

## PLANNING COMMITTEE

08<sup>th</sup> December 2025

### ADDITIONAL INFORMATION

#### Correspondence received and matters arising following preparation of the Agenda

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

Since the publication of the Committee Report and recommendation, additional comments from two consultees and the applicant have been received. These comprise of:

- Comments from the Lead Local Flood Authority
- Comments from the Highway Authority
- Comments from the applicant on the committee report, officer recommendation and the planning considerations overall.
- Comments from the applicant on the wording of proposed conditions

##### Comments from the Lead Local Flood Authority

Whilst a conclusive response has not yet been received, the LLFA did send a response to officers. In this response, they continue to raise concerns about i/ the proposed Rain Gardens, ii/ exceedance flows and iii/ future maintenance and management.

On the basis that these are the only outstanding concerns, officers recommend that proposed condition 12 be amended to the wording set out below:

##### **12) SURFACE WATER DRAINAGE**

The relevant parts of the surface water drainage scheme shall be completed prior to occupation of each phase of the development hereby permitted in accordance with the submitted Drainage Strategy (072032-CUR-XX-XX-RP-00001-P09\_Flood Risk Assessment and Sustainable Drainage Strategy) and Proposed Drainage Layout (072032-CUR-XX-XX-DR-C-92001-P09\_PROPOSED DRAINAGE LAYOUT), both received on 09 October 2025, except insofar as they relate to the following aspects of the drainage scheme:

- a) Construction stage drainage proposals;
- b) Proposals to ensure the adequate functioning of the drainage system in the event that the scheme is constructed in phases;
- c) The proposed Rain Gardens;
- d) Exceedance flows; and
- e) Proposals for the adoption and maintenance of the permanent surface water drainage system,
- f) Details to demonstrate that no surface water will drain on to any County Highway

Further details of the above aspects of the drainage scheme shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development, and shall thereafter be constructed, maintained and managed in accordance with the approved details.

**Reason:** This condition is 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 (including public highways) or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG.

#### Comments from the Highway Authority

Comments from the Highway Authority reflect discussions held with officers about changes requested to the conditions by the applicant, and have been taken into account in drafting the proposed revised wording to the conditions set out below.

#### Comments from the Applicant - General

The applicant has submitted a letter in which they comment on the committee report, officer recommendation, and the planning considerations overall. The document has been filed on the application file dated 04<sup>th</sup> December 2025, under the title 'Agent Letter - Summary of Planning Considerations' so is available for members of the committee and interested parties to read.

#### Comments from the Applicant on the Wording of Conditions Proposed

Draft conditions were sent out to the applicant's agent on 26 November (prior to publication of the committee report) in accordance with national good practice.

The applicant responded with the following comments on the proposed conditions received on 28<sup>th</sup> November:

*Condition 6 – on Sunday works we would like to insert unless alternative times have been agreed in advance in writing with the Local Planning Authority. – this is to allow for cranes etc on Sundays*

*Condition 11 – in respect of the provision of the infrastructure needing to be in place prior to occupation, we need the wording “If shown to be viable and feasible to connect to proposed decentralised energy district heating network”*

*Condition 30 – on the e-bike element, the applicant does not want to commit to having 10 covered spaces. We don't see that they need to be covered.*

*Condition 32 – the applicant cannot commit to the delivery of a car. They are happy to commit to including the provision for this, but it may not be viable to provide a car and its provision is not considered necessary for the development to be acceptable*

Conditions 26 and 27 were also queried verbally.

In response, following discussion with the applicant's agent, officers agreed to make several revisions to the conditions listed above, and sent these to the agent on 04 December.

The agent responded on 05 December requesting the following further/additional changes, adding that 'subject to our comments above, we can confirm acceptance of the pre-commencement conditions recommended to be attached if the proposals are approved.'

**18) HARD AND SOFT LANDSCAPING SCHEME:**

*No construction works above ground level shall be commenced (unless an alternative timetable is agreed in writing by the Local Planning Authority) until a Detailed Landscaping Scheme in accordance with the landscaping strategy provided under 5519-OOB-ZZ-00-D-L-000001 Rev P15 - Landscape Site Plan has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall include details of all hard and soft landscaping.*

**23) NOISE FROM PLANT AND EQUIPMENT:**

*Prior to the installation of any new plant (such as ASHP, MVHR, etc) on each phase of the development, details of the plant shall be submitted to and approved in writing by the Local Planning Authority.*

**26) ACCESS: CYCLISTS:**

*Condition not considered necessary as the improvements are controlled under 72032-CUR-XX-00-D-TP-75007-P05\_Pedestrian & Vehicle Access Arrangement. This plan provides clarity on the cycling access improvements proposed which are relatable to the development. Following wording suggested:*

*No phase of the development hereby permitted shall be occupied until a detailed scheme on cycle access measures linking College Road to the cycle stores within the development in accordance with the measures detailed under 72032-CUR-XX-00-D-TP-75007-P05\_Pedestrian & Vehicle Access Arrangement has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority, and subsequently constructed. The scheme will provide designated cycle infrastructure in line with LTN1/20 standards linking the site with College Road and the site access.*

**27) OFF-SITE HIGHWAY WORKS**

*Condition not considered necessary as the results on the submitted RSA 1 for the appeal scheme retains the same site access and improvement measures as detailed on the current proposed development. The RSA guidance (GG119) requires the RSA stage to be repeated if there are significant/multiple changes, or if 5 years have elapsed:*

#### **Repeating a RSA stage**

- 4.21 Where the Overseeing Organisation deems a repeat RSA to be necessary, the repeated RSA shall only be concerned with the elements of the scheme that have been changed.
- NOTE** *The design organisation or Overseeing Organisation can request a RSA stage to be repeated where multiple changes or significant changes to the highway scheme are likely to have an impact on road user behaviour or the outcome of a collision.*
- 4.22 Stage 1 and stage 2 RSAs shall be repeated if the previous RSA for the relevant stage is more than 5 years old.

*Based on the above it is suggested Part A of the condition is removed. Amended Part B wording:*

*Prior to the first occupation of the development hereby permitted a detailed scheme of the offsite highway improvement works referred to on 72032-CUR-XX-00-D-TP-75007-P05\_Pedestrian & Vehicle Access Arrangement shall be submitted to and approved in writing by the Local Planning Authority and shall be completed in accordance with the approved details. For the avoidance of doubt, any problems identified in the RSA S1 (TS-DS-22-3666-RSA1) must be adequately rectified to a standard deemed acceptable by the Local Planning Authority in consultation with the Local Highway Authority.*

#### **29) CAR PARKING MANAGEMENT PLAN (CPMP):**

*Prior to the occupation of each phase of the development hereby permitted, a Car Parking Management Plan (CPMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.*

*Regarding your suggested changes and comments Condition 30 is accepted. However, we consider the following changes are necessary to your suggested wording for conditions 11 and 32 to ensure they meet the condition tests (DPP amendments in blue:*

#### **Condition 11 DECENTRALISED ENERGY NETWORK**

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

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

#### **Condition 32 – Car Club:**

*The applicant can accept the first element of the condition as drafted “Prior to the occupation of the development hereby permitted, a dedicated parking space and electric charge point (for use exclusively by car club car(s)) shall be installed on-site in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.” However, the*

*second element is not accepted and should be removed. The provision of a car share facility is not considered necessary to support the proposals and has not been formally raised by the LHA as a requirement of the scheme. However, the first element of the condition still allows for the provision of a car club to come forward if viable on the site. The applicant agrees with the LHA comments which state “If there was space set aside for a shared car club scheme within the development it might assist with the car free element, but it is noted that there is a space on College Way.”. The first element of the condition secures this, and it is also noted the LHA do not consider the car share is necessary to support the car free element of the proposals.*

Having considered the requested changes against national and local policy, with input from relevant specialists/consultees where relevant, officers recommend that the officer’s recommendation be amended to include the following changes to the proposed conditions (an explanation for the officer recommendation is also set out below)

**Condition 6: CEMP**

No change proposed

**Rationale:** condition already includes wording which would allow for written approval of appropriate exemptions sought in advance.

**Condition 11 Decentralised Energy Network**

Suggested change to the following wording

**DECENTRALISED ENERGY NETWORK**

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

**Rationale:** the change requested by the applicant is not considered justified in light of the fact that policy CP13 establishes a clear presumption in favour of connection. Furthermore, discussions with 1Energy suggest that this development is ideally located and likely well-timed for connection, such that the only outstanding considerations ought to be commercial rather than planning-related. The minor change set out above is however considered reasonable.

**Condition 18: Landscaping**

Suggested change to the following wording:

## HARD AND SOFT LANDSCAPING SCHEME

No construction works above ground level shall be commenced (unless an alternative timetable is agreed in writing by the Local Planning Authority) until a Detailed Landscaping Scheme for the site in broad accordance with the landscaping strategy provided under 5519-OOB-ZZ-00-D-L-000001 Rev P15 - Landscape Site Plan has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall include details of all hard and soft landscaping. Hard landscaping details shall include all boundary treatments retaining structures/steps/ramps, and any street furniture. Samples/sample panels may be required, as necessary. Soft landscaping details shall include details of tree and plant species, specifications, planting densities and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation/use of the development. The soft landscaping shall be planted in the first planting season following the occupation/use of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Rationale:** the change requested by the applicant is agreed subject to the addition of the word 'broad'. This is because officers consider it necessary to maintain a degree of flexibility with the landscaping scheme to allow for minor changes to the tree planting proposals as requested by the Conservation Officer, and to ensure that if other scheme changes (necessitated for example by other conditions) are required, that the landscaping scheme can be adjusted to ensure that the Biodiversity Net Gain requirements can still be met.

### Condition 23: Noise from Plant and Equipment Suggested change to the following wording

#### NOISE FROM PLANT AND EQUIPMENT

Prior to the installation of any new plant (such as ASHP, MVHR, etc) on each phase of the development, 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).

**Rationale:** the applicant's request is considered acceptable.

### Condition 26: Access: Cyclists Suggested change to the following wording

#### ACCESS: CYCLISTS

No phase of the development hereby permitted shall be occupied until a detailed scheme of cycle access measures linking College Road to the cycle stores within the development in broad accordance with the measures detailed under 72032-CUR-XX-00-D-TP-75007-P05\_Pedestrian & Vehicle Access Arrangement has been implemented, in accordance with full details which shall first be submitted to and approved in writing by the Local Planning Authority. The scheme will provide designated cycle infrastructure in line with LTN1/20 standards linking the site with College Road and the site access.

**Rationale:** the applicant's request to reference the submitted plan is considered acceptable, but the Highway Authority requested further changes in response and the wording above takes these request into account.

Condition 27: Off-Site Highway Works

Suggested change to the following wording:

OFF-SITE HIGHWAY WORKS

(Part B) Prior to the first occupation of the development hereby permitted a detailed scheme of the offsite highway improvement works referred to on 72032-CUR-XX-00-D-TP-75007-P05\_Pedestrian & Vehicle Access Arrangement shall be submitted to and approved in writing by the Local Planning Authority and shall be completed in accordance with the approved details. For the avoidance of doubt, any problems identified in the RSA S1 (TS-DS-22-3666-RSA1) must be adequately rectified to a standard deemed acceptable by the Local Planning Authority in consultation with the Local Highway Authority.

**Rationale:** The Highway Authority raises no objection to the requested change.

Condition 29: Car Parking Management Plan (CPMP):

Suggested change to the following wording:

CAR PARKING MANAGEMENT PLAN (CPMP):

Prior to the occupation of each phase of the development hereby permitted, a Car Parking Management Plan (CPMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The CPMP shall include the following details:

- Operation of the proposed droppable bollards/barrier and how it will allow for deliveries / servicing / taxi / visitors / emergency vehicles, including ensuring that no vehicles exit back onto Heavitree Road.
- Entry and exit signage for the one-way access road.
- On-site parking enforcement measures to prevent:
  - a) future occupiers parking on the internal access road and on the landscaping,
  - b) misuse of delivery laybys and ensure that they will be available for use by vehicles making deliveries to the site, and
  - c) misuse of disabled parking spaces and of EV chargers
- Procedures for managing the delivery of parcels, groceries to residents of both parts of the site
- Procedures for the moving in and out days for future students and measures to

reduce impact to the local highway and footway network.

The CPMP shall be implemented in accordance with the approved details at all times unless otherwise agreed in writing by the Local Planning Authority.

**Rationale:** the applicant's request is considered acceptable.

#### Condition 30: Cycle Parking

Suggested change to the following wording

##### CYCLE PARKING

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

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

An electric bike (E-bike) charging facility shall be provided for residents of the Co-Living phase of the development prior to its first occupation in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

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

To be accompanied by the following additional informative:

##### E-BIKE CHARGING

You are advised in respect of the requirement for e-bike charging within the relevant condition above, that the LPA would expect the facility to comprise of a secure and weatherproof location in which E-bikes can be stored securely for the duration of a charge. The LPA considers that the number of charging facilities provided should be approximately 5% of the cycle parking provided for the Co-Living facility.

**Rationale:** officers accept that the LPA does not have prescriptive policy on E-Bike charging with which it can require specifics by condition, and as such accept that the condition can allow more flexibility. However, officers consider that these measures are likely to be necessary in order for any charging facility to be fit for purposes, and as such the advice will be relayed by way of an informative instead. The applicant has agreed to this approach.

#### Condition 32: Car Club

Suggested change to the following wording:

##### CAR CLUB



Prior to the occupation of the development hereby permitted, a dedicated parking space and electric charge point (for use exclusively by car club car(s)) shall be installed on-site in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. Prior to the occupation of 200 of the Co-Living studios, a bookable car-club car shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The car-club parking space and electric charge point, shall be maintained at all times thereafter and managed such that it is available for exclusive use by a car club car. The car club car shall be provided for use by residents of the development for a minimum period of 3 years from its first provision at the site unless otherwise agreed in writing by the Local Planning Authority.

**Rationale:** This high density car-free development is considered ideally suited for a car club scheme. Unfortunately, since the closure of the 'Co-Cars' scheme previously co-ordinated by DCC, there is no such publicly funded scheme in the city. A third party provided called Co-Wheels does however have a presence in the city at 'The Hay' where the scheme is subsidised by the developer (Eutopia Homes). Although the car is sited on private land, Co-Wheels makes this car available to the general public. On this site, the applicant has made clear that whilst they would be happy to provide a car Club space and charge point, they would not permit access to it by the general public. Officers have discussed this with a Car Club provider and they have confirmed that they would not fund the provision of a car to the scheme on this basis. The developer has subsequently confirmed that they are not willing to fund the provision of a car. As such, officers do not consider that a Car Club would arise as a result of the developer providing a space and a charger for it, and as such these benefits would not materialise. It seems unlikely that a replacement scheme co-ordinated by DCC (which officers understand remains an aspiration) would provide a car for dedicated use by one private development.

The Sustainable Transport SPD sets out a requirement (in Section 11) for Car Clubs for car free developments. However its approach assumes the existence of a publicly co-ordinated scheme, to which it seeks developer contributions. At Table 5 it sets out the calculations for payments, which are to be index linked (RPI) to January 2013

On assumption that all Co-Living units were considered dwellings, the payment would be £98,499.00 after index-linking. If the PBSA were included, this would increase to £193,429.00 after index-linking.

The SPD seeks these contributions on the basis of a preferred approach which includes that:

*Parking for car club cars is provided on the highway, to raise their profile and so they are not seen as "exclusive" to a particular development. A suitable security arrangement such as key safe or smart card will need to be put in place.*

As discussed above, the scheme is currently unable to satisfy this requirement, although officers are aware that an unused car club space does exist on College Road a short distance from the site.

Whilst officers are aware that the proposed condition does not benefit from the full support of the SPD due to its different approach, officers consider that the SPD offers sufficient weight and direction to the delivery of car clubs, that it is reasonable to apply the guidance in the manner recommended. Whilst officers cannot be clear that the figures generated by the SPD would be sufficient to cover the commercial provision of a car for the 3 year period, the figures are substantial. It is also relevant that the developer's desire for an exclusive 'residents only' approach may legitimately justify some additional cost when considered against policy seeking a more public approach. In respect of the trigger of occupation of 200 units, the SPD seeks payment prior to 25% occupation, so officers have adopted a more generous approach in the interests of allowing for greater commercial demand for a car at the site.

Officers would welcome the views of the committee on this subject, and members should be aware that applicants are able to appeal against individual conditions imposed by the LPA. The risk of such an appeal should therefore be taken into account before accepting the officer recommendation to pursue the provision of a car club car for the 3 year period.