



## PLANNING

Date: Monday 19 January 2026

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](mailto: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 meetings held on 1 December 2025 and (Pages 3 - 8 December 2025. 26)

**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 may speak to an application. Any request must be made by 10:00am on the Thursday before the meeting.**  
**For this meeting, the deadline for public speaking is Thursday 15 January 2026 by 10:00am.**

**Full details on public speaking are available here: [Speaking At Planning Committee](#)**

**5 Planning Application No. 25/0781/FUL - Mary Arches Street Car Park**

To consider the report of the Strategic Director for Place.

(Pages 27 - 96)

**6 Planning Application No. 25/0895/FUL & 25/0896/LBC - Site of Royal Clarence Hotel**

To consider the report of the Strategic Director for Place.

(Pages 97 - 146)

**7 List of Decisions Made and Withdrawn Applications**

To consider the report of the Strategic Director for Place.

(Pages 147 - 182)

**8 Appeals Report**

To consider the report of the Strategic Director for Place.

(Pages 183 - 194)

## **Date of Next Meeting**

The next scheduled meeting of the Planning Committee will be held on **Monday 9 February 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.

**Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.**

# Agenda Item 2

## PLANNING COMMITTEE

Monday 1 December 2025

### Present:-

Councillor Knott (Chair)

Councillors Rolstone, Asvachin, Banyard, Hughes, Hussain, Ketchin, Mitchell, M and Pole

### Apologies

Councillors Atkinson and Williams, M

### Councillors in attendance under Standing Order No. 44

Councillors Darling, Fullam and Wright speaking on item 4 (Minute No. 43 below)

### Also Present

Head of Service - City Development, Head of Legal and Democratic Services & Monitoring Officer, Assistant Service Lead – Development Management (Major Projects), Principal Project Manager – Development Management, Principal Project Manager – Development Management and Democratic Services Officer

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## DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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## LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Strategic Director for Place was noted.

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## APPEALS REPORT

Members noted that there were no appeals items to consider.

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## PLANNING APPLICATION NO. 25/0957/OUT - LAND AT BARLEY LANE

**Councillor Hussain arrived during the item and did not participate in the debate or vote on this item.**

The Chair invited Councillor Wright to speak under Standing Order No. 44, who made reference to:

- as a St. Thomas ward Councillor, she strongly objected to the proposed development, and welcomed the detailed officer report recommending refusal;
- there were a large number of resident objections who recognised the need for affordable and sustainable housing in Exeter;
- resident objections were on the proposal's scale and design, which were considered to be out of character with the area and conflicted with Exeter's long-standing avoidance of building along the ridgeline area;
- there were unresolved issues around infrastructure, public services, and transport, as well as significant environmental concerns, notably on increased flood risk, which was insufficiently addressed by the developer;
- development in Exeter should enhance the city, rather than diminish it; and
- the Planning Committee was urged to refuse the application, which would place undue pressure on the community, harm local environment, and lacked proper resident engagement.

The Chair invited Councillor Darling to speak under Standing Order No. 44, who made reference to:

- their objection was focussed on active travel and transport issues;
- despite the transport assessment deeming the risk acceptable, the development would increase car use and congestion on Dunsford Road, as well as across the city;
- residents had already reported heavy traffic in the area with buses currently struggling to access the area due to obstructions from parked cars;
- walking and cycling access was unrealistic, given that the nearest railway station was a 20-minutes' walk away and the site required walking up a steep hill;
- walking routes to bus stops exceeded the 10-minute threshold, which would encourage further use of cars;
- the proposed development would diminish the rural character of the Exeter Green Circle walking route;
- cycling was considered to be unsafe and impractical due to fast traffic, lack of cycle lanes, steep gradients, and that the National Cycle Network route was only suitable for highly confident cyclists;
- transport issues were beyond the control of the developer and geography was the main barrier to active travel in this area, making the site inherently unsuitable for sustainable transport; and
- significant transport limitations and the wider aesthetic and environmental concerns justified refusing the application in line with officers' and residents' views.

The Chair invited Councillor Fullam to speak under Standing Order No. 44, who made reference to:

- officers, Councillors and the 200 plus residents who unanimously opposed the proposal were thanked;
- the urban context of St. Thomas was described as a dense area, with very limited green space and Barley Lane acting as a vital green escape from the urban environment;
- the area offered countryside for local residents, walkers, and dog owners and developing the site would push the accessible green space much farther away, whilst further deepening the urban footprint;
- the issue was not about resisting development, but about the principle of protecting the prominent ridgeline of the city. Building on the ridgeline would permanently damage Exeter's character defined by its views and surrounding hills, trees, and fields;
- the ridgeline needed to be protected and by allowing the proposal to proceed, it would set a precedent for further ridge-line development; and
- the Planning Committee was urgently requested to uphold the officers' recommendation for refusal.

The Chair invited Dr Keith Howe, to speak for five minutes, against the application, who made the following points:

- he was speaking as a Barley Farm Road resident of 50 years and as an economist with environmental expertise;
- he argued against the proposed development using a social cost-benefit perspective aligned with the National Planning Policy Framework and the Exeter Plan;
- the development would incur significant costs, a loss of tranquillity and

landscape quality, harm to biodiversity, increased flood risk, road safety issues, congestion, and poor access to transport and amenities. These concerns raised reflected the genuine lived experience shared by over 200 objectors;

- in contrast, the benefits to the development were limited, with only 65 homes, the development would make only a marginal contribution to Exeter's wider housing needs;
- for existing residents, green circle walkers, and nature users, the development offered no benefits and would permanently destroy a valued green space; and
- the loss of well-being to the community far outweighed any gains and therefore the Planning Committee was urged to reject the application.

The Principal Project Manager – Development Management presented the application for an outline planning permission (with all matters reserved apart from access) for the phased development of up to 65 residential dwellings, two access points from Nadder Park Road, public open space and associated infrastructure (including land for biodiversity enhancements), which was recommended for refusal.

Members received a presentation and received the following information:

- the applicant had recently submitted extra drainage information, in which the Lead Local Flood Authority was still to respond to, and therefore the recommended drainage-related refusal reason remained in place;
- the application was for outline planning permission for up to 65 homes on a highly visible greenfield site on Exeter's north-west ridge, within the landscape setting area and valley park, which adjoined Barley Valley Nature Reserve and the Exeter Green Circle route;
- the application had attracted 214 public objections;
- the parameter plan provided an indication of what the development would be like and the proposal included two new access points onto Nadder Park Road, both of which have been assessed as suitable for large vehicles, with the Highway Authority raising no objections;
- access onto Nadder Park Road access was considered technically acceptable, and concerns about ecology and highways had been resolved, with a proposed £700-per-dwelling contribution to walking and cycling improvements;
- a core issue was on the harm to the landscape, in which the development would protrude above existing rooflines and disrupt key ridgeline views;
- officers had identified flaws in the applicant's landscape assessment, including missing viewpoints and misleading photo locations;
- officer photographs (presented during the presentation) showed the site was visible from multiple prominent locations across the city, including Ludwell Valley Park, Bartholomew Terrace, Colleton Terrace, the Quay, and Exe Bridges;
- the scheme proposed 35% affordable housing and the Council currently lacked a five-year land supply, which triggered the tilted balance, however, it was officers view that the significant and demonstrable landscape harm outweighed the benefits of the development;
- suitable drainage had also not been demonstrated, and planning obligations had not yet been secured;
- the application as recommended for refusal on three grounds: landscape impact, unresolved drainage issues, and absence of completed planning obligations.

The Principal Project Manager – Development Management responded to Member questions and clarification points as follows:

- the Barley Lane school was located just slightly beyond the edge of the aerial images shown in the presentation;
- no reason was provided for why the developer was not in attendance at the meeting;
- the proposed biodiversity space was on a slope but was suitable for biodiversity net gain and would be publicly accessible, not reserved for new residents;
- no illustrations of house designs were provided as this was an outline application, but the indicative plans suggested the development would be mostly two-storey homes, unlike the nearby lower rooflines used to protect the ridgeline;
- any building, including single-storey buildings would significantly harm the ridgeline and Valley Park landscape due to the site's high visibility;
- only two nearby schemes existed which set a precedent. One development at Barley Lane was refused and another at Redhills was allowed at appeal. There were no other similar large-scale developments in the immediate area, and a previous pre-application for this site had been discouraged;
- extra drainage information was submitted late in the process and the Lead Local Flood Authority had not responded to being consulted on the information. Therefore, the view that there was inadequate drainage remained a reason for refusal;
- no legal agreement had been signed, so its absence was listed as a reason for refusal, which was standard practice;
- unlike other appeal sites, this development would protrude above the ridgeline, lacking tree cover, and obscure existing trees;
- the applicant had not provided long-distance view assessments, which officers considered to be necessary to assess the full impact of the proposals;
- all vehicle access would be from Nadder Park Road, and there would be no access from the north; and
- a PIC was a Personal Injury Collision, which was a record of accidents involving injury.

During debate, Members expressed the following views:

- the application did not consider specific transport needs for the nearby Barley Lane School, where pupils arrived by taxis and minibuses;
- the development would increase congestion, creating safety risks for vulnerable children, and assumptions about peak-time impacts were considered to be inaccurate;
- there were potential risks to community wellbeing, including flooding impacts on neighbouring homes and general safety concerns related to access;
- the importance of protecting Exeter's distinctive ridgeline was highlighted;
- the development would cause significant visual harm, and would erode the city's green edge, and negatively affect Exeter's character and views from across the city;
- the development was far from bus stops and the railway station, and would increase car dependency;
- there was also inadequate options for sustainable transport, notably cycling provisions would require a hard uphill cycle which would not be sustainable to all residents;
- the developer's failure to attend the meeting or present a case, was noted should the matter be appealed;
- the report had not provided any reason to go against the officer recommendation to refuse;
- the application offered a benefit in developing affordable housing;

- previous appeal decisions on different sites were not valid comparators because the proposal was higher and in a more sensitive landscape position; and
- the traffic impacts were considered to underestimated, with additional road vehicles more likely, given the topography.

Councillor M. Mitchell moved, and Councillor Ketchin seconded the recommendation, which was voted upon and CARRIED unanimously.

**RESOLVED** that planning permission for outline planning permission for the phased development of up to 65 residential dwellings, two access points from Nadder Park Road, public open space and associated infrastructure (including land for biodiversity enhancements) be refused for the reasons listed in the committee report.

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**PLANNING APPLICATION NO. 24/0785/FUL - TOPSHAM GOLF ACADEMY**

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

- his company was a local family company who had been engaging with officers and consultees since validation in September 2020;
- there had been numerous consultees, including EEA, RSPB, Highways Authority, Lead Local Flood Authority, Waste Planning Authority, South West Water, Police, and Ecologists;
- the Local Plan team had confirmed that there was a lack of a five-year land supply;
- infrastructure works would be delivered within the site boundary, avoiding disruption to Topsham Road;
- the site was already allocated within the emerging local plan;
- the scheme had been developed collaboratively with heritage development consultants and officers;
- the reason for Members to consider approval was that there was no five-year housing land supply, was a sustainable location, acceptable design and visual impacts, would cause no significant harm to neighbouring amenities and there were no material considerations justifying refusal;
- proposed benefits included: carbon-neutral homes, 19 affordable homes, of which 70% would be for social rent units, totalling at 35% overall contribution;
- NHS contributions would be £16,990 for Foundation Trust and £35,032 for NHS Integrated Care Board;
- the CIL contribution would be £1,177,000 for managing public open spaces, children's play areas, biodiversity net gain, SUDS, and habitats mitigation; and
- there would be a continuity of work for local trades and suppliers, supporting the local economy as part of the company's values.

Mr Martinovic responded to Members' questions as follows:

- homes were being built to A+ rating under EPC standards, which was the highest energy-efficiency rating;
- he lived locally and knew the area well and considered the site location to be sustainable;
- the proposed road would extend to the site boundary, for a future link road to Newcourt Road with a cycleway. This was subject to adjoining land becoming available;
- although the developer was willing to work with others, they could not control what other landowners or developers decided to do;

- the scheme included 19 social homes, of which, 35% would be affordable housing;
- access for vehicles, pedestrians and bikes was designed to reach the boundary, as requested by the Highways Authority;
- there would be no direct connection beyond the boundary because the developer did not own the next field; and
- biodiversity net gain was being handled by the consultants but the planning officer may provide the explanation.

The Principal Project Manager – Development Management presented the application for demolition of existing buildings/structures and proposed residential development of 54 residential units, including affordable housing, plus open space, landscaping, car parking, drainage, vehicular access, internal roads and all associated infrastructure and development which was recommended for approval.

Members received a presentation and the following information:

- a key added obligation in the update sheet was on ensuring the road and cycle/pedestrian route extend to the site boundary to secure future connectivity;
- aerial views showed the new development to the east; heritage site to the south and motorway to the west, which required noise mitigation;
- access arrangements had been approved by Highways, in which applications needed to connect fully to the public highway;
- the extended red-line boundary was explained in the site plan;
- the site was low-lying and heavily concealed by hedges, making it difficult to view from surrounding areas and the landscape impact assessment was very limited;
- over a 14-month period, negotiations and design changes had improved the scheme. Improvements included a redesigned and extended main access road, the provision of a large public open space and two internal access routes;
- other improvements included: the provision for a future link road being incorporated into the scheme and road alignment being moved away from hedgerows with hedges being protected,
- the site was conditioned for long-term improvements;
- drainage constraints meant most water runoff and storage must be underground with open water storage features being unfeasible;
- because the site was a greenfield, replacing existing habitat types was not possible, which required biodiversity credits;
- the proposed changes had minimal impact on the landscape, with visibility from surrounding fields being low to negligible;
- the planning principle was for residential use, which was already established through adjacent permissions and appeal decisions;
- given there was no five-year land supply, the scheme qualified as a sustainable development;
- the community asset policy (CP10) was not a reason for refusal, because the asset had been replaced elsewhere;
- the emerging Exeter Plan provided the site with some support, though with limited weight;
- the scheme provided 35% affordable housing, including 70% social rent, which fully met policy requirements;
- the overall assessment: the proposal, despite having a very limited landscape impact, met policy expectations, and positively contributed to housing delivery; and
- the recommendation was to delegate approval subject to completing the

## Section 106 agreement.

The Principal Project Manager – Development Management and the Assistant Service Lead – Development Management (Major Projects) responded to Member questions and clarification points as follows:

- the road design had been reviewed and approved by Highways and included a dedicated pedestrian-side route;
- safety concerns had been raised and appropriate fencing and protection for public open spaces and play areas would be secured through conditions;
- NHS Integrated Care Board had provided the £35,232 GP contribution using a standard formula which was applied across the city;
- the southern entrance was approved under a previous application and the current scheme completed the connection;
- the north western hedgerow formed an existing natural boundary which would be retained and included in the Landscape & Environmental Management Plan;
- that achieving full on-site biodiversity net gain on greenfield sites was generally impossible but required off-site credits;
- no connection was proposed between this site and Plover Close and the hedgerow boundary would remain;
- several previous appeals had already eroded the Topsham gap and the site was now enclosed by development, which was not visible from outside;
- the gap carried very limited planning weight, especially given the city's lack of a five-year housing land supply;
- planning relied on expert consultees and if the NHS stated the contribution made the development acceptable, planning would accept that advice;
- though it was possible for health bodies to recommend refusal due to capacity issues, this had not occurred for this application. Infrastructure bodies used formulae to justify contributions;
- the 19 affordable homes were on the blue and pink squares on the site layout plan (as indicated on the presentation slide) and were located in small clusters;
- the application was a full application, rather than a reserved matter; and
- affordable homes needed to be grouped for management but were designed to avoid being visually distinct or inferior and were secured by conditions.

During debate, Members expressed the following views:

- the comparison slide was commended and highlighted the applicant's commitment to working collaboratively with officers and adapt plans based on expert input;
- meaningful changes had been made to the layout in response to feedback;
- there were visible green space and presence of wildlife-friendly areas indicated on the plans and based on the information presented, there were no reasons for refusal;
- officers and developers were thanked for improvements made to the final plans, notably due to the wider situation in the Topsham gap;
- the 19 affordable housing units, larger public green spaces and future-proofed road alignment were welcomed;
- there were some concerns raised on fencing screening along green spaces adjacent to the road and a need to avoid unattractive barriers while ensuring safety for residents and children;
- examples of where unfenced areas near roads in the local area were highlighted, which created safety risks for children;
- resident concerns about the broader Topsham Gap were noted and concerns

- were raised on the pressures on local doctor services;
- the comparison images provided were appreciated and service provision issues would continue to be sought;
- there were no material planning reasons to refuse the application;
- the revised plan was a strong template and officers were praised for significant improvements made;
- traffic calming issues were raised with the nearby Newcourt area referenced as an example of where engineered speed-reducing measures had been effective;
- the collaborative improvements made to the application and work undertaken between officers and the developer was commended;
- the A-rated carbon-efficient homes with a cycle infrastructure was welcomed, particularly for being near play areas, bus stops;
- significant progress had been made to the design over the course of the application and plans highlighted a pedestrian-friendly area;
- the relocation of affordable housing to more integrated positions near the road was welcomed; and
- if a greenfield site needed to be developed, this approach was acceptable.

A Member enquired about including a condition relating to traffic calming, especially near the green spaces and enquired on what traffic calming measures had been proposed to date.

The Principal Project Manager – Development Management advised Members that specific highway conditions were already included and that Highways officers had reviewed and approved detailed highway drawings. Four highways related conditions had been included to allow further detailed discussions during implementation as part of those existing conditions.

Another Member noted that the Planning Committee may not be able to add a traffic calming condition but requested that the committee note that Members had raised the issue of traffic calming in this area and would like Devon County Council to follow up on traffic-calming measures.

The Chair agreed to note the committee concerns for issue of traffic calming in the minutes.

The Head of Service - City Development made the following concluding points:

- Members had highlighted a number of key benefits, which included improved layout, provision of green space, delivering affordable housing and future-proofed site access;
- fencing/screening concerns could be managed through existing conditions on materials and boundary treatments;
- the site was already enclosed by development and did not contribute to wider openness and therefore there was no harm to strategic separation;
- there had been no NHS objections and the S106 health contribution had been secured; and
- the lack of health capacity were insufficient grounds for refusal;
- the proposal complied with policy and S106 and conditions adequately mitigated concerns.

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

**RESOLVED** to delegate to the Head of City Development to GRANT permission

subject to completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- a Local Health Care contribution of £35,232 towards GP surgeries in the area;
- 35% affordable housing;
- management of public open space;
- children's play (including LAP/LEAP);
- biodiversity net gain (off-site units);
- habitats mitigation for affordable housing;
- SuDS management;
- monitoring costs; and
- Unencumbered vehicle and pedestrian/cycle access to existing north site boundary.

With the conditions outlined in the report and on the additional information update sheet.

**RESOLVED** to REFUSE permission in the event the S106 Agreement is not completed by 1 June 2026 or such extended time as agreed by the City Development Manager for the reasons set out in Part B of the recommendation on the additional information update sheet.

(The meeting commenced at 5.30 pm and closed at 7.30 pm)

Chair

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## PLANNING COMMITTEE

Monday 8 December 2025

### Present:-

Councillor Knott (Chair)

Councillors Rolstone, Asvachin, Banyard, Hussain, Ketchin, Mitchell, M, Pole, Williams, M and Wood (as substitute for Councillor Atkinson)

### Apologies

Councillors Atkinson and Hughes

Councillors in attendance under Standing Order No. 44

Councillor Vizard speaking on item 5 (Minute No. 48 below)

### Also Present

Strategic Director for Place, Head of Service - City Development, Planning Solicitor, Principal Project Manager - Development Management and Democratic Services Officer

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### APOLOGIES

Apologies were received from Councillor Atkinson, with Councillor Wood attending as her substitute. It was confirmed Councillor Wood had undertaken the required training and understood the responsibilities of the role.

Apologies were also received from Councillor Hughes.

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### MINUTES

The minutes of the meeting held on 10 November 2025 were taken as read, approved and signed by the Chair as correct.

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### DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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### PLANNING APPLICATION NO. 25/0676/FUL DEVON AND CORNWALL CONSTABULARY, HEAVITREE ROAD, EXETER

A Member raised a point of order regarding receipt of an 82-page presentation less than five hours before the meeting and enquired about any potential legal risk for Members who had a statutory duty to read all papers before the meeting.

The Planning Solicitor advised that he was unaware of any legal risk and highlighted that officers provided presentations ahead of meetings and Members had the opportunity ask questions on it.

The Chair invited Councillor Vizard to speak under Standing Order No. 44, who made reference to:

- planning officers were thanked for their extensive work on the appeal that followed the committee's refusal of the previous application and welcomed the Planning inspector's decision to uphold the refusal of the earlier scheme in dismissing the appeal;

- the project was not part of the Liveable Exeter initiative and did not provide the required mix of homes;
- it was disappointing that neither the public-sector landowner nor the Police & Crime Commissioner Office had not brought forward a scheme which supported the Council's Liveable Exeter vision for a car-free garden-city neighbourhood, but acknowledged the outcome being attributed to market forces;
- the affordable housing element was welcomed, but it was hoped that it would be higher;
- he noted that the argument for PBSA (Purpose-Built Student Accommodation) and Co-living had been made, and his objections were not about the type of housing, and his preference would be for more affordable and social family housing;
- although the scheme had improved significantly, it was not a development suitable for this key gateway site;
- the loss of 79 mature trees was a huge disappointment, and the landscaping was not enough for such an important site;
- comments from Dorset Council's ecologist stated that the scheme would result in the loss of most of the existing trees and grassland;
- onsite gains would be in the form of a new habitat rather than an enhancing the existing habitat resulting in the loss of mature trees lost;
- he expressed concerns about tree canopy losses and the arboriculture impact assessment had not adequately assessed the wider effects of tree loss;
- the trees along the western boundary, formed a strong green feature, and would be threatened, reducing visual amenity and screening;
- the residents of the houses and flats at Higher Summerland's would be overlooked and dominated by the development;
- privacy distances were below the 22 metres requirement set out in the Supplementary Planning Document (SPD);
- the Conservation Officer also shared concerns that the proposed tree planting would appear small compared with the proposed buildings;
- there were concerns about flood risks and the missed opportunity to improve climate resilience;
- Devon County Council, as the local flood authority, had objected, and their points needed to be addressed before the application was approved;
- the points raised from the cycling-campaign needed to be considered and scrutinised;
- if the application was approved, it needed to be suitably conditioned to ensure a car-free status, and a pedestrian crossing at the Waitrose junction; and
- recommendations from the Police Crime Officer needed to be included to secure full contributions to parks and open spaces.

In responses to questions from Members, Councillor Wizard made the following further comments:

- the current scheme was an improvement, notably the 'monolithic blocks' being replaced with eight moderate buildings;
- concerns raised were about trees, impacts on the conservation area, and effects on residents;
- given the Planning Committee's limited scope for refusal due to a previous Planning Inspectorate decision, conditions were critically important if approval was granted;
- the type of housing for PBSA and Co-Living was not a relevant consideration for the committee's decision, but it was disappointing that the important site, could have offered much more;
- the Planning Committee's scope was limited but the committee could ask the

- developer if there was a genuine need to lose so many mature trees;
- the tree canopy and plant species were very important and there were ways to mitigate the loss through conditions; and
- it was acknowledged that refusing the application solely on tree grounds would be difficult to uphold and the committee could examine whether anything in the application differed from what the inspector previously considered.

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

- he was speaking on behalf of the Exeter Civic Society, and acknowledged that despite the application being an improvement on the previous one, the Society continued to have concerns;
- the main objection was that the scheme failed to take residents privacy into account, contrary to the council's policies;
- paragraph 7.2 of the Council's residential design guide required that designs allowed people to feel at ease and comfortable;
- paragraph 7.16 of the Supplementary Planning Document (SPD) stated that people should be able to enjoy their privacy without being overlooked or restricted and entail a 22 metre minimum distance between habitable rooms;
- this was a very large site and there was no reason why the applicant could not design within the 22-metre line;
- the 22-metre issue was also raised during pre-application advice and during the first application, giving the applicant two opportunities to comply with the request;
- the proposed five and six-storey buildings would overlook Higher Summerland's homes and create a sense of being restricted and paragraph 7.24 of the SPD ensured residents should enjoy a good quality outlook without neighbouring buildings being overbearing;
- the guidance stated that where habitable room windows faced blank walls, the distance must be equal to twice the height of the building. An example of the guidance was block 3, which was only 14 metres from 9 Higher Summerland's as was 16 metres high, and required a distance of 32 metres to comply; and
- there were three possible decisions, which were rejecting the application, which was considered unnecessary, approving it, which would cause harm to residents or deferral to allow the developer and planning officer to redesign Blocks 2 and 3 to avoid harming residents.

Mr Lewis responded to questions from Members as follows:

- the idea that net curtains could mitigate planning rules was considered extreme, and while the inspector suggested the buildings wouldn't cause significant harm, some impact was still implied; and
- ultimately it was for the committee to decide whether to approve the scheme as it was or to ask the developer to redesign the blocks to avoid harming residents.

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

- he was the agent for the previous applications on the site and had attended the public inquiry two years earlier, and highlighted his 28 year personal knowledge of the site and of the six year redevelopment proposal period;
- the site had been vacant since 2021, and had deteriorated since that time as well as suffering recent fire damage;
- the site had been allocated for redevelopment in the 2012 local plan and

remained allocated in the new emerging local plan as a sustainable location and there was no uncertainty about the acceptability of redeveloping the site for residential use;

- currently the Council was unable to meet its five-year housing land supply and under national policy, the Council must apply a presumption in favour of granting permission for residential developments unless, in doing so, would lead to significant adverse effects outweighing the benefits;
- despite the objections received regarding tree loss, it was not considered significant because most of the trees were self-seeded Category C and 183 new trees would be planted, including a number of specimen trees;
- he shared the officer's view, that there were no significant adverse effects and that national guidance should be followed;
- if Members disagreed with the officer's professional judgment, they would need to conclude that the impacts of the development outweighed the urgent need for additional housing, including affordable housing, which would be inconsistent with national and local policy;
- the scheme had been revised following 18 months' work with a conservation-focused architect;
- the previous reasons for refusal related solely to scale, mass, and architectural design, rather than tree loss;
- having worked closely with officers, the proposals now included a major reduction in height from eight to six storeys and the building mass had been broken up through the introduction of smaller blocks;
- work had led to a reduction in the number of units from 955 to 813, and the proposed level was included in the emerging Local Plan and as such the scale of development being proposed was acceptable;
- the design had been fully welcomed by officers and an independent design review panel as a high-quality scheme reflecting the local context and also met nationally recognised accommodation standards;
- the proposal exceeded the level of amenity provided by other council approved developments and would meet growing university demand while releasing the burden of Houses in Multiple Occupation (HMOs);
- the reduction in the scale of the development meant the impact on neighbouring residents' amenity's was less and therefore did not constitute significant harm and demonstrated six years of dialogue and evolution with officers, stakeholders, Members, and the public;
- the recommendation to approve was supported following the officer's thorough assessment, which weighed the objections against the conclusions of the previous refusal and current policy and highlighted the urgent need for housing; and
- approval needed to be granted unless Members disagreed with the officer's conclusions and that the proposals addressed the reasons why the previous schemes were rejected to deliver a high-quality development capable of enhancing the city.

Mr Hooper responded to Members' questions as follows:

- there was no issue with the proposed scheme and extensive engagement had taken place. The scheme had evolved over time through engagement with officers and an external design review panel;
- changes related to scale, massing, and appropriateness within the site's setting and the proposal maximised development potential on a sustainably located brownfield site;
- the impacts remained acceptable by the inspector and the current design reflected a natural and appropriate evolution of the scheme;
- there were two different formulas used to calculate housing contribution, with

- ratios generally around 3:1, which differed between PBSA (Purpose-Built Student Accommodation) and Co-living developments;
- the Council counted both student accommodation and co-living units toward housing needs, as did other authorities;
- while the contribution was not 800 units, the formulas in the emerging local plan equated the scheme's contribution to approximately 350 units;
- the Council had an established the approach that PBSA's should help meet growth in the student population and supported the aim of increasing housing supply and reducing the number of HMOs;
- the scheme accommodated demand from residents privacy University Exeter in a more appropriate form than HMOs;
- full cycle parking provisions had been met in accordance with policy requirements and a condition was included to provide electric-bike charging; and
- a market report was submitted with the application, which showed there was a growing demand for PBSA and the report indicated a rising demand for co-living, driven by students moving on from PBSA into the co-living market.

The Principal Project Manager - Development Management presented the 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 at Devon And Cornwall Constabulary, Heavitree Road.

The recommendation was for approval subject to S106 obligations and conditions as set out in the report and as amended on the update sheet.

Members received a presentation and the following information:

- the application was to redevelop the site for Co-living and Purpose Built Student Accommodation (PBSA).
- The immediate surroundings of the site were described with reference to an aerial photograph as follows:
  - there are residential flats immediately to the north, which were Council housing, managed by Exeter City Council, with some occupied by leaseholders;
  - also, immediately to the north was 'the Gorge' development, which was the city's only co-living scheme with 133 studios, now completed and with high levels of occupation. A high proportion of residents were understood to be employed at the nearby hospital;
  - aerial photos identified terraced streets further north, with Sandford Walk being the closest to the development;
  - to the eastern area was Waitrose and the hospital;
  - to the south of the development was St. Luke's Campus which had been allocated in the emerging local plan for 44,000 sqm of transformational employment space. Officers were working with the university to develop a masterplan to expand the campus; and
  - to the west was Higher and Lower Summerland's housing, with St. Matthew's Church and Newtown Primary School also nearby.
- A map of the immediate area was presented in order to confirm the boundaries of the Article 4 area, Conservation Areas, and Listed Buildings.
- The Article 4 area was close to the site and highlighted the existing student population and desire to manage the use of traditional housing stock as HMOs.
- St Leonards Conservation Area was to the south of the site (including St

Luke's campus and housing to its west).

- The Higher Summerland's Conservation Area, included properties in the Lower Summerland's area was to the west of the site but does not adjoin it directly
- Listed buildings were indicated on the map in pink.
- A series of photographs of the site were shown, including access points, critical impact areas, views from Heavitree Road, uncontrolled pedestrian crossings needing improvement, and the relationship to the Gorge, and communal amenity areas.
- The key aspect of the planning history is that a previous application was made in 2021 for the same use for student accommodation and co-living.
- The scale had been significantly reduced as a result of discussions with officers and the application was presented to Planning committee three times before it was decided.
- The Planning Committee had refused the application on 20 February 2023 for six reasons: design and scale, harm to neighbour amenity's, insufficient outdoor amenity space for future residents, additional demand on public green space, tree loss, and missing Section 106 contributions.
- The decision had been appealed through a Public Inquiry in December 2023 and following legal advice the reasons for refusal considered through the hearings themselves had been reduced to two - design and neighbour amenity.
- Agreement had been reached on the S106 issue and officers had been advised that the reasons for refusal relating to future residents' amenity and green spaces were unlikely to be upheld against policy.
- Officers had also conceded the tree loss reason for refusal after the appellant's evidence demonstrated that tree loss could be mitigated through the planting of new trees.
- The appeal was dismissed on design grounds only, and the inspector had agreed that harm to character/appearance was severe and overly assertive. Neighbour amenity was not considered harmful enough to justify refusal and therefore the inspector's findings carried very significant material weight for the current application.
- The appeal outcome led to a redesign. Officers worked in collaboration with the applicant to assess revised proposals through a pre-application submission made in May 2024.
- The applicant appointed new architects with experience in sensitive heritage environments to adopt a new approach and the scheme underwent a design review and several iterations with the officers' design team.
- The current application was submitted in June 2025, with minor design refinements made in October 2025.
- The officer explained the proposed scheme, which comprised of 813 studio split between 399 student studio bedspaces and 414 co-living units, all as studio format, which was broadly a 50/50 balance.
- The new scheme consisted of seven blocks, where the previous scheme had been two large buildings with a clear separation of use.
- A new north to south pedestrian and cycle route separated the two block areas, linking Heavitree Road with the car park behind St. Matthew's Place;
- The route would be open between 7am–10pm and required opening hours would be secured through a S106 agreement.
- The route would be privately managed and secured through a S106 agreement.
- This aspect of the scheme was considered a significant improvement over the previous scheme and promoted active travel and aligned with national good design practice and the Liveable Exeter proposals.
- The route would provide a direct and safer route for residents to facilities in

Newtown and the applicant had agreed to allow public access to the route during the day.

- On the ground floor, the main entrance to the Co-living scheme was from Heavitree Road and most of the shared community co-living facilities (gym, cycle store, community workspaces) would be located close to the front (with some additional facilities to the rear of one of the blocks).
- Due to the rise in the ground level towards Gladstone Road, the ground floor level of the student scheme would be broadly equivalent to the first floor of the Co-Living scheme.
- The student scheme entrance would be close to the junction with Gladstone Road, and the ground floor would include two integrated cycle stores as well as a bin store in each block.
- The floor layouts were similar at levels Co-Living 02 to 04, above which the accommodation was mainly towards the east of the site to mitigate amenity impacts for residents to the west.
- The landscaping scheme included extensive soft landscaping and despite the loss of trees, the scheme would deliver a 14% net biodiversity gain, all on site, including new tree planting.
- Several buildings would contain recessed planting wells at roof level for integrating air-handling equipment such that it would not be visible from the street.
- The Gorge, behind the site, was taller than the tallest proposed building (Student Block 3) and the building had been reduced through the use of pitched roofs incorporating a flat section of roof at the top;
- Street elevations showed how the proposed building heights compared with neighbouring buildings.
- Internal elevations of the co-living scheme showed how balconies would be restricted to the courtyard area to avoid overlooking impacts to existing residents.
- The application had been advertised twice due to redesigns, with more than 500 letters sent out. Only 40 objections were received and seven supporting comments and was not considered to be a high number of public responses;
- The officer explained that the report contained a comprehensive assessment of all the key issues, but that the presentation would focus on four key issues as well as the principle of the uses proposed. These were living standards for future residents, impact on neighbouring residents, loss of trees, and design.
- Officers considered both the co-living and student accommodation elements acceptable in principle and acknowledged that although the density was very high, it was supported by national and local policy.
- The scheme included 20% of co-living units as affordable private rent and 5% of all units were accessible, including four accessible affordable units. Accessible rooms would be located near the lift and use the space behind the lift shaft for accessible wet rooms.
- the scheme would be entirely studio-based, providing a mix of co-living and student accommodation and four studio types were proposed, ranging from 17.5 to 28 square metres.
- Co-living units would have communal kitchens and dining spaces for each cluster of 12–26 residents and every resident would also have access to the larger communal facilities which included a ‘theatre kitchen’, lounge, a gym and wellbeing area, and workspace.
- A total of 242 cycle parking spaces would be available for the co-living scheme, including two-tier racks and spaces for non-standard bicycles near the entrance.
- Specially designed ‘Oriel’ windows would address privacy concerns even though the standard 22-metre distance was not met everywhere.

- The local plan policy (DD4) and the Residential Design SPD recommended 22 metres between windows and although this distance was not met in all locations, the relationships were considered acceptable.
- Where the separation distance narrowed to 14.5 metres between Co-Living Block 3 and 9 Higher Summerland's, 'Oriel' windows with obscured glazing would be installed to avoid direct overlooking while maintaining daylight – these would be secured by condition 21.
- Condition 22 required the same privacy measure between the student and co-living blocks to stop students overlooking residents of the Co-Living units.
- Amenity impacts were considered acceptable because the current scheme improved privacy and was similar in sunlight/daylight terms to the appeal scheme which had been considered to be acceptable by the inspector.
- A total of 79 trees would be removed including 41 category B, and 32 category C trees but the category A tree (in the car park to the north), would be retained.
- 56 of the trees to be removed grew in dense groups and some were affected by ash dieback.
- Legal advice from the appeal confirmed that tree loss could be compensated through new planting, and therefore 183 new trees of various species were being proposed.
- The Urban Design and Landscape Officer considered the scheme to be acceptable, but the Conservation Officer had noted that creating opportunities for larger specimen trees to grow would be desirable; Officers had drafted the proposed conditions to allow for this change to be negotiated.
- The scheme would deliver a 14% net biodiversity gain, above the 10% requirement, providing flexibility to meet landscape objectives such as the desire to allow more space for selected trees to grow to maturity.
- Design was the key issue for the previous application and appeal processes and was the only point on which the Inspector agreed with the Planning Committee – officers concluded that the improvement to the scheme's design were such that it aligned much better with the surrounding area than the appeal scheme did.
- The most effective design improvements had been splitting the two previously large building into several smaller buildings.
- The positioning of the accommodation was strategically designed to reduce massing along key public routes and ensured the scheme fitted more appropriately into the local area.
- Comparative images were provided to show improvements between the refused scheme and the current proposal.
- The design included gable ends facing the road, reflecting the nearby listed terraces (Lower Summerland's) and the proposed use of brick was considered contextually appropriate.
- Architectural detailing had been incorporated to reflect features found on buildings in the St. Leonards Conservation Area across the road;
- All required Section 106 planning obligations had been agreed without a viability exercise, and most had agreed been during the appeal process.
- The design of the building had been significantly improved, with reduced scale and a more appropriate response to the townscape and although a loss of trees was unfortunate, new tree planting would compensate for this.
- Benefits of the scheme included regenerating a derelict site, significant economic benefits and a major contribution to housing supply, including affordable private-rent and accessible studio units.
- Amendments to the conditions had been proposed on the update sheet.
- It was clarified that the recommendation included an option to refuse the application should the Section 106 agreement not be completed within six months (in accordance with standard practice).

The Principal Project Manager - Development Management responded to Member questions and clarification points as follows:-

- there was existing national mandatory condition for the Biodiversity Net Gain (BNG) Plan, so the council could not impose one as a local condition;
- the applicant would submit the BNG and habitat mitigation plan to discharge this condition. The BNG plan would show how net gains would be managed over the required 30-year period and would be sourced through an additional S106 agreement;
- the biodiversity gain condition must be addressed before works start, meaning detailed discussions about soft landscaping and trees would need to happen in advance of works commencing;
- the Council had added extra conditions, including condition 18 for hard/soft landscaping and for a Landscape and Ecological Management Plan to ensure additional safeguards;
- the footway along Heavitree Road outside the site would be widened to 3.5 metres and would become a shared walking/cycling path, which extended to Gladstone Road;
- a push button pedestrian crossing would be added to allow better crossing at Gladstone Road and on the existing crossing over Heavitree Road east of the junction would also be improved;
- there was the potential for improvements to the informal crossing (which would be close to the new site access) to improve crossing by cyclists – this could be considered through a Section 278 (Highways) agreement;
- the references to unresolved design issues in the report reflected the fact that the application had been submitted before officers had had the opportunity to feedback on all detailed aspects of the design – however following assessment of the application proposals officers had concluded that only minor additional changes were required - these had already been made in response to feedback and form part of the scheme now before the committee;
- conditions would be required to secure final details, such as window section drawings and roof finishes. Materials were broadly agreed in principle, but final approval would be through conditions;
- the 'affordable private rent' requirement had been secured on all approved Co-living schemes in the city, in-line with national guidance for affordable housing in 'build-to-rent' developments;
- for affordable private rent, the applicant was responsible for finding tenants based on eligibility criteria set out in the Section 106 agreement, which included prioritising key workers;
- there was no link to Local Housing Allowance rates used in the benefits system and rent was set by applying a 20% discount to the market rent of comparable units (typically those within the same building);
- the potential future bus lane would run along the site frontage on Heavitree Road and the land would also be sufficient to re-provide a shared footway/cycleway, reaching roughly to the top of the steps within the scheme;
- the ramp/steps leading up to the scheme would need to be redesigned and relocated to make space for the bus lane but this would be a future matter for Devon County Council to discuss with the applicant if/when they wish to progress the Bus Lane project;
- the applicant had agreed to safeguard the land but were not pledging themselves to building the bus lane itself. The main consideration for officers and the committee at this stage is that the development would not prejudice the future introduction of a Bus Lane;
- a condition was recommended for a comprehensive security package, including access control, which applied to both internal and external safety,

and it was common for these type of schemes to use swipe-card systems to limit residents' access to specific areas;

- the applicant had submitted a detailed management plan demonstrating thorough consideration of safety;
- the closure of the through-route at night was a compromise - it was officer preference that it remained open 24/7. The decision to install a gate reflected the fact that the applicant wishes to prevent public access at certain times.
- Although the police crime prevention officer had raised concerns about the impacts of users entering the scheme and finding the gate locked. However, if pedestrians approaching from the south found the gate closed, they would be relatively close to the exit to Gladstone Road;
- signs could be installed to guide people when the gate was closed and the site would be managed 24/7 with on-site staff and CCTV;
- it was hoped that the developer would agree in future that the gate could remain open 24/7, but for now they insisted on it remaining closed at night;
- Officers had received some feedback from neighbours via ward Councillors during the pre-application stage that they are concerned about the potential for noise and disturbance from residents entering and existing the site via St Matthews Close, and the applicant's desire for the gate to be closed at night may help to prevent such issues;
- the Fire and Rescue Service response had been forwarded to the applicant, their agent, and the architect and the scheme now addressed all concerns with no outstanding fire-related issues from a planning standpoint;
- further details relating to building regulations would need to be addressed during the construction phase;
- the site was not at flood risk and the flood risk authority's concern related to highly technical matters connected to the proposed surface-water drainage system, and the model used to calculate runoff rates and storage;
- there were concerns related to the proposed rain gardens and how exceedance flows would be managed when rainfall was beyond system capacity. Officers considered that those issues could be resolved at the condition stage because there would be sufficient storage space available on the site;
- it was unfortunate that the Lead Local Flood Authority had not been able to review the most recent details in time for the meeting, but officers felt confident that this technical matter could be adequately resolved at the planning condition stage (and that the site would be privately managed to ensure drainage systems are maintained);
- there was no national policy or guidance specifying technical standards for electric-bike charging, but an informative note was proposed alongside the proposed revisions to the condition wording to advise the developer that they would need to provide appropriate charging solutions; and
- In respect of safety concerns relating to users of the permissive path who found the gate to be closed, that windows to accommodation in The Gorge so provide some surveillance over the car park, and that CCTV coverage over the entrance gate area from within the application site would be possible, but that the safety concerns are acknowledged.

**The meeting was briefly adjourned at 19:54 and resumed at 20:00.**

During debate, Members expressed the following views:

- the inspector's report should be considered as a guide for decision making;
- there were concerns about the extent of tree loss and the scale and form of replacement species not being proportionate to the building scale;
- there was a missed opportunity to retain mature trees to the west of the site,

- especially in the north west area which could create a future conflict with the existing category A tree;
- the oriel windows would satisfactorily address the overlooking issues;
  - improved massing and less monolithic buildings were welcomed, but a key test was on whether mass was disproportionate to the suburban setting – as queried by the appeal Inspector;
  - the PBSA quality was good, but the Co-Living blocks lacked a level of style which did not match the PBSA design standard and have an institutional appearance (particularly the gable ends facing Heavitree Road);
  - Street scene design and layouts were good
  - the site was a good location for walking, shops (including the city centre), and hospital;
  - the housing units would reduce pressure that HMOs place on family housing;
  - widened pavements, improved shared cycle path to Heavitree Road and safer Gladstone Road crossings were commended;
  - additional higher-quality tree planting and bird/bat boxes were welcomed;
  - car ownership restrictions were commended, and any contribution towards the delivery of an e-bike rental scheme, would be beneficial;
  - any development on the derelict site would be an improvement to the area;
  - the massing being broken into smaller blocks was appreciated;
  - there were major concerns about safety, notably the gated through-route and diversion into a car park at night with 24/7 open access needed, especially for women's safety – the route through is welcomed but closure at night will give rise to safety problems (as well as potential of residents);
  - Cycling parking and means to prevent car ownership are welcomed
  - there were some concerns about E-bike charging arrangements;
  - the proposal was far better than previous schemes with a reduction in townscape impacts;
  - the positive applicant and officer engagement was commended but there was some disappointment that the scheme didn't meet the Council's 22m privacy guideline;
  - the higher ratio of co-living and reduction in PBSA proportion was welcomed;
  - there was some discomfort about tree loss and co-living block design (including the chimney stacks), but the scheme was supported;
  - the application was a significant improvement over previous schemes, but Members of the Committee needed to consider both the inspector's report and new issues not previously raised – a comprehensive view must be taken;
  - the site was a major gateway site into the city and the scale and long-term impact of the development, alongside other large nearby developments (including those that are approved but haven't been built) needed to be considered;
  - concerns were raised about declining university numbers against the unknown demand for large-scale Co-living in Exeter, affordability issues of Co-living units, and the level of flexibility between PBSA and Co-living use – some flexibility between the uses may be helpful to address changes in demand;
  - tree loss and potential future tree losses, should a bus lane be installed was raised as a concern;
  - the proposed public walkway may not be needed, and would likely increase the risk of late-night disturbances and safety for nearby residents;
  - there was a lack of connection between the St Luke's SPD and the University's adjacent development plans, although it was noted that no accommodation is proposed on campus;
  - the PBSA design was broadly acceptable but the co-living design needed improvement; and
  - concerns remained about height, massing, and visual impacts and the CGI

images presented may not fully demonstrate the real effect once the development was built.

The Chair in concluding the debate, made the following points:

- the appeal was recently upheld at a full public inquiry, with the design issues being notably relevant;
- the co-living element blended better with the surrounding area due to its design features, but design can be subjective;
- it was hoped the PBSA was built to such a good standard that it could potentially be subject to future change of use to co-living;
- more trees would be planted than those lost, and important mature trees would be removed and replaced;
- the reserved bus lane area was largely outside the committee's remit;
- concerns about the lack of cover for e-bike charging, managing 24/7 access to balance permeability with safety, particularly for women and girls at night was noted; and
- the proposal was better than previous versions and the officer recommendations were supported.

The Strategic Director for Place made the following concluding points:

- the recent planning history of the site was very significant, with the original scheme being first considered in 2021 and rejected following a full public inquiry solely on design grounds;
- the current proposal had since been significantly improved, with a focus on resolving design concerns by officers;
- officers had carefully considered other key issues raised, including amenity for future occupants, impact to neighbouring residents and tree loss;
- the matter had come back to committee as a full planning application rather than an outline application with landscaping reserved, and as such it has been possible to give proper consideration to landscaping and tree impacts;
- concerns about tree loss were acknowledged but there was a greater scope for mitigation, including conditions to allow new trees to grow into specimen trees;
- the design has been substantially transformed to reduce scale and massing, more than 140 units had been removed, and smaller blocks had been arranged in a finer grain proposal to incorporate a more generous landscaping amenity space and public walkway;
- a potential future bus lane was uncertain, but it had helped influence the site layout;
- concerns about the public walkway, particularly its daytime-only opening were acknowledged, but it had a wider role in connecting Newtown and the city centre;
- improvements to the application were achieved through close collaboration between officers and the applicant's new architects;
- the strategic benefit of the PBSA bedspaces, which can now be counted on a 1:1 basis to help Local Plan housing targets, which was an important consideration ahead of the Local Plan examination;
- the relevance of the nearby St. Luke's campus expansion, especially for medical and healthcare facilities was highlighted, especially for making the site suitable for student accommodation; and
- the scheme would deliver significant and positive benefits that outweighed the remaining concerns, many of which could be addressed through conditions and S106 agreements.

It was proposed by Councillor Rolstone and seconded by Councillor Asvachin that the recommendation be amended as follows:

- to amend the terms of the proposed S106 agreement so that the public access route through the site shall remain open 24 hours a day.

The amendment was put to the vote and was carried (8 in favour, 2 against, and 0 abstentions).

The Chair moved, and Councillor Rolstone seconded the recommendation as amended, which was voted upon and CARRIED (8 in favour, 2 against and 0 abstentions).

**RESOLVED** to delegate to the Head of Service (City Development) to GRANT permission subject to completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to the identified matters and conditions as set out in the committee report, update sheet and as amended at the meeting.

**RESOLVED** to REFUSE if that Legal Agreement is not finalised in the six month requisite timeframe.

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

The report of the Strategic Director for Place was noted.

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#### **APPEALS REPORT**

The Strategic Director for Place advised that the planning decision for 371 Topsham Road, which was refused by Planning Committee, against officer recommendations was appealed and that that an application for costs was submitted but refused and there were no findings for unreasonable behaviour by the council.

The report of the Strategic Director for Place was noted.

(The meeting commenced at 5.30 pm and closed at 8.38 pm)

Chair

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## Planning Committee Report 25/0781/FUL

### 1.0 Application information

Number:	<a href="#"><u>25/0781/FUL</u></a>
Applicant Name:	Eutopia Exeter Arches Ltd
Proposal:	Demolition of multi-storey car park and construction of a co-living development alongside public realm improvements, landscaping, cycle and car parking, servicing, refuse and recycling provision, and associated works (REVISED PLANS).
Site Address:	Mary Arches Street Car Park Mary Arches Street Exeter
Registration Date:	18 June 2025
Link to Documentation:	<a href="#"><u>25/0781/FUL - Related Documents</u></a>
Case Officer:	Howard Smith
Ward Member(s):	Cllr Diana Moore, Cllr Tess Read, Cllr James Banyard

#### REASON APPLICATION IS GOING TO COMMITTEE:

The Head of City Development considers the application to be a significant, controversial and/or sensitive application that should be determined by the Planning Committee in accordance with the Exeter City Council Constitution.

### 2.0 Summary of recommendation

The recommendation is in two parts. APPROVE subject to conditions and a S106 Legal Agreement being completed and REFUSE if the agreement is not completed in a timely manner.

### 3.0 Reason for the recommendation:

Taking into consideration the guidance in paragraph 11 of the NPPF, it is considered that the benefits in terms of provision of the proposed residential development to meet demonstrated housing need outweigh the heritage harm and all other harms and that the design of the building, whilst not achieving all the desirable design objectives, is acceptable given the impact of the current site on the Conservation Area and Setting of Listed and Locally Listed buildings.

### 4.0 Table of key planning issues

Issue	Conclusion
Principle of development	In determining that the current car park is no longer required Exeter City Council demonstrated that sufficient capacity

Issue	Conclusion
	<p>existed within other car parks to accommodate city centre parking demand. This car park draws vehicular traffic across the main High Street/Fore Street spine of the city centre and closing this car park would impact positively on air quality and reduce conflicts between pedestrians and vehicular traffic. The application includes provision for two disabled parking spaces on Synagogue Place. There is existing dedicated provision for on-street motorcycle parking nearby on Bartholomew Street East. There is therefore no objection to the loss of car parking on the site.</p> <p>The proposal would result in the loss of renewable energy generating capacity from the rooftop solar installation on the multi-storey car park.</p> <p>The demolition of the car park would also involve the loss of two retail units on North Street which are part of the Car park building. The loss of these units is regrettable, however the development includes active frontages including the entrance in this location.</p> <p>Redevelopment of this brownfield site in a highly sustainable location for 297 co-living beds conforms to the spatial principle of redeveloping such sites in preference to greenfield sites and is strongly supported in national and local planning policy.</p> <p>Co-living is a relatively new residential use type which is considered to fall outside the uses defined in the Use Classes Order, which is to say it is considered to be a 'sui generis' use. The principle of this use has been established through consents on other sites (e.g. Summerland Street, Harlequins Centre, and former Police Station Heavitree Road) and in draft Exeter Plan Policy H6 Co-living.</p> <p>Whilst a sui generis residential type Co-living is considered to be a form of Build to Rent Housing and national guidance that 20% of units (60 units) should be Affordable Housing is considered to apply. Affordable Housing can be secured through a S106 agreement.</p> <p>Policy H7 of the Exeter Local Plan guides that housing on larger sites with good access to services should provide</p>

Issue	Conclusion
	<p>Accessible Housing for people confined to wheelchairs. 5% of the Affordable Units (3 Units) should be secured to M4(3) standard as Wheelchair Accessible.</p> <p>With the exception of the Affordable Housing units, the Co-living accommodation is market housing. The applicant has advised that only a small percentage of units are anticipated may be occupied by students. It is considered desirable that the accommodation is not dominated by students in the interests of promoting co-living community. The applicant has offered to include a restriction not more than 10% of occupants being undergraduate students and to exclude full time students from occupation of the Affordable Units. This restriction is not necessary to make the development acceptable in planning terms and has not been taken into account in the assessment of the application or the planning balance. This specific obligation is offered voluntarily by the applicant and is not a material planning consideration.</p>
Impact on Heritage assets	<p>The site is within the historic walled core of the Roman city and through investigation has been demonstrated to retain good survival of multi period archaeological deposits from the Roman genesis of the city through to the second world war. The importance of the archaeological deposits, which would be lost to development, necessitates a full excavation, analysis and recording of the site, and for a high standard of public engagement to connect the city to that buried heritage which would be lost. A programme of archaeological work can be secured by conditions and support for public engagement through the S106 agreement.</p> <p>The site is surrounded by several listed buildings, including the Grade I St Mary Arches Church, Grade II* Synagogue, and Grade II listed former Gaumont Cinema (now Mecca Bingo), as well as other Grade II and locally listed buildings on Mary Arches Street and North Street. Its inclusion in the Central Conservation Area further highlights the necessity for a sensitive and contextually appropriate approach to redevelopment. At five storeys the building would represent an increased height and massing compared to other buildings in the street, with the exception of Mary Arches Church. The relative scale of the building and its position set back from the highway, are considered to be harmful to this part of the Conservation Area and setting of nearby Listed</p>

Issue	Conclusion
	<p>and Locally Listed buildings and the City Walls (Scheduled Ancient Monument). The harm is assessed as the higher end of less than substantial harm.</p> <p>The development is visible in longer range views from the west and especially from the St Davids Hill/Iron Bridge approach. Block A which replaces the multi-storey car park will be one storey, approximately 4.5 metres, taller than the car park with the installed rooftop solar panel canopies. The building will not impede views from the west of historic buildings, most importantly views of the Cathedral. The impact of the building on longer range views is not considered unacceptable.</p> <p>The development will impact on medium and shorter-range views in and around the city centre. The view of St. Michaels Mount Dinham from Fore street will be largely lost, though this view is revealed when travelling along Mary Arches Street. In views along North Street from High Street the building will book end the historic terrace of building rising taller than the current carpark. The appearance of building itself is improved and the removal of the bridge over North Street results in an improved view out towards the landscape setting of the city.</p>
Scale, design, appearance, density	<p>The application seeks to comprehensively redevelop the site, demolishing the existing multi-storey car park and building on the existing surface car park and to replace them with a 4, 5 and 6 storey co-residential scheme of 297 residential co-living units, with communal facilities, associated landscape, and public realm enhancements.</p> <p>The application has been amended since first received to revise the external appearance, reduce the number of residential rooms, introduce communal kitchens on each residential floor, improve ground floor internal arrangements; to improve the design of the building and entrances and officers are now satisfied with the internal layout of the proposed redevelopment.</p> <p>The development comprises two blocks linked at surface level.</p> <p>Block A replaces the Multi Storey car park on the corner of</p>

Issue	Conclusion
	<p>North Street and Bartholomew Street East. Though just over a storey taller than the existing structures it is of similar massing and occupies a similar footprint. The building has a ground floor with a main entrance centrally located in the North Street frontage to respond to challenging topography. Nevertheless, the ground floor level will be approximately 2m above footway at the corner of North Street and Bartholemew Street East. Details of works within the site to align with the pavement level will need to be secured by condition. Fire safety regulations for taller buildings impose barriers to creating a partially lower floor level in the corner location, unless this was part of a separately accessed unit. At the rear an open amenity space at ground floor level is below the surrounding rear land level, and a fourth-floor external amenity roof terrace is also provided.</p> <p>Communal internal spaces for the development as a whole and servicing is provided at ground floor and part of first floor of Block A. Cycle and bin stores and a secondary entrance are provided with access from Bartholemew Street East with a layby formed to replace the redundant car park vehicular entrance.</p> <p>Block B fronting Mary Arches Street is five storeys tall, with lowest floor set a storey higher than Block A and labelled first floor in drawings. Co-living units are arranged on each floor along with a communal kitchen. A street entrance is provided at ground floor level, and a roof terrace amenity space is provided at fourth floor level on the rear element of the building. The building is set slightly back from the highway edge. The set back provides defensible space in front of ground floor bedroom windows. A five storey the building would represent an increased height and massing above other buildings in the street, with the exception of Mary Arches Church. The relative scale of the building and its position, centrally in the street but set back, are considered to be harmful to the Conservation Area and setting of nearby Listed and Locally Listed buildings. The harm is assessed as the higher end of less than substantial harm. The design and position of Block B is considered to represent a missed opportunity to repair the harm caused by post war development creating a form of development that reflects historic street patterns and enclosure, particularly along Mary Arches Street.</p>

Issue	Conclusion
<p>Impacts on the Amenity of Neighbouring Residential and Commercial Occupiers</p>	<p>The development replaces an existing multi-storey car park which is not a good neighbour to residential development. The surrounding properties in North Street including those above and behind the street level commercial units are not considered to be significantly adversely affected by loss of light or through loss of in-building privacy.</p> <p>In Mary Arches Street and Mitre Lane residential properties are situated across the public street from the development. In Mitre Lane there will be some shading of windows but given the city centre location and distance between buildings the impact is not considered to result in unacceptable living conditions or an unusual relationship between buildings.</p> <p>A small number of buildings on North Street rely on the existing alleyway between the 20 and 21 North Street which is proposed to be gated. The control of access for these residents, can be secured as a part of the legal agreement securing public access to the walkways through the site.</p> <p>External lighting and plant noise from the development can be controlled by condition to avoid nuisance to neighbouring residential properties as well as occupiers of the development.</p> <p>The proposed pocket Park on the corner of Synagogue Place with Mary Arches Street and the walkway through the site have the potential to attract or give opportunity for antisocial behaviour. In addition to gating of the walkway the management of the park and walkway and the coverage by CCTV will need to be secured through conditions and a legal agreement. Management presence on site is required 24/7.</p>
<p>Amenity of future occupiers</p>	<p>Communal spaces for the development as a whole and servicing is provided at ground floor and part of first floor of Block A. These include: Lounges, Gym and Fitness Studio, Co-work spaces, media room, laundry and games room, private events space, communal kitchens and communal dining. Whilst these spaces are remote from some units in Block B, covered connection is provided and the quantum, type and arrangement of internal communal spaces would meet the Greater London Guidance and is considered acceptable. Internal communal facilities average a total of 3</p>

Issue	Conclusion
	<p>sqm per resident with 1.5 sqm per resident of additional kitchen/diner space.</p> <p>Amenity outdoor space is provided at the rear of Block A at ground floor level and in roof terraces on both blocks. The quantum and arrangement of external amenity space would meet the Greater London Guidance and is considered acceptable.</p> <p>Each of the upper residential floors has a communal kitchen dining space with an average of 1.5 sqm per resident of kitchen/diner space located on the same floor as the residential unit. The size and location are considered appropriate for the quantum of co-living residential units when assessed against the London Guidance</p> <p>The range of communal amenity spaces, the quantum, arrangement and locations are also considered to accord with the aims of emerging Exeter Plan Policy H6.</p> <p>The development is comprised of 297 co-living accommodation units in total, 263 'Standard Units' and 34 'Large Units'. Of the Standard co-living units 237 are between 18 and 20 square metres internal area with 26 units that are between 21 and 26 sqm. The 34 'Large Units' being of 27 sqm or more. 'Standard Units' are considered suitable for single occupancy and should be restricted in the S106. Amenity spaces will need to be protected in the interests of the living conditions of future occupiers.</p> <p>The acoustic design of the building facades can be controlled by condition to ensure that future residents are adequately protected from the impact of noise from neighbouring uses and general noise environment including during hot weather and at night. The landscaping of the site includes an acoustic barrier fence on the boundary of the Bingo all the details and implementation of which can be secured by condition.</p>
Impact on Trees and Biodiversity	Landscaping and tree planting around the car park perimeters contributes positively to the area but is largely of ornamental species. The removal of these trees on the frontage of Bartholemew Street East is undesirable on

Issue	Conclusion
	<p>ecology and biodiversity grounds. However, the replacement of those trees with tree planting better suited to the location and which are planted to relate to the new building is considered justified in the interests of creating a development that sits well with its landscaping and addresses level differences more positively than the car park landscape planter.</p> <p>In Mary Arches Street some trees planted on the car park perimeter have been lost over recent years. The mature Raywood Ash tree in Mary Arches Street at the rear of the Bingo Hall is however a prominent and healthy tree that makes a substantial positive impact and is considered worthy of retention. Similarly, three mature trees in Mitre Lane are considered worthy of retention and the building footprint of the rear wing of Block B has been adjusted to allow for the retention of these trees. The junction of Mitre Lane and Mary Arches Street is an opportunity to replace recently lost tree and to enhance Mitre Lane and Mary Arches Street.</p> <p>The proposed development results in an overall reduction in measured biodiversity due to the loss of trees on the Bartholemew Street East Road frontage. The development includes enhancement, through landscape planting and the introduction of bat and bird boxes at street and roof levels and will require off-site measures to be secured to achieve overall 10% Biodiversity Net Gain.</p> <p>Compensation for the loss of biodiversity and ecology on site can be secured through both on and off-site measures.</p> <p>Contributions to mitigate the identified impacts of the proposed residential development on the Exe Estuary SPA can be secured in accordance with the South-east Devon European Site Mitigation Strategy.</p>
Travel, Access and Parking	<p>The proposed development is car-free with servicing from Mitre Lane and Bartholemew Street East. The area is subject of on street parking controls and the development can be excluded from eligibility for residents parking permits. Two disabled parking spaces for general use are proposed on Synagogue Place.</p>

Issue	Conclusion
	<p>Good provision is made for resident's cycle parking the quantum of which is in accordance with the Sustainable Transport SPD and is located in three cycle stores which are accessed directly from Bartholemew Street East and Mitre Lane.</p> <p>The development is not considered to give rise to any unacceptable impact on highway safety and the residual cumulative impacts on the road network are not severe, the multi-storey car parks being closed, and hence it is not considered that there are any grounds for refusal of the application for Highways reasons.</p> <p>There are no documented public rights of way across the site between North Street and Mary Arches Street. Two alleyways from North Street that are public highway do not extend to Mary Arches Street or Mitre Lane, though these routes are used informally. The proposed development would physically block the route from North Street to Mitre Lane. A permissive route linking the two existing alleyways from North Street together and to Mary Arches Street would be created by the development. This is proposed to be gated with public access secured through a S106 legal agreement and managed by the site operator. Provisions for closure for maintenance and in the event of antisocial behaviour are proposed to be included.</p> <p>Synagogue Place connects to private land as part of the Bingo Hall (which is gated) and would not be affected by the development.</p> <p>There are loading bays on street in North Street outside the building entrance. The proposals include a vehicular lay-by in Bartholomew Street East that would facilitate servicing of Block A and those moving in or out of the development. Mitre Lane also facilitates servicing of Block B.</p> <p>The removal of the car park access lane in Mary Arches Street, which is one way, would potentially enable footway widening and/or creation of dedicated cycle lanes or cycle priority.</p>
Sustainable	The multi-storey car park has a high embodied carbon in

<b>Issue</b>	<b>Conclusion</b>
Construction and Energy Conservation	<p>construction but is unsuitable for conversion to residential development.</p> <p>The proposed development includes Mechanical Heat Ventilation Recovery as part of the ventilation system, Heat Pumps to support water heating, and rooftop solar photovoltaic panels. The applicant has estimated overall CO2 emissions reduction for the proposed development is 67.4% against currently Building Regulations Part L 2021 as shown in the graph below. These measures will be secured by a condition.</p> <p>The proposed development will minimise the use of mains water by achieving a maximum indoor water consumption of 105 litres per person per day in line with the 'Optional Requirement' of Approved Document Part G (2016), which will be secured by a condition.</p> <p>A sustainable construction waste strategy will be secured by a condition.</p>
Flood Risk and Surface Water Management	<p>The existing development largely hard surfaces the site. The proposals would reduce the surface water run off rate and South West Water have confirmed capacity in their infrastructure to connect the development proposed.</p>
Pollution	<p>The site is identified as potentially to be subject of ground contamination however officers are satisfied that the development proposed can safely be permitted subject to conditions.</p> <p>Through reduced vehicular traffic movements to the site the development would not impact negatively on air quality.</p>
Affordable Housing	<p>20% of the proposed co-living units would be secured as private rent affordable housing in accordance with national Planning Practice Guidance which is consistent with other Build to Rent developments granted permission in the city. The affordable housing can be secured in a s106 legal agreement.</p>
Mixed Communities	<p>The proposed development of co-living housing is in an inner urban area which has a wide mix of housing stock with</p>

<b>Issue</b>	<b>Conclusion</b>
	<p>purpose-built student accommodation on an adjacent site. Whilst it is a single residential type and tenure, it adds to the accommodation types in this area, and it is not considered that it would result in an over concentration of this particular residential use type in the area.</p>
Housing supply.	<p>The development would provide 297 units of co-living accommodation, which would be counted as 165 dwellings and should be afforded substantial positive weight in the planning balance.</p> <p>The applicant has demonstrated that the building could be converted to studios and apartments that meet national minimum space standards should demand for Co-living reduce in future.</p>
Economic benefits	<p>The development would provide economic benefits in construction phase. The development of these additional residential units, including affordable housing, will support the labour supply in the local economy. The additional residential accommodation in the city centre will support the vitality of the city centre.</p>
Community Infrastructure Levey (CIL) and New Homes Bonus	<p>The development will generate approximately £182,355.74 in CIL at 2025 rates.</p> <p>New Homes Bonus will also be received on the basis of increased dwelling numbers.</p>
Planning Obligations	<p>A S106 obligation can secure:</p> <ul style="list-style-type: none"> <li>• 20% of Co-living Units (60 units) as 'Affordable Private Rent', including 3 wheelchair M4(3) units.</li> <li>• Highways Contributions totalling £139,050</li> <li>• Contribution of £10,000 for Traffic Orders</li> <li>• Car Club Contributions £146,4346.2 for vehicle provision, and associated £7,269 TROs and £7,269 Road Markings</li> <li>• Provision of permissive path, including public access and ongoing maintenance</li> <li>• Co-living Management Plan, including measures to discourage car ownership and use</li> <li>• Primary Health Care contribution £87,184 towards</li> </ul>

Issue	Conclusion
	<ul style="list-style-type: none"> <li>expansion of GPS surgery provision</li> <li>• Contribution of £457 per bedspace towards the provision and improvement of off-site public open spaces serving the development.</li> <li>• Contribution of £278 (per bedspace towards the provision or improvement of off-site playing fields city-wide.</li> <li>• Habitat Regulations mitigation - Exe Estuary (Affordable units only) - £1278.71</li> <li>• 24/7 onsite management presence</li> <li>• A financial contribution [amount to be confirmed] to support public engagement of archaeological investigation and its findings</li> <li>• Restrictions on Full Time Student Occupation of 10%</li> <li>• S106 Monitoring Fee</li> <li>• Bio-diversity Net Gain Monitoring Fee</li> </ul>

## 5.0 Description of site

The 0.49-hectare site is within the historic centre of the City of Exeter and occupies the core of a city block with complex boundaries. It has highway frontages on Mary Arches Street, Bartholomew Street East, North Street, Synagogue Place, and Mitre Lane. The site includes a multi-storey and surface car park which are considered to make a negative contribution to the Central Conservation Area and the setting of nearby Listed Buildings, and to be poorly located from a traffic circulation perspective.

The site is part bounded by the rear of commercial and residential buildings on Bartholomew Street East and North Street, and the rear of the Grade II Listed Mecca Bingo Hall.

The site levels are also complex given the history and previous development of the site and surrounding area and the underlying topography. The site has been levelled following second world war bombing with a multi-storey car park and surface car park set at different levels. The surface car park is raised by bomb damage debris. The overall topography slopes down towards Mary Arches Street and more so towards the north west corner of the site at the junction of North Street with Bartholomew Street East.

The site is within the Central Conservation Area and Area of Archaeological Importance. The site comprised of buildings and spaces that make a negative contribution to the Central Conservation Area.

Several other Listed Buildings including the Grade I St. Mary Arches Church, Grade II\* Synagogue and, as well as Grade II and Locally Listed buildings on North Street and Mary Arches Street are in proximity all of which make a positive contribution to the Conservation Area.

The site is prominent when viewed from the northwest from the St. Davids's Hill and Iron Bridge approach to the City Centre and from Mount Dinham area. The City Wall, which are a scheduled Ancient Monument on the opposite side of Bartholomew Street East frontage.

The site includes a number of mature trees that are protected by virtue of being in a Conservation Area. Trees on the street frontages at Mary Arches Street, Mitre Lane and Bartholemew Street East make a positive visual contribution towards the character and appearance of wider area. Trees on site were mixed species planted as part of previous development of the site.

## **6.0 Description of development**

Demolition of a six-deck multi-storey car park with solar panel canopies on the upper open deck, also redevelopment of a surface car park. The car parks provide a total of 481 spaces when fully operational, though upper floors of the multi-storey are currently not in use. The car parks can be accessed from Mary Arches Street and Bartholemew Street East. A decision to close the car parks was taken by the City Council in 2022 and capacity to accommodate parking displaced from Mary Arches was identified in other city centre car parks. Consent for the demolition of the footbridge connection the Multi-storey Car Park to the Guildhall Shopping Centre was granted in September 2025.

The proposal is for construction of a co-living development alongside public realm improvements, landscaping, cycle and car parking, servicing, refuse and recycling provision, and associated works.

The development has been revised since first submitted to reconfigure building footprint, reduce number of co-living units, to revise façade design, and to change internal, entrance and circulation arrangements.

The proposal comprises two blocks with a single storey link between the blocks. Block A, which is six storeys on the Bartholemew Street and North Street frontages with three storey elements, has a front door on North Street and a secondary/service access on Bartholemew Street East, both of which are on the ground floor. The ground Floor of Block A provides communal accommodation for both blocks including lounges, gym and studio, co-working, laundry, as well as service, bin store and cycle parking. Cycle and bins stores are directly accessed from Bartholemew Street East where there will be a service layby. The link to Block B is at the first floor of Block A as Block B is set at a higher level. A sunken courtyard garden and rooftop (4<sup>th</sup> Floor) terrace provide amenity open spaces.

Block B is 5 storeys on the frontage with Mary Arches Street, with a four-storey wing with roof terrace at the rear. It comprises co-living units with communal kitchens on each floor. There is an entrance from Mary Arches Street and an area of amenity space open to the street and the public on the junction with Synagogue Place. Bin and cycle storage is access from Mitre Lane.

## **7.0 Supporting information provided by applicant:**

18/06/2025

Topographical Survey - Whole site  
Landscape Management and Maintenance Plan  
Biodiversity Metric - Statutory  
Air Quality Assessment  
Arboricultural Impact Assessment  
Archaeological Assessment  
Geo Environmental Phase 1  
Archaeology WSI  
Co-living Draft Management Plan  
Fire Statement  
Flood Risk Statement and Drainage Strategy  
Geo Environmental Phase 1  
Noise Impact Assessment  
Sustainability - Net Zero Carbon Statement  
Travel Plan  
Transport Statement  
Co-living Demand Study  
CIL FORM 1 Additional Information  
Design and Access Statement  
Daylight Sunlight and Overshadowing Report  
Waste Audit Strategy  
Planning Statement  
Planning Application Cover Letter June 25  
Statement of Community Involvement

25/06/2025

Heritage, Townscape and Visual Impact Appraisal (HTVIA)

15/07/2025

Ecological Impact Assessment Update July 2025

01/08/2025

## Ecological Impact Assessment Update July 2025

19/09/2025

Design and Access Statement Addendum

24/09/2025

Cover Email revised plans and supporting information 24 Sept 2025

Biodiversity Net Gain Statement and Assessment Revised

BNG Addendum Note

Ecological Impact Assessment Revised

Response to Devon Tree Officer Observations & Design Officer Comments

30/10/2025

Arboricultural Management Plan October 25

Ecological Impact Assessment - Update October 25

Mary Arches Street, Exeter Archaeology Report

08/12/2025

Mary Aches Design Addendum

Tree Retention Plan

06/01/2026

Tree Pruning and Encroachment Plan

### 8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
25/0951/FUL	Demolition of footbridge between Guildhall Shopping Centre and Mary Arches Street car park	PER	11/09/2025
14/4624/ECC	Installation of photovoltaic solar panels on the top deck of multi-storey car park.	PER	09/12/2014
72/271	Car park and shops	PER	29/06/1972

### 9.0 List of constraints

Airfield Safeguarding buildings in excess of 90m.

Airfield Safeguarding potential bird attractant developments

Area Of Archaeological Importance

Air Quality Management Areas

Bombs and Crater points

SPA Exe Estuary

Central Conservation Area

## 10.0 Consultations

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

### **National Bodies**

**Historic England** advise that Mary Arches in Exeter is of exceptional historical and archaeological importance. Located within the ancient city walls, the site contains evidence from the Roman, Saxon, Medieval, and later periods. It is designated as an Area of Archaeological Importance and is surrounded by several listed buildings, including the Grade II\* Synagogue and Grade I St Mary Arches Church. Its inclusion in the Central Conservation Area further highlights the necessity for a sensitive and contextually appropriate approach to redevelopment.

Redevelopment of the site is welcomed in principle, as the current condition—marked by open ground and an intrusive multi-storey car park—detracts from the setting of heritage assets and the wider conservation area. The site presents a significant opportunity to provide new accommodation and to enhance the character of the city centre. However, the proposed scheme raises several substantial concerns.

**Scale and Massing:** The proposed buildings are considered excessively tall and bulky, which would intensify the existing discordance with the historic townscape. The increased height would further harm the conservation area and the setting of adjacent listed buildings, exacerbating the disparity between new and historic structures.

**Design Response:** The design does not sufficiently respond to the historic context. There is a missed opportunity to reinstate historic street patterns and enclosure, particularly along Mary Arches Street and North Street. The decision to set buildings back from the street line and to introduce a pocket park disrupts the traditional urban grain and fails to address the area's historic character.

**Active Frontages and Public Realm:** The lack of active street-level uses—such as shops, cafes, or entrances—along key elevations is likely to diminish the vibrancy and safety of the area. Long, inactive frontages will have a deadening effect on the street scene, contrary to the principles of good urban design.

**Archaeological Impact:** There is insufficient evidence regarding the extent, preservation, and significance of below-ground remains. A comprehensive archaeological evaluation is required to inform the final design and any necessary mitigation. The site's archaeological potential is high, and any intervention must be guided by robust evidence and best practice in urban archaeology.

**Policy Alignment:** The scheme does not currently meet the requirements of national and local planning policies. It falls short of the standards set for design quality, heritage conservation, and enhancement of local character. The proposal does not

demonstrate a robust understanding of the site's significance or adequately minimize harm to heritage assets.

**Potential for Exemplar Development:** The site offers a rare opportunity to set a benchmark for sensitive redevelopment within Exeter's historic core. A more ambitious and contextually responsive design could restore and reconnect the urban fabric, enhance the setting of heritage assets, and deliver substantial public benefits.

**Conclusion:** There are strong concerns regarding the application on heritage grounds, specifically relating to the impact on below-ground archaeology and the overall design approach. The issues and safeguards outlined in the advice must be addressed to ensure compliance with statutory duties and planning policy requirements.

**Natural England** advises that 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. Natural England's statutory advice on these potential impacts is set out below. Page 2 of 2 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.

**Active Travel England** has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application.

**South West Water** responded with advice about asset protection, confirmation that the surface drainage proposals meet with the Run-off Destination Hierarchy, that SWW can provide potable water and foul drainage, and recommend informatics to be attached to any consent.

**Wales and West Utilities** responded with advice about asset protection and connection to their apparatus.

**The Royal Devon University Healthcare NHS Foundation Trust** reviewed the planning application and determined that the proposed development will increase demand on already fully utilized healthcare services. The Trust requests a developer

contribution of £86,011 to address the funding gap created by new residents, as NHS funding does not account for population growth from new developments. Without this contribution, service quality and waiting times may be negatively affected. The request aligns with national and local planning policies and relevant regulations.

**NHS Devon Integrated Care Board** reviewed the proposed development of 297 studio dwellings and determined that a contribution of £83,799 is needed to expand local primary care infrastructure, as existing GP surgeries lack capacity for the additional residents. Without this funding, the development would strain health services, increase waiting times, and negatively impact both primary and secondary care, leading the ICB to object to the application unless the contribution is secured.

**Police Designing Out Crime Officer** responded to emphasize the importance of designing the development to minimize opportunities for crime and ASB, especially given the prevalence of offences such as violence, drugs, theft, and public disorder in the vicinity. Conditions and detailed advice with regards: External Lighting, 24/7 Onsite Management, CCTV Installation, Access Control, Gates on Pathways, Maintenance Access, Cycle Hubs, and landscape design were provided.

**Devon and Somerset Fire and Resue Service** comment that the Fire Strategy Will be considered at Building Regulations stage.

### **Internal and including DCC**

**Local Highway Authority (DCC)** does not object subject to securing contributions for signage, LCWIP, and TRO contributions listed below are secured via a legal agreement and attaching the recommended conditions. Bicycle parking spaces meet Exeter City Council Sustainable Transport SPD requirements; maintenance facilities are recommended.

- Travel Plan: A broadly acceptable Travel Plan has been submitted and must be secured in a legal agreement.
- Traffic Regulation Orders (TROs): Any changes to the public highway require a TRO, funded by a £10,000 developer contribution.
- Other Considerations: The developer must remove outdated road markings, including box junctions, and restore the highway. No water or debris may be discharged onto the highway, and drainage connections are not assumed permitted. A Construction Management Plan (CMP) is required to minimize traffic impacts during construction on Heavitree and Gladstone Roads.
- Contributions: As the development is car-free and impacts LCWIP routes, the Highway Authority requires a £139,050 contribution—£50,000 for an electronic sign on Mary Arched and £89,050 for LCWIP and highway improvements—secured in a Section 106 agreement.

(£139,050 + TRO + conditions)

**Lead Local Flood Authority (DCC)** further to the revised submission our objection is withdrawn, and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning condition are imposed on any approved permission.

**Waste Planning Authority (DCC):** The Waste Audit Statement (June 2025) outlines measures to prevent waste and manage any generated waste according to the waste hierarchy. It provides details on demolition waste by material type and sets targets for re-use and recycling. It also predicts annual waste generation for the operational phase and confirms that waste storage provisions are satisfactory. However, construction waste details are incomplete—specifically, the breakdown by material type is missing. To comply with Policy W4 of the Devon Waste Plan, the Waste Planning Authority recommends updating the statement and this can be secured by condition attached to the consent.

**Environmental Health (ECC)** recommend approval with conditions relating to Contaminated Land, Noise, Construction/Demolition Environmental Management Plan.

**Public & Green Spaces Team (ECC)** while children's play provision is deemed unnecessary due to the expected resident demographics, the development will increase demand on nearby public green spaces, playing fields, and outdoor leisure facilities. With suitable investment, these spaces can accommodate the additional usage, and the development is considered acceptable provided a financial contribution is made for landscaping, accessibility improvements, and additional seating in neighbouring open spaces. Specifically, the required contributions are £457 per bedspace for off-site public open spaces and £278 per bedspace for off-site playing fields.

**Ecology and Biodiversity Officer (ECC)** advise that the scheme has undergone several amendments following feedback, including updates to the Biodiversity Net Gain (BNG) Statement, Ecological Impact Assessment, and landscaping plans, resulting in minor improvements such as the creation of a pocket orchard and increased native tree planting, which have slightly reduced the onsite biodiversity unit loss from -32.79% to -18.08%. However, the loss is still primarily due to the removal of mature trees, which the design does not retain, meaning offsite units will be needed to compensate. The applicant has correctly identified a gains site within the ECC boundary, and while the revised scheme better applies the BNG hierarchy and mitigation measures, its acceptability depends on whether the tree removal is considered appropriate in broader planning terms. Additionally, any approval should include conditions requiring lighting to comply with the Ecological Impact Assessment specifications and for details to be submitted to the Local Planning Authority for approval.

**Tree Manager (ECC)** the submitted Arboricultural Impact Assessment (AIA) identifies tree removals and sets out mitigation via replacement planting, I have concerns regarding the arboricultural impacts of the proposal: The loss of the trees on Bartholomew Street East will have a high impact on local amenity, removing important green infrastructure in an area of already low tree canopy cover. Although some of the trees are not of the highest individual quality, they collectively make a strong contribution to the local landscape character and urban tree cover. The mitigation strategy is considered inadequate for addressing both immediate and long-term canopy loss.

Note: Further response in respect of Trees T1-T5 in Mitre Lane and Mary Arches Street following revised plans and additional information regarding impact on these trees have not been received at time of publication and will be reported to committee in update.

**Waste & Recycling Team (ECC):** (Based on the review of the ground floor plan (Pan SMA-DAA-ZZ-00-DR-A-PLA03), both bin stores appear adequately sized, but there are concerns about the distance to the collection point, the need for a dropped kerb at the loading bay, and ensuring wide enough doors and suitable access (such as a ramp) for 1100-litre bins on Mitre Lane.

**Heritage Officer (ECC):** The Mary Arches site is highly significant due to its location within the city walls and its rich archaeological layers, spanning from Roman times to World War II. It is one of the last undeveloped open archaeological areas in the city, surrounded by important listed buildings and within a Conservation Area, making sensitive redevelopment essential. Redevelopment is generally supported since the current use detracts from the heritage setting, but the site's topography and views make it sensitive to inappropriate development. The proposed scheme increases building height and mass, which would harm the Conservation Area and setting of Listed Buildings, with the harm assessed as high but still less than substantial. Though design is improved the design does not restore historic street patterns. A pre-determination archaeological evaluation shows good survival of archaeological deposits, considered highly significant regionally. Full excavation before development and monitoring after demolition are recommended, the car park construction may have damaged some deposits, but pockets of survival may remain. Archaeological work of this important site should be secured by conditions, and public engagement through outreach should be secured in a S106 agreement.

**Urban Design and Landscape Officer (ECC):** Updated comments responding to revised plans will be reported to committee in update.

### **Town/Parish/Community Groups**

**Exeter Civic Society:** Massing changes in revisions are minimal, with concerns about the building's bulk and the retention of pediments that increase apparent

height. The design does not sufficiently respond to the historic context or provide active frontage along North Street and Bartholomew East, and the proposed display space lacks clear purpose. Suggestions include creating an interpretation space for local history. Servicing arrangements, including disabled parking and refuse collection, are considered inadequate, and the reliance on public car parks and laybys is problematic. The proposal does not present a comprehensive strategy for deliveries, maintenance, or refuse collection, and the management plan is incomplete. The development's justification for additional co-living accommodation is questioned, with recommendations for contingency plans should demand not materialize. The scheme lacks civic quality, contextual awareness, and sustainability, with insufficient evidence of local need for co-living and missed opportunities for a broader housing mix. Environmental strategies are underdeveloped, and adaptability for future use is not adequately addressed. The partial closure of historic pedestrian links and lack of a car share scheme for residents with disabilities further detract from the proposal. Overall, the review finds the internal layouts, massing, servicing, and social integration to be poorly considered, and recommends significant revisions to address these shortcomings and ensure the development meets the needs of residents and the wider community.

The internal planning shows kitchens at each corner of the two blocks, yet many are undersized, especially in Block A, raising questions about their suitability for communal use and accessibility for disabled residents. The plans lack clarity on kitchen layouts and seating arrangements, and additional or larger kitchens are recommended for certain floors. Facilities for the gym and fitness studio are inadequate, with shared WCs located inconveniently and lacking wheelchair-accessible options. Community amenities are concentrated in Block A, with poor connectivity to Block B, resulting in weak integration and limited natural light due to long, dark corridors.

The Civic Society's North Street Redevelopment Vision document made the following recommendations: Approving adequate S106 funding will secure essential public realm improvements that directly offset the development's impacts and deliver measurable safety, accessibility, environmental and social benefits that are fully supported by residents, local businesses and users of North Street. The council is therefore asked to negotiate and secure the full, proportionate S106 contributions including: Contribution to fund a co-design engagement process to identify the most appropriate public realm and highways improvements, including delivery, specification, maintenance and monitoring of the highways improvement works.

**Exeter Cycling Campaign:** No response received.

**Devon Buildings Group** objects to the proposed development on four main grounds: design, impact on the wider townscape, suitability of co-living apartments, and effects on adjacent historic buildings and potential archaeological remains. The plan to replace the existing multi-storey car park with two taller blocks is criticized for dominating the townscape and failing to complement the historic character of the

area, particularly the traditional street frontages of North Street and Bartholomew Street East. The design is seen as monolithic and excessively dense, inappropriate for the sensitive location within Exeter's historic intra-mural area and conservation zone, and likely to negatively affect views of the Cathedral and city. Concerns are raised about the small size and limited communal space of the proposed apartments, questioning their suitability for long-term occupation and local demand, especially given issues with existing co-living developments. The group urges Exeter City Council to develop policies regulating co-living schemes and to refuse this application, citing the scheme's lack of respect for local heritage, inadequate accommodation standards, and potential adverse archaeological impacts.

**RSPB** supports the recommendations of the Ecological Impact Assessment (Bats and Birds) which should be secured by conditions.

**Disability Access Champion, Living Options Devon:** No response.

**Devon Archaeological Society** highlights the exceptional archaeological significance of the Mary Arches Street site in Exeter, noting that its full importance may not yet be recognized. The site, located within the historic core and Central Exeter Conservation Area, contains deep and complex urban deposits spanning Roman, Saxon, Medieval, and post-medieval periods, with the potential for substantial archaeological survival, including Roman military structures. Even areas beneath the multi-storey car park may hold valuable remains. The Society stresses that any development should be preceded by thorough open-area excavations, which could be extensive and costly, especially if waterlogged deposits are found. They urge developers to consider the scale, cost, and timing implications, ensuring archaeological remains are properly examined, recorded, and published before construction. Concerns are also raised about the impact on listed buildings, historic pedestrian routes, and the proposed density of new dwellings, warning against repeating past mistakes of slum clearance and loss of heritage.

#### **Exeter City Council St. Davids Ward Cllrs Moore and Read**

Archaeology: The site is considered one of Exeter's most significant intra-mural archaeological locations, second only to Cathedral Close. Initial trench evaluations are mandatory, and further exploratory work may be required depending on findings. The applicant's assessment underestimates the site's complexity, especially in areas with high archaeological potential. Full open-area excavation is likely necessary, which will be costly and time-consuming. The developer has not demonstrated awareness of the scale or cost. Local Plan Policy C5 and the HIA (2024) require a comprehensive archaeological survey, with further method statements and public consultation at each stage. Preservation, archiving, and public presentation of significant finds must be conditioned, aligning with NPPF 2024.

Access: A 24-hour public right of way through the site must be maintained. Proposed gates restricting access during non-daylight hours would turn the development into a gated community, limiting access for residents and the public, and disrupting historic thoroughfares. The design also impedes commercial bin storage for North Street

shops. Alternative safety solutions should be considered. The demolition of the pedestrian bridge over North Street is supported.

**Co-living:** The demand for co-living is not evidenced by the applicant's report, which ignores the Exeter Local Needs Housing Assessment 2024. The LHNA projects minimal need for co-living, yet the application does not specify affordable or accessible units, nor does it meet national space standards. There are concerns about the adaptability of units, accessibility for disabled residents, and the practicality of shared facilities. The number of affordable units is unspecified and should be conditioned or compensated offsite if not provided.

**Planting and Biodiversity:**

Landscaping and biodiversity plans are weak and poorly coordinated. The biodiversity net gain report is unclear and does not address the presence of protected species like bats. Maintenance plans for roof terraces are lacking, and the landscaping plan fails to address climate change impacts or provide long-term maintenance. Only a five-year guarantee is offered, which is inadequate; maintenance should be guaranteed for the building's lifetime.

**Trees:** The proposal significantly reduces green infrastructure, with insufficient plans for replacement planting. A prominent tree (T1) must be preserved, and the removal of 10 trees (including 3 category B) will impact local amenity. Replacement tree types, sizes, and locations are unspecified. More comprehensive onsite and offsite planting, including in local cemeteries, should be required. The plan favours amenity trees over fruit trees, missing opportunities for biodiversity and resident engagement.

**Amenity and Recreation:** The development does not address the cumulative impact on local services and infrastructure, especially given existing co-living and student accommodation clusters. New developments should avoid clustering and contribute to local green spaces, such as St Bartholomew's Cemetery, which will see increased use. There is no recognition of increased demand on primary care facilities or provision for financial contributions to support them.

**Cycle Hub:** While covered, secure cycle parking is provided, the design does not accommodate cargo or disability-adapted bikes. The access to the bike store is impractical, especially for users with shopping or adapted bikes. Redesign is needed for better usability, such as installing sliding doors.

**Transport:** The site is well-located for sustainable transport, but access and safety need assessment. There are no formal cycle paths nearby, and improvements are needed to support cycling and walking. Pavements are narrow and unsafe, especially for wheelchair users, and formal pedestrian crossings are lacking. Disabled parking provision is inadequate; designated spaces for blue badge holders should be provided in proportion to the number of accessible units.

**Height, Mass and Scale:** The proposed building's increased height and mass will negatively impact the St David's Conservation Area and local views, including the Cathedral. The new building should not exceed the height of the current multi-storey car park to mitigate overshadowing and visual impact.

**Statement of Community Involvement:** Concerns raised by local councillors about amenities and transport have not been fully reflected in the consultation feedback. While some engagement (e.g., public exhibition, leaflets) is noted, residents report inconsistent information about objection deadlines and insufficient outreach.

Conditions should ensure: Co-living units are not allocated to students (and second homes are declared; Conversion to student accommodation requires planning; conversion to flats if underoccupied; Disabled and affordable units are provided in perpetuity; Landscaping and tree planting plans are improved, conditioned, and maintained for the building's life; Financial contributions are made for local green space and cemetery upkeep.

## 11.0 Representations

The application has been advertised by sites notices, press notice and neighbour letters. The application was advertised in July 2025 when received and in September 2025 when revised plans and additional and revised supporting information was submitted.

22 objections received raising the following concerns: -

- The design is bland and not in keeping with local architecture.
- The building is too tall, overbearing, and will overshadow and dwarf nearby historic buildings
- Calls for a more imaginative scheme that enhances the area, with softer outlines and rounded corners, reflecting Exeter's historic character.
- There is scepticism about whether these units will serve the local workforce or simply attract students.
- The scheme is criticized for not providing affordable housing.
- There is a perceived oversupply of student accommodation in Exeter.
- The development is circumventing minimum size standards for studio flats.
- Concerns about increased pressure on already overstretched sewerage and water supply systems, leading to more sewage spills.
- The density and scale of the development will put severe pressure on NHS services.
- Objections to the loss of trees, and wildlife.
- The landscaping plan is criticized for lacking attention to biodiversity and climate change.
- The site is of significant archaeological interest, including the city's Roman wall, and requires careful excavation.
- Criticism of the adequacy of archaeological assessment.
- Concerns about increased anti-social behaviour, especially around the 'pocket park', and cemetery.
- The development is seen as detrimental to the quality of life for permanent residents with fears of turning the area into a student campus.
- Objections to the lack of car parking provision, which is seen as essential for residents, staff, and visitors.
- Loss of car parking for those attending the synagogue.

- Requests to retain the motorcycle park
- Concerns about disruption to local businesses and organizations.
- The development is not seen as suitable for families, homeless people, or those seeking long-term accommodation.
- Impact on daylight, privacy, and views for neighbouring properties.
- Security concerns for the synagogue due to increased density and temporary accommodation.
- Concerns about the suspension of public rights of way.

## 12.0 Relevant policies

### National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (December 2024) – in particular sections:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
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
- Appropriate assessment
- Build to rent
- Climate change
- Community Infrastructure Levy
- Design: process and tools
- Effective use of land
- Fire safety and high-rise residential buildings
- Healthy and safe communities
- Historic environment
- Housing needs of different groups
- Housing for older and disabled people

Housing: optional technical standards  
Housing supply and delivery  
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  
Town centres and retail  
Travel Plans, Transport Assessment and Statements  
Use of planning conditions  
Viability  
Waste  
Water supply, wastewater and water quality

National Design Guide (MHCLG, 2021)  
National Model Design Code (MHCLG, 2021)  
“Building for a Healthy Life” (Homes England’s updated Building for Life 12)  
GPA3 – The Setting of Heritage Assets (Historic England, December 2017)  
HEAN 2 – Making Changes to Heritage Assets (Historic England, February 2016)  
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)  
Protected sites and areas: how to review planning applications (DEFRA and Natural England, 5 August 2016)  
Biodiversity duty: public authority duty to have regard to conserving biodiversity (Natural England and DEFRA, 13 October 2014)  
Guidance for Outdoor Sport and Play Beyond the Six Acre Standard England (Fields in Trust, 2020)

### Development Plan

Core Strategy (Adopted 21 February 2012)

Core Strategy Objectives  
CP1 – Spatial Strategy  
CP3 – Housing  
CP4 – Density  
CP5 – Mixed Housing

CP7 – Affordable Housing  
CP9 – Transport  
CP11 – Pollution  
CP13 – Local Energy Networks  
CP14 – Renewable and Low Carbon Energy  
CP15 – Sustainable Construction  
CP16 – Green Infrastructure, Landscape and Biodiversity  
CP17 – Design and Local Distinctiveness  
CP18 – Infrastructure

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005) – Saved Policies

AP1 – Design and Location of Development  
AP2 – Sequential Approach  
H1 – Search Sequence  
H2 – Location Priorities  
H3 – Housing Sites  
H5 – Diversity of Housing  
H7 – Housing for Disabled People  
TM5 – City Wall  
L4 – Provision of Playing Pitches  
T1 – Hierarchy of Modes  
T2 – Accessibility Criteria  
T3 – Encouraging Use of Sustainable Modes  
T5 – Cycle Route Network  
T9 – Access to Buildings by People with Disabilities  
T10 – Car Parking Standards  
T11 – City Centre Car Parking Spaces  
C1 – Conservation Areas  
C2 – Listed Buildings  
C3 – Buildings of Local Importance  
C4 – Historic Parks and Gardens  
C5 – Archaeology  
LS2 – Ramsar/Special Protection Area  
LS3 – Sites of Special Scientific Interest  
LS4 – Nature Conservation  
EN2 – Contaminated Land  
EN3 – Air and Water Quality  
EN5 – Noise  
EN6 – Renewable Energy

DG1 – Objectives of Urban Design  
DG2 – Energy Conservation  
DG3 – Commercial Development  
DG4 – Residential Layout and Amenity  
DG7 – Crime Prevention and Safety  
KP1 – Pedestrian Priority Zone

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 (April 2014)  
Sustainable Transport SPD (March 2013)  
Planning Obligations SPD (April 2014)  
Public Open Space SPD (Sept 2005)  
Residential Design SPD (Sept 2010)  
Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents:

Minerals and Waste – not just County Matters Part 1: Waste Management and Infrastructure SPD (July 2015)  
Liveable Exeter Principles – A city-wide initiative of transformational change (2022)  
Exeter Density Study (July 2021)  
Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)  
Annual Infrastructure Funding Statement 2021/22  
Green Infrastructure Study (April 2009)  
Green Infrastructure Strategy – Phase II (December 2009)  
South-east Devon European Site Mitigation Strategy (June 2014)  
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.

It is acknowledged that there are certain properties where they may be some impact. However, any interference with the right to a private and family life and home arising from the scheme as a result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of residential accommodation.

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.

## **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

Receipt from disposal of site owned by Exeter City Council

Contributions towards open space and sports pitch enhancement

Contributions towards highways and sustainable travel

Contributions towards GPs surgeries

### Non-material considerations

CIL contributions. 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. 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. The rate per square metre updated in January 2024 for this co-living £51.31 to which indexation will be applied. The applicant has provided a CIL Information form which states that there is 8,720 square metres of floorspace being demolished and the fee calculation shows 12,274 square metres being constructed. On that basis the Net gain in floor area is 3,554 square metres and the CIL receipt is estimated as £182,355.74

New Homes Bonus will also be received, which is calculated on the basis of the increase in dwelling numbers citywide.

The proposal will generate Council Tax in occupation with individual co-living units rated Band A.

## **16.0 Planning assessment**

The key issues are:

1. Principle of development
2. Impact on heritage assets
3. Scale, design, appearance, density
4. Impacts on the amenity of neighbouring occupiers
5. Amenity of future occupiers
6. Impact on landscape/ and biodiversity
7. Travel, access and parking
8. Sustainable Construction and Energy Conservation
9. Flood Risk and Surface Water Management
10. Pollution
11. Affordable Housing
12. Mixed Communities
13. Housing supply
14. Economic benefits
15. CIL
16. Planning Obligations
17. Planning Balance and Presumption in Favour of Sustainable Development

### 1. Principle of development

In determining that the current car park, which is only partially open, is no longer required Exeter City Council demonstrated that sufficient capacity existing within other car parks to accommodate city centre parking demand. This car park draws vehicular traffic across the main High Street/Fore Street spine of the city centre and closing this car park would impacts positively on air quality and reduce conflicts between pedestrians and vehicular traffic. The application includes provision for two disabled parking spaces on Synagogue Place. There is existing dedicated provision for on-street motorcycle parking nearby on Bartholomew Street East. There is therefore no objection to the loss of car parking on the site.

The proposal would result in the loss of 150kW solar electricity generating capacity from the rooftop installation on the multi-storey car park. The potential to reuse this installation on another site is being explored.

The demolition of the car park would also involve the loss of two retail units on North Street which are part of the Car park building. The loss of these units is regrettable however the development includes active frontages including the entrance in this location.

Redevelopment of this brownfield site in a highly sustainable location for 297 co-living beds conforms to the spatial principle of redeveloping such sites in preference to greenfield sites and is strongly supported by Core Strategy Policy CP1, and saved Local Plan 1<sup>st</sup> Review Policies AP1, which requires developments to be accessible by public transport, walking or cycling, and AP2 which prioritises brownfield land in existing centres, which is reinforced by policies H1 and H2, and as well as national guidance in the NPPF, which particularly encourages the use of brownfield land and higher-density development.

Co-living is a relatively new residential use type which is considered to fall outside the uses defined in the Use Classes Order, which is to say it is considered to be a 'sui generis' use. The principle of this use has been established through consents on other sites (e.g. Summerland Street, Harlequins Centre, and former Police Station Heavitree Road) and in draft Exeter Plan Policy H6 Co-living.

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. Whilst a sui generis residential type co-living is considered to be a form of Build to Rent Housing and national guidance that 20% of units (60 units) should be Affordable Housing is considered to apply. Affordable Housing can be secured through a S106 agreement.

Policy H7 of the Exeter Local Guides that housing on larger sites with good access to services should provide Accessible Housing for people confined to wheelchairs. 5% of the Affordable Units (3 Units) should be secured to M4(3) standard as Wheelchair Accessible.

With the exception of the Affordable Housing units, the co-living accommodation is market housing. The applicant has advised that only a small percentage of units are anticipated may be occupied by students. It is considered desirable that the accommodation is not dominated by students in the interests of promoting co-living community. The applicant has offered to include a restriction not more than 10% of occupants being undergraduate students and to exclude full time students from occupation of the Affordable Units. This restriction is not necessary to make the development acceptable in planning terms and has not been taken into account in the assessment of the application or the planning balance. This specific obligation is offered voluntarily by the applicant and is not a material planning consideration.

Bringing forward the redevelopment of brownfield sites to meet identified housing need as set out in Core Strategy policies CP1 and CP3 helps to protect other less

sequentially preferable and greenfield sites from development, conserve the natural environment and protect the landscape setting of the city.

Redevelopment of this brownfield site in a highly sustainable location for 297 co-living beds meets identified housing need and, in line with national policy for Build-to-Rent development 20% of these units (60 no.) will be secured as affordable private rent housing let by the operator. As such, the proposals are considered to accord with the aims of policies H2 and H5 of the Exeter Local Plan 1st Review and CP5 of the Exeter Core Strategy.

The development includes 5% of the affordable units (3 No.) are required to be M4(3) wheelchair accessible standard. As such, the development is considered to comply with the aims of policy H7 of the Exeter Local Plan 1st Review.

The proposed redevelopment of the car parks is considered to be in accordance with the aims of Exeter Local Plan Policy T1 and the Vision and Objectives of the Exeter Core Strategy.

## 2. Impact on heritage assets

The site is within the historic walled core of the Roman city and through investigation has been demonstrated to retain good survival of multi period archaeological deposits from the Roman genesis of the city through to the second world war. The importance of the archaeological deposits, which would be lost to development, necessitates a full excavation, analysis and recording of the site, and for a high standard of public engagement to connect the city to that buried heritage which would be lost. A programme of archaeological work can be secured by conditions and support for public engagement through the S106 agreement.

The site is surrounded by several listed buildings, including the Grade I St Mary Arches Church, Grade II\* Synagogue and Grade II listed former Gaumont Cinema (now Mecca Bingo), as well as Grade II and locally listed buildings on Mary Arches Street and North Street. Its inclusion in the Central Conservation Area further highlights the necessity for a sensitive and contextually appropriate approach to redevelopment. At five storeys the building would represent an increased height and massing compared to other buildings in the street, with the exception of Mary Arches Church. The relative scale of the building and its position set back from the highway, are considered to be harmful to this part of the Conservation Area and setting of nearby Listed and Locally Listed buildings and the City Walls (Scheduled Ancient Monument). The harm is assessed as the higher end of less than substantial harm.

The development will be visible in longer range views from the west and especially from the St Davids Hill/Iron Bridge approach. Block A which replaces the multi-storey car park will be one storey, approximately 4.5 metres, taller than the car park with the

installed rooftop solar panel canopies. The building will not impede views from the west of historic buildings, most importantly views of the Cathedral. The impact of the building on longer range views is not considered unacceptable.

The development will impact on medium and shorter-range views in and around the city centre. The view of St. Michaels Mount Dinham from Fore street will be largely lost, though this view is revealed when travelling along Mary Arches Street. In views along North Street from High Street the building will book end the historic terrace of building rising taller than the current carpark. The appearance of building itself is improved and the removal of the bridge over North Street results in an improved view out towards the landscape setting of the city.

In coming to the recommendation set out in this report, 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.

Notwithstanding the impacts on above ground heritage assets in Mary Arches Street the proposals as a whole are considered to accord with aims of policies C1 and C3 of the Exeter Local Plan 1st Review, policy CP4 of the Exeter Core strategy, and aims of Section 16 of the NPPF.

### 3, Scale, design, appearance, density

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.*

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 include 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.

The application seeks to comprehensively redevelop the site, demolishing existing multi-storey car park and building on the existing surface car park and to replace them with a 4, 5 and 6 storey co-residential scheme of 297 residential units, with communal facilities, associated landscape, and public realm enhancements.

The application has been amended since first received to revise the external appearance, reduce the number of residential rooms, introduce communal kitchens on each residential floor, improve ground floor internal arrangements; to improve the design of the building and entrances and officers are now satisfied with the internal layout and co-living facilities of the proposed redevelopment.

The development comprises two blocks linked at surface level.

Block A replaces the Multi Storey car park on the corner of North Street and Bartholomew Street East. Though a storey taller it is of similar massing and footprint. The building has a ground floor with a main entrance centrally located in the North Street frontage to respond to challenging topography.

Nevertheless, the ground floor level will be approximately 2m above footway at the corner of North Street and Bartholemew Street East. Details of works within the site to align with the pavement level will need to be secured by condition. Fire safety regulations for taller buildings impose barriers to creating a partially lower floor level in the corner location, unless this was part of a separately accessed unit. At the rear an open amenity space at ground floor level is below the surrounding rear land level, and a fourth-floor external amenity roof terrace is also provided.

Communal internal spaces for the development as a whole and servicing is provided at ground floor and part of first floor of Block A. Cycle and bin stores and a secondary entrance are provided with access from Bartholemew Street East with a layby formed to replace the redundant car park vehicular entrance.

Block B fronting Mary Arches Street is five storeys tall, with lowest floor set a storey higher than Block A and labelled first floor in drawings. Co-living units are arranged on each floor along with a communal kitchen. A street entrance is provided at ground floor level, and a roof terrace amenity space is provided at fourth floor level on the rear element of the building. The building is set slightly back from the highway edge. The set back provides defensible space in front of ground floor bedroom windows. At five storeys the building would represent an increased height and massing above other buildings in the street, with the exception of Mary Arches Church. The relative scale of the building and its position, centrally in the street but set back, are considered to be harmful to the Conservation Area and setting of nearby Listed and Locally Listed buildings. The harm is assessed as the higher end of less than substantial harm. The design and position of Block B is considered to represent a missed opportunity to repair the harm caused by post war development creating a

form of development that reflects historic street patterns and enclosure, particularly along Mary Arches Street.

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 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 331 bedspaces (if dual occupancy of Large Units is accepted), equating to 675 bedspaces per hectare. To benchmark against policy expectations, the government methodology from the Housing Delivery Test Measurement Rulebook translates communal accommodation into dwelling equivalents: one dwelling equals 1.9 communal bedspaces. Applying these ratios, the scheme provides an equivalent of 355 dwellings per hectare which aligns with other PBSA and co-living schemes recently given resolution to grant.

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 policies 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 Local Plan policy H2 and Core Strategy policy CP4.

The application has been significantly amended during pre-application process and during the application. It is considered regrettable that the pre-application process was curtailed by submission of an application and the Historic England's offer to be directly involved in design discussions at pre-application and application stage were not taken up. Officers are however now satisfied with the appearance and internal layout of the proposed development, and also with the scale and layout of Block A. The scale and layout of Block B, for the reasons given above, are considered to be harmful to this part of the Conservation Area and setting of nearby Listed and Locally

Listed buildings, that harm is assessed as the higher end of less than substantial harm.

The proposals are, on balance, considered to accord with the aims of Exeter Local Plan 1st Review policies DG1, DG4, DG7 and H5, Policy CP4 of the Exeter Core strategy, and the aims of NPPF Sections 11 and 12.

#### 4. Impacts on the Amenity of Neighbouring Residential and Commercial Occupiers

The development replaces an existing multi-storey car park which is not a good neighbour to residential development. The surrounding properties in North Street including those above and behind the street level commercial units are not considered to be significantly adversely affected by loss of light or through loss of in building privacy.

In Mary Arches Street and Mitre Lane residential properties are situated across the public street from the development. In Mitre Lane there will be some shading of windows but given the city centre location and distance between buildings the impact is not considered to result in unacceptable living conditions or an unusual relationship between buildings.

A small number of buildings on North Street rely on the existing alleyway between the 20 and 21 North Street which is proposed to be gated. The control of access for these residents, can be secured as a part of the legal agreement securing public access to the walkways through the site.

The proposed pocket Park on the corner of Synagogue Place with Mary Arches Street and the walkway through the site have the potential to attract or give opportunity for antisocial behaviour. In addition to gating of the walkway the management of the park and walkway and the coverage by CCTV will need to be secured through conditions and a legal agreement. Management presence on site is required 24/7.

##### *Daylight and Sunlight.*

Local Plan policy supplemented by the Residential Design Guide SPD guides that reference should be had to British Standards and Buildings Research Establishment (BRE) good practice guidance in assessing quality of daylight. The proposed building will be taller but will be set further in many cases from the windows of neighbouring buildings. The proposed development is considered to result in an improvement in diffuse light levels to some neighbouring properties and not to the detriment of any. In this respect the proposed development is complies with the aims of policy DG4 of the Exeter Plan 1st Review.

##### *Outlook and privacy.*

The supporting text to Exeter Local Plan 1st Review Policy DG4 guides that an acceptable degree of privacy allowing people to feel at ease in their own homes can be achieved by providing a minimum distance of 22 metres between [windows of] habitable rooms or by imaginative design. The Residential Design Guide SPD guides that windows of habitable rooms should not face high blanks walls, and that developers should produce to analysis to demonstrate that dwellings have sufficient daylight. The Residential Design Guide SPD was adopted to support the delivery of the spatial strategy and strategic allocations in the Exeter Core Strategy, which were urban extensions on largely greenfield sites. The standards set out in that guidance are not all directly transferable to the type of development or the spatial strategy being brought forward by the emerging Exeter Plan which include significant urban brownfield sites. As such it is considered that the guidance in the SPD should be applied flexibly in some respects in this location.

Provided conditions are used to restrict windows and require obscure glazing in that part of the side elevation of Block A facing 15 Bartholemew Street East/44 Mitre Lane, and facing the rear of properties adjacent the development on North Street, the arrangement of buildings and windows would not be considered to give rise to a loss of in building privacy impact that is unacceptable in this urban setting. In this respect the proposed development accords with the aims of saved policy DG4 of the Exeter Local Plan 1st Review.

#### *External lighting.*

The site is in a city centre location where street lighting and existing lighting on site. Lighting is considered necessary to ensure public safety and the future of residents. The deals of the lighting can be secured by condition in the interests of protecting the amenity of existing and future residents and ecology. As such, the proposals are considered to accord with the aims of Exeter Local Plan 1st Review policy DG4.

#### *Noise.*

The site is in a city centre location with noise generating uses and activities in proximity. The potential for noise to adversely affect residents has been addressed and it is considered that provided suitable attenuation is secured by condition the impact on future residents can be considered acceptable. As such, the proposals are considered to accord with the aims of Exeter Local Plan 1st Review policy DG4.

### 5. Amenity of future occupiers

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. It is 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.

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. Despite this critical policy position, officers consider the guidance to serve as a useful guide and it is therefore referred to for the purposes of assessing the development proposal.

Communal spaces for the development as a whole and servicing is provided at ground floor and part of first floor of Block A. These include; Lounges, Gym and Fitness Studio, Co-work spaces, media room, laundry and games room, private events space, communal kitchens and communal dining. Whilst these spaces are remote from some units in Block B, covered connection is provided and the quantum, type and arrangement of internal communal spaces would meet the Greater London Guidance and is considered acceptable. Internal communal facilities average a total of 3 sqm per resident with 1.5 sqm per resident of additional kitchen/diner space.

Amenity outdoor space is provided at the rear of Block A at ground floor level and in roof terraces on both blocks A and B. The quantum and arrangement of external amenity space would meet the Greater London Guidance and is considered acceptable.

Each of the upper residential floors has a communal kitchen dining space with an average of 1.5 sqm per resident of kitchen/diner space located on the same floor as the residential unit. The size and location are considered appropriate for the quantum of co-living residential units when assessed against the London Guidance.

The development is comprised of 297 co-living accommodation units in total, 263 'Standard Units' and 34 'Large Units'. Of the Standard co-living units 237 are between 18 and 20 square metres internal area with 26 units that are between 21 and 26 sqm. The 34 'Large Units' being of 27 sqm or more. Amenity spaces will need to be protected in the interests of the living conditions of future occupiers.

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. Provision of kitchenettes is therefore considered desirable but that these cooking facilities should be limited, and communal kitchens provided with 'convenient access' as per Policy H6 to encourage communal living and encourage units not to be occupied on a self-contained basis.

The range of communal amenity spaces, the quantum, arrangement and locations are also considered to accord with the aims of Exeter Local Plan 1<sup>st</sup> Review Policy DG4 and emerging Exeter Plan Policy H6.

Contributions towards the provision of off-site informal open spaces and formal sports provision to support the use of these by residents are proposed to be secured by S106 agreement.

The acoustic design of the building facades can be controlled by condition to ensure that future residents are adequately protected from the impact of noise from neighbouring uses and general noise environment including during hot weather and at night. The landscaping of the site includes an acoustic barrier fence on the boundary of the Bingo hall the details and implementation of which can be secured by condition. As such the proposals can be conditioned to accord with the aims of paragraph 200 of the NPPF 2024.

## 6. Impact on landscape/BNG/Ecology

Landscaping and tree planting around the car park perimeters contributes positively to the area but is largely of ornamental species. The removal of these trees on the frontage of Bartholemew Street East is undesirable on ecology and biodiversity grounds. However, the replacement of those trees with tree planting better suited to the location and which are planted to relate to the new building is considered justified in the interests of creating a development that sits well with its landscaping and addresses levels differences more positively than the car park landscape planter.

In Mary Arches Street some trees planted on the car park perimeter have been lost over recent years. The mature Raywood Ash tree in Mary Arches Street at the rear of the Bingo Hall is however a prominent and healthy tree that makes a substantial positive impact and is considered worthy of retention. Similarly, three mature trees in Mitre Lane are considered worthy of retention and the building footprint of the rear wing of block B has been adjusted to allow for the retention of these trees. The

junction of Mitre Lane and Mary Arches Street is an opportunity to replace recently lost tree and to enhance Mitre Lane and Mary Arches Street.

The proposed development results in an overall reduction in measured biodiversity on site. The development includes enhancement, through landscape planting and the introduction of bat and bird boxes at street and roof levels but will require off-site measures to be secured to achieve overall 10% Biodiversity Net Gain.

Compensation for the loss of biodiversity and ecology on site can be secured through both on and off-site measures.

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). 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.

For the reasons set out above, the proposed development is considered to accord with the aims of Exeter Local Plan policy DG1 and the objectives of Section 15 of the NPPF respecting nature conservation.

## 7. Travel, Access and Parking

The proposed development is car free with servicing from Mitre Lane and Bartholemew Street East. The area is subject of on street parking controls and the development can be excluded from eligibility for residents parking permits by DCC. As such the development is located in accordance with emerging Local Plan Policy H6. Two disabled parking spaces for general use are proposed on Synagogue Place.

Good provision is made for resident's cycle parking the quantum of which is in accordance with the Sustainable Transport SPD and is located in three cycle stores which are accessed directly from Bartholemew Street East and Mitre Lane.

The development is not considered to give rise to any unacceptable impact on highway safety and the residual cumulative impacts on the road network are not

severe, the multi-storey car parks being closed, and hence it is not considered that there are any grounds for refusal of the application for Highways reasons.

There are no documented public rights of way across the site between North Street and Mary Arches Street. Two alleyways from North Street that are public highway do not extend to Mary Arches Street or Mitre Lane, though these routes are used informally. The proposed development would physically block the route from North Street to Mitre Lane. A permissive route linking the two existing alleyways from North Street together and to Mary Arches Street would be created by the development. This is proposed to be gated with public access secured through a S106 legal agreement and managed by the site operator. Provisions for closure for maintenance and in the event antisocial behaviour are proposed to be included.

Synagogue Place connects to private land as part of the Bingo Hall (which is gated) and would not be affected by the development.

There are loading bays on street in North Street outside the building entrance. The proposals include a vehicular lay-by in Bartholomew Street East that would facilitate servicing of Block A and those moving in or out of the development. Mitre Lane also facilitates servicing of Block B.

The removal of the car park access lane from Mary Arches Street, which is one way, would potentially enable footway widening and/or creation of dedicated cycle lanes or cycle priority.

The proposals are considered to accord with the aims of Exeter Local Plan 1st Review policy T3, Core Strategy policy CP9 and the aims set out in section 9 of the NPPF.

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.

We note the advice of DCC as Highway authority and agree that the development is not considered to give rise to any unacceptable impact on highway safety and the residual cumulative impacts on the road network are not severe. Hence, as guided by paragraph 115 of the NPPF 2023, it is not considered that there are grounds for refusal of the application for highways reasons.

## 8. Sustainable Construction and Energy Conservation

The multi-storey car park has a high embodied carbon in construction but is unsuitable for conversion to residential development.

The proposed development includes Mechanical Heat Ventilation Recovery as part of the ventilation system, Heat Pumps to support water heating, and rooftop solar photovoltaic panels. The applicant has estimated overall CO<sub>2</sub> emissions reduction for the proposed development is 67.4% against currently Building Regulations Part L 2021 as shown in the graph below. These measures will be secured by a condition.

The proposed development will minimise the use of mains water by achieving a maximum indoor water consumption of 105 litres per person per day in line with the 'Optional Requirement' of Approved Document Part G (2016), which will be secured by a condition. The proposed development in accordance with Core Strategy policy CP15 requirement and NPPF 2023 paragraph 162.

A sustainable construction waste strategy will be secured by a condition. This will be required to be built around a waste hierarchy, cascading from waste minimisation to reuse and recycling before allowing removal to landfill in accordance with Devon Waste Plan policy W4.

## 9. Flood Risk and Surface Water Management

The site is in Flood Zone 1. The existing development largely hard surfaces the site. The proposals would reduce the surface water run off rate, reducing the risk of flooding elsewhere, and South West Water have confirmed capacity in their infrastructure to connect the development proposed. As such the proposal is considered to accord with the aims of Exeter Local Plan 1st Review Policy EN4, policy CP12 of the Exeter Core Strategy and Paragraph s181 and 182 of the NPPF 2024

## 10. Pollution

The site is not identified as likely to be subject of ground contamination, however a condition is proposed on precautionary basis should contamination be uncovered during construction. Officers are satisfied that the development proposed can safely be permitted subject to this condition. As such the development is considered to comply with the aims of Exeter Local Plan 1st Review Policy EN2 and paragraph 196 of the NPPF 2024.

North Street and its junction with Bartholemew Street East are part of the designated Air Quality Management Area. As such, the development would have a lower impact on air quality than the current use and is not contrary to policy EN3 of the Exeter Local Plan 1st Review and would contribute to the improvement of air quality as sought by Policy CP11 of the Exeter Core Strategy and paragraph 199 of the NPPF 2024

## 11. Affordable Housing

The development would provide 20% of the 297 co-living units as private affordable rent housing which can be secured through a S106 agreement. This is in accordance with the national planning policy requirement which has precedence over Local Plan policy for these residential tenure types. Of the affordable dwellings, 5% will be wheelchair standard M4(3). The location of the affordable and wheelchair accessible units and the nomination of occupiers can be secured through the S106 agreement. As such, the proposals meet the requirements of Exeter Core Strategy policy CP7, Exeter Local Plan 1st Review policy H7 and the Affordable Housing SPD.

## 12. Mixed Communities

The proposed development of co-living housing is in an inner urban area which has a wide mix of housing stock, with a recently completed purpose-built student accommodation development on an adjacent site. Policy H5 of the Exeter Local Plan 1st Review guides that the conversion to or construction of special needs housing, bedsits, houses in multiple occupation and student housing will be permitted provided that the criteria set out in that policy are met. These criteria include that the development should not cause an over concentration of the use in any one area of the city that would change the character of the neighbourhood.

Whilst it is a single residential type and tenure, co-living it adds to the accommodation types in the immediate area, and it is not considered that it would result in an over concentration of this particular residential use type in the area, or in the wider city centre. The proposed development is not considered to result in an over concentration of a particular residential use type in the area and as such is considered to accord with the aims of policy H5 of the Exeter Local Plan 1st Review.

## 13. Housing supply

The development would provide 297 units of co-living accommodation, which would be counted as 165 dwellings using the Housing Delivery Test multiplier, and this should be afforded substantial positive weight in the planning balance.

The applicant has demonstrated that the building could be converted to studios and apartments that meet national minimum space standards should demand for co-living reduce in future.

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

#### 14. Economic benefits

The development would provide economic benefits in construction phase directly in construction and indirectly. The development will create jobs in occupation phase through the staffing and ongoing maintenance activities. The development of these additional residential units, including affordable housing, will support the labour supply in the local economy. The additional residential accommodation in the city centre will support the vitality of the city centre.

#### 15. CIL & New Homes Bonus

The development will also generate approximately £182,355.74 in CIL at 2025 rates.

New Homes Bonus will also be received on the basis of increased dwelling numbers.

#### 16. 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 matters listed below 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 request for funding made by the RDUH is not considered to meet those tests.

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.

- 20% of Co-living Units (60 units) as 'Affordable Private Rent', including 3 wheelchair M4(3) units.
- Highways Contributions totalling £139,050.
- Contribution of £10,000 for Traffic Orders
- Car Club Contributions £146,4346.2 for vehicle provision, and associated £7,269 TROs and £7,269 Road Markings
- Provision of permissive path, including public access and ongoing maintenance
- Co-living Management Plan, including measures to discourage car ownership and use
- Primary Health Care contribution £87,184 towards expansion of GPs surgery provision

- Contribution of £457 per bedspace towards the provision and improvement of off-site public open spaces serving the development.
- Contribution of £ 278 (per bedspace towards the provision or improvement of off-site playing fields city-wide.
- Habitat Regulations mitigation - Exe Estuary (Affordable units only) - £1278.71
- 24/7 onsite management presence
- A financial contribution [amount to be confirmed] to support public engagement of archaeological investigation and its findings
- Restrictions on Full Time Student Occupation of 10%
- S106 Monitoring Fee
- Bio-diversity Net Gain Monitoring Fee

## 17. 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."

Footnote 8 to this paragraph indicates that policies will be out of date where a council cannot demonstrate a 5-year housing land supply. Given the content of the paragraph 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 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.

The key benefits of development are considered to include:

- Provision of 297 Co-living dwelling units
- 60 Affordable Private Rent Units of which 3 are Wheelchair units
- Redevelopment of an underdeveloped site in the city centre
- Removal of buildings and redevelopment of spaces that make a negative contribution to the setting of Listed Buildings and the Character and Appearance of the Central Conservation Area
- Residential development on a highly sustainable site
- Car free development that will reduce traffic movement in the city centre
- Contributions to the improvement of public spaces
- Sustainable Transport Contributions
- Contribution to provision of GP services

Identified harms include:

- Harm, at the upper end of less than substantial, to the setting of Listed Buildings and the Character and Appearance of the Central Conservation Area
- The loss of trees and reduction in on site biodiversity, which will need to be compensated off site.
- Loss of renewable energy generating capacity

## 17.0 Conclusion

In light of the officer assessment set out in the 'Planning Balance' section above, and taking into consideration the guidance in paragraph 11 of the NPPF, it is considered that the benefits in terms of provision of residential development to meet demonstrated housing need outweigh the heritage harm and all other harms and that the design of the building, whilst not achieving all the desirable design objectives, is acceptable given the impact of the current site on the Conservation Area and Setting of Listed and Locally Listed buildings.

## 18.0 Recommendation

The recommendation is in two parts. APPROVE subject to conditions and to a S106 Legal Agreement being completed and REFUSE if the agreement is not completed in a timely manner.

### RECOMMENDATION PART A

- a) DELEGATE TO HEAD OF 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:
- 20% of Co-living Units (60 units) as 'Affordable Private Rent', including 3 wheelchair M4(3) units.
  - Highways Contributions totalling £139,050
  - Contribution of £10,000 for Traffic Orders
  - Car Club Contributions £146,4346.2 for vehicle provision, and associated £7,269 TROs and £7,269 Road Markings
  - Provision of permissive path, including public access and ongoing maintenance
  - Co-living Management Plan, including measures to discourage car ownership and use
  - Primary Health Care contribution £87,184 towards expansion of GPs surgery provision
  - Contribution of £457 per bedspace towards the provision and improvement of off-site public open spaces serving the development.
  - Contribution of £ 278 (per bedspace towards the provision or improvement of off-site playing fields city-wide.
  - Habitat Regulations mitigation - Exe Estuary (Affordable units only) - £1278.71
  - 24/7 onsite management presence
  - A financial contribution [amount to be confirmed] to support public engagement of archaeological investigation and its findings
  - Restrictions on Full Time Student Occupation of 10%
  - S106 Monitoring Fee
  - Bio-diversity Net Gain Monitoring Fee

All S106 contributions should be index linked from the date of resolution.

And the following conditions (and their reasons) the wording of which may be varied.

#### Standard conditions

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

Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority listed below, as modified by other conditions of this consent.

[list of plans to follow in update sheet]

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

#### Pre-commencement conditions

- 3) Prior to the commencement of the development hereby permitted, a Waste Audit Statement 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 development shall 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. These details are required pre-commencement as specified to ensure that building operations are carried out in a sustainable manner.

- 4) No development (including ground works) or vegetation clearance works shall take place until a Construction/Demolition Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The Statement shall describe the actions that will be taken to manage development to protect the amenity of the locality, especially for people living and/or working nearby. It shall include as a minimum provision for:
  - a) A programme of the works.
  - b) Construction working hours and deliveries to be restricted to from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing in advance by the Local Planning Authority.

- c) A noise and vibration management plan, including details of quantitative monitoring of noise and/or vibration to be conducted if deemed necessary by the LPA following justified complaints.
- d) All mobile plant and equipment based at the site to use white noise reversing alarms or a banksman unless agreed otherwise in writing.
- e) No driven piling without prior written consent from the LPA.
- f) A detailed proactive and reactive dust management plan, including details of quantitative monitoring of dust emissions at the site boundaries.
- g) No burning on site during construction or site preparation works.
- h) All non-road mobile machinery (NRMM) based at the site shall be of at least stage IIIB emission standard (or higher if stage IIB has not been defined for the type of machinery) unless agreed otherwise in writing in the CEMP.
- i) Site layout; including site compound, access points of all vehicles to the site, the areas for loading and unloading plant and materials, the location of storage areas for plant and materials and on site parking.
- j) The anticipated number, sizes and frequency of vehicles visiting the site in connection with the development.
- k) Details of proposals to promote sustainable travel and car sharing amongst construction staff in order to limit construction staff vehicles parking off-site.
- l) Details of wheel washing facilities and obligations.
- m) The proposed route of all construction traffic exceeding 7.5 tonnes.
- n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.
- o) The details of how power will be provided to the site (use of a generator overnight will not normally be considered acceptable).
- p) The erection and maintenance of site securing hoarding.
- q) The arrangements for communication and liaison with local residents, including regular letter drops and a dedicated contact number for complaints.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

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

- 5) Pre-commencement condition: No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, demolition and construction. The developer shall maintain such fences to the satisfaction of the Local Planning

Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced area, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

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

- 6) No development shall take place (including any demolition, ground works, site clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include appropriate measures, methods, and communication lines to manage potentially damaging construction activities on ecological features including bats, birds, and any other significant features identified prior to, or during, construction. Once approved, the plan shall be implemented for the duration of the construction period.

Reason: In the interests of protecting and enhancing the natural environment.

- 7) No development shall take place until the implementation of a programme of archaeological works 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.

- 8) Prior to the demolition of 21 North Street details of the temporary works to protect and support the retained elevation of 20 North Street shall be submitted to and approved in writing by the Local Planning Authority. Within one month of the demolition of 21 North Street details of a scheme of making good the facade of 20 North Street, including a programme for implementation, shall have been submitted to the Local Planning Authority.

The works shall be carried out in accordance with a scheme approved by the Local Planning Authority.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

#### Pre-construction and pre-occupation conditions

- 9) Prior to the commencement of construction (excluding demolition and site preparation), details of the proposed structural approach to the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority, along with details demonstrating how the accommodation proposed within the building will be capable of adaptation or reuse in future for alternative configurations of residential use. The building shall thereafter be constructed in accordance with the approved structural details.

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) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall achieve an overall CO2 emissions reduction for the proposed development is 67.4% against currently Building Regulations Part L 2021 as set out in Sustainability Net Zero Carbon, Statement, June 2025, as a minimum. Prior to commencement of development (excluding demolition and site clearance), the developer shall submit to the Local Planning Authority a design (interim) stage assessment report, which shall set out the performance expected to be achieved by the building. A post completion report of the building is to be carried out within three months of substantial completion of the building.

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

- 11) No construction hereby permitted (excluding demolitions and site clearance) shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- (a) A detailed drainage design based upon the approved Proposed Redevelopment of Mary Arches Car Parks, Exeter Flood Risk Statement and Drainage Strategy (Report Ref. 25106-RLL-XX-RP-C-0002, Rev. P02, dated June 2025).
- (b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
- (c) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- (d) A plan indicating how exceedance flows will be safely managed at the site. No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under parts (a) - (d) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

- 12) Prior to commencement of any construction (excluding demolition and site clearance) of the building hereby approved an Acoustic Insulation Implementation and Verification Plan shall be submitted and approved in writing by the Local Planning Authority. This plan shall include details of the insulation to be installed and describe how the installation shall be tested so as to demonstrate the achievement of suitable internal noise levels. Prior to the occupation of the building hereby approved an Acoustic Installation Verification Report shall be submitted. This report shall document the successful completion of the acoustic insulation work and post-installation testing.

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

- 13) 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, glazing systems, and other fabrications.

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.

- 14) A schedule of all the materials it is intended to use externally in the construction of the development (including facing, roofing, rainwater goods, glazing systems, doors, hard surfaces and means of enclosure), and where requested by the Local Planning Authority samples of those materials, shall be submitted to the LPA. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples/details in all respects.

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

- 15) A detailed scheme for landscaping, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences, including the acoustic barrier, shall be submitted to the Local Planning Authority and the building shall not be occupied until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with an agreed programme.

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

- 16) Prior to commencement of the development (with the exception of demolition and clearance) a Landscape and Ecological Management Strategy shall be submitted to and approved in writing by the Local Planning Authority.

Prior to the first occupation of any part of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP), shall have been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP 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.
- h) On-going monitoring and remedial measures for biodiversity features included in the LEMP.

For the avoidance of doubt this shall include 24 integral Swift Nest Boxes in accordance with the detailed recommendations of the Ecological Impact Assessment and confirm the type of swift bricks to be installed, locations, into which boxes are to be installed, and evidence in the form of photographs of correct installation.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

All post-construction site management shall be undertaken in accordance with the LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policy CP16 of the Core Strategy, Policies LS4 and DG1 of the Local Plan First Review and paragraphs 58, 109 and 118 of the NPPF.

#### Other conditions

- 17) 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.

- 18) The loading layby on Bartholomew Street East shown on the approved plans shall be provided and made available for use prior to the first occupation of the development.

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.

- 19) Public access to the walkway linking North Street with Mary Arches Street and the space at the junction of Bartholomew Street East with Synagogue Place shall be provided prior to the first occupation of the development hereby permitted.

Reason: To ensure satisfactory access through 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.

- 20) 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

- 21) Details of external artificial lighting, including for the walkways, compliant with the specifications in section 5.4 of the ECLA, shall be submitted to and be approved in writing by the Local Planning Authority.

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.

- 22) Prior to occupation of the development hereby permitted details of CCTV to be installed shall be submitted to and approved in writing by the local planning authority. CCTV shall be installed in accordance with the approved details prior to first occupation of the building or the walkways and public areas first being brought into use.

Reason: In order to help prevent / detect crime, disorder and anti-social behaviour and to ensure the development is carried out in accordance with the Operator Management Plan and the DAS with the minimum coverage outlined which must include external areas of the site.

- 23) Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a Road Safety Audit (RSA) S1 and detailed scheme for the required offsite highway improvement works relating to the cycleways has been submitted to the Highway Authority. For the avoidance of doubt, any problems identified in the RSA S1 must be adequately rectified to a standard deemed acceptable by the Highway Authority. Prior to the first occupation of the development hereby permitted the offsite highway improvement works shall have been 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.

- 24) The building Blocks shall not be occupied until secure cycle parking for the residents of each Block, and outdoor Sheffield cycle stands for visitors have been provided in accordance with the details submitted to and approved in writing by the LPA. 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 each of the cycle stores and shall be maintained as such thereafter.

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

- 25) No part of the development 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.

- 26) Prior to occupation of the development hereby approved. Access control measures 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. The access control system should prevent unlawful free movement throughout the development which includes lift controls and access to stairwells.

- 27) Details of the gates to be installed at the access points of the pathways linking North Street to Mary Arches Street in the locations shown on Plan ref. [inset final plan reference] shall be submitted to and approved in writing by the Local Planning Authority and shall have been installed in accordance with those approved details prior to occupation of any part of the development hereby approved.

Reason: To restrict unauthorised access, particularly during hours of darkness to prevent the opportunity for casual intrusion, crime and anti-social behaviour.

- 28) The development hereby permitted shall not be occupied 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.

- 29) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part 4 of this condition has been complied with in relation to that contamination.

#### Part 1. Site Characterization

An intrusive investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o groundwaters and surface waters,
  - o ecological systems,
  - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### Part 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management

procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

**Part 3. Implementation of Approved Remediation Scheme/ Verification Report**  
The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced prior to occupation and is subject to the approval in writing of the Local Planning Authority.

**Part 4. Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2 of this condition, which is subject to approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3 of this condition.

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.

- 30) The communal amenity spaces and shared facilities (shown as the Communal Kitchens, Communal Dining rooms, Pantry, Private Event Space, Media Room, Fitness Studio, Reception, Lounges, Co-work spaces, Gym & Studio, Laundry, and Meeting Rooms) shown on the approved floor plans of the development shall be provided prior to occupation and thereafter maintained in perpetuity for communal amenity use only. They shall not be converted or

sub-divided in any way to create additional residential 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.

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

- 31) No part of the residential use hereby approved shall be occupied until bin storage and collection facilities have been provided in accordance with details set out in the approved plans and Design and Access statement, or in accordance with such details as may be subsequently agreed in writing by the LPA. Thereafter the said bin facilities shall be retained for that purpose at all times.

Reason: To ensure that bin storage is provided in the interests of amenity and human health.

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

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

- 33) The proposed development will minimise the use of mains water by achieving a maximum indoor water consumption of 105 litres per person per day in line with the 'Optional Requirement' of Approved Document Part G (2016) in accordance with the Mary Arches, Exeter, Sustainability Net Zero Carbon, Statement, June 2025.

Reason: In the interests of reducing water resource consumption and to ensure compliance with the approved development details.

- 34) Unless otherwise agreed in writing, windows in that part of the southwest side elevation of Block A opposing 15 Bartholemew Street East and 44 Mitre Lane, and windows in that part of the southeast elevation of Block A facing adjacent

properties in North Street, shall be constructed as obscure glazed and maintained as such thereafter.

Reason: In the interests of protecting the privacy of the occupiers of neighbouring buildings.

- 35) The development hereby consented, including demolition, shall be carried out in accordance with a phasing strategy that shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure redevelopment is carried out in a co-ordinated manner and the development is delivered on a comprehensive basis.

## INFORMATIVES

- 1) In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection 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).
- 2) 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.

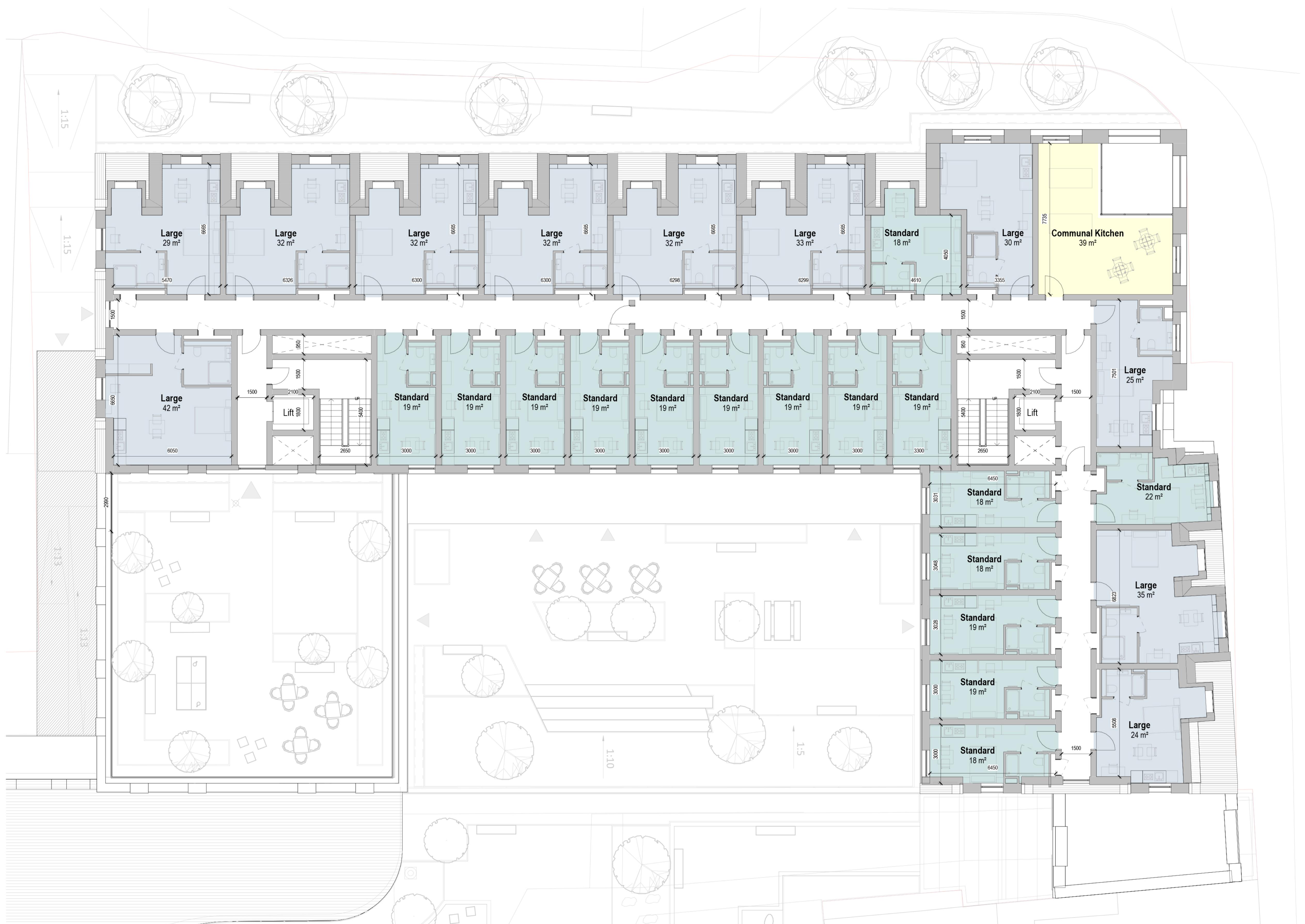
- 3) A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.
- 4) The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. 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](http://www.exeter.gov.uk/cil).
- 5) 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.

- 6) The applicant's attention is drawn to the potential for Unexploded Ordnance to be present on the site and the need for UXO risk assessments to be undertaken and the recommendations of those assessments to be adopted in working practices on site.
- 7) South West Water response relates to surface water discharge to our network, where the discharge is from buildings and yards belonging to buildings. Where the applicant has highlighted that the surface water does not connect to South West Water network, we are not commenting on this as it is not our responsibility.
- South West Water has no duty to accept land drainage runoff, flows from natural watercourses or groundwater to the public sewer system, and this is not permitted to discharge to the South West Water network. The applicant should make alternative arrangements to deal with this separately during the development and once the construction work is complete.
- South West Water are not responsible for Highway Drainage and our comments do not relate to accepting any of these flows. The applicant should discuss and agree with the Highway Authority, where the highway water connects to.
- If the applicant wishes to connect this development to the South West Water network, they should engage with us separately to see if we can accommodate this.
- No highway drainage will be permitted to be discharged to SWW foul or combined public sewer network either directly or indirectly.
- If the applicant is looking to have their sewers adopted (surface and foul), they should design and construct the sewers to the current version of the Design and Construction Guidance. The process for doing this can be found on South West Water's website.
- 8) 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.
- 9) The following advice is given in respect of any CCTV installed:
- Compliance with the Surveillance Camera Code of Practice including Passport to Compliance.
  - Cameras, wiring and recording or monitoring equipment should be secured.
  - CCTV should be designed in co-ordination with external lighting and landscaping.
  - Installations should be protected with vandal-resistant housings.
  - Recorded images must be of evidential quality if intended for prosecution.

- Any CCTV is advised to be installed to comply with the requirements of BS EN 62676:2015 Video surveillance systems for use in security applications and BS 7958:2015 CCTV management.
- CCTV systems should be registered with the Information Commissioners Office (ICO) and be compliant with guidelines in respect to General Data Protection
- Regulations (GDPR) and Human Rights legislation. Further information is available via [www.ico.gov.uk](http://www.ico.gov.uk)
- Accredited NSI or SSAIB installers must be used.

#### RECOMMENDATION PART B

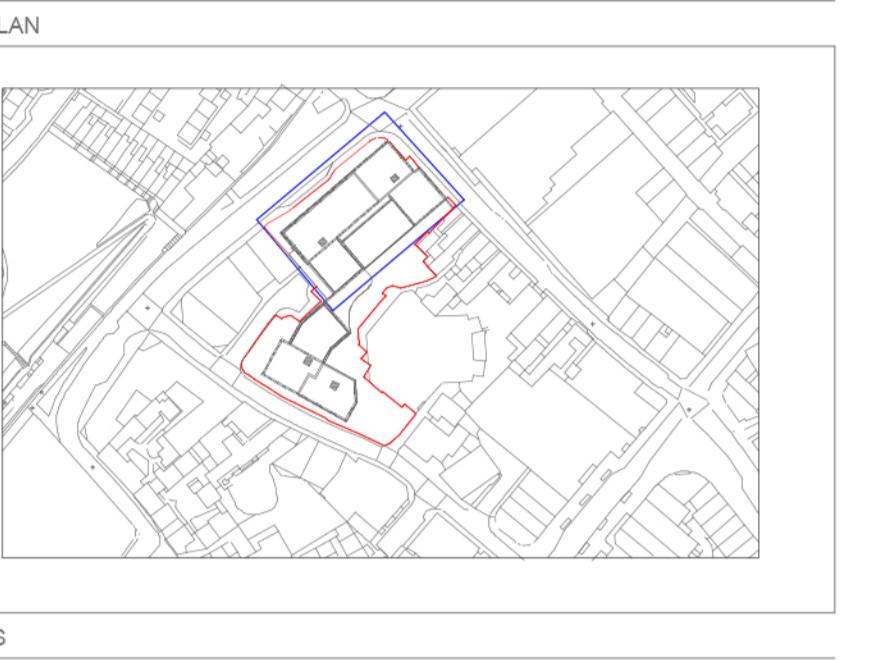
- b) REFUSE PERMISSION IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED WITHIN 6 MONTHS OF THE DATE OF COMMITTEE, OR SUCH EXTENDED TIME AS AGREED IN WRITING BY THE SERVICE LEAD (CITY DEVELOPMENT).



GENERAL NOTES  
 The drawing is copyright of Darling Associates. This drawing shall not be scaled. All dimensions are in mm unless otherwise stated. All dimensions shall be checked on site prior to commencing the works and any discrepancies to be reported to Darling Associates. All materials and workmanship shall conform with the building regulations and other statutory requirements. All materials and workmanship shall conform with the relevant British Standard specifications and codes of practice. If this drawing forms part of an application for planning permission, it shall not be used for any other purpose without the express permission of Darling Associates. This drawing may incorporate information from other professionals. Darling Associates cannot accept responsibility for the integrity and accuracy of such information. Any clarification and/or additions that are required appertaining to such information should be sought from the relevant profession or their appointment representative.

Drawings, specifications and schedules are to be read in conjunction with the following where applicable:  
 Building Regulations, Approved Document A, Structural Engineers drawings and specifications, Civil Engineers drawings and specifications, Survey Drawings, Party Wall Boundary Awards. Other specialist design consultant's requirements as appointed by the Main Contractor. Other specialist design sub-contractor's requirements as appointed by the Main Contractor. P = Preliminary C = Contractual

0m 1m 5m 10m 12m  
1:100



NOTES

Key  
 Standard Unit Internal Amenity  
 Large Unit External Amenity  
 Facilities  
 Ancillary & Plant

Planning Application Site Boundary

P2 Planning Re-Issue  
 P1 Planning Issue  
 19/09/25 RP TP  
 30/05/25 CEM TP  
 REV NOTES DATE BY AUTH

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DRAWING STATUS  
**Planning**

TITLE  
 03-Proposed  
 Proposed Fifth Floor Plan - Building A

PROJECT  
 Mary Arches, Exeter

SCALE AT A1: 1 : 100  
 SCALE AT A3: 1 : 200  
 DAA JOB NO  
**24018**

DRAWING  
 SMA-DAA-ZA-05-DR-A-PLA03105  
 P2  
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## Planning Committee Report 25/0895/FUL and 25/0896/LBC

### 1.0 Application information

Number: [25/0895/FUL](#) and [25/0896/LBC](#)  
Applicant Name: Mr M. Sayers, Nooko Developments Ltd  
Proposal: Redevelopment of the Royal Clarence, to include 25 new residential dwellings on the upper floors with part residential on the ground and part basement floor. Commercial on the remaining ground and basement floor as a public house and restaurant.  
Site Address: Site Of Royal Clarence Hotel  
Cathedral Yard  
Registration Date: 9 July 2025  
Link to Documentation: [25/0895/FUL - Related Documents](#)  
[25/0896/LBC - Related Documents](#)  
Case Officer: Mr Christopher Cummings  
Ward Member(s): Cllr James Banyard, Cllr Diana Moore, Cllr Tess Read

### REASON APPLICATIONS ARE GOING TO COMMITTEE

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

### 2.0 Summary of recommendation

#### 25/0895/FUL

DELEGATE to GRANT permission subject to completion of a S106 Agreement relating to matters identified and subject to conditions as set out in report, but with secondary recommendation to REFUSE permission in the event the S106 Agreement is not completed within the requisite timeframe for the reason set out below.

#### 25/0896/LBC

DELEGATE to GRANT listed building consent subject to conditions as set out in report.

### 3.0 Reason for the recommendation:

The proposed development provides acceptable land use through the provision of residential and commercial units and creates substantial public benefits by redeveloping a derelict site in the heart of the City Centre. The proposal will retain

and restore as much of the listed historic fabric as possible and will enhance the setting of the site, surrounding listed buildings, conservation area and Scheduled Monument. In addition, it will revitalise this corner of Cathedral Green, within the Tourism Action Area and support the vitality of the City Centre.

Whilst demolition will occur on the upper floors of the Well House, this has been demonstrated as necessary and that these are more modern additions. Significant revisions and additional detailing have been provided to support this, and it is concluded that, when assessed alongside the overall benefits, there will be less than substantial harm to the heritage asset.

Due to the unique nature of the development and significant costings necessary to deliver this scheme a deferred contributions mechanism has been agreed for the planning obligations based on the final gross development value.

#### 4.0 Table of key planning issues

Issue	Conclusion
The Principle of the Proposed Development	A precedent of acceptability has been established through approvals 22/0236/FUL and 22/0237/LBC. The proposed ground floor use is compatible with the location and the Tourism Action Area with active frontage facing onto Cathedral Green. The residential use supports development plan aims to increase density and residential use within the city centre. The development will support bringing back the shell of the Royal Clarence into use and making aspects publicly visible.
Design and Density	The Cathedral Yard and Martin's Lane facades will be similar to the original building with some minor variations and as much of the historic fabric will be retained as possible. The restoration is welcomed and will sit well within the historic setting and surrounding area. An additional storey will be added on top of the original building, however this is not considered out of character and formed part of the previous approval. Materials for windows, doors and rainwater goods will be secured by condition. The density is similar to that previously approved and meets policy aims to increase residential density in the City Centre, within the constraints of the location.
Impact on Heritage Assets	The Grade II listed buildings on the site were destroyed in a 2016 fire and significant work is required to bring the site back into use. The Well House is the most intact aspect; however, it has been subject to significant deterioration. It is proposed to

Issue	Conclusion
	<p>demolish the upper, more modern floors and retain the remaining levels. This approach has been supported by specialist assessment and is, on balance, acceptable due to the additional benefits of bringing the site back into use and retention of the remaining areas. A steel frame is proposed for the newer additions and will prevent load bearing on the central spine wall. Further detailing is required on room-by-room finishes of retained historic fabric, which can be conditioned.</p> <p>The proposals for the Royal Clarence include a repositioned central core, with details provided to support this based on increasing light for flats. Whilst this will impact historic wall positions, it will allow better views of the retained walls. The building frame for this area is proposed to change from steel to a concrete reinforced frame. This will not change the foundation sizes required and will prevent the need to place load onto the retained historic fabric. Further detailing on this will be secured by condition.</p> <p>Temporary works are required to secure the historic fabric, preventing further deterioration. A methodology has been submitted for this and will be conditioned. Details relating to rainwater goods, windows, and heat pump locations will also be conditioned.</p> <p>The application has been through significant revisions during this assessment to reduce the level of harm to the remaining historic fabric. Whilst there will be some harm, through the demolition of upper floors of the Well House and the works to create the new areas, it is considered overall to be less than substantial when weighed against the mitigation measures, removal of a derelict site and resulting enhancement to the setting of surrounding listed buildings, Scheduled Monument and conservation area in a key city centre location.</p>
Access and Parking	<p>The proposal is car-free development, which is acceptable in this sustainable location, and cycle stores will be provided. Deliveries/collections will be via Cathedral Yard, as they were previously. A condition for all ground floor doors and windows to be</p>

<b>Issue</b>	<b>Conclusion</b>
	inward opening only to prevent conflict with people on the public highway has been added.
Occupant Amenity	The proposed apartments meet the Nationally Described Space Standards and will provide suitable privacy for occupants. Some apartments will be served by lightwells, with some rooms failing to meet recommended Daylight Distribution levels in relevant guidance. However, the light levels are similar to that previously approved and the overall benefits of the scheme are considered to outweigh the level of harm. Specific glazing is suitable to deal with potential noise impacts, and this is recommended to be secured by condition.
Impact on Surrounding Area	The potential for overlooking/amenity impacts on neighbouring dwellings has been addressed through inward opening windows, obscure glazing, and privacy screens. Commercial noise has been assessed through a Noise Impact Assessment and Ventilation Extraction Statement. Environmental Health have raised no objections and consider there will be no significant impacts.
Biodiversity	The site does not impact a priority habitat and is below the mandatory BNG threshold levels and therefore the statutory 10% net gain is not required. Biodiversity enhancement will still be achieved through limited planting and ecological measures as set out in the Preliminary Ecological Appraisal. The site is within the Zone of Influence of the Exe Estuary SPA, and the dwellings will generate recreational impacts. This will be mitigated through a financial contribution secured in the s106 Agreement.
Contamination	There are no identified risks and therefore a contamination assessment was not required.
Air Quality	The site is near to the Air Quality Management Area along the High Street. The proposal is car-free development and will include suitable cycle storage and a Travel Plan for residents/staff. There will therefore be no air quality impacts.
Drainage	The proposed drainage strategy will repair and reuse the existing system with no change to the impermeable catchment areas. Devon County Council as Lead Local Flood Authority has raised no objections.
Sustainability	An Energy Statement was submitted that shows

<b>Issue</b>	<b>Conclusion</b>
	suitable CO2 emission targets will be met. This will be secured via condition with a verification report required following completion of the development. The submitted Waste Audit Statement should also be conditioned to ensure waste is managed sustainably.
Affordable Housing, s106 Obligations and Viability	<p>It has been agreed that an off-site contribution towards affordable housing will be secured instead of provision on-site, due to the site constraints and mix of uses; this was also the position for the previous scheme. In addition, £16,083 was requested for GP surgery expansions and a habitats mitigation contribution of £1,284.72 per dwelling will be secured in the s106, due to the absence of CIL from the scheme.</p> <p>The submitted Viability Assessment demonstrates there are significant viability issues with the scheme and that the s106 obligations may not be affordable. There are matters that are unclear at this stage and a deferred payment mechanism has therefore been agreed to prevent further delays. A further Viability Assessment will be required once the units have been sold, taking into account the final construction costs and sale prices to confirm the level of obligations. The habitats mitigation contribution is not suitable for the deferred mechanism.</p>
Planning Balance	It is considered that whilst there will be less than substantial harm to the listed buildings, this will be outweighed by the overall benefits of the scheme, including enhancing the setting of the surrounding heritage assets by renewing a derelict site. The Council does not have a 5-year housing land supply and the titled balance in favour of sustainable development therefore applies. There are no adverse impacts of granting permission that would significantly and demonstrably outweigh the benefits of the scheme, therefore planning permission should be granted. Equally listed building consent should also be granted.

## 5.0 Description of site

The site consists of the remains of the Royal Clarence Hotel and nos. 16 and 17 Cathedral Yard (formerly The Well House Tavern). It is positioned at the end of

Cathedral Yard, overlooking the Cathedral Green and on the corner of Cathedral Yard, Cathedral Green, and Martin's Lane.

The buildings that formed the hotel and adjoining public house suffered a significant fire in 2016 resulting in the loss of the majority of the building fabric on site. The remaining building structures on site were made safe, and salvage/recording operations associated with the necessary partial demolition of unsafe remains carried out under listed building consent ref. 17/0783/LBC. There is currently security hoarding around the front of the site, which covers the end of Cathedral Yard.

The remains of the hotel and nos. 16 and 17 Cathedral Green are each Grade II listed, and it is surrounded by a number of other protected historic assets. The site is bounded by nos. 39-45 High Street and 11-13 Martin's Lane to the north, which are all Grade II listed with the exception of 40, 41 and 42 High Street, which are Grade II\* listed. To the east is Martin's Lane with the Grade II listed Ship Inn and 1 and 2 Catherine Street, also Grade II listed, facing the site. To the southeast is the Church of St Martin (Grade I listed), 1 Cathedral Close (Grade I listed) and nos. 2-4 Cathedral Close (each Grade II\* listed). To the south is Cathedral Green, a scheduled monument, including the Grade II listed Statue of Richard Hooker immediately in front of the site, and with the Grade I listed Cathedral Church of St Peter beyond. The site is bounded by 18 Cathedral Yard to the west, which is Grade II listed. The site and wider area are located within Central Conservation Area and the Area of Archaeological Importance. The site is within Flood Zone 1.

## **6.0 Description of development**

The proposal is for reconstruction and extension of the building, including partial demolition and repair of the remaining building fabric to provide ground floor/basement food and beverage units (Class E(b)) and 25 apartments on the floors above. This is two more than the previous scheme. It is envisaged the basement/ground floors will be occupied by a public house and restaurant.

A breakdown of the floors is provided below:

Basement Level – Public house cellars, storage and plant rooms, residential plant room, and restaurant function room and toilets.

Ground Floor – Public house and restaurant, residential entrance, commercial and residential bin stores, and residential bike store.

First Floor – Eight apartments and courtyard garden. The apartments consist of five two-bed apartments, two duplexes linked to first floor mezzanine (one 1-bed and one 2-bed) and one two-bed duplex linked to the second floor.

First Floor Mezzanine – Two duplex apartments linked to first floor, one one-bed, one two-bed.

Second Floor – Six apartments and part of first floor duplex. The apartments are two-bed, and the duplex is linked to the first-floor level.

Third Floor – Six apartments and one duplex. The apartments are two-bed, and the duplex is two-bed and linked to the fourth-floor level.

Fourth Floor – Four apartments, two duplexes and part of third-floor duplex. The apartments are two-bed, the duplexes are two-bed and linked to the fifth floor and there is the upper floor duplex is linked to the third floor. Three of the apartments have balconies/terraces overlooking Cathedral Green.

Fifth Floor – Terrace linked to fourth-floor duplex, upper floor and terrace linked to fourth floor duplex and solar panel area.

## **7.0 Supporting information provided by applicant**

- Planning Statement - 24193 P05.02 Rev A – 26 June 2025
- Design, Access & Heritage Statement - 24193 P05.01 Rev A – Dated 18 June 2025
- Crime Prevention for Residential Proposals - 24193 P05.03 Rev A – Dated 18 June 2025
- Waste Management Statement for New Residential Proposals - 24193 P05.04 Rev A – Dated 18 June 2025
- Daylight Study Assessment for New Residential Proposals - 24193 P05.05 Rev A – Dated 16 July 2025.
- Ventilation & Extraction Statement for New Residential Proposals - 24193 P05.06 Rev A – Dated 16 July 2025
- Demolition Method Statement for the Historical Building Fabric - 24193 P05.07 Rev A – Dated 26 July 2025
- Project Design for a Programme of Archaeological Work - ACA0254/1/0 – Dated February 2025
- Heritage Statement - ACA0254/2/0 – Dated February 2025
- Construction Method Statement – Dated March 2025
- Preliminary Ecological Appraisal – 250613 Rev 01 – Dated August 2025
- Noise Impact Assessment of Commercial Sound Sources – 43140028 V1 – Dated 05 August 2025.
- Financial Viability Appraisal – Dated 01 July 2025

### Additional Information Submitted During Application

*Submitted 18<sup>th</sup> September 2025:*

- Preliminary Ecological Appraisal and Bat Emergence Survey - 250613 rev02 – Dated September 2025

*Submitted 03 October 2025:*

- Heritage Justification Statement (Calculation Supplementary Report) – ES24.100 – Dated August 2025

*Submitted 21 October 2025:*

- Email summary of revisions – Dated 16 October 2025
- Design, Access and Heritage Statement – 24193 P05.01 revision B – Dated 16 June 2025
- Demolition Method Statement for the Historical Building Fabric – 24193 P.05.07 revision B – Dated 26 July 2025

*Received 25 November 2025:*

- Temporary Works Proposal Statement for the Well House – 24193 P05.08 revision A – Dated 21 November 2025
- Well House, Royal Clarence Hotel Visual Inspection Report - RCH-MMD-XX-XX-RP-X-000001 P01 – Dated October 2025

*Received 03 December 2025:*

- Energy and Sustainable Statement Title Rev 1 (28 November 2025)

*Received 12 December 2025:*

- Supplementary Planning Information Urban Design Comments (24193 P05.09 Rev A – dated 05 December 2025)

*Received 16 December 2025:*

- Supplementary Planning Information Waste Audit Statement (24193 P0590 rev A – dated 15 December 2025)

*Received 17 December 2025:*

- Heritage Assessment (dated December 2025)

*Received 18 December 2025:*

- Preliminary Ecological Appraisal & Bat Emergence Survey (250613 rev03A)

## 8.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
17/0783/LBC	Retrospective application for post fire partial demolition works and stabilisation of remaining historic	PER	18.07.2017

	building fabric.		
17/1360/FUL	Reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create 74 bedroom hotel	PER	05.12.2017
17/1361/LBC	Reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create 74 bedroom hotel	PER	05.12.2017
18/1167/LBC	Three elements proposed for demolition or alteration; i) Areas of the brick Vaulted Ceilings in Lamb Alley (Zone 2) to be removed; ii) Portion of the existing brickwork wall in Exeter Bank (Zone 5) to be removed; iii) New atrium elevations surrounding the existing fabric within front (Zone 3) and The Clarence Room (Zone 4).	PER	14.01.2019
22/0236/FUL	Reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create commercial food and beverage units at ground floor and residential units from first to fifth floor.	PER	25.08.2023
22/0237/LBC	Reconstruction and extension of building (including partial demolition and repair of remaining building fabric) following extensive fire damage to create commercial food and beverage units at ground floor and residential units from first to fifth floor.	PER	25.08.2023

## 9.0 List of constraints

- Building remains onsite are Grade II listed.
- The site is in close proximity to the following listed buildings/structures:
  - 18 Cathedral Yard (Grade II)
  - 11-13 Martin's Lane (Grade II)

- 39 High Street (Grade II)
- 40 High Street (Grade II\*)
- 41 and 42 High Street (Grade II\*)
- 43, 44 and 45 High Street (each Grade II)
- 46 High Street (Grade II\*)
- 47 High Street (Grade II)
- The Ship Inn (Grade II)
- 1 and 2 Catherine Street (Grade II\*)
- St Martin's Church (Grade I)
- 1 Cathedral Close ('Mol's Coffee House') (Grade I)
- 2-4 Cathedral Close (each Grade II\*)
- 5 Cathedral Close (Grade I)
- 6 Cathedral Close (Grade II\*)
- 7 Cathedral Close ('Devon and Exeter Institution') (Grade II\*)
- 8, 9 and 9A Cathedral Close (Grade I)
- 10 Cathedral Close (Grade I)
- 11 Cathedral Close (Grade II)
- 12 and 13 Cathedral Close (Grade II)
- Entrance Gate to Southernhay (Grade II)
- 15 and 15A Cathedral Close (Grade II\*)
- Wall of No. 15 (Grade II)
- Statue of Richard Hooker (Grade II)
- Cathedral Church of St Peter (Grade I)
- Devon County War Memorial and Processional Way (Grade II\*)
- Adjacent to Scheduled Monument ('Part of the Roman town of Exeter, beneath Cathedral Green')
- Adjacent to Cathedral Close Park and Garden of Special or Local Historic Interest (locally designated)
- Within Central Conservation Area
- Within Area of Archaeological Importance

## 10.0 Consultations

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

**Historic England:** Originally objected. Supportive of bringing this important site back into beneficial use, however further information was required to justify design choices, the demolition of the Well House and understanding of impacts to historic fabric. The objection was withdrawn following submission of revised and additional information. The revised approach has reduced the level of demolition, and a robust justification of the works has been submitted. Further detailing is required on building

protection measures, impact of steel placement on historic fabric, internal fabric, and repair methodology.

**Society for the Protection of Ancient Buildings:** Initially raised objections to the proposal due to demolition of interior and parts of the exterior of the buildings, leaving very little remaining. Raised the need to protect the remaining historic fabric, lack of justification for the changes from the approved scheme and insufficient detail. Further comments continued the objection. Whilst additional information raised the need for conservation, the Temporary Works Programme and drawings do not provide enough detail or clarity on the proposal and further information is required.

**Heritage Officer (ECC):** Initially raised objections to the proposal relating to scale of demolition and lack of technical detailing. Following submission of additional information this objection was withdrawn. It was noted that the site has had a multi-phased evolution and that the fire of 2016 resulted in extensive damage, long-term vacancy and loss of historic fabric that is causing ongoing harm to the site and the significance and setting of surrounding heritage assets. The principle of redevelopment is therefore supported.

Whilst the loss of the upper floors of the Well House is regrettable, it contains significant amounts of modern fabric and has suffered from water ingress and structural failure and would in any event be substantially altered under the extant consent. The demolition is therefore justified to address structural instability and secure the long-term future of the building. The proposed steel frame will provide structural stability and avoid stress on the vulnerable historic spine wall and is acceptable.

Detailing is required on some aspects including internal finishes, steel placement, protection of wall paintings and archaeological remains.

Overall, the proposal is considered to cause less than substantial harm and the overall public benefits outweigh the harm to the heritage asset.

**Natural England:** No objection subject to an Appropriate Assessment of the impacts on protected European Sites and Impact Risk Zones for Sites of Special Scientific Interest.

**RSPB:** Recommended that 18 universal brick boxes should be installed, 12 on the Cathedral Yard elevation and 6 on Martins Lane frontage.

**Devon and Somerset Fire and Rescue Service:** No objection. Advised that application appears to meet the Building Regulation requirements for access.

**Police Designing Out Crime:** No objection to proposal subject to condition. The site is within a Beat that experiences the highest levels of crime and incidents in the Exeter Local Policing Area, and it is necessary to secure the submitted Crime Prevention measures via condition.

**NHS Devon Integrated Care Board:** No objection subject to mitigation for the increase in residents in the area on oversubscribed facilities. Requested a planning contribution of £16,083 towards GP expansion at Barnfield Hill Surgery, Southernhay House Surgery, St Leonards Practice and St Thomas Health Centre.

**South West Water:** Provided standing advice on water hierarchy and noted there are no SWW assets within the site.

**Wales and West Utilities:** Advised that there are pipes in the surrounding area.

**Local Highway Authority (DCC):** No objection to the proposal. The servicing is via Cathedral Yard which is the same as the previous use and would not create unacceptable highway safety impacts. Cycle parking is broadly in line with SPD levels, and the site is in a sustainable location in the city centre and suitable for car free development.

**Lead Local Flood Authority (DCC):** No objection to proposal. Level of impermeable area remains as previously approved and connection to a combined sewer is acceptable.

**Local Education Authority (DCC):** Advised that the proposal would create an additional 6.25 primary pupils and 3.75 secondary pupils. When factoring in approved but unimplemented development and outstanding allocations it is forecast that there is enough spare primary and secondary capacity to accommodate the number of pupils expected. No contribution is sought.

**Waste Planning Authority (DCC):** Originally raised no objection subject to a condition for a Waste Audit Statement. Following submission of a Waste Audit Statement there was still no objection, with a request for the Statement to be secured via condition.

**Environmental Health (ECC):** No objection subject to conditions relating to contamination, noise, odour, and a construction management plan.

**Building Control (ECC):** Advised that a detailed fire strategy will be required at Building Regulations stage for escape, fire resistance and spread of fire.

**Ecologist (Dorset Council Natural Environment Team):** Raised initial objections due to insufficient information on potential bat roosts and surveys. Further detailing has since been submitted.

**Urban Design and Landscape Officer (ECC):** Raised initial objections relating to the level of detail provided on interface between historic and modern aspects, privacy impacts around the central courtyard and visual prominence of the roof terrace. Further information was submitted in response to these matters.

**Waste and Recycling Team (ECC):** No objection. Noted that the size of the bin stores was limited and requested a condition to ensure the bins for collection are presented at the front on collection day.

**Devon Archaeological Society: Object** to proposal. Objections relate to the extensive demolition of the Well House and failure to acknowledge the importance of buried archaeology on the site.

**Devon Buildings Group: Object** to proposal due to insensitive approach to the historic fabric due to significant demolition.

**Exeter Civic Society:** Advised that further information is needed in relation to the relationship between the concrete frame and the historic fabric, an updated Heritage Statement is required and details of roof removal. Comments made on entrance routes, light well expansion and inclusion of air source heat pumps.

## 11.0 Representations

One comment has been received supporting the principle of development, but raising concerns over construction work impacts on neighbouring listed buildings.

## 12.0 Relevant policies

### National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (December 2024) – in particular sections:

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
- Appropriate assessment
- Build to rent
- Climate change
- Community Infrastructure Levy
- Design: process and tools
- Effective use of land
- Environmental Impact Assessment
- Fire safety and high-rise residential buildings
- First Homes
- Flood risk and coastal change
- Hazardous substances
- Healthy and safe communities
- Historic environment
- 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
- Land stability
- Light pollution
- Natural environment
- Neighbourhood Planning
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Permission in principle
- Planning obligations
- Renewable and low carbon energy
- Rural housing
- Self-build and custom housebuilding
- Town centres and retail
- Travel Plans, Transport Assessment and Statements
- Use of planning conditions
- Viability
- Waste
- Water supply, wastewater, and water quality

National Design Guide (MHCLG, 2021)  
National Model Design Code (MHCLG, 2021)  
“Building for a Healthy Life” (Homes England’s updated Building for Life 12)  
GPA3 – The Setting of Heritage Assets (Historic England, December 2017)  
HEAN 2 – Making Changes to Heritage Assets (Historic England, February 2016)  
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)  
Protected sites and areas: how to review planning applications (DEFRA and Natural England, 5 August 2016)  
Biodiversity duty: public authority duty to have regard to conserving biodiversity (Natural England and DEFRA, 13 October 2014)  
Guidance for Outdoor Sport and Play Beyond the Six Acre Standard England (Fields in Trust, 2020)

### Development Plan

Core Strategy (Adopted 21 February 2012)

Core Strategy Objectives  
CP1 – Spatial Strategy  
CP2 – Employment  
CP3 – Housing  
CP4 – Density  
CP5 – Mixed Housing  
CP7 – Affordable Housing  
CP8 – Retail  
CP9 – Transport  
CP10 – Meeting Community Needs  
CP11 – Pollution  
CP12 – Flood Risk  
CP13 – Decentralised Energy Networks  
CP14 – Renewable and Low Carbon Energy  
CP15 – Sustainable Construction  
CP16 – Green Infrastructure, Landscape and Biodiversity  
CP17 – Design and Local Distinctiveness  
CP18 – Infrastructure

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005) – Saved Policies

AP1 – Design and Location of Development  
AP2 – Sequential Approach  
E1 – Employment Sites  
E3 – Retention of Employment Land or Premises

H1 – Search Sequence  
H2 – Location Priorities  
H3 – Housing Sites  
H4 – Loss of Dwellings  
H5 – Diversity of Housing  
H7 – Housing for Disabled People  
S1 – Retail Proposals/Sequential Approach  
S3 – Shopping Frontages  
S5 – Food and Drink  
TM3 – Tourism Action Areas  
L3 – Protection of Open Space  
L4 – Provision of Playing Pitches  
L7 – Local Sporting Facilities  
T1 – Hierarchy of Modes  
T2 – Accessibility Criteria  
T3 – Encouraging Use of Sustainable Modes  
T5 – Cycle Route Network  
T9 – Access to Buildings by People with Disabilities  
T10 – Car Parking Standards  
T11 – City Centre Car Parking Spaces  
C1 – Conservation Areas  
C2 – Listed Buildings  
C3 – Buildings of Local Importance  
C4 – Historic Parks and Gardens  
C5 – Archaeology  
LS2 – Ramsar/Special Protection Area  
LS3 – Sites of Special Scientific Interest  
LS4 – Nature Conservation  
EN2 – Contaminated Land  
EN3 – Air and Water Quality  
EN4 – Flood Risk  
EN5 – Noise  
EN6 – Renewable Energy  
DG1 – Objectives of Urban Design  
DG2 – Energy Conservation  
DG3 – Commercial Development  
DG4 – Residential Layout and Amenity  
DG5 – Provision of Open Space and Children's Play Areas  
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

The Exeter Plan – Publication Plan – Regulation 19 (December 2024) (Not Adopted)

S1 – Spatial Strategy  
S2 – Liveable Exeter Principles  
CC1 – Net zero Exeter  
CC2 – Renewable and low carbon energy  
CC3 – Local Energy Networks  
CC5 – Future development standards  
CC6 – Embodied carbon  
CC7 – Development that is adaptive and resilient to climate change  
CC8 – Flood risk  
CC9 – Water quantity and quality  
H1 – Housing requirement  
H2 – Housing allocations and windfalls  
H3 – Regeneration opportunity areas  
H4 – Affordable housing  
H14 – Accessible homes  
H15 – Housing density and size mix  
H16 – Residential amenity and healthy homes  
EJ1 – Economic growth  
EJ4 – Access to jobs and skills  
RFC1 – The future of our centres  
RFC2 – Development, and affecting, our centres  
STC1 – Sustainable movement  
STC2 – The transport hierarchy  
STC3 – Supporting active travel  
STC4 – Supporting public transport  
STC5 – Supporting more sustainable forms of car use  
STC6 – Travel Plans  
STC7 – Safeguarding transport infrastructure  
NE1 – Landscape setting areas  
NE2 – Valley Parks  
NE3 – Biodiversity  
NE4 – Green Infrastructure  
NE6 – Urban greening factor  
NE7 – Urban canopy cover  
HH1 – Conserving and enhancing heritage assets  
HH2 – Conservation Aras  
HH3 – Archaeology  
HH4 – Heritage assets and climate change  
C1 – Protecting and enhancing cultural and tourism facilities  
C2 – Development and cultural provision  
D1 – Design Principles  
D2 – Designing-out crime

HW1 – Health and Wellbeing

HW2 – Environmental quality, pollution, and contaminated land

IF1 – Delivery of Infrastructure

IF2 – Viability

IF3 - Community Facilities

IF4 – Open space, play areas, allotments, and sport

Exeter City Council Supplementary Planning Documents:

Affordable Housing SPD (April 2014)

Sustainable Transport SPD (March 2013)

Planning Obligations SPD (April 2014)

Public Open Space SPD (Sept 2005)

Residential Design SPD (Sept 2010)

Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents:

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

Liveable Exeter Principles – A city-wide initiative of transformational change (2022)

Exeter Density Study (July 2021)

Net Zero Exeter 2030 Plan (Exeter City Futures, April 2020)

First Homes Planning Policy Statement (June 2021)

Archaeology and Development SPG (November 2004)

Central Conservation Area Appraisal (August 2002)

## **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.

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.

## **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

- Affordable Housing off-site mitigation contribution of £2,187,200.88
- Contribution to increase GP surgery capacity at Barnfield Hill, Southernhay House, St Leonards Practice and St Thomas Health Centre of £16,083.
- Jobs during construction
- Jobs during operation of commercial units.

### Non material considerations

#### CIL contributions

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 flatbed residential development is £0.00 per sq. metre plus new index linking. 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.

The proposal will generate Council Tax and Business rates

## **16.0 Planning assessment**

The key issues are:

1. The Principle of the Proposed Development
2. Design and Density
3. Impact on Heritage Assets
4. Access and Parking
5. Occupant Amenity
6. Impact on Surrounding Area
7. Biodiversity
8. Contamination
9. Air Quality
10. Drainage
11. Sustainability

12. Affordable Housing, s106 Obligations and Viability

13. Planning Balance

## 1. The Principle of the Proposed Development

Core Strategy (CS) policy CP1 proposes the City Centre as the sustainable heart of the city with an increase of 200 dwellings.

CS policy CP17 requires that, amongst other items, development in the City Centre area enhances the townscape quality, contributes positively to the Central Conservation Area, includes residential development in a mix of uses and creates a City Centre that is vital and viable.

Local Plan (LP) saved policy H2 prioritises previously developed land for housing and identifies the City Centre as a suitable location.

LP saved policy TM3 states that development within the Tourism Action Areas must maintain or enhance the tourism role of the area.

The proposal meets the requirements of CS policies CP1 and CP17 by providing residential use within this City Centre site. The development also supports LP saved policy H2, by utilising previously developed land.

The proposed commercial uses are for a restaurant/caf  and public house. The previous use of the site included Class E(b) food and drink uses on part of the ground floor, prior to the fire in 2016. The current proposal will see this across the entire ground floor, with the exception of the communal entrance to the dwellings above. This is supported as it is highly desirable to retain an active and accessible frontage along Cathedral Yard and onto Cathedral Green, an area identified as 'The Cathedral precinct' in the Tourism Action Area under LP saved policy TM3. This use will also allow for public access to view the surviving historic fabric of the building.

Overall, the proposed development is acceptable in principle, subject to the more detailed planning considerations of this report.

## 2. Design and Density

LP saved policy DG1 states that development should:

- a. Be compatible with the urban structure of the city, connecting with existing routes and spaces and putting people before traffic.
- b. Ensure the building grain promotes the urban character of Exeter.
- c. Fully integrate landscape designs into the proposal.

- d. Be at a suitable density.
- e. Contribute to a compatible mix of uses.
- f. Be of an appropriate height to the surrounding townscape and that the constituent parts of buildings relate well to adjoining buildings, spaces, and human scale.
- g. Ensure the massing relates well to the character and appearance of the townscape and surrounding buildings.
- h. Ensure local distinctiveness and contribute positively to the visual richness and amenity of the townscape.
- i. Use materials that relate to the palette of materials in the locality and reinforce local distinctiveness.

LP saved policy DG2 states that development should maximise conservation of energy, including best use of land, maximising solar gain and suitable landscaping schemes.

LP saved policy DG4 relates to residential development and requires the maximum feasible density, quality of amenity and contribution to the townscape.

LP saved policy DG7 requires a safe and secure environment including overlooking of public spaces, integrated crime prevention measures and deterring and reducing fear of crime.

LP saved policy T9 requires development for non-domestic buildings to ensure safe and convenient access by people with disabilities.

CS policy CP4 requires residential development to be at the highest appropriate density compatible with the protection of heritage assets, local amenities, the character and quality of the local environment and the safety and convenience of the local and trunk road network.

CS policy CP17 states that development must exhibit a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity, and cultural diversity.

LP saved policy C1 requires development in Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

LP saved policy C2 requires development affecting a Listed Building to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

LP saved policy C5 states that development that would harm a Scheduled Ancient Monument or structure of National Archaeological Importance or harm the setting

would not be permitted. Development should seek to preserve features or, where assessed against the need for development, recording works must be undertaken.

The proposed façade seeks to restore the Cathedral Yard and Martin's Lane facades to be similar to that of the original building, with some minor variations such as changing windows to doors for access. As much of the exterior and interior historic fabric will be retained as possible, with this assessed in detail in sub-section 3 (Impact on Heritage Assets).

Restoration of the original public facing facades is welcomed, with precedent set by the previous approval. The proposal includes an additional storey to the roof. Whilst this will protrude, particular when viewed from Queen Street, this has been found to be acceptable in the previous schemes and will generate limited harm when viewed as part of the wider roofscape. It was noted that the roof terrace would be visible from Queen Street and the introduction of visible domestic paraphernalia in views would detract from the surrounding built form. In response, the applicant has proposed to raise the parapet to help screen the terrace from view. A more obscured material in this area is considered necessary; however, it has been commented by Historic England that a perforated metal may be more suitable. The principle of a roof terrace has been established through the previous approval, and it is therefore acceptable for this matter to be addressed via a pre-installation condition.

The exact materials for windows, doors and rainwater goods are not known at this stage, and a condition has been added to ensure they are of an appropriate standard for this historic site. In addition, elements relating to safety have been provided in response to comments raised by the Police Designing Out Crime Officer, which will be secured by condition.

In relation to density, the site proposes 25 dwellings with the previous scheme approved for 23 dwellings. The site area is 0.1ha therefore the residential density of the proposal is 250 dwellings per hectare. Development plan policies seek the maximum optimum density and best use of land, with a clear desire to increase density of development within the city centre. This site has significant constraints relating to the listed building, the neighbouring built form, surrounding listed buildings and the abutting Scheduled Ancient Monument. It is therefore considered that the density of proposed development is suitable for this location.

### 3. Impact on Heritage Assets

#### *Policy Context*

LP saved policy C1 requires development in Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

LP saved policy C2 requires development affecting a Listed Building to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

LP saved policy C5 states that development that would harm a Scheduled Ancient Monument or structure of National Archaeological Importance or harm the setting would not be permitted. Development should seek to preserve features or, where assessed against the need for development, recording works must be undertaken.

The NPPF was published after the development plan policies above were adopted and includes additional policies relating to the conservation and enhancement of the historic environment. The development plan policies are therefore not fully up-to-date. NPPF paragraph 207 requires developers to describe the significance of any heritage assets affected by their proposal, which the developer has done in the submitted heritage reports (see Section 7.0 of this report). Significance is defined in the NPPF Annex 2: Glossary as: '*The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.*' It should be noted that where there is evidence of damage to a heritage asset, the deteriorated state of the asset should not be taken into account in any decision (NPPF, 209).

When considering the impact of development proposals on the significance of designated heritage assets the NPPF states that great weight should be given to conservation irrespective of the level of harm, with the more important the asset, the greater the weight should be (NPPF, 212). Paragraph 213 states that any harm to, or loss of, the significance of a designated asset (which includes conservation areas, listed buildings and scheduled monuments) should require clear and convincing justification. Substantial harm to or loss of Grade II listed buildings should be exceptional, whereas for assets of the highest significance, including Grade I and II\* listed buildings and scheduled monuments, it should be wholly exceptional. Paragraph 214 states that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the

public benefits of the proposal including, where appropriate, securing its optimum viable use (NPPF 215).

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, 216).

Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (NPPF, 217).

In regard to the heritage balancing exercises of the NPPF, public benefits could be anything that delivers economic, social or environmental objectives as described in the NPPF. Considerable importance should be placed on the statutory duties within the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) described above when carrying out these balancing exercises.

The NPPF also states that local planning authorities should look for opportunities for new development within conservation areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or better reveal its significance) should be treated favourably (paragraph 206).

### **Site Context**

The site consists of two separate Grade II Listed designations, the first being the Royal Clarence, Exeter Bank and no.6 Martin's Lane, and the second being no.16 and 17 Cathedral Yard (known as the Well House). The site is also on the corner of Cathedral Green, within the setting of Exeter Cathedral (Grade I Listed), is adjacent to the Cathedral Green Scheduled Ancient Monument and sits within the Central Conservation Area.

The site was significantly destroyed by fire in 2016, and significant work is necessary to preserve the remaining historic fabric and create a suitable development within the site that is appropriate for the location.

The site is subject to an extant permission for redevelopment of a similar scheme, with this proposal seeking to amend and refine this, in particular the structural repairs to the Well House and the wider structural strategy of the site.

The application has been through detailed discussions and technical assessments, and robust revised information has been submitted in response to concerns from Historic England and the Council's Heritage Officer.

### *The Well House*

The Well House contains the most remaining historic fabric. During the application process it was discovered that there were potential structural issues and the applicant has worked with the Council's recommendations to appoint a conservation accredited engineer and heritage specialists to assess the risks and develop a revised scheme of works that seeks to retain and protect the historic fabric where possible.

It is proposed to remove the roof and ceiling structure of the upper floors down to third floor level. The roof and upper floors are largely modern, having been extensively repaired during the fire and has since been subject to water ingress resulting in the collapse of the primary beam. Following further investigation, it was found that there were greater levels of instability on the upper floors, signs of inappropriate repairs/interventions and deterioration of timber joists. This has led to a conclusion that a greater level of removal and replacement is required. On the extant approval the scale demolition was considered to be significant harm and this position is retained in this assessment. However, this is just part of the wider site and the level of heritage harm and benefits must therefore be considered overall, rather than as an individual aspect.

With regards to the basement, this will see a steel frame installed which will retain much of the historic fabric in place and provide a robust structure to support the new floors, as well as avoiding putting pressure on the existing spine wall, which was noted as an area of particular concern by the applicant's conservation engineer. Whilst works within the existing frame would have been preferred it is recognised that this is a pragmatic response that retains a significant portion of the historic fabric. The steel sections will be positioned to avoid the retained historic fabric and allow for no dismantling below the third-floor level, where the more significant timber frame remains.

There was concern over the potential need for demolition of a free-standing chimney to the rear of the Well House. Following further investigation by specialists it has been confirmed that this can be retained through careful support during the building process and secured to the new building frame.

As the lower floors of the Well House will be retained, it has been possible to retain the existing elevations, which is welcomed by Historic England and the Council's Heritage Officer.

Limited information has been provided regarding internal finishes of the building, following the structural works. This level of detail for a listed building is often dealt with at a later stage and a room-by-room schedule will be required, including information on fire and acoustic separation as well as avoidance and impact minimisation to the historic fabric. There are historic wall paintings that remain on the spine wall. These will need to be carefully preserved in situ and ideally presented and

visible within the final room design. This matter would need to be included in the room-by-room schedule.

#### *Royal Clarence Building*

The acceptability of the overall form and shape of the development has been set by the previous approval 22/0236/FUL / 22/0237/LBC, which included the replacement of no.6 Martin's Lane and an upwards extension around a central core.

The key changes from the previous approval are the repositioning of the main circulation core and the change of internal structure from steel to reinforced concrete frame.

With regards to the central core, further detailing was provided to understand why alternative configurations could not be achieved. The changes were carried out to increase the level of natural daylight into the flats, in combination with increased lightwell sizes. Whilst this will impact on the former wall positionings, the changes and use of a glazed stairwell will allow better views of the remaining walls, with aspects of fire damaged walls retained to present the 'story' of the building.

The previously consented scheme included a steel frame, and it is proposed to change this to a concrete reinforced frame. This has no significant change to the foundations/sub-structure of the building, and this has been confirmed through the submitted piles drawings. The frame is proposed to be freestanding to avoid additional load bearing on the existing historic structure. This has been found to be an acceptable justification for the change in material and continues to protect the historic features. Further detailing is required on how the revised frame will interact with the historic fabric and a condition is therefore recommended for finer detail to be provided prior to works in this area.

#### *Entire Site*

Due to the deterioration of the remaining structures on the site, there is a need for temporary works to protect retained structures from lateral pressures during the construction. A phased approach has been proposed, including measures to secure the Well House before any piling works, and this methodology will be secured by condition.

A level of demolition will need to occur, similar to that secured in the extant approval, and this is considered to be reasonable and justified to bring the site back into use.

At this stage it is unclear on the exact materials of rainwater goods, doors, and windows. It is therefore recommended for a condition to require details of these things to be agreed prior to installation.

Air source heat pumps are proposed for the building, however details of their location and design have not been submitted. This is similar to the previous approval, and it is therefore considered that a condition requiring details of the location and design of the pumps prior to installation is placed on any approval notice.

The site is within an Area of Archaeological Importance. It is considered that appropriate supervision of all below-ground excavation should be provided and this will be secured via condition.

### *Heritage Conclusions*

The revisions to the scheme during the assessment of the application have reduced the harm to the historic fabric through a reduction in demolition to the Well House and adopting a more sensitive approach to structural repair of in situ aspects. This has been supported by a proportionate and robust justification, with demolition primarily occurring on more modern additions. Whilst there is overall harm, it is considered to be less than substantial. Historic England advised that, following submission of a reduced scale of demolition and robust justification the scale of loss of significant fabric has been reduced. The Council's Heritage Officer considered that, on balance, there are less than substantial harm to the designated heritage assets and that the overall public benefits outweigh the level of harm caused.

There are significant public benefits to the scheme through the removal of a long-standing derelict site, enhancement of the Central Conservation Area, the setting of Exeter Cathedral and the Cathedral Green Scheduled Monument. The proposal will secure long-term conservation and a viable use for the site, providing economic, cultural, and environmental regeneration of a key city-centre location.

It is therefore concluded that the harm to the historic fabric is outweighed by the overall benefits of the scheme, subject to the conditions outlined in this report, and that there is less than substantial harm in line with NPPF and development plan requirements.

### 4. Access and Parking

LP saved policy AP1 requires development should be located where safe and convenient access by public transport, walking and cycling is available or can be provided.

LP saved policy T1 states a hierarchy for transport modes, with sustainable measures such as walking and cycling above public transport, with cars being at the lowest level. This is read alongside saved policy T2 which requires development to be within walking distance of a food shop and other facilities.

LP saved policy T3 requires development to safeguard existing walking and cycling routes.

LP saved policy T11 requires that City Centre development does not create a significant change in the number of off-street parking spaces. There are none impacted by this scheme.

LP saved policy H2 states development should not impact on the safety of local roads and be accessible to a range of facilities.

The site is within the city centre, and no on-site vehicle parking is proposed. The location is close to Central Railway Station, as well as the Bus Station and is served by a variety of local buses passing along the High Street and South Street. The city centre location also allows for access to a wide range of facilities, and the proposal is therefore acceptable as car-free development.

Cycle storage for residents is proposed at ground floor level, with a total of 35 spaces proposed, accessed via Martins Lane. This is broadly in line with SPD requirements and is considered acceptable.

As previously discussed, there is the potential for conflict between doors opening and pedestrian movements on Cathedral Yard/Martin's Lane and a condition is proposed requiring all doors to open inwardly only.

Deliveries/collections for the commercial units will be via Cathedral Yard, which will require vehicles to reverse along Cathedral Yard to access the building. Whilst this is not ideal it is the same process as previous uses of the site and no alternatives are readily available. It is noted that a number of café/restaurant units are currently utilising Cathedral Yard for outdoor seating. The pavement is public highway, with the road itself being private, under ECC ownership. The planning history for the surrounding area confirms that permission has been granted for outdoor seating for 3 units (approvals 07/0029/FUL, 07/1122/FUL and 23/0588/FUL) however these are solely for the pavement area. There is therefore no conflict between extant planning approvals and vehicle movements for this scheme. The Local Highway Authority raised no objection to this matter on highway safety grounds, and it is therefore considered acceptable.

## 5. Occupant Amenity

LP saved policy DG4 requires residential development to ensure a quality of amenity which allows residents to feel at ease in their homes and gardens, with this supported by the Residential Design Guide SPD.

LP saved policy EN5 requires that noise sensitive development will not be permitted if its users would be affected by noise from existing or proposed noise-generating uses unless adequate mitigation can be implemented. This is in accordance with NPPF paragraph 200 which places the applicant, or 'agent of change' as responsible to provide suitable mitigation.

All the proposed dwellings meet the Nationally Described Space Standards. It was noted that there was the potential for privacy impacts for flats immediately adjoining the internal courtyard, however the windows are set back within new thick walls, limiting the level of areas to look in, with an additional glazed layer abutting the courtyard wall. Whilst it is acknowledged that there will be a level of privacy impact, the level of movements will be limited to occupants of the building only and it is not considered to be significant enough to warrant refusal on those grounds.

Some of the apartments gain light from lightwells running vertically through the building and from windows opening onto the external courtyard. This is the same approach as the previous approved scheme, however the level of light entering the flats must be considered. A Daylight and Sunlight Report was submitted with the application that demonstrated that 20 of the 75 habitable rooms analysed do not meet recommended daylight amenity levels and 34 fail to meet the recommended Daylight Distribution levels. The report concludes that a flexible approach must be given to BRE standards, which are guidelines and not policy requirements. In relation to adopted standards, the Residential Design Guide SPD requires dwellings to have sufficient daylight to allow comfortable use, but this is flexible depending on site analysis. It should also be noted that the Historic England Advice Note 'Making Changes to Heritage Assets' states that compromise on issues such as daylight will assist in retaining the significance of heritage assets. In this instance it is considered that whilst there is a shortfall it is not significant enough to warrant refusal on these grounds when balanced against the site constraints of a significantly damaged listed building.

The location also raises risk of noise impacts from external noise sources and the ground floor commercial use. A Noise Impact Assessment was submitted which demonstrated that the majority of bedrooms achieve acceptable sound levels, however there are some that will be impacted by nearby public houses. It was concluded that this could be mitigated through modest acoustic glazing measures. The Council's Environmental Health team agreed with this assessment and recommended a condition to ensure the mitigation measures are installed for all impacted dwellings.

Overall, the residential amenity of the proposed apartments is considered acceptable and to accord with saved Policies DG4 and EN5, accounting for the site's location within the City Centre and the site constraints of rebuilding a significantly damaged listed building while retaining as much of the historic building fabric as possible.

## 6. Impact on Surrounding Amenity

LP saved policy EN5 states that noise-generating development will not be permitted if it cannot be appropriately mitigated.

LP saved policy DG4 requires residential development ensures a quality of amenity which allows residents to feel at ease within their homes and gardens.

The site is in a densely developed area with a mix of commercial and residential uses. The previous approval noted the potential for overlooking of apartments at 18 Cathedral Yard and that mitigation through inward opening windows, obscure glazing and privacy screens was acceptable. The same approach has been applied to this scheme and will be secured via condition.

The proposed commercial uses and building plant has been considered through the Noise Impact Assessment and a Ventilation and Extraction Statement. Environmental Health raised no objections to these measures, subject to a condition to secure their installation and operation.

It is therefore concluded that there will be no significant amenity impacts generated from the proposal on the surrounding area and, subject to conditions, accords with policy.

## 7. Biodiversity

LP saved policy LS2 states that development that harms the integrity of a RAMSAR site, Special Protection Area or Special Area of Conservation will not be permitted.

LP saved policy LS4 states that development that would harm a site of nature conservation importance or landscape features that are of importance for wild fauna or flora, or wildlife corridors will only be permitted with a balanced assessment and suitable mitigation.

CP policy CP16 requires protection and enhancement of environmental assets, including the Exe Estuary, East Devon Pebblebed Heaths/East Devon Heaths, and the Dawlish Warren European sites.

The site has been assessed against the national Biodiversity Net Gain requirements, and it was concluded that as the development does not impact a priority habitat and impacts less than 25 square metres of on-site habitat it is exempt from this requirement. This was assessed by the Council's Ecologist who agreed with this conclusion.

A submitted Preliminary Ecology Appraisal was submitted, and additional bat emergence surveys were conducted. This proposed bat roosts and bird bricks, as well as temporary measures for bats during the construction phase. Further detailing was required in relation to temporary bat roosts, and this was submitted by the applicant. At the time of this report no response has been received from the Council's ecologist on this matter and a condition relating to temporary bat roosts is recommended.

The site is within the Zone Influence of protected European Sites, specifically the Exe Estuary zone. An Appropriate Assessment was undertaken and this found that there would be recreational impacts generated from the residential dwellings. In accordance with the Joint South East Devon European Site Mitigation Strategy this will be mitigated via a financial contribution. Whilst this is normally top-sliced from CIL payments, this scheme has a CIL liability of £0. Therefore, the mitigation funds will be secured through the s106 Agreement. The rate will be £1,284.71 per dwelling.

Subject to conditions, it is considered there are no significant ecological or biodiversity impacts.

## 8. Contamination

Contamination Risk Assessments should normally only be sought when contamination is either known to be present or suspected. There are no identified risks associated with the site and a contamination assessment was not required for the previous approvals for a hotel or the rebuild into apartments. It is therefore considered that a Contamination Risk Assessment is not needed for this application.

## 9. Air Quality

LP saved policy EN3 states that development that would harm air quality will not be permitted.

CS policy CP11 requires development to minimise and if necessary, mitigate against environmental impacts. Within Air Quality Management Areas (AQMA) measures to reduce pollution and meet air quality objectives will be brought forward.

The site is not within an AQMA; however, it is close to areas covered by one, including the High Street and South Street.

The proposal is for car-free development and is considered to have a minimal impact on the AQMA. A Travel Plan will be required via condition which will help to promote sustainable transport measures. There is not considered to be any significant conflict with the policy requirements.

## 10. Drainage

LP saved policy EN3 states that development that would harm water quality will not be permitted.

LP saved policy EN4 states that development must not increase flooding risks or be at risk from flooding.

CS policy CP12 requires all development to mitigate against flood risk by using sustainable urban drainage where feasible and practical.

The site is within Flood Zone 1 and is at low risk of flooding.

The submitted drainage strategy proposes repair and reuse of the existing system, noting that there is no change to the impermeable catchment areas or impermeable areas. This would connect into the existing combine sewer.

The Lead Local Flood Authority raised no objection to this method of surface water disposal. Recommendations were made on reuse of rainfall, however considering the constraints of the listed building it was not possible to incorporate this.

## 11. Sustainability

CS policy CP13 requires new development to connect to existing or proposed Decentralised Energy Networks unless it can be demonstrated that it would not be viable or feasible to do so. In those instances, alternative solutions should be explored and implemented. There is not currently a district heating system in this area, however there are long term plans for one. In this instance, due to the historic nature of the remaining building and the viability issues discussed in the following section, it is not considered appropriate to require one.

CS policy CP15 states proposals for development are expected to demonstrate how sustainable design and construction methods will be incorporated. This is through minimisation of heat loss and air leakage, solar panels and air source heat pumps. In addition, the retention of the Well House will limit embodied carbon impacts alongside the re-use, where possible, of any demolished materials.

A Waste Audit Statement was submitted, however the DCC Waste Team advised that further information was needed. A revised statement was submitted and found to be acceptable. A condition is recommended to secure the measures.

Policy CP14 requires development of ten or more dwellings to cut predicted CO2 emissions by the equivalent of at least 10% over and above those required to meet the building regulations current at the time of building regulations approval unless it can be demonstrated that it would not be viable or feasible to do so. An Energy

Statement has been submitted with the application that demonstrates that this can be achieved. A condition will be placed on any approval notice requiring compliance with the measures set out in the statement and requiring a verification report at completion of the development.

## 12. Affordable Housing, s106 Obligations and Viability

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.

Policy CP7 requires that development provide 35% of the total dwelling numbers as affordable housing. However, in accordance with the Affordable Housing SPD, a financial contribution towards off-site affordable dwellings is acceptable in circumstances where delivery of on-site affordable units is not possible.

In relation to this affordable housing, the significant constraints of the site mean it would not be possible to accommodate affordable dwellings that could be managed separately by a Registered Provider. Financial mitigation is therefore acceptable in this instance, calculated at £2,187,200.88.

The applicant has submitted a Viability Assessment which is being independently examined. The initial conclusions are that the development will likely have viability issues due to the unique nature and increased material costings. There are a number of queries that are not readily answerable at this stage, such as final dwelling sale prices (as surrounding example prices have been impacted by this derelict site) and the costings of phased temporary works to protect heritage assets. Following further discussion, examination of the previous approval and the unique nature of this development it was agreed that the quickest and simplest solution to unlock the site for development was through a deferred contributions mechanism that is based on the actual performance of the project. This would fix certain aspects of the Viability Assessment at this stage but allowed for certified final build costs and sales prices to be provided at a later date. Any surplus moneys will be secured towards the payment of planning contributions, with a priority given to infrastructure payments and then affordable housing. This will be secured in an appropriate s106 legal agreement.

In terms of the obligations that would need to be secured in s106 Agreement, the following are considered necessary, alongside the clawback mechanism:

- 35% Affordable Housing to be paid as a financial contribution of £2,187,200.88.
- £16,083 for expansion of oversubscribed GP surgeries at Barnfield Hill, Southernhay House, St Leonards Practice and St Thomas Health Centre.

The following aspect is not suitable for the clawback mechanism and will remain as a standard obligation:

- £1,284.72 per dwelling for recreational impacts on the Exe Estuary protected marine site.

### 13. Planning Balance

As stated through this report the scheme is considered to, on balance, accord with the adopted Development Plan to ensure the quality of the development and enhancement of the heritage assets on and around the site. There are therefore no material considerations that indicate planning permission should be refused.

The Council does not currently have a 5-year housing supply and therefore the presumption in favour of sustainable development is in effect, as required by paragraph 11(d) of the NPPF. Having assessed this scheme carefully it is considered that the level of harm is not demonstrable or significant.

Case law has established that where the proposal will have an impact on the significance of heritage assets, first an assessment of the potential harm of the development against the benefits of the scheme applying a 'non-weighted balance' should be carried out. If the benefits of the proposal outweigh any harm caused to heritage assets, then the second part of paragraph 11d) should be carried out, i.e. the 'tilted balance' test.

The non-weighted assessment of the harm to heritage assets against the benefits of the scheme has been carried out under section 3 of this assessment 'Impact on Heritage Assets'. This concludes that the demolition of the upper floors of the Well House would generate substantial harm, with the other works creating less than substantial harm. With regards to the significant harm, these works have been demonstrated as being necessary to achieve the substantial public benefits that outweigh the harm. Therefore, the application does not need to be refused in terms of its impact on the significance of heritage assets.

It follows that an overall assessment of the proposed development can be carried out to see if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, i.e. with a tilt towards approval. In this case, the adverse impacts do not significantly and demonstrably outweigh the benefits of providing new housing in a sustainable location, providing economic growth through the commercial uses, and improving the character and appearance of the area by redeveloping a derelict site and restoring the historic street frontages, which will

benefit the Cathedral precinct Tourism Action Area and the surrounding heritage assets.

## 17.0 Conclusion

The proposed development provides acceptable land use, through provision of residential and commercial units and creates substantial public benefits by redeveloping a derelict site in the heart of the City Centre. The scheme will retain and restore as much of the listed historic fabric as possible and will enhance the setting of the site, surrounding listed buildings, conservation area and Scheduled Monument. In addition, it will revitalise this corner of Cathedral Green, within the Tourism Action Area and support the vitality of the City Centre.

Whilst demolition will occur on the upper floors of the Well House, this has been demonstrated as necessary and that these were more modern additions to the building. Significant revisions and additional detailing have been provided to support this, and it is concluded that, when assessed alongside the overall benefits, there will be less than substantial harm to the heritage asset.

Due to the unique nature of the development and significant costings necessary to deliver this scheme a deferred contributions mechanism has been agreed for the planning obligations based on the final gross development value.

## 18.0 Recommendation

25/0895/FUL

**a) DELEGATE TO HEAD OF 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:**

- £1,284.72 per dwelling for recreational impacts on the Exe Estuary protected marine site.

Subject to a Deferred Contributions Mechanism:

- 35% Affordable Housing to be paid as a financial contribution of £2,187,200.88.
- £16,083 for expansion of oversubscribed GP surgeries at Barnfield Hill, Southernhay House, St Leonards Practice and St Thomas Health Centre.

All S106 contributions should be index linked from the date of resolution.

And the following conditions:

## 1. Time Limit

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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

## 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 permission:

24046 P01.01 rev A – Site Location Plan  
S-01-F001-P4-Pile Layout (below Basement Level)  
S-01-F002-P3-Pile Layout (below Ground Level)  
S-01-F003-P5-Foundation Layout (below Basement Level)  
S-01-F004-P3-Foundation Layout (below Ground Level)  
25.07-EDS-XX-B1-DR-A-(06)10-P03-Demolition Basement Plan  
25.07-EDS-XX-00-DR-A-(06)11-P03-Demolition Ground Floor Plan  
25.07-EDS-XX-01-DR-A-(06)12-P03-Demolition First Floor Plan  
25.07-EDS-XX-M1-DR-A-(06)13-P03-Demolition First Floor Mezzanine Plan  
25.07-EDS-XX-02-DR-A-(06)14-P03-Demolition Second Floor Plan  
25.07-EDS-XX-03-DR-A-(06)15-P03-Demolition Third Floor Plan  
25.07-EDS-XX-04-DR-A-(06)16-P03-Demolition Roof Plan  
25.07-EDS-XX-01-DR-A-SK013-P01-Proposed Breakthrough of Existing Historic Wall  
24193 P0200revH - Royal Clarence Proposed Basement Floor Layout Plan  
24193 P0201revM - Royal Clarence Proposed Ground Floor Layout Plan  
24193 P0202revP - Royal Clarence Proposed First Floor Layout Plan  
24193 P0203revJ - Royal Clarence Proposed First Floor Mezzanine Well House Layout Plan  
24193 P0204revL - Royal Clarence Proposed Second Floor Layout Plan  
24193 P0206revH - Royal Clarence Proposed Fourth Floor Layout Plan  
24193 P0207revH - Royal Clarence Proposed Fifth Floor Layout Plan  
24193 P0208revA - Royal Clarence Proposed Roof Plan  
ES24.100-S-02-0200-Ground Floor Layout - Well House-P3  
ES24.100-S-02-0201-First Floor Layout - Well House-P3  
ES24.100-S-02-0202-First Floor Mezz Layout - Well House-P3  
ES24.100-S-02-0203-Second Floor Layout - Well House-P3  
ES24.100-S-02-0204-Third Floor Layout - Well House-P3  
ES24.100-S-02-0205-Roof Layout - Well House-P3  
ES24.100-S-01-B001-Basement Layout Structural General Arrangement-P8

ES24.100-S-01-0001-Ground Floor Layout Structural General Arrangement-P9  
ES24.100-S-01-0004-First Floor Layout Structural General Arrangement-P9  
ES24.100-S-01-0007-First Floor Mezzanine Structural Layout General Arrangement-P3  
ES24.100-S-01-0010-Second Floor Layout Structural General Arrangement-P8  
ES24.100-S-01-0013-Third Floor Layout Structural General Arrangement-P8  
ES24.100-S-01-0016-Fourth Floor Layout Structural General Arrangement-P9  
ES24.100-S-01-0019-Fifth Floor Layout Structural General Arrangement-P6  
24193 P0200 rev H - Royal Clarence Proposed Basement Floor Layout Plan  
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24193 P0203 rev J - Royal Clarence Proposed First Floor Mezzanine Floor Layout Plan  
24193 P0204 rev L - Royal Clarence Proposed Second Floor Layout Plan  
24193 P0205 rev L - Royal Clarence Proposed Third Floor Layout Plan  
24193 P0206 rev H - Royal Clarence Proposed Fourth Floor Layout Plan  
24193 P0207 rev H - Royal Clarence Proposed Fifth Floor Layout Plan  
24193 P0208 rev A - Royal Clarence Proposed Roof Plan  
24193 P0401 rev D - Royal Clarence Proposed Front Elevation  
24193 P0402 rev D - Royal Clarence Proposed Side Elevation Lamb Alley  
24193 P0403 rev D - Royal Clarence Proposed Rear Elevation  
24193 P0404 rev D - Royal Clarence Proposed Side Elevation Martins Lane  
25.07-EDS-XX-ZZ-DR-A-(08)20-P01-Proposed Sections 1 & 2  
25.07-EDS-XX-ZZ-DR-A-(08)23-P01-Proposed Sections C & D  
25.07-EDS-XX-ZZ-DR-A-(08)24-P01-Proposed Sections E & F

Reason: To ensure the development is constructed in accordance with the approved plans, unless modified by the other conditions of this permission.

### 3. Work Methodology

The development shall be undertaken in accordance with the work methodology outlined in the following submitted documents at all times:

- Demolition Method Statement (24193 P05.07 rev B – 25 July 2025)
- Heritage Appraisal (Avalon – December 2025)
- Visual Inspection Report (Matt MacDonald, RCH-MMD-XX-XX-RP-X-000001 Rev P01 – October 2025)

Reason: To ensure suitable protection and conservation of the existing historic fabric.

### 4. Concrete Frame Integration

#### *Pre-installation*

Prior to installation of any part of the concrete frame details of how the structure will interface with the historic fabric shall be submitted to, and approved by, by the Local Planning Authority in writing. These details shall include locations of steels, sectional drawings and details and methodology of fixings.

The development shall be undertaken in accordance with the approved details at all times.

Reason: To ensure suitable integration with, and to prevent harm to, the historic fabric of the building.

#### 5. Construction Method Statement

The development shall be undertaken in accordance with the submitted Construction Method Statement (dated March 2025, received 09 July 2025) at all times during the demolition and construction period.

Reason: To ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the safety and convenience of highway users.

#### 6. Noise Impacts

##### *Pre-use*

Prior to the commencement of the use hereby permitted, the noise mitigation measures set out in the “Noise Impact Assessment of Commercial Sound Sources” dated 5 August 2025 shall be implemented in full. The measures shall be maintained for the lifetime of the development.

Reason: In the interests of the amenity of the residents of proposed development.

#### 7. SAP Calculations

##### *Within 3 months of completion*

The development shall be undertaken in accordance with the details set out in the submitted Energy and Sustainability Statement Title Rev 1 (28 November 2025). Within 3 months of practical completion of the building a report shall be submitted to, and be approved by, the Local Planning Authority from a suitably qualified consultation to demonstrate compliance and that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved, or if the building is constructed to the 2022 Building Regulations that a 10% reduction in CO2 emissions above the levels set out in Part L of the 2022 Building Regulations has been achieved.

Reason: In the interests of sustainable development and to ensure that the development accords with Policies CP14 and CP15 of the Core Strategy.

## **8. Air Source Heat Pumps**

### *Pre-installation*

Air Source Heat Pumps shall not be installed on the site unless the number, location and technical details have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that they do not harm the significance of heritage assets either on or around the site.

## **9. Solar Panels**

### *Pre-Installation*

Photovoltaic panels shall not be installed on the site unless the number, location and technical details have previously been submitted to and approved in writing by the Local Planning Authority together with an accompanying heritage statement.

Reason: To ensure that they do not harm the significance of heritage assets either on or around the site.

## **10. Materials**

### *Pre-superstructure*

Prior to work on the super structure of the building product specification sheets and samples, including confirmation of colour, of the external facing materials and roof materials (including rainwater goods and the rear (northwest) balustrade/parapet) of the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

Reason: In the interests of good design and the preservation of heritage assets (on and around the site), including their settings, in accordance with Policy CP17 of the Core Strategy, saved Policies C1, C2, C4 and DG1 of the Exeter Local Plan First Review, and paragraphs 131 and 207 of the NPPF.

## **11. Biodiversity Enhancement Plan**

The development hereby approved shall be undertaken in full accordance with the mitigation measures outlined in the submitted Preliminary Ecological Appraisal and Bat Emergence Survey (250613 rev03A December 2025).

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 187 of the NPPF.

## **12. Window/Door Details**

### *Pre-Installation*

Prior to the installation of any new fenestration (windows/doors) large scale internal and external details, including sections to a scale of not less than 1:20,

of the proposed windows/doors, along with confirmation of materials and finishes, shall be submitted to and be approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason: In the interests of good design and the preservation of heritage assets (on and around the site), including their settings, in accordance with Policy CP17 of the Core Strategy, saved Policies C1, C2, C4 and DG1 of the Exeter Local Plan First Review, and paragraphs 131 and 207 of the NPPF.

### **13. Obscure Glazing Lamb Alley**

#### *Pre-Installation*

The two upper floor windows shown on drawing number (24193 P0402 rev D - Royal Clarence Proposed Side Elevation Lamb Alley) shall be obscured glazed. Prior to the installation of the windows details of the obscured glazing, including level of obscurity, shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall be maintained as approved thereafter.

Reason: To protect the privacy of the occupiers of the apartment and neighbouring residents in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

### **14. Lamb Alley Balustrade**

#### *Pre-Installation*

The glazed balustrade shown on drawing number 24193 P0402 rev D (Royal Clarence Proposed Side Elevation Lamb Alley) shall be obscured glazed. Prior to the installation of the balustrade details of the obscured glazing, including level of obscurity, shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall be maintained as approved thereafter.

Reason: To protect the privacy of the occupiers of the apartment and neighbouring residents in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

### **15. External Lighting**

No external lighting shall be installed on the site unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type, and specification). The details 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), and how it will either preserve or enhance the significance of heritage assets on or around the site. The lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of local amenity, wildlife, and the significance of heritage assets.

## 16. Crime Prevention

### *Pre-Use/Occupation*

Prior to the first occupation or use of the development hereby approved, the measures set out in the submitted 'Supplementary Planning Information Crime Prevention for New Residential Proposals' (24193 P05.03 Rev A, dated 18<sup>th</sup> June 2025) shall be implemented in full. The approved measures shall be retained and maintained at all times thereafter.

Reason: In the interests of crime prevention and safety in accordance with saved Policy CP7 of the Exeter Local Plan First Review.

## 17. Cycle Store

### *Pre-Occupation*

Prior to first occupation of any of the apartments in the development hereby approved, details of bike store numbers, method of securing bikes and access controls shall be submitted to, and approved in writing by, the Local Planning Authority. The bike store shall be made available in accordance with the approved details prior to first occupation and retained solely for that use at all times thereafter.

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

## 18. Noise And Odour

### *Pre-Use*

Prior to first the use of the commercial units hereby permitted, the noise and odour mitigation measures set out in the submitted 'Ventilation and Extraction Statement' (24193 P05.06 Rev A, dated 16 July 2025) shall be implemented in full. The measures shall be maintained for the lifetime of the development.

Reason: In the interests of the amenity of the residents of proposed development and nearby residential dwellings.

## 19. Waste Audit Statement

The development shall be carried out in accordance with the submitted Waste Audit Statement (24193 P05.90 revision A, dated 15 December 2025)

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.

## 20. External Doors and Gates

All external doors and gates on the site adjoining public footways shall be inward opening or hung to not overhang the public footway when opening.

Reason: In the interests of the safety of pedestrians using adjoining public footways in accordance with paragraph 117 of the NPPF.

## **21. Waste and Bin Stores**

No waste or recycling bins or containers shall be stored outside the integral bin stores of the building hereby approved except upon the day(s) of collection.

Reason: In the interests of the amenity of the neighbourhood and convenience of highway users.

## **22. Noise Control**

The total noise from the development shall not exceed a rating noise level (measured in accordance with BS4142:2014) of 34 dB (07:00 to 23:00) and 24 dB (23:00 to 07:00) at any noise sensitive receptor, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenity of the locality.

## **INFORMATIVES**

### **1. Informative: S106**

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

### **2. Informative: CIL liability**

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](http://www.exeter.gov.uk/cil).

### **3. Informative: 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. Informative: Positive and Pro-active working**

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.

**5. Informative: Kitchen extraction systems**

The developer should be aware that the effectiveness of kitchen extract systems depends on the nature and intensity of use and any approval in planning should not be taken to mean that no odour problems will occur in future. If complaints are received, these will be investigated by the Environmental Health Team and improvements to the system may be required.

**b) REFUSE PERMISSION FOR THE REASON SET OUT BELOW IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED BY 20 July 2026 OR SUCH EXTENDED TIME AS AGREED IN WRITING BY THE SERVICE LEAD (CITY DEVELOPMENT)**

In the absence of a Section 106 legal agreement in terms that are satisfactory to the Local Planning Authority being completed within an appropriate timescale, and which makes provision for the following matters –

- £1,284.72 per dwelling for recreational impacts on the Exe Estuary protected marine site.

Subject to a Deferred Contributions Mechanism:

- 35% Affordable Housing to be paid as a financial contribution of £2,187,200.88.
- £16,083 for expansion of oversubscribed GP surgeries at Barnfield Hill, Southernhay House, St Leonards Practice and St Thomas Health Centre.

the proposal is contrary to Exeter Core Strategy 2012 Objectives 3, 6 and 10, and policies CP7, CP10 and CP18, and Exeter City Council Affordable Housing Supplementary Planning Document 2014.

22/0237/LBC

**DELEGATE TO HEAD OF CITY DEVELOPMENT TO GRANT LISTED  
BUILDING CONSENT SUBJECT TO THE FOLLOWING CONDITIONS:**

**1. Time Limit**

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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

**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 permission:

24046 P01.01 rev A – Site Location Plan

S-01-F001-P4-Pile Layout (below Basement Level)

S-01-F002-P3-Pile Layout (below Ground Level)

S-01-F003-P5-Foundation Layout (below Basement Level)

S-01-F004-P3-Foundation Layout (below Ground Level)

25.07-EDS-XX-B1-DR-A-(06)10-P03-Demolition Basement Plan

25.07-EDS-XX-00-DR-A-(06)11-P03-Demolition Ground Floor Plan

25.07-EDS-XX-01-DR-A-(06)12-P03-Demolition First Floor Plan

25.07-EDS-XX-M1-DR-A-(06)13-P03-Demolition First Floor Mezzanine Plan

25.07-EDS-XX-02-DR-A-(06)14-P03-Demolition Second Floor Plan

25.07-EDS-XX-03-DR-A-(06)15-P03-Demolition Third Floor Plan

25.07-EDS-XX-04-DR-A-(06)16-P03-Demolition Roof Plan

25.07-EDS-XX-01-DR-A-SK013-P01-Proposed Breakthrough of Existing Historic Wall

24193 P0200revH - Royal Clarence Proposed Basement Floor Layout Plan

24193 P0201revM - Royal Clarence Proposed Ground Floor Layout Plan

24193 P0202revP - Royal Clarence Proposed First Floor Layout Plan

24193 P0203revJ - Royal Clarence Proposed First Floor Mezzanine WellHouse Layout Plan  
24193 P0204revL - Royal Clarence Proposed Second Floor Layout Plan  
24193 P0206revH - Royal Clarence Proposed Fourth Floor Layout Plan  
24193 P0207revH - Royal Clarence Proposed Fifth Floor Layout Plan  
24193 P0208revA - Royal Clarence Proposed Roof Plan  
ES24.100-S-02-0200-Ground Floor Layout - Well House-P3  
ES24.100-S-02-0201-First Floor Layout - Well House-P3  
ES24.100-S-02-0202-First Floor Mezz Layout - Well House-P3  
ES24.100-S-02-0203-Second Floor Layout - Well House-P3  
ES24.100-S-02-0204-Third Floor Layout - Well House-P3  
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24193 P0402 rev D - Royal Clarence Proposed Side Elevation Lamb Alley  
24193 P0403 rev D - Royal Clarence Proposed Rear Elevation  
24193 P0404 rev D - Royal Clarence Proposed Side Elevation Martins Lane  
25.07-EDS-XX-ZZ-DR-A-(08)20-P01-Proposed Sections 1 & 2  
25.07-EDS-XX-ZZ-DR-A-(08)23-P01-Proposed Sections C & D  
25.07-EDS-XX-ZZ-DR-A-(08)24-P01-Proposed Sections E & F

Reason: To ensure the development is constructed in accordance with the approved plans, unless modified by the other conditions of this permission.

### **3. Archaeology**

Prior to any ground excavation works a Written Scheme of Investigation shall be submitted in writing to, and be approved by, the Local Planning Authority. The scheme shall adopt the principle of preservation by records and ensure all intrusive groundworks associated with the construction and servicing of the site shall be under direct archaeological supervision.

The development shall be undertaken in accordance with the approved WSI at all times.

Reason: To ensure suitable recording and presenting of archaeological deposits within the site.

### **4. Well House Roof**

#### *Pre-roof removal*

Prior to removal of the in situ Well House roof details of temporary measure to protect the existing fabric of the Well House shall be submitted in writing to, and be approved by, the Local Planning Authority. The measures shall include details of protection and methodology of protection works and removal.

The development shall be undertaken in accordance with the approved details at all times.

Reason: To ensure suitable protection of the historic fabric during construction.

### **5. Historic Recording**

All demolition and interventions into the historic fabric shall be carried out under a RCHME level 3 building recording. The results shall be published and archived in accordance with a scheme submitted in writing to, and approved by, the Local Planning Authority.

Reason: To ensure suitable recording and presentation of the historic fabric.

### **6. Material Finishes**

Prior to any works to the existing historic fabric full details of the internal finishes shall be submitted in writing to, and be approved by, the Local Planning Authority. These details shall include a room-by-room schedule, details of cable/pipe routing, fixing methods to the historic fabric, restoration measures to retained walls and treatment of the spine wall paintings.

The development shall be undertaken in accordance with the approved details at all times.

Reason: To minimise the level of harm to the historic fabric.

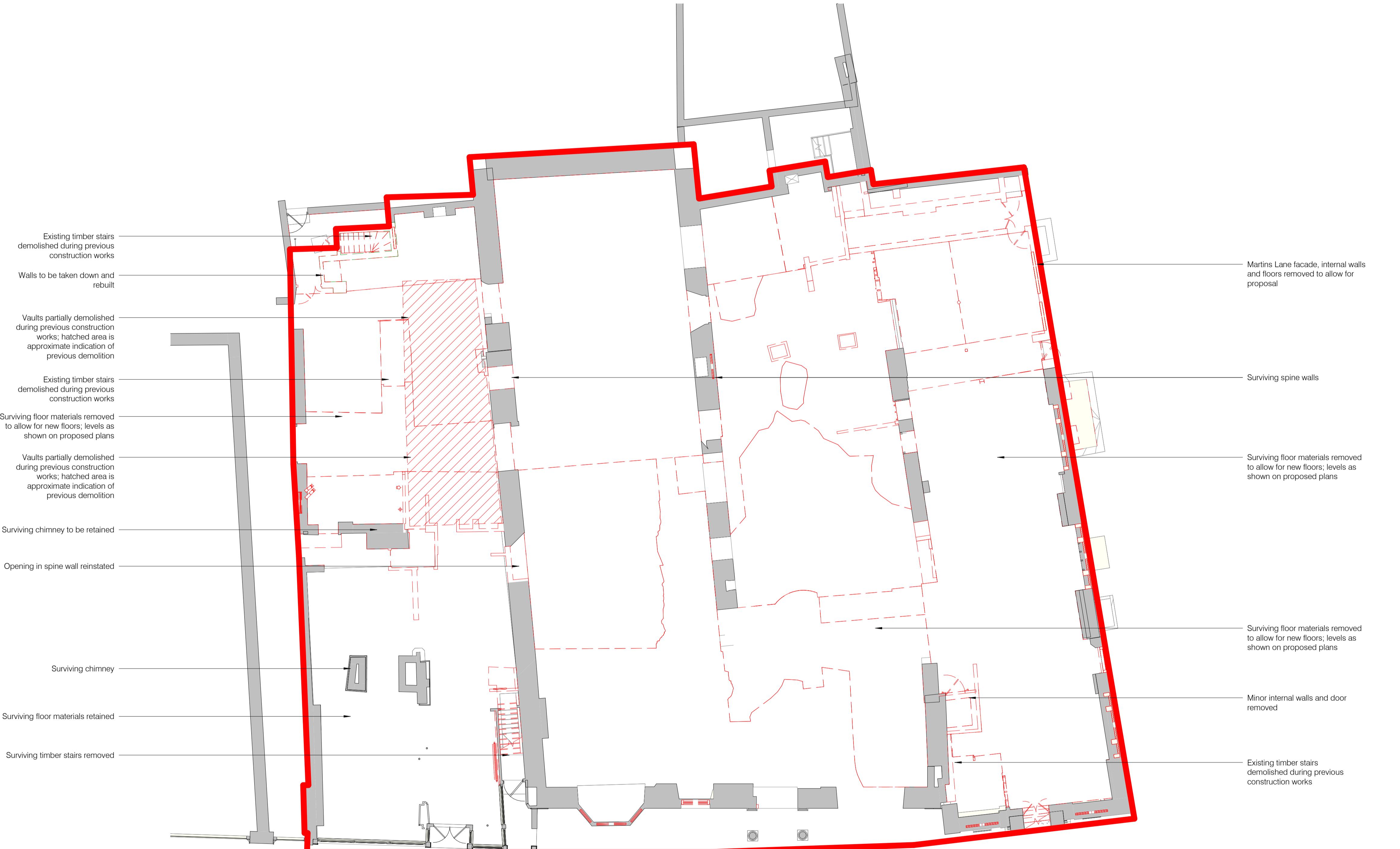
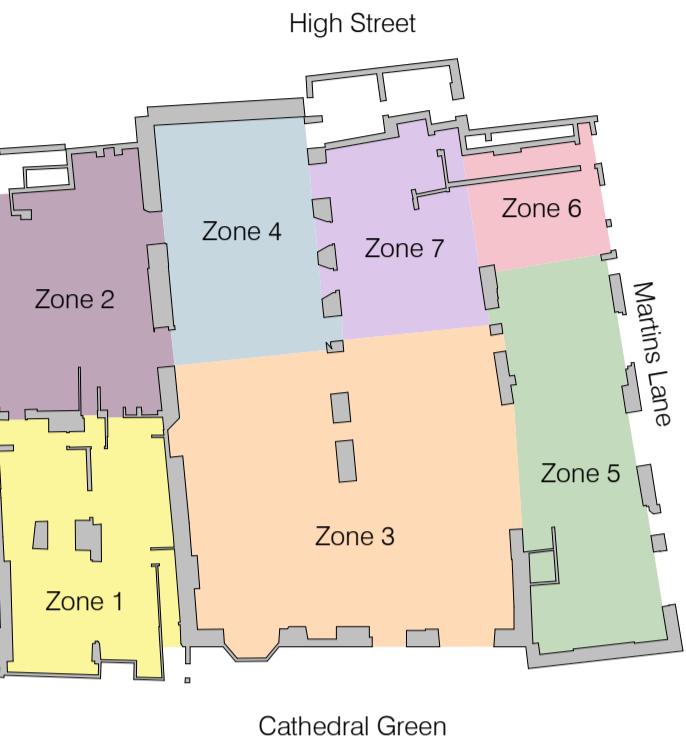
## **Informatics**

1. Informative: Positive and Pro-active working

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.



PHASING KEY  
 Existing  
 Demolition  
 Proposed  
 To be demolished and rebuilt



P03	Well House facade to be retained	17.12.25	JS
P02	Well House chimneys and internal elements shown to be retained	15.10.25	JS
P01	First Issue for Planning	17.07.2025	JS
Revision	Description	Date	Issued

**EXPEDITE**  
DESIGN SERVICES LTD

RIBA  
Chartered Practice

Client's Name  
**NXKO**

Job Title  
**Royal Clarence**

Status  
**S4** Construction Approval

Scale  
**1 : 100 @ A1**

Document Reference  
**25.07-EDS-XX-00-DR-A-(06)11**

Drawing Title  
**Demolition Ground Floor Plan**

Drawing Number  
**(06)11** Revision  
**P03**

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## REPORT TO PLANNING COMMITTEE

Date of Meeting: 19 January 2026

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. Recommendations:

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:**

4.1 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

**Strategic Director for Place, Ian Collinson**

**All Planning Decisions Made and Withdrawn Applications  
between 27/11/2025 and 08/01/2026**

**Alphington**

**Delegated Decision**

Application Number:	25/1284/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	17/12/2025
Location Address:	6 St Michaels Close Alphington Exeter EX2 8XH		
Proposal:	Demolition of the existing bungalow and garage. Replacement two bedroom bungalow with integral garage (self-build).		

**Delegated Decision**

Application Number:	25/1466/DIS	Delegation Briefing:	
Decision Type:	Split Decision	Date:	18/12/2025
Location Address:	Franklyn House Franklyn Drive Exeter EX2 9HS		
Proposal:	Discharge of Conditions 4, 5 and 6 of Planning Permission Ref. 20/1713/FUL, granted on 24 June 2024, relating to drainage, travel plan and lighting		

**Delegated Decision**

Application Number:	25/1482/FUL	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/12/2025
Location Address:	KFC Unit 10 Alphington Park Ashton Road Marsh Barton Trading Estate Exeter EX2 8AA		
Proposal:	Redecoration including spraying of windows and doors, new cladding to drive thru		

**Delegated Decision**

Application Number:	25/1483/ADV	Delegation Briefing:	
Decision Type:	Permitted	Date:	02/12/2025
Location Address:	KFC Unit 10 Alphington Park Ashton Road Marsh Barton Trading Estate Exeter EX2 8AA		
Proposal:	New KFC letters, LED bucket, vinyl graphics to existing signs and new to walls. New vinyls to existing site signage and directional signs.		

**Delegated Decision**

Application Number:	25/1518/LBC	Delegation Briefing:	
Decision Type:	Permitted	Date:	19/12/2025
Location Address:	Franklyn House Franklyn Drive Exeter EX2 9HS		
Proposal:	Installation of a new handrail to one side of the existing stairs.		

**Delegated Decision**

Application Number: 25/1537/FUL Delegation Briefing:  
Decision Type: Permitted Date: 22/12/2025  
Location Address: 114 Cowick Lane Exeter EX2 9HE  
Proposal: Demolition of conservatory to rear and addition of single storey rear extension.

**Delegated Decision**

Application Number: 25/1593/LBC Delegation Briefing:  
Decision Type: Permitted Date: 06/01/2026  
Location Address: Franklyn House Franklyn Drive Exeter EX2 9HS  
Proposal: Widening of existing doorway into GF007.

**Delegated Decision**

Application Number: 25/1597/VOC Delegation Briefing:  
Decision Type: Permitted Date: 05/01/2026  
Location Address: Units 6-9 Alphin Brook Road, Exeter EX2 8RG  
Proposal: Variation of Condition 2 of Planning Permission Ref. 24/0919/FUL granted on 22 November 2024, relating to extension of commercial / industrial building (Use Class B2/B8) and new flat roof with associated access and parking, to amend external finish.

**Delegated Decision**

Application Number: 25/1652/DIS Delegation Briefing:  
Decision Type: Condition(s) Partially Approved Date: 11/12/2025  
Location Address: Former Grahams Builder's Merchants Alphin Brook Road Marsh Barton Exeter EX2 8RF  
Proposal: Discharge of Condition 4 on Planning Permission Ref. 25/0789/FUL, granted 19 August 2025, relating to bird boxes

**Delegated Decision**

Application Number: 25/1653/DIS Delegation Briefing:  
Decision Type: Condition(s) Application Refused Date: 11/12/2025  
Location Address: Former Grahams Builders Merchants Alphin Brook Road Marsh Barton Trading Estate Exeter EX2 8RG  
Proposal: Discharge of Condition 5 on Planning Permission Ref. 25/0789/FUL, granted 19 August 2025, relating to landscaping

**Delegated Decision**

Application Number: 25/1774/NMA Delegation Briefing:  
Decision Type: Permitted Date: 22/12/2025  
Location Address: 37 Larch Road Exeter EX2 9DG  
Proposal: Non-material amendment sought to planning approval ref. 25/1128/FUL permitted 25th November 2025, to add 1x side window.

**Delegated Decision**

Application Number: 25/1775/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Date: 06/01/2026  
Discharged  
Location Address: 37 Larch Road Exeter EX2 9DG  
Proposal: Discharge Condition 4 (drainage) of planning permission  
25/1128/FUL, granted 25 November 2025.

**Duryard And St James****Delegated Decision**

Application Number: 21/1907/VOC Delegation Briefing:  
Decision Type: Finally Disposed Of Date: 27/11/2025  
Location Address: Greencroft Streatham Rise Exeter Devon EX4 4PE  
Proposal: Variation of Conditions 2, 3 and 6 of Planning Permission Ref.  
20/1104/FUL, granted on 22 October 2021, to add a detached  
garage and amend the approved landscaping scheme in respect of  
Plot 1

**Delegated Decision**

Application Number: 25/0924/FUL Delegation Briefing:  
Decision Type: Permitted Date: 15/12/2025  
Location Address: 36 Powderham Crescent Exeter EX4 6BZ  
Proposal: Replace windows and repair entrance door.

**Delegated Decision**

Application Number: 25/1241/FUL Delegation Briefing:  
Decision Type: Permitted Date: 02/12/2025  
Location Address: The Courtyard 48 New North Road Exeter EX4 4EP  
Proposal: Change of use from office (Class E) to six flats for house in  
multiple occupation use (Class C4) (retrospective)

**Delegated Decision**

Application Number: 25/1378/FUL Delegation Briefing:  
Decision Type: Permitted Date: 01/12/2025  
Location Address: 14 Howell Road Exeter EX4 4LG  
Proposal: Narrowing of existing access to form pedestrian access

**Delegated Decision**

Application Number: 25/1379/LBC Delegation Briefing:  
Decision Type: Permitted Date: 01/12/2025  
Location Address: 14 Howell Road Exeter EX4 4LG  
Proposal: Narrowing of existing access to form pedestrian access

**Delegated Decision**

Application Number: 25/1458/ADV Delegation Briefing:  
Decision Type: Permitted Date: 27/11/2025  
Location Address: Geoffrey Pope Stocker Road Exeter EX4 4QD  
Proposal: 3 x three-part split advertisement on east side elevation of the Geoffrey Pope Building

**Delegated Decision**

Application Number: 25/1459/ADV Delegation Briefing:  
Decision Type: Permitted Date: 16/12/2025  
Location Address: The Great Hall Stocker Road Exeter EX4 4PY  
Proposal: Three-part split advertisement above the entrance to the Great Hall at The University of Exeter.

**Delegated Decision**

Application Number: 25/1463/FUL Delegation Briefing:  
Decision Type: Permitted Date: 28/11/2025  
Location Address: 14 Streatham Drive Exeter EX4 4PD  
Proposal: Replacement conservatory on south elevation

**Delegated Decision**

Application Number: 25/1480/NMA Delegation Briefing:  
Decision Type: Permitted Date: 01/12/2025  
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: 25/1569/FUL Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Geoffrey Pope Stocker Road Exeter EX4 4QD  
Proposal: External concrete repairs, window replacement & reconfiguration of extraction ducts ducts and lightning protection installation.

**Delegated Decision**

Application Number: 25/1574/TPO Delegation Briefing:  
Decision Type: Permitted Date: 04/12/2025  
Location Address: Thomas Hall Cowley Bridge Road Exeter EX4 5AD  
Proposal: tree no 2311 located in the rear car park boundary of Thomas hall school car park and Exeter university. grid referance.-3.543169728 50.7418209advanced Ash die back class 4. heavy lean over car park and stone access bridge to solar pv field gate. full dismantle and removal with mewp for access. section apart crown and fell remaining stick chip and remove all arisings. timber to be stacked for deadwood habitat. inhouse tree replacement policy will be adhered to 15 mixed native species trees to be replanted in the vicinity of existing hedge lines.

**Delegated Decision**

Application Number: 25/1576/LED Delegation Briefing:  
Decision Type: Was lawful use Date: 16/12/2025  
Location Address: 50 Pennsylvania Road Exeter EX4 6DB  
Proposal: House in multiple occupation for six people (C4 use) (Certificate of lawfulness of existing use)

**Delegated Decision**

Application Number: 25/1585/TPO Delegation Briefing:  
Decision Type: Permitted Date: 05/12/2025  
Location Address: Streatham House Streatham Rise Exeter EX4 4PE  
Proposal: T1 Pine - Crown lift to 4ft. Due to low branches encroaching into driveway.T2 Purple plum - Thin internal branches and reduce crown by 0.5m.Group 1 - Prune low overhang over drive way by 1-3 m back to boundary and up to a height of approximately 6m, with cuts no bigger than 60mm. This is to mitigate branches encroaching over applicants property.

**Delegated Decision**

Application Number: 25/1590/FUL Delegation Briefing:  
Decision Type: Permitted Date: 19/12/2025  
Location Address: Molly Hayes Apartments 41A New North Road Exeter EX4 4EP  
Proposal: Change of use to eight self-contained flats (Use Class C4)

**Delegated Decision**

Application Number: 25/1594/DIS Delegation Briefing:  
Decision Type: Condition(s) Partially Approved Date: 23/12/2025  
Location Address: Car Park B The University Of Exeter Streatham Campus Rennes Drive Exeter  
Proposal: Temporary discharge of condition 4 (Car Parks Scheme) of planning permission 18/0487/FUL (as amended by 25/0223/NMA) - Extension of existing car park B including two storey decked section and photovoltaic panelled canopy.

**Delegated Decision**

Application Number: 25/1601/CAT Delegation Briefing:  
Decision Type: Permitted Date: 05/12/2025  
Location Address: 15 York Road Exeter EX4 6BA  
Proposal: The tree is a large ash tree behind number 15 and 16 york road, EX4 6BA. The tree is in a conservation area.we would like to remove the tree completely because it is damage a nearby wall and neighbouring property. it is causing subsidence.

**Delegated Decision**

Application Number: 25/1613/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 08/12/2025  
Location Address: 16 Doriam Close Exeter EX4 4RS  
Proposal: Discharge condition 3 (Construction Method Statement) of the previously approved 25/0906/FUL; 19th September 2025

**Delegated Decision**

Application Number: 25/1650/TPO Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: Jefford House Copplestone Drive Exeter EX4 4NG  
Proposal: EXTR059- Pin Oak. tree is encroaching on streetlight, prune branches to gain 1.5m clearance from streetlight and lighting column. justification: to achieve better visibility for pedestrians at time of low light by clearing branches blocking streetlight columnEXTR063- oriental plane. crown lift all round to a height of 2m. Justification: to allow access under tree canopy for pedestrians and grass cutting operations

**Delegated Decision**

Application Number: 25/1693/LED Delegation Briefing:  
Decision Type: Was lawful use Date: 08/01/2026  
Location Address: 44 Howell Road Exeter EX4 4HA  
Proposal: House in multiple occupation for 4 persons (Use Class C4) (Certificate of lawfulness of existing use)

**Delegated Decision**

Application Number: 25/1724/CAT Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: 26 Velwell Road Exeter EX4 4LD  
Proposal: To remove one old apple tree which is forcing our house boundary wall to lean towards the pavement at a dangerous angle of 20cms out of vertical. We are concerned that the 1.8 metre wall will collapse onto the pavement. We intend to use a professional tree surgeon for this removal.

**Delegated Decision**

Application Number: 25/1744/ADV Delegation Briefing:  
Decision Type: Permitted Date: 06/01/2026  
Location Address: Sports Hall Stocker Road Exeter EX4 4QN  
Proposal: Six-part split non-illuminated advertisement (retrospective application)

**Delegated Decision**

Application Number: 25/1756/DEM Delegation Briefing:  
Decision Type: Prior Approval Required and Granted Date: 07/01/2026  
Location Address: Mardon Hall Streatham Drive Exeter EX4 4QW  
Proposal: Demolition of timber storage shed.

**Exwick****Delegated Decision**

Application Number: 25/0459/FUL Delegation Briefing:  
Decision Type: Permitted Date: 15/12/2025  
Location Address: Land At Flowerpot Playing Fields, St Thomas, Exeter  
Proposal: Siting of a shipping container for use as a cafe and associated works

**Delegated Decision**

Application Number: 25/1395/FUL Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: 64 Knowle Drive Exeter EX4 2EH  
Proposal: New rear access deck and steps to garden and alterations to fenestration

**Heavitree****Delegated Decision**

Application Number: 25/1044/FUL Delegation Briefing:  
Decision Type: Permitted Date: 02/12/2025  
Location Address: 95 Fore Street Heavitree EX1 2RN  
Proposal: Change of use from five bedroom HMO (Use Class C4) to six bedroom HMO (Use Class C4).

**Delegated Decision**

Application Number: 25/1168/FUL Delegation Briefing:  
Decision Type: Permitted Date: 15/12/2025  
Location Address: 40 Polsloe Road Exeter EX1 2DN  
Proposal: Change of use from a dwelling to a children's care home (Use Class C2) for up to eight children and various external works including replacement single storey rear extension.

**Delegated Decision**

Application Number: 25/1223/FUL Delegation Briefing:  
Decision Type: Permitted Date: 07/01/2026  
Location Address: 16 Lonsdale Road Exeter EX1 3DW  
Proposal: Two-storey side extension

**Delegated Decision**

Application Number: 25/1258/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 28/11/2025  
Location Address: 118 Fore Street Heavitree EX1 2RS  
Proposal: Demolition of existing single-storey rear extension and construction of two-storey rear extension.

**Delegated Decision**

Application Number: 25/1279/FUL Delegation Briefing:  
Decision Type: Permitted Date: 05/01/2026  
Location Address: 50 Chard Road Exeter EX1 3AX  
Proposal: Proposed erection of a rear single storey extension

**Delegated Decision**

Application Number: 25/1337/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 28/11/2025  
Location Address: 88 Magdalen Road Exeter EX2 4TU  
Proposal: Single storey extension and pergola on rear elevation and raising of section of boundary wall adjacent to Barrack Road to a height of 3.1 metres

**Delegated Decision**

Application Number: 25/1573/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 05/12/2025  
Location Address: 62 Whipton Lane Exeter EX1 3DN  
Proposal: Discharge of condition 3 (materials samples) of planning permission 25/0235/FUL granted on 2nd May 2025.

**Delegated Decision**

Application Number: 25/1644/FUL Delegation Briefing:  
Decision Type: Permitted Date: 22/12/2025  
Location Address: 11 Avondale Road Exeter EX2 5HE  
Proposal: Single storey rear/side extension.

## Mincinglake And Whipton

### Delegated Decision

Application Number: 25/0946/NMA Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Development Site Of Former Whipton Barton House Vaughan Road Exeter  
Proposal: Non-material amendment to planning permission 23/0270/VOC to carry out amendments to the landscape specification and materiality of the lift shafts and recessed window panels, with some minor alterations to final window positions by replacing the following plans:18-505-062 - Vaughan Road - Block A1 A2 Elevations Rev D 18-505-020 - Vaughan Road - Block A - Ground and First Floor Rev D 18-505-021 - Vaughan Road - Block A - Second and Third Floor RF-083-001D Landscape General Arrangement Plan RF-083-300D Hardworks Plan A - 1 of 2 RF-083-301D Hardworks Plan A - 2 of 2 With:18-505-062 - Vaughan Road - Block A1 A2 Elevations Rev E 18-505-020 - Vaughan Road - Block A - Ground and First Floor Rev E 18-505-021 - Vaughan Road - Block A - Second and Third Floor Rev A RF-083-001D Landscape General Arrangement Plan-Rev A RF-083-300D Hardworks Plan A - 1 of 2-Rev A RF-083-301D Hardworks Plan A - 2 of 2-Rev A

### Delegated Decision

Application Number: 25/1167/PD Delegation Briefing:  
Decision Type: Prior Approval Not Required Date: 09/12/2025  
Location Address: Barn Fox Road Exeter  
Proposal: Change of use of agricultural building to a single small dwelling (Prior Approval application using Class Q in Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

### Delegated Decision

Application Number: 25/1319/TPO Delegation Briefing:  
Decision Type: Permitted Date: 03/12/2025  
Location Address: 69 Fox Road Exeter EX4 8NB  
Proposal: T1- Large oak tree growing from area of TPO behind the rear of the property. To prune off one select branch, to the orange mark in the photograph, that hangs lower than the rest of the crown that is suppressing an ash tree. the branch is approximately 6-8cm in diameter.

### Delegated Decision

Application Number: 25/1433/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 28/11/2025  
Location Address: 6 Pinwood Lane Exeter EX4 8NQ  
Proposal: Discharge conditions 3, 4 and 5 of the previously approved 23/0300/FUL:C3: Material samples C4: Windows and Doors details.C5: SAP Calculations.

**Delegated Decision**

Application Number: 25/1635/NMA Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: 6 Pinwood Lane Exeter EX4 8NQ  
Proposal: Non-material amendment to planning permission 23/0300/FUL to add PV array to roof.

**Newtown And St Leonards****Delegated Decision**

Application Number: 25/1191/LED Delegation Briefing:  
Decision Type: Was lawful use Date: 15/12/2025  
Location Address: 1 Hampton Buildings Blackboy Road Exeter EX4 6SR  
Proposal: C4 House in Multiple Occupation for up to 5 people

**Delegated Decision**

Application Number: 25/1368/DEM Delegation Briefing:  
Decision Type: Prior Approval Required and Granted Date: 17/12/2025  
Location Address: 2 West Grove Road Exeter EX2 4LU  
Proposal: Removal of a section of rear wall to allow greater access and installation of new gate.

**Delegated Decision**

Application Number: 25/1373/ADV Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Pavement O/s 161 Sidwell Street, Exeter EX4 6RH  
Proposal: 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.

**Delegated Decision**

Application Number: 25/1435/CAT Delegation Briefing:  
Decision Type: Permitted Date: 01/12/2025  
Location Address: 15 Victoria Park Road Exeter EX2 4NT  
Proposal: T1 - Oak. Crown reduce by the following: Northern and eastern aspects by 2m Southern aspect by 2.5m Western aspect by 1-2m Crown lift to 5m above ground level Rationale: This large tree has grown into close proximity with the house, necessitating a reduction. We propose a reduction throughout the crown to maintain its balance and reduce future maintenance needs. T2 - Maple. Reduce to previous pruning points T3 - Eucalyptus. Reduce height by approximately 2-3m

**Delegated Decision**

Application Number: 25/1436/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 04/12/2025  
Location Address: 57 - 58 Blackboy Road Exeter EX4 6TB  
Proposal: Retrospective application for an existing open sided first-floor rear extension (timber frame with corrugated plastic roof).

**Delegated Decision**

Application Number: 25/1437/DIS Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: 18 Matford Avenue Exeter EX2 4PW  
Proposal: Discharge of Conditions 3 (external materials), 6 (landscaping) and 8 (wildlife habitats) of planning permission 25/1278/VOC (Demolition of bungalow and creation of a 2-storey, 4-bedroom detached house with integral garage) approved 20/11/2025.

**Delegated Decision**

Application Number: 25/1449/CAT Delegation Briefing:  
Decision Type: Permitted Date: 01/12/2025  
Location Address: 1 Manston Terrace Exeter EX2 4NP  
Proposal: T2 Holm Oak (8m high) & T3 Pittosporum (5m): Reduce overhang back to the boundary - remove 1m of lateral spread south side. T4 Temu/Chilean Myrtle (10m): Remove 2 x 2.5m high stubs next to boundary, on one stem (120 diameter). Retain remaining stems. T6 Smoke Tree (6m): Remove western subsiding, over-extended limb growing towards the house, pruning back to main stem. T405 Bay Laurel (5m): Remove to provide space for adjacent cypress. T406 Prunus Species (5m), G407 Holm Oak x 2 (4m), T408 Bay Laurel (5m), T409 & T410 Apples (3m): Remove, against wall. T411, T412, T413, T414, T417 Holm Oaks (6m) & T415 Cherry Laurel (6m): Remove to thin out dense tree population in garden & prioritise other trees. T416 Unidentified (6m): Remove as dead. T418 Bay Laurel (12): Remove ? base of trunk is 150mm from corner of house. This is a renewal of an expired consent from 2023 that was only partially implemented. T419 Fig (4m): Remove. Resting on wall. See accompanying report and plan.

**Delegated Decision**

Application Number: 25/1450/TPO Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 27/11/2025  
Location Address: 1 Manston Terrace Exeter EX2 4NP  
Proposal: T1 over-mature Monterey Pine growing at the back of the rear garden of 1 Manston Terrace, in close proximity to Barrack Road - Remove and replace with one English oak, Quercus robur in a location at greater distance from the house at No. 81. Reasons The trunk is 5m from the house at 81 Barrack Road and can be described as the wrong tree in the wrong place. The tree is considered to have outgrown its location, immediately adjacent to Barrack Road. It is growing over the top of 81 Barrack Road and is dominating the property. Neighbours at 81 and 79 have major concerns about the tree. Options for management of this tree are limited due to its age, form and species. This is an over-mature specimen of a fast growing species. Monterey pines in the UK are vulnerable to losing big branches in gales, according to Mitchell (1996, p.126). A replacement tree in more suitable location within the garden will provide a specimen that can be the right tree in the right place for the future, providing replacement amenity value in the mid-long term. See accompanying report and plan.

**Delegated Decision**

Application Number: 25/1475/CAT Delegation Briefing:  
Decision Type: Permitted Date: 04/12/2025  
Location Address: County Hall Topsham Road Exeter EX2 4QD  
Proposal: T1 Elm sec fell/ dismantle, T2 Silver birch sec fell/ dismantle, T3 Rowan sec fell/ dismantle, T4 Elm sec fell/ dismantle, T5 Whitebeam remove deadwood over target, T6 Acer ( Norway crimson king) sec fell/ dismantle, T7 Holly sec fell/ dismantle, T8 Robinia (Black locust tree) remove dead wood.

**Delegated Decision**

Application Number: 25/1484/CAT Delegation Briefing:  
Decision Type: Permitted Date: 28/11/2025  
Location Address: 14 Matford Avenue Exeter EX2 4PW  
Proposal: Copper Beech - T1 - situated at bottom (SW) end of garden of 14 Matford Avenue. Proposed works: Canopy reduction of 1.5 - 2m. (leaving a remaining canopy width of 8-10m and canopy height of 14 - 15.5m) Justification for works- The works are proposed to allow more natural light into the property and neighbouring gardens and to prevent the tree from obstructing views. The pruning will be carried out in line with good arboricultural practice, maintaining the trees health, form, and amenity value while keeping it at a suitable size for its setting. The tree has previously been reduced by 25% and recovered very well.

**Delegated Decision**

Application Number: 25/1543/LED Delegation Briefing:  
Decision Type: Was lawful use Date: 09/12/2025  
Location Address: 28 Chute Street Exeter EX1 2BX  
Proposal: House in multiple occupation for four people (C4 use) (Certificate of lawfulness of existing use)

**Delegated Decision**

Application Number: 25/1570/FUL Delegation Briefing:  
Decision Type: Permitted Date: 23/12/2025  
Location Address: 66 Sandford Walk Exeter EX1 2ET  
Proposal: Dormer window and single storey extension at rear, and two storey rear extension (retrospective)

**Delegated Decision**

Application Number: 25/1602/TPO Delegation Briefing:  
Decision Type: Withdrawn by Applicant Date: 28/11/2025  
Location Address: 11 Leighdene Close Exeter EX2 4PN  
Proposal: T1 large Norway Maple in the rear garden. To crown thin the tree by approx 20% by removing crossing, rubbing, dead or hazardous wood from the crown of the tree. To remove the lowest lateral branch growing towards the house in order to gain more light in summer.

**Delegated Decision**

Application Number: 25/1616/CAT Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: 5 Park Place St Leonards Exeter EX2 4LP  
Proposal: We have a single tree in the front garden of 5 Park Place which we wish to lightly prune as it has grown to contact the house. The tree isn't in leaf so hopefully the shape and reach are quite clear. There is obviously much more impact on the light in the house when it is in leaf. Reducing the tree by 50cm on the side next to the house and over the path. Not wishing to damage or stress the tree. Assuming that if we are given permission to proceed that the work would be done by specialist tree surgeons.

**Delegated Decision**

Application Number: 25/1671/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Belmont Pleasure Ground Gordon Road Exeter  
Proposal: Job 82600 Belmont Park - Tilia x europea- Pollarded lime has extensive basal decay at all cardinal points, high risk of failure. Fell to ground level. Remove all brash and timber.

**Delegated Decision**

Application Number: 25/1710/CAT Delegation Briefing:  
Decision Type: Withdrawn by Applicant Date: 05/01/2026  
Location Address: Barnfield Hill Surgery 10 - 12 Barnfield Hill Exeter EX1 1SR  
Proposal: T1 - Birch - Section Fell to Ground level - Very close to buildings (client worried about tree falling/insurance), tree is also in raised bed with brick walls that could potentially be damaged due to roots

**Delegated Decision**

Application Number: 25/1718/CAT Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: 8 Wonford Road Exeter EX2 4EQ  
Proposal: The Holly tree marked as no.1 on the sketch plan is to be removed in its entirety. It has lost most of its leaves and is dying. It has a large hole in the base of the trunk and could be deemed a danger to the public if it was to fall. Please see attached photos. The tree will be replaced with a similar evergreen tree that will eventually grow to the same height / shape.

**Pennsylvania****Delegated Decision**

Application Number: 22/1072/LED Delegation Briefing:  
Decision Type: Was lawful use Date: 24/12/2025  
Location Address: The Grange Stoke Hill Exeter Devon EX4 7JH  
Proposal: Construction of garden building (for use as gym, cinema, games room, meditation/yoga, bathroom and storage rooms)

**Delegated Decision**

Application Number: 25/0383/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 22/12/2025  
Location Address: Springbank Beech Avenue Exeter EX4 6HE  
Proposal: Construction of single storey two bedroom dwelling with associated works.

**Delegated Decision**

Application Number: 25/1333/NMA Delegation Briefing:  
Decision Type: Permitted Date: 22/12/2025  
Location Address: The Old Coal Yard Exmouth Junction Mount Pleasant Road Exeter EX4 7AE  
Proposal: Non-material amendment to planning permission 22/0037/VOC to amend the wording of condition 29 from "Prior to the first occupation or use..." to "Prior to the first occupation of phase 1...", in order to allow the occupation of phases 2 and 3 before the completion of the works required by the condition.

**Delegated Decision**

Application Number: 25/1397/FUL Delegation Briefing:  
Decision Type: Permitted Date: 16/12/2025  
Location Address: 35 Mincinglake Road Exeter EX4 7DZ  
Proposal: Remove boundary wall, create 12 sq. m. permeable block paved parking area with 3 retaining brick wall surrounds and aco drain.

**Delegated Decision**

Application Number: 25/1519/LED Delegation Briefing:  
Decision Type: Was lawful use Date: 18/12/2025  
Location Address: 89 Park Road Exeter EX1 2HT  
Proposal: House in multiple occupation for four people (C4 use) (Certificate of lawfulness of existing use)

**Delegated Decision**

Application Number: 25/1731/LPD Delegation Briefing:  
Decision Type: Permitted Date: 23/12/2025  
Location Address: 49 Sylvan Road Exeter EX4 6EY  
Proposal: Replacement rear conservatory

**Pinhoe****Delegated Decision**

Application Number: 25/1391/DIS Delegation Briefing:  
Decision Type: Condition(s) Partially Approved Date: 11/12/2025  
Location Address: Pinhoe Surgery Pinn Lane Exeter EX1 3SY  
Proposal: Discharge of Conditions 3, 4, 10 and 11 of Planning Permission Ref. 24/1024/FUL, granted 15 January 2025, relating to Biodiversity Net Gain, construction management, biodiversity enhancements and obscure glazing

**Delegated Decision**

Application Number: 25/1460/FUL Delegation Briefing:  
Decision Type: Permitted Date: 04/12/2025  
Location Address: 1 The Mede Pinhoe Exeter EX4 8ED  
Proposal: Single story extension to the rear of dwelling.

**Delegated Decision**

Application Number: 25/1515/FUL Delegation Briefing:  
Decision Type: Permitted Date: 04/12/2025  
Location Address: 25 Causey Gardens Exeter EX1 3SS  
Proposal: For the proposed erection of a rear and side extension following the demolition of the existing garage and conservatory

**Delegated Decision**

Application Number: 25/1523/FUL Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: 42 Main Road Pinhoe Exeter EX4 8HS  
Proposal: Raising of garage roof and external alterations.

**Delegated Decision**

Application Number: 25/1622/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 04/12/2025  
Location Address: Hill Barton Hill Barton Rd Exeter EX1 3PR  
Proposal: Condition Discharge: Condition 6 (Pedestrian Priorities) of approval 23/0751/RES

**Delegated Decision**

Application Number: 25/1643/FUL Delegation Briefing:  
Decision Type: Permitted Date: 06/01/2026  
Location Address: Pinhoe Church School Harrington Lane Exeter EX4 8PE  
Proposal: Installation of a new illuminated car park barrier.

**Delegated Decision**

Application Number: 25/1722/LPD Delegation Briefing:  
Decision Type: Was lawful use Date: 05/01/2026  
Location Address: 5 Tithebarn Copse Exeter EX1 3XP  
Proposal: Certificate of Lawfulness for the removal of an existing conservatory and construction of a single-storey rear extension

**Priory****Delegated Decision**

Application Number: 25/0863/FUL Delegation Briefing:  
Decision Type: Permitted Date: 18/12/2025  
Location Address: Infocus Charity Topsham Road Exeter EX2 6HA  
Proposal: Single storey extension to existing residential student accommodation building, rooftop photovoltaic array and external plant related to Air Source Heat Pump

**Delegated Decision**

Application Number: 25/1076/LED Delegation Briefing:  
Decision Type: Was not lawful use Date: 04/12/2025  
Location Address: 72 Bovemoors Lane Exeter EX2 5BP  
Proposal: Certificate of lawfulness application: 1. Exterior finish from brick to render 2. Utility room changed to bathroom 3. Change of location of Bedroom 2 door. First Floor - 4. Proposed deck to Bedroom 3 5. Proposed Bedroom 5 with ensuite. 6. Proposed temporary garden office with shower to rear of site.

**Delegated Decision**

Application Number: 25/1360/TPO Delegation Briefing:  
Decision Type: Permitted Date: 27/11/2025  
Location Address: Land Opposite 36 Veysey Close Exeter EX2 6AS  
Proposal: T18 Blue Atlas Cedar - Since 2022 condition survey, the tree has lost several large branches to strong winds, numerous branches are overextended and at risk of failure in high wind. Propose reduction of overextended branches to mitigate risk of further storm damage. Pruning extent from Pruning specification images 1, 2 and 3. Care to be taken to leave looking pleasing and natural.

**Delegated Decision**

Application Number: 25/1400/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 04/12/2025  
Location Address: University Of Exeter, Duckes Meadow Salmon Pool Lane Exeter EX2 4SG  
Proposal: Discharge of condition 7 (Drainage) of planning application 25/0192/FUL (Detailed planning application for the erection of a replacement changing room building along with associated works) approved 15 May 2025 to confirm details of drainage scheme

**Delegated Decision**

Application Number: 25/1464/ADV Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 12/12/2025  
Location Address: 399 Topsham Road Countess Wear Roundabout Exeter EX2 6HD  
Proposal: Freestanding digital advertising screen

**Delegated Decision**

Application Number: 25/1559/DIS Delegation Briefing:  
Decision Type: Permitted Date: 07/01/2026  
Location Address: University Of Exeter Duckes Meadow Salmonpool Lane Exeter EX2 4SG  
Proposal: Submission of a Site Security Plan as required by Condition 8 of consent 25/0192/FUL

**Delegated Decision**

Application Number: 25/1637/TPO Delegation Briefing:  
Decision Type: Permitted Date: 04/12/2025  
Location Address: Fort Villa 1 Wonford Street Exeter EX2 5HU  
Proposal: Cedar T1Proposed specification: Reduce the radial spread of the lower southern crown from 5m to 3m by removing approximately 2m, with a 60mm maximum cut diameter.Reason for proposed works: Early intervention to prevent the southern crown aspect growing in contact with the wall and the overhead telecoms wires.Ash T2Proposed specification: Reduce the radial spread of the southern crown aspect from 5m to 3m by removing approximately 2m, with a 60mm maximum cut diameter.Reason for proposed works: Early intervention to prevent the southern side of the crown growing in contact with neighbouring property or further overhanging it.

**St Davids****Delegated Decision**

Application Number: 23/0816/FUL Delegation Briefing:  
Decision Type: Permitted Date: 22/12/2025  
Location Address: 8 Southernhay West Exeter EX1 1JG  
Proposal: Construction of boiler room extension, refurbishment of existing terrace, and replacement dormer roofs

**Delegated Decision**

Application Number: 23/0817/LBC Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 22/12/2025  
Location Address: 8 Southernhay West Exeter EX1 1JG  
Proposal: Basement extension, changes to internal layouts, replacement dormer roofs, new staircase, and new plant room.

**Delegated Decision**

Application Number: 25/0277/LBC Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 12/12/2025  
Location Address: 3 Southernhay West Exeter EX1 1JG  
Proposal: Internal alterations to walls/doors on all floors to facilitate residential conversion to 3 flats and 1 maisonette

**Delegated Decision**

Application Number: 25/0282/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 12/12/2025  
Location Address: 3 Southernhay West Exeter EX1 1JG  
Proposal: Change of use from commercial, business and services use (Class E) to 3 flats and 1 maisonette (Class C3)

**Delegated Decision**

Application Number: 25/1053/FUL Delegation Briefing:  
Decision Type: Permitted Date: 15/12/2025  
Location Address: 55 St Davids Hill Exeter EX4 4DW  
Proposal: Proposed demolition of rear extensions, proposed new rear extensions forming living and utility areas. Proposed demolition of elevated side terrace, proposed replacement terrace. Proposed ensuite to second storey bedroom.

**Delegated Decision**

Application Number: 25/1133/LBC Delegation Briefing:  
Decision Type: Permitted Date: 15/12/2025  
Location Address: Cathedral Green Exeter Cathedral Cathedral Yard Exeter EX1 1HS  
Proposal: Installation of five interpretation points including excavation for concrete pads

**Delegated Decision**

Application Number: 25/1139/ADV Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Cathedral Green Exeter Cathedral Cathedral Yard Exeter EX1 1HS  
Proposal: Installation of five interpretation points

**Delegated Decision**

Application Number: 25/1153/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 28/11/2025  
Location Address: 63 St Davids Hill Exeter EX4 4DG  
Proposal: Condition Discharge: Conditions 3 (Bat Precautionary Method Statement, 7 (Nest Boxes), 8 (Bin Store) and 9 (Cycle Store) of approval 23/0442/FUL (Change of use and conversion of building to form 14 city suites (sui generis HMO) with associated works)

**Delegated Decision**

Application Number: 25/1154/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 28/11/2025  
Location Address: 63 St Davids Hill Exeter EX4 4DG  
Proposal: Condition Discharge: Condition 4 (Granite Setts) of approval 23/0443/LBC (Change of use and conversion of building to form 14 city suites (sui generis HMO) with associated works)

**Delegated Decision**

Application Number: 25/1207/FUL Delegation Briefing:  
Decision Type: Permitted Date: 01/12/2025  
Location Address: St Petrocks Centre 10 Cathedral Yard Exeter EX1 1HJ  
Proposal: Replacement of 4 existing external cameras above the front door, replacement of trunking, installation of new camera on side wall and the installation of 2 internal cameras

**Delegated Decision**

Application Number: 25/1353/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 28/11/2025  
Location Address: 1 Silver Terrace Exeter EX4 4JE  
Proposal: Replacement doors at lower ground floor level on side elevation

**Delegated Decision**

Application Number: 25/1354/LBC Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 28/11/2025  
Location Address: 1 Silver Terrace Exeter EX4 4JE  
Proposal: Installation of bathroom on first floor and replacement doors and window at ground and lower ground floor level on rear and side elevations

**Delegated Decision**

Application Number: 25/1363/FUL Delegation Briefing:  
Decision Type: Permitted Date: 03/12/2025  
Location Address: 22 Hippisley Road Exeter EX2 4BT  
Proposal: Build a garden room/shed at the back of garden and a roller door at front of carport

**Delegated Decision**

Application Number: 25/1370/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Pavement O/s 231 High Street, Exeter EX4 3NE  
Proposal: Installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals.

**Delegated Decision**

Application Number: 25/1371/ADV Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Pavement O/s 231 High Street, Exeter EX4 3NE  
Proposal: 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.

**Delegated Decision**

Application Number: 25/1376/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Pavement O/s Waterstones, 252 High Street, Exeter EX4 3PZ  
Proposal: installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals.

**Delegated Decision**

Application Number: 25/1377/ADV Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Pavement O/s Waterstones, 252 High Street, Exeter EX4 3PZ  
Proposal: 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.

**Delegated Decision**

Application Number: 25/1469/FUL Delegation Briefing:  
Decision Type: Permitted Date: 08/01/2026  
Location Address: The Garden House 28A Richmond Road Exeter EX4 4JF  
Proposal: Demolition of existing garden office and erection of extension to dwelling

**Delegated Decision**

Application Number: 25/1566/LBC Delegation Briefing:  
Decision Type: Permitted Date: 15/12/2025  
Location Address: 33 - 34 Southernhay East Exeter EX1 1NX  
Proposal: Painted company sign to the cornicing above the front door of 33-34 Southernhay East

**Delegated Decision**

Application Number: 25/1568/CAT Delegation Briefing:  
Decision Type: Permitted Date: 04/12/2025  
Location Address: 1 The Cloisters Cathedral Close Exeter EX1 1HS  
Proposal: T6 ? Lucombe Oak ? Prune off dead twig at eye level T22 ? Magnolia? Reduce low damaged branch near lamp back to a suitable growth point and to sound woodT23 ? Pittosporum? Crown lift to 3m above ground level, Maximum Diameter of Cuts (MDC) 25mmT24 ? Photinia? Crown lift by removing 9 marked branches back to source, MDC 100mm? Reshape as required, MDC 25mmT25 ? Mulberry ? Monitor regrowth and advise at next scheduled survey T30 ? Elm? Remove two branches from low westerly limb where extending over T29, MDC 100m & 150mm? Remove major deadwood? Undertake aerial inspection of tree and provide verbal report to Graham Joyce G1 ? Hollies? Cut back overhanging branches to a line 1m behind kerbing or back to suitable growth points/sourceRationale: Following an arboricultural inspection these works have been suggested as part of the reasonable maintenance of these trees

**Delegated Decision**

Application Number: 25/1577/DIS Delegation Briefing:  
Decision Type: Withdrawn by Applicant Date: 01/12/2025  
Location Address: 17 The Quay Exeter EX2 4AP  
Proposal: photographic example of new brick to be used.

**Delegated Decision**

Application Number: 25/1638/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 08/12/2025  
Location Address: Cellar 25 25 The Quay Exeter EX2 4AP  
Proposal: Photos of brick sample. Discharge condition 3 of 25/1078/LBC; Determined 30/09/2025

**Delegated Decision**

Application Number: 25/1651/CAT Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: Bridge Court Exe Street Exeter EX4 3HF  
Proposal: EXTR114- Gingko. Crown lift to 4m and prune 1m clear of buildingsEXTR123- Hornbeam. growing in limited soil space not fit for location. fell to ground levelEXTR127- Ash Leafed Maple. Crown lift to 3m and prune 1m clear of buildingsEXTR128- Ash Leafed Maple. Crown lift to 3m and prune 1m clear of buildingsEXTR139- Japanese Cherry. prune 1m clear of buildings

**Delegated Decision**

Application Number: 25/1657/CAT Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: Street Record Princesshay Lane Exeter  
Proposal: T001 ? London Plane Prune to clear lamp by 1m and building by 2mT005 ? London Plane Prune to clear lamp and sign by 1m Remove 3 no. of old stubs T007 ? London Plane Crown lift to 3m above ground level Prune to clear lamp by 1m and building by 2m T029 ? Sweet Gum Crown lift to 2.4m above ground level T035 ? Silver Lime Crown lift to 3m above ground level Prune to clear adjacent wall by 2m T037 ? Cherry Fell to near ground level T003 ? London Plane Prune to clear building by 2m T004 ? London Plane Prune to clear bus stop by 2m T024 ? Raywood Ash ? Prune to clear building by 2m

**Delegated Decision**

Application Number: 25/1662/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Little Silver Square Little Silver Exeter  
Proposal: Job 82333 Little Silver - Betula pendula - Southern aspect <1m from building, lowest southern primary limb overextended beyond overall crown form over property. Target prune to reduce overextended lowest southern primary limb by 3m to reduce from over property. Target prune to reduce

**Delegated Decision**

Application Number: 25/1663/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Little Silver Square Little Silver Exeter  
Proposal: Job 82339 Little Silver - Tilia cordata- Canopy is beginning to encroach into the neighbouring shed. Prune away from the neighbouring shed to achieve a clearance of 2m.

**Delegated Decision**

Application Number: 25/1664/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Little Silver Square Little Silver Exeter  
Proposal: Job 82340 Little Silver - Tilia cordata- Canopy is low over footpath. Crown lift to provide clearance of 2.4m above ground level.

**Delegated Decision**

Application Number: 25/1665/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: St Pancras Church Waterbeer Street Exeter  
Proposal: Job 82348 St Pancras Church - Catalpa bignonioides - Tree canopy touching buildings causing abrasive damage. Reduce tree away from buildings >2m.

**Delegated Decision**

Application Number: 25/1666/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Piazza Terracina Haven Road Exeter EX2 8GT  
Proposal: Job 82349 Haven Road - Acer saccharinum- Low canopy over kayak storage, pedestrian area and seating. Crown lift to 2.4m

**Delegated Decision**

Application Number: 25/1667/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Piazza Terracina Haven Road Exeter EX2 8GT  
Proposal: Job 82350 Haven Road - Acer saccharinum - Canopy low over pedestrian area and seating. Crown lift alround to 2.4m.

**Delegated Decision**

Application Number: 25/1668/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: Mary Arches Street Car Park Mary Arches Street Exeter  
Proposal: Job 82389 Mary Arches Car Park - Crowns low over parking bays. Crown lift to 5m, to include removal of 1x primary limb (150mm) at 4m east and target pruning to raise crown. Remove debris.

**Delegated Decision**

Application Number:	25/1725/CAT	Delegation Briefing:
Decision Type:	Permitted	Date: 15/12/2025
Location Address:	St Bartholomews Cemetery Exe Street Exeter	
Proposal:	<p>Job - 82621 Acer pseudoplatanus - Aggressive fungal brackets (Kretzmaria deusta) present at stem base with significant decay concealed behind bark from ground level to 1.8m and 50cm wide at base. This fungal strategy is root and butt rotting, may cause branch and stem failure and is likely to render a tree unsafe. Significant targets - in striking distance of a residential property, historic wall beside a public footpath and under the canopy are memorial tombs and frequent use footpaths. This tree is recommended for felling to a 2m maximum stump. Fell tree to 2m stump Remove cordwood. Retain felled larger wood securely on site in an appropriate location for long term degradation and biodiversity value. Woodchip can remain on site to support retained larger wood or spread appropriately as a mulch layer.</p>	

**Delegated Decision**

Application Number:	25/1795/FUL	Delegation Briefing:
Decision Type:	Withdrawn by Applicant	Date: 07/01/2026
Location Address:	Vulcan Estate Water Lane Exeter EX2 8BY	
Proposal:	<p>INVALID We are requesting a change of use from the existing use of warehouse (Class B) to Commercial Business and Service (Class E) and to include ?indoor sport and recreation? so that our business can operate from the premises. Our intended use will be to operate a health and wellbeing, or 'gym' business from the site.</p>	

**St Loyes****Delegated Decision**

Application Number:	25/0425/DIS	Delegation Briefing:
Decision Type:	Permitted	Date: 11/12/2025
Location Address:	Tesco Stores Ltd Russell Way Exeter EX2 7EZ	
Proposal:	<p>Discharge condition 30 (Substation - Soft Landscape Screening) of planning permission 24/0009/FUL - Erection of a freestanding restaurant with drive-through facility, car parking, landscaping and associated works, including Customer Order Displays (COD).</p>	

**Delegated Decision**

Application Number:	25/0732/DIS	Delegation Briefing:
Decision Type:	Permitted	Date: 11/12/2025
Location Address:	Tesco Stores Ltd Russell Way Exeter EX2 7EZ	
Proposal:	<p>Discharge condition 8 (LEMP) of planning permission 24/0009/FUL - Erection of a freestanding restaurant with drive-through facility, car parking, landscaping and associated works, including Customer Order Displays (COD).</p>	

**Delegated Decision**

Application Number: 25/1470/FUL Delegation Briefing:  
Decision Type: Permitted Date: 09/12/2025  
Location Address: 88 Honiton Road Exeter EX1 3EE  
Proposal: Retrospective application for the temporary siting of a container kitchen and use of site as a hot food takeaway in addition to the existing car wash.

**Delegated Decision**

Application Number: 25/1583/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 04/12/2025  
Location Address: Electricity Distribution Centre Moor Lane Exeter Devon  
Proposal: Condition Discharge: Condition 8 (Waste Audit Statement) of approval 22/1633/FUL

**Delegated Decision**

Application Number: 25/1587/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 27/11/2025  
Location Address: Howmet Ltd Kestrel Way Sowton Industrial Estate Exeter EX2 7LG  
Proposal: Discharge of Condition 3 of planning application 25/0949/FUL (Proposed extension to industrial unit) approved 21.10.2025 to approve the biodiversity gain planBiodiversity Net Gain assessmentEvidence of off-site units

**Delegated Decision**

Application Number: 25/1649/TPO

Delegation Briefing:

Decision Type: Permitted

Date: 09/12/2025

Location Address: Digby Park And Ride Digby Drive Exeter

Proposal: G1: Common Holly, Hazel, Hawthorn, Wych Elm and Goat Willow.G2: Wych Elm, Hawthorn, Hazel, Hornbeam and Pedunculate Oak.G3: Hazle, Pedunculate Oak, Goat Willow.G4: Hazel, Goat Willow, Hawthorne.G1: Mixed species group comprising common holly, hazel, hawthorn, wych elm and goat willow. Trim back all mixed vegetation to the kerb line along approximately 50 linear meters. Crown lift two (2) no. goat willow to a height of 2.4 meters to provide suitable clearance for parked vehicles. No additional coppicing or felling is proposed within this area.G2: Mixed species group comprising wych elm, hawthorn, hazel, hornbeam and pedunculate oak. Trim back mixed vegetation to approximately 2.4m height where it is encroaching onto the carriageway to the kerb line over approximately 100 linear meters. Specimen trees will not be touched, and no additional felling or coppicing is proposed within this area.G3: Mixed species group comprising hazel, pedunculate oak and goat willow. This area is of particular concern in relation to site security. Coppice approximately 50% of the hazel to improve light penetration from existing street lighting and to enhance sightlines throughout the area. Trim back overgrown vegetation where it is encroaching onto parking spaces to the kerb line. No works are proposed to specimen trees.G4: Mixed species group comprising hazel, goat willow and hawthorn. Trim back vegetation to the kerb line to improve access to electric vehicle charging points. Remove one snapped limb from the goat willow and carry out a crown lift to approximately 2.4 metres to improve clearance. No additional coppicing or felling is proposed within this area.Necessary for public safety. Overgrown hedges and self-seeded vegetation are restricting visibility, obstructing street lighting and potentially compromising CCTV coverage.

**Delegated Decision**

Application Number: 25/1658/TPO

Delegation Briefing:

Decision Type: Permitted

Date: 08/12/2025

Location Address: 11 Parkland Drive Exeter EX2 5RX

Proposal: Dead Walnut Tree - Remove The tree shows no signs of life, with no foliage present and brittle branches. The structure appears unstable and may pose a potential risk, especially with children.Proposed works: Full removal of the dead tree for safety reasons.

## St Thomas

### Committee Decision

Application Number: 25/0957/OUT Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Land At Barley Lane Barley Lane Exeter  
Proposal: Outline planning permission (with all matters reserved apart from access) for the phased development of up to 65 residential dwellings, two access points from Nadder Park Road, public open space and associated infrastructure (including land for biodiversity enhancements).

### Delegated Decision

Application Number: 25/1071/FUL Delegation Briefing:  
Decision Type: Permitted Date: 10/12/2025  
Location Address: 88 Buddle Lane Exeter EX4 1JJ  
Proposal: Timber shed in garden (retrospective application)

### Delegated Decision

Application Number: 25/1257/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 28/11/2025  
Location Address: 41 - 43 Okehampton Road Exeter EX4 1EH  
Proposal: Change of use from Hotel (C1) to House of Multiple Occupancy for up to 12 persons (sui generis)

### Delegated Decision

Application Number: 25/1374/FUL Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Pavement Adjacent To Poundland Cowick Street Exeter EX4 1AH  
Proposal: Proposed installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removals.

### Delegated Decision

Application Number: 25/1375/ADV Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 02/12/2025  
Location Address: Pavement Adjacent To Poundland, Cowick Street, Exeter EX4 1AH  
Proposal: 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.

**Delegated Decision**

Application Number: 25/1426/PDCD Delegation Briefing:  
Decision Type: Prior Approval Required and Date: 08/12/2025  
Refused  
Location Address: Units 18 - 19 St Thomas Centre Exeter EX4 1DG  
Proposal: Change of use to convert the first floorspace (Class E) to create four self-contained residential unit (Class C).

**Delegated Decision**

Application Number: 25/1429/PDCD Delegation Briefing:  
Decision Type: Prior Approval Required and Date: 08/12/2025  
Refused  
Location Address: Unit 13 St Thomas Centre Exeter EX4 1DF  
Proposal: Change of use for the conversion of the first floors (Class E) to create three self-contained residential units (Class C)

**Delegated Decision**

Application Number: 25/1506/ADV Delegation Briefing:  
Decision Type: Split Decision Date: 11/12/2025  
Location Address: Units 18-19 St Thomas Shopping Centre Cowick Street Exeter EX4 1DG  
Proposal: Installation of new internally illuminated 3no fascia signage and 1no projecting sign.

**Delegated Decision**

Application Number: 25/1670/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: St Thomas Pleasure Ground Cowick Street Exeter  
Proposal: Job 82469 St Thomas Pleasure Ground - Squirrel damage causing failures of regrowth into play area and garden. Repollard group at previous points. Remove debris

**Delegated Decision**

Application Number: 25/1768/DIS Delegation Briefing:  
Decision Type: Permitted Date: 17/12/2025  
Location Address: 13 St Thomas Centre Exeter EX4 1DF  
Proposal: Submission of shopfront details as required by condition 6 of consent 25/0591/FUL.

**Delegated Decision**

Application Number: 25/1769/NMA Delegation Briefing:  
Decision Type: Permitted Date: 17/12/2025  
Location Address: 13 St Thomas Centre Exeter EX4 1DF  
Proposal: Change to drawings approved under consent 25/0591/FUL to provide for additional glazing in the front elevation.

## Topsham

### Delegated Decision

Application Number: 25/0276/LBC Delegation Briefing:  
Decision Type: Permitted Date: 28/11/2025  
Location Address: 22 The Strand Topsham EX3 0AS  
Proposal: A new timber staircase in the yard, strip and relay of roof and other minor alterations.

### Delegated Decision

Application Number: 25/0470/FUL Delegation Briefing:  
Decision Type: Permitted Date: 28/11/2025  
Location Address: 22 The Strand Topsham EX3 0AS  
Proposal: Replace garden steps with timber steps, through the opening in the existing wall. To add timber doors to shed. Repair the slate roof of shed. Add doors to the extension. Re-pave the courtyard area.

### Delegated Decision

Application Number: 25/0855/FUL Delegation Briefing:  
Decision Type: Permitted Date: 28/11/2025  
Location Address: 2 Mount Howe Topsham EX3 0BG  
Proposal: Proposed Detached Open Sided Garage and Entrance Gates.

### Delegated Decision

Application Number: 25/0856/LBC Delegation Briefing:  
Decision Type: Permitted Date: 28/11/2025  
Location Address: 2 Mount Howe Topsham EX3 0BG  
Proposal: Proposed Detached Open Sided Garage and Entrance Gates.

### Delegated Decision

Application Number: 25/1311/CAT Delegation Briefing:  
Decision Type: Permitted Date: 08/12/2025  
Location Address: 19 The Strand Topsham EX3 0AS  
Proposal: T1 Holm Oak Maximum lengths of no more than 1.5m with target pruning cuts of no more than 75mm Located in SW corner of garden on boundary, (NOT THE ONE OF THE 2 OAKS ADJACENT TO THE BOAT SLIPWAY!) with lateral branches overhanging the estuary, we seek to reduce the end loads on the longest lateral lowest branches only, as was previously done several years ago and no objection was given by planning T2 Arbutus Located in SE corner of the garden on the left as you enter the garden, reduce and shape Tree by up to 0.75m to leave the tree looking symmetrical and manageable for the owner to prune in the future

**Delegated Decision**

Application Number: 25/1408/LBC Delegation Briefing:  
Decision Type: Refuse Planning Permission Date: 19/12/2025  
Location Address: The Flat 58 Fore Street Topsham EX3 0HW  
Proposal: Replacement of non-opening single pane window at the rear with an identically sized double-glazed European pine storm-proof casement window painted white

**Delegated Decision**

Application Number: 25/1421/FUL Delegation Briefing:  
Decision Type: Permitted Date: 04/12/2025  
Location Address: 33 White Street Topsham EX3 0AA  
Proposal: Proposed replacement glazing and internal alterations.

**Delegated Decision**

Application Number: 25/1453/LBC Delegation Briefing:  
Decision Type: Permitted Date: 02/12/2025  
Location Address: 38 The Strand Topsham EX3 0AY  
Proposal: Replace sashes on 6 windows on South and West Elevations

**Delegated Decision**

Application Number: 25/1501/FUL Delegation Briefing:  
Decision Type: Permitted Date: 17/12/2025  
Location Address: 39 Resolution Road Exeter EX2 7FG  
Proposal: Two-storey rear extension, and alterations to the fenestration of the main house and garage.

**Delegated Decision**

Application Number: 25/1520/DIS Delegation Briefing:  
Decision Type: Condition(s) Fully Discharged Date: 19/12/2025  
Location Address: Apsham Grange Topsham Exeter  
Proposal: Discharge condition 13 (Acoustic Design Statement) of planning permission 21/0894/OUT - Outline planning application for the construction of up to 100 dwellings and associated infrastructure (Means of access to be determined with scale, layout, appearance and landscaping reserved for future consideration).

**Delegated Decision**

Application Number: 25/1534/LBC Delegation Briefing:  
Decision Type: Permitted Date: 06/01/2026  
Location Address: 18-20 Victoria Road Topsham Exeter EX3 0EU  
Proposal: Removal of existing internal door at ground floor level connecting 18 & 20 Victoria Road and reinstatement of the wall

**Delegated Decision**

Application Number: 25/1558/CAT Delegation Briefing:  
Decision Type: Permitted Date: 05/12/2025  
Location Address: 10A Follett Road Topsham EX3 0JP  
Proposal: T1 Magnolia Reduce in height by approximately 1.5 metres and prune back lateral branches by 1.0 to 1.5 metres and shape to balance.

**Delegated Decision**

Application Number: 25/1620/SUT Delegation Briefing:  
Decision Type: Decline to Comment Date: 22/12/2025  
Location Address:  
Proposal: Consultation on Marine Licence Application for River Exe Pontoons. Marine Management Organisation has received an application for a licence under Part 4 of the Marine and Coastal Access Act 2009. The details of this application can be found on the MMOs public register. Please search the application number MLA/2025/00474.

**Delegated Decision**

Application Number: 25/1656/TPO Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: 45 Somerville Crescent Exeter EX2 7GD  
Proposal: Somerville Crescent1;1;b- Group of 1xash and 1x Holm Oak. Crown raise to 4m over garden

**Delegated Decision**

Application Number: 25/1659/CAT Delegation Briefing:  
Decision Type: Permitted Date: 12/12/2025  
Location Address: 8 Monmouth Avenue Topsham EX3 0AF  
Proposal: Ash. pollard to 10feet. There is significant basal rot caused by a fungal infection. As can be seen from the photo there are lesions with sap oozing from them. The photo provided was taken in early October when other trees still had full leaf coverage. In my opinion pollarding will give the tree a chance to carry on for a few more years with a considerably reduced risk of failure and damage the adjacent property (it is leaning over the fence towards Altamira Lodge )

**Delegated Decision**

Application Number:	25/1669/CAT	Delegation Briefing:	
Decision Type:	Permitted	Date:	08/12/2025
Location Address:	St Margarets Church Fore Street Topsham EX3 0HL		
Proposal:	Job 82395 St Margarets Church - <i>Fagus sylvatica</i> - Canopy is touching church. Prune away from church to achieve clearance of 2m. Job 82396 St Margarets Church - <i>Taxus baccata</i> - Canopy is obscuring spotlight onto church. Prune canopy to clear spotlight and splay of light. Job 82397 St Margarets Church - <i>Acer pseudoplatanus</i> - Canopy is in close proximity to adjacent buildings. Reduce away from all three adjacent buildings to provide 3m clearance. Job 82398 St Margarets Church - <i>Quercus robur</i> - Canopy is heavily overhanging footpath. Crown lift over footpath to achieve 2.4m clearance above ground level.		

**Delegated Decision**

Application Number:	25/1675/NMA	Delegation Briefing:	
Decision Type:	Permitted	Date:	16/12/2025
Location Address:	28 Parkfield Road Topsham EX3 0DR		
Proposal:	To add a window to the side elevation (South East Elevation). Non material amendment for 25/0371/FUL.		

**Delegated Decision**

Application Number: 25/1681/CAT

Delegation Briefing:

Decision Type: Permitted

Date: 12/12/2025

Location Address: The Old Coach House Mount Howe Topsham EX3 0BG

Proposal: T1- Ash Condition: Fair to declining. The tree is growing at a noticeable angle towards the dwelling. Issues: -Root activity is already causing damage to the low retaining wall along the driveway. -Continued growth poses a risk to a boundary wall of the driveway. -The lean towards the property presents a potential future hazard should the tree fail during adverse weather. -The trees root system also restricts the proposed widening of the driveway for vehicle access. Recommendation: Removal to prevent further structural damage and to improve site safety. T2 Elm Condition: Poor. The tree exhibits signs of decay and partial rot within the main stem. Issues: -Deteriorating structure with low amenity value. -Extensive ivy and bramble infestation. -Proximity to the boundary fence. -Contributing to shading of the rear elevation, exacerbating damp conditions. Recommendation: Removal due to poor health, structural weakness, and limited retention value. T3 Cherry Plum Condition: Poor. Ivy and bramble infestation present. Issues: -Toxic to dogs and potentially harmful to humans if ingested. -Provides little amenity or ecological value in current condition. -Growing into the garden fence and competing with adjacent trees. -Contributing to shading of the rear elevation, exacerbating damp conditions. Recommendation: Removal due to toxicity concerns, poor condition, and encroachment issues. T4 and T5 Apple Trees Condition: Poor. Infested with ivy and brambles for an extended period, reducing vigour. Issues: -Toxic to dogs. -Suppressed growth and limited productivity. -Contributing to shading of the rear elevation, exacerbating damp conditions. -Growing into the garden fence. Recommendation: Removal due to poor health, toxicity concerns, and to improve sunlight and airflow to the rear of the house.

**Total Applications: 155**

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# Agenda Item 8

**REPORT TO:** PLANNING COMMITTEE  
**Date of Meeting:** 19<sup>th</sup> January, 2026  
**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 [25/0394/LBC](#) 7 White Street, Topsham. *Proposed single storey rear extension incorporating outbuilding*

**Planning Inspectorate Decision Issued:** 10<sup>th</sup> December, 2025.

### Appeal Allowed with Conditions

An appeal for a proposed single storey rear extension incorporating outbuilding, ref 25/0394/LBC at 7 White Street in Topsham, has been allowed. The associated/linked 25/0393/FUL was submitted too late to be appealed.

In summary: The appeal was allowed as the proposals are considered to be of a different design to the listed dwelling, which with the existing extension in between, would be a visually distinct and separate element. Although the form of the outbuilding would be changed, the Inspector considers the outbuilding to have a limited contribution to the significance of the designated asset. The Inspector concludes that the proposed works would not be of a size, scale or design that would harm the significance of the listed building or undermine its special architectural or historic interest. In respect of the impact upon the conservation area, the Inspector concluded that due to its location on the site, set back from the Street, the proposals would not negatively impact the character of the street or the wider conservation area.

### Context and history

There have been 6 applications submitted for No.7 in the last year (3 x LBC + 3 x FUL) with the later FUL/LBC approved by the Council prior to the appeal decision. What had been recently approved and was the recommendation of our pre-planning advice was that no development should come past the side elevation building line of the listed dwelling.

### Site and Proposal

The proposal was for planning permission and listed building consent for an extension which would link the existing rear extension to the existing detached garden utility. The extension would measure approximately 3.5m x 3.23m and 3m high including roof window. The extension would have a painted render exterior with grey powder coated aluminium windows and bi-fold doors. The roof would be grey/black single ply membrane.

### Main Material issues considered by the inspector

- Impact upon the significance of the listed building, its special architectural and historic interest.

- Impact upon the character and appearance of the area of the conservation area.

Policy Compliance:

- The proposals were considered contrary to section 12 and 16 of the NPPF (para 212 and 215), Policy CP17 and Objective 8 of Exeter City Council's Core Strategy, Policies C1, C2, DG1 and DG4, of the Exeter Local Plan, and the Council's Supplementary Planning Document 'Householders Guide: Design of Extensions and Alterations (2024)

Key Policy Outcomes

- The Inspector concluded that the proposals were in accordance with Local Plan policies C1, C2 and DG1.

### Planning Inspectorate Decision

**Reference: APP/Y1110/Y/25/3371714**

- 3.02 **25/0837/PD 2 West Street, St Davids.** *Application for determination as to whether prior approval will be required for the change of use from commercial (Class E) to a mixed use comprised of commercial space and 2no. self-contained flats.*

**Planning Inspectorate Decision Issued:** 15<sup>th</sup> December, 2025.

**Appeal Allowed with Conditions for 6000694 & 6000696**

**Appeal Dismissed for 6000695**

**Costs Dismissed**

3 joined appeals and applications for costs against the Council:

- |    |                                       |             |                                |
|----|---------------------------------------|-------------|--------------------------------|
| A) | Listed Building Consent               | 25/0120/LBC | Appeal allowed with conditions |
| B) | Prior Approval                        | 25/0125/PD  | Appeal dismissed               |
| C) | Prior Approval                        | 25/0837/PD  | Appeal allowed with conditions |
| D) | 3 costs applications by the appellant |             | Refused                        |

In summary: The applications related to proposals to change the use of the upper floors of the building into 2 flats. This has been allowed subject to conditions

### Context and history

#### Appeal A (listed building consent)

This related to refusal on the grounds of:

- loss of significant historical elements of the building's fabric;
- harm to the character, appearance, historic interest and layout of the building; and
- lack of information concerning the services for the proposed bathroom, wall insulation and the refurbishment of windows.

#### Appeal B (prior approval)

This related to refusal on the grounds of the proposed accommodation not meeting permitted development requirements for internal living space.

#### Appeal C (prior approval)

This related to refusal on the grounds of:

- The absence of details of proposals for noise insulation
- Unacceptable bin storage in the stairway lobby and against the shopfront window in terms of the impacts upon residential amenity and the impact upon the appearance of the listed building and in turn the character and appearance of the conservation area.

**Site and Proposal** - The applications and appeals concerned the three-storey Grade II listed building occupied by Endicott's Army Surplus within the Central Conservation Area, where the building occupies a corner plot within a group of listed buildings dating from the 16th century to the 19th century.

In combination, the applications sought a change of use of the upper floors to provide 2 flats, with listed building consent being sought for the physical changes to the building (Appeal A), and the change of use being proposed as 'permitted development' (appeals 2 & 3).

### **Main Material issues considered by the inspector**

- 1) Whether the public benefits of the proposals would outweigh any harm to the significance of the listed building or conservation area.
- 2) Whether the proposed Flat 2 would be within the scope of permitted development rights.
- 3) The adequacy of living conditions in the proposed flats, considering noise disturbance from neighbouring commercial premises and the proposed bin/waste storage arrangements.
- 4) Impact upon the integrity of the Exe Estuary Special Protection Area and mitigation of impacts.

#### **Listed building impact**

The Inspector agreed with the Council that the works to the building would result in some harm to the heritage significance of the building and the conservation area. He was satisfied however that this harm would be outweighed by the main benefits of:

- a more efficient use of an existing city centre building,
- addition to the choice and supply of homes available within Exeter, which would,
- help fund much needed repair/maintenance of the building, and
- support local services and businesses.

### **Permitted development rights**

Appeal B hinged on compliance with the Nationally Described Space Standard as required for the permitted development right to apply. Particularly, the appellant argued that a bedroom that met the standard for a double bedroom, would only be used as a single bedroom, such that Flat 2 as a whole only needed to meet the standard for single person occupancy. The Inspector agreed with the Council however that due to the size of the bedroom the flat would need to meet the standard for 2-person occupancy. The proposal did not meet this standard. The appeal was dismissed

### **Living conditions of the proposed flats**

The Inspector agreed with the Council that impacts noise from adjacent commercial premises was an important consideration. He was satisfied however that subject to submission of an acoustic assessment and details and implementation of any mitigation measures, a satisfactory noise environment could be achieved. A planning condition was imposed accordingly on Appeal C.

Again the Inspector agreed with the Council that the arrangements for storage and management of domestic waste was an important consideration. The Council's concern related to bins being proposed to be stored in a tightly enclosed and perhaps unventilated stairway lobby. As a change to the application drawing, the appellant advised during the appeal that the bin storage would be partitioned from the lobby. The Inspector was satisfied that this would be a suitable arrangement that could be secured by the condition then imposed on Appeal C.

## **Impact on the Exe Estuary Special Protection Area**

This was not a matter of disagreement in the appeal. The Inspector's concerns were resolved prior to determination of the appeals by payment by the appellant of funding for mitigation measures in accordance with the South East Devon European Site Mitigation Strategy.

### **Costs applications**

Costs can be awarded against the Council if it has behaved unreasonably and thereby caused the appellant unnecessary expense in the appeal process. The Inspector was satisfied that the Council had not acted unreasonably in respect of any of the appeals. The applications for costs were all thus refused.

### **Learning for Future Decisions**

#### **Appeal A**

There is not a lot to be learned from Appeal A which involved a matter of judgment of the balance between heritage harm and the benefits of the proposed works in facilitating additional housing and efficient and viable use of the building etc.

#### **Appeal B**

The key issue in this appeal as accepted by the Inspector was not to accept an applicant's claim that a double bedroom would only be used as a single bedroom, or that single person occupancy could be secured by planning condition so as to ensure compliance with permitted development rights.

#### **Appeal C**

The key issue in this appeal was the unsatisfactory bin storage arrangements as proposed in the application. An alternative arrangement was suggested by the appellant during the appeal and the Inspector was satisfied with the revised proposal and that it could be secured by conditions. The Council's 'secondary' concern related to lack of assessment and unknown potential extent of works needed to secure an appropriate residential noise environment. The Inspector was again satisfied that this could be secured by condition. The decision highlights the need to consider carefully whether objections can be overcome by the use of planning conditions.

### **Conditions Imposed**

#### **Appeal A**

1. The works hereby permitted shall commence before the expiration of three years from the date of this decision.
2. The works hereby permitted shall be undertaken in accordance with the following approved plans: 1:1,250 scale site location plan (ref. 001 Rev B); 1:500 scale site layout (ref. 005 Rev B); 1:50 scale basement level (ref. 110 Rev B); 1:50 scale ground floor (ref. 111 Rev C); 1:100 scale first floor (ref. 112 Rev C); 1:50 scale second floor (ref. 113 Rev C); 1:100 scale elevations and sections (ref. 300 Rev B); 1:100 scale general arrangement floor plans (ref. 100 Rev D).
3. The flats shall not be brought into use until all of the windows have been repaired and made available for use by occupiers, in accordance with a schedule of repairs (including, where necessary, drawings at a scale of 1:10) that has previously been submitted to and approved in writing by the Local Planning Authority.
4. Prior to the insertion of the extract vents and soil pipes into the external walls and roof of the building, details of any redundant paraphernalia, such as security bell boxes and wiring, on the external walls that are to be removed, shall be submitted to and approved in writing by the Local Planning Authority. The works shall proceed in accordance with the approved details.

5. Notwithstanding the details on the approved plans, neither of the flats shall be occupied until bin/recycling facilities have been provided in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter.

### **Appeal C**

1. Prior to the occupation of the flats hereby approved, an assessment of ambient noise levels shall be submitted to, and approved in writing by, the Local Planning Authority. If, having approved the assessment, the LPA concludes that noise mitigation measures are required, the developer/site owner shall then submit a scheme for protecting occupiers of the proposed flats from noise disturbance. This shall be based on the results of the above assessment and shall be submitted to and approved by the Local Planning Authority. All works that form part of the approved scheme shall be undertaken before either flat is occupied. The developer/site owner shall aim to achieve at least the standards for internal and external noise levels specified in BS8233:2014 Sound Insulation and Noise Reduction for Buildings and WHO Guidelines for Community Noise.

2. Notwithstanding the details on the approved plans, neither of the flats shall be occupied until bin/recycling facilities have been provided in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter.

### **Planning Inspectorate Decision**

#### **Decision for appeals 6000694, 6000695 & 6000696 - Comment on a planning appeal - GOV.UK**

3.03 **24/1483/TPO** **2 Ely Close. T1 - Scots Pine Tree TPO number 399 - full removal of T1 due to severe highway and private property damage due to root structure lifting curb, tarmac, block paving and retaining wall. Replacement tree is not opposed but would ideally be a different species.**

**Planning Inspectorate Decision Issued:** 17<sup>th</sup> December, 2025.  
**Appeal Dismissed**

3.04 **24/0714/FUL** **Greencroft, Streatham Rise, Duryard & St David's. Detached garage/office building, including solar panels on roof, in rear garden**

**Planning Inspectorate Decision Issued:** 5<sup>th</sup> September, 2025.

**Appeal Dismissed**

**Summary:** An appeal has been dismissed by the Planning Inspectorate for the construction of a detached garage in the rear garden of Greencroft in Streatham Rise.

**Site and Proposal:** The proposal relates to a detached two storey dwelling in large grounds dating from the inter-war period of the twentieth century. The boundary of the site is landscaped with trees, shrubs and other planting. There is a detached garage to the south of the house.

Streatham Rise is on a steep hill and therefore the ground levels at Greencroft rise sharply, particularly at the front of the property south to north. The rear garden rises more gently. The wider street is characterised by detached dwellings in large, landscaped plots. Many of the properties also date back to the inter-war period, although there are several properties that have been built more recently (including some replacement dwellings).

This householder application sought planning permission for a detached two storey garage/office building, including solar panels on the pitched roof, in the rear garden. The garage would be 7.4 metres wide, 9.2 metres deep and 6.3 metres high. The building would have two significant roof slopes, which would accommodate the solar panels. It would be accessed off a spur road that runs to the south of Greencroft and provides access to several properties including Cotley, Lyndhurst and the rear garden of adjacent Beech Tree House.

**Context and History:** It should be noted that planning permission was granted on 22 October 2021 to demolish Greencroft, and its garage, and replace it with two new detached dwellings (Ref. 20/1104/FUL). This summary will refer to the approved dwelling that would replace Greencroft as Plot 1, and the additional new dwelling as Plot 2.

The planning consent contained a standard condition that required that the development commenced within 3 years of the decision – i.e. by 21 October 2024. The Council has not been requested to make a formal determination on whether the development has commenced in compliance with that condition. However, in the material that was submitted to discharge conditions on that consent (under Ref. 24/0937/DIS), and in the Design and Access Statement to this application, the applicant indicated an intention to build Plot 2 in the first instance and construct Plot 1 at a later date.

This planning history was a material consideration in determining this application, not least because the application linked the implementation of the planning permission to this proposal. The Design and Access Statement sets out several reasons why the new garage was required - including the generation of renewable power and the re-use of stormwater, which would be used by both dwellings on site (Greencroft and Plot 2, and later Plots 1 and 2). The garage would also provide Greencroft/Plot 1 with an office, a workshop and additional parking with electric charging points.

**Policy Context:** In considering the application, the Council assessed in detail various matters including the sustainability of the proposal, its proposed use and its impact on neighbouring residential amenities and highway safety. Ultimately, however, the Council's decision to refuse permission was based on matters relating to layout, design and landscaping.

The key policy considerations, therefore, related to:-

- Paragraph 135 of the National Planning Policy Framework, Objective 9 and Policy CP17 of the Local Development Framework Core Strategy and Saved Policy DG1 of the Exeter Local Plan, which state that developments should add to the overall quality of the area, be visually attractive and sympathetic to local character, maintain a strong sense of place, seek to preserve local distinctiveness and character, ensure designs integrate into existing landscaping and propose buildings that have a height and massing that relate well to adjoining buildings and the surrounding townscape.
- Section 8 of the Council's Supplementary Planning Document 'Householder's Guide: Design of Extensions and Alterations', which emphasises that garage buildings should be subordinate in scale to dwellings and confined to a single storey.

**Main Material issues considered by the Inspector:** The Council had concluded that by virtue of its position, massing, height, size and design, the proposed two storey outbuilding would present an unsympathetic and unduly prominent form of development that would be harmful to the character, layout, appearance and verdant aspect of this part of Streatham Rise. In dismissing the appeal, the Planning Inspector agreed with the Council's conclusions and stated:-

*"The southerly side of the proposed outbuilding would be sited close to the cul-de-sac. Its tall gable end, with large expanse of brickwork and two garage doors would be set back from the*

*road behind a shallow hardstanding whose splay would be wider than the proposed building. A section of the existing mature hedge and two trees would be removed to facilitate the construction of the building and hardstanding. Also, parts of its large pitched roof and solar panels would be visible above the retained boundary hedge. Its visually hard appearance would be exacerbated by the position of the building alongside the access to the existing outbuilding at Beech Tree House.*

*Overall, due to its siting immediately adjacent to the cul-de-sac, size, design and the associated removal of mature planting, the proposed outbuilding and associated access would be prominent. It would have a visually hard and would have urbanising impact on the cul-de-sac. It would undermine and unacceptably detract from the spacious, verdant and sylvan character and appearance of the cul-de-sac.”*

The application placed significant focus on the environmental credentials of the scheme. Whilst the Council acknowledged that these were positive and ambitious aspects to the scheme, it noted that the proposal went beyond any energy efficiency standards required by planning policy, would generate more energy than was required for up to 2 dwellings and that the benefits would be offset by the embodied carbon emissions required to build the new garage. It also considered that the application had not demonstrated that alternative solutions could not significantly improve the environmental performance of the project without the garage.

The Inspector gave significant weight to the benefits associated with water efficiency and renewable and low carbon energy generation - and their contribution to a net zero future. However, the Inspector concluded:-

*“I am not convinced that a building in the position or size proposed is the only way to achieve maximum efficiencies for the host and any other local dwellings should the opportunity arise.*

*Little evidence [has] been submitted regarding the suitability of the host dwelling for retrofitting solar panels and maximising rainwater harvesting. As pointed out in the Council’s delegated report, the orientation of the proposed outbuilding is not ideal for solar panels and some of the panels would be sited close to a mature hedge. Also, the embodied carbon emissions associated with the construction of the proposed outbuilding have not been factored in.*

*For these reasons I find that the visual harm that would be caused by the proposal would clearly outweigh the personal and energy & water efficiency benefits of the proposal.”*

### **Planning Inspectorate Decision**

Reference: APP/Y1110/D/25/3369310

- 3.5 **25/0147/FUL 65 Parkway, Alphington Two storey extension replacing detached double garage.**

**Planning Inspectorate Decision Issued:** 12<sup>th</sup> August, 2025.

### **Appeal Allowed**

#### **Decision**

The appeal was **allowed**. Planning permission was granted for the two-storey extension, subject to standard conditions regarding commencement, approved plans, matching materials, and submission/approval of details for bin and cycle stores and surface water disposal.

## Summary

- **Character impact:** The Inspector concluded that the demolition of the large, utilitarian garage and its replacement with an extension would represent a visual improvement and that the proposed extension was appropriately designed to reflect the host dwelling.
- **Amenity impact:** Although visible from the neighbouring property (No. 2 Orchard Hill), the extension was not judged to result in an overbearing impact or unacceptable harm.
- **Policy compliance:** No conflict found with Core Strategy Policy CP17 (design quality) or Local Plan Policy DG4 (residential amenity). SPD guidance on extensions was considered, but not decisive.
- **Conditions:** Four conditions were imposed (time limit, approved plans, matching materials, and submission of details for bin/cycle storage and surface water disposal).

## Context and Relevant History

Application Ref. 25/0147/FUL refused by Exeter City Council.

**Reasons for refusal:** loss of architectural symmetry at a key visual junction (the "gateway" to Orchard Hill) and potential overbearing effect on neighbour amenity.

A previous application, ref 24/0114/FUL, for a two storey side extension, was refused.

## Site and Proposal

- Semi-detached corner plot property with architectural echoes of Art Deco styling, forming part of a group with similar dwellings at the Parkway/Orchard Hill junction.
- Existing large detached garage located close to dwelling, seen almost as a ground floor extension.
- Proposal: demolish garage; construct side extension on its footprint, with a narrower first floor set-in.

## Main Material Issues Considered by the Inspector

1. **Character and appearance**
  - Council argued extension would disrupt symmetry and gateway qualities.
  - Inspector gave weight to garage's existing negative impact, finding proposed replacement an enhancement.
  - Extension considered subservient overall; some loss of symmetry acceptable and inevitable with extensions.
2. **Neighbour amenity**
  - Council referred to possible overbearing effects.
  - Inspector judged proposal modest in scale and sufficiently distant; impact noticeable but not harmful.
  - No neighbour objections received.

## Policy Compliance

- Complies with Core Strategy Policy CP17 (design quality, complementing character).
- Complies with Local Plan Policy DG4 (amenity protection).

- SPD guidance on residential extensions applied but not given overriding weight.

### **Key Policy Outcomes**

- Where existing garages/extensions already impact symmetry or character, replacement with higher-quality design can be beneficial and compliant.
- Loss of perfect symmetry not grounds in itself for refusal, provided new design is subservient and sympathetic.
- Potential harm to amenity is insufficient – actual demonstrable harm must be shown.
- SPDs are material considerations, but must be balanced against adopted policies and site context.

### **Learning for Future Decisions**

- Baseline context matters: decision-makers must assess impact against existing situation (e.g., garage intrusion) rather than theoretical "ideal" design form.
- Symmetry arguments should be used cautiously; inspectors may see extensions as acceptable even in architecturally sensitive settings, if designed proportionately.
- Amenity assessments should be precise and evidenced – avoid vague endorsements of "potential" harm.
- Refusal reasons should clearly link to development plan policy wording to withstand appeal scrutiny.

**25/0266/FUL 44 Sandford Walk, Newtown & St Leonards. Temporary change of use from dwellinghouse (C3 use) to House in Multiple Occupation for four people (C4 use)**

**Planning Inspectorate Decision Issued:** 22<sup>nd</sup> September, 2025.

### **Appeal Dismissed**

#### **Decision**

Planning appeal relating to a temporary change of use from dwellinghouse (C3 use) to House in Multiple Occupation (HMO) for four people (C4 use) at 44 Sandford Walk, Exeter – Ref 25/0266/FUL

The appeal was **dismissed**.

#### **Summary**

The appeal development is contrary to the development plan (Local Plan policies H5b and DG4) and there are no material considerations that outweigh this conflict.

#### **Context and Relevant History**

The change of use has already taken place, and the appeal property is currently occupied by four unrelated people.

#### **Site and Proposal**

44 Sandford Walk is a mid terrace Victorian brick dwelling located in a residential area of similar properties.

The site is located within the Article 4 area which removes permitted development rights for change of use from a dwelling (C3 use) to a House in Multiple Occupation (C4 use).

Planning permission was sought for a temporary change of use to an HMO, until July 2026 to allow the current occupiers to remain in the property.

### **Main Material Issues Considered by the Inspector**

1. The effect of the development upon the housing mix in the locality and the living conditions of neighbouring occupiers
  - The clustering of HMOs can lead to problems such as overcrowding, noise and disturbance which can have a harmful effect on the occupiers of adjoining residential premises and the character of an area.
  - The appeal development would add to the already high concentration of HMOs in the immediate area. Based on the evidence before the Inspector, they concluded this would lead to harmful effects on the occupiers of adjoining properties due to increased levels of noise at unsocial hours and a greater demand for car parking. There may also be issues in relation to overflowing waste and recycling bins. Given that Sandford Walk is densely developed and it is partly pedestrianised with no private space to accommodate waste bins, these effects would be heightened.
  - While no neighbours objected, the Inspector concluded the lack of objection does not weigh in favour of or against the proposal. Accordingly, the proposal would conflict with Policy DG4(b) of the ELP which seeks to ensure that residents feel at ease within their homes and Policy H5(b).
2. Whether there are any material considerations, including exceptional circumstances, which would outweigh any identified harm.
  - The HMO SPD indicates that in certain exceptional circumstances an exception could be made to the policy.
  - The Inspector considered the circumstances of the application, including the tenants have a valid tenancy until July 2026, and dismissing the appeal could force them to leave early. This may put the appellant at risk of legal action if the tenancy were to be terminated and the current tenants may need to secure alternative accommodation. No substantial evidence was provided to show serious personal hardship for the appellant or the occupiers. The Inspector concluded the situation does not amount to exceptional circumstances strong enough to outweigh conflict with the development plan.
  - Granting temporary permission until July 2026 is not appropriate, as the conditions for temporary consent (trial run or expected change in planning circumstances) do not apply.
  - Dismissing the appeal would interfere with tenants' qualified human rights (peaceful enjoyment of possessions, private/family life). However, this interference is lawful, proportionate, and justified to protect the area's character, neighbours' living conditions, and community balance. Refusing planning permission would not violate tenants' human rights, and no less intrusive method would meet the public interest

### **Policy Compliance**

- Does not comply with Local Plan Policies H5b (Diversity of housing) and DG4b (amenity protection).
- Does not comply with exceptional circumstances outlined in HMO SPD

### **Key Policy Outcomes**

- The appeal decision confirms the importance of the Article 4 direction, Local Plan Policies H5b and DG4b and the HMO SPD (adopted in 2023).

### **Learning for Future Decisions**

- The Planning Practice Guidance states that a temporary permission may be appropriate in circumstances where a trial run is needed in order to assess the effect of the development on an area or where it is expected that the planning circumstances will change in a particular way at the end of that period. Neither of these circumstances apply in this case.
- Interference with tenants rights is proportionate in this case to protect the area's character, neighbours' living conditions, and community balance, and no less intrusive method would meet the public interest.
- The lack of neighbour objection does not weigh in favour of or against the proposal

### **Planning Inspectorate Decision**

**Reference: APP/Y1110/W/25/3366435**

## **4. New Appeals**

- 4.1 **24/1483/TPO** **2 Ely Close.** *T1 - Scots Pine Tree TPO number 399 - full removal of T1 due to severe highway and private property damage due to root structure lifting curb, tarmac, block paving and retaining wall. Replacement tree is not opposed but would ideally be a different species.*

**Planning Inspectorate Appeal Start Date:** 10<sup>th</sup> September, 2025.

- 4.2 **25/1258/FUL** **118 Fore Street, Topsham.** *Demolition of existing single-storey rear extension and construction of two-storey rear extension.*

**Planning Inspectorate Appeal Start Date:** 31<sup>st</sup> December, 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

Contact for enquiries: Democratic Services (Committees) - Tel: 01392 265275

