



application seeks some minor demolition of more recent extensions to create a total of 3 new residential units each containing 2 bedrooms. The units would range in internal floor space of between approx 90 sq metres (unit 2) and 130 sq metres (unit 1).

Baring Lodge, 145 Magdalen Road is a grade II listed building and is currently attached to the former music block building by a two storey extension. This extension would be removed to create a clear separation between the two buildings and provide access to a new rear car park in an area previously used as a tennis court. An additional single storey extension is also to be removed on the eastern side of the building adjacent to Wynlaton House. It is proposed to convert the remaining, largely original building into 5 units (4 No. two bed and 1 No. one bed) with internal floor space ranging from approx 51 sq metres (unit 8) to 100 sq metres (unit 7).

The former music block is an unlisted building located to the north western side of the site, to the rear of No. 8 Baring Crescent and alongside the long rear gardens of properties in Heavitree Road. It is proposed to create 3 townhouses (2 No. three bed and 1 No. four bed) within the existing building. The internal floor space for these units would be either approx. 83 sq metres (units 29/30) or 105 sq metres (unit 31).

Wynlaton House, 147 Magdalen Road is a grade II listed building located centrally within the site. It has a significant area of lawn and a listed boundary wall to the front which would be retained. The application proposes the removal of a significant section of existing buildings to the rear and side of Wynlaton House. These buildings would in part be reinstated with a new single storey extension to the rear of Wynlaton House to serve unit 11 and provide space for a new detached two storey building (Block 2). Wynlaton House would comprise of 7 new units (2 No. one bed and 5 No. two bed) with internal floor areas ranging from approx. 87 sq metres (unit 11) to 158 sq metres (unit 10).

Baring House comprises of 149 and 151 Magdalen Road with the former building being grade II listed and No.151 being Grade II\* listed. A consequence of the internal changes required by the former school resulted in Baring House being connected to the adjacent building Morford House, 153 Magdalen Road which is also grade II\* listed. Both Baring House and Morford House would require the demolition of small extensions previously added to create a total of 10 new units each containing 2 bedrooms. The internal floor area for these units range from approx 78 sq metres (unit 19) to 168 sq metres (unit 16).

Willowdene House, 161 Magdalen Road is a grade II listed building. The application proposes to remove some minor extensions and create a new rear single storey bathroom extension for unit 26 and a communal boiler room and a three storey rear staircase extension to serve units 27 and 28. These new extensions would be constructed of a metal cladding. The proposed 3 units would have one bedroom each with an internal floor space of approx. 75 sq metres.

In addition to the conversion of the existing buildings two new detached buildings are proposed. The most significant is Block 1 which is a four storey building constructed of brick, render and zinc clad roof and located on the Heavitree Road frontage. The building would align with the grade II listed 156 Heavitree Road and a front garden area would be created with the removal of three existing holm oaks and the lowering of an existing brick wall. The building would create a total of 8 new units (7 No. two bed and 1 No. one bed) with an internal floor space of between 62 sq metres (unit 41) and 81 sq metres (units 33/35). Block 2 is a two storey building located to the rear of 156 Heavitree Road and would be visible between Wynlaton House and Baring House. This single aspect mono pitched roof building would be constructed of render and metal cladding and comprise of 2 units each one bed roomed with an internal floor space of either 60 sq metres or 65 sq metres.

The whole scheme is proposed to be served by a total of 55 car parking spaces. These spaces are located throughout the site with 20 spaces located in front of Westall, Baring Lodge, Baring House and Morford House and 4 spaces specifically serving Willowdene given

it is separated from the other units. Four car parking spaces are proposed to the rear of Westall, 11 spaces to the rear of Baring Lodge with the remaining 16 spaces located to rear and side of Baring Lodge. In addition, a new pedestrian access way is proposed between Heavitree Road and Magdalen Road alongside the proposed new blocks and between Wynlaton House and Baring House. Vehicular access to all the units is proposed from existing accesses. Cycle parking and bin storage is provided throughout the site and additional areas of hard and soft landscaping are proposed where buildings have been removed and are not used for additional extensions or for parking purposes.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

A Design and Access Statement, Planning Statement, Statement of Heritage Significance, District Heating Details, Tree Report, Landscape and Visual Impact Assessment, Ecological Report and a specialist Architectural History and Conservation report in response to English Heritage's concerns have been submitted.

### **REPRESENTATIONS**

20 letters of objection have been received in connection with the planning application 14/1608/03 and 13 letters of objection have been received for the listed building application 14/1607/07. Principal planning issues raised:

1. Density of residential units excessive for area;
2. Inadequate parking within the site to serve the number of proposed units;
3. Potential for parking congestion in the vicinity;
4. Increased traffic leading to greater noise and pollution in area;
5. Difficulties of using existing vehicular accesses due to increased traffic generation;
6. Concern about disturbance /disruption during the construction period;
7. Design of new blocks fronting Heavitree Road out of keeping within area, too high and inappropriate in terms of design/materials to adjacent listed buildings;
8. Loss of existing oak trees fronting onto Heavitree Road;
9. Inappropriate siting of bin storage facilities within site;
10. Loss of light to neighbouring windows;
11. Shading from new blocks onto existing properties in Heavitree Road;
12. Overlooking into neighbouring gardens.

1 letter of no objection in relation to listed building application 14/1607/07.

### **CONSULTATIONS**

The County Head of Planning Transportation and Environment comments that the proposed change of use from a school to residential will, on balance, reduce the impact on the surrounding highway network. Sufficient on-site provision is made for vehicular and cycle parking and therefore the impact of the proposed change of use is not of significant concern from a highway perspective. Therefore, subject to appropriate conditions and a contribution towards removing any school specific highway markings and infrastructure, no objection is raised.

The Housing Development Officer comments that the issue of an affordable housing requirement has been discussed with the applicant over a number of months. The applicant originally stated that due to viability issues regarding the conversion, demolition and new build costs that no affordable housing could be provided. Policy CP7 of the Core Strategy and Affordable Housing SPD clearly states that affordable housing should be provided at 35% subject to considerations of viability and feasibility. A viability assessment has been undertaken and the applicant's figures were scrutinised on sales prices, build costs, risk and contingency and were subsequently amended. The outcome of the viability appraisal established that this scheme can support an offsite contribution towards affordable housing of £1m.

Environmental Health Officer comments that details of the communal boiler and district heating plant are required. In addition, conditions will be required to cover the submission of a Construction and Environmental Management Plan, a contamination report and a noise assessment.

English Heritage require further evidence that the seven listed buildings cannot be reinstated back to single residents. Initial concern was raised that there is no assessment on the impact of the proposed changes on the fabric, design and character of the houses. They commented that although it is clear that the architects have been sympathetic within their brief, and even assuming that the principle of subdivision is agreed, there would need to be an assessment of the impacts of the proposed works in terms of fabric and in terms of authenticity of detailing/design. In addition, the submitted statement is deficient in detail of late Georgian design and decoration and of Exeter's Regency vernacular. They have therefore recommended that a specialist in Georgian architecture is employed to work with the architects to ensure that the application and the aims of repair and reinstatement are informed by that understanding. Following these initial comments the applicant has submitted further information to address their concerns. However English Heritage still remain unconvinced that the buildings cannot be reinstated to individual units and maintain that due to the significance of this heritage asset requires further investigation is required.

Ancient Monument comment that they agree with English Heritage's initial comments about the impact of the sub-division and that further justification is required.

RSPB comment that whilst the conclusions of the Ecology Report are broadly accepted it is considered that greater opportunity exists for an increased number of nesting bird/bat boxes and improvements in positioning and location. Revised proposals are therefore required to address this issue.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance - National Planning Policy Framework

6. Delivering a wide choice of high quality homes
7. Requiring good design
12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy

CP4 - Appropriate Residential Density  
CP7 - Affordable Housing  
CP14 - Renewable Energy  
CP15 - Sustainable Construction  
CP17 - Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development  
AP2 - Sequential Approach  
H1 - Search Sequence  
H2 - Location Priorities  
H5 - Diversity of Housing  
H6 - Affordable Housing  
T1 - Hierarchy of Modes  
T2 - Accessibility Criteria  
T3 - Encouraging Use of Sustainable Modes  
T10 - Car Parking Standards  
C1 - Conservation Areas

C2 - Listed Buildings  
C5 - Archaeology  
DG1 - Objectives of Urban Design  
DG2 - Energy Conservation  
DG7 - Crime Prevention and Safety

Exeter City Council Supplementary Planning Documents:-

Residential Design - September 2010  
Affordable Housing - April 2014  
Sustainable Transport - March 2013

St Leonards Conservation Area Appraisal and Management Plan

## **OBSERVATIONS**

The former St Margarets School site represents a significant collection of listed building within a conservation area setting which combined represent an important heritage asset. The existing buildings are either Grade II or II\* and identified in the St Leonards Conservation Areas Appraisal and Management Plan as making a positive contribution to the character of the area. Consequently the need to establish an appropriate use which ensures these buildings future maintenance and viability is of fundamental importance. It is considered that the principle for residential use is acceptable subject to detailed assessment regarding the demolition, internal/external changes proposed and the impact of the new buildings/parking areas on the building's setting and on the character and appearance of the conservation area.

The application proposes the conversion of the existing 7 listed buildings into 28 flats in addition to 10 units created within two new buildings and 3 units created within the former unlisted music block building. English Heritage's initial consultation response requested that more specialist historic building analysis be submitted and further justification that the subdivision of the listed building into 28 flats represents the most appropriate form of development. In their view, the 7 listed building should be reinstated back into larger individual residences to better preserve the building's important historic fabric and safeguard the heritage asset. In response to these comments the applicant commissioned a local land agent and surveyor to provide further assessment which concluded that due to the very high conversion costs relative to the revenues achieved it would not be viable to develop a scheme for 7 large family dwellings. In addition, the applicant employed an independent historic building's specialist to assess the level of detail originally provided in support of the application. Following a site visit and an appraisal of the Statement of Historical Significant, it was concluded that the report was thorough and robust and the works proposed for the subdivision was appropriate. However notwithstanding these additional reports English Heritage maintain their view that the most suitable use of the buildings should be for 7 dwellings. Their concern is that the proposed changes, which involve the creation of larger sized flats, will inevitably lead to future owners wishing to make alterations that may be detrimental to fabric of the building. However as English Heritage, acknowledge themselves, applications must be dealt with on their own merits and without '... preventing justifiable developments with hypothetical objection'. The policy advice contained with the NPPF and as highlighted by English Heritage is therefore helpful and forms the basis against which this application needs to be assessed. The Local Planning Authority as the decision making body needs to consider this advice and ultimately make a decision. In this instance, it is considered that sufficient information, particularly in light of the independent historic buildings specialist has been provided which justifies the principle of the conversion of the listed buildings to flats as submitted.

English Heritage comments do highlight the need to consider carefully the impact the conversions will have on the listed buildings. The Council's conservation specialist has discussed the proposed external and internal works in connection with the building's subdivisions on site with the architect, which has ultimately lead to this planning and listed

building submission. This has resulted in variety of apartment sizes to reflect the particular space available within each of the buildings. Many of flat units are spacious and in most cases significantly exceed the criteria as required with the Residential Design SPD. In addition, the application is seeking to remove many of the more recent extensions and structures provided over time which were previously needed for the former school use. These changes to the building, which will expose the original fabric of these historic buildings, are beneficial and are therefore to be welcomed. Whilst comment was made by the historic expert employed by the applicant in respect of the stair towers to the rear of Baring House the Council's conservation specialist considers that the approach taken by the architect is appropriate and will ensure that the proposed metal cladding ties in with the new buildings, which are proposed as part of this application.

The proposed scheme seeks to demolish a number of large extensions principally to the rear of Baring Lodge and Wynlaton House and remove the two existing tennis court areas. The removal of these structures will be of significant benefit to the listing building by reinstating their original form and improving their setting. However the application also proposes significant additional structures in three main areas of the site namely:- a single storey extension behind Wynlaton House; a two storey building (Block 2) containing 2 flats visible from along the access road between Wynlaton House and Baring House and a four storey building (Block 1) containing 8 flats visible from Heavitree Road. It is considered that the extension to Wynlaton House is appropriate and although modern in appearance would be complementary to this existing listed building, a view shared by the Council's conservation specialist. Block 2 is also contemporary in design but its low roof profile ensures that it does not impinge unduly on the existing residential properties to the rear, provides visual interest within the site when viewed along the internal access road and creates natural surveillance to the public walkway which passes to the front and side of this new building. The most significant new building (Block 1) is the four storey unit which faces onto Heavitree Road and this requires specific attention.

Block 1 would occupy the northern section of the site in an area formerly used as one of the school's tennis courts. Whilst its principal public view is from Heavitree Road, its main entrance faces south and is accessed from within the site. This building would result in the removal of a cluster of 3 holm oak trees, which lie on the boundary of the site and behind an existing brick wall. It is accepted that the building will have a significant impact on the street scene and therefore careful assessment is required particularly given its location adjacent to existing Grade II listed buildings on Heavitree Road and within the conservation area. This new building has been the subject of extensive discussion with the architects to create an appropriate building in terms of design, height, scale, massing and external materials for this location. The resultant building has been designed to reflect the Georgian proportions of the adjacent building in terms of building depth, window proportion, eaves and ridge height and proximity to the road frontage. The proposed materials are a combination of brick and render which matches nearby properties but with projecting zinc window bays and a zinc mansard styled roof which are more modern in style. It is considered that building's design is deliberately contemporary in appearance but it is clear from the supporting information that this has been informed by the adjacent buildings and its conservation area location. It is therefore considered that the building will preserve and enhance the character and appearance of the area.

Block 1 is considered acceptable in terms of its design and would meet the standards as specified in the Residential Design SPD. It is considered that the footprint of the building in relation to the neighbouring residential at 156 Heavitree Road would not result in a loss of residential amenity to the occupants of this property through overshadowing. However on the negative side the block will result in the loss of 3 holm oak trees. The submitted tree report states that one of these trees should be removed and that tree works in the past, assumed to be due to stem decay, have lead to the classification of the trees as a category C and accordingly they are considered of relatively poor quality. It is accepted however that without the proposed development 2 oak trees could remain and would be of visual benefit to

the Heavitree Road street scene. This view is shared by the Council's tree officer. However the creation of an additional building in this location would form a logical extension of the buildings which already exist along Heavitree Road and given the appropriate design of the new build would, it is considered, represent a positive addition to the character and appearance of the area. The accompanying landscape plan indicates that 3 additional trees would be planted to the side of this new building to compensate for those lost. It is therefore considered that subject to a condition in respect of replacement planting, the removal of the existing trees is justified.

Local residents have expressed serious concerns regarding the level of parking, access arrangement and traffic generation associated with the 41 new residential units proposed for this site. The initial submission proposed a total of 48 car parking spaces, however a revised parking layout has now increased the total number to 55 spaces. Whilst recent correspondence from local residents indicates that they consider that this number is still inadequate the County highway officer has raised no objection to the access arrangements, parking layout or overall parking numbers proposed, subject to specific conditions being imposed and a revision to the traffic order along Magdalen Road. He comments that the change of use '...will alter the profile of the travel demand to, and from, the site. Typically, travel demand for a residential is less concentrated than that of the previous use as a school, particularly in the morning peak. Whilst the change of use may increase travel demand in the pm peak, given the modest number of units and highly sensitive site, this is not a significant concern'. The highway officer also considers that the proposed footpath link between Magdalen Road and Heavitree Road will help promote sustainable transport and improve accessibility for this development and the surrounding area. In respect of the parking proposed the highway officer comments that although the number of spaces is acceptable, the indicative allocation on the submitted plans requires further modification and it is therefore suggested that this should be controlled by condition. In addition, it is advised that as the site lies within an existing residents parking permit scheme area, additional on street residents parking permits will not be issued to serve this development. In visual terms it is considered that a balance has been achieved which creates an acceptable level of parking to serve the development against the need to provide suitable levels of outdoor amenity space for future occupants and an appropriate setting for the listed buildings.

The individual garden plots which serve the proposed units within the former music block and the communal landscaped areas serving the remainder of the development provide a landscaped buffer to existing residential property which adjoins the site. The space retained between the new residential units and the existing properties is considered appropriate and ensures that no unacceptable levels of overlooking or loss of amenity will be caused. Minor changes have been made to the plans following requests from neighbouring residents and accordingly it is considered that the relationship between the new units and existing properties is acceptable.

Core Strategy Policy CP7 and Affordable Housing SPD requires the provision of affordable housing for schemes of 3 or more houses at a ratio of 35%. During pre-application discussions with officers the applicant indicated that the scheme would not be viable if an affordable housing element was imposed. Consequently a further viability assessment was undertaken and the applicant's figures on sale prices, build costs, risk and contingency were subsequently re-appraised. The outcome of the viability appraisal established that this scheme could support an affordable contribution of £1 million and this figure is acceptable to the housing officer. In accordance with the Affordable Housing SPD this money will be spent on provision of affordable housing in the City and will be imposed via a Section 106 Agreement. The development is not liable for a Community Infrastructure Levy as the previous use of the school was operational for 6 months within the last 3 years.

In conclusion, it is considered that the proposed conversion of the existing buildings and provision of new buildings represents a sympathetic development for this importance heritage asset. The proposed accommodation will provide a good level of internal and

external amenity and in some instances will significantly exceed the Council's standards as set out the Residential Design SPD. Whilst the comments of English Heritage have been carefully considered it is not believed that further investigation into the possible reinstatement of the buildings into family dwellings is justified in this instance. The new structures have been assessed in terms of their impact on adjacent listed building and their conservation area status and are acceptable. Although concerns has been expressed by local residents regarding parking provision within the site the number of spaces proposed is deemed appropriate by the highway officer. The development will ensure that these important listed buildings are maintained and improved and the scheme will preserve and enhance the character and appearance of the conservation area.

### **DELEGATION BRIEFING**

9 September 2014 - Members were advised of the principal issues relating to this application and of the concerns of local residents in particular in respect of parking numbers within the site. In addition, the comments of English Heritage were highlighted regarding their view that the building should be reinstated into family dwellings. Members agreed that a site inspection would be appropriate to assess these issues further before the application is reported to Planning Committee.

### **SITE INSPECTION PARTY**

16 September 2014 - Members viewed the site from the existing garden and parking areas and went into part of Westall, which would become Unit 1. The garden area of Westall and the former music block were also viewed in respect of their relationship with properties in Baring Crescent. The existing buildings which are scheduled for removal were identified and the existing open space to the front of Wynlaton House noted. The location of new Blocks 1 and 2 were specifically looked at in relation to the neighbouring properties, the Heavitree Road street scene and the loss of the existing trees. Comment was made regarding the need to amend the roof of Block 1 to provide a more domestic appearance.

### **RECOMMENDATION**

Subject to the completion of a Section 106 Agreement securing a financial contribution of £6000 towards the cost of removing the road markings and infrastructure within the vicinity of the site and £1 million towards affordable housing offsite, delegated authority be given to the Assistant Director City Development in consultation with the Chair of Planning Committee to **APPROVE** the planning and listed building application subject to the following conditions:-

#### **APPLICATION REF: 14/1608/03**

- 1) C05 - Time Limit - Commencement
- 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 on 1 July 2014 (dwg nos. location plan 001 rev F; floor plans 250 rev A; 260 rev D; 265 rev A; 275; 291 & 295 and elevation plans 255 rev A; 261 rev G; 266 rev A; 275; 281; 292 & 296), 22 July 2014 (dwg. nos. site plan 100 rev F; floors plans 280; 285 & 290 and elevation plan 286) and 2 September 2014 (dwg nos. 105 rev A & 106) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting

- 6) C70 - Contaminated Land
- 7) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The Statement should include details of :-
- i) access arrangements and timings and management of arrivals and departures of vehicles;
  - ii) adequate areas shall be made available within the site to accommodate operative' vehicles, construction plant and materials;
  - ii) confirmation that there shall be no burning on site during demolition, construction or site preparation works;
  - iii) unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of following hour: 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturday and not at on Sundays and Public Holidays;
  - iv) dust suppression measures shall be employed as required during the construction in order to prevent off-site dust nuisance.
- The approved CEMP shall be adhered to throughout the construction period.  
**Reason:** In the interests of highway safety and public amenity.
- 8) No development shall commence until a noise assessment to protect future residents from internal and external noise based on the standards specified in BS8233:2014 Sound Insulation and Noise Reduction for Buildings has been submitted to and approved in writing by the Local Planning Authority. The recommendations of this report shall be implemented and maintained at all times.  
**Reason:** In the interests of residential amenity.
- 9) C57 - Archaeological Recording
- 10) No part of the development hereby approved shall be brought into its intended use until the accesses, parking facilities/allocation, turning areas and access drainage have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site.
- 11) No part of the development hereby approved shall be occupied until the pedestrian/cycle connection within the development from the northern boundary of the site with Heavitree Road to the southern boundary with Magdalen Road, as indicated on dwg 105 rev A, has been provided and maintained for this purpose at all times.  
**Reason:** To promote the use of sustainable modes, in accordance with Section 4 of the NPPF.
- 12) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development and retained for that purpose at all times.  
**Reason:** To ensure that adequate cycle parking is provided, in accordance with Exeter Local Plan Policy T3.
- 13) No other part of the Willowdene block of the development shall be brought into its intended use until the parking facilities and turning area have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at

all times.

**Reason:** To ensure a safe and suitable access for the traffic attracted to the site

- 14) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of Block 1, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details

**Reason:** In the interests of the visual amenities of the area and the residential amenities of future occupants.

- 15) Unless otherwise agreed in writing, no development shall take place until details of provision for nesting birds/bat boxes has been submitted to and approved in writing by the Local Planning Authority. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.

**Reason:** In the interests of the preservation and enhancement of biodiversity in the locality.

- 16) No building shall be occupied until details of the obscure glazing has been submitted to and approved in writing by the Local Planning Department for the side elevation of the former music building and thereafter retained at all time.

**Reason:** In the interests of residential amenity and prevent overlooking.

#### **APPLICATION REF: 14/1607/07**

- 1) C08 - Time Limit - L.B. and Conservation Area
- 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 on 1 July 2014 (dwg nos. location plan 001 rev F; floor plans 250 rev A; 260 rev D; 265 rev A; 275; 291 & 295 and elevation plans 255 rev A; 261 rev G; 266 rev A; 275; 281; 292 & 296), 22 July 2014 (dwg. nos. site plan 100 rev F; floors plans 280; 285 & 290 and elevation plan 286) and 2 September 2014 (dwg nos. 105 rev A & 106) as modified by other conditions of this consent.  
**Reason:** In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

Local Government (Access to Information) 1985 (as amended).  
Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223