

## **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.

49

#### **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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