Speaking

Only one speaker in support and one opposed to the application may speak and the request must be made by 10:00am on the Thursday before the meeting.
For this meeting, the deadline for public speaking is Thursday 4 December 2025 by 10:00am.

Full details on public speaking are available here: Speaking At Planning Committee

5 **Planning Application No. 25/0676/FUL Devon And Cornwall Constabulary, Heavitree Road, Exeter**

To consider the report of the Strategic Director for Place. (Pages 17 - 128)

6 **List of Decisions Made and Withdrawn Applications**

To consider the report of the Strategic Director for Place. (Pages 129 - 156)

7 **Appeals Report**

To consider the report of the Strategic Director for Place. (Pages 157 - 160)

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 19 January 2026** 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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PLANNING COMMITTEE

Monday 10 November 2025

Present:-

Councillor Knott (Chair)
Councillors Rolstone, Asvachin, Atkinson, Banyard, Hussain, Ketchin, Mitchell, M, Pole and Williams, M

Apologies

Councillors Hughes

Also Present
Strategic Director for Place, Planning Solicitor, Assistant Service Lead – Development Management (Major Projects), Principal Project Manager - Development Management and Democratic Services Officer.

Also in Attendance
Ben Sunderland (Devon County Council Highways)

34 **MINUTES**

The minutes of the meeting held on 8 September 2025 were taken as read, approved and signed by the Chair as correct.

35 **DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

36 **LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS**

A Member enquired about a change of use application (C3 to C4) and sought clarification on whether it related to an Article 4 direction and further information.

The Assistant Service Lead – Development Management (Major Projects) would provide a written response on the decision.

The report of the Strategic Director for Place was noted.

37 **APPEALS REPORT**

A Member noted that officer summaries were missing for some items, and a request was made to include the final appeal decision directly in future reports to improve public accessibility. The Strategic Director for Place noted the feedback and would address this matter.

The report of the Strategic Director for Place was noted.

The meeting was briefly adjourned at 17:35 and resumed at 17:38.

38 **PLANNING APPLICATION NO. 25/0098/FUL & 25/0099/LBC- FORMER WALLED GARDEN ADJACENT TO REED MEWS, MARDON HILL, EXETER**

The Chair invited Mr Shore-Nye, to speak for five minutes in support of the

application, who made the following points:

- the proposed development was for a flagship facility following a two-year extensive collaboration with Council officers and following a number of design revisions;
- the proposal would deliver a cross-faculty research and teaching facility to support the Institute of Arab and East Studies, accommodating 80 academics and 400 students, meeting the identified need for large, active and digitally connected learning spaces and collaborative research space;
- the design process involved extensive collaboration with council officers and two reviews by the Council's Design Review Panel;
- in response to feedback, the building had been reduced in height and size by 19%, landscaping enhancements had been increased across the site, and the architecture and materiality had been revisited to better integrate with the surroundings;
- the plan to use the historic Mews courtyard during construction has been removed at the officers' request;
- the sensitivities and complexity, of developing within the historic campus setting had been a primary consideration throughout the project and the design balanced the functional needs of a new educational facility with the sensitivities of the historic campus setting;
- the proposals would inevitably result in some heritage harm through the loss of historic fabric on site, but the significant public benefits of the project, would outweigh the acknowledged heritage harm;
- economic benefits included supporting the University's £509.4M contribution to Exeter's GDP and 9,070 jobs and would generate an estimated £6.7million in annual postgraduate teaching income and £2million in research income;
- the construction phase would provide additional fixed-term social and economic benefits, estimated to be between £7.45M to £8M to the local economy over two years;
- the development would create a new, fully inclusive and accessible path through the Reed Hall buildings, improving campus connectivity;
- a package of restoration measures would be secured by condition to better reveal the significance of Reed Hall;
- new garden areas and elevated cafe terraces would also allow for greater appreciation of the historic setting;
- the building would use low embodied carbon materials, off-site construction, and adopt Passivhaus House standards;
- biodiversity net gain objectives would be met through on-site and off-site measures and a separate, standalone bat house had already been constructed to mitigate impacts on existing roosts;
- all issues raised by statutory consultees had been addressed through design revisions or planning conditions; and
- the proposal would deliver a world-class, sustainable academic building that justified approval based on its long-term public value and requested that the Planning Committee support the officer's recommendation.

Mr Shore-Nye responded to Members' questions as follows:

- the location was a key area of activity and would be a logical extension for the successful Institute for Arab and Islamic Studies, which was already there;
- the new building would boost activity in that part of the campus and encourage people to enjoy it more;
- the university had moved away from a carbon management approach but there was a recent example of creating a valley to increase biodiversity for community engagement;

- the planting and landscape for the development would be significant; and
- the university had a comprehensive biodiversity strategy that governed grounds management, chemical use, and focused on improvements to being biodegradable.

The Principal Project Manager - Development Management presented the application for the partial demolition of the existing garden walls and workshops at the former walled garden adjacent to Reed Mews, Mardon Hill and the construction of a part two, part three storey educational building for teaching and research use and associated landscaping, including temporary enabling works.

Members were advised that the recent planning update sheet circulated to Members, had raised two issues which had since been addressed:

- Exeter airport had requested two additional pre-commencement conditions, which the university and their agent had agreed to; and
- A request was made for minor changes to a number of other planning conditions, which had been discussed and agreed upon by both parties.

The recommendation had subsequently been updated to approve both applications, subject to delegation to officers to finalise minor changes to the conditions based on the issues raised in the amendment sheet.

Members received a presentation which included the following information:

- the proposed development was a Grade II listed building, located on a complex, historic site within the central-west area of the university campus;
- the site's red line boundary was reduced in size during the application process;
- key features of the surrounding area included Reed Hall, historic terraces and steps from the original ornamental gardens, a catering courtyard for Reed Hall, the Mews Courtyard, student accommodation buildings to the north and the Institute of Arabic and Islamic Studies (IAIS);
- an 1899 historic map showed a walled garden that predated the house, confirming the historic layout;
- the entire area shown on the historic map was considered to be part of the curtilage of the listed Reed Hall and was therefore curtilage listed;
- the steps and terraces were also separately listed heritage assets and the entire area was designated as a registered historic park and garden, but was not on the national register so was considered an undesignated heritage asset;
- historic maps showed that buildings along Mardon Hill and a central building were still in place, while hatched areas indicated former glasshouses were now gone;
- photographs revealed the site's current state, topography, and accessibility challenges and included a vault beneath the western part of the site, original stone-paved paths that serviced former glasshouses and potting sheds;
- Mardon Hill had a steep gradient posing accessibility issues;
- a key walking route through the Mews Courtyard, included historic steps, which had been closed since the COVID-19 pandemic for safety reasons;
- the new building would have an entrance directly opposite the Institute of Arabic and Islamic Studies building and a new path was proposed across the former productive garden, which currently lacked a formal path and had a significant slope;
- the application was first submitted in January 2025 after limited pre-application discussions and a Design Review Panel presentation. In June 2025, officers concluded they could not support the initial scheme due to its heritage impact,

citing concerns over scale, design, and materials;
- the proposal to use Mews Courtyard as a construction compound, requiring demolishing historic walls, were considered unjustified and unacceptable;
- following feedback, an intensive redesign process was undertaken, including officer workshops and another Design Review Panel in July 2025;
- the revised scheme was resubmitted on 11 September 2025, with the process accelerated to meet the university's program, which was driven by the need for bat licenses;
- revisions to the scheme included reducing the building's footprint by pulling it back from Reed Hall. Revisions also reduced the height by 1.3 meters by lowering the floor-to-ceiling heights, and the ground floor level was raised by a metre, reducing the amount of excavation required and lessening the impact on the historic vault;
- the project included the demolition of most existing structures and construction of a new teaching and research building, providing a disabled car parking space and cycle parking, a new accessible path through the former garden and environmental enhancements;
- the proposed building was for an academic facility with a vision focused on sustainable development, requiring proximity to the IAIS building;
- the demolition and enabling works plan would prioritise material reclamation and tree retention where possible, as well as retaining the historic vault beneath the site;
- a total of 14 category B and C trees would be removed, but no category A trees would be removed;
- the building's floor plans would be designed for accessibility, for various uses and would be integrated with the surrounding campus;
- the roof level would house plant equipment and feature a roof lantern, a green wildflower meadow, and solar PV panels, which were the subject of the airport's conditions regarding glint and glare;
- the building's exterior materials would be either reclaimed from the site or new to match, will be set within pre-constructed concrete frame panels, exposed concrete with smooth or ribbed finishes and hardwood for handrails and bronze for highlight materials;
- the materials for the north elevation would use reclaimed brickwork on lower levels with new brick in prefabricated panels above;
- the materials for the east elevation would include a bronze panel to mark the second-floor entrance;
- the materials for the south elevation would feature lightweight and elegant bronze columns to act as the front of the building;
- the setback from the Mews Courtyard was 6.6 meters at levels 0 and 1, with further setbacks of 3.88 meters and 4.5 meters at higher levels;
- the west elevation, showed the relationship between the new construction, the retained wall, and the existing Mews buildings;
- a 3D view showed that existing retaining walls around the site, including the one adjacent to the IAIS building, would be preserved and the design would retain the existing steps and terraced paths;
- a green roof was included in the plan and dividers would be installed to create smaller, semi-private outdoor seating and conversation areas;
- the main quadrilateral garden was inspired by an Italianate garden design and a courtyard on level one was also included on the plan;
- the design change allowed for direct access to the adjacent garden space during events and the landscaping plan showed the alignment of a proposed new route through the garden that would connect with an existing lit path;
- the application was publicised through two separate rounds of publicity and no public responses or objections were received;
- a licence would be required from Natural England to address the demolition of

the potting sheds which currently housed four species of bat. The university having recognised this as a significant issue, had proactively applied for a license and built a replacement bat roost in the woodland north of the IAIS building, which would support in their application to Natural England;

- the heritage significance of Reed Hall and its gardens had been formally assessed, as required under legislation. Case law had established that heritage matters must be given considerable consideration in the decision-making balance and Section 16 the National Planning Policy Framework (NPPF), provided the framework for conducting this heritage assessment;
- the historical significance of the application site was multifaceted, with the garden area pre-dating the Reed Hall, making it one of the oldest parts of the site;
- the heritage significance of the gardens and glasshouses were derived from it once growing rare and newly identified plant species from around the world and the glasshouses being heated by technologically advanced structures for the era;
- the area also had cultural significance and was used by skilled working-class gardeners with a strong material character, evidenced by surviving stone paths, brick walls, and structures;
- the development's impact on heritage assets included demolition, but measures had been proposed to mitigate the harm and demolition would be prevented until a contract was signed for the wider redevelopment of the site;
- an assessment of the development's visual impact on the setting of retained historic assets was conducted by the applicant's designer using a 3D model using views from key locations. The assessment concluded that the development would cause less than substantial harm to the heritage assets;
- the original designs submitted were more dominant, extending continuously across the view and featuring a large pergola. The revisions had improved the scheme's relationship with the historic Mews courtyard and Reed Hall and the new building's design and materiality better reflected the character of Reed Hall;
- the ground floor plinth at Mardon Hill would be constructed from reclaimed brickwork from the site, which was considered positive;
- the new building would obscure some views of Reed Hall; however, the hall's significance was not derived from specific views and the new design created new spaces, including a cafe terrace and a colonnaded entrance, which would offer more positive views over Reed Hall;
- the design of the new building's front elevation was considered a benefit, which enhanced the connection to and appreciation of the historic garden;
- the level of harm to heritage assets was consistently assessed as less than substantial, which allowed for a balancing exercise against public benefits;
- the project would deliver significant economic and social public benefits, including 80 additional academic jobs, an estimated £6.7 million of teaching income and £2 million in research income, additional employment opportunities and shorter-term construction benefits estimated at £7.5 - £8 million for local businesses and subcontractors;
- a package of improvements to the historic environment around Reed Hall included a range of restoration and improvement works . The package would be secured through conditions to ensure the development generated direct benefits for the affected heritage assets; and
- the officer recommendation was to approve both applications subject to the specified conditions and to further minor changes to the conditions in response to the issues set out on the update sheet, as the public benefits were deemed to outweigh the less than substantial harm.

The Principal Project Manager - Development Management responded to Member

questions and clarification points as follows:

- level 4 recording was a high recording level, defined by Historic England, which intended to capture written and photographic records information for future researchers to use. Records would be archived and it was anticipated that the demolition process would likely reveal further information about the historic arrangement and functionality of the site, which would also be documented;
- the new path gradient would be 1 in 12, which would be fully accessible for wheelchair users;
- the potting sheds were previously used for storage as an extension of the theatre workshop but were not currently used, with low architectural merit, and the constraints of the development site, the demolition of the potting sheds was justified;
- a formal verified view assessment was not legally required and that the 3D visualisations provided were considered accurate for assessing the building's impact. A formal verified view assessment was also considered to be unnecessary and would have caused significant project delays and costs;
- views for the visual impact on Reed Hall were those provided in the presentation, notably the where the two buildings would be seen together from a pedestrian perspective;
- officers considered it unlikely that unexploded ordnance (UXO) would be found on this site, but the responsibility for managing the risks associated with any unexploded ordnance survey, ultimately rests with the landowner/developer. However, given that UXO had been discovered in relatively close proximity, an informative could be attached to the permission to highlight this issue;
- the new accessible route would continue to be publicly accessible, and there were no plans for barriers, but this was subject to confirmation from the university;
- the trees to be removed were primarily Category B and C which did not warrant a Tree Preservation Order (TPO), but an informative would be attached to the permission recommending that they consider translocating younger trees to other parts of the campus;
- bat re-location did not involve physically moving them and a compensatory roost had been provided. Once a license was granted, the existing roosts, would then be blocked off to prevent re-entry, encouraging them to use the new alternative roost;
- the proposed solar array as part of this proposal is at the furthest western extent of the area where the airport must be consulted for aviation safeguarding and the other solar array referred to that was explained to be north of this site was outside this designated zone. The airport required a proper assessment, and it was possible that specific non-glare panel finishes could be used to mitigate any identified risks;
- the design of the north elevation facing Mardon Hill, had been given significant consideration and the central entrance had been designed to be plain due to the main entrances being in other locations. It would feature designs to add interest but the design focussed on the south elevation facing Reed Hall, which was more important;
- the area was formerly the location of greenhouses and the visible stone walkways were paths between the greenhouses, and there were original planter positions;
- one of the buildings to be demolished was a 1950s building, which was not considered to have heritage value, and was being used as a theatre workshop;
- the potting sheds were located on the other side of a wall from the main development footprint and another retained building on the site was a

functional historical structure but not of high value;
- the bricks from the demolished structures would be reclaimed and reused in the new building's materials where possible;
- access to the lit path was, historically, by a flight of steps from the Mews courtyard, as well as via the gap through the Potting shed buildings from Mardon Hill. This route from Mardon Hill would no longer be available following the development, but an equivalent route is proposed a short distance to the south west;
- the new, accessible route would be created along the side of the new building, leading to outdoor seating, the quadrilateral garden, and then to the lit path;
- as part of the improvement package, the stairs from the Mews Courtyard, which were closed during the COVID-19 pandemic and have since remained closed, would be re-opened, though it was not an accessible route;
- the university had agreed to re-open the terrace behind Reed Hall, which will re-establish a historic route linking the Billiard Hall with the new development site;
- the development's impact on historic structures, including Reed Hall and adjacent buildings, was clarified; and
- the combination of the project's specific economic benefits and the negotiated package of heritage/environmental interventions was necessary to outweigh the "less than substantial harm" to the heritage site.

A Member request for a better visualisation of the new building's impact on Reed Hall was addressed by reviewing a presentation slide, which showed the view from the gardens (in which Reed Hall itself had not been fully detailed so was not clear). The chair identified that the new building would have its most impactful and damaging effect on the principal view of Reed Hall from the gardens.

During the debate, Members expressed the following views:-

- the application would benefit the sustainability of the global south and was suitable given the site's historical context;
- positive aspects included the reduction in the building's massing to lessen its visual impact and improved pedestrian routes;
- the evolution of the application through collaboration between the university and planning officers was commended;
- ensuring that information about the heritage assets being lost would be properly recorded and made public was welcomed;
- the reuse of materials from demolished structures would be beneficial;
- on balancing the harm and the benefits, the application was supportable;
- the development was welcomed as a sustainable project on an existing site that could accommodate its scale;
- the university's role as an economic driver for the city and region was highlighted as important;
- the building's would be built to Passivhaus standard was significant and echoed the site's history of innovative heating technology;
- the high level of detail and sensitivity shown toward the heritage aspects was commended;
- the collaborative effort from officers, the design team, and the university to produce an evolved and sound scheme was impressive; and
- it was a positive factor that the working-class culture and history was being preserved.

The Strategic Director for Place made the following concluding points:

- the planning team were thanked for their intensive work over the summer

period, which involved workshops with the university to make design improvements and secure a package of enhancement measures; and
- the enhancements were crucial for helping the Planning Committee understand the balance of the benefits against the less than substantial heritage harm.

The Chair moved, and Councillor Ketchin seconded the recommendation, which was voted upon and CARRIED unanimously .

RESOLVED that Planning Permission be granted subject to the conditions set out in the report, the two additional conditions requested for airport safeguarding reasons and the minor changes to conditions to address the issues raised by the applicant in their correspondence as set out in the Planning Committee Update Sheet. Delegated authority was given as sought by officers in their presentation for the minor changes to the conditions to be finalised by officers in consultation with the Chair.

RESOLVED that the listed Building Consent be granted subject to conditions as set out in the report, subject to any minor revisions outlined in the Planning Committee update sheet, which relate specifically to the Listed Building. Delegated authority was given as sought by officers in their presentation for the minor changes to the conditions to be finalised by officers in consultation with the Chair.

39 **PLANNING APPLICATION NO. 23/1532/OUT - SANDY PARK FARM**

The meeting was briefly adjourned at 19:41 and resumed at 19:43.

The Chair invited Mr Pete Thomas, to speak for five minutes, against the application, who made the following points:

- there were concerns about procedural validity, access arrangements and policy compliance of the proposal;
- policy EJ6, designated this land for use for transformational employment allocation and the proposal to deliver 158 dwellings was a departure from emerging policy;
- there were highway implications, especially on match days where congestion in this area was already difficult and additional traffic from 158 dwellings would significantly worsen existing congestion and impede emergency vehicle access;
- the applicant's red line boundary on the location plan did not extend to the edge of the access roundabout, leaving a gap, which was land owned by the Exeter Rugby Group;
- according to National Planning Policy Practice Guidance, the red line must include all land necessary for the development, including access and as the applicant did not own this land, the application was procedurally defective;
- no ownership notice had been served on his clients;
- he challenged the Highway Authority's suggestion that access could be secured through a Section 278 agreement, and advised that despite the road surface being the Highway Authority's responsibility, his client owned the adjoining grassed area and bank;
- if the northern access were undeliverable, all traffic would be forced onto the southern route via New Court Way and Old Rydon Lane, which had not been assessed in the transport assessment;
- officers had already determined that the southern access was unacceptable;
- the proposal for 158 dwellings was a material departure from emerging policy in which no operating justification or demonstrable planning need had been

provided; and
- the Planning Committee were requested to uphold the officer's recommendation for refusal and also to refuse for procedural invalidity and the undeliverability of the northern access.

Mr Pete Thomas responded to questions from Members as follows:

- the Exeter Rugby Group had checked their plan which advised that they owned the small sliver of land around the fence;
- the redline should include access to the roundabout as an integral part of the application;
- the Exeter Plan showed the direction, but was not at an advanced stage, so considerations were being highlighted;
- the objection originated from the potential impact upon the roundabout, particularly on match days, and the larger concerns about traffic coming out of there, and the implications for the surrounding road; and
- even with commercial land development, there would be additional vehicles to and from the site, so there were concerns about additional vehicles impacting access.

The Chair invited Mr James McMurdo, to speak for five minutes in support of the application, who made the following points:

- he was working for the applicant, who was also a landowner;
- the proposal was a significant opportunity for the city, which planned for 158 houses and 180,000 sq. ft of employment space, which would deliver 1,000 jobs;
- he enquired how such a development could be considered harmful, especially in the context of a 3,000-housing delivery backlog and employment issues;
- there were significant issues with the existing policy plan which had been superseded by the construction of the hotel;
- despite paying a pre-application fee, he claimed officers had refused to engage with them or respond to emails with the pre-application fee eventually being returned; and
- the Planning Committee were requested to defer making a decision on this application and to undertake a site visit to the hotel and assess the impacts in relation to the policy.

Mr James McMurdo responded to Members' questions as follows:

- ignoring economic development was not' being proposed in favour of housing, the existing policy plan was being highlighted as being blank;
- the emerging policy was for employment to the north, and residential to the south, but did not consider the impact of the hotel;
- there was about eight hectares of land, which could deliver 158 dwellings, and met the residential density prescribed by the Council and would deliver 180,000 square feet of commercial space;
- the hotel is 8 storeys high, and the reason the Planning Committee were being asked to visit the site was to consider moving the employment land to accommodate housing;
- outline planning permission for housing and commercial space was sought;
- it was within the gift of the Council to control the delivery and phasing of commercial space in line with the houses;
- he was unsure if Exeter Rugby Club had asked his client whether they could develop the space;

- a pre-application payment was made but officers had refused to engage with the clients and the application fee was ultimately returned; and
- the application was seeking to deliver 1,000 jobs, with 158 houses to help the council meet its residential and commercial targets, and it was disheartening to see a recommendation of refusal.

The Assistant Service Lead – Development Management (Major Projects) presented the application for up to 158 residential dwellings (Use Class C3), and up to 17,567 sq. m of commercial floorspace (Use Classes E, F2, B2 and B8) with associated infrastructure at Sandy Park Farm, Old Rydon Lane.

Members received a presentation which included:

- the site location plan;
- aerial views showed the site was generally used for agricultural land with some residential and commercial use;
- parameter plan showed a mix of commercial, residential and open space, with a central spine road connecting Sandy Park Way and Old Rydon Lane;
- the indicative layout showed how the site could be developed for mixed use;
- internal spine road through the middle of the site;
- the northern access to Sandy Park Way;
- the southern access to Old Rydon Lane;
- the 2010 Newcourt Master Plan allocated the site for employment land only;
- Core Strategy Policy CP19 policy required approximately 16 hectares of employment land for Newcourt area, and the current application only provided 2.29 hectares of employment land on an 8-hectare site;
- meetings with the applicant had been held and the Council's advice had been consistent since early last year, for the need for an overall masterplan to show how the required employment land and housing could be delivered across this site and the land in the same ownership to the south of Old Rydon Lane. The applicant did not provide this masterplan as requested;
- several technical issues remain unresolved, including access and the proposed southern access onto Old Rydon Lane would require the removal of two trees which were worthy of retention;
- the application was being brought to the committee now because an extension of time requested by the applicant expires at the end of the month; and
- the officer recommendation was for refusal, due to the failure in providing the required amount of employment land.

The Assistant Service Lead – Development Management (Major Projects), the Strategic Director for Place and the Devon County Council Highways Officer responded to Member questions and clarification points as follows:

- this was an outline application, and although the housing type was not specified, the indicative layout suggested it would be a standard two-story type of houses;
- housing delivery had been broadly in alignment with the masterplan but there had been some significant changes, notably the IKEA store and hotel, but there had been no employment land delivered to date;
- Section 278 agreements could be made between the Highway authority and any individual, and Highway Maintainable at Public Expense (HMPE) covered both the carriageway and verges;
- the newly identified strip of land owned by the applicant's client may affect the boundary, but this was only received on the Friday preceding the meeting and as such, had not been fully investigated;
- if third-party land were required for access, the Council could grant permission,

but the development could not legally proceed without an agreement between the developer and the landowner, which would create a ransom situation;
- 55 dwellings per hectare was not considered to be high density, with lower density being around 20-30 dwellings per hectare;
- the deferral request was for Members to view the hotel, which was on the land to the south, which was not being considered at the meeting;
- an extension was granted to the applicant to the end of November and any deferral would allow a six-month appeal window and could lead to a non-determination appeal;
- an application was submitted in 2014 for housing on the land to the south of Old Rydon Lane, which was approved subject to a Section 106 agreement; in 2015 a draft s106 agreement was sent to the applicant's solicitors, but no response had been received and subsequently the application was finally disposed of due to its age;
- officers required a masterplan covering both parcels of land, in order to demonstrate that the required level of employment land and housing was deliverable before accepting the redistribution of employment land to the south of Old Rydon Lane;
- there was an opportunity for the applicant to appeal, either officer recommendation to refuse or option to defer which go beyond the current extension of time, but it would be for the applicant to decide;
- the reason for refusal was on the loss of trees at the southern access, and the application's failure to demonstrate how the potential conflict with vehicles entering that access with the number of pedestrians on match days would be managed;
- the southern access likely would need a re-design to ensure safety, but there had been no objections from National Highways or the Highways Authority;
- if Members went against the officer recommendations and voted to approve the application, a comprehensive package of conditions and planning obligations would need to be agreed;
- the adopted Core Strategy allocated for around 16 hectares of employment land in the Newcourt area, but none had been delivered to date; and
- the emerging Exeter Plan policy (EJ6) allocated 7 hectares for employment at the site with the current proposal being approximately 2.2 hectares.

During the debate, Members expressed the following views:-

- a Member considered there was a need to agree a further extension of time and approve a deferral to undertake a site visit and concern that any refusal would force the developer to appeal. A deferral would allow the Council to maintain a level of control on this situation;
- a site visit was not considered necessary and that the developer had not been reasonable and needed to work with the Council;
- there were unresolved issues with access, land ownership, and highway safety as reasons to refuse and the developer needed develop a masterplan;
- a Member felt they did not have enough information to make a decision, and the point about retaining planning control was valid, but was reluctant to go against policy reasons for refusal; and
- there was concern about the developer's history and the current proposal's failure to provide adequate employment land. The application needed a masterplan to provide more confidence in it.

The Chair saw no grounds to defer for a site visit and saw no grounds under the regulations to consider undertaking one. Members were familiar with the site and going to a different site to view the hotel was not relevant to this application. He considered there were problems with this application and supported the officers'

recommendation for refusal.

The Strategic Director for Place made the following concluding points:

- the key issue for refusal was that the proposal would not deliver enough employment land as required by policy and by approving this application the opportunity to provide the right amount of employment land in this area would be lost;
- employment was a key issue for the Exeter Plan and no employment land had been delivered in the Newcourt area to date; and
- there was relatively little land left, which had not been developed for housing or other uses.

The Chair moved, and Councillor Atkinson seconded the recommendations.

It was proposed by Councillor Mitchell and seconded by Councillor Banyard that the following amendment be made to the recommendations:-

- that subject to a further agreed extension of time, the Planning Committee defer this application to allow for further negotiations between the applicant and the City Council.

During the debate on the amendment, the following points were made:

- concern was expressed that issuing a refusal could reduce the council's control over the land, pushing the applicant toward an appeal process where the Council had limited influence;
- the applicant appeared to be willing to cooperate with the Council, including agreeing to a site visit or a deferral;
- Members now have a better understanding of the site's issues following the debate;
- the developer should be given a further opportunity to negotiate with the planning team to find a proposal which would be acceptable to the committee;
- the applicant had already been given seven years, which was sufficient time to address the issues and planning applications should be resolved quickly;
- deferring would send the wrong message that the proposal was fundamentally sound and only needed minor adjustment;
- sending mixed messages to the developer would be unhelpful and they needed to understand the site's incompatibility;
- if the application were refused, the inspector would likely uphold the Council's position because there were strong grounds and ample alternative housing provision in the area;
- an extension would not change the fundamental issue of the employment land shortfall;
- an extension would be a desirable outcome to test the applicants willingness to engage and enable the Council to maintain control of the situation; and
- the Strategic Director for Plance had clearly explained that the refusal reasons related to the balance of land use and the applicant had not indicated any willingness to adjust that balance; and
- granting more time or an extension would not change the core issue, in that, this specific parcel of land was allocated solely for employment use.

The amendment was put to the vote and was not carried (2 in favour, 7 against, and 1 abstention).

The Chair returned to the motion to follow the officer's recommendation for refusal,

which was voted upon and CARRIED (8 in favour, 0 against and 2 abstentions).

RESOLVED that the planning application for up to 158 residential dwellings (Use Class C3), and up to 17,567 sq. m of commercial floorspace (Use Classes E, F2, B2 and B8) with associated infrastructure at Sandy Park Farm, Old Rydon Lane, be refused for the reasons listed in the report.

(The meeting commenced at 5.30 pm and closed at 9.00 pm)

Chair

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Planning Committee Report 25/0676/FUL

1.0 Application information

Number:	25/0676/FUL
Applicant Name:	NCO (Seven) Limited
Proposal:	Full planning application for the demolition of the existing buildings and erection of mixed-use development comprising Purpose-Built Student Accommodation and Co-Living with associated infrastructure
Site Address:	Devon And Cornwall Constabulary Heavitree Road Exeter
Registration Date:	30 May 2025
Link to Application:	https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SX2Y6MHBGLL00
Case Officer:	John Douglass
Ward Member(s):	Cllr Andy Ketchin, Cllr Matthew Vizard, Cllr Lynn Wetenhall

REASON APPLICATION IS GOING TO COMMITTEE

The Head of City Development considers the applications to be significant application that should be determined by the Planning Committee in accordance with the Exeter City Council Constitution.

2.0 Summary of recommendation

Officers conclude that following the significant design improvements achieved through its redesign since the appeal was dismissed, the benefits arising from the development will significantly outweigh the harm that will also arise (primarily in respect of loss of trees). As such, officers recommend that members approve the application subject to S106 obligations as recommended and conditions as set out in this report.

3.0 Reason for the recommendation:

The proposal follows the refusal of a previous scheme for the same uses, which was dismissed following a thorough (Public Inquiry) appeal process. The Inspector ultimately concluded, in dismissing the appeal, that the amenity issues that the Council had argued justified refusal were in fact acceptable, but that '*the harm to the area's character and appearance would be severe.. [such that the proposal]… would cross the line of acceptability'*. As the Council's adopted development plan remains the same, and the shift in national policy has further emphasised the need to give

great weight to the delivery of housing (including the types of specialist housing proposed), officers advise that it is necessary to give significant weight to the Inspector's assessment and findings.

The proposal has been redesigned in this context in close collaboration with officers and is considered to have overcome the design concerns which led to the appeal dismissal. Whilst officers agree that the proposed density remains high, and accept that this will give rise to a significant degree of change to immediate neighbours of the site, the fact that the harm arising has been mitigated to an acceptable level is such that officers consider it positive that the proposal will make an efficient use of previously developed land in this highly accessible location.

Whilst officers concede that the scheme will give rise to some undesirable outcomes, most notable of which is the loss of numerous trees (including mature trees with positive landscape and amenity impacts), overall officers consider that the scheme will be beneficial. Weighed against any harm arising, the contribution that the scheme will make to housing delivery is significant. The Council is currently unable to demonstrate a 5-year land supply as required by the NPPF and must therefore attribute greater weight to the objective of housing delivery through application of 'the tilted balance' (supply at 01 April 2025 is 4 years, 3.2 months). This issue is of yet greater importance in the lead up to the Local Plan Examination in Public. Whilst the housing proposed is of a specialist nature it will include Affordable Housing (83 units of Affordable Private Rent) and accessible units (20 units) as well as housing for students (including 21 accessible units) in close proximity to St Lukes Campus. The regeneration of this long-standing vacant site (with benefits to the townscape on this key arterial route into the city) is a further significant benefit, and officers consider that the provision of a new route through the site will also be beneficial in terms of permeability and active travel. As the proposal is considered acceptable in other respects when balancing the development plan policies, it is considered to be a sustainable development for which the National Planning Policy Framework 2024 (NPPF) establishes a presumption in favour.

As such, subject to a S106 legal agreement and conditions as recommended which are all considered necessary to make it acceptable in planning terms, officers consider the proposal to be acceptable and recommend it for approval.

4.0 Table of key planning issues

Issue	Conclusion
Principle of Proposed Use	Residential use of the site is considered acceptable in principle (in accordance with saved Local Plan policies AP1, AP2, and H1), and emerging policy H2 allocates the site for housing. No objection is raised to the specialist 'Co-Living' and Purpose-Built Student Accommodation (PBSA) residential uses proposed, and there are no conflicts with saved Local Plan policies H2, H5 or Core Strategy CP5. The site's

	adjacency to the St Lukes University Campus as well as its proximity to City Centre dictate that the site is appropriate for PBSA and a harmful concentration of either use is not anticipated.
Density and Mix of Residential Uses	The site is previously developed in a highly accessible location. National and local policy encourage efficient land use and high-density development. The proposed scheme, offering 813 bedspaces (equivalent to 307 dwellings per hectare), broadly aligns with the 280 dwellings-per-hectare quoted by the emerging policy H2 allocation (350 units). Twenty per cent affordable housing is proposed for the co-living element (83 units), with at least four accessible units. 5% of all units across the whole scheme are accessible. Overall, the mix and density are considered acceptable, subject to further detailed planning assessments.
Living Standards for Future Residents	Both the Purpose-Built Student Accommodation (PBSA) and co-living units, take the form of small private studios with access to wider communal facilities. Neither national nor local policy sets detailed standards for these specialist housing types, but emerging Exeter Plan policy H6 and London Plan guidance have been referenced for comparison purposes. PBSA studios (17.5–27 sq. m) and co-living studios (18.25–27.25 sq. m) both provide the minimum requirements for essential daily living. The Co-Living scheme also features communal kitchen-diners (shared between 12-26 residents), lounges, workspaces, and outdoor areas distributed across the scheme to foster social interaction and prevent isolation. At 3.36 sq. m per resident, the communal amenity provision exceeds London's minimum standards (3.19), and adequate daylight, privacy, and noise mitigation are assured. Some studios benefit from balconies or courtyard access. Financial contributions are required for off-site open spaces and leisure, while refuse storage and professional management arrangements will be in place. Officers conclude that, despite small private spaces, the high-quality communal facilities and management will ensure a good standard of living for future residents.
Impacts on the Amenity of Neighbouring	The Inspector's comments on the relationship between the proposed development and Higher Summerland's are material to this application – they ultimately

Residential Occupiers	concluded that the relationship would have been acceptable. In this scheme, the block facing the boundary has been broken down into two smaller volumes, with the main part sited further away than previously. Daylight and overshadowing analysis reveals only minor impacts, considered typical for dense urban areas. Privacy distances fall slightly short of the 22m of the SPD, but at 20m+ are considered acceptable taking into account the NPPF policy (130c) encouraging flexibility in this respect. Further mitigation will be achieved through landscaping and window design, including 'Oriel' windows preventing direct overlooking from Block 3 where it is only just over 14m away from number 9 Higher Summerland's. Noise and disturbance will be addressed through conditions and comprehensive management plans, including 24-hour staff presence and active community engagement. The applicant wishes to restrict access from the north at night, and this will minimise any disturbance to adjacent residents. Plant and equipment will be sited to reduce noise impacts, and Environmental Health raises no objections. Overall, officers find no amenity impacts that would justify refusal, subject to conditions.
Design And Impacts on Character, Including Landscaping and Impact on Heritage	Following the dismissal of the appeal on design grounds, officers prioritised design through pre-application discussions, resulting in revised proposals with reduced floorspace, height and massing. The new scheme, broken into smaller blocks, better integrates with the urban context, addresses previous criticisms, and respects the townscape and heritage setting, including nearby conservation areas, listed features, and non-designated heritage assets. While some objections (from neighbours and Exeter Civic Society) regarding scale and institutional appearance remain, officers find the overall design, landscaping, and heritage impact acceptable, subject to conditions. Security measures and amenity provisions are addressed, and further minor details will be resolved through planning conditions.
Access, Car Parking, and Transport Considerations	The Highway Authority raises no objection to the scheme. The one-way access arrangements are the same as those found acceptable during the previous application/appeal. Car parking is limited to four disabled spaces with EV charging, but the applicant has agreed to provide an on-site car club for residents

	and this will be secured by condition. The 'car-free' approach is facilitated by the site's walkable location and excellent access to public transport. A total of 448 secure integral cycle spaces are proposed, plus provision to charge e-bikes and 64 visitor spaces. A location to accommodate any future city-wide bike share station will also be secured. Refuse collection arrangements are satisfactory, and there are facilities for parcel etc. drop off (arrangements for which will be finalised in management plans alongside those for student move-in). Final Travels Plans for each use will be secured by condition. Off-site improvements will widen the Heavitree Road footway and enhance crossings over Gladstone Rd and Heavitree Road. Land will be safeguarded for future bus lane expansion. Overall, subject to conditions and legal agreements, the transport aspects of the development are deemed acceptable.
Sustainable Construction and Energy Conservation	The scheme targets BREEAM 'Excellent' accreditation, with sustainable design features including a 10% reduction in CO2 emissions versus 2021 Building Regulations, achieved through improved U values, solar PV, and Air Source Heat Pumps. The studios would be heated via a 'wet' system (radiators), and the development will be designed for connection to the local energy network, which is due to pass the site (College Rd>Heavitree Rd>Gladstone Rd) to connect the Hospital by April 2028. A waste audit statement will be secured by condition, ensuring compliance with Policy W4 of the Devon Waste Plan.
Impact on Ecology, Trees, and Biodiversity	The Ecological Impact Assessment identified limited suitable habitat for protected species, but mitigation measures will nonetheless be secured. A total of seventy-nine trees, including those in poorly managed groups and outgrown non-native species will be removed. Tree loss does include attractive Specimen trees close to the western boundary, but none are Category A, ancient or veteran. The Tree specialist advising the Council objects due to the landscape impacts of the canopy loss, and the impacts they anticipate from further pruning. Eight trees will be retained and protected in accordance with Tree Protection Plans and an Arboricultural Method Statement submitted with the application. During the appeal it was accepted by the Council that

	tree loss could in principle be mitigated by new planting, and a total of 183 new trees are proposed as part of detailed landscaping scheme. Officers will continue to explore with the applicant how opportunities can be created to allow trees in selected locations to grow in such a way as to become specimen trees to address outstanding concerns from the Conservation Officer, although maturity will only be achieved over many years. Although Biodiversity Net Gain proposals must be confirmed after the granting of permission, the detailed proposals submitted exceed the legal requirement for a 10% Biodiversity Net Gain, achieving 14% for habitat units and 1,186% for hedgerow habitat. Appropriate Assessment found no significant impact on the Exe Estuary SPA for student accommodation, and recreational impacts for co-living units are to be mitigated through a combination of CIL and S106. Overall, whilst officers recognise that the loss of specimen trees is unfortunate, ecological and landscape concerns are addressed, with long-term monitoring and mitigation secured.
Flood Risk and Surface Water Management	The scheme will be drained by a connection to a public surface water sewer, with upstream attenuation in the form of raingardens and underground storage tanks. The run-off rate will be reduced to around 50% of the existing rate. The Lead Local Flood Authority raise no objection subject to further details to be secured by condition.
Contaminated Land	Risks can be fully addressed by conditions recommended.
Air Quality	The car free nature of the scheme ensures that it will not contribute to air pollution. Air quality in the Heavitree Road AQMA is improving, and no specific measures are required to protect future occupiers. The 'CEMP' condition includes a requirement to mitigate and manage air pollution from dust etc. during the construction phase.
Economic Impacts	A detailed Economic Benefits Statement has been submitted in support of the application. It's headline findings are as follows: Creation of: • 210 direct construction jobs, with a value of £21.22 million over the 2.5-year construction

	period. • an estimated 318 indirect jobs within the local area. • 6.5 full time equivalent staff roles on site, securing a total of £143,591.50 in annual salaries to be spent locally Expenditure anticipated: • £2.297 million in first occupation expenditure retained within the local economy. • £31.8 million per annum in day-to-day expenditure from residents within the completed development. • BNG

Planning Obligations	The application has not been subject to a viability process, and as such a full package of S106 obligations have been secured (in addition to CIL receipts for both uses):
	• 20% of Co-Living Units (83 units) 'Affordable Private Rent', including 4 accessible units
	• Off-site Highway Works for the benefit of pedestrians and cyclists:
	  ○ Widening of the footways to 3.5m to Heavitree Rd and Gladstone Rd
	  ○ Upgrade pedestrian crossing of Gladstone Rd to Green man/push button
	  ○ Minor upgrades to pedestrian crossing of Heavitree Rd on the eastern arm of its junction with Gladstone Rd
	• Provision of permissive path, including daytime public access and ongoing maintenance
	• Safeguarding of land for future bus lane extension by DCC
	• Safeguarding of land for a future Electric Bike Sharing Scheme
	• Measures to prevent car ownership and use
	• Management Plans for both residential uses
	• Primary Health Care (GPs) contribution - £244,680.81
	• Public Open Space Contribution - £371,541.00
	• Outdoor Leisure Facilities ('Play') contribution - £95,121.00
	• City-Wide Playing Fields contribution (Co-Living only) - £115,092.00
	• Habitat Regulations mitigation - Exe Estuary (Affordable units only) - £106,630.93

	• S106 Monitoring Fee

5.0 Description of site

The application site comprises the former Heavitree Road Police Station (including custody cells) and Magistrates Court. The existing buildings on the site vary significantly in height from single storey structures up to a central element comprising five storeys. The existing buildings are set well into the site with the result that there is significant space around them, much of which is landscaped with grass and trees. The buildings are not particularly dominant features within the townscape, and as the taller buildings are set back from the public realm they are well assimilated into the prevailing townscape/scale of this location on one of the main arterial routes leading into the city centre. However, the fact that the buildings have been vacant since the relocation of the courts in 2021 is apparent, and although the site is now secured with Heras fencing, evidence of vandalism and anti-social behaviour is apparent, and its overall appearance detracts significantly from what is otherwise a very attractive streetscape on a key approach to the City Centre. The Fire Service attended the site to extinguish a major fire on 17th November.

The site is bounded to north by the playground comprising part of Newtown Primary School, where the Multi-Use games Area adjoins the site at its North Western corner, the residential flats making up St Matthews Close (which feature communal gardens adjacent the boundary), and the Co-living residential scheme known as 'The Gorge' on the site of the former ambulance station (ref. 19/1417/FUL). To the east, the site fronts Gladstone Road and this frontage has a vehicular access that led to operational parking and formed part of an internal access road running through the front of the site. Heavitree Road is to the south with St Luke's Campus (locally listed) on the opposite side of the road. To the west the site currently includes an area of landscaping including mature trees which sit between the existing buildings and the boundary of the site with a terrace of residential properties known as Higher Summerland's. Whilst these houses front the site and feature front doors facing towards it (accessed by a communal path), they are also accessible from the road 'Higher Summerland's' to the west, where they also feature private gardens.

Ground levels fall across the site in both the north-south and east-west directions (downward to the north and west). As a consequence, the properties at Higher Summerland's are set below the existing buildings (the distance between them is in excess of 35m). There are a number of trees on the site frontages to Heavitree Road and Gladstone Road between the existing buildings and the public realm/footpath, and between the existing buildings and Higher Summerland's properties. These trees vary in species, size and maturity but give the site a landscaped setting and contribute to the sense of greenery along the length of Heavitree Road.

The site is located at the junction of Heavitree Road with Gladstone Road. The site is sustainable in terms of its accessibility to non-car modes of transport but occupies a large block resulting in significant walking distances around its perimeter.

There are bus stops in close proximity to the south of the site on Heavitree Road, and some bus services also serve St Lukes Campus via College Rd and Magdalen Rd. In addition to the numerous public bus services serving the site at high frequency, a UNI service links St Luke's (Magdalen Rd) to the Streatham Campus via the Bus Station, City Centre and Exeter Central Train Station on a 20-minute frequency Monday-Saturday (every 40 minutes outside term time).

The bus station lies approximately 500m to the northwest, Exeter Central Train Station approximately 1.2km to the west and Exeter St Davids Train Station approximately 2km away, but easily accessible via bus routes.

The site is within Flood Zone 1. Heavitree Road is within the Air Quality Management Area (AQMA); the site itself is not within the AQMA. The site lies outside any Conservation Area. The boundary of St Leonards Conservation Area lies to the south of the site (southern side of Heavitree Road). Lower Summerland's Conservation Area lies to the west of the site. Mont Le Grand Conservation Area lies to the east of the site beyond Waitrose and the hospital buildings. Lower Summerland's to the west of the site beyond the Higher Summerland's properties are Grade II listed buildings. The wall along the frontage of Waitrose is Grade II listed, although it is not obviously of very significant architectural or historic interest. None of the trees on site are protected by Tree Preservation Orders (TPO's).

6.0 Description of development

The application is a full planning application for the demolition of the existing buildings and erection of mixed-use development comprising Purpose-Built Student Accommodation (PBSA) and Co-Living with associated infrastructure. Unlike the previous application, which was an outline application with landscaping reserved for future consideration, landscaping is included as part of the comprehensive package of information.

All buildings on site would be demolished. The application form reports the existing floorspace to be 5,250 sq. m GIA, and the proposed new floorspace to be 23,474 sq. m GIA (a net increase of 18,224 sq. m GIA).

Whilst the scheme is 100% residential in nature, it is proposing 2 different types of specialist housing. Neither of the residential uses fall neatly into any of the Use Classes and as such both are considered *Sui Generis* (in a class of their own) under planning law. The site would in essence be split into two halves by a public walking/cycleway running north-south from the parking area between 'The Gorge' and the Council-owned housing on St Matthews Close, and Heavitree Road. In terms of delivery, the applicant has supplied a phasing plan which indicates that each of the two parts will be a separate phase of development.

The eastern part, which adjoins the car park and The Gorge to the north and Gladstone Rd to the east, will comprise a PBSA scheme with 399 studio rooms in 4 blocks (2 of which will be linked at ground level).

The blocks range in height from 4-6 storeys. The 4-storey block will be sited at the junction of Gladstone Rd and Heavitree Rd, with the 5 storey blocks either side of it. The 6-storey block, which is the highest part of the development, will be sited to the rear closest to The Gorge and the St Matthews Close car park. The top storey of accommodation is partly within the roof space, and as a result of the central part of the roofs being flat, the overall height is less than that of The Gorge.

The main entrance to the PBSA scheme would be close to the junction of Gladstone Rd and Heavitree Rd.

The western part (adjoining residential uses in St Matthews and Higher Summerland's) would accommodate 414 'Co-Living' studios in 3 buildings ranging in height from 4 to 6 storeys. The 4-storey building is block 2 which is nearest to Higher Summerland's, although part of this block features a basement which gives it 5 storeys of accommodation. The 6-storey building is Block 1, which runs N-S close to the centre of the site. Block 3 which is closest to properties on St Matthews Close is 5 storeys. As with the PBSA scheme, the accommodation is partly within the roofs, which are truncated to include a flat section to minimise their overall height.

The main entrance would be from Heavitree Rd via a single storey glazed building which links Blocks 1 and 2 and encloses the central courtyard amenity area.

With the exception of 4 disabled parking spaces, the whole scheme would be car-free. However, vehicle access for servicing, deliveries and users of disabled bays would be from Heavitree Road close to the western boundary (where access would be controlled via bollards or similar). The access route, which replicates that of the previous appeal scheme, would be a one-way route broadly following the western and northern boundaries to exit onto Gladstone Road at the site's north eastern corner. Drop off laybys for deliveries and waste/recycling collection are proposed close to the western access and in the area where the permissive path meets the access route at the northern boundary. The submitted phasing plan identifies the access and permissive route as a separate parcel such that it can be secured with either of the main residential phases.

Cycle parking for residents will be within the buildings, with 2 integral stores proposed for the PBSA and 2 integral stores for the Co-Living. 206 indoor spaces are proposed for resident/staff use at the PBSA scheme, and 242 for the Co-living (of which 12 or 5% are for non-standard cycles) plus outdoor cycle parking for visitors for both parts of the scheme in the form of Sheffield Stands (48 spaces for the PBSA and 16 for the Co-Living).

The public route through the scheme is described as a permissible/permissive path as it will remain under private management rather than be adopted and will not be open 24 hours. Public access to the route will be secured through the S106 and management details will also be secured this way.

The PBSA and Co-Living Accommodation will be managed independently of one another and such that residents will have access to communal facilities with no need to rely on facilities from the other part. Each set of buildings is arranged around a communal courtyard garden, from which the buildings are accessed.

In terms of communal indoor facilities, the PBSA scheme features a lounge as part of its reception area (which also features a staff office, parcel room and accessible WC. It also features a central 'Lounge/Games' amenity area, a Group Study area (with access to 3x private study pods), Gym and Laundry.

The Co-Living scheme includes more communal facilities. In addition to the communal kitchen/diner/lounge area proposed on each floor of each block, it features a lounge as part of its reception area, plus an additional lounge, a 'Theatre Kitchen'/Diner (with adjoining lounge space), a Gym and small 'Wellness Studio' and 2 x Laundry spaces. To the rear of block 2, a workspace area featuring a large informal meeting room, co-living workspace and 2 private/meeting rooms would be provided.

7.0 Supporting information provided by applicant

- Covering Letter Application Submission L003.6051CA
- Planning Statement 6051CA.R001 May 2025
- Statement of Community Involvement - 6051CA.R002 May 2025
- Housing Needs Statement - 6051CA.R004 May 2025
- Exeter City Market Report - Student Property Research 24/25 - Q3 2024
- Exeter City Market Report - Student Property Research 24/25 - Q1 2024
- Co-Living - Market Review Report 2024 (Knight Frank)
- Affordable Housing Statement - 0809-06.RPT.M23
- Accommodation Schedule
- Draft Heads of Terms for S106 Agreement N0001 16 May 2025
- Economic Benefits Statement 6051CA.R003 May 2025
- Statement of Development Benefits Rev B
- Design & Access Statement (4 Parts)
- Heritage Assessment - CR0564 (update 2022)
- Heritage Impact Assessment - PD14711 V3_LR
- Agent Email - Heritage statement clarification and Information to Follow
- Designing Out Crime Statement - 23042_BC
- Planning Submission (Arboriculture)_CC43-1027 010525
- Baseline Tree Survey to BS5837:2012 43-1027_JFL
- Biodiversity Metric Calculation (Heavitree Exeter BNG final.xls)

- Biodiversity Plan - Post intervention
- Biodiversity Plan - Baseline
- Biodiversity Gain Plan (DEFRA form)
- Ecological Impact Assessment ETH25-102 V1 (April 2025)
- Green Infrastructure Statement - 6051CA.R004
- Ground Investigation Report (4 parts)
- Air Quality Assessment - 122333.648389 Issue 1 (April 2025)
- Environmental Noise Assessment_11359/CP v1.0
- Utilities Statement P2081-B20-XX-XX-RP-Y-0002 Rev P2
- Energy and Sustainability Statement P2081-B20-XX-XX-RP-Y-0001-P01
- BREEAM Pre-Assessment Statement 31257 - 09 April 2025
- BREEAM 2018 Pre-assessment Tracker - 31257 R2
- Transport Assessment 72032-CUR-XX-XX-T-TP-002-V04
- Framework Travel Plan 72032-CUR-XX-XX-T-TP-003-V04
- CoLiving Management Plan
- Student Management Plan Rev 01
- Mental Health and Wellbeing Statement - Coliving Residents
- Mental Health and Wellbeing Statement - Students

Additional/Revised Information Submitted During Application

18/06/25

- Waste Audit Statement - 6051CA.R005 (June 2025)

27/06/25

- CGI_Landscaping_Co-living courtyard
- CGI_Landscaping_Student Courtyard
- CGI_Landscaping_Permissible Route
- Architect Email to Exeter Airport Showing Max Building Heights

15/07/25

- Townscape and Visual Impact Assessment (July 2025)

01/09/25

- Covering Letter (Clarifications and Minor Revisions – September 2025)
- 23042 - Heavitree Road_Waste Calculation Table
- Shadow Path Assessment_23042_P1

09/10/25

- Covering Letter (Amended Submission and Response to Consultation Comments – October 2025)
- Design & Access Statement_Addendum (October 2025)
- Acoustic Technical Note 11359-DO_210725
- Stage 1 Road Safety Audit_TS-DS-22-3666-RSA1_redacted
- 072032-GG119 Road Safety Audit Response March 2022_redacted
- 072032-CUR-XX-XX-RP-00001-P09_Flood Risk Assessment and Sustainable Drainage Strategy

- 072032-CUR-XX-XX-RP-C-00002-P04_SuDS SuDs Operations and Maintenance Manual

24/10/25

- Visually Verified Montages (October 2025)_11348-NPA-XX-XX-RP-Y-4602
- CGI_Buildings_CoLiving Entrance from Heavitree Rd_UpdateOct25
- CGI_Buildings_View East from Heavitree Rd_UpdateOct25
- CGI_Buildings_View North from College Rd_UpdateOct25
- CGI_Buildings_View North West from Heavitree Rd_UpdateOct25

31/10/25

- Agent Response to Fire Authority Comments

8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
21/1564/OUT	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. (Further revised plans received Jan 2023)	REF Appeal Dismissed [During the appeal proceedings, the number of units proposed was clarified as being a total of 955, comprising of 640 PBSA and 315 co-living units].	21.02.2023 02.02.2024

(Minor Planning History relating to historic alterations to the existing buildings on the site has been excluded as it is not of particular relevance to this proposal).

9.0 List of constraints

- Within the airfield safeguarding area for developments likely to attract birds
- Within the airfield safeguarding area for developments exceeding 45 metres in height
- Within the Zone of Influence for Exe Estuary
- Within consultation zone for SSSI, SAC, SPA, Ramsar Impact Risk Zones
- Within close proximity of Newtown Primary School
- Within close proximity of [Former] Ambulance Station
- Within close proximity of ECC Asset: St. Matthews Close Housing, Newtown
- Covered by a Local Development Order: Local Energy Networks
- Public Highway Land

- National Grid Underground Cables (3)

10.0 Consultations

Below is a summary of the consultee responses. All consultee responses can be viewed in full on the Council's website.

Natural England:
The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

This development site is within the zone of influence (ZoI) for recreational pressure impacts to one or more European Sites (habitats sites). Within this ZoI, proposals for any net increase in residential units will have a likely significant effect on the qualifying features of the European Site(s) (habitats site(s)) through increased recreational pressure when considered either alone or in combination with other plans and projects.

Your authority has measures in place to manage these potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).

Notwithstanding this, Natural England advises that these measures should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment in view of the Natural England Access to Evidence - Conservation Objectives for European Sites and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Providing the appropriate assessment concludes that the measures can be secured, it is likely that Natural England will be satisfied that there will be no adverse effect on the integrity of the European Site(s) (habitats site(s)) in relation to recreational disturbance. Where the proposal includes bespoke mitigation that falls outside of the strategic solution, Natural England should be consulted.

Devon & Somerset Fire & Rescue Service:
Initial Response:
The fire Authority do not object to the proposal but wish to make the following observations:

- The design quotes BS9991 being used for the scheme, however there is a glaring error in Design & Access 4 of 4, 6.5 fire strategy. It quotes 'Dry riser locations are within 45m of fire tender parking, this should be 18m. The following blocks do not meet this criteria; Coliving 01, possibly reception and lounge & Student 01 & 02, more details and information relating to BS9991 Section 8 – Access and facilities for firefighting, are required.

- The scheme needs to be looked at to ensure it is designed in-line with BS9991, at this stage the key areas of the British Standard are Section 8 - Access and facilities for firefighting.
- It is noted the buildings are to be sprinklered.
- We are happy to consult early on the building design and internal layouts as part of the building regulations consultation process. There is insufficient detail to comment further.

Further Response Following Review of Additional Information:

I can now see that the issue relating to dry riser locations and access for fire tenders within 18m has been rectified. However, the other observation in the first bullet point and the subsequent others I don't believe have been addressed.

Exeter International Airport:

No objection subject to the following condition, which is required due to the type of development being a possible Bird attractant within the 13km safeguarding area as explained in CAP772 and the attached Advice note: Airport Operators Association (AOA) Advice note: Wildlife Hazards around Aerodromes, which all developers and contractors must abide by during construction and commissioning.

Condition: Wildlife Hazard Management Plan

Development shall not commence until a Wildlife Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Wildlife Hazard Management Plan shall be implemented as approved. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Exeter Airport.

Police Designing Out Crime Officer:

Welcomes the inclusion of the *Designing out Crime Statement* and the Co-Living and Student Management Plans and supports the measures that have been considered and implemented into the design of the scheme.

Makes the following recommendations and comments for consideration, as well as the prospective planning conditions if deemed suitable:

Conditions

1. Condition: External lighting should meet BS5489-1:2020.

Reason: An effective lighting scheme affects 6 out of the 7 Crime Prevention Through Environmental Design principles1. It is therefore essential to creating a safe environment.

It is recommended that the areas of pedestrian through traffic should be between 10-20 lux with a uniformity of 0.40. For crime prevention measures, lighting should be provided by on building solutions of preferably pole mounted luminaires if possible. Bollard lighting should be minimised and used for demarcation of routes only or supplementary as part of a general design.

2. Condition: 24-7 onsite management of the development is maintained indefinitely, as is the vetting of potential tenants for the Co-Living aspect of the scheme. Reason: In order to reduce the likelihood of crime, conflict, disorder and anti-social behaviour and to enhance the safety of residents of the scheme.

This is underpinned by the Management Plans.

3. Condition: CCTV with a clear Operation Requirement to be distributed throughout the development.
Reason: In order to help prevent / detect crime, disorder and anti-social behaviour.

CCTV with comprehensive coverage is alluded to in the submission, but should ensure that bike stores, stairwells, corridors, circulations routes, the permissible route and courtyards are also covered.

4. Condition: Access control measures within both blocks must be in place to prevent casual intrusion beyond public / semi private space and into private space, this includes no trades person access for mail delivery or utility readings.
Reason: To prevent unlawful access to private / semi-private space and thus reduce the likelihood of crime, conflict, disorder and anti-social behaviour.

Comments & Recommendations

- I appreciate the desire for a public north-south link and have previously recommended that if this is to be included, it must be direct, safe, well lit, well overlooked and well used. I'd appreciate it if the following points could be considered:
    1. I note the proposal to gate and at times lock the link at the entrance on Heavitree Road. I appreciate trying to restrict access here at certain times, but my concern with locking the gate is it may result in redirecting pedestrians who want to use this route, to other accessible, more 'private' space which should not be encouraged as it could increase the opportunity for casual intrusion, crime, misuse, ASB etc.#

    2. It is stated that the 'route will utilise the current car park to the rear of the gorge building and will improve pedestrian movement within this area'. Will the space continue to be used as a car park, which would not be appropriate if it is

deemed part of a pedestrian route? Will the existing wall be removed to open up lines of sight?

Currently this area is not a particularly desirable route to use, being somewhat enclosed, poorly maintained and running to the rear boundary of flats. I appreciate it sits outside of the red line boundary but if use is to be encouraged and improve pedestrian movement, this space must be improved with good lighting, better maintenance, retarmacking and preferably covered by CCTV.

Is there some assurance that this space will be enhance for the legitimate user, well maintained and managed because if not, it is unlikely to improve pedestrian movement within the area which could undermine the success and safety of the scheme.

- The DAS states spaces will fall into three categories: public, semi-private and private with the latter 'including the PBSA block courtyards which will only be accessed by residents'. This is supported from a designing out crime perspective but could more information be provided as to how this will be achieved as there appears to be open access to such space. I appreciate it may not be practical to securely fence and gate, but could more information be provided as to how this will be achieved and movement controlled i.e. some demarcation treatments, low level railings, rule setting, onsite security etc
- I note that retractable bollards will be at the entrance and exit of the service road which is supported to prevent unauthorised vehicular access. It is recommended that bollards meet PAS 68 or IWA14 -1 with a gap of no greater than 1.2m. Vehicles should not be able to circumnavigate the bollards.
- The DAS states 'it is our desire to create external spaces that are people-friendly (aligning with liveable Exeter), therefore it would be our preference to segregate vehicular and pedestrian movement'. Could it please be clarified how segregation within the boundary will be achieved and what protection there will be where the drop off bays are located to prevent any accidental / intentional vehicle conflict and building damage?
- There should be clear wayfinding and rule setting in place, reinforced with signage, to promote easy navigation of the site and deter misuse.

South West Water:

Provides an asset plan and highlights the proximity to a public 6- inch water main as well as a 300mm combined sewer (both of which require a 3m encroachment).

Asks that the applicant demonstrates that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Water re-use (smart water butts, rain water harvesting, grey flushing toilets)
2. Discharge into the ground (infiltration); or where not reasonably practicable,
3. Discharge to a surface waterbody; or where not reasonably practicable,
4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
5. Discharge to a combined sewer.(Subject to Sewerage Undertaker carrying out capacity evaluation)

Advises based on their review of the current information for the proposed surface water disposal for this development that a proposal to discharge to the public surface water sewerage network meets the Run-off Destination Hierarchy.

Advises that the applicant has made a Point of Connection enquiry to SWW (WR 4127451), which has been accepted on the basis of attenuation on site through two underground tanks, before discharging to the surface water sewer in Heavitree Road as detailed in drawing no. 072032-CUR-XX-XX-DR-C-92001- PO8.

Offers advice on sewer adoption, and provision of potable water and foul sewerage services.

The Royal Society for the Protection of Birds:
Points out that the provision of 1 nest box per residential unit (as suggested in submitted documents) is unlikely to be practicable and instead recommends installing 45 integral nest boxes of the "universal variety", preferably with East facing aspects.

Adds that it would be helpful if the Developers provided plans showing the locations of the above but accepts that full details can be secured through a ‘pre-above ground works’ condition.

Lead Local Flood Authority (Devon County Council):
Initial Response:
Objects because the applicant has not submitted sufficient information in order to demonstrate that all aspects of the surface water drainage management plan have been considered. Advises that the applicant will be required to submit the following additional information, to overcome the objection:

- Use of the up-to-date climate change allowance which is 45%
- Details to address the fact that the flow control at manhole SW06 is discharging above 27 litres per second.
- Provision of additional downpipes within the rain gardens.
- Clarification of where all of the storage structures within the modelling are on the site layout. There are car park storage features which I cannot see, as well

as a ‘flow through tank’. There are 2 attenuation tanks either mislabelled or not labelled on the drainage strategy layout.
- Maintenance details.
- Exceedance flows (which must be shown on a plan).

A response to further/revised information submitted 09 October 2025 is awaited.

Local Highway Authority (Devon County Council):
Notes that the Highway Authority did not object to the previous application 25/1564/OUT.

Confirms agreement to the methodology of calculating likely trips to and from the site, noting that due to the exclusion of vehicles the proposal will give rise to an increase of Non-Motorised Users (NMUs), and that no junction capacity assessments are required. Further notes following a review of Personal Injury Collisions in the area that here are no clusters of accidents which would warrant further investigation or suggest an existing safety issue that would be exacerbated by the proposed development.

Notes that the proposed offsite highway works must be provided prior to first occupation as this will assist in mitigating the impact of the site to operation of footways (i.e., pedestrian comfort) and carriageway (i.e., cycle / motorised vehicle interactions).

Raises no objection to the site access and one-way system proposed (including its suitability for refuse lorry and fire tender use) subject to an appropriate crossover design over the footway (to maintain priority for pedestrians), and to details of the proposed management of the bollards/barrier proposed at the site access.

Welcomes the proposed provision of a 3.5m shared footway/cycleway on the southern and eastern boundary of the site and the provision of a ‘Green Man’ signal-controlled crossing on Gladstone Road at the junction with Heavitree Road. Also welcomes that there is scope to extend the width of the pedestrian refuge on Heavitree Road, provided that this is achievable within the S278. Confirms that the Highway Authority would not adopt the new permissible route through the scheme and asks that consideration be given to how conflict will be avoided when its users emerge onto the Heavitree Rd footway.

Confirms that the developer will be required to relocate various pieces of existing infrastructure on Heavitree Rd, including a Traffic Enforcement camera.

Notes the absence of a Road Safety Audit (RSA1) and points out that this will be required and that any problems it flags will need to be resolved.

Considers the cycle parking proposed to be broadly acceptable but encourages the SPD standards to be exceeded to help promote cycling. Asks that e-bike charging be considered and bike maintenance stands be provided. Considers the Travel Plan broadly acceptable subject to it being secured in the S106.

Observing that the shared car and bike scheme that was in operation in the city at the time of the last application is currently under review, asks that space be reserved for a shared bicycle scheme within the site to allow for an open dialogue for a shared bicycle scheme should an operator be found in the future.

Considers the servicing laybys and disabled parking bays to be acceptable (subject to the provision of active EV chargers for each of the disabled bays) and raises no objection to the otherwise 'car-free' nature of the proposed development. Requests a condition preventing any of the units from being eligible for permit parking on surrounding streets.

Requests that land along the southern boundary [from which officers have negotiated the exclusion of buildings] be safeguarded within a S106 agreement to assist DCC's aspiration to extend the bus lane along Heavitree Road.

Requests planning conditions to secure the following:

- Prevent water from flowing onto the highway
- Construction Management Plan to manage the impacts of Construction
- Car Parking Management Plan
- Active EV charge points to the on-site parking spaces proposed

Requests that highway works be secured through a suitable legal agreement

<u>Further Response Following Review of Additional Information:</u>

- Off-site highway works could be secured through a legal agreement [agent letter suggested a condition].
- A shared car club within the development might assist with the car free element, but there is a space on College Rd.
- There isn't a currently contracted supplier for a shared bicycle scheme within Exeter, but if trunking and underground facilities could be included during the construction then this might assist with any future implementation of such a scheme.
- No objection to the use of a condition to secure details of the vehicle access bollards/barrier.
- The content of the RSA1 from the previous proposal (dated March 2022) is noted, and further RSAs will be required as the development progresses.
- It is accepted that the developer would not be expected to deliver the bus

- lane. However, the Highway Authority requires the land to be safeguarded within a suitable legal agreement for future implementation by or on behalf of Devon County Council and be made available for that purpose.

Waste Planning Authority (Devon County Council):
Initially requested that the submitted Waste Audit Statement be updated but accepts that full details of proposals to manage construction waste material can be secured by way of a pre-commencement condition and offers suggested wording.

Arts & Events Team (ECC): No response received.

Ecologist (Dorset Council Natural Environment Team):
Notes that the Ecological Impact Assessment (EcIA) identifies all the relevant ecological features, and makes appropriate recommendations for avoidance, mitigation and enhancement. The EcIA recommends that mitigation measures are secured by a Construction Ecological Management Plan (CEMP), and as such I would recommend a pre-commencement condition which requires submission of this document, to be approved by the authority.

Support the comments made by the RSPB and requested that the elevations / plans are updated to show the locations of both integrated nest boxes and integrated bat boxes.

Explains in respect of BNG that Biodiversity Gain Hierarchy has not been perfectly applied as the scheme requires the loss of a majority of the existing trees onsite, as well as a large amount of the grassland, and on-site gain will be by way of new rather than enhancement of retained on-site habitat.

Asks that consideration is given to retaining trees where possible but, given the urban context of the site, the absence of priority or irreplaceable habitats, and that the site does not make a significant contribution to any ecological network, does not raise an objection to the application of the hierarchy as proposed.

Despite these concerns, it is accepted that the application achieves a minimum 10% gain onsite for both area and linear hedgerow habitats. As these on-site enhancements are classified as ‘significant’ their maintenance must be secured with a legal agreement or planning condition for 30 years. A Habitat Management and Monitoring Plan (HMMP) will be required to support any application to submit the general biodiversity gain condition.

Environmental Health (ECC):

<u>Initial Responses</u>

Some concerns on the grounds of noise were expressed in an initial response, along with recommended conditions to address the need for Demolition and Construction Management Plan, as well as to mitigate Contaminated Land.

Further Response Following Review of Additional Information:

Following clarifications and further review, no objection is raised subject to:

Conditions addressing Contaminated Land, noise, and a Demolition and Construction Management Plan, along with Informatives addressing the potential for Asbestos, Radon, and Unexploded Ordnance.

Conservation Officer (ECC):

Initial Response

In summary, the Conservation Officer concluded that the proposed development would have an impact on the setting of the St Leonards conservation area and the locally listed St Luke's campus.

They suggest consideration is given to minor amendments to the buildings' external appearance and to the tree planting and external landscaping strategy in order to avoid harm to the setting of heritage assets and ensure a positive impact on the streetscape.

They make the following comments about the significance of heritage assets which could be impacted by the development:

Due to the topography of the land and the presence of nearby development, development on the site will primarily affect the setting of St Leonards conservation area, which lies immediately across the road to the south of the site. There is minimal intervisibiity between the site and the conservation areas of Lower Summerland's and Mont le Grand.

The unlisted but historic St Luke's campus building, which dates from the mid-19th Century, but was subject to bomb damage during WWII resulted in major damage to roofs and some interiors, lies opposite the site. The historic parts of the campus are locally listed as well as being a particularly important set of buildings in the St Leonards conservation area.

Summary comments on the proposal are as follows:

- no in-principle heritage objection to re-development;
- the evolution of design on the site since the previous application is welcomed and the site layout, composed of several distinct blocks, is a positive development;
- comments relate to the southern half of the site, visible from Heavitree Road and the southern section of Gladstone Road, as this is the part of the development

that will have the greatest impact on the setting of heritage assets specifically St Leonards conservation area and St Luke's

- the roof forms and elevation treatment of the co-living blocks at the western side of this part of the site are likely to appear satisfactory in the streetscape. The use of gables, stacks and simple pitched slate roofs is a positive recognition of the streetscape context.
- Concerns are expressed over the roof form and proposed materials for the student blocks. The mansard type roof form and prominent window surrounds at attic level are likely to appear jarring in the context of the more historic buildings in the conservation area immediately across the road. As currently designed the roof forms will not make a positive contribution to the setting of heritage assets. Revision to the materials and form of the roofs could resolve this concern, and I think could be achieved without loss of habitable space. Slate or plain clay tile could potentially offer scope to create a roof form on these blocks that sits less obtrusively in the streetscape than the currently proposed metal cladding.
- Concerns about the currently proposed use of a paler brick colour along parts of the Heavitree Road elevation. While the rationale for using a paler brick toward the back of the site is understood, as has been used on adjacent development, the Heavitree Road streetscape has a strong character of a typically Exeter red brick which is a consistent theme for buildings of all periods along this section of Heavitree Road. Consideration should be given to a more consistent use of a single red brick colour in the southern section of the site to reflect and respond to the character of Heavitree Road.
- Concerns that the proposed tree planting will be dwarfed by the buildings. Suggest re-consider the planting scheme to give generous space to a smaller number of much larger new trees which will be capable of growing to large size and making a strongly positive contribution to the streetscape - the area outside the link point between student block 1 and student block 4, overlooking Gladstone Road is given as an example - it could be greatly enhanced by the inclusion of a single large specimen tree in place of what appears to be a large area of unused paved surfacing outside the link. Soft landscaping rather than paving should also be dramatically increased in this area.
- Identifies an important axis between the arched entrance to St Luke's and the entrance to the student blocks on the application site, and considers this poorly resolved – suggests revisit this area in consultation with the Urban Design and Landscape Officer - a single large specimen tree on this axis , rather than the three small trees / shrubs currently proposed might help to resolve the axis, creating an attractive focal point around which the footway could then curve. It would also offer important solar shading to the south-facing surfaces, which will be increasingly important as the climate changes. Reference is also made to the fact that Exeter is historically associated with several distinctive specimen tree and shrub varieties, developed by the nationally significant late 18th and 19th Century botanical nurseries that existed in and around the city - Exeter's botanical heritage and the historic use of part of this site as a plant nursery could readily be reflected and celebrated in the planting on this development, in a way that would

make a really positive and distinctive impact on the setting of the conservation area and St Luke's.
- Concerns that the rigidly rectilinear approach to all the external spaces between the buildings and Heavitree Road and Gladstone Road is not successful. It does not seem to create good quality outdoor spaces that naturally incorporate desire lines, topography and the needs of ambulant disabled users while also creating pleasant spaces to enjoy in good weather. Much greater consideration should be given to quality design of the spaces between the buildings and the public realm. While the detail of planting and materials can be dealt with by condition, the overall layout and design of the outdoor spaces should be more fully resolved before a decision is issued.

Further Response Following Review of Revised Proposals:

- Pleased to see there has been revision to the roofing material and appearance of the central student block and some improvements to the planting plan and landscaping of the site since my original consultation response. A materials condition is suggested to ensure the brick and slate are of sufficient quality.
- It is good to see a Quercus x Hispanica (Luccombe Oak) on the planting list but its location needs to be clarified
- Improvements to the pedestrian routes and hard and soft landscaping proposals facing onto Heavitree Road and Gladstone Road are welcomed. However, there is still more room for improvement to make the most of the opportunity offered by the development of this site in relation to enhancement of the setting of the conservation area and enhancement of the character of the area.
- With the notable exception of the Quercus cultivars, a high proportion of the tree species currently proposed appear to be narrow columnar varieties or potentially lacking presence in the street scene– e.g. ginko, birch, multi-stemmed hazel. The proposed buildings are large and Heavitree Road is fairly wide: as such the planting should include more trees capable of growing to a mature size that will be sufficiently large and full in all dimensions to suit this "large" context. If officers are minded to approve the application, this could be achieved by a condition requiring a revised soft landscaping scheme.

Heritage Officer (ECC):

This response is limited to archaeological potential and mitigation - the built heritage impacts have been assessed by the Conservation Officer.

The application includes sufficient information on which to base an informed decision regarding the potential for the scheme to impact upon previously unknown archaeological deposits. The Heritage Assessment by Cotswold Archaeology (CA Report: CR0564_1) is an accurate representation of the known potential of the site spanning multiple periods but the assessment of the significance and potential effect of the proposed scheme has been redacted. Given the previous multiple uses and developments of the site from the later 19th century through to current era I advise

that if archaeological deposits survive across the site they will do so in a much-truncated form and are likely to be of local or regional importance.
Consequently, I advise that appropriate mitigation can be achieved by the implementation of a watching brief on all intrusive grounds post demolition of the existing structures. These works should be secured by the application of the standard archaeological condition.

Net Zero Team (ECC): No response received.

Tree Manager (Devon Tree Services for ECC):
Expresses concerns about the loss of tree canopy within an area already characterised by low overall canopy cover. Considers that the wider impacts of the loss of neither the canopy nor the trees are adequately assessed by the Arboricultural Impact Assessment (AIA). Considers the impact high in the short term and expects the loss to be strongly felt within the local landscape unless there robust mitigation.

Explains that the trees located along the western boundary form a strong and continuous green feature, contributing significantly to visual amenity and screening, and considers that the proposed removals and associated canopy reduction will compromise this important green infrastructure. It is also expected that the pruning required to accommodate new structures beneath canopy spreads (9014, 9012, 9002) will create an unsustainable long-term relationship, likely leading to continued conflict, repeated pruning and eventual degradation or loss of these retained trees in the medium to long term.

While a no-dig solution within Root Protection Areas (9014, 9012, 9002, 9001) is proposed, no detailed levels or construction design information have been provided to demonstrate that this approach is technically achievable without compromising tree health.

Overall, the view is expressed that insufficient consideration has been given to the arboricultural resource in the proposed site design.

Strongly recommends that if the decision is taken to approve the application, I would strongly recommend comprehensive landscaping plan, including robust mitigation planting to offset both immediate and future canopy loss is conditioned, alongside an aftercare and maintenance regime to ensure establishment and long-term success.

Urban Design and Landscape Officer (ECC):
Initial Response
General Assessment:

- The overall layout and massing are considered an improvement over the previous application and are supported, though minor design adjustments are recommended.
- The increased scale and grain, compared to surrounding residential streets, are seen as inevitable for optimal use of the brownfield site. However, these impacts have been better mitigated in the current proposal.
- The introduction of an ‘active travel’ route across the site is welcomed, as it subdivides the urban block and enhances the local walking and cycling network.
- The Landscape and Townscape Visual Impact Assessment uses CGIs rather than fully verified views. It is recommended that the key views from the previous application are accurately modelled for direct comparison.
- The detailed landscape strategy is broadly supported, with some minor adjustments suggested.
- The internal organisation is effective, with communal kitchens and amenity spaces on each floor. Room sizes are minimal but layouts are acceptable. Corridors avoid excessive length, and natural light is used to mitigate monotony.
- The architectural language is improved, with stronger integrity and better resonance with the setting, though further minor revisions are suggested.

Site Layout

- There is an inter-visibility issue between Block 03 and Higher Summerland’s, which could be addressed with obscure glazing.
- The separation distance between facing windows across the permissive route is low; oriel or bay windows could be introduced to limit direct views while promoting lateral surveillance.
- The accessible parking space at the northern end of the permissive route is awkwardly located and may be better placed elsewhere.
- A planting bed along the northern boundary edge could improve outlook and character, with different planting specifications in public areas.
- A deflection in the carriageway may be needed for pedestrian visibility (when accessing the site from the north via the car park) and to encourage low vehicle speeds; a ‘shared space’ approach is suggested.
- The width and design details of the opening through the wall require clarification.
- The success of the permissive route depends on integration with the adjacent car park, with potential offsite works recommended.
- The southern carriageway is wider than necessary; reducing this could help achieve the planting bed.

Landscape Design

- Planting beds alongside permissible route require careful design to balance privacy and natural light, possibly using tall grasses.
- Thresholds between public and private areas should be more clearly articulated.

- The landscape response at the Heavitree Road/Gladstone Road corner and the St Lukes axis needs improvement, including hedge reduction, step relocation, tree placement, and ramp adjustments.
- The pedestrian approach from Gladstone Road should better direct people to the main entrance.
- The 'link' building might be better indented on its western façade to create more space on the entry side.
- Detailed landscape construction information is needed, and conditions may be needed if not submitted.
- The planting strategy is satisfactory but lacks details of quantities and specifications - cross-sectional details for planting the major trees should be provided - with those expected to grow to a mature size evidently provided with sufficient soil volume.
- The two proposed substations require more detailed drawings/specifications.

Internal Organisation

- Entrances to Student blocks 01 and 04 pass through shared amenities, which may disrupt activities and raise security concerns.
- Bike stores are generally well located, but the northern store's access is less satisfactory than the southern one.
- The co-living gym is not in a prominent location; swapping it with workspace areas (from rear to front) could better animate the street scene.

Movement

- The new vehicular access may require a right-hand turn lane and repositioning of the pedestrian crossing island.
- The existing Pelican crossing (close to the College Rd junction) should be upgraded to a Toucan crossing due to increased cycle traffic.
- The design of the southern end of the permissible route could be softened to improve cycle movement.

Architectural Language

- The architectural approach is more sympathetic to the setting, but the prominent 'chimneys' to the gable ends of Co-Living blocks facing Heavitree Rd are austere and could benefit from finer detailing.
- The student blocks' roof design may be improved by alternative treatments and thicker gable end parapets.
- Dormer placement could be varied for a more interesting roofscape.
- Signage has not been addressed and should be included in the application.
- Student Block 04 presents a blank façade to Gladstone Road; fenestration or landscaping could improve this.
- The bike store for co-living block 01 presents a blank elevation; high-level windows could provide natural light and animate the façade.

<u>Further Response Following Review of Revised Proposals:</u>

General Assessment

- The overall layout and massing are considered an improvement over the previous application and are supported. Late revisions to the building details and appearance have further enhanced the scheme. While the architecture's 'institutional' identity is seen as an inevitable result of the development type, this is softened by high-quality detailing and material specification. A condition should be applied to any consent, requiring submission of material samples and information for further approval.
- The increased scale and grain, compared to existing residential streets, are viewed as a consequence of making best use of the brownfield site. These impacts have now been more successfully mitigated in relation to neighbouring sites and the wider townscape. The introduction of a permissible 'active travel' route across the site is warmly welcomed, as it subdivides the urban block and improves the local walking and cycling network. The presentation of significant 'gable ends' along Heavitree Road is seen as a considerable improvement to the townscape compared to the earlier scheme.
- The Landscape and Townscape Visual Impact Assessment, prepared by Nicholas Pearson Associates, reconstructs and updates the critical views from the previous application. The results demonstrate improved outcomes, and the impacts are now considered acceptable within the urban context.
- The landscape proposals are broadly supported, particularly regarding areas allocated for tree planting and the layout of soft and hard landscaping. A condition is recommended to require full details, specifications, and schedules for further approval prior to construction, including confirmation of tree species and construction details for hard landscape elements.
- The internal organisation is effective, with communal kitchens and amenity spaces provided on each floor of the co-living blocks. Although individual room sizes are minimal, good internal layouts make them acceptable. Excessively long corridors are generally avoided, and the admission of natural light and spatial features adjacent to circulation cores help relieve monotony.
- The architectural language is regarded as an improvement, with stronger integrity and better resonance with the setting of Heavitree Road.

Resolution of Previous Issues

- All detailed design matters raised in the previous consultation—covering site layout, landscape design, internal organisation, movement, and architectural language—have been satisfactorily resolved or can be confirmed through the discharge of recommended conditions.
- A strategy for building signage is required and should be subject to a pre-construction Condition.

Conclusion

- Support for the application is expressed, subject to the recommended conditions being applied to any approval.

Exeter Civic Society:

General Assessment

- The Society considers the current proposal an improvement over the previously refused scheme but maintains its objection pending further amendments and additional information. Concerns remain regarding the impact on neighbouring properties from overlooking; minimal landscaping; potential to undermine plans to improve Heavitree Rd for active travel, and the zero carbon plan. Provision for people with disabilities also appears minimal (this appears to be a feature of Co-Living and PBSA proposals).
- The Society understands the concerns that local residents have about scale and massing remaining out of character with the surrounding area – these concerns should be taken seriously given how much emphasis the Planning Inspector laid on this in his rejection of the previous scheme. Unit numbers have increased from the pre-application scheme.
- The Society requests more visual representations from the immediate surroundings to better assess the development's impact, as current visuals mainly compare buildings within the site.
- Although the overall height has been reduced and a stepped approach adopted, the impact on Higher Summerland's remains problematic. Co-Living Block 3, at six storeys, is particularly close to and overshadows some houses in Higher Summerland's. The Society suggests reducing the height of Block 3 by one storey and lowering the northern end of Block 1 to better mediate between the development and neighbouring residential properties.
- Co-Living Blocks 02 and 03 are still much closer to the buildings in Higher
- Summerland than the previous buildings were. The supposed softening of the impacts here by the landscaping and tree planting along the service road are noted, but the lack of softening on the boundary with St Matthew's Close is criticised, and additional planting on Exeter City Council land north of the boundary recommended to provide screening for residents.
- The design of Student Block 1 is considered too 'hard' for its corner location – its design is not considered good enough - a more rounded or splayed design and a hipped roof should be explored.
- The adequacy of proposed highway crossing points on Heavitree Road is questioned, with a call for improved pedestrian crossings, especially between Student Block 1 and the entrance to St Lukes Campus, to accommodate the anticipated increase in foot and cycle traffic. The Society also notes the removal of the previously proposed café and seating. The crossing close to College Rd should be widened to allow for cycles, with the refuge also widened to protect cyclists between the two lanes.
- The application lacks clear measurements for distances between blocks and neighbouring properties. However, the proposed distances are understood to fall short of the Exeter Design Guide standards for residential housing. Residential Design standards should be met as Co-Living is ultimately residential and the blocks may need to be repurposed in future (potentially for family accommodation) should the proposals not be commercially viable.
- The location of the PBSA staff and parcel room is seen as impractical, and relocation closer to delivery and drop-off areas is recommended.

- Security concerns are raised regarding public access between Student Blocks 2 and 3, with a suggestion to install fencing.
- The provision for people with disabilities across both uses (presumed to be 5%) is considered inadequate. Disabled Students UK report 2024 quotes 20% of those students declaring a disability have mobility issues and 31% of disabled students in student accommodation say it does not meet their access needs.
- Waste bin areas are deemed insufficient, with a recommendation for more generous facilities to prevent problems including littering.
- The Framework Travel Plan is criticised for being outdated and not tailored to the differing needs of PBSA and co-living residents. The Society calls for updated and separate travel plans, improved cycle and pedestrian infrastructure, and several on-site car club cars, as existing local provision is considered inadequate for the increased population.
- The provision of only four accessible parking spaces is seen as failing to meet legal and policy requirements. The Society calculates that 27 accessible spaces would be needed to ensure equitable access and compliance with the Equality Act 2010, the NPPF, and local policy. Additional storage and charging facilities for mobility aids are also recommended.

Exeter Cycling Campaign:

Resubmitted comments made in response to the Pre-application scheme:

The stated ambition to align the development with the Living Exeter Principles, is welcomed, but concerns (which echo those articulated previously on the former Applications) are expressed. These centre around:

- Inadequate number of cycle storage
- No provision for non-standard cycle storage
- Access to the site for people cycling

The commitment to providing infrastructure to charge electric bikes is welcomed.

Cycle storage should meet the 1 space per bedroom standard of LTN1/20

Storage for non-standard cycles is inadequate, resulting in discrimination

The proposed shared use footway along Heavitree Rd is considered insufficient in width (with reference to LTN1/10).

More thought needs to be put into connectivity into the cycle network, particularly the connection to the E3 cross-city route that passes along Gladstone Road.

A more accessible solution is needed to allow people cycling to safely cross Heavitree Road to access the site from College Road and/or Spicer Road. For example, amending the traffic lights on the Heavitree Road/College Road junction to allow a ‘green for cyclists crossing the Heavitree Road’ stage would open up this otherwise difficult access.

Developer contributions should be sought to enable these cycling infrastructure improvements.

Living Options Devon: No response received.

Waste and Recycling Team (ECC):

Initial Responses

The Waste and Recycling team initially confirmed that it is not appropriate for any residential scheme to rely fully on a commercial collection, unless the bin store capacity proposed is sufficient for waste to be collected by the Council in the event that it is required to do so. On this basis, the storage capacity was queried, and the applicant was requested to demonstrate that sufficient capacity would be available.

Further Response Following Review of Additional Information:

The storage collection points are confirmed to be acceptable. In terms of storage capacity, using the formula 60 litres per person per week for refuse and the same for recycling the bins stores will only house enough bins for a weekly collection not the council service of alternative week collections for waste and recycling. However, as the storage appears adequate if waste and recycling were both collected on a weekly basis, the reduced storage can be accommodated by utilising the domestic collection supplemented by a commercial waste service provided by Exeter City Council.

Food waste will be collected weekly, but due to the dense nature of the material and the size of the separate pass collection vehicles food waste can only be collected from communal facilities in 140 litres bins.

Under the Government's Simpler Recycling rules, it will also be necessary to collect glass separately – it is not yet, clear how frequently this will be. As a suggestion, to take the pressure off the internal bins stores, perhaps the development could include a separate bin store for glass bins in the student area?

Active Travel England: Please refer to standing advice.

Building Control (ECC): No comments at this early stage. A detailed design and fire strategy will be required at a future stage.

Housing (ECC): No response received.

Estates (ECC): No response received.

NHS Devon Integrated Care Board:

The application has been reviewed from a primary care perspective and a contribution of £244,680 towards increasing primary care infrastructure is necessary to make the application acceptable in planning terms.

A summary of the impacts of new housing developments on the primary care's capacity to provide health services is set out, as well as a calculation of the

contribution sought to mitigate the impact of the development on the local primary care infrastructure.

The 813 expected residents are likely to register with one of the 4 nearest GP surgeries. Projects planned to increase patient infrastructure capacity at 2 of the 4 surgeries are outlined.

The Appendices detail the methodology for calculating the contribution requested is set out, the role and responsibility of Integrated Care Boards (ICBs) and Health and Wellbeing Boards, How GP facilities are funded, The planning policy context and decision-making process, and Primary Care Cost per square m, (MIPS to PUBSEC) S106 Evidence.

The Royal Devon University Healthcare NHS Foundation Trust: No response received

Public Health Devon: No response received.

Local Plans Team:
The Council is currently unable to demonstrate a five-year housing land supply and therefore the presumption in favour of sustainable development (paragraph 11 of the 2024 NPPF) applies to this application.

The Council counts both co-living and purpose-built student accommodation towards the five-year housing supply, and they are also taken into account in the Government's annual Housing Delivery Test.

Approval of the scheme will assist the Council in being able to demonstrate a five-year housing land supply. This is important for development management purposes and will also help ensure that the Exeter Plan is found sound at Examination.

The principle of the proposed development accords with the Exeter Plan's proposed spatial strategy, with its focus upon brownfield development. The site is identified as suitable for residential redevelopment in the 2024 Exeter Housing and Economic Land Availability Assessment and is accordingly identified as a housing allocation in the Exeter Plan. PBSA and co-living development of the site would accord with the proposed allocation.

Public & Green Spaces Team (ECC):
Confirms that play provision is not required given the likely demographics of future residents. Notes, however, that the development will generate additional demand on public open spaces, playing fields and outdoor leisure facilities.

Observes that while the nearest parks within a 1km walking distance are Belmont Park and Bull Meadow, Belmont Park is likely to be the primary POS used given its close proximity. Considers that Belmont Park could accept the additional demand presented by this development with appropriate investment to mitigate the impacts.

Notes that the development will also increase demand on playing fields and outdoor leisure facilities across the city, as residents look to find spaces to exercise, engage in active recreation and participate in sports within the local community, as well as through student societies. Considers that playing fields and outdoor leisure facilities across the city could accept the additional demand presented by this development with appropriate investment to mitigate the impacts.

As such, no objection is raised subject to the agreement of appropriate financial contributions to permit mitigation works in neighbouring open spaces. Contributions shall be paid as a lump sum, prior to first occupation of the units, and shall comprise:

- £457 (index-linked) per bedspace towards the provision and improvement of off-site public open spaces serving the development.
- £117 (index-linked) per bedspace towards the provision or improvement of off-site outdoor leisure facilities (e.g. MUGAs, outdoor adult fitness equipment etc.) serving the development.
- £278 (index-linked) per bedspace towards the provision or improvement of off-site playing fields city-wide.

11.0 Representations

The application was publicised by way of the Weekly List, Site Notices, a Press Advertisement, and over 500 Neighbour Letters/Emails. Two rounds of publicity were carried out, although reflecting the relatively minor nature of the revisions made to the application, neighbour letters were not sent for the second round of publicity.

Comments have been made by or on behalf of a total of 49 contributors. Of these, 6 provided comments by email only and did not provide a residential address (all of these were in support; all appeared to be students, and 4 of 6 were from Exeter.ac.uk email addresses). The 49 also include 8 persons who are listed by one neighbour, who lives in one of flats immediately north of the site in St Matthews Close, as persons ‘who wished to be added in support of’ the comments (in objection). Whilst their addresses are listed, their full names have not been provided and they are instead referred to by their initials. Together these comments represented occupiers of flats 1, 3, 3a, 3b, 4, 5, 6, 6a, and 7b St Matthews Close.

The number of representations received can therefore be summarised numerically as follows:

All comments received and contributors referred to by name or initials:

Objections: 40; Support 7; Neutral 1.

Comments received only from contributors who provided full names and addresses:
Objections: 32; Support 2; Neutral 1. The objectors include Cllr Wetenhall who is one of the Ward Councillors.

In summary, objectors consider the proposal is too large, too dense, environmentally damaging, and not suited to the needs of the local community. They call for a rethink in favour of lower-rise, family-oriented, and environmentally sensitive development, with better consultation and planning transparency. Their objections are summarised in further detail as follows:

- Height, Scale, and Design
    - The proposed buildings (5–6 storeys) are considered excessively tall and out of proportion with the surrounding 2–3 storey homes.
    - The design is described as overbearing, unattractive, and not in keeping with the character of the area—often compared to barracks, prisons, or industrial buildings.
    - Concerns that the development will dominate the local skyline, create a cramped environment, and overshadow existing properties.
- Loss of Green Space and Trees
    - Strong objections to the removal of mature trees and green corridors, which are valued for biodiversity, climate benefits, and visual amenity.
    - Fears that the loss of green space will negatively impact wildlife and the overall environmental quality of the neighbourhood.
- Impact on Local Infrastructure and Services
    - Worries about increased traffic congestion and inadequate parking provision, with existing streets already under pressure.
    - Concerns that local services (GPs, dentists, pharmacies, schools) are already stretched and will not cope with the additional population.
    - Doubts about the adequacy of drainage and sewage systems to handle the increased demand.
- Type of Accommodation
    - Many objectors argue that Exeter already has an oversupply of student and co-living accommodation, with some blocks under-occupied.
    - Calls for the site to be used for affordable family housing or homes for permanent residents, rather than transient student populations.
    - Scepticism about the demand for more student flats and co-living units, citing market evidence of falling occupancy rates.
- Community and Neighbourhood Impacts
    - Fears that the development will change the character of the area from a family-friendly neighbourhood to one dominated by a transient population.
    - Concerns about loss of privacy, natural light, and enjoyment of existing homes.

    - Worries about anti-social behaviour and the impact on local schools and community cohesion.
- Environmental and Sustainability Concerns
    - Objections to increased hard surfacing and concrete, which may worsen flooding and water runoff.
    - Calls for sustainable development that respects the environment and existing community needs.
- Comments about the Planning Process
    - Criticism of the lack of meaningful public consultation, scale models / contextual information / street scene elevations, and clear information about the impact of the development.
    - References to previous planning appeals and inspector comments, which objectors feel have not been adequately addressed.
    - Calls for greater transparency and adherence to the Local Plan and planning policies.
- Constructive comments and suggestions for improvement
    - One of the objections, whilst urging careful consideration of its scale and impact given its large scale relative to this predominantly low-rise part of the city and criticising the lack of an active frontage on certain elevations, acknowledges improvements made to landscaping and breaking up the massing. It goes on to recommend improvements to active travel infrastructure (cycleways, crossings) and suggests that landscaping should be secured by planning condition or legal agreement.

Supporters see the proposal as a practical response to the city's housing crisis, offering well-managed accommodation for students and young professionals, and helping to free up homes for families. They urge the council to prioritise housing delivery and, where possible, enhance infrastructure for residents. Their comments of support are summarised in further detail as follows:

- Urgent Need for Housing
    - Supporters emphasise Exeter's acute housing shortage, especially for young people, students, and those entering the workforce.
    - Students supporting the scheme point out that the majority of new purpose-built student flats are on the Streatham campus whilst St Luke's has barely any nearby or within walking distance
    - They argue that building more student accommodation will free up existing private rental homes for families and working people.
- Benefits of Purpose-Built Student and Co-Living Accommodation
    - Purpose-built student flats are seen as better managed and higher quality than shared student houses.
    - Co-living is described as a good solution for postgraduates and young professionals, helping them stay in Exeter and contribute to the city's growth.
- Economic and Social Advantages

    - Supporters believe the development will help retain young talent in Exeter, supporting the local economy and community.
    - They highlight the difficulty young people face in getting on the property ladder and see the scheme as providing affordable options.
- Pragmatism and Critique of Objections
    - Some supporters view objections as delaying much-needed development and prioritise housing needs over aesthetic or nostalgic concerns.
    - One calls for action and asserts that “we need more housing—build it!”
- Suggestions for Improvement
    - While generally supportive, one contributor points out that improvements must be made to pedestrian crossings of Gladstone Rd and Heavitree Rd, cycle connectivity, and active travel infrastructure as part of the scheme.

12.0 Relevant policies

National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2025) - in particular, the following sections/paragraphs:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Planning Practice Guidance (PPG):

Air quality
Appeals
Appropriate assessment
Before submitting an application
Biodiversity net gain
Build to rent
Climate change

Community Infrastructure Levy
Design: process and tools
Determining a planning application
Effective use of land
Flood risk and coastal change
Healthy and safe communities
Historic environment
Housing and economic land availability assessment
Housing and economic needs assessment
Housing needs of different groups
Housing for older and disabled people
Housing: optional technical standards
Housing supply and delivery
Land affected by contamination
Light pollution
Natural environment
Noise
Open space, sports and recreation facilities, public rights of way and local green space
Planning obligations
Renewable and low carbon energy
Transport evidence bases in plan making and decision taking
Travel Plans, Transport Assessments and Statements
Use of planning conditions
Waste
Sustainable drainage systems policy
Parking policy
Housing Delivery Test measurement rule book

National Design Guide (MHCLG, 2021)
GPA3 – The Setting of Heritage Assets (Historic England, December 2017)
GPA2 - Managing Significance in Decision Taking (Historic England, March 2015)
Manual for Streets (CLG/TfT, 2007)
Cycle Infrastructure Design Local Transport Note 1/20 (DfT, July 2020)
Protected species and development: advice for local planning authorities (Natural England and DEFRA, 7 January 2021)

Development Plan

Core Strategy (Adopted 21 February 2012)

CP1: Spatial Strategy
CP3: Housing
CP4: Density
CP5: Meeting Housing Needs
CP7: Affordable Housing
CP9: Transport
CP11: Pollution
CP12: Flood Risk
CP13: Decentralised Energy Network
CP14: Renewable and Low Carbon Energy
CP15: Sustainable Construction
CP16: Green Infrastructure
CP17: Design and Local Distinctiveness
CP18: Infrastructure

The Exeter Local Plan First Review (Adopted 31 March 2005) – Saved Policies:

AP1 Design and Location of Development
AP2 Sequential Approach
E5 Employment Use in Residential Areas
H1 Search Sequence
H2 Location Priorities
H3 Housing Sites
H5 Diversity of Housing
H6 Affordable Housing
H7 Housing for Disabled People
L4 Provision of Playing Pitches
T1 Hierarchy of Modes
T2 Accessibility Criteria
T3 Encouraging Use of Sustainable Modes
T5 Cycle Route Network
T6 Bus Priority Measures
T9 Access to Buildings by People with Disabilities
T10 Car Parking Standards
C1 Conservation Areas
C2 Listed Buildings
C3 Buildings of Local Importance
C5 Archaeology
LS2 Ramsar/ Special Protection Area
LS3 Sites of Special Scientific Interest

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 Vehicle Circulation and Car Parking in Residential Development
DG7 Crime Prevention and Safety

Devon Waste Plan 2011 – 2031 (Adopted 11 December 2014) (Devon County Council)

W4 – Waste Prevention
W21 – Making Provision for Waste Management

Other Material Considerations

Emerging Exeter Local Plan (Regulation 19, Submitted for Examination September 2025)

S1: Spatial strategy (Strategic policy)
S2: Liveable Exeter principles (Strategic policy)
CC1: Net zero Exeter (Strategic policy)
CC3: Local energy networks (Strategic policy)
CC5: Future development standards (Strategic policy)
CC6: Embodied carbon
CC7: Development that is adaptive and resilient to climate change
CC8: Flood risk (Strategic policy)
CC9: Water quantity and quality
H1: Housing requirement (Strategic policy)
H2: Housing allocations and windfalls (Strategic policy)
H3: Affordable housing (Strategic policy)
H4: Build to rent
H5: Co-living housing
H6: Custom and self-build housing
H10: Purpose built student accommodation
H14: Accessible homes
H15: Housing density and size mix (Strategic policy)
H16: Residential amenity and healthy homes
EJ3: New forms of employment provision (Strategic policy)
EJ4: Access to jobs and skills
STC1: Sustainable movement (Strategic policy)
STC2: Active and sustainable travel in new developments (Strategic policy)

STC3: Supporting active travel (Strategic policy)
STC4: Supporting public transport (Strategic policy)
STC5: Supporting new forms of car use
STC6: Travel plans
STC9: Digital communications (Strategic policy)
NE3: Biodiversity (Strategic policy)
NE4: Green infrastructure (Strategic policy)
NE6: Urban greening factor
NE7: Urban tree canopy cover
HH1: Conserving and enhancing heritage assets (Strategic policy)
HH2: Conservation Areas
HH3: Archaeology
D1: Design principles (Strategic policy)
D2: Designing-out crime
HW1: Health and wellbeing (Strategic policy)
HW2: Pollution and contaminated land
IF1: Delivery of infrastructure (Strategic policy)
IF4:Open space, play areas, allotments and sport

Exeter City Council Supplementary Planning Documents:

Affordable housing SPD (2014)
Planning obligations SPD (2014)
Public open space SPD (2005)
Sustainable Transport SPD (2013)
Trees in relation to development SPD (2009)

Devon County Council Supplementary Planning Documents:

Minerals and Waste – not just County Matters Part 1: Waste Management and Infrastructure SPD (July 2015)

Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)
Archaeology and Development SPG (November 2004)

13.0 Human rights

Article 6 - Right to a fair trial.
Article 8 - Right to respect for private and family life and home.
The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

There is potential in this case for the development to give rise to impacts on individuals living in close proximity to the site – particularly where the site adjoins residential properties on its northern and western boundaries. Impacts that the development has the potential to give rise to include loss of privacy, loss of sun/daylight, and disturbance through noise. These issues are considered in a later section of this report.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the Equality Act 2010, all public bodies, in discharging their functions must have “due regard” to the need to:

a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

Equalities issues have been considered during the course of the assessment. Particular care has been given to try to ensure that access for those with protected characteristic 'disability' has been catered for in terms of routes into and across the site, and in the provision of appropriate car parking. A wider benefit brought by the scheme will be improved access for the public (including disabled persons) between Heavitree Road/St Lukes and St Matthews Close. The scheme will also deliver a significant number of accessible studios for both students and non-students, including 4 'Affordable Private Rented' units rented to eligible residents at less than 80% of the market rate.

User safety is also a particular consideration when creating high density residential environments, including those through which public access is permitted. This is of particular relevance to protected characteristic 'sex' given the need to take particular care to ensure women's safety. In respect of the buildings themselves, the site will feature a 24-hr management presence and will be managed in accordance with detailed management plans (final versions of which will be secured by condition). A package of security details including CCTV and external lighting, will be secured by condition.

15.0 Financial issues

The requirements to set out the financial benefits arising from a planning application is set out in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

a) made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission; and
b) contains a recommendation as to how the authority should determine the application in accordance with section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development which officers consider are likely to be obtained by the authority if the development is carried out including their value if known and should include whether the officer considers these to be material or not material.

Material considerations

The scheme will deliver:

- Deliver 83 Affordable Private Rented studios, including 4 accessible units.
- Deliver highway improvements for the benefit of pedestrians and cyclists including protecting land for a future bus lane expansion and a location for a communal cycle hire scheme

The scheme will make (index-linked) financial contributions towards:

- Public Open Space: £457 per bedspace, which equates to:
    - £182,343.00 for the PBSA, and
    - £189,198.00 for the Co-Living
- Outdoor Leisure Facilities (Adult 'Play'): £117 per bedspace, which equates to:
    - £46,683.00 for the PBSA, and
    - £48,438.00 for the Co-Living
- City-Wide Playing Field maintenance/provision: £278 per bedspace (Co-Living only), which equates to:
    - £115,092.00 for the Co-Living
- Habitat Regulations mitigation for recreational harm to the Exe Estuary SPA for all Affordable Housing units at a rate of £1,284.71 per unit, which equates to:
    - £106,630.93 for the Affordable Private Rent Co-Living Units
- Primary Health Care (GP Practices), comprising of:
    - £120,083.04 for the PBSA, and
    - £124,597.44 for the Co-Living.

Information provided by the applicant sets out that the development will also result in:

- 210 direct construction jobs as a result of the development, with a value of £21.22 million over the 2.5 year construction period.
- The creation of an estimated 318 indirect jobs within the local area as a result of the development.
- A total of £2.297 million in first occupation expenditure retained within the local economy.
- A total of £31.8 million per annum in day-to-day expenditure from residents within the completed development, and
- The creation of 6.5 full time equivalent staff roles on site, securing a total of £143,591.50 in annual salaries to be spent locally.

Non material considerations

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is CIL liable.

The rate at which CIL is charged for this development is £150 per sq. metre (PBSA) and £50 per sq. metre (Co-Living) plus index linking from January 2024. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued prior to the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website.

Existing floorspace that has been occupied in a lawful use for a period of at least six months in the three years running up to the day planning permission is granted may be deducted from the chargeable floorspace. In this case officers do not consider that this requirement is met. As such, officers expect that all new floorspace will be liable.

Using index linked figures to January 2025, the PBSA rate is £153.94, and the Co-living £51.31. Based on scheme measurements made by officers, which will be finally checked before a CIL liability notice is issued, the CIL receipts are expected to be approximately as follows:

- As 10,916sq m of PBSA is proposed, the CIL due if permission is granted before 01 January 2026 is expected to be in the region of £1,680,409.04.
- As 12,381sq m of Co-Living floorspace is proposed, the CIL due if permission is granted before 01 January 2026 is expected to be in the region of £635,269.11.

Final amounts will be confirmed to the applicant in a CIL liability notice which will be issued prior to the commencement of the development.

The PBSA is not expected to generate Council Tax. Co-Living is, however, expected to be a use liable to Council Tax, and officers understand that at The Gorge each unit has been valued and is liable for Council Tax purposes.

16.0 Planning assessment

The key issues are:

1. The Principle of the Proposed Use
2. The Density, Type, and Mix of Residential Uses, including Affordable and Accessible Housing.
3. Living Standards for Future Residents
4. Impacts on the Amenity of Neighbouring Residential Occupiers.
5. Design And Impacts on Character, Including Landscaping and Impact on Heritage
6. Access, Car Parking, and Transport Considerations
7. Sustainable Construction and Energy Conservation
8. Impact on Ecology, Trees, and Biodiversity
9. Flood Risk and Surface Water Management
10. Contaminated Land
11. Air Quality
12. Economic Impacts
13. Planning Obligations
14. Planning Balance and Presumption in Favour of Sustainable Development

1. The Principle of the Proposed Use

Both types of specialist residential accommodation proposed: Purpose-Built Student Accommodation (PBSA) and Co-Living are considered ‘sui generis’—not fitting neatly within any standard Use Class—but are regarded as residential in character.

Although the site falls outside the designated City Centre boundary in both the adopted and emerging Exeter plans, it is situated in a highly sustainable location, within walking distance of the city centre and close to key amenities such as educational facilities and a supermarket. This aligns with Core Strategy Policy CP1, which prioritises development in sustainable locations, and saved Policy AP1, which requires developments to be accessible by public transport, walking or cycling.

Previously, the site functioned as a community facility and is considered ‘previously developed land’. Its repurposing for residential use is supported by Policies CP10 and AP2, as well as national guidance in the NPPF, which particularly encourages the use of brownfield land and higher-density development. Policy H2 in the emerging Exeter Plan specifically allocates the site for new homes, but as the plan is yet to go through Examination, only limited weight can be attached to this policy. Nonetheless, there are no unresolved objections regarding the residential allocation of this site, allowing officers to give it a degree of weight.

Saved Local Plan policies AP1, AP2, and H1 further reinforce the suitability of the site for residential use, highlighting priorities for previously developed land, accessibility, and reducing car dependence. The proposal is for a car-free development in a location well served by public transport and active travel options. Given these factors, officers conclude that the principle of residential use at this site is consistent with both adopted and emerging planning policies, as well as national guidance.

Turning to the suitability of the specific specialist residential uses proposed, officers note that the site is not subject to specific constraints or designations that would make these uses inappropriate. The previous planning application for the same uses at the site was not refused for these reasons, and policy and material circumstances remain broadly unchanged. The Inspector in the appeal raised no objection, instead noting that ‘*the proposal would assist in meeting unmet needs in relation to market and affordable housing, PBSA and co-living including a specific identified need for one-bedroom units. It is likely that this would also help to free up market housing elsewhere in Exeter’*.

Saved policy H2 in the Local Plan calls for a variety of housing provision, and policy H5 (under ‘Diversity of Housing’) sets conditions for 'special needs' and student housing, including proximity to local shops, services, and public transport. Whilst this policy was not conceived specifically with Co-Living in mind, Officers find these requirements are satisfied by the current proposal.

While some objectors question the need for more PBSA, local policy (Core Strategy CP5) states that purpose-built student accommodation should be provided to meet housing need. This is supported by University supplementary planning guidance,

which encourages as much PBSA as possible to reduce pressure on the private housing market. CP5 also notes that new PBSA should be located on or near university campuses, at sustainable locations, or in the city centre. Officers note that there is little PBSA in the vicinity of St Lukes campus, and as the University intend to intensify its use, this proposal will help to address the likely housing need arising.

Co-living, while not explicitly covered by adopted development plan policies, is addressed by the emerging Exeter Plan (policy H6), which recommends such developments be within Controlled Parking Zones and well connected to employment, services, and facilities. The site meets these conditions.

H5 also requires that 'the proposal will not create an over concentration of the use in any one area of the city which would change the character of the neighbourhood or create an imbalance in the local community'. Whilst officers are mindful of the adjacency of the site to the existing Co-Living scheme 'the Gorge' (133 units), officers see no evidence suggesting that its existence has altered the neighbourhood's character or created an imbalance in the community (notwithstanding the fact that contrary to many of the comments made in objection, officers understand that occupancy levels have been high). The mixed nature of the urban environment is likely to be a mitigating factor, as is the management of the facility: officers observed it to be well managed when making a visit, and management plans required for this additional proposal ought to be able to ensure similar management standards to prevent impacts on the local community.

For PBSA, the only significant scheme nearby is Atlas House to the east along Heavitree Road, which according to its website provides 75 bedspaces and, together with the current proposal, would result in 474 student bedspaces. The local area already accommodates a range of intensive uses (university campus, Waitrose supermarket, hospital), and the proposed density is not considered likely to negatively affect the neighbourhood's character.

Officers consider that co-living is best seen as a form of specialist accommodation for young adults who might otherwise reside in HMOs, and that both policies H5 and CP5 can be interpreted as supporting such uses in accessible locations. The emerging Exeter Plan includes further controls over co-living but does not raise location-related objections in this case.

In summary, the principle of redeveloping the site for residential use—comprising specifically both PBSA and co-living—is considered in line with adopted and emerging planning policy, as well as national guidance. The site's sustainable location, brownfield status, and alignment with both housing need and accessibility requirements provide strong policy support. Concerns about need, over-concentration and community impact have been considered, and give rise to no insurmountable objections in this case.

2. Density and Mix of Residential Units

Density

National and local planning policies consistently promote the efficient use of land, especially brownfield sites, through higher-density residential development. Section 11 of the NPPF encourages reusing previously developed land for homes at suitable densities, while safeguarding the environment and ensuring safe, healthy living conditions. Local policy echoes this approach: Saved LP policy H2 prioritises meeting housing needs on brownfield sites by permitting the highest achievable density without detriment to local amenity, character, or road safety, and Core Strategy CP4 requires density compatible with heritage and environmental protection. The emerging Exeter Plan similarly seeks 'optimal densities' in its Spatial Strategy and Liveable Exeter Principles.

For specialist housing such as PBSA and co-living, density is difficult to compare to regular housing, as it is best measured in bedspaces rather than dwellings per hectare. The proposed scheme offers 813 bedspaces, equating to 650 bedspaces per hectare. To benchmark against policy expectations, the government methodology from the Housing Delivery Test Measurement Rulebook translates PBSA and communal accommodation into dwelling equivalents: one dwelling equals 2.4 PBSA bedspaces or 1.9 other communal bedspaces. Applying these ratios, the scheme provides an equivalent of 384 dwellings, or 307 dwellings per hectare. As emerging policy H2 promotes a capacity of 350 homes, officers consider the proposal to be broadly aligned.

The national focus on efficient use of land is such that the NPPF (para 130c) recommends the refusal of applications that fail to make efficient use of land. With reference to the issues relating to overlooking and lighting impacts on neighbours discussed later in this report, it also promotes flexibility in daylight and sunlight policies to facilitate higher densities, provided living standards remain acceptable.

It is clear that both national and local policy expect high-density development in locations such as this, and the density of the proposal is very high. Whilst supported in principle, a conclusion on its acceptability can only be reached following detailed assessment of impacts on local amenity, environment, and transport matters, as required by Saved LP policy H2 and CS policy CP4.

Mix of Housing Types

The fact that the scheme is split broadly evenly between PBSA and Co-Living will introduce a degree of mix in housing types and character on site. Taken together with the proposed inclusion of 20% affordable housing in the Co-Living element, and 4.5% accessible housing across the whole scheme, the residential mix overall is considered acceptable.

Affordable Housing

Policy CP7 requires 35% of the total housing provision on sites capable of providing 3 or more additional dwellings as affordable housing. However, the NPPF states that affordable housing should only be sought on major housing developments (i.e. 10 or more homes or site area of 0.5ha or more). In this case, the application of policy is complicated by the fact that the co-living block is classed as sui generis. Despite this, as the accommodation it proposes is in the form of studios, officers considerate appropriate that the requirement for affordable housing set out in Policy CP7 applies to the Co-living. The PBSA element of the scheme does not attract an affordable housing requirement.

Members will note that the emerging Exeter Plan policy on Co-Living (H6) proposes that Affordable Housing for Co-Living is delivered by way of a financial contribution towards off-site housing. This approach is aligned with that of the adopted guidance to the London Plan. However, current practice in lieu of an adopted policy position, and as established through extensive legal advice when the Co-Living proposal on the Harlequins site was first assessed, is to secure the affordable units on-site in accordance with national guidance on Build to Rent (purpose-built housing that is typically 100% rented out).

Para 64>Annex 2 (Glossary) to the NPPF defines Affordable Housing as follows (underlining added by officers):

Affordable Housing: Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions: …

b) Other affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the government's rent policy for Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

National Planning Practice Guidance (NPPG) on build to rent states that 20% is generally a suitable benchmark for the level of Affordable Private Rent (APR) homes to be provided (and maintained in perpetuity) in any build to rent scheme. Officers therefore consider that it is appropriate in this case that 20% affordable housing should be provided as opposed to 35% as set out in Policy CP7. When applied proportionally, this results in a requirement of 83 affordable studios. The submitted documentation confirmed that 83 APR units are proposed. It is likely that it will be necessary to identify the specific units in order to satisfy the requirements for

securing CIL relief on these. With that in mind, officers recommend that the affordable units should reflect the mix of the scheme in terms of their sizes and should be distributed around the building rather than provided in clusters. No less than 4 shall be wheelchair accessible. In the S106 agreement agreed during the previous appeal proceedings, eligibility for the APR units was based on income (then <£29,000 pa), employment (essential and retail workers), and references. Officers consider this general approach to remain acceptable. All these requirements would need to be secured through appropriately worded S106 obligations in the event of approval being granted. Subject to this, and to clauses ensuring that the units remain affordable in perpetuity, the affordable housing proposal is considered acceptable.

Members may wish to note that the applicant may have been able to argue for a reduction in the level of Affordable Housing proposed in accordance with the national guidance for Vacant Building Credit (VBC). NPPF para 65 establishes this process in order to support the reuse of brownfield land, where vacant buildings are being reused or redeveloped. It states that any affordable housing contribution due should be reduced by a proportionate amount (equivalent to the existing gross floorspace of the existing buildings). Officers have run this calculation, and it would result in the number of units being reduced from 83 to 64. However, the application makes clear in many of its submitted documents that 20% is proposed (83 units), and as the requirement has in effect already been reduced from 35%, officers consider it appropriate to secure 20% as offered by the applicant.

Accessible Housing

The Design and Access Statement states that '*5% of the PBSA units have been designed to meet wheelchair accessible standards as stated in Approved Document Part M. The Accessible studios will contain an accessible ensuite, kitchen and wider clearances.'* However, officers understand following further discussion with the applicant that 4 of the 21 units in the PBSA Block (within Student Block 4) may not be fully suitable for occupation by wheelchair users. As the Local Planning Authority does not have an adopted policy to fully control accessible units in this use, no objection is nonetheless raised.

The Co-living element includes 20 accessible units (4.8% of all Co-Living units), which are 27 sq. m in size. Generally speaking, there is one unit on each floor of each block (2 per floor in block 01), utilising additional floorspace behind the lift shaft of each stair core to provide an accessible shower room. Block 01 contains 12 units, and each of Blocks 02 and 03 contain 4 units. The 20 units equate to 4.8%. Saved LP policy H7 seeks 'an element of housing that can easily be adapted for occupation by people permanently confined to wheelchairs' on larger sites conveniently located for shops and services. The supporting text suggests that 'the Council will aim for 5% of the total dwelling provision on suitably qualifying sites, depending on the site conditions and other planning objectives'. CS policy CP5 seeks '*specialist housing, such as wheelchair accessible housing….as part of mixed communities, where possible, in accessible locations close to facilities'*, and goes on to state that '*all housing developments should be designed to meet Lifetime Homes Standards* [now

superseded by the Building Regulation M4(2) and (3) standards] *where feasible and practical.'* Emerging policy H14 (to which limited weight should be given) seeks accessible and adaptable standards (M4(2)) from all new homes, and 10% of affordable homes to meet wheelchair user standards (M4(3)).

However, the PPG (Paragraph: 009 Reference ID: 56-009-20150327) advises that the Local Planning Authority should only seek to secure wheelchair accessible homes (M4(3)(b)) where the local authority is responsible for allocating or nominating a person to live in that dwelling. For this reason, officers do not consider it reasonable to prescribe that accessibility standards are met for the private rented units. However, the applicant has set out the standards that their rooms are being designed to, and officers consider it appropriate to secure that this standard is met in order to ensure that the accessible units presented in the scheme are delivered as such.

Officers consider that the Council's requirement of seeking 5% of affordable units as wheelchair accessible, as set out in the adopted Affordable Housing SPD, should also apply. This equates to 4 of the 83 affordable units. However, following further scrutiny the applicant has advised that it is not possible for the M4(3) standard to be met for these units due to their size.

The provision of accessible units within the scheme will also contribute towards meeting the objectives of the Public Sector Equalities Duty (PSED).

3. Living Standards for Future Residents

The residential amenity considerations relating to future occupiers of this proposal need to be considered in respect of the two distinct elements of the scheme: PBSA and co-living accommodation, which are targeted at different occupants but with similar characteristics in terms of smaller private spaces supplemented by communal facilities.

Policy DG4 states that residential development should ensure a quality of amenity which allows residents to feel at ease within their homes and gardens. The Residential Design SPD includes minimum space standards for dwellings, however the Council now applies the national 'Technical housing standards – nationally described space standard' (March 2015), as it was published after the Residential Design SPD was adopted in 2010. However, neither PBSA nor co-living housing schemes are standard dwelling types, they are a specialist type of housing aimed at a specific sector of the market that might otherwise live in a HMO, and as such are S*ui Generis*.

PBSA

Although the adopted Local Plan and Core Strategy both include policies which reference PBSA, neither seek to set standards for the quality of its accommodation.

Emerging Exeter Plan Policy H10 is more prescriptive and sets out a framework against which the issues that commonly arise from PBSA proposals can be assessed. In the absence of detailed adopted policy and noting that care must be taken to apply only very limited weight to the policy, officers consider it helpful to refer to emerging policy H10. In respect of amenity standards, it supports development proposals when they: '*Provide residents with high quality housing comprising a private bedroom in a cluster flat or studio that affords adequate functional living space and layout, within a wider development that includes sufficient communal facilities, services and external amenity space to meet student needs*;'

The student accommodation would all be in the form of studios. The 'regular' units would vary in size from 17.5sq m to 22.5sq m, with the accessible units being 26.8sq m. The majority (195) would be 17.5sq m, with 123 at 19 sq. m, 56 at 21.5sq m, 4 at 22.5sq m, and 21 (5%) accessible units 27sq m in size. In addition to this, 485 sq. m of communal accommodation (including communal amenity space and study workspace) would be provided at the ground floor for use by residents. The external amenity space (1125sq m) would primarily consist of the courtyard between the buildings, which would be a high-quality landscaped space.

Although the student studios would be single aspect, all would benefit from adequate natural light, and the indicative layouts indicate that even the smallest units would provide the minimum facilities needed for everyday living, including an ensuite bathroom, wardrobe, 1200x2000mm double bed, small kitchenette and table/desk suitable for eating or study. In terms of privacy, windows across the courtyard would be 18m apart, and although there are windows facing each other at only 8.5m between blocks 01 and 02, those on block 02 are secondary windows so can be obscured (condition required).

Whilst the student studios are small, they are considered acceptable as student accommodation, taking into account the additional communal floorspace proposed, and the fact that students would not occupy these units on a long-term basis. Ample outdoor amenity space is proposed, and student residents would also have access to amenity spaces and facilities provided by the University as well as those that are publicly accessible. The proposals compare favourably to emerging policy H10 and are considered acceptable in amenity terms.

Co-Living

Co-Living accommodation typically has similar characteristics to Purpose Built Student Accommodation but is open to anyone to live in over the age of 18. It is characterised by its design, which offers more communal space than other forms of housing and seeks to foster social interaction and a sense of community between residents. Like PBSA it is also highly managed and is only available to rent. Although tenancy lengths will vary, typically a minimum tenancy of 3 months is expected. The Council has accepted the principle of the co-living model through the granting of consent for such schemes, including on the adjoining site of the former Ambulance

Station, which is the city's only occupied Co-Living scheme and is known as The Gorge. Other planning permissions granted for Co-Living include the Harlequins site, Summerland Street, and Haven Banks.

As Co-Living is a relatively new concept which has arisen since the adoption of the Local Plan and Core Strategy, there are no policies within the adopted development plan that were drafted with Co-Living in mind. Whilst there are general housing policies, and policies including references to 'specialist' housing which are applicable to a degree, none give us a specific framework against which to assess Co-Living. In recognition of the recent demand for Co-Living, however (both across the country and within Exeter), the emerging Exeter Plan does include an emerging policy: H6. As the Exeter Plan has only recently been submitted, and as such has not yet been examined or adopted, its policies may only be given very limited weight (in accordance with NPPF paragraph 49), and this is dependent on the extent to which they are subject to unresolved objections as well as their degree of consistency with the NPPF.

In the absence of adopted policy and noting that care must be taken to apply only very limited weight to the policy, given the available policy framework, officers consider it helpful to compare the proposal to emerging policy H6. Parts a-c of the policy are of relevance in respect of living standards for future residents.

> *Co-living development proposals will be supported when they:*
>
> *a. Provide high quality accommodation designed and built specifically and entirely for rent;*
> *b. Provide each resident with a private ensuite bedroom or studio that affords adequate functional living space and layout and is not a self-contained home or capable of being used as a self-contained home;*
> *c. Include the following minimum communal spaces and facilities at a sufficient quantity to meet the needs of the total number of intended residents and located to provide each resident with convenient access:*
>
> - *A kitchen;*
> - *Other internal space for dining and socialising;*
> - *Collaborative workspace;*
> - *Outdoor amenity space (roof terrace and/or garden);*
> - *Laundry and drying facilities; and*
> - *Storage and refuse facilities*

Paragraph 6.36 of the emerging Exeter Plan states that 'The City Council will publish additional planning guidance to amplify Policy H6 in due course.' In the absence of detailed guidance of this type, officers and committee members must use their judgement to assess these aspects of the proposal with reference to existing policy. However, officers consider it reasonable for a Local Planning Authority's judgement

to be informed by guidance from elsewhere, provided that applications for planning permission 'are determined in accordance with the development plan' as required by planning law (also reflected in national guidance at NPPF para 48).

Having reviewed available guidance, officers note that the only adopted guidance appears to be for London Boroughs, and for the City of Birmingham (April 2022). Other Councils have published interim position statements on Co-Living (e.g. Bath & NE Somerset), and Watford and Bristol have consulted on draft SPDs. Officers consider the London Plan Guidance: Large-scale purpose-built shared living to be the most helpful. It was adopted in February 2024 following consultation and supports London Plan Policy H16.

Members must remember that whilst this document has been through a robust process and is recognised formally as guidance in London, it does not form part of Exeter's Development Plan, and the applicant's agent, has correctly brought this to officers attention, including in their representation to the Emerging Exeter Plan.

Despite this critical policy position, officers consider the guidance to serves as a useful guide and it is therefore referred to for comparison purposes in the H6 assessment text below.

a. *Provide high quality accommodation designed and built specifically and entirely for rent;*

Subject to conclusions about the quality of the spaces provided (discussed below), officers consider that the accommodation will be high quality, and it is being built specifically for rent (this will be secured through the S106 agreement). Subject to S106 this criterion is met.

b. *Provide each resident with a private ensuite bedroom or studio that affords adequate functional living space and layout and is not a self-contained home;*

Each resident will benefit from a studio unit, which is proposed only for single occupation. There are 3 different sizes of 'regular' studio, plus the accessible units. The regular units are 18.25sq m, 20.75sq m unit and 21.75sq m. Each layout includes a private ensuite bedroom and a small kitchenette comprising of 3x 600mm wide kitchen units (sink, hob + small worktop). Each includes an EU sized 'small double' bed 120x200cm (a UK 'small double' is 120x190cm), with the exception of the largest 'regular' layout (21.75sq m), which would include a 137x200cm bed (a standard UK double is 135x190cm and a standard EU double is 140x200cm). As these units are wider at 3m compared to the typical 2.5m wide units, the bed is perpendicular to the layout, creating more usable space either side.

The fourth, largest unit is the 27.25sq m accessible unit. This unit is the same width as the others but its ensuite shower room is adjacent to the main unit, behind each lift shaft. These units have wider entrance doors and have the bed next to the door, creating more space for a kitchen and desk area. These units have 4 kitchen units, allowing for more low-level storage space.

London Plan guidance states that ‘units should be no less than 18 sqm, and no more than 27 sqm, to avoid them being used as substandard self-contained units. Larger units may be suitable for occupation by couples.’

The question of whether the units are capable of being occupied as self-contained units is difficult. The only way to prevent this completely would be for the layouts to exclude either the ensuite/WC facilities, or the kitchen. The wording of H6 requires an ensuite meaning the kitchen would need to be excluded.

Officers have given consideration to excluding kitchen facilities and have reviewed guidance and practice from elsewhere. Officers have visited The Gorge, as well as a completed scheme in Bristol. Overall, the feeling is that the provision of units with no cooking facilities would be undesirable and is likely to make schemes more akin to large HMOs. One of the frequently cited problems relates to the storage of food: residents would typically prefer to store food in their own rooms where it is secure and may wish to prepare snacks and light meals in their rooms in private. It is likely that some residents would try to introduce some facilities for food preparation if none were provided, and this would perhaps give rise to safety concerns (use of non-PAT tested appliances, fire risk etc), as well as food hygiene issues if no kitchen sink were provided. Initially (at the pre-app stage), the communal kitchen (and other social) facilities were proposed all in one location close to the main entrance. This would have meant that units at the rear of block 01 would have been some distance from the facilities, and that residents in Block 03 would have needed to leave their building and walk outside to access a communal kitchen. Officers felt that this layout was likely to encourage self-contained patterns of use, with residents mostly cooking in their rooms. Feedback from management at The Gorge confirmed that their residents often cook in their rooms and tend to use the single large communal kitchen mostly for entertaining guests or for social functions such as themed cooking events encouraged by management. Whilst this is not ideal, The Gorge is at least a smaller scheme with reduced distances to the kitchen for residents. Officers felt that it would be undesirable to replicate that arrangement for this large scheme and therefore negotiated the inclusion of a communal kitchen diner on each floor. Whilst this did lead to a small reduction in average studio sizes, officers feel that the appropriate balance has now been struck: residents will have access to a kitchen diner (shared between 12 to 26 residents depending on the location) just a short distance down the corridor, as well as having access to the ‘higher order’ communal spaces close to the main entrance (the Theatre Kitchen etc). Officers believe that this layout is more likely to encourage interaction between residents and promote social living, and as such, although each resident may have 1-2sq m less floorspace in their own studio, they will have immediate access to more usable facilities (including access to a

dining table which is likely to be suitable for numerous social uses) and are less likely to be susceptible to social isolation. The central location of the kitchen diners adjacent the stair well is also likely to promote social interaction, as many residents will walk past them on their way into or out of their own studio.

c. Include the following minimum communal spaces and facilities at a sufficient quantity to meet the needs of the total number of intended residents and located to provide each resident with convenient access:

c. i. A kitchen;

A large 'Theatre kitchen' is proposed in Block 02 next to the main reception. This is 104sq m in total but is arguably split between Kitchen Diner (60sq m) and Lounge (44sq m) space. Whilst all residents would have access to this, it is likely to be used primarily for events and get-togethers, rather than as a day-to-day facility. 4 cooking stations and a 10-person table are shown.

More frequent use is likely to be made by residents of the Kitchen Diners that are distributed around the scheme. There is one per floor for each of Blocks 2 and 3, and 2 per floor for Block 01. The maximum distance a resident would need to walk to access one of these from their studio is 25m (within Block 02).

Access to Kitchen Diners varies by Block and floor. Floors 01-03 of Block 02 are the floors where the Kitchen Diners would be shared amongst the highest number of residents, with the ratio of residents to Kitchen Diners being 26:1. These also have the lowest provision on a square metre per resident basis, at 1.5sq m per resident. The ground floor of Block 01 is where the ratio is best, at 12:1 (equating to 3.6sq m per resident). Whilst levels of provision are slightly better for Block 01 (18.2 residents/KD and 2.1sq m per resident) than they are for Blocks 02 and 03 (both are equivalent at 21.4 residents/KD and 1.8 sq. m per resident) overall there are 19.7 residents per Kitchen Diner and 2.2 sq. m per resident.

When the Theatre Kitchen (including its lounging space) is taken into account, there would be 18.8 residents per Kitchen Diner and 2.2sq m per resident. The London Plan Guidance would require 207sq m of kitchen space for this scheme (0.5sq m per resident). The London Plan Guidance would also require 28 cooking stations for this scheme (1 per 15 residents). The layouts shown indicate the provision of 46 in total (of which 4 are in Theatre kitchen).

c. ii. Other internal space for dining and socialising;

The London Plan Guidance sets its minimum standards for dining in dining spaces rather than by area. Its minimum standards are 2 per cooking station (92 for this scheme) or 15% of total residents (62 for this scheme). The layouts indicate that these would be significantly exceeded with 126 spaces in the distributed Kitchen Diners plus 10 in the theatre kitchen.

In addition, as described above, each of the Kitchen Diners includes a small lounging area comprising of a sofa and comfortable chairs, where there would also be scope for a coffee table and TV, and 44 of the 104sq m in the Theatre Kitchen is also 'lounging' space.

In addition to this, the reception area is laid out as a large social space (181sq m), and a 46sq m lounge is proposed adjacent to it within Block 01. The London Guidance does not include a quantitative target for lounge space.

c. iii. Collaborative workspace;

An area at the rear of Block 01 is dedicated to workspace. Initially this was proposed adjacent to the reception, but officers felt that the quieter space at the rear of the site would be more conducive to working, and preferred that the activity associated with the proposed gym were located at the front of the site where there is likely to noise from Heavitree Road and from the movement of residents in and out of the scheme. Visible activity is also desirable at the public-facing front of a development. 50sq m is laid out as a table/bank of desks, with 77sq m arranged more akin to a lounge area. Officers consider it appropriate that this space is suitable for flexible use: for example, it may be more in demand for collaborative working and/or informal meetings with clients during the day but could serve as an alternative lounging area for quieter social activities away from the busier spaces at the front of the building in the evenings. It would also benefit from a dedicated outdoor terrace area between Blocks 01 and 03, which would benefit from direct sunlight during the day. The London Guidance does not include a quantitative target for lounge space.

c. iv. Outdoor amenity space (roof terrace and/or garden);

The main communal amenity space is the Co-living courtyard, which is enclosed fully on 3 sides by Blocks 01 and 02, and partially to the north side by Block 03. The large reception lounge will open onto it, and it is only a short distance away from the Theatre kitchen, offering the potential for outdoor dining. Although the ground floor Kitchen Diners to blocks 01 and 02 don't open onto it directly, they are both within around 20m. In the centre of the courtyard is a sunken garden measuring over 200sq m. Including the terrace immediately outside the reception and taking in all the space up to the windows of Blocks 01 and 03 it measures around 350sq m. As the reception link building is only single storey, and the courtyard is aligned NNE to SSW, the space would benefit from good sunlight during the afternoon for significant periods of the year. Whilst Block 02 would shade it towards the end of the day, this block is lower than others at only 4.5 storeys so summer sunlight will be optimised.

The provision of a 40 sqm terrace area immediately outside the workspace will help to provide a variety of spaces, and there would also be scope to treat the space between blocks 02 and 03 differently (including potentially providing a small outdoor terrace accessed directly from the ground floor Kitchen Diner of Block 03).

Landscape spaces will need to carefully planted, however, as the 10% Biodiversity Net Gain required is all to be provided on site.

There are other spaces which could be considered amenity spaces and could be suitable and attractive spaces in which an individual could sit and read a book for example. However, officers would not consider areas outside the perimeters of the blocks to be suitable to be formally considered as amenity space (for example the frontage to Heavitree Rd, the permissible route, and areas around the perimeter access route). The architect reports the total private external amenity area for the Co-Living to be 1250sq m. The London Plan guidance would require 407 sq. m.

Laundry and drying facilities;

2 separate laundry rooms are proposed, one in each of Blocks 01 and 02 close to the reception. The London Plan Guidance seeks one washing machine and one dryer per 35 residents, so would require 24 appliances in total for this scheme. Although the laundry rooms are only 14 and 16 sq. m respectively, together they're likely to be sufficient for 24 appliances, bearing in mind that dryers can generally be stacked on top of washers.

Storage and refuse facilities

Officers are mindful that no dedicated personal storage is proposed in this case (except cycle storage) but in the absence of detailed adopted policy do not consider this to be a problem that must be resolved before support can be offered.

The refuse stores are all included within the footprint of the buildings as recommended by the Residential Design SPD. Blocks 02 and 03 both include a 25sq m store, and that in Block 01 is 39 sq. m. The acceptability of these stores is considered across both parts of the scheme later in this section of the report.

Other facilities

As per the policy wording, the facilities listed above are the minimum facilities expected by the emerging policy. In this case, the scheme would also provide a gym (73sq m), with a small (16sq m) wellness studio adjacent. It is not clear exactly what this facility would entail, but officers welcome the provision of a small facility in which services/treatments could be provided confidentially by internal or external providers across any number of wellness disciplines.

The London Plan Guidance does not include quantitative targets for any further types of entertainment or amenity space but encourages spaces for exclusive use of residents without a charge. This is a useful prompt to ensure that the management plans confirm that none of these facilities will be chargeable. Prompted by a review of this guidance, officers noted that there were no toilets serving the communal areas. This would have meant that residents and their visitors would have had to return to their rooms to use the toilet. Having raised this with the design team, a toilet

has been added between the reception and the laundry. This facility will also serve staff whose office is in the reception. The office will provide a limited amount of storage, for example for personal belongings, as well as temporary holding of resident's parcels etc.

Overall, officers consider the communal amenity spaces and facilities to be acceptable when compared to emerging policy H6, as informed by the London Plan guidance. The guidance also sets an overall standard for total internal communal amenity space provision of 4 sqm per resident for up to 100 residents, then an additional 3 sqm per resident for residents 101-400, and then an additional 3 sq. m per resident for each resident from 401. This generates a requirement of 1323 sq. m for this proposal. Based on officers' calculations, when excluding floorspace such as laundries (as per the guidance), 1390sq m of space is proposed (equating to 3.36sq m per resident). Overall, therefore sufficient communal amenity space is proposed to meet the guidance.

Daylighting and Privacy

Considering other aspects of the proposed development which will influence the living standards of its future residents, it is apparent that all studios would benefit from adequate natural light despite only being single aspect. In terms of privacy, windows across the courtyard would be 18m apart, and although there are windows facing each other only 6-9m apart between blocks 01 and 03, those on block 03 are secondary windows so can be obscured (condition required). At the request of officers, the design team has also proposed to introduce a type of 'Oriel' window to some of the units to allow light and directional views from secondary windows in some positions whilst preventing loss of privacy. These will be used to the western gable ends of the student blocks 02 and 03 to allow surveillance over the permissible route whilst maintaining the privacy of occupies in the east facing units of Co-Living Block 01.

A number of the Co-Living studios would benefit from small balconies around 2sq m in size, although these would be limited to the units facing into the Co-Living courtyard in the interests of preventing any loss of privacy to neighbours. Balconies would be provided to 24 of the west facing units in Block 01 (alternate units at levels 01-04), and 4 of the east facing units, along with 2 of the Kitchen Diners in Block 02 (alternate windows at levels 01-02), along with 6 of the units in the south elevation of Block 03. Although small in size, these balconies will be of significant benefit to the units they serve by providing private outdoor space. For this reason, their benefits are considered to outweigh any harm which may arise to occupiers of units that face them. The majority of units will not have their own private outdoor amenity space, but the east facing units at Lower Ground Floor of Block 02 which face into the courtyard would also have access to small courtyard space separated from the remainder of the sunken courtyard garden.

Overall, in respect of future living standards, officers consider the Co-Living scheme to be acceptable: although some of the studios are very small, all will provide the minimum facilities for everyday life, but not to an extent that will encourage residents to live in their rooms in a fully self-contained manner. At the same time, the scheme will provide a range of high quality indoor and outdoor communal living facilities which will be available to residents at a corridor level (resident groups of 12-26), as well as at a scheme-wide level. Officers consider that these facilities will serve to promote communal living (and prevent social isolation) and ensure that residents can experience a good quality standard of living despite the small size of their private studios.

Contributions to Off-site Amenity Facilities

Despite the quality of the amenity spaces proposed on site, it is expected that residents of both elements of the scheme will use public open spaces elsewhere within the city/vicinity of the site for outdoor amenity purposes. Consequently, contributions of £472,995 (£309,389 for PBSA and £163,606 for co-living) and £121,095 (£79,209 for PBSA and £41,886 for co-living) are required for the maintenance and upgrade of off-site public open spaces and outdoor leisure/play facilities respectively, in order to ensure that the outdoor amenity needs of potential occupants of both the co-living and student accommodation are satisfactorily met. This is justified by saved Local Plan Policy L4 and section 6 of the Public Open Space SPD. These would be secured through the s106 agreement. The Green spaces team have also requested a contribution of £278 per bedspace towards the provision or improvement of off-site playing fields city-wide. This contribution is also justified by saved Local Plan Policy L4 which requires 1.2ha of playing pitch provision for every 450 dwellings. Officers consider that this is justified only for the Co-Living element of the scheme in this case, as students will result in less use of pitches as they have access to University facilities. As such, only £115,092.00 is payable for the Co-Living units.

Noise

In terms of noise, it is apparent that there is potential for noise impacts from traffic on adjacent roads, as well as from the plant and ventilation equipment proposed as part of the scheme. The energy strategy explains that mechanical ventilation with heat recovery is proposed for those units in noisier locations and this will prevent the need for residents to open the windows in these units. Environmental Health has requested a condition to secure a Noise Mitigation Implementation and Verification Plan and this is considered sufficient to address this issue

Refuse storage and collection

Following detailed assessment which has included the submission of additional information, it has been demonstrated that the bin stores are adequately sized to cater for all the waste expected to be generated by the scheme. Although it would not be possible to service the scheme via the council's normal (alternate weeks) domestic waste service, it could be serviced by the council if the operator chose to

pay for a commercial collection alongside the standard domestic service once each week. The applicant has, however, indicated an intention to use a full collection service. Whilst officers raise no objection to this it is important that the council could service the scheme if it were required to do so in future and this can be achieved. A condition is proposed to ensure that the stores are provided and retained and that waste is not left outside the stores at any time other than on the day of collection.

Finally, in respect of living standards, officers are reassured from the management plans submitted that the scheme will be subject to high levels of professional management, which will serve to ensure that high living standards are maintained. It is also notable that Mental Health and Wellbeing Statements have been submitted for each use. Their considered content gives reassurance that the mental health of future residents is being given consideration. Officers would expect the content of these documents to be reflected in the final management plans that officers recommend are secured through the S106.

4. Impacts on the Amenity of Neighbouring Residential Occupiers.

As with many aspects of the scheme, the Inspector's comments on this element of the scheme are a material consideration to be taken into account in the determination of the current application.

In their decision letter dismissing the appeal against the refusal of the previous scheme, the planning Inspector carefully considered the relationship between the proposed development and the existing dwellings at Higher Summerland's. While acknowledging that the new building would be of greater proportions and positioned closer than the previous structure—potentially diminishing the outlook from the nearby homes—the Inspector noted several mitigating factors. The dwellings benefit from generous rear gardens and convenient rear access, which suggests residents' main outlook and entrances are oriented away from the development site. The prevalence of net curtains on windows facing the site—likely for privacy from the previous use —indicates an existing response to activity in this area, and there is no reason to believe this would change with the new development. Furthermore, the Inspector recognised the potential for substantial new planting between the properties and the proposed building, which, combined with the natural rise in the land, could quickly establish a dense screen. This would serve to mitigate any impact on outlook and privacy, ensuring the living conditions for residents would not be materially harmed by the proposal. As a result, they concluded as follows:

(para 28): *Taking all of this into account, the effects of the proposed development would not be so profound so as to result in harmful effects either in terms of outlook or privacy for residents in Higher Summerland's. The proposal therefore accords with LP Policies H5a) and SG4b) which both seek to protect the amenity of residents. It would also accord with paragraph 135f) (formerly paragraph 130f) of the Framework*

which, amongst other things, seeks to ensure developments provide a high standard of amenity for existing and future residents.

Page 54 of the DAS (within Part 3 of 4) explains the relationship of the buildings (in section) to Higher Summerland's. The height is similar but the buildings are now slightly further away. Whereas the previous layout extended along the full western boundary facing Higher Summerland's at distances varying from 17.5m to 19.2m, the current scheme is between 20.2m and 22.4m for most of the length of the Higher Summerland's Terrace and is broken up into 2 buildings such that there is a break between them opposite 8 and 9 Higher Summerland's. The northern block (Co-Living 03) is nearer to no. 9 Higher Summerland's, at only 14.5m, but this is only the south western corner of the Block, and due to the separation of the buildings, the outlook from 8 and 9 Higher Summerland's will mainly be into the space between the buildings, which will mitigate any perception of overbearing.

On page 62 of the DAS (within Part 3 of 4), the previous scheme is compared to the current proposals in respect of its massing, which is demonstrated through a proposed section. This could be misleading in respect of impacts on Higher Summerland's, as it shows the overall outline rather than the Mansard style roofs which remain comparable between the appeal scheme and the current proposals. However, sections elsewhere allow this to be understood – whilst their eaves height was similar, the greater distance between the two buildings will result in lesser impacts than the appeal scheme. The '25-degree rule' derived from National Best Practice advice provided by the Building Research Establishment as a rule of thumb for daylighting is illustrated on page 81 (Part 3) of the DAS and shows that the buildings do obstruct the 25-degree line from the ground floor windows, albeit not significantly. This suggests that the buildings may have a minor impact on the availability of daylight to these windows as a result of obstructing the sky in views from that window.

In terms of overshadowing (obstructing of direct sunlight), the DAS includes the results of a desktop shadow path assessment which presents visuals of a 3D model at 09.00, 12.00, 15.00, and 18.00 at the equinoxes and the summer and winter solstice. The equinoxes present the best overall picture of impacts. This study reveals that the shadow from the buildings does not extend up the east elevation of Higher Summerland's at 09.00, except a very small amount to the projecting gable end on number 3, and to a small part of number 9. By 12.00 the only shadowing from any part of the building is to part of the communal garden to St Matthews Close immediately north of Co-Living Block 2, and to the area to the south of The Gorge, which is used only for visitor cycle parking, and is already overshadowed by the walls of existing buildings. At 15.00 the communal garden to St Matthews Close is more overshadowed (including by Co-Living Block 3) but the buildings here (which feature blank southern gable-end facades) remain unaffected. Sunlight remains available to the majority of the main southern façade of The Gorge. By 18.00 the whole area is shaded in any case.

As expected, at the summer solstice the impacts are significantly less, with the only shading of adjacent properties being to the front garden of 8/9 Higher Summerland's (09.00), and to a sliver of the communal garden to St Matthews Close (15.00).

At winter solstice, the impacts are more significant, with shading of the façade of Higher Summerland's at 09.00 and significant shading of the communal garden to St Matthews Close evident at 12.00. At 15.00 the buildings would shade the west and south facing facades of St Matthews Close, but this type of shadow impact is common at this time of year in built up areas, and officers don't consider it to be something that justifies refusal in a densely populated area such as this.

As discussed above, the Inspector gave particular attention to privacy impacts and concluded that a combination of net curtains and planting would serve as adequate mitigation, noting also that the properties also benefit from gardens on their North west side. In light of this and noting that the distance between facing windows exceeds the 22m sought by the Residential Guidelines SPD (paras 7.16-7.20) for 3 of the 6 properties on Higher Summerland's, 21m for a further 2-3 properties, and still exceeds 20m at its closest (3 Higher Summerland's), officers consider the distance acceptable. However, the intensity of occupation and overlooking is very high, with 14 units at each floor facing Higher Summerland's and 3 floors above ground floor level (1 of which features rooflights rather than traditional windows). As such, careful attention to the landscaping on the western boundary remains necessary. The design intent is set out on page 47 of the DAS (part 3), and officers consider that subject to careful consideration of the landscaping details which will be secured in full to address the BNG requirement in any case, a planting screen which will reduce privacy impacts without reducing sun or daylight to an unacceptable level will be possible.

A condition is necessary to require fixed and obscure glazed windows to be fitted to the upper floor windows on the western gable elevation of Co-living Block 3 as this is less than 15m from 9 Higher Summerland's, but as these are secondary windows to these units this will present no amenity issues to future occupiers. The applicant has set out that they can address this issue by introducing Oriel windows here which allow a N-S view but prevent views towards Higher Summerland's.

The further potential amenity issues relate to noise and disturbance. Due to the high-density nature of occupation, disturbance from residents is a possibility. However, the larger communal spaces such as the theatre kitchen, reception and lounge are within the central area where surrounding buildings will limit noise. It is also notable that the student element of the scheme is sited furthest away from areas of family housing adjacent Gladstone Rd and the Co-Living scheme The Gorge.

Management plans for each part of the scheme has been submitted, and final equivalents will be secured by condition. The Co-Living Management Plan states:

Our management ethos is to provide a safe and caring environment in which our occupiers and our staff can live and work whilst always considering the sensitivities of the local community. As part of this policy, management actively seeks to be part of and work with local community groups in order to become a significant element of that local community. Resident representatives from the community will be welcome to visit the development subject to operational demands

The management plans differ in their content but contain some shared content. They explain that there will be 6 full time on-site staff, plus 1 part time maintenance operative. The concierge team will provide 24-hour cover. The on-site staff will be supported by the Head Office Team who are specialists in several areas and will create the detailed framework for implementation at site level.

A few extracts of particular relevance to the management of noise and anti-social behaviour are replicated below:

- *Full contact details for the management office and key staff members will be circulated to all nearby residents and business occupiers prior to the opening of the building.*
- *Prior to opening the completed building, the team at Heavitree Road will begin the process of forming, administering, and chairing an ongoing community liaison group for the development, comprising representatives from a range of the following local interest groups and public bodies…*
- *Group meetings will be held at the development quarterly.*
- *[In respect of managing Anti-social Behaviour] Tenants are made aware of the behaviours expected of them in the Terms and Conditions of the Tenancy Agreement, as well as in the Tenant Handbook, the online Induction, and at the Welcome Meet and Greet with the Accommodation Team. Where possible, the Move-In Welcome Meeting includes a brief talk by a PCSO.*

Overall, the management plans are comprehensive and detailed. Whilst it is understandable that neighbours may be concerned given the size of the scheme (in terms of occupation), to some extent this will be helpful as it necessitates a significant on-site management service, which will ensure a presence through which issues can be prevented, managed and resolved. They give a high degree of confidence that the facility will be well managed, and that there will be procedures through which any impacts on neighbours will be addressed.

Officers are conscious that residents of St Matthews Close had expressed particular concerns about access to the site from the north during pre-application consultations. Whilst these concerns may in part have reflected the fact that an access point in the norther western corner of the site was shown (which would have resulted in movements along the existing path very close to the front of neighbour's homes), the

creation of a pedestrian access via the car park does give rise to the potential for some noise and disturbance. Whilst officers consider that this would be no different to public footpaths that pass any homes (typical of many streets in this area) and consider that it would be acceptable if the access were available 24 hours a day, the applicant is keen to limit access to daytime only. As such, a gate in this location will be closed by the management team every night between 22.00 and 07.00 hours. This will prevent use of this route by the general public at times when it could cause a disturbance. Details will be secured through the S106, including the times when the route must remain open to the public (unless there are maintenance or safety reasons or similar for it to be closed).

The degree to which a development gives rise to noise and disturbance from plant and equipment may vary depending on the energy strategy pursued – currently it is proposed to rely on Air Source Heat Pumps, but connection to the District Heat network is being given consideration. However, in this case officers note that the plant required (including ASHPs if required) would be at roof level within a recess such that it would be screened visually. This siting is also likely to have benefits in terms of acoustic mitigation. Environmental Health raise no objections.

Overall, subject to conditions, officers consider that the proposal not give rise to harm to the amenity of neighbours to a level which would justify refusal. Officers note that the NPPF specifically encourages a flexible approach to sun and daylight policies (para 130c) and officers consider the proposal acceptable in this respect. Clearly the occupation of the site would result in different levels and patterns of activity to the previous use (and obviously to the current situation of vacant buildings), and as such neighbours will inevitably experience a degree of change. However, bearing in mind the Inspector's findings on the appeal scheme, and given that detailed management arrangements and plans are to be secured, officers raise no objection. Construction impacts will be managed through a CEMP in the usual way.

5. Design And Impacts On Character, Including Landscaping And Impact On Heritage

In light of the Inspector's conclusion which led to dismissal of the appeal solely on design grounds, officers have considered design to be the single most important key issue to resolve through the pre-application process. This is also the issue on which the applicant has focussed their attention.

Section 12 of the NPPF (Achieving well-designed places) starts as follows:
131. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local

planning authorities and other interests throughout the process.

Officers have been fortunate to be able to work effectively with the applicant through a pre-application process which took place between the dismissal of the appeal and the submission of this application. During that time, the applicant employed a new architect, who has sought to take a fresh approach to the design of the scheme. The planning and design team have also carried out a public consultation exercise which is reported on in their submitted Statement of Community Involvement. All of this engagement refined the scheme that was submitted. Ultimately, the application was submitted before it was possible to review all aspects of the architecture in detail, and as such some further minor amendments to the design have been negotiated during the course of the application.

NPPF paragraph 130 sets out that planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The National Design Guide (“Planning practice guidance for beautiful, enduring and successful places”) is a material consideration and sets out the components for good design. It notes in paragraph 20 that the components for success includes the context of places and buildings. Paragraph 21 refers to making the right choices around the layout, the form and scale of buildings, appearance, details, landscaping. Importantly the document sets out the Ten Characteristics of a well-designed place: this includes considering context and how a development can “enhance the surroundings”.

Context is defined in the document as “the location of the development, and the attributes of its immediate, local and regional surroundings”. The document sets out how to consider context and Paragraph 40 states:

Well-designed places are:

- based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- integrated into their surroundings so they relate well to them;
- influenced by and influence their context positively; and
- responsive to local history, culture and heritage.

Paragraph 41 states “Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones”.

The “Building for a Healthy Life: A Design Toolkit for neighbourhoods, streets, homes and spaces” document published by Homes England also sets out design principles for successful development including the consideration of existing context, street types, landscape character, urban grain, plot shapes, building forms and their influence on local character.

As discussed elsewhere in this report, the high density proposed is supported in principle, provided that it does not result in significant harm to its surroundings. The Inspector’s decision notice explained that the buildings of the previous proposal would be ‘*read as one mass, appearing vastly larger than any other nearby building*’ (para 15). Along with their height, it is clear that the Inspector considered their mass to contribute significantly to the fact that ‘*their presence would be a dominant feature within a number of views from along Heavitree Road and within the surrounding streets*’ (para 14). Whilst officers are conscious that there are several large institutional buildings in this area, it is notable as observed by the Inspector, that many of these (e.g. Waitrose and the hospital) ‘*remain discreet in views from along Heavitree Road due to their modest height and available screening…’.* The obvious exception to this is St Luke’s campus, which is a local landmark which makes a positive contribution to the Conservation Area. It is notable that the Inspector did not consider that there would be any ‘material diminishing effect on the architectural importance or historic value of St Luke’s college or the overall appreciation of it when viewed from along Heavitree Road’ (para 19) given the separation distances and relative heights. Officers reach the same conclusion in this case.

Officers are clear that the breaking up of the proposal into several smaller buildings has enabled them to be assimilated more sympathetically into their finer grain urban context. The permissible ‘active travel’ route across the site also contributes successfully in this respect, by sub-dividing the urban block whilst improving on the local network for walking and cycling in line with Liveable Exeter and national design principles.

In respect of the scale and massing of the proposals, the analysis of the site context presented by the officer in their previous committee report remains relevant:

In the vicinity of the development site Heavitree Road exhibits a particular, but varied, character of townscape that forms an arterial route to the City Centre. The road is wide and relatively straight and forms a key route down into the city. Approaching the city along this road buildings generally of 2 to 4 storeys in height are set back behind solid front boundary walls, interspersed with vehicular and pedestrian accesses, and some vegetation behind those frontage structures that soften the impacts of harder elements of the street. The existing site and the adjacent Waitrose supermarket, characterised by significant setbacks and understated architecture, represent a significant departure from this character. Both developments have resulted in a fractured urban form which is not consistent with a city centre location of such prominence. Taller buildings, brought further forward to provide a strong urban edge can be accommodated in this sustainable location, especially given the recently approved [now constructed] 5 storey development at the immediately adjacent former Ambulance Station. A section through the street and its adjoining built development indicates a wide urban character before reaching the downward slope of the road towards the higher density city centre. It is the width of this vista that allows taller buildings to be successfully assimilated within the street scene, compared to a situation where there was a narrower gap on a non-arterial route that would require more modest massing. Furthermore, views along Heavitree Road provide a clear visual connection towards the city centre to the west that is framed by much larger scaled buildings than those that currently flank Heavitree Road, such as the John Lewis buildings and others in that vicinity.

The Inspector in the appeal, however, considered the proposals to be ‘tall buildings of very substantial volume and mass’ (para 14), and considered the site’s character to be more suburban in nature, and on the approach to the city centre rather than being a gateway to it. Ultimately the previous proposal was found to be of an inappropriate and harmful scale.

The height of the scheme has now been reduced such that it is now 5 storeys to Heavitree Rd (except the gable end to Co-Living Block 1 which is 6 storeys), where it was previously 8, and 4-5 Storeys to Gladstone Rd. The reduction in scale is noticeable and it is now generally comparable with other buildings. On Gladstone road the height appears noticeably less than that of The Gorge. To Heavitree Road the scale appears much more appropriate – the majority of the buildings will appear comparable in height to St Lukes. The majority of the houses on the southside of Heavitree Road are late Victorian/early Edwardian 2-3 storey houses with generous floor to ceiling heights and are sited on land above the road level. As such, they have a relatively grand scale and are comparable to 4 storey modern buildings. While their height will be exceeded by the proposal, the difference will not be excessive. The buildings also reduce in height where they adjoin The Gorge and Higher Summerland’s in order to be more sympathetic to adjacent buildings, and to provide

the variety in the streetscape that is apparent elsewhere in this part of Heavitree Road.

Officers are conscious that there remain objections on the grounds of scale and design, and concede that the architecture continues to present a somewhat 'institutional' identity, particularly where significant gable ends of blocks present to Heavitree Rd. This is considered an inevitable consequence of the development type, which consists of a large assembly of identical units of accommodation, but offers significant townscape improvements compared to the existing site or to the previous proposal. Officers consider the quality of the detailing and material specification to be high, and whilst this mitigates the impact of the institutional references in the design, conditions are recommended to ensure this quality is delivered in the detailed implementation. In terms of design detailing, it is also notable that the design picks up on cues from other buildings in the vicinity: examples include square topped bays from the houses on Heavitree Road, and the gables fronting the street at the end of Lower Summerland's. It is in this context that changes to the design were negotiated during the application: the eaves and dormer designs were amended such that the brickwork elevations were extended upwards to meet a slate roof, resulting in a more traditional design and materiality typical of the Conservation Areas to the south and west, which are considered to be preserved by the development (including their setting).

Officers are conscious that the change in scale will be more apparent to the north where the tallest building (student block 03) faces The Gorge, and the northern gable of Co-Living Block 01, and the 4.5 storey (4 full storeys plus accommodation served by rooflights in the pitched roof) Co-Living Block 03 will adjoin the more typical 2-3 storey residential housing of Newtown. The scale and massing of The Gorge (4.5 storeys plus lower ground floor) is only around 1 storey less than student block 3, and as such it will not appear out of character in views south from the junction of St Matthews Close with Sandford Walk. However, the change is scale will be very apparent to the residents of the 3-storey flats in St Matthews Close who adjoin the site here, and officers do accept that they will experience significant change. This issue is, however, primarily a question of amenity rather than one of townscape and design, and officers have concluded earlier in this report that although there will be a significant degree of change experienced here, the amenity impacts will not be so great that they justify refusal given the E-W orientation of the flats and the generous areas of communal outdoor amenity space surrounding the flats.

The landscaping overall is considered acceptable insofar as good quality internal courtyard spaces are proposed for future residents, and the planting will provide a good quality setting to the building in streetscape views. The Conservation Officer has some outstanding concerns in respect of planting: they consider that a high proportion of the tree species currently proposed are of a species or type which will lack presence in the street scene alongside these large buildings. They suggest the inclusion of more trees capable of growing to a mature size that will be sufficiently large and full in all dimensions. The Urban Design and Landscape Officer has a

degree of sympathy with this comment, and whilst there are compromises to consider in respect of tree planting densities and immediate versus long term townscape contributions, as well as the potential for a bus-lane along Heavitree Road which would significantly alter the streetscape in any case, they agree with the Conservation Officer that this issue can be addressed by condition. Given the need for 10% Biodiversity Net Gain (all of which is to be provided on site in this case as discussed later in this report), all of the planting will need to be represented in full detail prior to occupation in any case, officers consider that this issue can be satisfactorily resolved at a later date. Although detailed planting plans have already been submitted and are recommended as approved documents, soft landscaping will be secured by condition. This will allow for any minor changes required. A Landscape Ecological Management Plan (LEMP) condition is also proposed. Whilst this may duplicate the Habitat Management and Monitoring Plan required for Biodiversity Net Gain, it can also address other objectives such as the need to manage planting at the western boundary to prevent loss of privacy, and as such is justified on this basis.

The design of the proposals is considered acceptable in other respects subject to conditions to secure relevant details and samples of buildings and hard landscaping. Both the Police Crime Prevention Design Advisor and the Urban Design and Landscape Officer have raised queries about signage, so a strategy for this will be sought by condition before works above ground level are commenced to ensure that it is considered proactively and comprehensively.

Security

Finally, in respect of security, a condition is proposed to secure details of all the security measures proposed, including access control measures, CCTV and external lighting. The management statements to be required by the S106 agreement will also explain how the buildings will be managed to ensure their safety, and the submitted draft documents give confident that this will be the case.

Heritage

In terms of heritage, the assets which could be impacted comprise of three Conservation Areas which are in close proximity, but none of which include the site: St Leonards conservation area lies immediately across the road to the south of the site; Lower Summerland's lies west of Higher Summerland's, and Mont le Grand east of Waitrose. Significant intervisibility exists only between the site and St Leonards conservation area.

Across the road from the application site lies the unlisted but mid-19th Century St Luke's campus building, formerly St Luke's teacher training college. The historic parts of St Luke's campus are locally listed as well as being a particularly important set of buildings in the St Leonards conservation area. Officers understand that the main buildings of St Luke's would likely to listed if it weren't for the fact that they were substantially rebuilt following bomb damage during WWII.

The only Listed Building in the immediate vicinity is the Grade II listed boundary wall which is on the boundary to the Waitrose store along Heavitree Road. This is an unremarkable brick wall which partially retains the gardens on this side of the Gladstone Road junction. The reasons for its listed status are not entirely clear given that its alignment differs slightly from that of the Workhouse which pre-dates 1850 but is possible that parts of the wall date from that time. Irrespective of the reason, officers do not consider that the proposal would give rise to harm to its significance. Following revisions to the proposals to reflect the detailed design and materiality of buildings within the St Leonards Conservation Area, officers consider that it would be preserved and that no harm would arise to its significance.

The Heritage Officer has advised on archaeological matters and considers the likelihood of significant findings to be minimal. However, a condition is proposed to secure an appropriate watching brief.

NPPF Chapter 16 Conserving and enhancing the historic environment (paragraphs 202-221) provides the key national policy of relevance to decision making through development management. Officers have assessed the proposals in light of this guidance and that of relevant local policy and conclude that the proposal would not give rise to harm to the heritage assets identified above.

In coming to this recommendation, officers of the council have been mindful of their duty as set out in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings, their setting and features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area, and have given it considerable importance and weight in the planning balance.

By way of overall conclusion on design, landscape and heritage matters, officers note that the proposed density, whilst reduced from the previous proposals, remains high. Despite this, officers find the proposal to be of noticeably smaller scale and massing and consider it to integrate much more successfully into the townscape such that it would give rise to little harm to the immediate locality by reason of its design.

6. Access, Car Parking, and Transport Considerations

The Highway Authority has not raised an objection to the scheme. This reflects the fact that they raised no objection to the previous application or appeal, and that the access arrangements remain as they were in that case.

The site will be served by an access from Heavitree Road in the form of a one-way service road running between the proposed co-living element and the existing Higher Summerland's properties, around the rear of the site and exiting onto Gladstone Road. No objection is raised to the access or egress arrangements, although a

condition is required to secure details of how the bollard/barrier arrangement at the site entrance will be managed. The details of the crossover of the footway may also be subject to change, as the submitted drawing shows a traditional dropped kerb and crossover, whereas a crossover which maintains the footway height to maintain priority for pedestrians and cyclists is required.

With the exception of 4 disabled car parking spaces, each of which following revisions will feature an EV charge point (delivery of which will need to be secured by condition), no parking is proposed.

Paragraph 112 of the NPPF advises that if setting local parking standards, policies should take into account, amongst other criteria, the accessibility of the development, the use of development and the availability of and opportunities for public transport.

The indicative car parking standard for residential in the Sustainable Transport SPD is 1.5 spaces per dwelling. However, the largely car free nature of this scheme is considered acceptable in this location given its immediate accessibility to a full range of facilities including the City Centre by active travel modes, as well as its plentiful access to public transport.

With regard to cycle parking provision, the agent has confirmed that a total of 448 secure, weatherproof cycle parking spaces are proposed (206 for the student accommodation and 242 for the co-living accommodation), plus several external Sheffield Stands for use by visitors. The cycle parking will be within securely located within the buildings in accordance with the Residential Design SPD, and whilst one of the two Co-Living stores is accessed via steps with a wheeling ramp, this is a secondary access, with level access available via the Co-Living courtyard. As the cycle parking will be in the form of 2 tier stands and the ceiling height is not as high as requested by LTN1/20, officers sought more information. In response the applicant has specified the rack type and confirmed that 2 tiers of cycles can be accommodated with it. Space for non-standard/cargo bikes is also provided in the store closest to the street, which has level access. A condition will be attached to secure maintenance stands within at least one of each of the PBSA and Co-Living stores. Facilities for electric cycle parking were requested and the applicant said it was not possible for insurance reasons to provide for charging in unmanned stores within the buildings. As a compromise, officers have requested that an external ‘charging store’ be provided in which a small number of electric bikes can be charged. This has been agreed in principle and will be secured by condition. The safeguarding of an area for potential future use as an electric bike sharing location has also been agreed in principle and will also be secured by condition (to include trunking for an electric supply). As the Co-bikes/Co-Club schemes that were previously contracted by DCC, for which facilities were previously agreed, are no longer operating, it is not possible to secure support from the scheme for them. However, an alternative car sharing provider (Co-wheels) is already operating in the City (at ‘The Hay’ / Exmouth Junction Gateway) so the applicant was encouraged to contact them. It has been agreed in principle that a parking/charging facility and a car

will be provided at the site. Whilst the applicant has confirmed that this would need to be exclusive to future residents if housed at the site, officers raise no objection to an exclusive scheme, and it is hoped that 813 residents would provide sufficient demand. Officers recommend a condition to secure full details of the scheme.

A Travel Plan has been submitted and the Highway Authority consider it acceptable. Final Travel Plans for each part of the scheme are required by condition.

Adequate space is shown for the collection of refuse and for parcel etc deliveries. The TA sets out a procedure which will be followed for students moving in to the PBSA who are likely to arrive by car at the start of term. The site access is likely to provide sufficient capacity for this without causing disruption or safety risks to the highway network.

Off-site improvement works will also be undertaken as part of the development comprising a shared 3.5 shared footway/cycleway along the southern and eastern boundaries of the site, a 'Green Man' signal controlled crossing on Gladstone Road at the junction with Heavitree Road, and dedicated cycle access infrastructure on Heavitree Road (albeit that the detail of this dedicated cycle access will be finalised through the appropriate road safety audit and S278 process). These matters are considered essential by the Highway Authority to make the proposal acceptable from transportation and highway safety perspective. The Highway Authority have acknowledged that the vehicular trip generation of the site will not have a severe impact on the operation of the local highway network. Planning and Urban Design and Landscape Officers would ideally have wished to secure further improvements to Heavitree Rd to better link the E22 LCWIP cycle route from College Road to the E3 permissive route, and to further encourage pedestrian priority over vehicles on Heavitree Rd between the site and St Lukes Campus. Ultimately, as the package of highway improvements had already been confirmed as acceptable for a greater quantum of development at the appeal stage there is no justification in accordance with planning policy to seek more extensive or comprehensive works.

The aspiration by DCC to extend the bus lane by way of widening into this site, which was also discussed in the appeal scheme remains an aspiration and has moved forward by virtue of its inclusion in a Bus Infrastructure Improvement Strategy. The redesign of the scheme has allowed for this at the request of officers, although it has been agreed that this need not be part of the scheme and would be delivered by DCC if feasible at the appropriate time. The TA confirms that the design has been updated, as LTN1/20 would now require this to be 4.5m wide compared to the previous 3.5. The drawings are appended. These reveal that alterations to the site frontage would be required in order to be able to provide a footway alongside the 4.5m bus lane, but it appears that there would be a reasonable amount of space maintained to the front of the buildings such that access ramps etc could be re-provided, as necessary. At 3.5.5 the TA refers to drawing 72032-CUR-00-XX-DR-TP-75003 as that which 'shows the suggested extent of land that will be safeguarded

following any forthcoming planning approval.’ The S106 will need to refer to this in order to safeguard the land for future bus lane use.

Ultimately, the Highway Authority considers the proposal acceptable in transport terms, and officers have further negotiated the permissive route which will benefit active travel in accordance with Liveable Exeter principles, as well as securing Car Club provision, a facility for residents to charge electric bikes, and a space on the site perimeter adjacent to the adopted footways in which a publicly managed E-bike club station could be provided if such a scheme is reinstated in the near future.

Accordingly, subject to relevant conditions/informatives and S106 obligations as necessary, officers conclude that the transport aspects of the development are acceptable.

7. Sustainable Construction and Energy Conservation

Policy CP15 requires development proposals to demonstrate how sustainable design and construction methods will be incorporated. An Energy and Sustainability Statement as well as a BREEAM pre-assessment, has been provided accordingly.

Policy CP15 requires residential development to be zero carbon from 2016. However, national Planning Practice Guidance states that local planning authorities can set energy performance standards for new housing that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes. Due to the nature of the uses proposed in this case, the development is being designed to be accredited under the BREEAM regime, which typically assesses non-domestic buildings. CP15 expects BREEAM ‘Excellent’ from 2013 onwards and the proposal is being designed to achieve this, with a target score of 70.7% set out in the pre-assessment statement. Energy performance and water consumption are identified as critical areas.

The energy strategy for the site will result in at 10% reduction in CO2 emissions compared to the 2021 Building Regulations. This will be achieved through improved U values, combined with the provision of solar photovoltaics (PV) and Air Source Heat Pumps (ASHPs). The ASHPs will deliver space heating (via radiators) and domestic hot water to each studio. Studios on noisier facades will be ventilated via mechanical ventilation with heat recovery (such that fresh air will be supplied without having to open windows), whereas those on quieter facades will be equipped with traditional mechanical extract ventilation. Heating and cooling to communal ground floor areas will be via ‘VRV Heat Pumps’ (‘Variable Refrigerant Volume’ Air Conditioning systems are efficient and allow end users to individually control several air conditioning zones at one time).

Conditions are recommended to ensure that the sustainable design and construction standards required by Policy CP15 are implemented.

Policy CP13 requires new development with a floor space of at least 1,000 sq. m, or comprising 10 or more dwellings, to connect to any existing, or proposed, Decentralised Energy Network (DEN) in the locality. The site is located within Local Energy Network B, as shown on the Proposals Map of the Development Delivery DPD (Publication Version), and the applicant is already engaged in discussions with OneEnergy regarding a connection. Officers understand that the network will be brought past the site (from Wonford via College Rd to Heavitree Hospitals) by April 2028, and therefore a timely connection is likely to be possible. A condition will be added to ensure that the development is constructed so that it is capable of connecting to the network.

Policy W4 of the Devon Waste Plan requires planning applications for major development to include a Waste Audit Statement. In this case it has been agreed to add a pre-commencement condition requiring this.

8. Impact on Ecology, Trees, and Biodiversity

The Ecological Impact Assessment found little in the way of suitable habitat for protected species on the site. Subject to conditions securing the mitigation and enhancement measures proposed (adjusted in respect of bird boxes to align with RSPB advice requesting 45 integrated boxes), no objections are raised in respect of ecology and protected species.

A total of 79 trees are to be felled as part of the works. These include those within groups of trees. The trees have been categorised in accordance with BS5836: 2012 as comprising of 41 category B, 32 category C, and 6 category U Category U trees are those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than ten years. This includes trees with a serious, irremediable, structural defect, those that are dead or showing signs of significant, immediate, and irreversible overall decline, and trees infected with pathogens of significance to the health and/or safety of other trees nearby.

There are no Category A trees on site, but that immediately to the north in the St Matthews Close car park is category A. This will be protected and retained. 7 category B and C trees will also be retained on the site equating to a total of 8 trees being retained. It is highly relevant that none of the trees to be lost are ancient or veteran trees, otherwise refusal would have been justified under NPPF para 193(c).

The groups of trees that contribute significantly to the overall total to be felled are: TG9001; TG9003, and TG9004. Together these comprise of 58 trees. TG9001 is the group of trees in the north western corner of the site. The survey records these as Sycamore, ash, cypress, and notes the following: Self-set boundary trees with occasional early onset of Chalara [Ash Dieback] affecting ash component. No access for detailed assessment of relationship to boundary wall, with this being a potential future problem due to trees' high future growth potential. Whilst there may be issues with these trees, officers consider that they provide significant canopy cover in this

corner of the site where it adjoins the domestic garages at the Higher Summerland's turning head.

TG9003 is a group of Lawson Cypress trees growing just inside the northern boundary adjacent the St Matthews Close car park. The survey notes state: 'Grown out or possibly unmanaged intended hedge. Provides screening of inter-property views but does so in an unpleasing way'. Whilst officers acknowledge the value of screening here, the wider landscape and amenity value of these non-native species is limited.

TG9004 is the group of trees growing in the planting bed which is immediately ahead of you when entering the site via the existing western vehicle access. The survey confirm the species as Sycamore, Cotoneaster, cypress, mixed shrubs, which the notes describe as 'Motley collective of shrubs with occasional trees, none of which are of good quality'. Officers agree that this area appears to have been a planting bed which has not been well managed and is overgrown.

From a landscape and amenity perspective, officers consider that it is the loss of the specimen trees 9004-9009 along the western site boundary which is going to have the most significant impact. The survey concludes that 9005 (liquidambar) and 9009 (Ash) should be felled for arboricultural reasons irrespective of the development. 9005 has already suffered a primary failure with another expected soon. 9009 is of low merit and Ash Dieback is apparent. The loss of 9003, whilst unfortunate, will not be significant in amenity terms as it is the least visible of a group of 3 on the lawned area close to Heavitree Rd. 9001 and 9002 alongside it will be retained. However, officers agree that the loss of 'Early Mature' and 'Mature' ash trees 9004 and 9008 (13-14m tall with crown radiuses up to 9m, albeit both with Ash Dieback present), and the attractive and similarly sized 'Early Mature' Copper Beech 9006, along with the mature 9m Norway Maple CK 9007, will be unfortunate, and is likely to result in a detrimental impact to the immediate locality in landscape and amenity terms. It is the loss of these western trees that is most likely to have given risen to the objection received from the consultant Arboriculturalist advising the Local Planning Authority.

The loss of trees from the site was cited as the fifth reason for the refusal of application 21/1564/OUT. The reason was worded as follows:

> *The proposed development would result in the loss of a significant number of 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).

The LPA's Statement of Case submitted to the appeal confirmed that the biodiversity element was withdrawn prior to the Inquiry as the Council had no biodiversity policy and the national BNG requirement had not yet been introduced. The Local Planning Authority also confirmed that the loss of trees on the Heavitree Rd frontage was not in dispute as the retention of most had been negotiated through revisions during the application. This left the loss of the western boundary trees referred to above as the main tree issue to be considered through the appeal.

Part of the Council's case for resisting the loss of these trees related to the anticipated loss of amenity, outlook and privacy to the residents of Higher Summerland's and St Matthews Close. The Inspector was clear in their decision that they considered the amenity impacts of the proposal acceptable. In relation to the impacts on the amenity of the wider area, it is apparent that the Local Planning Authority formally withdrew reason for refusal 5 in its entirety. The reason was withdrawn through a Statement of Common Ground signed by both parties and submitted to the Inspector on 13th December. It states at paragraph 1.4:

…it is also common ground that the Council will concede reason for refusal 5 relating to the effects on trees and of new tree planting, including the potential impacts of the provision of any future bus lane. Reason 5 is to be treated as withdrawn and forms no part of the Council's case. The Council accepts that it is unable to maintain the refusal of planning permission on this ground and all iterations of it that have been set out in their Statement of Case, subsequent correspondence and proofs of evidence.

Having effectively conceded the loss of trees during appeal proceedings, it would be difficult to now conclude that their removal justifies refusal. However, it is necessary to consider whether there are material differences in the policy circumstances in which the current proposal is being assessed to those of the appeal application/appeal - material differences could justify a different approach.

There are two key differences: firstly, it is apparent that the applicant is now required by law to not only compensate for the loss of habitat (to which these trees contribute), but also to ensure that the development delivers a Biodiversity Net Gain (BNG) of 10%. The reason that the Council withdrew the biodiversity justification for reason 5 was the absence of local policy, and the fact that mandatory national BNG had not yet been introduced. Now that the requirement is in place, the applicant has demonstrated not only that their loss can be adequately compensated for, but that more than 10% BNG can be achieved on site.

The second difference is that this is a full application including landscaping, and as a result the full landscaping proposals may now be assessed and secured. The

opening statement at the appeal by Counsel for the Local Planning Authority explained (at paragraph 13) that the Local Planning Authority's previous objection on the grounds of tree loss had arisen in part from the absence of a detailed landscape scheme. However, it went on to states that evidence submitted to the appeal by the applicant's arboricultural specialist in fact 'demonstrates more trees than would be lost could be planted on the site around the buildings'. On this basis, the only remaining issue related to whether a sufficient landscaped corridor could be maintained in the event that the Highway Authority implements a planned bus lane extension along Heavitree Rd.

The justification on the grounds of replacement tree planting has been demonstrated through this full application: the detailed soft landscaping scheme includes 183 new trees to be planted on site. These include 12 dawn redwoods (a fast-growing deciduous conifer) along the western boundary to Higher Summerland's (with a native hedgerow between them and the boundary fence). 4 Gingko Biloba and a silver birch will be planted immediately west of Co-Living Block 02 with a Freeman's Maple also added adjacent to the site access. A mix of 15 trees are proposed to the west of Block 3 and in the planting area between it and Co-Living Block 02. In the north western corner, 9 silver birch trees and a Spanish Oak are proposed. Whilst officers are conscious that these numerous juvenile trees are unlikely to compensate for the loss of the significant mature trees being lost in this area in landscape and amenity terms in the short to medium term, they will make a significant contribution to the screening of the buildings in views from Higher Summerland's as well as contributing in biodiversity terms. The same is true of the 12 hornbeam 'Frans Fontaine' trees that are proposed between the north elevation of Co-Living Blocks 01 and 03 and the site access road. As these are a narrow, columnar deciduous tree, which grows to about 10m in height (and are known for their autumn change in colour), they have the potential to soften the appearance of these 5 storey buildings in views from St Matthews Close.

The planting of trees is proposed in similar densities around the numerous soft landscaping spaces proposed around the site, including additional planting in significant numbers along the Heavitree Rd and Gladstone Rd frontages (where native hedgerows will also extend along the majority of the site's frontages. Overall, the tree planting will contribute to the creation of a diverse and attractive soft landscape environment across the site. Planning and Urban Design and Landscape officers are mindful that none of the trees will create the landscape presence of some of the large specimen trees which will be lost and do have some sympathy with the view expressed by the Conservation officer about the focus on quantities of small species. However, there will be scope to make minor adjustments as the landscaping must be finally agreed at the pre-commencement stage to satisfy the national BNG condition. As such, if it is agreed that more space should be left for a species of tree that has the scope to grow into a landmark in a particular location, this could be agreed at that stage.

In terms of Biodiversity Net Gain (BNG), ecologists advising the Council to raise no objection. Although a more rigorous following of the Biodiversity hierarchy would have retained more existing trees, as none of these are veteran / ancient trees (or irreplaceable habitat for other reasons), the approach being pursued is considered valid. Despite the loss of these trees, there is no suggestion that the 10% BNG required cannot all be achieved on site as proposed, and as such no objection is raised. In fact, the submitted BNG Metric and Biodiversity Gain Plan set out a 14% net gain of habitat units, and a 1186% gain in hedgerow units. Officers welcome the fact that a more efficient use of this highly accessible brownfield site can be made in residential terms alongside a 14%+ improvement in its biodiversity value.

Whilst it would be possible to include clauses in the S106 to secure the necessary plans and maintenance documents (Habitat Management and Monitoring Plan) that will be needed alongside the final Biodiversity Gain Plan (BGP) to ensure that the net gain endures for the required 30 year period, standard practice for significant on-site BNG is that the applicant enters into a S106 agreement that deals only with BNG when they apply to discharge the nationally applied statutory (pre-commencement) BNG condition. As such, all that is required to secure the BNG is an informative drawing attention to national requirements.

Finally in respect of ecological matters, the potential impacts on 'habitats sites' must be considered. In this case, the site lies within 10KM of the Exe Estuary Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) but is outside the area in which impacts upon the East Devon Pebbled Heaths SAC & SPA must be mitigated. As such, with reference to The Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature/scale of the development it has been concluded that an AA is required in relation to potential impact on the Exe Estuary Special Protection Area (SPA).

This AA has been carried out and concludes in respect of the PBSA element of the proposal that the nature of the development is such that the proposal would have no significant impacts on the European sites, and that no further mitigation is required.

In relation to the Co-Living element of the proposal, the AA concludes that the development could have an impact in combination with other residential developments primarily associated with recreational activity of future occupants. However, 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 habitats mitigation contribution secured by a legal agreement tied to the development.

The scheme would result in 813 no. additional residents within the 10km radius of the SPA Recreation Zone of the Exe Estuary. As required by The Conservation of

Habitats and Species Regulations 2017, a screening has been carried out to determine whether an Appropriate Assessment (AA) is required. This determined that an AA is required in relation to the potential impact on the Exe Estuary Special Protection Area (SPA).

The AA has been carried out and concludes that the development could have an impact in combination with other residential developments primarily associated with recreational activity of future occupants. However, 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 CIL collected in respect of the development being allocated to funding the mitigation strategy, and a s106 contribution with respect to the affordable housing.

9. Flood Risk and Surface Water Management

Saved Policy EN4 does not permit development if it would be at risk of flooding. The site is within Flood Zone 1, reflecting that the risk of flooding from coastal and fluvial sources in minimal. In addition, the council's mapping reveals there to be no elevated risk of flooding from surface water sources. The residential uses proposed are classified as 'more vulnerable' (to flood risk) by national policy guidance, but risks are minimised by the site's location within Flood Zone 1 and the proposal therefore accords with saved Policy EN4.

Policy CP12 requires all development proposals to mitigate against flood risk utilising SUDS where feasible and practical. Ground infiltration is considered unsuitable on this site based on clay subsoil conditions. Therefore, the drainage strategy is to discharge surface water into an existing public surface water sewer which runs along Heavitree Road and down College Road, using upstream Sustainable Urban Drainage techniques to attenuate the discharge and achieve reduced run-off rates. Whilst it is not feasible to achieve the desirable greenfield run-off rate of 5.2l/s, it is possible to achieve a 50% betterment over the current run-off rate of 195.4l/s. A run-off rate of 97.7l/s is proposed, and this will be achieved for storms up to and including the 1 in 100-year event plus a 45% climate change allowance. The attenuation methods include 3 rain gardens (1 in each amenity courtyard plus 1 in landscaping adjacent the permissible), plus 3 large underground attenuation tanks located beneath the student courtyard, permissible route, and site access.

The initial consultation response of DCC (LLFA) requested further information and changes, and the Drainage Strategy has since been revised and additional information provided. The revised consultation response of the LLFA is awaited.

10. Contaminated Land

A Ground Investigation Report has been submitted in support of the application and Environmental Health raise no objection. A 3-part condition is however required to secure a pre-occupation remediation verification report, manage the risk of unexpected contamination, and certify any imported soil.

Subject to such a condition being attached to any approval the proposal would accord with saved Policy EN2, and paragraphs 196-197 of the NPPF. Remediating any existing contamination will be an environmental sustainability benefit of the scheme in accordance with NPPF paragraph 125(c).

11. Air Quality

Policy CP11 states that development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts, and within the AQMA measures to reduce pollution and meet air quality objectives proposed by the Local Transport Plan and the Air Quality Action Plan will be brought forward. Policy EN3 states that development that would harm air quality will not be permitted unless mitigation measures are possible and are incorporated as part of the proposal.

Whilst the site itself is not within an Air Quality Management Area the Heavitree Road corridor adjoining the site is. An Air Quality Assessment was submitted as part of the application which noted the air quality is mainly influenced by road traffic emissions which, given the car free nature of the development, are likely to be less during the occupation of the development than the traffic movements associated with the last use of the building. Officers acknowledge this as a benefit of the scheme.

The assessment reveals a trend towards improvement of air quality in the vicinity of the site (in terms of NO2) since 2019 with no exceedances since then. Although there is no monitoring undertaken for particulate matter within the vicinity of the Site; Defra's background models predict pollutant decreases and no exceedances of concentrations of PM10 or PM2.5 due to advances in technology. As such, no specific mitigation for future residents is required. However, as with most development projects, the construction phase will give rise to potential impacts on air quality e.g. dust, albeit that this can be mitigated through an appropriate Construction and Environment Management Plan which officers recommend should be secured by a condition on any approval. Post construction it concluded residual effects would not be significant. Environmental Health have raised no concerns with the proposal from and Air Quality perspective.

12. Economic Impacts

The application is supported by an Economic Benefits Statement, as well as Statement of Development Benefits detailing what the applicant believes to be the wider benefits of the development. The Economic Benefits Statement summarises the benefits as follows:

- The creation of 210 direct construction jobs as a result of the development, with a value of £21.22 million over the 2.5-year construction period.
- The creation of an estimated 318 indirect jobs within the local area as a result of the development.
- A total of £2.297 million in first occupation expenditure retained within the local economy.
- A total of £31.8 million per annum in day-to-day expenditure from residents within the completed development.
- The creation of 6.5 full time equivalent staff roles on site, securing a total of £143,591.50 in annual salaries to be spent locally.
- The New Homes Bonus will be paid upon completion of the development, with a value of £34,709.35.
- Council Tax receipts to the value of £626,580.72 based on the 2024/25 financial year.
- Planning obligations secured by S106 [amounts removed to avoid any confusion – please refer to the relevant section of this report]
- Community Infrastructure Levy receipt [amount removed to avoid any confusion – please refer to the relevant section of this report]

Officers have not sought to verify the amounts claimed above, except where they are referred to elsewhere in this report. However, officers acknowledge that a scheme of this scale will give rise to significant economic benefits.

13. Planning Obligations

CS policy CP18 states that new development must be supported by appropriate infrastructure in a timely manner. Developer contributions will be sought where necessary to mitigate adverse impacts to ensure the physical, social, economic and green infrastructure is in place to deliver acceptable development.

The following matters are considered necessary to make the development acceptable in planning terms, to be directly related to the development, and fairly and reasonably related in scale and kind to the development meeting the tests set out in Regulation 122.

The application has not been subject to a viability process, and as such a full package of S106 obligations have been secured. The S106 wording will allow for payments to be phased and linked to each of the two phases/types of development.

All financial contributions set out below are to be index-linked.

Pre-commencement Obligations:

- Planning Administration Fee (for S106 monitoring)

Affordable Housing

- 20% of Co-Living Units (83 units) to be Affordable Housing in the form of Affordable Private Rent (where the rent is at least 20% below local market rents (including service charges where applicable)). Mix of units to be proportionate to the mix of the Co-Living scheme overall, including in respect of Accessible Units (no less than 4 to be provided). Clauses to include the requirement to market the units to prospective eligible occupiers, management of the units, and monitoring arrangements.

Pre-Occupation Obligations: Transport

- Off-Site Highway works as detailed in the submitted Transport Assessment to include:
    - Widening of the Heavitree Rd and Gladstone Rd footways (with associated necessary works) to create a 3.5m wide shared footway
    - Improvements to the pedestrian crossing of Gladstone Rd
    - Improvements to the pedestrian crossing of Heavitree Rd on the eastern arm of its junction with Gladstone Rd
- Provision of the Permissive Path (including access to it from the St Matthews Close car park and Heavitree Road footway)
- Management plan for the Permissive Path
- Safeguarding of land for Future Bus Lane in accordance with scheme shown indicatively in drawing 72032-CUR-00-XX-DR-TP-75002
    - Land shown green on 72032-CUR-00-XX-DR-TP-75003 P02 and overlaid over scheme in 23042-BC-ZZ-XX-DR-A-03-153_P1 to be safeguarded for future bus lane.
- Safeguarding of land in a suitably accessible location around the perimeter of the site for a location/station for a future Electric Bike Sharing/Rental Scheme, with suitable ducting provided to link it to a suitable source of power

Pre-Occupation (of Relevant Phase) Obligations: General

- Final Management Plans detailing the arrangements for the management of the relevant part of the scheme (including arrangements for routine monitoring):
    - PBSA Management Plan
    - Co-Living Management Plan

Pre- Occupation (of Relevant Phase) Obligations: Financial

- 'NHS Devon ICB Contribution' towards the improvement of Primary Health Care facilities (GP Practices), comprising of:
    - £120,083.04 for the PBSA, and
    - £124,597.44 for the Co-Living.
- A Public Open Space contribution of £457 (index-linked) per bedspace towards the provision and improvement of off-site public open spaces, which equates to:
    - £182,343.00 for the PBSA, and
    - £189,198.00 for the Co-Living

- An Outdoor Leisure Facilities ('Play') contribution of £117 per bedspace towards the provision and improvement of outdoor adult fitness equipment (including MUGAs) in the vicinity of the site, which equates to:
    - £46,683.00 for the PBSA, and
    - £48,438.00 for the Co-Living
- A City-Wide Playing Fields contribution of £278 per bedspace for the Co-Living phase towards the provision or improvement of off-site playing fields city-wide, which equates to:
    - £115,092.00 for the Co-Living
- Habitat Regulations mitigation for recreational harm to the Exe Estuary SPA for all Affordable Housing units at a rate of £1,284.71 per unit, which equates to:
    - £106,630.93 for the Affordable Private Rent Co-Living Units

Ongoing Obligations:

- Manage the site to prevent private car ownership and use by residents, and to make residents aware that they will not be entitled to a parking permit for parking on nearby streets
- Permit public access to the Permissive Path for the minimum hours agreed and maintain the path accordingly

14. Planning Balance and Presumption in Favour of Sustainable Development

The Council is not currently able to demonstrate a 5-year housing land supply (supply at 01 April 2025 was 4 years 3.2 months). As a consequence, the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF is to be applied. For decision-taking this means:

> c) approving development proposals that accord with an up-to-date development plan without delay; or
>
> d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
>
> i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
> ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

In respect of the above it is important to note that there are two footnotes in the NPPF to the above paragraph which are critical for application of the balance to be given between policies when making a decision, namely footnote 7 and footnote 8 which provides the necessary interpretation of the paragraph.

Footnote 7 sets out a list of policies in the Framework relating to protected assets which include, amongst others, designated heritage assets. Footnote 8 indicates that polices will be out of date where a council cannot demonstrate a 5-year housing land supply. Given the content of the paragraph and footnotes there is a presumption in favour of sustainable development. The content of footnote 7 however makes it clear that policies for the protection of important assets of particular importance are still a significant consideration and these can provide a clear justification to refuse permission if granting permission would "significantly and demonstrably outweigh the benefits". It is thus necessary to weigh up the balance of planning issues and relevant policies in accordance with the requirements of Para. 11 of the NPPF.

The application of the presumption in favour of sustainable development (and its predecessors) have resulted in several court cases, notably in the Supreme Court ruling of Suffolk Coastal DC v Hopkins Homes and SSCLG (2016). This case confirmed that where a council does not have a 5-year housing land supply, housing policies are deemed to be 'out-of-date'. However, the fact that a policy is considered out of date does not mean it can be disregarded; instead, it means that less weight can be applied to it with the level of weight given to be a matter of planning judgement. The Supreme Court judgement confirmed that for the purposes of applying a tilt in favour of sustainable development, known as the 'tilted balance' (NPPF Para. 11(d)), policies of the development plan will remain applicable, but it will be for the local planning authority to determine the balance of policies for the protection of environment and amenity against the need for housing and the economy.

The tilted balance is therefore to be borne in mind when balancing the planning issues that have been outlined in this report.

Firstly, in favour of the proposed development, it is clear that the key in-principle policies of the development plan are Policy CP1 that guides development towards the most sustainable locations and Policy AP2 that gives priority to re-using previously developed land. The proposal is fully in line with both. The recent fire at the site is a timely reminder that its vacant nature is undesirable, and officers are aware that the Council has received complaints about Anti-Social behaviour at the site for some time now. Redevelopment in itself will be a benefit arising from the proposal.

The site is clearly in a sustainable location: it is within 500m walk of the City Centre and most of central Exeter is within a 2km walk. As well as having immediate access on foot to employment, shopping and service facilities, many sustainable travel options are immediately available. It is immediately adjacent to the University's St Luke's campus and is linked to the Streatham Campus by the 'UNI' bus which operates on a 20-minute frequency Monday-Saturday (every 40 minutes outside term time). Intensive occupation of the site as proposed will support local services, and the car-free nature of the scheme will prevent additional congestion and pollution and

encourage active travel. A suite of measures will meet travel needs and further encourage active travel. These include good quality cycle parking, E-bike charging for residents, space safeguarded for a future bus lane extension and E-bike hire station, and Travel Plans. 4 disabled parking spaces including active EV charge points are proposed, and the scheme allows for well managed deliveries, servicing, and arrangements for moving students in and out. The creation of the proposed permissive path is also a positive aspect of the scheme, and will deliver significant benefits to existing residents, as well as helping to further support the shift towards active travel by reducing walking distances.

In terms of the uses proposed, both the PBSA and the co-living element accords with the ethos of Policy CP5 that supports the provision of housing to meet the needs of all members of the community. Both uses would include accessible units, and 20% of the Co-Living will be Affordable Private Rent. Detailed management plans indicate that the uses will provide well managed accommodation. Officers agree with the assertions made by the applicant in their benefits statement (and the Inspector in their appeal decision) that good quality PBSA has the potential to release significant numbers of HMOs back into general needs, family housing. The Council is working closely with the University on a Masterplan to redevelopment parts of the St Luke's Campus to significantly increase its floorspace and health-related functions. However, there is no intention to introduce accommodation for students. Several supporters have pointed out there is little PBSA in this immediate area, and the proposal will therefore make a positive contribution.

Following recent (NPPF) changes to the methodology for calculating the levels of housing required by each Local Authority, the Council is now able to take PBSA into account when calculating its housing requirement. This also means that consented PBSA contributes to the Council's supply of housing land, which ought to remain above 5 years to avoid 'the tilted balance'. PBSA that has been delivered also counts towards the 'Housing Delivery Test', which is a key measure of how a Council is performing in housing delivery. Housing supply is of critical importance as the Council approaches the Examination of the Exeter Plan, and delivery is similarly important not least insofar as it helps to demonstrate that the housing numbers proposed in the Exeter Plan are deliverable.

As explained in the Housing Topic Paper (September 2025) which has been prepared in support of the Exeter Plan submission, for the purposes of measuring Housing Supply and Delivery, unlike cluster flats in which each bedspace is counted in delivery terms as a proportion of one home (at a ratio of 2.4 bedspaces per home for students, and 1.9 for other types of specialist housing), the government's archived Housing Supply and Delivery SPG (July 2019), explains that '*The exception to this approach is studio flats designed for students, graduates or young professionals, which can be counted on a one for one basis. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that fully functions as an independent dwelling*'.

Whilst officers do not accept that any of the units proposed could be considered to be fully self-contained C3 dwellings, and instead consider each part of the scheme to be *Sui Generis*, for the purposes of housing supply and delivery calculations, all of the PBSA units and all of the Co-Living units do meet the definition above and can therefore be counted on a 1:1 basis. For the purposes of housing supply and delivery calculations therefore, the development will deliver 813 housing units. This is very significant in housing supply and delivery terms, and alongside its benefits in providing housing for 813 individuals, it is a significant benefit that weights strongly in favour of the scheme.

Officers are mindful that not everyone will consider studios as small as 17.5sq m (students) and 18.25sq m (Co-Living) to constitute good quality living accommodation, particularly for the Co-Living where residents will live permanently, rather than just during term time. However, officers are satisfied having reviewed the proposals against available guidance and with knowledge of similar occupied schemes, that the communal facilities are sufficient in quantum (1390sq m equating to 3.36sq m per resident), quality, and distribution, such that residents will have access to adequate amenity space. Co-living is likely to be a lifestyle choice for some residents, whereas for others it may simply be a 'stop-gap' arrangement. For others it may just relate to affordability: the submitted Affordable Housing reports median private sectors rents in Exeter for studios in 2022/23 to be up to £885 pcm, and the Council's own Housing Needs Assessment quotes £747/pcm (£172.48p w) for a 1-bedrom privately rented flat. The HNA explains that an income of £25,714 is needed to be able to pay the (private median) rent for a 1-bedroom homes (assuming 35% of salary is spent on housing). Either way, the Co-Living will bring greater diversity to the local housing market, and through the 83 Affordable Private Rental units it proposes, will offer rent discounted by at least 20%. Appeal decisions tell us that significant to substantial weight should be applied to affordable housing provision. 41 accessible units are also proposed across the two uses. Members should also bear in mind that this housing product is specifically intended to promote social, communal living, and subject to effective management should help avoid the social isolation that some residents may otherwise suffer. The small units will provide for the basic minimum daily needs of residents, whilst encouraging them to make social use of the more generous communal spaces. For these reasons officers consider that the Co-Living will be a positive addition to the housing mix of this area. Officers do not foresee any problems relating to concentration in relation to either PBSA or Co-Living.

In economic terms officers also acknowledge that the scheme will deliver significant benefits through investment which will create both temporary and ongoing jobs and will bring the spending power of 813 new residents, 399 of whom as students are likely to bring their spending from outside the city.

Officers are mindful, however, that officers previously anticipated that many of the benefits outlined above would also arise from the previous proposal. In that case members felt that the benefits would be outweighed by the harm to trees, to adjacent

residents, and to the immediate townscape. In respect of the scheme's townscape impacts, the Inspector agreed, concluding that '*set against the identified benefits, the harm to the area's character and appearance would be severe. The proposal would cross the line of acceptability in terms of its effects on the local area into which it would not satisfactorily integrate…'*

In the view of officers, the revised scheme has overcome those concerns. Following a reduction in the floorspace proposed, and having broken up the mass into smaller volumes, officers consider that the development *would* now satisfactorily integrate into the immediate townscape, without any significant harm to the area's character and appearance, including the designated and non-designated heritage assets it adjoins. Whilst the scheme remains dense, it will also provide better amenity spaces on site for future residents. The detailed building design will reflect some of the characteristics found in the Conservation Area opposite and overall officers conclude that its character, appearance and setting would be preserved. It will create enclosure to Heavitree Road and Gladstone Rd which will have positive streetscape impacts, whilst preserving key views along the latter to St Matthews.

In respect of neighbour amenity, officers note the Inspector's previous conclusion that occupiers of Higher Summerland's would not have been harmed to an extent that justified refusal of the previous scheme. The revised scheme further reduces these impacts by breaking up the block facing the boundary, and siting buildings slightly further away. The boundary treatments previously offered as mitigation will be provided in a similar manner. Officers do acknowledge that the outlook from the houses on Higher Summerland's will be impacted to a small degree, and that the height of the buildings may also result in minor daylighting impacts. Given their current outlook, it would be difficult to conceive of an appropriate brownfield development which did not result in some degree of impact. The same is true for the residents of St Matthews Close: while officers conclude that there will no loss of amenity to an extent that justifies refusal, residents will experience a reasonably significant magnitude of change, particularly as it is here that the change in scale of buildings will be most apparent. Given the improvements to the scheme's design, officers consider the most significant harmful impact arising from the proposal will be the loss of a number of attractive specimen trees from the western boundary. The landscape, amenity, climate, and biodiversity impacts of this loss will be most unfortunate, and the objection from the Council's consultant tree officer reflects this. However, as conceded during the previous appeal proceedings, replacement planting is capable of mitigating this loss under the existing planning policy framework, noting that these are neither veteran nor ancient trees. The submitted information outlines a proposal to retain 7 trees and plant 183 new ones as part of a comprehensive hard and soft landscaping scheme. The Conservation Officer's outstanding concerns are noted, and officers intend to explore opportunities to allow for specimen tree planting to grow to maturity in key location(s) with the applicant.

17.0 Conclusion

In light of the officer assessment set out in the 'Planning Balance' section above and particularly bearing in mind the application of the tilted balance under NPPF paragraph 11, officers conclude that following the significant design improvements achieved, the benefits arising from the development will significantly outweigh the harm that will also arise (notably in respect of loss of trees). As such, officers recommend that members approve the application subject to S106 obligations as recommended and conditions as set out in this report.

18.0 Recommendation

Dual recommendation to APPROVE subject to conditions and a S106 Legal Agreement, or REFUSE if that Legal Agreement is not finalised in timely manner

a) DELEGATE TO THE SERVICE LEAD (CITY DEVELOPMENT) TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:

<u>Pre-commencement Obligations:</u>

- Planning Administration Fee (for S106 monitoring)

<u>Affordable Housing</u>

- 20% of Co-Living Units (83 units) to be Affordable Housing in the form of Affordable Private Rent (where the rent is at least 20% below local market rents (including service charges where applicable)). Mix of units to be proportionate to the mix of the Co-Living scheme overall, including in respect of Accessible Units (no less than 4 to be provided). Clauses to include the requirement to market the units to prospective eligible occupiers, management of the units, and monitoring arrangements.

<u>Pre-Occupation Obligations: Transport</u>

- Off-Site Highway works as detailed in the submitted Transport Assessment to include:
    - Widening of the Heavitree Rd and Gladstone Rd footways (with associated necessary works) to create a 3.5m wide shared footway
    - Improvements to the pedestrian crossing of Gladstone Rd
    - Improvements to the pedestrian crossing of Heavitree Rd on the eastern arm of its junction with Gladstone Rd
- Provision of the Permissive Path (including access to it from the St Matthews Close car park and Heavitree Road footway)
- Management plan for the Permissive Path
- Safeguarding of land for Future Bus Lane in accordance with scheme shown indicatively in drawing 72032-CUR-00-XX-DR-TP-75002

    - Land shown green on 72032-CUR-00-XX-DR-TP-75003 P02 and overlaid over scheme in 23042-BC-ZZ-XX-DR-A-03-153_P1 to be safeguarded for future bus lane.
- Safeguarding of land in a suitably accessible location around the perimeter of the site for a location/station for a future Electric Bike Sharing/Rental Scheme, with suitable ducting provided to link it to a suitable source of power

Pre-Occupation (of Relevant Phase) Obligations: General

- Final Management Plans detailing the arrangements for the management of the relevant part of the scheme (including arrangements for routine monitoring):
    - PBSA Management Plan
    - Co-Living Management Plan

Pre- Occupation (of Relevant Phase) Obligations: Financial

- 'NHS Devon ICB Contribution' towards the improvement of Primary Health Care facilities (GP Practices), comprising of:
    - £120,083.04 for the PBSA, and
    - £124,597.44 for the Co-Living.
- A Public Open Space contribution of £457 (index-linked) per bedspace towards the provision and improvement of off-site public open spaces, which equates to:
    - £182,343.00 for the PBSA, and
    - £189,198.00 for the Co-Living
- An Outdoor Leisure Facilities ('Play') contribution of £117 per bedspace towards the provision and improvement of outdoor adult fitness equipment (including MUGAs) in the vicinity of the site, which equates to:
    - £46,683.00 for the PBSA, and
    - £48,438.00 for the Co-Living
- A City-Wide Playing Fields contribution of £278 per bedspace for the Co-Living phase towards the provision or improvement of off-site playing fields city-wide, which equates to:
    - £115,092.00 for the Co-Living
- Habitat Regulations mitigation for recreational harm to the Exe Estuary SPA for all Affordable Housing units at a rate of £1,284.71 per unit, which equates to:
    - £106,630.93 for the Affordable Private Rent Co-Living Units

Ongoing Obligations:

- Manage the site to prevent private car ownership and use by residents, and to make residents aware that they will not be entitled to a parking permit for parking on nearby streets
- Permit public access to the Permissive Path for the minimum hours agreed and maintain the path accordingly

And 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) APPROVED PLANS

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

Received 30/05/2025
23042-BC-ZZ-XX-DR-A-03-001_P2 - Site Location Plan
23042-BC-ZZ-XX-DR-A-03-003_P2 - Demolition Plan
23042-BC-ZZ-XX-DR-A-03-224_P1 - Proposed Elevations Typical Substation
23042-BC-ZZ-XX-DR-A-03-180_P1 - Proposed Typical Layouts - Coliving
23042-BC-ZZ-XX-DR-A-03-181_P1 - Proposed Typical Layouts - PBSA
Received 01/09/2025
23042-BC-ZZ-XX-DR-A-03-303_P1 - Typical Cycle Store Section
23042-BC-ZZ-XX-DR-A-03-304_P1 - Typical Plant Section
Received 09/10/2025
23042-BC-ZZ-XX-DR-A-03-100_P3 - Proposed Site Plan
23042-BC-ZZ-XX-DR-A-03-101_P3 - Site Plan - Co Living Lower Ground
23042-BC-ZZ-XX-DR-A-03-102_P4 - Site Plan - Coliving Level 00
23042-BC-ZZ-XX-DR-A-03-103_P4 - Site Plan - Student Level 00-Coliving Level 01
23042-BC-ZZ-XX-DR-A-03-108_P3 - Site Plan - Student Level 05
23042-BC-ZZ-XX-DR-A-03-200_P3 - Proposed Site Elevations (E&S)
23042-BC-ZZ-XX-DR-A-03-201_P3 - Proposed Site Elevations_2 (W&N)
23042-BC-ZZ-S1-DR-A-03-210_P3 - Proposed Elevations_Student 01
23042-BC-ZZ-S1-DR-A-03-211_P3 - Proposed Elevations_Student 01_2
23042-BC-ZZ-S2-DR-A-03-212_P3 - Proposed Elevations_Student 02
23042-BC-ZZ-S2-DR-A-03-213_P3 - Proposed Elevations_Student 02_2
23042-BC-ZZ-S3-DR-A-03-214_P3 - Proposed Elevations_Student 03
23042-BC-ZZ-S3-DR-A-03-215_P3 - Proposed Elevations_Student 03_2
23042-BC-ZZ-S4-DR-A-03-216_P3 - Proposed Elevations_Student 04
23042-BC-ZZ-S4-DR-A-03-217_P3 - Proposed Elevations_Student 04_2
23042-BC-ZZ-C1-DR-A-03-218_P3 - Proposed Elevations_Coliving 01

23042-BC-ZZ-C1-DR-A-03-219_P3 - Proposed Elevations_Coliving 01_2
23042-BC-ZZ-C2-DR-A-03-220_P3 - Proposed Elevations_Coliving 02
23042-BC-ZZ-C2-DR-A-03-221_P3 - Proposed Elevations_Coliving 02_2
23042-BC-ZZ-C3-DR-A-03-222_P3 - Proposed Elevations_Coliving 03
23042-BC-ZZ-C3-DR-A-03-223_P3 - Proposed Elevations_Coliving 03_2
23042-BC-ZZ-XX-DR-A-03-150_P3 - Fire Service Plan - Coliving Level 00
23042-BC-ZZ-XX-DR-A-03-151_P2 - Fire Service Plan - Student Level 00-Coliving Level 01
23042-BC-ZZ-XX-DR-A-03-301_P3 - Site Sections 1
23042-BC-ZZ-XX-DR-A-03-302_P3 - Site Sections 2
5519-OOB-ZZ-00-D-L-000003 Rev P08 - Landscape Levels Comparison Plan
5519-OOB-ZZ-00-D-L-000040 Rev P13 - Landscape Planting Strategy
5519-OOB-ZZ-00-D-L-000001 Rev P15 - Landscape Site Plan
72032-CUR-XX-00-D-TP-75007-P05_Pedestrian & Vehicle Access Arrangement
Received 31/10/25
23042-BC-ZZ-XX-DR-A-03-152_P2 - Proposed Phase Plan
Received 25/11/25
72032-CUR-00-XX-DR-TP-75003-P02 - Bus Lane Safeguarded Land
23042-BC-ZZ-XX-DR-A-03-153_P1 - Bus Lane Safeguarded Land
Received 27/11/25
23042-BC-ZZ-XX-DR-A-03-104_P4 - Site Plan - Student Level 01-Coliving Level 02
23042-BC-ZZ-XX-DR-A-03-105_P4 - Site Plan - Student Level 02-Coliving Level 03
23042-BC-ZZ-XX-DR-A-03-106_P4 - Site Plan - Student Level 03-Coliving Level 04
23042-BC-ZZ-XX-DR-A-03-107_P4 - Site Plan - Student Level 04-Coliving Level 05

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

3) WASTE AUDIT STATEMENT

Prior to the commencement of development (including demolition) in any approved phase, an updated waste audit statement for the relevant phase(s) shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The following points shall be addressed in the statement:

o Identify measures taken to avoid all waste occurring.
o Demonstrate the provisions made for the management of any waste generated to be in accordance with the waste hierarchy.
o The amount of construction, demolition and excavation waste in tonnes, set out by the type of material.
o Identify targets for the re-use, recycling and recovery for each waste type from during construction, demolition and excavation, along with the methodology for

auditing this waste including a monitoring scheme and corrective measures if failure to meet targets occurs.

o The details of the waste disposal methods likely to be used, including the name and location of the waste disposal site, and justification as to why this waste cannot be managed more sustainably.

The relevant phase(s) of the development shall thereafter be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. This information is required pre-commencement to ensure that all waste material is dealt with in a sustainable way from the outset of the development including any groundworks, demolition, construction and operation.

4) CONSTRUCTION ECOLOGICAL MANAGEMENT PLAN (CEcMP)

No development (including demolition or ground works) or vegetation clearance works for any approved phase of the development shall take place until a Construction Ecological Management Plan (CEcMP) for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The CEcMP(s) shall describe the actions that will be taken to prevent harm to wildlife (including protected species) during construction works. Mitigation measures shall include:

- No tree works or felling, cutting or removal of hedgerows or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to September inclusive, unless works are overseen by a suitably qualified ecologist, contact details and name for whom are to be set out in the CEcMP, along with details of the date of the intended works and the justification for them.
- Other measures to mitigate potential impacts on Hedgehogs and Bats as indicated in section 6 of the submitted Ecological Impact Assessment

The development of the relevant phase shall thereafter be carried out in accordance with the approved CEcMP.

Reason: To ensure that nesting birds, other protected species and wildlife present at the site are protected in accordance with saved Policy LS4 of the Exeter Local Plan First Review, Policy CP16 of the Core Strategy, and paragraph 192 of the NPPF.

5) TREE PROTECTION

Tree works at the site shall be carried out at all times in full accordance with the Arboricultural Method Statement (AMS) set out on drawing 43-1027.07-C (dated 01.05.25), which forms part of the submitted report 'Planning Submission (Arboriculture)', except if the development proceeds in phases. If a phased

implementation of the development is proposed (in accordance with the details set out on the approved phasing plan), no trees shall be removed or development carried out until updated Tree Protection Plan(s) (TPP) and AMS(s) detailing the proposed phasing, have been submitted to and approved in writing by the Local Planning Authority. Updated TPP(s) and AMS(s) shall identify the tree works/removals that are necessary for the implementation of the relevant phase(s) only (with justification) and shall detail the interim protection and method statements necessary to protect any trees that are to be retained until the implementation of a later phase.

No materials shall be brought onto the site or any development of any phase commenced, until the tree protective fencing indicated on drawing number 43-1027.07-C (dated 01.05.25) (TPP and AMS) (as well as any additional measures identified as necessary in any superseding equivalent TPP and AMS where this has subsequently been approved in writing by the Local Planning Authority) has been installed in full accordance with the approved details. The developer shall maintain the fencing to the satisfaction of the Local Planning Authority unless otherwise specified in the approved AMS until all development which is the subject of the relevant phase of this permission is completed. The level of the land within the fenced areas shall not be altered unless otherwise specified in the approved AMS, or without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced areas, nor shall trenches for service runs or any other excavations take place within the fenced areas unless otherwise specified in the approved AMS, or by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason: To ensure the protection of the trees to be retained during the carrying out of the development, including the protection of trees for which works or felling is justified only if the relevant phases of the development take place, in accordance with saved policy DG1 of the Exeter Local Plan First Review, policy CP17 of the Core Strategy, paragraph 131 of the NPPF (2023) and the Trees in Relation to Development SPD. These measures are required pre-commencement as specified to ensure that tree removals only take place where justified, and that the health of the trees to be retained is not harmed by building operations.

6) DEMOLITION AND CONSTRUCTION ENVIRONMENTAL (AND TRAFFIC) MANAGEMENT PLAN (CEMP)

No development (including demolition or ground works) or vegetation clearance works for any approved phase of the development shall take place until a CEMP (or CEMPs) for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP(s) shall describe the actions that will be taken to protect the amenity of people living and/or working nearby, to ensure highway (including pedestrian) safety, and to minimise disruption to movements in the locality. The CEMP(s) shall include as a minimum, provisions for:

GENERAL/HIGHWAYS:

(a) The timetable of the works;

(b) Construction working hours, which shall be limited to the hours of 8:00 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays and shall occur at no times on Sundays or Bank Holidays.

(c) Hours during which delivery and construction traffic will travel to and from the site, which shall be limited to the hours of 08:00 to 18:00 Monday to Friday, 09:00 to 13:00 on Saturdays and shall occur at no times on Sundays or Bank Holidays.

(d) hours during which no construction traffic will be present at the site;

(e) any road closures;

(f) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;

(g) The proposed route of all construction traffic exceeding 7.5 tonnes.

(h) The site access point(s) of all vehicles to the site during the construction phase

(i) areas on-site where delivery vehicles and construction traffic will load or unload plant, building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

(j) the compound/location(s) where all plant, building materials, finished or unfinished products, parts, crates, packing materials, waste, and stockpiles of topsoil and sub soil will be stored during the demolition and construction phases, and where construction staff welfare facilities will be provided.

(k) details of wheel washing facilities and obligations

(l) Cleaning of site entrances, site tracks and the adjacent public highway.

(m) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;

(n) the means of enclosure of the site during construction works (Hoardings are to be kept free of fly posting and graffiti).

(o) Details of the amount and location of construction worker and visitor parking.

(p) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site

(q) details of any footpath closures/diversions required, including alternative routes and signage

(r) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

ENVIRONMENTAL PROTECTION MEASURES:

(s) A Noise Impact Assessment and noise and vibration management plan, including details of quantitative monitoring of noise and/or vibration to be conducted if deemed necessary by the Local Planning Authority following justified complaints.

(t) No driven piling without prior consent from the Local Planning Authority.

(u) A detailed proactive and reactive dust management plan, to prevent any emissions of dust (and airborne lead and asbestos if applicable), beyond the site boundary, including details of quantitative monitoring of dust emissions.

(v) Details of how power will be provided to any compounds, storage areas, welfare and temporary parking facilities (use of a generator overnight will not normally be considered acceptable).

(w) No burning on site during construction or site preparation works.

(x) Arrangements for communication and liaison with local residents, including regular letter drops, meeting with local residents and businesses/institutions in the immediate vicinity, and a dedicated contact number for complaints. Details of procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the works, in order to discuss forthcoming work and its environmental impact.

The approved CEMP(s) shall be strictly adhered to throughout the construction period of the phase of the development to which they relate unless a specific temporary exemption/alteration has been agreed in writing by the LPA in advance.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, to ensure highway (including pedestrian) safety, and to minimise disruption to movements in the locality. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

7) WILDLIFE HAZARD MANAGEMENT PLAN

No development in any approved phase of the development shall take place until a Wildlife Hazard Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The Wildlife Hazard Management Plan for that phase shall thereafter be implemented as approved. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Exeter Airport. This condition must be pre-commencement to align with the timetable for the agreement of Biodiversity Net Gain proposals.

8) ARCHAEOLOGY 1:

No development in any approved phase of the development shall take place until the implementation of a programme of building recording and archaeological works for the land in the relevant phase(s) (as identified on the phasing plan hereby approved) has been secured in accordance with a written scheme of investigation (WSI), which has previously been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme.

Reason: To ensure that an appropriate record is made of archaeological evidence that may be affected by the development, in accordance with saved Policy C5 of the

Local Plan First Review and paragraph 218 of the National Planning Policy Framework (2024). These details are required pre-commencement as specified to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

9) CONSTRUCTION FOR ADAPTABILITY

Prior to the commencement of works on either of the phases of development hereby approved, details of the proposed structural approach to the proposed buildings of that phase shall be submitted, along with details demonstrating how the accommodation proposed within the building will be capable of adaptation or reuse in future for either alternative configurations of residential use, or for alternative uses. The building shall thereafter be constructed in accordance with that approval.

Reason: To ensure that these buildings which are designed for specialist residential uses will be capable of adaptation into alternative uses in future with minimal financial and carbon impacts in accordance with Core Strategy Policy CP15, paragraph 10.55 (preamble to CP17), policies S2 (principle 4), H6 (Co-Living) and H10 (Purpose Built Student Accommodation) of the submitted emerging Exeter Local Plan (2025), the NPPF & National Design Guide.

10) BREEAM

Unless otherwise agreed in writing by the Local Planning Authority, each phase of the development hereby approved shall achieve a BREEAM excellent standard (minimum 70% score) as a minimum. Prior to commencement of development on a phase of the development, the developer shall submit to the Local Planning Authority a BREEAM design (interim) stage assessment report for the relevant phase, to be written by a licensed BREEAM assessor, which shall set out the BREEAM score expected to be achieved by the buildings of the relevant phase, and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required, the developer shall provide, prior to the commencement of development of the relevant phase of the development, 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 buildings of the relevant phase must be completed fully in accordance with any approval given. A BREEAM post completion report of the buildings are to be carried out by a licensed BREEAM assessor and shall be submitted to the Local Planning Authority for approval within three months of substantial completion of the buildings of the relevant phase and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason: To ensure that the proposal complies with Policy CP15 of Council's Adopted Core Strategy in the interests of delivering sustainable development. The condition should be pre-commencement as all aspects of the construction of a

building contribute to its BREEAM certification and the findings of the design stage assessment may influence the design for all stages of construction.

11) DECENTRALISED ENERGY NETWORK

Unless it is demonstrated in writing prior to the commencement of works to a phase of the development that it is not viable or feasible to do so, the buildings comprised in the relevant phase of the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that their internal systems for space and water heating are capable of being connected to the proposed decentralised energy district heating network. Prior to occupation of the relevant phase of the development, the necessary on site infrastructure, including appropriate space for plant and machinery, shall be put in place for connection of those systems to the network at points at the application site boundary, as agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposal complies with Policy CP13 of Council's Adopted Core Strategy and paragraph 166 of the National Planning Policy Framework and in the interests of delivering sustainable development.

12) SURFACE WATER DRAINAGE

A PRE-COMMENCEMENT CONDITION IS ASSUMED LIKELY TO BE NECESSARY BUT FINAL COMMENTS FROM THE LLFA ARE AWAITED

A surface water condition recommended by the LLFA would need to be edited to include Highway Authority request, or alternatively this would need to be attached as a separate condition

In accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway

Reason: In the interest of public safety and to prevent damage to the highway.

13) UNSUSPECTED CONTAMINATION

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, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, an amended 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: 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

14) ENERGY PERFORMANCE

Prior to commencement of construction of the superstructure of the buildings of each phase of development hereby permitted, a SAP calculation for the buildings of the relevant phase shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that a 10% reduction in CO2 emissions above the levels set out in Part L of the 2022 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented and within 3 months of practical completion of each building the developer shall submit a report to the Local Planning Authority from a suitably qualified consultant to demonstrate compliance with this condition.
Reason: In the interests of sustainable development and to ensure that the development accords with Policy CP14 of the Core Strategy.

15) NOISE MITIGATION AND VERIFICATION PLAN

Prior to the construction of the buildings within an approved phase of the development (not including the foundations), a Noise Mitigation Implementation and Verification Plan (NIVP) shall be submitted to the Local Planning Authority for approval. The NIVP shall include design and construction details of the noise mitigation for the approved phase of the development in the Environmental Noise Assessment report (ref. 11359/CP version 1.0, 7 April 2025 by Acoustic Consultants Ltd), as well as proposed acoustic testing method statements for verifying the achievement of appropriate internal/external noise levels.
Reason: To ensure that the proposal provides a satisfactory environment for future occupiers and complies with Policy EN5 of the Adopted Local Plan First Review, CP11 of the Core Strategy and paragraph 198 of the NPPF.

16) DESIGN DETAILS - PROPOSED BUILDINGS

No construction works above ground level of a relevant phase of the development shall be commenced until large scale details of the building design for that phase of the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include key aspects of the construction which affect the external appearance of the building design (showing the typical articulation

of parapets, copings, sills, drips, mouldings, the depth of reveals, brickwork bonding, joints between elements/components of dissimilar materials, specialist metalwork and other fabrications, etc.).
Reason: To ensure good quality design and local distinctiveness, in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraph 135 of the NPPF, and that the setting of the Conservation Area opposite would be preserved.

17) MATERIALS SAMPLES - PROPOSED BUILDING

No construction works above ground level of a relevant phase of the development shall be commenced until samples of the materials to be used in the building design for that phase of the development have been approved in writing by the Local Planning Authority. Ideally, sample panel(s) shall be erected on site (accompanied by a written specification submitted to the Local Planning Authority) to enable the different materials to be viewed alongside each other. Sample panels of proposed brickwork shall illustrate the bond, mortar mix and mortar finish proposed.
Reason: To ensure good quality design and local distinctiveness, in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraph 135 of the NPPF, and that the setting of the Conservation Area opposite would be preserved.

18) HARD AND SOFT LANDSCAPING SCHEME

No construction works above ground level shall be commenced (unless an alternative timetable is agreed in writing by the Local Planning Authority) until a Detailed Landscaping Scheme for the site has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall include details of all hard and soft landscaping.
Hard landscaping details shall include all boundary treatments retaining structures/steps/ramps, and any street furniture. Samples/sample panels may be required, as necessary.
Soft landscaping details shall include details of tree and plant species, specifications, planting densities and methods of planting.
The hard landscaping shall be constructed as approved prior to the occupation/use of the development. The soft landscaping shall be planted in the first planting season following the occupation/use of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: In order to ensure high quality landscape design and detailing to deliver high quality spaces surrounding the building in accordance with Policy DG1 of the Exeter Local Plan First Review, and to minimise harm to the setting of the St Leonards Conservation Area.

19) LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

Prior to the first occupation or use of the buildings in any approved phase, a Landscape and Ecological Management Plan (LEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMPs shall be prepared in accordance with the specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard) and shall include the following:
a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan.
All post-construction site management of each phase shall be undertaken in accordance with the approved LEMP for that phase.
Reason: In the interests of biodiversity and good design in accordance with Policy CP16 of the Core Strategy, saved Policies LS4 and DG1 of the Exeter Local Plan First Review and paragraphs 135 and 136 of the NPPF.

20) ECOLOGICAL ENHANCEMENTS

Details of the following ecological enhancements shall be submitted to and be approved in writing by the Local Planning Authority prior to any works on any phase above ground level (including proposed elevations with positions of proposed boxes annotated). If the development proceeds in phases, details may be provided for each phase, and the enhancements shall be provided on a pro-rata basis (bedspaces relative to the total number of bedspaces proposed) prior to occupation of the relevant phase:

- Integrated nest boxes for swifts and other small bird species. No less than 45 boxes shall be provided (the RSPB recommend 'Swift Bricks' on east facing aspects)
- Integrated bat boxes suitable for crevice-dwelling bats. No less than 45 boxes shall be provided. Boxes should be located sensitively adjacent to trees and green infrastructure links.
Reason: To encourage use of the site by nesting birds and roosting bats in accordance with saved Policy LS4 of the Exeter Local Plan First Review, Policy CP16 of the Core Strategy, and paragraph 192 of the NPPF.

21) OBSCURE GLAZING - CO-LIVING BLOCK 03

Co-Living Block 03 shall not be occupied until all proposed windows above ground floor level in both its east and west facing elevations (including windows to communal corridors) have been glazed with obscure glass to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and thereafter so maintained. The

windows shall be fixed-shut, except where required for emergency egress or smoke control purposes.
Reason: To protect the amenities of residential occupiers in Higher Summerland's, as well as residents of adjacent west-facing units in Co-Living Block 01 from overlooking and loss of privacy.

22) OBSCURE GLAZING - STUDENTS BLOCKS 2 AND 3

The relevant Block of Student Blocks 02 and 03 shall not be occupied until all windows in its west facing elevation have been constructed in accordance with details which shall first be submitted to and be approved in writing by the Local Planning Authority. The design shall comprise of an 'Oriel' window or equivalent as shown on the approved elevations, in which any west facing glazing shall be non-opening obscure glass to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent. The windows shall thereafter be maintained in accordance with the approved details.
Reason: To protect the amenities of occupiers of the east facing units in Co-Living Block 01 from overlooking and loss of privacy.

23) NOISE FROM PLANT AND EQUIPMENT

Prior to the installation of any new plant on the site (such as ASHP, MVHR, etc), 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, including nearby residential as well as future residents. These details are required prior to the installation of the relevant equipment as specified to ensure that the plant will not give rise to significant adverse impacts on the amenity of neighbouring receptors.

24) ACCESS: VEHICULAR

The vehicular access from Heavitree Road and egress to Gladstone Road shown on drawing 'Pedestrian and vehicular access arrangement' (ref 72032 CUR XX XX D Z 75007 P05) shall be provided prior to the first occupation of either of the residential phases of development shown on 'Proposed Phase Plan' 23042-BC-ZZ- XX- DR-A-03-152 P2 (identified as 'PBSA buildings and extents' and 'Co-Living buildings and extents'). For the sake of clarity, all works within the areas identified as 'Service road & permissable route, including the provision of delivery laybys, shall be provided with whichever is the first of the residential phases, and shall thereafter be kept clear with those parts intended for vehicular use made available for use by vehicles serving the development at all times.

Reason: To ensure satisfactory access into the site in accordance with saved policies T1 and T3 of the Exeter Local Plan First Review, the Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

25) ACCESS: PEDESTRIANS AND CYCLISTS

Pedestrian and cycle access to the area labelled 'Permissable route' (part of the area identified as 'Service road & permissable route' on 'Proposed Phase Plan' 23042-BC-ZZ- XX- DR-A-03-152 P2) shall be provided prior to the first occupation of either of the residential phases of development shown on 'Proposed Phase Plan' 23042-BC-ZZ- XX- DR-A-03-152 P2 (identified as 'PBSA buildings and extents' and 'Co-Living buildings and extents'). For the sake of clarity, the works in the areas identified as 'Service road & permissable route' shall be provided with whichever is the first of the residential phases and shall thereafter be kept clear and made available for use by pedestrian and cyclists serving the development at all times.

Creation of the 'Permissable route' shall include the following works which shall be in broad accordance with the scheme shown on approved 'Proposed Site Plan' 23042-BC-ZZ- XX- DR-03-100 P4, and shall be undertaken in accordance with full details which shall first be submitted to and approved in writing by the Local Planning Authority:

- Linking the permissible path to the existing/widened footway to Heavitree Rd
- Formation of an access point in the existing boundary wall between the site and the St Matthews Close car park adjacent the northern boundary, including a safe refuge/adequate visibility for pedestrians entering the site from the north
- Creation of an informal crossing of the site access road,

Reason: To ensure satisfactory access into the site in accordance with saved policies T1 and T3 of the Exeter Local Plan First Review, policy CP9 of the adopted Core Strategy, the Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

26) ACCESS: CYCLISTS

No phase of the development hereby permitted shall be occupied until a scheme to provide cycle access from College Road to the site access has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority, and subsequently constructed. The scheme will provide designated cycle infrastructure in line with LTN1/20 standards linking the site with College Road and the site access.
{\b Reason:} To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity in accordance with saved policies T1 and T3 of the Exeter Local Plan First Review, Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

27) OFF-SITE HIGHWAY WORKS

(Part A) Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until an RSA S1 and detailed scheme for the offsite highway improvement works has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, any problems identified in the RSA S1 must be adequately rectified to a standard deemed acceptable by the Local Planning Authority in consultation with the Local Highway Authority.

(Part B) Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.
Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity in accordance with saved policies T1 and T3 of the Exeter Local Plan First Review, the Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

28) PARKING PROVISION AND EV CHARGING

Prior to the occupation of the development hereby permitted within any approved phase, the car parking spaces within the phase shall be provided. Each shall include a Type 2 Electric Vehicle charging point delivering no less than 7kW. The parking spaces and EV chargers shall thereafter be permanently maintained in working order and made available for use by residents of the development.
Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with saved policies T1 and T3 of the Exeter Local Plan First Review, policies CP9, CP15, and CP17 of the adopted Core Strategy, the Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

29) CAR PARKING MANAGEMENT PLAN (CPMP)

Prior to the occupation of the development hereby permitted, a Car Parking Management Plan (CPMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The CPMP shall include the following details:
- Operation of the proposed droppable bollards/barrier and how it will allow for deliveries / servicing / taxi / visitors / emergency vehicles, including ensuring that no vehicles exit back onto Heavitree Road.
- Entry and exit signage for the one-way access road.
- On-site parking enforcement measures to prevent:
    a) future occupiers parking on the internal access road and on the landscaping,
    b) misuse of delivery laybys and ensure that they will be available for use by vehicles making deliveries to the site, and
    c) misuse of disabled parking spaces and of EV chargers
- Procedures for managing the delivery of parcels, groceries to residents of both parts of the site

- Procedures for the moving in and out days for future students and measures to reduce impact to the local highway and footway network.

The CPMP shall be implemented in accordance with the approved details at all times unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the free flow of the local highway and footway networks and to promote sustainable development and inclusiveness, in accordance with saved policies T1 and T3 of the Exeter Local Plan First Review, policy CP9 of the adopted Core Strategy, the Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

30) CYCLE PARKING

The building(s) in any approved phase shall not be occupied until secure cycle parking for the residents of the building(s) in that phase, and outdoor Sheffield cycle stands for visitors have been provided in accordance with the details set out on the plans hereby approved. The secure cycle parking shall thereafter be retained and used solely for the purposes of cycle parking. Where Sheffield Stands are used, these should be positioned and spaced in accordance with the guidance set out within Devon County Council's Cycle Parking Design Guidance.

A cycle maintenance stand, pump, and basic cycle maintenance tools shall be provided for use by residents in at least one of the two cycle stores in each phase of the development, in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

An electric bike (E-bike) charging facility shall be provided for residents of the Co-Living phase of the development prior to its first occupation in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The facility shall provide a secure and weatherproof location in which E-bikes can be stored securely for the duration of a charge and shall provide for the charging no less than 10 bicycles simultaneously.
Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

31) TRAVEL PLAN(S)

No part of the development in any approved phase shall be occupied until a Travel Plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority, for the development in the approved phase. Thereafter the recommendations of the Travel Plans shall be implemented, monitored and reviewed in accordance with the approved documents or any amended documents subsequently approved in writing by the Local Planning Authority.

Reason: To encourage travel by sustainable means, in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

32) CAR CLUB

Prior to the occupation of the development hereby permitted, a car-club facility (comprising of a dedicated parking space, electric charge point and bookable car-club car) shall be installed on-site in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The car-club facility shall be maintained at all times thereafter for use by residents of the development unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure construction of a satisfactory development and to promote sustainable transport in accordance with Core Strategy policy CP9, the Sustainable Transport SPD and paragraphs 115 and 117 of the NPPF.

33) WASTE AND RECYCLING STORAGE AND COLLECTION

The building(s) in any approved phase shall not be occupied the waste and recycling facilities for the building(s) in that phase have been provided in accordance with the details set out on the plans hereby approved. The storage facilities shall thereafter be retained and used solely for the purposes of waste and recycling storage. No waste or recycling bins or containers shall be stored outside the integral bin stores of the buildings hereby approved except on the day(s) of collection when they shall be presented for collection at the two waste collection points illustrated on page 78 of the submitted Design and Access Statement (and thereafter returned to the integral stores).
Reason: In the interests of the amenity of the neighbourhood in accordance with saved policy DG4 of the Exeter Local Plan First Review and paragraph 135 of the NPPF.

34) SECURITY MEASURES

Prior to the occupation of the development hereby permitted within any approved phase, a package of security measures covering that phase of the development, the external areas related to it, and the 'Service road & permissable route' shown on 'Proposed Phase Plan' 23042-BC-ZZ- XX- DR-A-03-152 P2 shall be implemented in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority in consultation with the Police Designing out Crime Officer. The details shall include:

a) Details of access control measures for all access points to the buildings (including all cycle stores), and for internal doors to prevent access by non-residents or staff, and to manage (with reference to management plans subject to separate approval) the parts of the building that residents will have access to;

b) Details of the proposed CCTV system, including the arrangements for monitoring, recording and retaining footage, the location of proposed cameras and their intended coverage (which shall include internal and external coverage of all cycle stores), and the design of CCTV cameras, which should be integrated in an unobtrusive manner.
c) Confirmation that the external lighting scheme (for which details are secured by another condition attached to this permission) meets BS5489-1:2020, including highlighting any areas where this standard cannot be met, with a justification for this;
d) Confirmation that there is to be a staff/management presence on the site 24 hours a day, 7 days per week (with further management details to be set out in the management plans that are required separately)

The development shall thereafter be managed in accordance with those security arrangements.
Reason: In the interests of crime prevention in accordance with saved Policy DG7 of the Exeter Local Plan First Review and paragraph 135(f) of the NPPF, taking into account the recommendations of the Police Designing Out Crime Officer.

35) EXTERNAL ARTIFICIAL LIGHTING

Details of external artificial lighting proposed for the relevant phase(s) of the development shall be submitted to and be approved in writing by the Local Planning Authority. A scheme for either of the residential phases shall be accompanied by lighting proposals for the proposed site access and permissive path.
The details shall include location, type, specification of lighting, and an assessment of the lighting against BS5489-1:2020 and shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details prior to the occupation of the relevant phase of the development, including lighting to the proposed site access and permissive path.
Reason: To ensure lighting is provided in the interests of public and resident safety, whilst ensuring that it is well designed to protect the amenities of the area and wildlife and in accordance with saved policy LS4 of the Exeter Local Plan First Review, the Residential Design Guide SPD.

36) ARCHAEOLOGY 2:

The relevant phase(s) of the development hereby permitted shall not be occupied/brought into use until a post investigation assessment has been submitted to and approved in writing by the Local Planning Authority, in accordance with the archaeological written scheme of investigation (WSI). The post investigation assessment shall provide details of the analysis, publication and dissemination of results, including archive deposition where applicable.
Reason: To accord with paragraph 218 of the National Planning Policy Framework (2024), which requires developers to record and advance understanding of the

significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.

37) CONTAMINATED LAND

REMEDIATION & VERIFICATION
Prior to occupation of any approved phase(s) of the development hereby approved, the remediation works described within the Phase 1 PRA & Phase 2 Ground Investigation Report (Revision V03, 28 May 2025 by Curtins Consulting Ltd) shall be implemented in full, 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.

IMPORT OF SOILS
If any material is imported to the site for fill, topsoil, subsoil or landscaping purposes, a report shall be submitted to and approved by the local planning authority demonstrating that the imported material will not pose an unacceptable risk of pollution or harm. No part of the relevant phase of the permitted development shall be occupied until the report has been approved in writing.
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 (including through materials imported to the site), and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

38) NOISE VERIFICATION REPORT

Prior to the occupation of buildings within a relevant phase of the development, a Noise Mitigation Verification Report shall be submitted to the Local Planning Authority for approval. The report shall document the successful implementation of the approved noise mitigation, including post- installation acoustic testing results which demonstrate the achievement of appropriate internal/external noise levels. The acoustic testing shall be conducted according to the approved method statements.
Reason: To ensure that the proposal provides a satisfactory environment for future occupiers and complies with Policy EN5 of the Adopted Local Plan First Review, CP11 of the Core Strategy and paragraph 198 of the NPPF.

39) AVAILABILITY OF COMMUNAL SPACES

The communal amenity spaces and facilities shown on the approved floor plans of each phase of the development shall be provided prior to occupation of the relevant phase and thereafter maintained in perpetuity for communal amenity use only. Communal spaces shall not be sub-divided in any way to create additional studios/bedspaces. The communal amenity spaces and facilities shall be made available at no cost to all residents of the relevant phase of the development in perpetuity, except where management plan(s) agreed in writing by the Local Planning

Authority restrict access to specific groups of residents (for example, it may be appropriate for access to some kitchen diners to be made available only to the residents of the nearest studios). For the sake of clarity:

- the communal amenity spaces and facilities in the Co-Living phase comprise of: Co-living amenity (Kitchen diner) spaces, Co-living Theatre Kitchen, Co-living reception & lounge, Co-living lounge, Co-living Gym & Wellness Studio, Laundry/Co-Living Laundry, Co-living workspace and 3x meeting rooms.
- the communal amenity spaces and facilities in the PBSA phase comprise of: Reception, Lounge / Games, Group Study plus 3x Study Pods, Gym and Laundry room.

Reason: To ensure sufficient communal amenity space is available for the residents of the buildings in the interests of residential amenity in accordance with saved policy DG4 of the Exeter Local Plan First Review and paragraph 135 of the NPPF

INFORMATIVES

1) In accordance with Paragraph 39 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

2) BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition"), which is worded as follows:

'Development may not be begun unless:

a) a Biodiversity Gain Plan has been submitted to the planning authority, and

b) the planning authority has approved the plan.'

The biodiversity gain plan must include

a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;

b) the pre-development biodiversity value of the onsite habitat;

c) the post-development biodiversity value of the onsite habitat;

d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;

e) any biodiversity credits purchased for the development; and

f) such other matters as the Secretary of State may by regulations specify.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan would be Exeter City Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. However, based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

3) APPROPRIATE ASSESSMENT

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 Area (SPA), the Exe Estuary, which is a designated European site. 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).

4) COMMUNITY INFRASTRUCTURE LEVY

The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly, your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.

It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (i.e. 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.

5) SECTION 106 AGREEMENT

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

6) HIGHWAYS LEGAL AGREEMENT

The applicant will be required to enter into a suitable legal agreement or licence with the Highway Authority to secure the construction of the highway works necessary as

part of this development. The developer should contact the Highway Authority to progress this agreement or licence well in advance of commencement of development.

7) RESIDENTS PARKING PERMITS

You are advised to make all future residents of both parts of the development hereby approved that they will not be eligible for residents parking permits which would allow them to park on public streets surrounding the development.

8) ENVIRONMENTAL HEALTH ADVICE:

Please note the following advice from Environmental Health:

ASBESTOS

Site workers should be advised of asbestos safety on this site. This should be taken into consideration during the planning and implementation of the works. Requirements of all relevant British Standards and Regulations, and HSE Approved Codes of Practice and Guidance, shall be followed.

RADON

Basic radon protection measures are considered necessary within proposed dwellings or extensions. Where the new development incorporates a basement, advice of specialist Radon assessor must be obtained. (Ref. Phase 1 PRA & Phase 2 Ground Investigation Report (Revision V03, 28 May 2025 by Curtins Consulting Ltd.). N.B. Possible useful references include but not limited to: Building Regulations Approved Document C; UK Health Security Agency website.

UXO

Unexploded Ordnance (UXO) specialists are expected to be in attendance during construction work. (Ref. Phase 1 PRA & Phase 2 Ground Investigation Report (Revision V03, 28 May 2025 by Curtins Consulting Ltd.).)

Location Plan

Site Address: **Easting: 292964 Northing: 92734**

PlanningPortal

Date Produced: **30-May-2025**

Scale: **1:1250 @A4**

Planning Portal Reference: **PP-13804347v1**

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REPORT TO: PLANNING COMMITTEE

Date of Meeting: 8 December 2025
Report of: Strategic Director Place
Title: Delegated Decisions and Planning Report Acronyms

1 WHAT IS THE REPORT ABOUT

1.1 This report lists planning applications determined and applications that have been withdrawn between the date of finalising the agenda of the last Planning Committee and the date of finalising this agenda. Applications are listed by Ward.

2 RECOMMENDATION

2.1 Members are requested to advise the Head of City Development (Roger Clotworthy) or the Director for Place (Ian Collinson) of any questions on the schedule prior to Planning Committee meeting.

2.2 Members are asked to note the report.

3 PLANNING APPLICATION CODES

3.1 The latter part of the application reference number indicates the type of application:

OUT	Outline Planning Permission
RES	Approval of Reserved Matters
FUL	Full Planning Permission
TPO	Works to Tree(s) with Preservation Order
ADV	Advertisement Consent
CAT	Works to Tree(s) in Conservation Area
LBC	Listed Building Consent
ECC	Exeter City Council Regulation 3
LED	Lawfulness of Existing Use/Development
LPD	Certificate of Proposed Use/Development
TEL	Telecommunication Apparatus Determination
CMA	County Matter Application
CTY	Devon County Council Application
MDO	Modification and Discharge of Planning Obligation Regulations
NMA	Non Material Amendment
EXT	Extension to Extant Planning Consent
PD	Extension - Prior Approval
PDJ	Office to Dwelling - Prior Approval

3.2 The decision type uses the following codes:

DREF	Deemed Refusal
DTD	Declined To Determine
NLU	Was Not Lawful Use
PAN	Prior Approval Not Required
PAR	Prior Approval Required
PER	Permitted
REF	Refuse Planning Permission
RNO	Raise No Objection
ROB	Raise Objections
SPL	Split Decision
WDN	Withdrawn by Applicant
WLU	Was Lawful Use
WTD	Withdrawn - Appeal against non-determination

4 PLANNING REPORT ACRONYMS

The following list explains the acronyms used in Officers reports:

AH	Affordable Housing
AIP	Approval in Principle
BCIS	Building Cost Information Service
CEMP	Construction Environmental Management Plan
CIL	Community Infrastructure Levy
DCC	Devon County Council
DCLG	Department for Communities and Local Government: the former name of the Ministry of Housing, Communities & Local Government
DfE	Department for Education
DfT	Department for Transport
dph	Dwellings per hectare
ECC	Exeter City Council
EIA	Environment Impact Assessment
EPS	European Protected Species
ESFA	Education and Skills Funding Agency
ha	Hectares
HMPE	Highway Maintainable at Public Expense
ICNIRP	International Commission on Non-Ionizing Radiation Protection
MHCLG	Ministry of Housing, Communities & Local Government
NPPF	National Planning Policy Framework
QBAR	The mean annual flood: the value of the average annual flood event recorded in a river
SAM	Scheduled Ancient Monument
SANGS	Suitable Alternative Natural Green Space
SEDEMS	South East Devon European Sites Mitigation Strategy
SPA	Special Protection Area
SPD	Supplementary Planning Document
SPR	Standard Percentage Runoff
TA	Transport Assessment
TEMPro	Trip End Model Presentation Program
TPO	Tree Preservation Order
TRO	Traffic Regulation Order
UE	Urban Extension

Ian Collinson
Strategic Director for Place

All Planning Decisions Made and Withdrawn Applications between 30/10/2025 and 27/11/2025

Alphington

Delegated Decision

Application Number:	25/1092/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	13/11/2025
Location Address:	129 Cowick Lane Exeter EX2 9HF		
Proposal:	Construction of a single storey garden building in rear garden		

Delegated Decision

Application Number:	25/1128/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	25/11/2025
Location Address:	37 Larch Road Exeter EX2 9DG		
Proposal:	Rear single storey extension to garage and alterations to side extension, including addition of pitched roof.		

Delegated Decision

Application Number:	25/1245/ADV	Delegation Briefing:	11/11/2025
Decision Type:	Permitted	Date:	12/11/2025
Location Address:	Church Road/ Alphin Brook Road/ Powlesland Road Roundabout Marsh Barton Trading Estate Exeter		
Proposal:	Two sponsorship signs to be placed on the roundabout		

Delegated Decision

Application Number:	25/1309/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/10/2025
Location Address:	Underwood Cottage Balls Farm Road Ide Exeter EX2 9RA		
Proposal:	Previously applied and had work accepted on application 25/1193/CAT. However upon another site visit, I've realised, I made a mistake and identified the wrong tree. I've spoken to someone called Emily in the planning department and she advised submitting another correct application.Requesting a full dismantle and removal of a Quercus Ilex (Holm Oak) within the property, with urgency. As casing structure issues to a grade 2 listed cottage. The Quercus is fairly mature, with a gradual lean towards a grade 2 listed building and listed out building (garage). The canopy is now within very close proximity to the building, this however is not the main concern. The Quercus has grown in a very space between a listed cob wall, outbuilding and a grade 2 listed building to the rear of underwood cottage. The Quercus is causing significant issues to the foundations of the main rear wall on the grade 2 listed cottage to the rear of underwood cottage. The cottage is occupied by a 92 year old house bound man. A builder has visited the property and spoken to Mr.Castle (underwood cottage) and owner of the Quercus Ilex. The root plate has caused structure issues to the main supporting pillars holding up the rear of the cottage. The building has huge concerns and has been ackro propped to support the walls as seen in photographs attached. No work can be undertaken to these walls, whilst the Quercus is in place. As it will keep causing issues with its root plate. Pictures of the supporting walls and damage have been added in supporting documents. The Quercus is also moving listed cob wall, which has been repointed multiple times, but almost to point where repairs won't be possible.		

Delegated Decision

Application Number:	25/1411/TPO	Delegation Briefing:	
Decision Type:	Withdrawn Returned (unlikely to be det.)	Date:	31/10/2025
Location Address:	Oaklands Cowick Lane Exeter EX2 9HY		
Proposal:	Safety works to a retaining wall at Cowick Court. To access the wall/foundations we will need to cut back some vegetation and expose the bank to install new wall foundations.		

Delegated Decision

Application Number:	25/1416/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	12/11/2025
Location Address:	1 Matford Park Road Exeter EX2 8ED		
Proposal:	Erection of 3 no. non-illuminated external fascia signs on the southeast elevation, 2 no. non-illuminated external fascia signs on the northwest elevation and erection of 1 no. non-illuminated external fascia signs on the northeast elevation of existing self storage unit		

Duryard And St James

Delegated Decision

Application Number:	25/0705/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/10/2025
Location Address:	Exeter Brewery Cowley Bridge Road Exeter EX4 4NX		
Proposal:	Erection of external staircase to provide access to the flat roof, with installation of a glass balustrade and raising of parapet wall around the flat-roofed area, for use as a roof-top drinking area by customers.		

Delegated Decision

Application Number:	25/0846/FUL	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	06/11/2025
Location Address:	Land On The East Side Of Rose Cottage Wrefords Lane Exeter		
Proposal:	Retrospective Planning Application for 2 No. Temporary Wild Bird Enclosures for Wild Bird Rescue & Release		

Delegated Decision

Application Number:	25/0974/LBC	Delegation Briefing:	
Decision Type:	Permitted	Date:	17/11/2025
Location Address:	4 Elm Grove Road Exeter EX4 4LL		
Proposal:	Replacement single glazed timber sash windows (3 dormer box sash frames, 2 kitchen sashes).		

Delegated Decision

Application Number:	25/1272/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2025
Location Address:	18 Lower Argyll Road Exeter EX4 4QY		
Proposal:	T1 - Sycamore - The large lateral primary branch overhanging the rear garden of No. 18, and arising at approximately 6metres high from the main stem: Shorten back the overhang by approximately 2 metres. Max diameter cut size to be 9cm. Second and third branches only to be pruned.- Further lower branches will be crown lifted to achieve a clearance above ground level of 5 metres.Reasons - to create lighter conditions through pout the rear garden, and reduce the leaf litter falling on the roof.T2 - Cut leaf Maple tree - Remove the lowest lateral branch overhanging the front garden of No. 18 (Max diameter cut size of 12 cm). The higher lateral branch growing immediately above is to be shortened back by approximately 2 metres (max diameter cut size of 6-9cm). Deadwood to be removed. Reasons - To reduce the leaf litter falling in the garden.		

Delegated Decision

Application Number:	25/1292/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	05/11/2025
Location Address:	77 Howell Road Exeter EX4 4LZ		
Proposal:	House in multiple occupation for seven persons (sui generis use)		

Delegated Decision			
Application Number:	25/1295/VOC	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	24/11/2025
Location Address:	Two Ways Taddyforde Estate Exeter EX4 4AT		
Proposal:	Variation of Condition 2 on Planning Permission Ref. 22/0116/FUL, granted 20 April 2022, to increase height and alter fenestration/materials of replacement garage		
Delegated Decision			
Application Number:	25/1316/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	06/11/2025
Location Address:	82 Howell Road Exeter EX4 4LZ		
Proposal:	House in multiple occupation for seven persons (sui generis use) (Certificate of lawfulness of existing use)		
Delegated Decision			
Application Number:	25/1334/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	9 Argyll Road Exeter EX4 4RX		
Proposal:	Demolition and replacement of the garage. Alterations to garden including garage ramp, creation of hardstanding, and replacement steps.		
Delegated Decision			
Application Number:	25/1385/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	06/11/2025
Location Address:	8 Elm Grove Road Exeter EX4 4LL		
Proposal:	Aesculus Hippocastanum - Horse ChestnutFull removal Inc Stump ground.Rational : steady decline in past 4 years.Heavily diseased :New Fungal fruiting bodies:Tremella mesentericaHistoric brackets: Ganoderma applanatumCanker prevalent (as yet univestigated)Came into bud this year but has not come into leaf as of 01/06/2025Approximately 7m in heightDBH = 600MMLocated in front garden, right hand side as viewed from Elm Grove Rd.Within 1 meter of neighbouring boundary and 1 m of Elm Grove Rd boundary. Photographic evidence can be supplied upon request from applicant agent.		

Delegated Decision

Application Number:	25/1409/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/11/2025
Location Address:	99 Pennsylvania Road Exeter EX4 6DT		
Proposal:	T1? Acer Palmatum- To target prune the branches going into the BT line and then Reduce the rest of the crown by 1.5mto maintain an even crownT2? Fagus sylvatica- To target prune the branches going into the BT line And reduce the rest of the crown by approximately 0.5 metres to maintain an even crownT3- Magnolia x soulangeana- To reduce by approximately 1 metre to keep the tree a manageable hight and spreadT4- Fagus sylvatica f. purpurea- To target prune the branches going into the BT line and then Reduce the rest of thecrown by 1m to maintain an even crownT5- Acer rubrum - To target prune the branches going into the BT line and then Reduce the rest of the crown by 1.5m tomaintain an even crownT3- Magnolia x soulangeana - To reduce by approximately 1 metre to keep the tree a manageable hight and spreadT6- Fagus sylvatica f. purpurea- To target prune the branches going into the BT line and then Reduce the rest of thecrown by 1m to maintain an even crownT7,T8 and T9? Cypress- To reducing height by 2.5m to reform back into the original hedge line it was originally, to prevent it from becoming a nuisance for the neighbour.		

Delegated Decision

Application Number:	25/1480/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	21/11/2025
Location Address:	Former Johnsons Laundry Site Cowley Bridge Road Exeter EX4 5AD		
Proposal:	Non-material amendment to planning permission 23/0232/FUL to carry out internal and external design changes including a reduction in student bedspaces from 350 to 344, change mix of studio and cluster beds, adjustments to roof level to increase PV panels, increase in height of block C, centralising plant in block D, and alterations to facades.		

Delegated Decision

Application Number:	25/1565/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	19/11/2025
Location Address:	Pixton Wrefords Lane Exeter EX4 5BR		
Proposal:	Non-material amendment to planning application 25/0450/FUL (Demolition of garage. Erection of 2-bedroom detached annexe and associated works) approved 25/09/25 to move the proposed annexe 2 metres closer to the main building than shown on existing drawings.		

Delegated Decision			
Application Number:	25/1611/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	17/11/2025
Location Address:	Land At Rear Of Hatherly Laboratories Poole Gate Exeter		
Proposal:	Discharge of Condition 3 of Planning Ref. 22/1152/FUL, granted on 19 December 2022, relating to energy efficiency		

Exwick

Delegated Decision			
Application Number:	25/0419/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/11/2025
Location Address:	Exwick Pharmacy Exwick Health Centre New Valley Road Exeter EX4 2AD		
Proposal:	Single storey extension on south west elevation		
Delegated Decision			
Application Number:	25/0668/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/10/2025
Location Address:	41 Antonine Crescent Exeter EX4 1SP		
Proposal:	Installation of an air source heat pump to front of property.		
Delegated Decision			
Application Number:	25/0843/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	25/11/2025
Location Address:	Haven Orchard Exwick Lane Exeter EX4 2AP		
Proposal:	Construction of a part single storey/part two storey house to replace existing house and mobile home		
Delegated Decision			
Application Number:	25/1340/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	19/11/2025
Location Address:	18 Charnley Avenue Exeter EX4 1RD		
Proposal:	Removal of existing garage and construction of single storey extension to side and rear		
Delegated Decision			
Application Number:	25/1356/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	07/11/2025
Location Address:	15 Moorland Way Exeter EX4 2ET		
Proposal:	Change of use from dwelling (C3b use) to Children's Home (C2 use), occupied by 3 children from age 12-18.		

Delegated Decision

Application Number:	25/1386/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/11/2025
Location Address:	Exwick House Exwick Court Exeter EX2 4RE		
Proposal:	Single large Magnolia tree to the left of main building (when facing the front aspect of the property), tree is situated approximately ten feet from the property in a raised bed area.This tree has branches and foliage which over hang the neighbouring property, the intention is to remove all overhang over neighbouring property boundary, severing branches wherever possible at a suitable fork up to 3m inside Exwick house boundary to ensure proper pruning practice. This level of pruning will remove the need for future works for approximately 5 years. The anticipated removal will be less than 10% of the trees spread on a single side.Work to be carried out by tree care professionals who are suitable qualified and will seek to climb the tree to complete the work safely with due consideration to Health and safety guidelines.Within the attached sketch plan the single tree subject of this application is highlighted as ?Tree 1?.		

Delegated Decision

Application Number:	25/1495/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	Northmore House Cleve Lane Exeter EX4 2AR		
Proposal:	T1 - Monterey Pine - Thin the density of the lowest primary lateral branch (which directly overhangs the front garden of the adjacent property) by 30%. This will consist of third order growth only, natural target pruning, and dead wood. Diameter cuts made will be restricted to 2 inch diameter. Reasons - Residents have been worried about this branch for many years. Re-assurance has been provided, and weight removed in the past. The proposed work is designed to reduce the 'sail effect' of the canopy, without adversely affecting the vigour and health of the limb/tree. T2 - Dying Yes tree - Reduce to approximately 6 metres high, or the bowl of the main stem. Reasons - The tree is dying, with very little living growth left. The work is essentially a pollard, and a last chance effort to invigorate the tree into producing foliage. Although pollarding does not always work, this tree will not survive, and start dropping the dead lateral branches. Reducing the size of a crown can concentrate a trees resources into producing new foliage, and so this remedial work is recommended.T3 - Holm Oak - Reduce one stem overhanging the rear gardens of Canterbury Rd by 4 metres. Cut size of approx. 27cm.The stem in question comes into contact (lower down) with the previously reduced stem overhanging the gardens.Reasons - The stem originates from a groups of stems forming the crown of the tree. The tree was coppiced earlier in its life, hence the multi stemmed re-growth. This re-growth is inherently weak, and there are significant lateral forces exerted, especially in high winds, making it likely for stems to fail at the original union. Currently the stem in question moves to a greater degree (observed in moderate winds) when compared with the rest of the crown. Therefore this work is recommended.Recommendations/evidence is provided by Hywel Davies, Consultant for Exe Tree Care Ltd		

Heavitree

Delegated Decision

Application Number:	25/1161/LED	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	13/11/2025
Location Address:	Flat 9 Mont Le Grand Exeter EX1 2PD		
Proposal:	Basement flat (C3 use) (Certificate of lawfulness of existing use)		

Delegated Decision

Application Number:	25/1655/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	26/11/2025
Location Address:	62 Whipton Lane Exeter EX1 3DN		
Proposal:	Non material amendment to approved application 25/0235/FUL changing colour of the windows, doors, parapet coping and window surround to rear elevations from RAL 7034 to RAL 7016; Side extension windows to South Elevation reduced in width; Kitchen window changed to patio doors. Side door to rear extension changed to a narrow window. Brick plinth added below DPC. Extension heights - side was 3471mm, now 3300mm. Rear was 3016, now 3050.		

Mincinglake And Whipton

Delegated Decision

Application Number:	25/1210/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	30/10/2025
Location Address:	The Cedars Neighbourhood Nursery Northbrook Close Exeter EX4 8LD		
Proposal:	Discharge conditions 3 (Tree Protection Plan) and 5 (Construction Method Statement) of planning permission 23/0514/FUL - Demolition of existing modular structures and the creation of a new wrap around single storey extension with associated landscaping works.		

Delegated Decision

Application Number:	25/1341/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/10/2025
Location Address:	Street Record Footpath From Excalibur Close To Roundtable Meet Exeter		
Proposal:	T1, located on the St James high Willowbrook and Beacon Heath, after a recent tree inspection it has found deadwood to be removed.		

Newtown And St Leonards

Delegated Decision

Application Number:	24/1191/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2025
Location Address:	Lethbridge Cottages Parr Street Exeter EX1 2BQ		
Proposal:	T1 Willow, remove to ground level due to fungal growth and general very poor condition/ end of life in high pedestrian traffic area used by vulnerable and elderly residents. Plan to replace with a more appropriate species in a preferable location. T2 Lawson cypress reduce height by approximately 2m away from phone wires & lightly prune sides to maintain an appropriate size for space available.		

Delegated Decision

Application Number:	25/0435/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/10/2025
Location Address:	4 Alexandra Terrace Exeter EX4 6SY		
Proposal:	Single storey rear extension and replacement garage in front garden.		

Delegated Decision

Application Number:	25/1002/LBC	Delegation Briefing:	
Decision Type:	Permitted	Date:	19/11/2025
Location Address:	38 Belmont Road Exeter EX1 2HG		
Proposal:	Installation of central heating and boiler flue		

Delegated Decision

Application Number:	25/1240/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2025
Location Address:	LAND OPPOSITE GENEVA CLOSE, WONFORD ROAD, EXETER		
Proposal:	I am applying to reduce the face of the line of Evergreen Oaks that make up a hedge at Lister Close identified on the sketch map (scan 09-09-25_2055) as TPO 544. The hedge can be seen in IMG_20250731-092442, IMG_20250731-092546 and IMG_20250731-092413 which also show the extent to which it is encroaching onto the roadside. I am proposing to reduce the face that is encroaching onto the access road and Lamp post by approximately 6 feet (due to cutting back to appropriate pruning points) along the length of the hedge adjoining the roadside which is approximately 22.8m. Pruning the trees back by 6 feet will clear the Lamp post that is currently covered allowing light back onto the access road and also allow more visibility for the vehicles that use the Road. The two pictures attached; IMG_20250731-092506 and IMG_20250731-092425 show the branches making up the face of the hedge. As shown in the photos there are adequate pruning points that could be cut back to that would leave minimal wounds to the branches and plenty of points of new growth.		

Delegated Decision			
Application Number:	25/1275/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	26/11/2025
Location Address:	52 St Leonards Road Exeter EX2 4LS		
Proposal:	Install solar panels to south facing roof slopes of rear wing and modern extension		
Delegated Decision			
Application Number:	25/1276/LBC	Delegation Briefing:	
Decision Type:	Permitted	Date:	26/11/2025
Location Address:	52 St Leonards Road Exeter EX2 4LS		
Proposal:	Install solar panels to south facing roof slopes of rear wing and modern extension.		
Delegated Decision			
Application Number:	25/1278/VOC	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	18 Matford Avenue Exeter EX2 4PW		
Proposal:	Variation of Condition 2 (approved plans) of planning application 24/1499/FUL (Demolition of bungalow and creation of a 2-storey, 4-bedroom detached house with integral garage), approved 03 Jun 2025, to install photovoltaic panels to the east and west facing roofs, and install a 1 metre high brick wall within the front garden		
Delegated Decision			
Application Number:	25/1293/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Partially Approved	Date:	12/11/2025
Location Address:	Yonk Asian Foods Summerland Street Exeter EX1 2AT		
Proposal:	Discharge conditions 3 (Construction Method Statement), 6 (Biodiversity Enhancement Plan), 9 (Waste Audit Statement) and 11 (Archaeology WSI) of planning permission 23/0490/FUL.		
Delegated Decision			
Application Number:	25/1307/VOC	Delegation Briefing:	
Decision Type:	Permitted	Date:	07/11/2025
Location Address:	1 Matford Road Exeter EX2 4PE		
Proposal:	Variation of condition two (drawings) of 25/0534/FUL (Single storey rear extension granted 26/06/2025) to include link to utility room		
Delegated Decision			
Application Number:	25/1308/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/10/2025
Location Address:	19 St Leonards Road Exeter EX2 4LA		
Proposal:	T1 - Liquidambar - Reduce in height by 2.5 metres, and prune back the laterals by up to 1 metre to leave a balanced form.		

Delegated Decision			
Application Number:	25/1352/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	31 Barnardo Road Exeter EX2 4ND		
Proposal:	Proposed removal of unsympathetic modern rear extensions and the construction of a single-storey part rear & side extension.		
Delegated Decision			
Application Number:	25/1355/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/10/2025
Location Address:	1 Matford Road Exeter EX2 4PE		
Proposal:	T1 - ChestnutSuggested Works: Crown reduce entire tree by up to 2 metres, Maximum Diameter of Cuts 75mmExisting dimensions:Canopy spread: east to west - 10m, north to south - 12mHeight estimated at 12mRationale: These works are proposed as part of the reasonable and responsible maintenance of this large boundary tree, the canopy of which extends over the neighbouring property.		
Delegated Decision			
Application Number:	25/1380/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	17/11/2025
Location Address:	180 Sidwell Street Exeter EX4 6RD		
Proposal:	Change of use from commercial (Class E) to amusement arcade (Sui Generis)		
Delegated Decision			
Application Number:	25/1383/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	14/11/2025
Location Address:	The Lodge 22 Spicer Road Exeter EX1 1SY		
Proposal:	T1 - Fir; Reduce by 1.5 feet and trim to leave balanced formT2 - Crab Apple; Reduce by 2 feet and reshapeT3 - Abelia; crown lift by 1.5 feetT4 - Ivy; remove from wall lineT5 - Small Cherry; Reduce by 3 feetT6 - Large Cherry; Reduce by 3 feet and reshape. Thin the density as requiredT7 - Norway Spruce; Reduce to approximately 10 feet		

Delegated Decision			
Application Number:	25/1387/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	14/11/2025
Location Address:	83 Heavitree Road Exeter EX1 2ND		
Proposal:	1. Fell Elder x 1, Viburnum x 1, Ash x 1, Bay x 1 Elder stem to the western side of the south-east entrance has failed and hangs towards the public footpath - Photograph 1. Viburnum to the western side of the south-eastern entrance is of limited quality and its removal is required in the interests of prudent management - Photograph 1. Ash exhibiting Ash Dieback Disease and is adjacent the highway - Photograph 2. Bay consists of a single stem to the north of the eastern hedge line with a significant north-eastern overhang towards the neighbouring property to the east - Photograph 3.2. Crown lift mixed species road frontage stems to highways regulations 2.4m above footpath and 4.2m above carriageway - Photograph 4.3. Fell Bay, Viburnum, Holly, Hawthorn, Laburnum and Cotoneaster adjacent existing south-western entrance. Small, ornamental specimens of limited arboricultural or landscape value. Works to be undertaken in the interests of prudent management - Photograph 5.4. Fell Ash x1 due to Ash Dieback Disease and Proximity to building - Photograph 6.5. Fell Sycamore x1 due to limited quality exhibited and low safe useful life expectancy due to proximity to building - Photograph 7.6. Crown reduce eastern laterals of Bay and Pittosporum on the western boundary in the interests of prudent management - Photograph 8.7. Fell approximately Ash x 6 and Bay x 3 within the rear garden. Small, limited quality self-seeded trees with at least x2 damaging the fabric of the existing building - Photographs 9, 10, 11 and 12.8. Fell Cypress x 10 located within the rear garden. The planted stems have a limited safe useful life expectancy, with the north-westernmost impacting the crown spread of good quality Oak in the north-western corner of the site - Photographs 13 and 14.It is intended that all works specified enable the retention of as much boundary screening vegetation as possible, and the primary reason for the work is to manage a neglected garden with many sel		
Delegated Decision			
Application Number:	25/1393/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	03/11/2025
Location Address:	58 St Leonards Road Exeter EX2 4LS		
Proposal:	T1 - Bay - Reduce to 7 feet high ie below the large dead central leaderT2 - Young Oak tree - Fell		
Delegated Decision			
Application Number:	25/1415/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Partially Approved	Date:	11/11/2025
Location Address:	Orchid Place Topsham Road Exeter		
Proposal:	Discharge of Condition 4 of Planning Permission Ref. 22/0770/FUL , granted on 30 May 2023, relating to landscaping		

Delegated Decision			
Application Number:	25/1445/NMA	Delegation Briefing:	
Decision Type:	Split Decision	Date:	18/11/2025
Location Address:	Land At Summerland Street Exeter EX1 2AL		
Proposal:	Non-material amendment to planning permission 23/0490/FUL to carry out changes to the ground floor layout, roof level plant and PV, reduction in building height, and changes to elevations by replacing approved drawings in condition 2. Also to amend trigger in condition 10 (acoustic insulation).		
Delegated Decision			
Application Number:	25/1454/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	17/11/2025
Location Address:	25 Matford Avenue Exeter EX2 4PL		
Proposal:	I wish to fell and completely remove a Bramley apple tree. The tree is 20-25cm diameter at 1.5 m high. It was planted, I believe, in the 1930s, alongside the property boundary wall. It is in poor health and no longer produces good fruit (so a replacement tree was planted a few years ago, which has now reached maturity). An arborist has advised that it was a mistake to plant such a tree on a wall in the first place.		
Delegated Decision			
Application Number:	25/1503/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	8 St Leonards Road Exeter EX2 4LA		
Proposal:	We wish to carry out works on a Magnolia tree at the right hand side of our front garden (as viewed from the pavement) which is close to the border to our neighbours house at No 10 approximately half way between the pavement and the front of our house (see sketch plan attached). Prior to works to make our Yew tree (at the boundary with the pavement) more balanced, the magnolia tree was very much shadowed by the Yew tree and as a result has grown in a very unblanced way making it lopsided. Now that the Yew Tree no longer causes this issue, we hope that the magnolia tree will grow in a more balanced way improving its health, sustainabiity and aesthetic. The contractor who carried out the works on the Yew Tree recommended that we ask for consent to trim the tree by a maximum of 2.5 metres. All works will be carried out by a suitable contractor.The Magnolia tree is not a native species and has been recognised by the LPA as being of less value that the Yew Tree which is subject to a TPO and for which we were given consent for similar works (creating a more balanced tree). Further, consent was previously given to trim back a magnolia tree(s) on our neighbours land at No 6 (also in the front garden). It would therefore seem manifestly unreasonable to refuse my request for consent for the above works. If you wish to carry out a site visit, we have off road parking available on the front.		

Pinhoe

Delegated Decision

Application Number:	25/1055/PD	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	14/11/2025
Location Address:	36 Walpole Close Exeter EX4 8DW		
Proposal:	Single storey, flat roof, rear extension measuring 4.0 m deep x 3.50 m high x 3.50 height of eaves.		

Delegated Decision

Application Number:	25/1381/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	15 Saxon Avenue Exeter EX4 9HG		
Proposal:	Removal of existing conservatory, new rear extension and decking		

Delegated Decision

Application Number:	25/1422/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	4 Orchard Close Exeter EX1 3SN		
Proposal:	Rear extension replacing existing sun room		

Priory

Delegated Decision

Application Number:	25/0647/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2025
Location Address:	7 Magnolia Avenue Exeter EX2 6DJ		
Proposal:	Ancillary annex building in rear garden, attached to existing dwelling		

Delegated Decision

Application Number:	25/0853/FUL	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	04/11/2025
Location Address:	Land Adjacent 24A Hope Road Hope Road Exeter		
Proposal:	Two detached dwellings, associated landscaping, access and off-street parking		

Delegated Decision

Application Number:	25/0854/LBC	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	04/11/2025
Location Address:	Land Adjacent 24A Hope Road Exeter		
Proposal:	Partial demolition of boundary wall fronting Hope Road to create 2 vehicular accesses		

Delegated Decision			
Application Number:	25/1231/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	19/11/2025
Location Address:	134 Burnthouse Lane Exeter EX2 6NB		
Proposal:	Front porch, rear extension, and brick paving driveway.		
Delegated Decision			
Application Number:	25/1248/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/10/2025
Location Address:	Burnthouse Lane/ Chestnut Avenue Roundabout Exeter		
Proposal:	Two sponsorship signs to be placed on the roundabout		
Delegated Decision			
Application Number:	25/1249/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	30/10/2025
Location Address:	Rifford Road/ Burnthouse Lane/ Coronation Road/ Ludwell Lane Roundabout Exeter		
Proposal:	Two sponsorship signs to be placed on the roundabout		
Delegated Decision			
Application Number:	25/1361/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	03/11/2025
Location Address:	Veysey Close Exeter EX2 6AS		
Proposal:	T1 Indian Bean Tree - Canopy appears very thin. Deadwood noted throughout canopy. Numerous split limbs observed, two of which are partially failed. Situated in close proximity to access road and residential property. Appears to have declined significantly since last survey in 2022 - Fell to ground level and replace with Foxglove tree.		
Delegated Decision			
Application Number:	25/1392/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/11/2025
Location Address:	9 Masterson Street Exeter EX2 5GR		
Proposal:	Single storey rear extension		
Delegated Decision			
Application Number:	25/1418/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	11/11/2025
Location Address:	Unit 3 Kew Court Pynes Hill Exeter EX2 5AZ		
Proposal:	Use of building as a dentist (Class E) (Certificate of lawfulness of proposed use)		

Delegated Decision

Application Number:	25/1607/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	17/11/2025
Location Address:	Aperture Rydon Lane Exeter EX2 5SP		
Proposal:	Discharge of Condition 4 on Planning Permission Ref. 25/1137/FUL, dated 10 September 2025, relating to cycle storage		

St Davids

Delegated Decision

Application Number:	25/0432/FUL	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	20/11/2025
Location Address:	24 Southernhay East Exeter EX1 1QL		
Proposal:	Refurbishment and extension to provide a mixed-use building comprising two ground floor commercial units and three flats above including three-storey rear extension and associated cycle and bin store.		

Delegated Decision

Application Number:	25/0433/LBC	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	20/11/2025
Location Address:	24 Southernhay East Exeter EX1 1QL		
Proposal:	Refurbishment and extension to provide a mixed-use building comprising two ground floor commercial units and three flats above including three-storey rear extension and associated cycle and bin store. Internal alterations to all floors, replacement roof and dormers, and replacement windows on front and side elevations.		

Delegated Decision

Application Number:	25/0747/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Partially Approved	Date:	13/11/2025
Location Address:	50 Topsham Road Exeter EX2 4NF		
Proposal:	Part-discharge condition 7 (Remediation Statement) for Apartment Blocks C and D (Plots 34-67), Plots 68-83, Plot 126 and Plots 145-146 of planning permission 22/1546/VOC.		

Delegated Decision

Application Number:	25/0778/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	26/11/2025
Location Address:	1 North Street St Davids Exeter EX4 3QS		
Proposal:	Retail shop 2x fascia signage 0.43 m high x 3.67 m long x 0.1 m deep, 1x projecting signage 0.75m high x 0.9 m wide x 01.m deep with a 0.73 m projection from the side wall and 8x window vinyls		

Delegated Decision			
Application Number:	25/0903/FUL	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	06/11/2025
Location Address:	60 New North Road Exeter EX4 4EP		
Proposal:	Change of use of public house to 2 flats (Class C3) and a House in Multiple Occupation for 5 persons (Class C4) and alterations to front elevation		
Delegated Decision			
Application Number:	25/0962/OUT	Delegation Briefing:	
Decision Type:	Withdrawn by Applicant	Date:	30/10/2025
Location Address:	Acorn And Oak Buildings Market Street Exeter		
Proposal:	INVALID: This application is in relation to a Supported Living Preemies within Exeter. We currently have a temporary scaffold access ramp installed onsite due to issues with the onsite lift.We are looking to process an application to source approval from Exeter Council for a permanent access ramp to be installed onsite to help the tenants onsite who have mobility issues and solely depend of the current onsite lift which we have experience ongoing issues with.Unfortunately, as soon as we experience any issues with the onsite lift, we are under significant pressure from all parties onsite including the local authorities because a number of the tenants onsite are then trapped onsite until the onsite lift could be replaced.We are looking to install an access ramp to resolve any access issues onsite.		
Delegated Decision			
Application Number:	25/1213/LPD	Delegation Briefing:	
Decision Type:	Was lawful use	Date:	07/11/2025
Location Address:	92 Rivermead Road Exeter EX2 4RL		
Proposal:	replace existing rear conservatory with a single-storey rear brick extension with 7 roof lights and rear facing bi-folding doors.		
Delegated Decision			
Application Number:	25/1259/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	25/11/2025
Location Address:	South Street/Western Way/Holloway Street/Magdalen Street Roundabout Exeter		
Proposal:	Four sponsorship signs to be placed on the roundabout		

Delegated Decision			
Application Number:	25/1364/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	14/11/2025
Location Address:	Exeter College Further Education Hele Road Exeter EX4 4JS		
Proposal:	T35 Cedar of Lebanon - Works detailed in attached planSummary of works:Remove all torn, broken, or damaged branches back to suitable secondary growth points or strong branch unions.Maximum cut diameter: 100mm (10cm).Works to be limited to the southern canopy where damage has occurred; no additional pruning beyond this area.Retain overall canopy balance and form.Avoid removal of healthy, undamaged wood unless necessary to achieve a natural pruning line.		
Delegated Decision			
Application Number:	25/1419/VOC	Delegation Briefing:	
Decision Type:	Permitted	Date:	19/11/2025
Location Address:	Unit 3-4 Haven Banks Water Lane Exeter EX2 8BY		
Proposal:	Variation of condition 3 (Hours of Use) of planning permission 89/0383/03 (Alterations to proposed ten pin bowling centre granted on 16 May 1989) to extend opening hours to 08:00-00:30 Sunday to Thursday and 08:00-01:30 on Fridays, Saturdays and Bank Holidays.		
Delegated Decision			
Application Number:	25/1446/FUL	Delegation Briefing:	
Decision Type:	Withdrawn by Applicant	Date:	20/11/2025
Location Address:	3 Bystock Close Queens Terrace Exeter EX4 4JJ		
Proposal:	Internal alterations, including the widening of existing openings, removal of select internal walls to create a larger bathroom and studio space, and the addition of an ensuite. A small glazed extension is proposed, and a stand-alone sauna, installation of a log-burning flue, and associated landscaping works.		
Delegated Decision			
Application Number:	25/1465/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	25/11/2025
Location Address:	27 Hippisley Road Exeter EX2 4BT		
Proposal:	Placing a temporary structure (Sauna/Outbuilding) in garden		
Delegated Decision			
Application Number:	25/1612/DEM	Delegation Briefing:	
Decision Type:	Prior Approval Required and Granted	Date:	26/11/2025
Location Address:	Wichita Works Water Lane Exeter EX2 8BU		
Proposal:	Prior Approval for the method of demolition of 2 single storey brick built structures that formed the former car repair business		

St Loyes

Delegated Decision

Application Number:	25/1156/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	31/10/2025
Location Address:	Middle Dryways Woodwater Lane Exeter EX2 5AJ		
Proposal:	Copper Beech - Crown in height and spread of approximately 1.0 metre all over.The tree is healthy and balanced but it is large and causes concern to neighbour regarding structural integrity and loss of sunlight.		

Delegated Decision

Application Number:	25/1171/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	03/11/2025
Location Address:	13 Apple Farm Grange Exeter EX2 7TH		
Proposal:	Large oak tree TPO 369 Oak T2 in the far corner of my rear garden.Some dead branches at high level need removing.Also need to cut back the whole tree canopy by at least 3 metres due to it now getting close to our house, and next door neighbours.		

Delegated Decision

Application Number:	25/1214/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	14/11/2025
Location Address:	13 Miller Close Exeter EX2 5NE		
Proposal:	Rear, white uvpc, conservatory.		

Delegated Decision

Application Number:	25/1215/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	31/10/2025
Location Address:	Journeys End Aspen Close Exeter EX2 5RZ		
Proposal:	Tree Identification and Proposed WorksT1: Mature willow (Salix spp.) located in the rear garden, approximately 3 metres from the house.Reason for WorksSignificant basal decay on the south-west aspect (0.5 m ? 2 m) with low resonance.Historic pruning wounds and surface roots lifting driveway.Sparse crown and reduced vitality.Elevated risk to property and occupants (QTRA 1 in 30,000).Proposed WorksComplete removal of T1.Replant with a suitable, smaller-stature species at an appropriate distance from structures.		

Delegated Decision

Application Number:	25/1304/FUL	Delegation Briefing:	
Decision Type:	Withdrawn by Applicant	Date:	25/11/2025
Location Address:	33 South Grange Clyst Heath Exeter EX2 7EY		
Proposal:	Install an electric vehicle charging point in my front garden, beside steps. It will not be attached to the building itself but a small free standing post in the garden, the cable can then be put under the front steps to be taken into the house.		

Delegated Decision

Application Number:	25/1305/LBC	Delegation Briefing:	
Decision Type:	Withdrawn by Applicant	Date:	17/11/2025
Location Address:	33 South Grange Clyst Heath Exeter EX2 7EY		
Proposal:	Install an electric vehicle charging point in front garden, beside my steps. It will not be attached to the building itself but a small free standing post in the garden, the cable can then be put under the front steps to be taken into the house.		

Delegated Decision

Application Number:	25/1310/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2025
Location Address:	63 Russell Walk Digby Exeter EX2 7TN		
Proposal:	Residents report ends of lowest branches are striking parked larger vehicles, request to remove sections that are hanging down from the horizontal branch increasing clearance from approx 2.4m to 3.0m		

Delegated Decision

Application Number:	25/1432/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	12/11/2025
Location Address:	Chichester House Coates Road Exeter EX2 5RP		
Proposal:	G1 - Norway Maple. Remove small dead stems behind parking area; remove two small dead stems left hand side of store; remove two stems directly behind store, to prevent physical damage to structure. Reduce remaining low lateral branch over store to give 2m clearance.T1 - Monterey Pine. Reduce lateral canopy to south by up to 3m, maximum diameter of cuts 100mm; remove snapped hanging branch @6-8m south of crown.Works recommended following a tree survey, see attached report for further details		

St Thomas

Delegated Decision

Application Number:	25/0229/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	07/11/2025
Location Address:	11A Wardrew Road Exeter EX4 1HB		
Proposal:	Change of use from E to F1 to provide a childrens learning hub for children with special educational needs including disabled toilet facilities		

Delegated Decision

Application Number:	25/0679/FUL	Delegation Briefing:	28/10/2025
Decision Type:	Permitted	Date:	11/11/2025
Location Address:	100 And 102 Merrivale Road Exeter EX4 1PW		
Proposal:	Redevelopment of site to include erection of 2 two-storey semi-detached dwellings		

Delegated Decision

Application Number:	25/0739/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	10/11/2025
Location Address:	63 Queens Road Exeter EX2 9EW		
Proposal:	Demolition of garage and garden room. Replacement garage, alterations, ground floor side and rear extensions. Alterations to driveway and front boundary wall.		

Delegated Decision

Application Number:	25/0942/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2025
Location Address:	122 Barley Farm Road Cowick Exeter EX4 1NJ		
Proposal:	Revised Plans: Flat roof front porch.		

Delegated Decision

Application Number:	25/1388/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	07/11/2025
Location Address:	9 Princes Square Exeter EX2 9AN		
Proposal:	Pollarding of and ash tree in rear garden Ash tree approx 8-10m tall. Located in a conservation area.		

Topsham

Committee Decision

Application Number:	23/1532/OUT	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	14/11/2025
Location Address:	Sandy Park Farm Old Rydon Lane Topsham Exeter EX2 7JW		
Proposal:	Outline Planning Application (all matters reserved bar access) for up to 158 residential dwellings (Use Class C3) and up to 17,567 sq m of commercial floorspace (Use Classes E, F2, B2 and B8) with associated infrastructure.		

Delegated Decision

Application Number:	25/0991/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	05/11/2025
Location Address:	6 Montagu Close Exeter EX2 7FU		
Proposal:	Conversion of garage to home office by replacing garage door with 3x windows, inserting 2x windows on rear elevation, replace door with window and relocated and insert new door with small canopy on side (north) elevation and 2x cycle secure storage spaces.		

Delegated Decision

Application Number:	25/1225/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	24/11/2025
Location Address:	15 Majorfield Road Topsham EX3 0ES		
Proposal:	T1 Holly, fell. removing this tree will allow for easier maintenance and enjoyment of the garden		

Delegated Decision			
Application Number:	25/1236/PDCD	Delegation Briefing:	
Decision Type:	Prior Approval Not Required	Date:	10/11/2025
Location Address:	86 Fore Street Topsham EX3 0HQ		
Proposal:	Change of use of ground floor cafe (Class E) to residential (Class C3) and amalgamate with the apartment above to create a single dwelling house.		
Delegated Decision			
Application Number:	25/1286/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	26/11/2025
Location Address:	7A Parkfield Way Topsham EX3 0DP		
Proposal:	New parking bay formed in rear garden involving the removal of a section of boundary wall. Replacement windows and front door. Front door canopy replaced with open porch.		
Delegated Decision			
Application Number:	25/1294/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	12/11/2025
Location Address:	7 Holland Park Exeter EX2 7JE		
Proposal:	Construction of a single storey rear extension and two storey side extension.		
Delegated Decision			
Application Number:	25/1325/VOC	Delegation Briefing:	
Decision Type:	Permitted	Date:	10/11/2025
Location Address:	Clystside Elm Grove Road Topsham Exeter EX3 0BN		
Proposal:	Variation of Condition 2 (plans condition) of application 24/1011/FUL (single storey rear extension and replacement doors, windows and eaves detailing) approved on the 3rd December 2024 to alter the configuration and materials of the extension.		

Delegated Decision

Application Number:	25/1369/TPO	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	31/10/2025
Location Address:	5 Sunhill Lane Topsham EX3 0BR		
Proposal:	T1 - Blue Atlas Cedar Crown Lift. Remove lowest branches extending over driveway. Crown Raise any remaining foliage to 5 metres above ground level to shape. Reduce extended branches in upper crown by a maximum of 4 metres to contain overall spread. Selective pruning to remove weaker, crossing, and dead branches to improve structure, balance, and long-term health.Crown clean. Reason for Works: T1 Blue Atlas Cedar Low branches over the highway and parking areas. Some branches now resting over a telephone cable. To contain and prevent weaker branches from falling in storms/high winds and causing damage to property, people or pets. To maintain the tree at a safe and proportionate size in relation to the neighbour?s boundary, our property, and the adjacent lane, reducing encroachment and shading while preserving the tree?s natural form and amenity value (as last completed in 2017 as per previous application).		

Delegated Decision

Application Number:	25/1390/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	07/11/2025
Location Address:	7 Tresillian Gardens Topsham EX3 0BA		
Proposal:	T1 Lime (previously pollarded) - with bracket fungus at approximately 3.0 metres showing at old open wound. Reduce/pollard tree to height of old wound (approximately 3.0 metres from ground level) to allow regrowth.		

Delegated Decision

Application Number:	25/1410/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	06/11/2025
Location Address:	Church Of The Holy Cross 17 Station Road Topsham EX3 0EE		
Proposal:	Sketch planT002- Eucalyptus- FellT003- Elm x5- Fell stemsG005- English Elm and Holly- Fell elm and fell holly down T006- Horse chestnut- Maintain minimum 1m clearance from building crown lift all lower branches remove waste. Small branches only no cuts over 3 inches to be included in the crown lifting T007- Common Ash- Crown raise for 3m clearance over carpark and garden back to fence line. T9- Yew- Cut to ground and chip up stump removedT10- Hazel- Reduce to 6 foot and chip brashT11- Hazel- Reduce to 6 foot and chip brashT12- Holly - Reduce to 12 foot, Trim back face of holly T13- Yew- Crown lift to up to 3 metres T14- Hazel- cut to groundT15- Laurel - Reduce to 8 foot remove all waste. Cut single hazel to ground. Trim back road side face of laurel including privetT16- Olive tree - Crown Reduction - Reducing the height and spread of the tree by up to 0.5 metres back to pruning points. T16- Bay- Reduce to 8 foot and chip waste trim face T17 - Birch- Crown Lift to provide 8 feet clearance from ground level Birch		

Delegated Decision			
Application Number:	25/1417/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	12/11/2025
Location Address:	Land On The West Side Of Clyst Road Topsham Exeter		
Proposal:	Re-discharge condition 6 (CEMP) of planning permission 21/0894/OUT (appeal ref. APP/Y1110/W/22/3296946) - Phased outline planning application for the construction of up to 100 dwellings and associated infrastructure (all matters reserved).		
Delegated Decision			
Application Number:	25/1425/NMA	Delegation Briefing:	
Decision Type:	Refuse Planning Permission	Date:	10/11/2025
Location Address:	Land At The Corner Of Retreat Drive, Topsham		
Proposal:	Non Material Amendment to planning permission 17/1656/FUL to amend the description of development to remove the number of residential units.		
Delegated Decision			
Application Number:	25/1434/TPO	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	Land To The East Of Seabrook Mews And North Of Topsham Road. Known As Topsham Phase 2B Development Site.		
Proposal:	TPO T43 Crown lift south-eastern side of crown to 3.5m above ground, removing secondary growth back to suitable growth points.Remove deadwood greater than 50mm diameter overhanging into site. For clearance above the gardens of the new properties being built and from the new boundary fence line. Also for clearance to facilitate construction works, to avoid damage to branches from machinery and vehicles.TPO T42 Crown lift south-eastern side of crown to 3.5m above ground, removing secondary growth back to suitable growth points.Remove deadwood greater than 50mm diameter overhanging into site. For clearance above the gardens of the new properties being built and from the new boundary fence line. Also for clearance to facilitate construction works, to avoid damage to branches from machinery and vehicles.		
Delegated Decision			
Application Number:	25/1472/DIS	Delegation Briefing:	
Decision Type:	Condition(s) Fully Discharged	Date:	19/11/2025
Location Address:	David Lloyd Leisure Club Sandy Park Way Exeter EX2 7NN		
Proposal:	Discharge of Condition 4 (External Lighting) of planning application 23/1451/FUL (Extension of external spa garden and removal of seven car parking spaces and motorcycle bays) Approved 1/2/24 to confirm lighting arrangements		

Delegated Decision			
Application Number:	25/1547/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	20/11/2025
Location Address:	Furlong 19 Ferry Road Topsham EX3 0JN		
Proposal:	T1 - Eucalyptus tree - Reduce in height by 3 metres. Shorten back all side growth by 1-2metres to leave a balanced form.		

Total Applications: 104

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REPORT TO: **PLANNING COMMITTEE**
Date of Meeting: **8 December 2025**
Report of: **City Development Strategic Lead**
Title: **Appeals Report**

Is this a Key Decision? No

Is this an Executive or Council Function? No

1. What is the report about?

1.1 The report provides Members with information on latest decisions received and new appeals since the last report (27/11/2025).

2. Recommendation:

2.1 Members are asked to note the report.

3. Appeal Decisions

3.01 **24/1195/VOC Land North East of 371 Topsham Road Access to West of England School, Priory.** *Development comprising change of use to golf driving range including construction of an 8 bay and 2 training bay facility incorporating equipment store and car park (Variation of condition 2 of 21/1676/FUL to change the surface material of the car park from grasscrete or similar to recycled plastic cell gravel).*

Planning Inspectorate Decision Issued: 24th November, 2025.

Appeal Allowed with Conditions
Costs Refused.

The application was refused at Planning Committee (PC) on 16 December 2024 contrary to the officer recommendation for approval. There were three reasons for refusal; noise impacts, sustainability and harm to the character and local distinctiveness of Ludwell Valley Park.

Refusal Reason: Noise Impacts
The PC considered the change in material would generate unacceptable noise impacts to local residents contrary to the Core Strategy policy CP11 and Local Plan saved policy EN5, as well as paragraphs 187(e) and 198(a) of the NPPF (2024)

The appellant submitted a Noise Impact Assessment with the appeal. This demonstrated that predicted levels of noise are well below measured background noise levels, with the Council's Environmental Health team agreeing with these conclusions. This aspect was therefore withdrawn by the Council from the appeal and the Inspector confirmed they had no reason to take a different view.

Refusal Reason: Sustainability
The PC considered that insufficient information was provided to demonstrate how the proposed material complies with Core Strategy policy CP15 and the requirement for sustainable design and construction methods.

The appellant submitted specifications of the holding matrix with the appeal. This was assessed by the Council and it was confirmed that sustainable design and construction methods had been demonstrated. This refusal reason was therefore withdrawn by the Council and the Inspector confirmed they had no reason to take a different view.

Refusal Reason: Harm to Character and Local Distinctiveness of Ludwell Valley Park
The PC considered that the surface material change would have a negative impact on the character and local distinctiveness of Ludwell Valley Park due to a lack of natural appearance and failure to integrate with the rural landscape of the field, which was a key consideration of the original approval. The proposal was therefore contrary to Core Strategy policy CP16, Local Plan saved policies L1, LS1 and DG1 and paragraphs 131, 135 and 140 of the NPPF (2024).
The Inspector noted that the site has an agricultural appearance and retains its natural topography. The existing car parking grass has not established and the growing medium has washed away in places exposing the ring matrix. The Inspector considered this to have a poor appearance with the potential to cause visual harm.

The Inspector considered that the car park is contained by the driving range building at one end and significant planting that will provide screening of the development from the northwest. It is at a lower level than the rest of the field and is difficult to view from the surrounding area. Whilst parked cars are visible, this would be unchanged by the car park surface material.
The proposed grey material was considered visually similar to the existing sand finish. Whilst this is not an approved finish the Inspector considered it a useful comparison as it is not prominent to view. It was therefore concluded that gravel would not increase the prominence of the car park, even when compared to the approved grasscrete finish, and that visual containment will increase as the recent planting establishes.

The Inspector found the proposal accords with Local Plan saved policies L1, LS1 and DG1, Core Strategy policy CP16, emerging Exeter Plan policy NE1 and paragraphs 131, 135 and 140 of the NPPF.

Other Matters
Neighbour comments suggested a grasscrete system would be better for a variety of reasons. In terms of water permeability the Inspector noted that over 50% of grasscrete is impervious concrete whereas the proposed gravel offers better drainage.
The Inspector also considered that it would be unlikely for a grass surface to establish itself across the car park due to vehicle movements and that any ecological benefits of small grass pockets would be modest in the context of the significant planting carried out in association with the development.

Decision
For the reasons stated above the Inspector allowed the appeal subject to conditions.
The conditions reinstated the previous conditions with a 3 month period to submit the details and a further 3 months to implement them. A new condition was added requiring submission of samples/product specifications of the surface material.

Costs
An application for costs was submitted against the Council, with the applicant advising that the refusal on noise grounds contained vague, generalised or inaccurate assertation about the proposal impact and that unnecessary costs were incurred in preparing and submitting a Noise Impact Assessment. It was also stated that officers had advised members on this matter in the committee report, concluding it was acceptable on noise grounds.

The Inspector noted that the Planning Committee is free to go against the advice of is officers, provided a contrary view is not taken unreasonably. The committee minutes noted that the decision was supported by adequate analysis of the issues. Public comments were submitted on this matter and the Inspector visited the site and observed the location of nearby dwellings. It was considered that there was a risk of noise nuisance for these properties that was reasonable to consider.

The Inspector also considered that the proposal was refused for other reasons and if the application had been deferred to address this issue it is likely the scheme would still have been refused.

It was concluded that unreasonable behaviour resulting in unnecessary or waste expense did not occur and no costs were awarded.

The Council did not submit any claim for costs and none were awarded.

4. New Appeals

4.1 **24/1537/OUT Anstey's Orchard, Rutherford Street, Priory.** *Outline application for use of land for residential development for 5 dwellings including access (all matters relating to scale, layout, external appearance and landscaping reserved for future consideration).*

Planning Inspectorate Appeal Start Date: 19th November, 2025.

Ian Collinson, Strategic Director for Place, City Development

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling the report:
Letters, application files and appeal documents referred to in report are available for inspection from: City Development, Civic Centre, Paris Street, Exeter

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