

Planning Committee Report 19/1417/FUL

1.0 Application Number: 19/1417/FUL

Applicant name: Mr Iain Smith, Gladstone Road Exeter Limited

Proposal: Demolition of existing buildings and redevelopment of site to provide co-living accommodation with associated accesses/egresses, landscaping and other external works

Site address: Ambulance Station, Gladstone Road, Exeter, Devon, EX1 2EB

Registration Date: 11th October 2019

Web Link to application, drawings/plans:

<http://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PZ7SE4HBLJR00>

Case Officer: Deborah Crowther

Ward Member(s): Cllr Branston, Cllr Moore, Cllr Vizard (Newtown and St Leonards Ward)

REASON APPLICATION IS GOING TO COMMITTEE – Officer Decision

2.0 Summary of Recommendation:

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

3.0 Reason for the recommendation: as set out in Section 18 at the end of the report.

- The development will make effective use of a previously developed ('brownfield') site.
- The site is in a sustainable, highly accessible location, close to the City Centre.
- The principle of a specialist housing development (rented studios with tenants having access to communal amenity areas) in this location is acceptable in principle.
- The development will support economic growth through the creation of jobs and resident expenditure in the City Centre.

- The scheme will help the Council towards providing a 5 year supply of deliverable housing sites, this benefit is attributed significant weight in favour of the scheme.
- The co-living accommodation will provide Build to Rent housing, 20% of which will be affordable private rent, which is a significant positive benefit of the scheme. The percentage is in line with national planning guidance on build to rent schemes. The affordable housing will be prioritised for essential local workers.
- The scheme will improve pedestrian crossing facilities on Gladstone Road and will make a contribution towards improving pedestrian / cycling crossing facilities at the Gladstone Road / Heavitree Road junction.
- The design and general visual impact of the scheme is considered acceptable.
- The quality of amenity that will be provided within the proposed co-living block is considered acceptable, although officers had sought for provision of communal areas on the upper floors of the building in addition to the lower ground/ground floors.
- The impact on the amenity of surrounding properties has been assessed and taking into account the urban context of the site, the impacts are considered to be within acceptable limits.
- There are no other material considerations to warrant refusal of this application subject to an appropriate planning obligation under S106 being entered into.

4.0 Table of key planning issues

Issue	Conclusion
Sustainable Development and Application of the NPPF	The Council does not have a 5 year housing land supply, which 'tilts' the determination towards permission unless other material considerations indicate otherwise under Para. 11 of the NPPF.
The Principle of the Proposed Development (including Economic Benefits and Housing Supply)	The proposed use of co-living housing is appropriate for the site which lies in close proximity to the City Centre in a very sustainable location. The development will support economic growth through the creation of jobs and resident expenditure in the City Centre. The co-living use will provide specialist housing in a highly accessible location, and help the Council towards providing a 5 year supply of deliverable housing sites. The development will make effective

	<p>use of a previously developed ('brownfield') site in line with local and national planning policy. The proposed development accords with Policies CP1, CP4, CP5, AP1, AP2, H1, and H2 (as applicable).</p>
<p>Affordable Housing</p>	<p>The co-living development will provide dwellings, therefore affordable housing is required in accordance with Policy CP7. The co-living development will be Build to Rent housing, i.e. 100% rented out. National Planning Practice Guidance states that 20% is generally a suitable benchmark for the level of affordable housing in build to rent schemes. This is a material consideration indicating that in this case 20% should be provided as opposed to 35%. The developer has confirmed that 20% affordable rent is agreed; this equates to 27 affordable rent studios. Furthermore, the developer has agreed that the affordable housing will be prioritised for essential local workers.</p>
<p>Access and Impact on Local Highways</p>	<p>Access will be improved for all users on Gladstone Road by provision of a pedestrian crossing point adjacent to the site access. The crossing would be in the form of dropped kerbs and tactile paving on both sides of the carriageway with a refuge area. A financial contribution will be secured to improve pedestrian/cyclist crossing points on Heavitree Road; this will benefit all users of Heavitree Road. The buildings have been designed to be inclusive and accessible to wheelchair users, taking into account the Equalities Act 2010. The Local Highway Authority has confirmed that safe and suitable access will be achieved, and there will be no significant impacts on the transport network in line with the NPPF. The</p>

	<p>proposed development accords with Policies CP9, T1, T2, T3 and Chapter 9 of the NPPF.</p>
<p>Parking Provision</p>	<p>The development will be car -free except for operational and pickup/drop-off parking to be provided in the courtyard area to the north of the main buildings. Cycle parking spaces will be located within a secure, covered cycle stand pavilion located in the courtyard area to the north with the gated entrance to the development providing an added form of security. 72 cycle stands will be provided for the co-living use, which meets the standards set out in the Sustainable Transport SPD. Overall the proposed development accords with the Sustainable Transport SPD and Chapter 9 of the NPPF with regard to parking.</p>
<p>Design and Landscape</p>	<p>Removal of existing unsightly buildings and car parking areas from the site is a benefit of the scheme. The proposed architecture and use of high quality modern materials and soft/hard landscaping will improve the overall appearance of the site. The proposed elevational design of the building fronting Gladstone Road will increase active frontages and contribute to the vibrancy of the area. The streetscene along Gladstone Road will benefit from an improved public realm. The pitched roof design respects the form of existing adjacent residential development. The main part of the new building will be much taller than the adjacent buildings on Sandford Walk and St Matthews Close to the north and north west. However, the police station site justifies a change in character between the Sandford Walk properties and Heavitree Road in terms of scale of townscape. The scheme has been</p>

	<p>amended during the application to reduce the massing of the development. Whilst finely balanced, given the local and national guidance promoting the efficient use of land, the scale and mass of the development is considered to be acceptable in terms of urban design.</p> <p>Whilst the proposal development is not fully sympathetic to local character, the proposal is otherwise in accordance with Policies CP17, DG1 and Chapter 12 of the NPPF on 'Achieving well - designed places'.</p>
<p>Impact on Heritage Assets</p>	<p>With regard to archaeological impacts the development is acceptable subject to a planning condition requiring archaeological work to be undertaken both on and off-site. The site forms part of the setting of two conservation areas and one locally listed building, which is a non-designated heritage asset. The proposed redevelopment of the Site would introduce additional height, but would not change the existing character of the heritage assets' settings or the ability to experience and appreciate their significance. The proposed redevelopment would therefore preserve the significance of these heritage assets in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policy C1 and C3 of the Exeter City Local Plan.</p>
<p>Residential Amenity</p>	<p>The average size of each studio from lower ground floor to third floor is 20 sq m, the average size of apartments on the fourth floor is larger. Each studio is self-contained with a kitchenette, ensuite shower room, work space and wardrobe/storage. Communal space will be provided at lower ground and ground floor level</p>

	<p>consisting of communal kitchen, communal dining room, flexible events space, work space area and laundry and possible gym. A total of 409 sq m communal space will be provided in the building and a secure external courtyard will be provided for residents. Provision for organised social activities for residents will help create a sense of community in line with the co-living model. In the absence of a local or national policy that sets out space standards for co-living developments, officers are of the view that the quality of amenity that will be provided within the proposed co-living block is acceptable. It is accepted that there will be reliance of existing public open spaces nearby to provide outdoor amenity and recreational space, and a contribution is therefore sought to enhance these spaces and their recreational value.</p>
<p>Impact on Amenity of Surroundings</p>	<p>Policy DG4 states that residential development should be at the maximum feasible density taking into account site constraints and impact on the local area, and ensure a quality of amenity which allows residents to feel at ease within their homes and gardens. The latter applies equally to adjoining properties. The impact on the amenity of surrounding properties has been assessed with regard to: privacy, outlook, natural light, overshadowing and noise. Overall, the proposed development is considered to accord with Policy DG4 in terms of its impact on the amenities of surrounding properties, taking into account the urban context.</p>
<p>Impact on Trees & Biodiversity</p>	<p>One mature Ash tree (TPO'd) will need to be removed, however, this is in declining health and three trees will be planted as compensation. No arboricultural objection is raised to the</p>

	proposal by ECC Tree Manager. The existing site has low ecological value. Biodiversity enhancement measures will be secured by condition. The proposed development accords with Policies CP16 and LS4, and Paragraphs 170 and 175 of the NPPF.
Contaminated Land	Environmental Health has recommended a full contaminated land condition to ensure that contamination on site is remediated. This will be an environmental sustainability benefit of the scheme.
Flood Risk, Surface Water Drainage	The site is within Flood Zone 1 and the proposed uses are appropriate in this zone. Ground infiltration is not feasible, due to low permeability clay strata. As per the existing arrangement, surface water drainage is to discharge to the existing SWW sewer network serving the existing site. Attenuation will be provided in an underground attenuation tank with a restricted discharge rate. This will be an environmental sustainability benefit. DCC Lead Local Flood Authority raise no objection subject to a pre-commencement condition.
Sustainable Construction and Energy Conservation	The co-living block will need to meet Code for Sustainable Homes Level 4 in respect of energy and CO2 emissions in accordance with Policy CP15. This will be secured by condition. The site is within a proposed Decentralised Energy Network area. A condition will be added to facilitate connection of the building to this network. A Waste Audit Statement will be secured by condition.

5.0 Description of Site

The application site comprises 0.26 hectare of land within Newtown and St Leonards Ward. The site lies approximately 0.5 mile to the east of the city centre. The existing site is currently vacant and was last occupied by South

Western Ambulance Service. Existing buildings on the site include a warehouse building and a two-storey office and staff facilities building.

The site is bounded by Gladstone Road to the east. The site currently has two vehicular accesses from Gladstone Road. The northern site access provides access into the car park, the southern site access provides access to the ambulance station.

The existing buildings on the site are set back from Gladstone Road by at least 8.0 metres. A substantial Ash Tree (subject to a Tree Preservation Order) lies between the existing buildings and Gladstone Road in the south eastern area of the site. At this point, the existing building is set back from Gladstone Road by over 13.0 metres.

To the east of the site, on the opposite side of Gladstone Road, lies Waitrose supermarket and Heavitree Hospital. There are a number of substantial trees on the eastern side of Gladstone Road between the road and the supermarket and hospital buildings/parking areas. A number of large trees in the locality make a significant positive contribution to the character and appearance of the area.

To the west of the application site is St Matthews Close, comprising three storey purpose built flats. Blocks 7 and 8 St Matthews Close are the nearest flats to the site. These flats are separated from the application site by the access road and areas of parking for the flats. Blocks 7 & 8 are oriented so that the blank gable end of the building faces on to the application site.

Immediately adjacent to the south of the site is Devon and Cornwall Constabulary Police Headquarters and Central Devon Magistrates' Court. The Police headquarters building varies in height stepping from one storey along Gladstone Road up to five storeys centrally on the site. The tallest building on the site is approximately 15m in height when measured from Gladstone Road.

Immediately to the north of the site is a terrace of two storey houses on Sandford Walk (31-51 odd numbers only) and no.1 Gladstone Road, the rear of which face the site. Sandford Walk properties are characterful Victorian properties. Sandford Walk has been pedestrianised which has enabled planters to be positioned to enhance the visual appearance of the streetscene. The main entrance doors to the north of the terrace front immediately on to the pavement area. The only outdoor amenity/outdoor seating spaces to Sandford Walk properties (31-51 odd numbers) and 1 Gladstone Road are their south facing courtyard areas. The Sandford Walk properties and their courtyard areas are separated from the application site by a brick boundary wall. This wall varies in height but is around 1.5m high.

The existing building on the application site is functional in appearance, it has a part flat / part shallow monopitch roof and a rendered finish to the walls. The part

of the building closest to Gladstone Road has a frontage along the road of 13.0m. The existing building is just over 38 metres at its longest running back from Gladstone Road in a westerly direction. The existing building does not run parallel with Sandford Walk properties but is slightly offset so that the building varies in distance from the boundary wall with Sandford Walk from 4.6m at the pinch point with 1 Gladstone Road to over 16.0m at the western end of the building. The existing topographic survey shows that near to Gladstone Road the ridge level of the existing building (58.83 AOD) is similar to eaves level of the adjacent properties on Sandford Walk. The building then reduces in height towards the west to that of a single storey building (refer to Existing Site Context Elevations North and West). The existing building has a number of ground floor windows in the northern elevation. In the two storey element of the existing building there are windows at both ground floor and first floor level in the east and south elevations.

Ground level falls across the site from the highest point adjacent to Gladstone Road westwards towards St Matthews Close. The difference in ground level between Gladstone Road and St Matthews Close is approximately 3.0m.

The site is close to the junction with Heavitree Road (B3183), St Luke's University Campus is located approximately 180m to the south. The site is sustainable in terms of its accessibility to non-car modes of transport. There are bus stops 160m to the south of the site on Heavitree Road, Exeter Central Train Station lies approximately 1.2km to the west with Exeter St Davids approximately 1.5km distant.

The site is within Flood Zone 1. The application site is indicated as potentially contaminated in the Council's GIS system. Heavitree Road is within the Air Quality Management Area (AQMA), the site itself is not within the AQMA. The site lies outside any Conservation Area. The boundary of St Leonards Conservation Area lies to the south of the site (southern side of Heavitree Road). Lower Summerlands Conservation Area lies to the west of the site beyond St Matthews Close. Mont Le Grand Conservation Area lies to the east of the site beyond Waitrose and the hospital buildings. The nearest locally listed buildings are at St Luke's College on the southern side of Heavitree Road within St Leonards Conservation Area. Summerlands to the west of the site beyond St Matthews Close are Grade II listed buildings.

6.0 Description of Development

The application seeks planning permission for the demolition of existing buildings on the site and redevelopment to provide co-living accommodation with associated accesses/egresses, landscaping and other external works. 133 studio rooms are shown on the proposed plans with ground floor common rooms, entrance reception areas and landscaped amenity.

The application has been substantially revised twice since it was originally submitted in order to reduce the scale of the building and improve the design. The description of the proposal has been revised since submission of the application; the original proposal was for redevelopment of the site to provide purpose built student accommodation.

The scheme proposes a main block of accommodation with studios arranged over 6 levels including a lower ground level and rooms within the roofspace. Two lower wings are proposed to the north with studios arranged over three levels, this include rooms within a lower ground floor. The wings would enclose a landscaped courtyard area.

The building feature pitched roofs. In the main building and the wings, the upper storey of accommodation is contained either partially or fully within the roof space. The main block is positioned in the southern part of the site and the building steps down in scale towards the north. The distance between the Police Headquarters site and the proposed building is a minimum of 2.5m, which at points increases to 4m (Design and Access Statement, paragraph 8.1.13). Provision is made for an access path to the accommodation and the plant room at lower ground floor level.

The projecting 2/3 storey wings to the north of the main building would be opposite the rear elevations of numbers 31, 33, 35, 47, 49 and 51 Sandford Walk.

The landscape layout shows outdoor seating within the courtyard area to the north of the building between the two projecting northern wings. The area is adjacent to the vehicular access (for fire tenders, delivery vehicles, drop-off and pick-up). To the northwest of the courtyard is the proposed cycle store which is positioned along the existing northern boundary wall with Sandford Walk. At the north western corner of the site is the proposed bin store with ramped access.

The development will have a contemporary style with grey coloured standing seam roof cladding, buff brickwork, aluminium cladding, timber cladding, pre cast concrete/stone. The Design and Access Statement states that along the principle elevation of Gladstone Road a strong colonnade is proposed in precast stone to create prominence along the street and relate to the street frontage. The dormer windows within the roof space are proposed to be clad in a light weight metal standing seam zinc. On the gable ends of the building facing the Sandford Walk dwellings spandrel glazing and areas of timber cladding are proposed to create interest and visually reduce the impact of the facade. Window opening frames are proposed in a grey colour which would have a visual contrast with the brickwork but blend with the roof cladding.

Each studio room is proposed to be self-contained with its own kitchenette and en-suite shower room and WC. Each studio room also has work space,

wardrobe and storage. All the studio rooms would have access to a communal kitchen, dining, work and social spaces; these communal spaces are mainly located on the ground floor of the main block.

The development would also have a reception, office/management suite, laundry facility, covered cycle storage, refuse store and plant rooms. Lift access is proposed to all levels of the building and the developer has confirmed that 7 rooms will be fitted out so that they are wheelchair accessible. Furthermore, the developer has stated that if there is an increased demand for wheelchair accessible studios above the 7 provided, the remaining units have been designed to be easily adapted if required. The residential accommodation would have a General Manager and a team (including security contractor) to support in the general running of the scheme. The Management Plan sets out that the site is likely to be staffed 8am to 8pm Monday to Friday with key times covered over weekends. All tenants would have a contact number for out of hours' emergencies.

The main entrance to the building is proposed from Gladstone Road. The proposed building is set back from the pavement of Gladstone Road by approximately 6 to 7m.

The primary access route for pedestrians, cyclists and vehicles is proposed at the north east corner of the site. At the south west corner a stepped pedestrian access to the lower level of accommodation is proposed. At the north west corner a ramped level access for pedestrians and cyclists is proposed as well as a set of steps. Refuse collections are proposed from St Matthews Close.

Section 2.2, Tenant Profile, of the Management Plan states, *“the site is ideally located to attract young professionals who work in or out of Exeter, with having exceptional direct transport links to Bristol. The studios are an attractive housing option for young professionals, who want the independence of living alone, but also like to have the option of being part of a community of likeminded individuals in a secure and managed environment.”*

The accommodation comprises –

Lower Ground Floor: 20 studios. Plant room. Amenity Space of 44m² is shown; this may be used as a gym.

Ground Floor: 17 studios – consisting of 7 studios looking on to the courtyard area to the north of the building, 2 studios with outlook on the southern elevation, 8 studios on the western elevation. Entrance foyer, reception, lobby, flexible events and social space, workspace, communal kitchen, communal dining area, laundry.

The laundry room will comprise 4 washers and 4 dryers (18m²).

The communal kitchen and dining space (total area approx. 176m²) makes provision for 8 x kitchen stations and additional fridge/storage space, seating at bench style tables for up to 40 people and seating at smaller tables for up to 24 people (Co-Living Design Review, Section 3.2).

The work space and entrance foyer provides 8 x work stations, breakout seating, library space. Total area of approx. 151m² (64m² entrance + 87m² workspace)

The flexible events and social space allows for the following facilities:

- Casual seating area and TV zone
- Breakout seating which is easily moveable
- Foldable games tables which can be moved for larger events
- Total area of approx. 102m²

The communal kitchen and dining area, workspace and flexible social space provides 365m² of communal space which, together with the amenity space on the lower ground floor of 44m² equates to 409m²; 3.1m² communal space per studio.

First Floor: 36 studios – consisting of 7 studios with windows facing north looking onto the courtyard, 3 studios with windows looking east on to the courtyard, 3 studios with windows looking west on to the courtyard. 8 studios have windows looking west. The remaining studios have an aspect to the south or east.

Second Floor: 25 studios with 8 studios having windows that look north, 5 studios with windows looking west, the rest of the studios have an aspect to the south or east. 1 space labelled amenity (approx. 14m²) may be used as a break-out seating area.

Third Floor: 24 studios with 8 studios having windows that look north, 2 studios with windows looking west, the other studios have an aspect to the south or east.

Fourth Floor: 11 studios, no windows looking north, one studio with a window looking west, main aspect of the 11 studios is to the south.

Sections through the proposed building and Sandford Walk properties show:

Section through 49 Sandford Walk (Section 01-01):

Eaves level on the north elevation of the main building will be 10.2m above Sandford Walk Level. The distance between the rear of the Sandford Walk property and the main building is 20.0m.

Eaves level of the two storey wing (plus a lower ground floor) is 4.0m above Sandford Walk Level; distance between the rear of the Sandford Walk property and the two storey wing is 10.3m

Section through 45 Sandford Walk (Section 02-02):

Eaves level on the north elevation of the main building will be 10.6m above Sandford Walk Level. The distance between the rear of the Sandford Walk property and the main building is 22.3m.

Section through 39 Sandford Walk (Section 03-03):

Eaves level on the north elevation of the main building will be 11.2m above Sandford Walk Level. The distance between the rear of the Sandford Walk property and the main building is 24.6m.

Section through 35 Sandford Walk (Section 04-04):

Eaves level on the north elevation of the main building will be 12.5m above Sandford Walk Level. The distance between the rear of the Sandford Walk property and the main building is 27.1m.

Eaves level of the three storey wing is 6.3m above Sandford Walk Level; distance between the rear of the Sandford Walk property and the three storey wing is 14.5m.

The bin store is located adjacent to the existing boundary wall with Sandford Walk properties in the north west of the site. The flat roof of the bin store is indicated just above the height of the existing boundary wall. The plans indicate capacity for up to x 5 communal 1100 litre bins (Design and Access Statement, Paragraph 9.10.1.). The Waste Management Plan (section 4 of the Management Plan) states that the bin store will contain a mixture of 1100 litre wheeled Eurobins for general waste and 1100 litre Eurobins for mixed/recyclable waste. It will be the responsibility of each tenant to take their own refuse down to the bin store using the lifts or staircase as and when required and place refuse in the wheeled Eurobins provided. The bins will be collected by the local authority. The ramped access will enable the bins to be taken to St Matthews Close for collection.

The proposed site plan shows that at its closest point, the proposed building would be 6.0 metres from the existing boundary retaining wall with properties on Sandford Walk. The northern wings of the building that project towards Sandford Walk lie between 6.0m (at its closest point) and 9.0m (at its furthest point) from the existing boundary wall. Both projecting wings are proposed to have a brickwork finish (buff colour) with a section of timber cladding. A vertical section of spandrel glazing is proposed in the northern wall of the wing at the western end of the site with glazing to light circulation space. The wing at the eastern end shows glazing at ground floor level to light the flexible events and social space and one window at first floor level is proposed to light a corridor.

7.0 Supporting information provided by applicant

The following supporting documents were provided as part of the original application in October 2019:

- Ecological Appraisal (Bowland Ecology) July 2019
- Flood Statement (Jubb) 17 September 2019
- Built Heritage Statement (RPS Group) 1 October 2019
- Ground Investigation Report (Tier Environmental Ltd) 7 October 2019
- Air Quality Assessment (Redmore Environmental)(Reference 2879r3) dated 27 September 2019
- Drainage Strategy (Jubb) 9 October 2019
- Ambient Noise and Building Envelope Assessment (PDA) Revision 3, dated 30 September 2019
- Statement of Community Involvement (Bell Cornwell) October 2019
- Overheating Analysis (Consolux), Issue No. P1, 1 October 2019
- Transport Statement (ADL Traffic and Highways Engineering Ltd), Issue 4, 10 October 2019
- Framework Travel Plan (ADL Traffic and Highways Engineering Ltd), Issue 4, 10 October 2019
- Supporting Statement (Arboricultural Appraisal by Advanced Arboriculture) dated 27 September 2019
- Construction Management Plan (The Watkin Jones Group) October 2019
- Daylight and Sunlight Report (Consil) dated 9 October 2019
- Management Plan (Fresh Student Living) October 2019
- Archaeological Desk Based Assessment (RPS) 10 September 2019
- Design and Access Statement (Manson), dated 10 October 2019
- Planning Statement (Bell Cornwell) October 2019
- Landscape Design Statement (TPM) October 2019
- BREEAM Pre-Assessment Report Revision 0 (Consolux), 573, 19 September 2019
- Energy and Sustainability Statement (Consolux Sustainability Ltd)(reference 573/11.2), September 2019, Revision P3

The following additional information was subsequently submitted:

- Detailed Unexploded Ordnance Risk Assessment (1st Line Defence), 5 May 2019

The following information was submitted to support the first set of amended plans in March 2020:

- Addendum Daylight and Sunlight Report (Consil) dated 16 March 2020
- Design and Access Statement Co-living Addendum Document (Manson), dated 16 March 2020
- Co-Living Design Review (Manson), dated 17 March 2020, REV B
- Preliminary Risk Assessment Report (Tier Environmental Ltd) dated 5 March 2020, reference TE1 151 PRA, issue number 1.1.

- Ambient Noise and Building Envelope Assessment (PDA) Revision 4, dated 11 March 2020
- Construction Management Plan (The Watkin Jones Group) March 2020
- Framework Travel Plan (ADL Traffic and Highways Engineering Ltd), Issue 2, 12 March 2020
- Air Quality Assessment (Redmore Environmental)(Reference 2879r4) dated 11 March 2020
- Supporting Statement (Arboricultural Appraisal by Advanced Arboriculture) dated 5 March 2020
- Drainage Strategy (Jubb) Technical Note 02-Rev B, 6 March 2020
- Ecological Appraisal (Bowland Ecology) 9 March 2020
- Flood Statement (Jubb) (TN01 Rev A) dated 5 March 2020
- Ground Investigation Report (Tier Environmental Ltd) 5 March 2020
- Archaeological Desk Based Assessment (RPS) 9 March 2020
- Energy and Sustainability Concept Statement (Consolux Sustainability Ltd)(reference 573/4.2), March 2020, Revision 4
- Transport Statement (ADL Traffic and Highways Engineering Ltd), Issue 2, 12 March 2020
- Overheating Analysis (Consolux), Issue No. P2, 16 March 2020
- Management Plan (Fresh Property Group), 19 March 2020

Revised documents were received on 14 August 2020 (not listed below) and the application was re-advertised on 20 August 2020. However, on 20 August 2020, a further full set of revised documents were received; the application was again re-advertised on 10 September 2020.

The following information was submitted to support the second set of amended plans received 20 August 2020:

- Addendum Daylight and Sunlight Report (Consil) dated 13 August 2020
- Air Quality Assessment (Redmore Environmental)(Reference 2879r5) dated 7 August 2020
- Supporting Statement (Arboricultural Appraisal by Advanced Arboriculture) dated 13 August 2020
- BREEAM Pre-Assessment Report Revision 0 (Consolux), 573/11.1, 13 August 2020
- Built Heritage Statement (RPS Group) V3 19 August 2020
- Construction Management Plan (The Watkin Jones Group) August 2020
- Management Plan (Fresh Property Group) 4 August 2020
- Co-Living Design Review (Manson), dated August 2020, REV C
- Planning Statement (Bell Cornwell)(9277) August 2020
- Archaeological Desk Based Assessment (RPS) 4 August 2020
- Design and Access Statement Rev A (Manson), dated August 2020
- Drainage Strategy (Jubb) Technical Note 02-Rev C, 7 August 2020
- Ecological Appraisal (Bowland Ecology) 4 August 2020

- Energy and Sustainability Concept Statement (Consolux Sustainability Ltd)(reference 573/4.2), August 2020, Revision 4
- Flood Statement (Jubb) (TN01 Rev B) dated 7 August 2020
- Ground Investigation Report (Tier Environmental Ltd), Issue 1.5, TL1196GIR, dated 5 August 2020
- Landscape Design Statement (TPM), August 2020
- Ambient Noise and Building Envelope Assessment (PDA) Revision 5, dated 3 August 2020
- Preliminary Risk Assessment Report (Tier Environmental Ltd) dated 5 August 2020, reference TE1 151 PRA, issue number 1.2
- Transport Statement (ADL Traffic and Highways Engineering Ltd), Issue 3, 7 August 2020
- Framework Travel Plan (ADL Traffic and Highways Engineering Ltd), Issue 3, 7 August 2020

The following additional information was subsequently submitted:

- Design and Access Statement Rev B (Manson), dated August 2020
- Comparative south/east elevations to show change in massing for first and second set of amended plans
- Proposed sections through the development and Sandford Walk
- Letter dated 9 October 2020 from ADL Traffic & Highways Engineering Ltd
- Report on Co-Living and the Exeter Economy (Development Economics), October 2020

8.0 Relevant Planning History

There is no relevant planning history for the site.

9.0 List of Constraints

The Site forms part of the setting of the Mont le Grand Conservation Area to the east and the St Leonards Conservation Area to the south, including a single locally listed building within it (St Luke's College).

With regard to the locally listed building near the site, this is a non-designated heritage asset, as referred to in Para. 197 of the NPPF.

Potential contamination.

Within Area of Archaeological Importance.

Heavitree Road within Air Quality Management Area.

TPO Ash tree on eastern side of site

Within 'zone of influence' for Exe Estuary SPA and Ramsar Site (statutory duty to protect European sites under the Conservation of Habitats and Species Regulations 2017 (as amended)).

Residential properties adjacent to and near the site – amenity considerations.

10.0 Consultations

All consultee responses can be viewed in full on the Council's website.

Natural England:

9 April 2020

This development falls within the 'zone of influence' for the Exe Estuary SPA, as set out in the Local Plan and the South East Devon European Sites Mitigation Strategy (SEDESMS). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of the SAC/SPA due to the risk of increased recreational pressure caused by that development. Mitigation will be required to prevent such harmful effects from occurring and permission should not be granted until the implementation of these measures has been secured. An appropriate assessment may be necessary in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). The proposals should be reviewed in light of the Government's commitment towards the delivery of biodiversity net gain.

1 September 2020

Confirmed that advice sent in letter dated 9 April 2020 still applies.

Police Designing Out Crime Officer (Devon and Cornwall Police):

27 August 2020

Comments provided on need for 24/7 onsite management, compartmentalisation regarding lift and stairwell access, access through the building for residents and gated access to the development in terms of security. Potential nuisance within void areas and certification of cycle and bin stores.

15 April 2020

Comments on staff and security presence within the building 24 hours a day. Requests a condition with respect to 24-7 onsite management of the development is maintained indefinitely, as is the vetting of potential tenants.

Comments on access and movement, secure boundary and gating, comments on lighting of the development. Comments on security of windows and doors, security of cycle stores and bin stores. Comments on surveillance, natural and passive. Recommends CCTV is installed throughout the development with monitoring provided by the 24 hour staff security presence. Detailed advice on CCTV. Comments on landscaping elements.

RSPB:

22 April 2019

Provide recommendations on provision for nesting birds. Strongly recommends use of swift boxes.

Recommend condition requiring a Landscape and Environmental Management Plan which should include the number of integral boxes, the locations and box types marked on the working drawings and provision of photographic evidence that they have been installed correctly.

South West Water:

20 August 2020

No comment.

Devon and Somerset Fire and Rescue Service

21 August 2020

The drawings (without prejudice) appear to satisfy the criteria for B5 access under Building Regulations therefore no objection.

Consideration should be given at an early stage for the provision of fire hydrants for the development.

The Fire and Rescue Authority is a statutory consultee under the current Building Regulations and will make detailed comments at that time when consulted by building control (or approved inspector).

Local Highway Authority (Devon County Council):

Original comments 11 November 2019 (summarised)

Recommends:

A S106 contribution of £65k is required to improve the pedestrian/cycling crossing facilities at the Gladstone Road/Heavitree Road junction.

Conditions with respect to:

1. Access Point Gladstone Road
2. Access Points to St Matthews Close
3. Crossing Point on Gladstone Road
4. Cycle Parking Facilities

5. Management Plan (provision sustainable transport welcome packs, student pick up/drop off)
6. Construction Management Plan

The proposed development is being promoted as car free, which for a sustainably located city centre student development is acceptable. Trip generation is not a concern.

The proposed development is expected to generate a considerable number of new pedestrian and cycle movements to and from the site. Given the enhanced pedestrian and cycling numbers that are being generated, facilities need to be enhanced. The highway authority have conducted design work to improve the facilities at the Gladstone Road/Heavitree Road and a sum of £65k is sought from the applicant.

The existing northern site access should be reconfigured into a dropped kerb crossing.

This access is proposed to be gated and these gates are located approximately 15 metres away from the back edge of the carriageway – this is welcomed as it provides an area for a vehicle to wait off the carriageway, whilst the gates are closed.

The southern site access is redundant, and a footway should be reinstated (together with full height kerbs).

Being situated on the fringe of the city centre, the site is well located to access a variety of amenities by sustainable modes.

Comments on adoptable areas and maintenance of trees.

There is a missing crossing point of Gladstone Road to the supermarket (located directly opposite). To mitigate this, the applicant has proposed a pedestrian crossing across Gladstone Road, adjacent to the site access. The crossing would be in the form of dropped kerbs and tactile paving on both sides of the carriageway together with a pedestrian refuge. The principle of the crossing is acceptable however the details of the island and other highway matters need to be discussed at a later stage (S278).

The secure pedestrian/cycling access in the form of a ramp onto St Matthews Close will enhance permeability of the site.

This access point on to Gladstone Road, full reinstatements of the redundant access point on Gladstone Road, pedestrian crossing (including refuge) and the access points onto St Mathews Close will need to be provided prior to the site coming into occupation and the applicant is advised that these works will need to

be carried out under a suitable agreement (Section 38/278 of Highways Act 1980). The applicant must apply for and get permission to work on the highway before undertaking any such works.

To provide for deliveries/servicing of the building/assist with pick up/drop off, the onsite courtyard is to be used and is acceptable.

The secure, covered cycle stand pavilion meets the standard set out in the Sustainable Transport SPD.

Arrangements for pick up/drop off detailed within the submitted Management Plan should be included in any legal agreements attached to the site.

Comments regarding the Travel Plan and Construction Management Plan.

In summary, the impact of the development is acceptable in highway terms and suitable pedestrian/cycling facilities, cycle parking facilities and pick up/drop off arrangements that are proposed for the traffic attracted to the site.

Comment on revised plans 2 April 2020

No change in terms of highways. Same observations apply.

15 October 2020 – in response to additional information provided by the applicant's Transport Consultants

S106 contributions – requests that S106 contributions are backdated to initial response. Conditions as previously recommended.

Lead Local Flood Authority (Devon County Council):

16 October 2020

No objection, recommends pre-commencement condition relating to detailed surface water drainage design.

Waste Authority (Devon County Council):

6 April 2020

Recommends condition requiring submission of Waste Audit Statement prior to commencement of development.

Place Making Officer (Exeter City Council):

Comments on the original proposal were provided on 14 November 2019

Six storey high building, concern regarding relationship with Sandford Walk dwellings. Close proximity of wings to existing dwellings. Oppressive nature of wings and full six storey height of the building is likely to be overbearing. Adverse impact with regard to sunlight/daylight. Comments on outdoor amenity space and landscaping.

Comments on first revised scheme were provided on 23 April 2020

Comments on height and massing relationship of the proposed building with the existing Sandford Walk dwellings. Comments on landscaping.

Comments on second revised scheme

On 7 October 2020, a comparative drawing was received to indicate the difference in massing between the first revised scheme (featuring flat roofs) and the second revised scheme (featuring pitched roofs).

7 October 2020

Notes ridge height of the proposed building is higher etc. Proposed pitched roofs have a more sympathetic appearance to the neighbouring dwellings and presents a better relationship with Gladstone Road. Requests a series of sections showing the proposed building in relation to the adjoining dwellings.

14 October 2020

Further to our meeting today and in advance of my detail comments to be sent shortly, I would add my concerns about the scale of the western elevation of the proposed building in relation to the St Matthews Close flats. The ridge height of the proposed building is shown about 9.6 m higher than that of the existing flats which is likely to have a domineering effect.

In connection with this the blank projecting area of almost 4 storey high brickwork at the western end appears to be largely featureless and well-considered detailing should be considered to enliven this part of the building.

Comments following revised/additional drawings and Design and Access Statement received 15 October 2020:

- The proposed pitched roofs of the amended design moderates the massing of the building and reduces the likely overbearing effect of the previous proposal, would have a more sympathetic appearance with the neighbouring Sandford Walk dwellings and presents a better relationship with Gladstone Road.

- Despite the new images included in the Design and Access Statement (p.30), the Proposed Sections (drawing no. 2407 373) still suggests that potentially there would be an uncomfortable height relationship between the proposed building and the existing flats of Nos. 7-8 St. Matthews Close which the step back of the previous design appeared to take into account.
- The additional recessed patterned brickwork panel at the western end of the of the southern elevation will help to enliven this part of the otherwise largely featureless expanse of brickwork and full details will be required.
- The open area to the north of the building is essentially a service yard for vehicle access and the location of the bin and bicycle stores. Whilst a few small trees and shrubs are proposed to be planted and some seating provided the small size and northerly orientation means it will have limited value.
- More space has been provided for three trees proposed at the entrance to the building fronting Gladstone Road in place of the existing Ash tree which would be removed to accommodate the development. The location of the trees would be further back from the highway.
- The proposed underground crating system has been extended which would enhance the establishment and growth of the new trees.
- Full details and specification of all works in relation to the proposed trees including paving construction and the location of existing and proposed above and below ground services will be needed.

Heritage Officer (Exeter City Council):

29 April 2020

Comments on potential for archaeological remains on the site which should be identified and properly recorded through an agreed programme of archaeological work; this can be secured by planning condition.

Proposals are acceptable in terms of impact on the settings of nearby conservation areas and other heritage assets. This is helped by the site being set back from the conservation area boundaries, and in particular that of the St Leonards CA along Heavitree Road and a little way away from the locally listed buildings of St Luke's and the listed buildings at Summerlands.

Comments that visualisations in views across the city, in relation to its surroundings and to the city centre buildings would have been useful.

Comments unfortunate that the redevelopment of this site and of the adjoining Police station site have not been designed as one.

Parks and Greenspace (Exeter City Council):

28 August 2020

From a landscape perspective there are no substantial changes between the previously submitted application and the current revision, so my previous comments remain valid (below for information). The change from student housing to co-living is not likely to substantially change the demographic profile of the development, and so the additional demand highlighted in the original comments remains similar albeit with slightly fewer overall beds. Note that the two requested contributions in the previous comments have been combined into a single contribution in our updated comments, and for comparison contributions are set at similar levels to what we requested at another co-living site in Exeter.

We would not object to this application from a Parks & Green Spaces perspective, subject to appropriate off-site contributions being made in lieu of sufficient on-site green open space being provided to cover the additional demands put on our parks and green spaces by additional residential developments.

The application proposes only a small POS with no private gardens, and the proposed on-site POS is not of sufficient space to serve the number of residents proposed nor to provide sufficient green open space within the development for residents to enjoy. Particularly in times of good weather, it is likely that a large number of the occupants will want to access a suitable green open space, and we therefore anticipate that the residents will create an additional demand on nearby public parks.

Additionally, no play provision is provided within the development. We are informed that this type of accommodation will be adult-only, therefore there will be no additional demand on play areas and there is no requirement for play area provision or off-site contribution towards play area provision.

The nearest public park is at Belmont Park, approximately 600m (5-10min walk along fairly quiet roads with footways). The next closest is Bull Meadow, but this is less likely to be heavily used by residents from this development as it is around 1km walk away which included crossing the busy Heavitree Road.

Belmont Park will be able to absorb the extra users created by the development, however the additional demand on the park and adult gym will generate additional wear and tear and will require infrastructure and equipment to be replaced sooner. We therefore seek a contribution for works at Belmont Park as follows:

- Contribution towards the upgrade and maintenance of Belmont Park, which will see additional use as a result of the proposed development. Works would likely include enhanced lighting provision on the main path (increased active travel, improved safety at night) and revenue works such

as path and fencing repairs, upkeep and replacement of adult gym equipment, replacement of parks furniture, vegetation management. We would request an off-site contribution of £50,000 (equivalent to around £381 per bed) towards open spaces provision.

Tree Manager (Exeter City Council):

25 August 2020

No arboriculture objections.

Environmental Health (Exeter City Council):

14 September 2020

Submitted CEMP does not contain sufficient detail on noise and vibration control (including from piling and compaction activities), dust control during demolition or working hours. Section 8 states that no work which is audible at the site boundary will take place outside the permitted working hours - we ask that all construction works cease outside these hours. The CEMP needs to be revised and resubmitted.

Recommends approval with conditions: CEMP, contaminated land, UXO, noise from development, noise mitigation

Exeter Cycling Campaign:

14 November 2019

Comments on cycle parking and crossing on Gladstone Road. Proposed crossing across Gladstone Road essential. Traffic calming measures would also help. Better pedestrian access to St Luke's campus across Heavitree Road is a necessity.

28 August 2020

Large amount of cycle storage space provided. Comments that it is not aspirational in numbers provided. Comments on security, ease of use, allocation of spaces.

Exeter Civic Society:

30 April 2020

Raises several concerns. Understand that the former police station site is likely to come forward shortly and in those circumstances the sub-committee is of the

view that the Council should take a holistic view of the re-development of the larger site rather than allow piecemeal development. Appears that the studios would be too small to support long term residential use with adequate amenity. Policy void against which to judge proposals for co-living. Remain of the view that the five storey element is too tall for this site.

Living Options Devon:

Note that development will be compliant with Approved Document Part M.
Note zero car parking is proposed in order to reduce car usage. Some disabled people depend on having their own transport and may feel this new development will discriminate / exclude them from having the opportunity to live on this site. Questions whether provision can be made for Blue Badge holders.
Asks if there will be storage/charging space for mobility scooters/electric wheelchairs. Asks if there will be height adjustable surfaces in the communal kitchen areas
Recommends permeable surfaces, advises careful consideration will need to be given to accessibility.

11.0 Representations

At the time of writing this report, there have been 134 contributors to the application overall. 128 of these objected, 4 were neutral and 2 were in support.

The application was publicised four times: once in relation to the original plans and documents, once in relation to the first set of amended plans and documents (April 2020), and twice in relation to the second set of amended plans and documents (August/September 2020).

In response to the original submitted scheme, concerns raised can be summarised as:

- Overdevelopment of the site, large size/footprint of the buildings. Lack of space for landscaping on Gladstone Road. Existing set back of buildings on Gladstone Road is deliberate in urban design, to allow frontage directly back of pavement would ignore existing layout and setting and be detrimental. Construction would require access over third party land.
- Would restrict development of police station site or create unsatisfactory relationship. Near proximity to Police Station boundary (scale, bulk, massing), overlooking – will prejudice redevelopment of Police Station site Police Station and Ambulance Station redevelopment should be treated as a whole. Significant impact on opportunity to maximise regeneration of both Police Station and Ambulance Station site.
- Height of development too high, large scale/height of building out of character with neighbouring residential development, buildings appearing

overbearing and out of proportion with immediate buildings, will dwarf adjacent houses

- Would set unwelcome precedent for future high rise buildings in the area
- Detrimental visual impact. Low rise terraced housing would fit into the area.
- Detrimental impact on amenity of existing residents including loss of outlook, loss of daylight/sunlight, overshadowing, dominating impact. Overlooking, loss of privacy to existing properties and courtyard areas due to windows in north elevation of proposed building. Noise and disturbance in area, increased litter, antisocial behaviour, increase in crime.
- Student accommodation will change the residential character of the area.
- Too much student accommodation in residential areas of Exeter. Question need for more student accommodation in the city.
- New large student developments would be better placed near the main campus rather than in a residential area. St Luke's campus cannot expand.
- Loss of trees, impact on streetscene. Ash tree adds to local amenity in Gladstone Road. Mature trees are important for absorbing carbon dioxide etc. at time of Climate Emergency and providing biodiversity, important for health and wellbeing. There should be more trees planted and green roofs for climate change mitigation.
- Pedestrian links shown across Police Station site are undeliverable as on third party land
- Increased traffic, increased congestion, increased potential for accidents. Traffic calming measures are required on Gladstone Road. Site suitable for car share space.
- Affordable residential housing would be more appropriate. Need affordable housing for young professionals and decent accommodation for those on a low income. Need family housing; family housing would support local school. Need for housing for local people.
- Need to ensure habitat enhancement (insects, birds, bats etc)
- Concern about loss of ambulance station as a facility, loss of local employment

A neutral comment was received on the need for good safe bicycle storage.

Emails/letters of objection received following re-consultation on the first revised scheme raise the following (summarised) concerns:

- Overdevelopment
- Building too high, massing too great
- Design/materials out of keeping, not locally distinctive
- Too close to Gladstone Road

- Detrimental Impacts on Residential Amenity including daylight, sunlight, overshadowing, loss of outlook, loss of view, loss of privacy, proximity of bin store
- Noise and disturbance caused by future residents of the development
- Increase crime in the area
- Large blocks of flats are out of character
- Loss of mature trees
- Impact on streetscene
- Impact on setting of St Luke's
- Type of accommodation not needed
- Need housing for local people. Need housing for older people. Need for family housing. Need more affordable housing.
- Too much student accommodation in Exeter.
- Nothing to stop students from renting the units.
- Will not be subject to CIL.
- Will not contribute to Council's housing target.
- Co-living developments should not be approved until ECC has a co-living policy.
- Sui generis use will not pay same level of Council tax.
- Co-living should only be approved when satisfactory space and amenity standards are provided and maintained in perpetuity.
- Question whether development would be truly car free
- Need to prevent parking permits being allocated to building's residents.
- Traffic calming measures required for Gladstone Road
- Needs safe pedestrian crossing on Gladstone Road.
- Plans are misleading.
- Precedent for development on Police Station Site.
- Public consultation was not long enough.
- Revised plans do not address concerns raised on original plans.
- If Ambulance site and adjacent Police Station site combined, opportunity to sympathetically develop a much larger area.
- Reduced value/saleability of adjacent existing properties.
- Further student accommodation in the city should be subject to a review given the effects of the pandemic.
- Comments with respect to maximising opportunity for habitat enhancement

Beverley Bateman, FirstPlan, on behalf of Waitrose and Partners, support the provision of the new pedestrian crossing across Gladstone Road but provide comments on the proposed design. Provide comments on funding and timing of works for improved facilities for pedestrian crossing Gladstone Road/Heavitree Road junction. Enforcement of management plan for pick up/ drop off of students through legal agreement. Request consultation on any subsequent application to discharge a planning condition relating to Construction Management Plan.

Emails/letters of objection received following re-consultation on the second revised scheme reiterate the following (summarised) concerns:

- Building too large for the site.
- Impact on historic environment including impact on St Lukes.
- Large concentration of young people, detrimental impact on quality of life existing residents
- Disturbance from use of indoor/outdoor communal spaces
- Increase in noise
- Separation distance is not large enough from existing residential properties
- Negative impact on amenity of Sandford Walk properties including loss of daylight/sunlight, loss of privacy, close proximity of bin store to existing residential properties, increase in traffic.
- Need affordable housing for local people.
- Co-living accommodation is worse than student accommodation as allows for permanent residents.
- Little more than hotel rooms, not high quality homes.
- Consideration should be given to developing with the police station site
- A mix of homes for different sized households would integrate better with the existing community.
- Seeks confirmation that no parking permits will be issued to residents
- Plans difficult to read.
- Questions whether co-living means student accommodation
- More cycling parking spaces, co-bikes hire point & co-cars electric car hire bays should be considered.
- Landscaping/tree planting conditions are required. Outside lighting should be designed to minimise impacts on bats. A shallow pond would provide a welcome addition for wildlife.
- Royal Devon and Exeter NHS Foundation Trust: Submitted a lengthy consultation response setting out the background and justification behind a request for a S106 financial contribution of £58,575 (based on 134 dwellings) towards the cost of providing capacity for the Trust to maintain service delivery during the first year of occupation of each unit in the development.

In support of the second amended set of plans, the following comments were received:

- Reduced scale now acceptable
- Good quality housing within walking/cycling distance of key amenities/onward transport links
- Brownfield site
- Shared communal spaces will foster good community bonds, improved mental health, providing a vibrant place to live

12.0 Relevant Policies

National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (February 2019) – in particular sections:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Planning Practice Guidance (PPG):

Air Quality

Appropriate assessment

Build to rent

Climate change

Design: process and tools

Effective use of land

Flood risk and coastal change

Healthy and safe communities

Historic environment

Housing for older and disabled people

Housing: optional technical standards

Housing supply and delivery

Land affected by contamination

Light pollution

Natural environment

Noise

Planning obligations

Travel Plans, Transport Assessment and Statements

Use of planning conditions

Waste

Water supply, wastewater and water quality

National Design Guide (October 2019)

Cycle Infrastructure Design Local Transport Note 1/20 (DfT, July 2020)

Development Plan

Core Strategy (Adopted 21 February 2012)

Core Strategy Objectives

CP1 – Spatial Strategy

CP4 – Density

CP5 – Mixed Housing

CP7 – Affordable Housing

CP9 – Transport

CP11 – Pollution

CP10 – Community Facilities

CP12 – Flood Risk

CP15 – Sustainable Construction

CP16 – Green Infrastructure, Landscape and Biodiversity

CP17 – Design and Local Distinctiveness

CP18 – Infrastructure

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

AP1 – Design and Location of Development

AP2 – Sequential Approach

H1 – Search Sequence

H2 – Location Priorities

H5 – Diversity of Housing

H7 – Housing for Disabled People

L4 – Provision of Youth and Adult Play Space in Residential Development

T1 – Hierarchy of Transport Modes

T2 – Accessibility Criteria

T3 – Encouraging Use of Sustainable Modes

C1 – Conservation Areas

C2 – Listed Buildings

C3 – Buildings of Local Importance

C5 – Archaeology

LS2 – Ramsar/Special Protection Area

LS4 – Nature Conservation

EN2 – Contaminated Land

EN3 – Air and Water Quality

EN4 – Flood Risk

EN5 – Noise

DG1 – Objectives of Urban Design

DG2 – Energy Conservation

DG4 – Residential Layout and Amenity

DG7 – Crime Prevention and Safety

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

W4 – Waste Prevention
W21 – Making Provision for Waste Management

Other Material Considerations

Development Delivery Development Plan Document (Publication Version, July 2015)

DD1 – Sustainable Development
DD5 – Access to Jobs
DD8 – Housing on Unallocated Sites
DD9 – Accessible, Adaptable and Wheelchair User Dwellings
DD13 – Residential Amenity
DD20 – Accessibility and Sustainable Movement
DD21 – Car and Cycle Parking
DD25 – Design Principles
DD26 – Designing out Crime
DD28 – Conserving and Managing Heritage Assets
DD30 – Green Infrastructure
DD31 – Biodiversity
DD34 – Pollution and Contaminated Land

Exeter City Council Supplementary Planning Documents:

Affordable Housing SPD (April 2014)
Archaeology and Development (Nov 2004)
Sustainable Transport SPD (March 2013)
Planning Obligations SPD (April 2014)
Public Open Space SPD (Sept 2005)
Residential Design Guide SPD (Sept 2010)
Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents:

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

Conservation Area Appraisals and Management Plans:

St Leonards (adopted March 2008)
Mont Le Grand (adopted March 2009)

13.0 Human rights

Article 6 - Right to a fair trial.
Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

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

It is acknowledged that there are certain individual properties where there may be some adverse impact and this will need to be mitigated as recommended through imposing conditions to ensure that there is no undue impact on the home and family life for occupiers. However, any interference with the right to a private and family life and home arising from the scheme as result of impact on residential amenity is considered necessary in a democratic society in the interests of the economic well-being of the city and wider area and is proportionate given the overall benefits of the scheme in the provision of homes, including affordable housing and economic benefits.

Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling the development of land.

This Recommendation is based on consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public Sector Equalities Duty

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

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

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

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

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

15.0 Financial Issues

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

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

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

Material considerations

- 20% of the dwellings within the co-living block will be affordable private rented (Policy CP7, Chapter 5 and Glossary of NPPF, and PPG advice on Build to rent). 5% of the affordable dwellings to be fitted out so they are wheelchair accessible.
- £114,247 habitats mitigation (Policies CP16 and LS2, Chapter 15 of NPPF, PPG advice on Natural Environment and Natural England consultation response).
- £50,000 towards the upgrade/maintenance of off-site public open spaces. (Policy L4, Public Open Space SPD and consultation response from Service Manager Public & Green Spaces).
- £65,000 improve the pedestrian/cycling crossing facilities at the Gladstone Road/Heavitree Road junction (Policies CP9 and T1, Sustainable Transport SPD and consultation response from Devon County Council – Local Highway Authority).
- Public realm improvements to Gladstone Road in the form of a pedestrian crossing (shown on plans), adjacent to the site access. The crossing would be in the form of dropped kerbs and tactile paving on both sides of

the carriageway together with a pedestrian refuge (Chapter 9 of NPPF, PPG advice on Promoting sustainable transport and Devon County Council – Local Highway Authority consultation response).

- The proposal will create 6 full-time jobs (planning application forms). The proposal will also create jobs in construction and related industries.

The request from the Royal Devon and Exeter NHS Foundation Trust for a financial contribution to be secured through a S106 agreement is one of a number of similar requests submitted by the Trust in respect of recent residential applications under consideration by the Council. Officers have responded generically to these requests outlining why it is considered that they are not considered to meet the necessary tests relating to S106 obligations, and consequently are not being sought in connection with these developments. This follows the advice made to Planning Member Working Group on 27 August 2019.

Non-material considerations

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is not CIL liable, as it does not comprise uses within the Community Infrastructure Charging Schedule.

The co-living block will generate council tax.

16.0 Planning Assessment

The key issues are:

1. Sustainable Development and application of the NPPF
2. The Principle of the Proposed Development (including Economic Benefits and Housing Supply)
3. Affordable Housing
4. Access and Impact on Local Highways
5. Parking Provision
6. Design and Landscape
7. Impact on Heritage Assets
8. Residential Amenity
9. Impact on Amenity of Surroundings
10. Impact on Trees and Biodiversity
11. Contaminated Land
12. Flood Risk and Surface Water Management
13. Sustainable Construction and Energy Conservation

1. Sustainable Development and application of the NPPF

The site lies in close proximity to the City Centre in an accessible location with good access to local amenities. Proposed residential development on the site is acceptable in principle as sustainable development in accordance with the requirements of the NPPF and adopted local policies.

The Council does not have a current 5 year housing land supply, which 'tilts' the determination towards permission unless other material considerations indicate otherwise.

Paragraph 11 of the NPPF sets out the criteria for the determination of sustainable development and states that decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

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

In respect of the above it is important to note the two footnotes to the above paragraph of the NPPF which are critical for application of the balance to be given between policies when making a decision, namely footnote 6 and footnote 7 which provides the necessary interpretation of the paragraph.

Footnote 6 sets out a list of policies in the Framework relating to protected assets which include, amongst others, heritage assets. Footnote 7 indicates that policies will be out of date where a council cannot demonstrate a 5 year housing land supply.

Para. 11 as above applies a clear presumption in favour of sustainable development particularly where proposals include the provision of housing where the authority cannot demonstrate a 5 year housing land supply position (footnote 7). This indicates that permission should be granted. However, footnote 6 makes it clear that policies for the protection of assets of particular importance are of major importance and these can provide a clear justification to refuse permission if granting permission would "significantly and demonstrably outweigh the benefits". It is thus necessary to weigh up the balance of issues and policies in

accordance with the requirements of Para. 11 of the NPPF.

The application of the above presumption in favour of sustainable development (and its predecessor Para. 14 of the NPPF 2012) have resulted in several court cases, notably in the Supreme Court ruling of *Suffolk Coastal DC v Hopkins Homes and SSCLG* (2016). This case confirmed that where a council does not have a 5 year housing land supply, housing policies are deemed to be 'out-of-date'. However, the fact that a policy is considered out of date does not mean it can be disregarded, but it means that less weight can be applied to it with the level of weight given to be a matter of planning judgement. The Supreme Court judgement confirmed that for the purposes of applying a tilt in favour of sustainable development, known as the 'tilted balance' (NPPF Para. 11(d)), policies of the development plan will remain applicable, but it will be for the local planning authority to determine the balance of policies for the protection of environment and amenity against the need for housing and the economy.

The various matters to be considered are set out in the remainder of this section of the report below.

2. The Principle of the Proposed Development (including Economic Benefits and Housing Supply)

The application site lies within a sustainable location. Core Strategy Policy CP1 (Spatial Strategy) states that development will be guided to the most sustainable locations, recognising the contribution to be made to growth by the existing urban area, particularly the City Centre. Policy AP1 states that proposals should be located where safe and convenient access by public transport, walking and cycling is available or can be provided.

The site is currently vacant; its last use was an ambulance station. The use as an ambulance station is considered by officers to be a community facility. The proposed loss of this use is considered acceptable with respect to Core Strategy Policy 10 as the site is surplus to requirements of South Western Ambulance Service.

The site comprises previously developed ('brownfield') land; the Core Strategy supports maximising the use of previously developed land (Vision, Objectives, Spatial approach). Policy AP2 (Sequential Approach) gives priority to meeting development needs on previously developed land. Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (Paragraph 118, NPPF). The NPPF promotes the effective use of land, including using employment land for homes in areas of high housing demand (Paragraph 121). The NPPF states that where there is an existing shortage of land for meeting identified housing needs, it is especially important that decisions avoid homes being built at low densities,

and ensure that developments make optimal use of the potential of each site (Paragraph 123).

The original submission was for student accommodation. Since submission, the description of the application has been amended to co-living accommodation. The Management Plan for the co-living accommodation states, under Tenant Profile, *“the studios are an attractive housing option for young professionals, who want the independence of living alone, but also like to have the option of being part of the community of likeminded individuals in a secure and managed environment”*.

The proposed co-living accommodation comprises 133 studio rooms with ground floor communal common rooms, shared kitchen and dining space, an entrance reception area and landscaped amenity.

The proposed use as co-living accommodation is sui-generis, i.e. the use does not fall within any specific Use Class as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended). Exeter City Council currently has no adopted planning policy relating to co-living development proposals. However, adopted policies relating to general housing development are applicable to the scheme.

Policy CP4 requires residential development to achieve the highest appropriate density compatible with the protection of heritage assets, local amenities, the character and quality of the local environment and the safety and convenience of the local and trunk road network. Impacts of the proposed development on heritage assets, local amenities, character of the locality and highways are considered in later sections of this report. The proposal is for high density residential accommodation. Taking into account the balance of the other planning considerations set in later sections of this report, the development accords with Policy CP4.

In regard to concerns raised about the suitability of the development in light of the Covid-19 pandemic, the Government has not issued any new planning guidance advising against high density housing, due to the requirement for social distancing, or other types of development that attract high numbers of people, such as offices, retail/leisure or sports stadia, and officers consider that the building is likely to be positively managed in this respect by the on-site management.

Representations have been made about the benefits of developing the site in combination with the adjacent police station site to the south. However, the current application has come forward for redevelopment of the single site and not a wider redevelopment scheme. At the time of writing this report, no formal planning application has been submitted for redevelopment of the police station site. A comprehensive redevelopment scheme for both sites is not possible as

the current site has come forward on its own; each planning application must to be determined on its own planning merits.

Policy CP5 requires the supply of housing to meet the needs of all members of the community. The application is accompanied by supporting documentation to evidence the need for the proposed accommodation. A report entitled Co-living and the Exeter Economy (October 2020) sets out that co-living:

- is especially relevant to people with a relatively short-term accommodation need, such as might traditionally be met by a house-share or serviced accommodation.
- offers shared amenities with all-inclusive bills and with relatively 'easy-out' arrangements.
- residents benefit from higher standards of amenity and support services than would be found in alternative forms of accommodation, such as a house-share.
- provide co-working space to help foster networking opportunities for young professional workers and entrepreneurs.
- developments are staffed to provide residents with concierge services and security.
- typical age profile of occupants would be expected to be aged between 25 and 35 years. Occupants are therefore expected to be well-qualified and would often be at an early stage on the career ladder.
- as a concept is not designed as key worker housing, it is likely that some residents would be employed by the public sector
- concept can also be relevant to 'young minded' middle aged workers.

The report states that recent data suggests that only around 12% of graduates for the University currently continue to live and work in Exeter after graduation (currently around half of the levels exhibited by other small university cities in the UK). In order to capture a greater proportion of potential future economic growth Exeter will need to do more to retain a greater proportion of the annual supply of highly qualified graduates produced by its own University. One challenge to retaining a higher proportion of graduates is the current lack of affordability of housing in the City. The Co-living concept could play an important role in helping to boost levels of graduate retention in Exeter, by providing an opportunity for attractive but affordable housing sharing facilities for local graduates alongside other like-minded young people.

Policy CP5 states that specialist housing should be provided as part of mixed communities, in accessible locations close to facilities. The proposal for co-living is considered to be a specialist form of housing, which is mainly aimed at younger people who wish to live in a social environment that is well managed. It will provide accommodation for people who might otherwise live in a standard HMO and by doing so could possibly free up existing housing stock for family dwellings.

The co-living development will deliver much needed new housing in a sustainable location taking into account that the Council does not currently have a 5 year housing land supply, as required by national policy. The presumption in favour of sustainable development set out in NPPF 11d) therefore applies.

Given the sustainable location of the site in close proximity to the City Centre, the principle of a residential development (rented studios with tenants having access to communal amenity areas) in this location is acceptable in principle. The development will support economic growth through the creation of 6 jobs and resident expenditure in the City Centre. The co-living use will provide specialist housing in a highly accessible location, and help the Council towards providing a 5 year supply of deliverable housing sites. The development will make effective use of a previously developed ('brownfield') site in line with local and national planning policy. The proposed development accords with Policies CP1, CP4, CP5, AP1, AP2, H1, and H2 (as applicable).

3. Affordable Housing

Policy CP7 requires 35% of the total housing provision on sites capable of providing 3 or more additional dwellings as affordable housing. The NPPF states that affordable housing should only be sought on major developments (i.e. 10 or more homes or site area of 0.5ha or more). While the co-living block is sui generis, it will still deliver dwellings in the form of the studios, therefore the requirement for affordable housing set out in Policy CP7 applies to the proposal. The co-living accommodation will be Build to Rent housing, as defined in the NPPF (i.e. purpose built housing that is typically 100% rented out).

National Planning Practice Guidance (NPPG) on build to rent states that 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. As this guidance was published after the Core Strategy was adopted, officers consider that it is a material consideration that indicates that in this case 20% affordable housing should be provided as opposed to 35% as set out in Policy CP7. When applied proportionally, this results in a requirement of 27 affordable studios. Officers consider that the Council's requirement of seeking 5% of affordable units as wheelchair accessible should also apply (Affordable Housing SPD). In addition, it is considered that the affordable units should be given priority to essential local workers and the developer has agreed to this. The affordable housing will be secured in a s106 agreement.

Given that the required affordable housing is to be provided in accordance with the NPPG level of 20% on Build to Rent schemes, which supersedes the Core Strategy requirement of 35%, the proposal meets with the policy requirements for affordable housing providing this is secured through a s106 agreement. The provision of wheelchair accessible units within the scheme will also meet

objectives of the Public Sector Equalities Duty (PSED).

4. Access and Impact on Local Highways

As set out in their detailed consultation response, DCC Local Highway Authority raise no objections to the development subject to a number of recommended planning conditions and clauses within a Section 106 agreement.

The proposal is for the development to be car free which is supported in this sustainable location. Traffic generation for the proposed use is not a concern. In terms of safety, the proposed access is acceptable. The proposed courtyard is deemed acceptable to provide for deliveries and servicing of the building and assist with pick up/drop off. The ramp providing pedestrian/cycling access, as well as for refuse collection purposes, onto St Matthews Close (together with the stepped), is acceptable. This access will enhance permeability through the site for residents of the development.

The proposed development is expected to generate a considerable number of new pedestrian and cycle movements to and from the site. The proposal includes a new pedestrian crossing across Gladstone Road, adjacent to the site access. The crossing will be in the form of dropped kerbs and tactile paving on both sides of the carriageway together with a pedestrian refuge. This proposed pedestrian crossing is welcomed and will benefit all users of Gladstone Road.

Given the existing lack of signalised crossing points on the Gladstone Road / Heavitree Road junction (where accidents have occurred), DCC Local Highway Authority has requested a financial contribution of £65,000 to improve the pedestrian / cycling crossing facilities at the Gladstone Road / Heavitree Road junction. The justification for requesting this contribution is set out in detail in the consultation response.

The contribution towards improved crossing points on Heavitree Road will improve access for all users and this is a significant planning benefit of the application. The works will be paid for by the developer and secured through the s106 agreement and conditions.

DCC Local Highway Authority also require a number of planning conditions to be attached to any approval relating to:

1. Access Point Gladstone Road
2. Access Points to St Matthews Close
3. Crossing Point on Gladstone Road
4. Cycle Parking Facilities
5. Management Plan (provision sustainable transport welcome packs, student pick up/drop off)

The co-living accommodation will be car-free and residents will not be entitled to residential parking permits. Instead they will be encouraged to use sustainable modes of travel through a full Travel Plan to be conditioned.

The proposed development gives more priority to pedestrians and cyclists in line with national and local policy, and best practice guidance. Such improvements will also ensure improved accessibility for wheelchair users, other mobility impaired people and parents with pushchairs in line with the PSED.

The development has been designed with inclusive access in mind and will be compliant with part M of the Building Regulations and wheelchair accessible.

In relation to the comments received from Living Options (Section 10 of this report), the applicant's Highway Consultation has responded:

- Given the site constraints, a provision for an on-site disabled bay within the courtyard area would severely impact the area available for delivery vehicles to turn around.
- Given the type of development proposed, it is unlikely that a demand for a disabled bay would arise. However, if a demand for a disabled bay does arise in future, then we would review this at the time and investigate potential to provide a space on site.
- Alternatively, a Blue Badge Holder can apply for a on-street disabled parking bay to Devon County Council.
- Given the type of development proposed, it is unlikely that there would be a demand for a communal storage space for mobility scooters/electric wheelchairs. In the event that there is a requirement, those parties can store and charge their scooters and wheelchairs in their rooms.

The proposed development is acceptable with respect to access and impact on local highways; the proposed development is considered to accord with Policies CP9, T1, T2 and T3 in that it has been designed and will be managed to put pedestrians and cyclists before cars, and is in a highly sustainable location where opportunities to utilise sustainable modes of travel will be maximised. It will therefore support the Council's corporate priority of Net Zero Exeter 2030.

5. Parking Provision

Paragraph 105 of the NPPF advises that if setting local parking standards, policies should take into account, amongst other criteria, the accessibility of the development, the use of development and the availability of and opportunities for public transport.

The indicative car parking standard for residential in the Sustainable Transport SPD is 1.5 spaces per dwelling. However, the co-living accommodation will be car-free. This is considered acceptable in this location given the opportunities to access facilities and public transport. The car free nature of the development

has been agreed by the Local Highway Authority. The courtyard area can be used for move in/move out of residents.

The secure covered cycle stand pavilion is welcomed and meets the standard set out in the Sustainable Transport SPD. This will be conditioned to be maintained in perpetuity.

The proposed development is considered to be acceptable with regard to parking.

6. Design and Landscape

Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (Paragraph 117, NPPF). Local Plan First Review Policy H2 (Location Priorities) states that priority will be given to meeting housing needs on previously developed land and permitting development at the highest density that can be achieved without detriment to local amenity, the character and quality of the local environment etc. The proposal is for a high density development, 133 studios over 6 floors of accommodation (including the lower ground floor and rooms in the roof space) on a 0.26Ha site.

Notwithstanding the sustainable location of the site, the application site is heavily constrained by reason of:

1. Close proximity to the terrace of existing two storey residential properties immediately to the north of the site (Sandford Walk odd numbers 31 to 51 and 1 Gladstone Road). The rear of this terrace of 12 properties and their south facing courtyard areas means that any proposed development on the ambulance station site gives rise to potential for loss of daylight/sunlight, loss of privacy, potential for development to appear dominant and overbearing. These issues of neighbour amenity are discussed under sub-heading 9 below.
2. The existing Ash Tree (subject to a Tree Protection Order) between the existing building and Gladstone Road which currently makes a positive contribution to the existing streetscene.
3. The shape of the site which has a relatively small frontage on to Gladstone Road (approximately 27m north-south) yet runs back into the site from Gladstone Road (west-east) for a distance of approximately 58m with 12 terraced properties immediately to the north and the Police Headquarters site immediately to the south.

A balance is required between achieving an effective use of a brownfield site within a sustainable location whilst safeguarding and improving the environment and protecting local amenity.

Chapter 12 of the NPPF is titled 'Achieving well-designed places'. Paragraph 127 sets out that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The main part of the new building will be much taller than the adjacent buildings on Sandford Walk and St Matthews Close to the north and north west. The ridgeline of the proposed main building will be 9.7m higher than the ridge of St Matthews Close, 9.8m higher than Sandford properties at the western end of the terrace and 6.9m higher than Sandford Walk properties at the eastern end of the terrace. However, to the south of the site lies the Police Station buildings with Heavitree Road beyond. The police station site, includes a five storey building. The proposed ridge level of the main building is approximately 3.2m higher than the tallest building on the police station site. The police station site justifies a change in character between the Sandford Walk properties and Heavitree Road in terms of scale of townscape. Some step up in height towards the south of the site is considered to be appropriate.

Height and massing of the proposals has been subject to much discussion with the developer during the planning application. In response to feedback from the local planning authority during the planning application, the developer has significantly changed the proposed design of the proposals to reduce the massing of the development and to address other design concerns raised by officers, including impacts on the amenity of nearby residents which are considered under sub-heading 9.

The proposed pitched roof design is considered to be a much more appropriate and sympathetic design response given the context of the site in relation to existing adjacent residential development compared to previous flat roof proposals. The utilisation of pitched roofs has reduced the overall scale and

massing of the development. The pitched roofs also better respect the form of the residential properties on Sandford Walk and St Matthews Close.

That said, the juxtaposition between the buildings of lower height on Sandford Walk and St Matthews Close and the proposed development of significantly greater height remains uncomfortable. However, the scale/massing of the scheme has been reduced to a degree that, whilst finely balanced, given the local and national guidance promoting the efficient use of land, officers consider that it does not warrant refusal in urban design terms.

It is recognised that the proposals will have an impact on the potential to bring forward a comprehensive redevelopment scheme on the adjacent police station site. However, at the time of writing this report there is no formal planning application for redevelopment of the adjacent site and the current application must be determined on its own planning merits. The proposals are considered to have an acceptable relationship with the existing buildings to the south. The police station site is much larger than the current application site and there is scope for any layout in a future redevelopment of the site to take account of the development proposals on the Ambulance Station site.

The removal of existing unsightly buildings and car parking areas from the site is a benefit of the scheme. The proposed architecture and use of high quality modern materials and soft/hard landscaping will improve the overall appearance of the site. The materials and landscaping will be conditioned to ensure that the quality of the materials proposed is agreed and delivered in accordance with Paragraph 130 of the NPPF.

In amending the design of the scheme, the design of the buildings has benefited from being simplified on all elevations. The removal of the previously canted windows on the southern elevation is welcomed and the northern elevation no longer appears contrived in its design.

The proposed elevational design of the building fronting Gladstone Road will increase active frontages and contribute to the vibrancy of the area.

Replacement planting is proposed on Gladstone Road to ensure that trees continue to make a positive contribution to the streetscene. As stated in the supporting Landscape Design Statement, the additional trees will soften the frontage of the new development, provide vertical structure and year round interest, whilst enhancing the overall verdant character of the street. The streetscene along Gladstone Road will benefit from an improved public realm.

With respect to Policy DG1, the development is considered to comply with parts:

- a) in that the development is compatible with the urban nature of the locality and the development puts people before traffic.
- b) the grain of the development promotes the urban character of Exeter

- c) landscape design is fully integrated into the proposal. The landscaped area of the courtyard will provide an attractive outdoor amenity area for the studios and will also enable delivery vehicles to turn and space for pick up / drop off of residents etc. The proposed hard and soft landscaping will enhance the visual appearance of the scheme.
- d) the density of the development will promote Exeter's urban character
- e) the proposed development is a compatible use in the area which will add to the vitality of the locality
- h) the design of the scheme does promote local distinctiveness and the architecture will positively contribute to the visual richness and amenity of the townscape
- i) the types of materials will relate well to the palette of materials in the locality

The design accords with Policy DG1 except for DG1(f) where it states that the height of constituent part of buildings should relate well to adjoining buildings, spaces and to human scale and DG1(g), where it states that the volume and shape (the massing) of structures should relate well to the character and appearance of the adjoining buildings and the surrounding townscape. The buildings will be much greater in height and massing to adjacent properties on Sandford Walk and St Matthews Close. Whilst not complying with parts f and g of Policy DG1, as set out above the scale and mass of the development is considered to be not refusable in terms of urban design.

The detailed consultation responses from the Council's Place Making Officer are set out in Section 10 of this report. In summary, the pitched roof design -

- moderates the massing of the building
- reduces the likely overbearing effect
- has a more sympathetic appearance with Sandford Walk dwellings
- presents a better relationship with Gladstone Road.

The requested additional recessed patterned brickwork panel at the western end of the southern elevation will help to enliven this part of the otherwise largely featureless expanse of brickwork. Another welcome change to the scheme is that more space has been provided for three trees proposed at the entrance to the building fronting Gladstone Road and the trees would be further back from the highway. The proposed underground crating system has been extended which would enhance the establishment and growth of the new trees.

The Place Making Officer comments:

- there is potentially an uncomfortable height relationship between the proposed building and the existing flats of Nos. 7-8 St. Matthews Close.
- The open area to the north of the building is essentially a service yard for vehicle access and the location of the bin and bicycle stores. Whilst a few small trees and shrubs are proposed to be planted and some seating

provided the small size and northerly orientation means it will have limited value.

In terms of safety and security, the Police Designing Out Crime Officer has made comments that mainly relate to detailed design matters that can be addressed through a condition for a detailed landscaping scheme or through building regulations. A condition to secure a strategy for the distribution of CCTV across the site in an unobtrusive manner in accordance with Policy DG7 is considered appropriate.

Given the above, whilst the proposal development is not fully sympathetic to local character, the proposal is otherwise in accordance with Policies CP17, DG1 and Chapter 12 of the NPPF on achieving well-designed places. Overall, the proposal is deemed to be acceptable with respect to design and landscape matters.

7. Impact on Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, and to have special regard to the desirability of preserving listed buildings or their settings that are affected by development proposals. This is reflected in Policies C1 and C2. Policy C3 protects buildings of local importance (locally listed). Policy C5 prevents harm to scheduled monuments, including their setting, and seeks to preserve archaeological remains in situ or archaeological recording works where this is not feasible or practical.

The NPPF was published after the development plan policies above were adopted and includes additional policies relating to conserving and enhancing the historic environment. Therefore, the development plan policies above are not fully up-to-date. Paragraph 189 requires developers to describe the significance of any heritage assets affected by their proposals – the developer has done this in the supporting heritage report (see Section 7.0). Significance is defined in the Glossary of the NPPF as: ‘The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting...’. When considering the impact of development proposals on the significance of designated heritage assets, the NPPF states that great weight should be given to their conservation (and the more important the asset, the greater the weight should be) (Para. 193). Para. 194 states that any harm to, or loss of, the significance of a designated asset (which includes conservation areas, listed buildings and scheduled monuments) should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, Paragraph 196 states that this harm should be

weighed against the public benefits of the proposal. Public benefits could be anything that delivers economic, social or environmental objectives as described in the NPPF. Considerable importance should be placed on the statutory duties within the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) described above when carrying out this balancing exercise. In the case of non-designated heritage assets (i.e. locally listed buildings) Paragraph 197 states that the effect on the significance of a non-designated heritage asset should be taken into account...and when weighing applications a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The application site lies within the setting of two Conservation Areas; St Leonards Conservation Area, and Mont Le Grand Conservation Area. The proposed building will clearly be viewed from St Leonards Conservation Area as demonstrated by CGI view 2, looking north from Heavitree and Gladstone Road junction. The site also lies within the setting of a locally listed building (St Luke's College).

The Council's Heritage Officer considers that the proposed height and massing is acceptable to the settings of the nearby Conservation Areas and other heritage assets.

The supporting Built Heritage Statement finds that:

1. When looking towards the Site from St Luke's College the proposed building would maintain the existing building line but would appear slightly taller than the existing development. However, the majority of the building would be concealed by intervening built development, notably including the Police Station, and the proposed development would not alter the current character of these views. There would be limited changes to views of the buildings and into the conservation area which would not alter the ability to appreciate or understand the significance of the College buildings or wider conservation area.
2. The existing setting of the St Leonards conservation area is characterised by mixed development, including a range of late twentieth and twenty-first-century buildings with large footprints, often exceeding three or four storeys in height. The proposed development would not change this existing character and, would have a minimal impact on views into and out of the conservation area. The St Leonards Conservation Area would remain as a large, predominantly residential area containing high-quality nineteenth-century housing and landmark institutional buildings. The proposed development would therefore have no impact on the significance, including the character and appearance, of the St Leonards Conservation Area.

3. The development would alter some distant, peripheral views from the Mont Le Grand Conservation Area. However, this view is currently characterised and dominated by the neighbouring supermarket and its associated car park. The changes within the Site, including additional height, would not alter the character of these views or the ability to experience and appreciate the significance of the Mont le Grand Conservation Area.'

Officers consider, by reason of the separation distances and intervening buildings between the application site and the heritage assets, the proposed development would result in a neutral impact on the settings of both the Conservation Areas and a neutral impact on the setting of St Luke's College, therefore the proposed development would cause no harm to the heritage assets.

The application is accompanied by an Archaeological Desk Based Assessment, the conclusions of which are:

- no designated or non-designated archaeological assets recorded on the study site.
- site considered to have a low to moderate archaeological potential for Roman evidence and a low archaeological potential for Prehistoric or Medieval evidence. Features associated with Post-Medieval agricultural activity and evidence of 19th century nursery structures could be present.
- Any remains, should they occur on site, would most likely just be of local significance.
- It is considered unlikely that the redevelopment of the study site would either have a significant or widespread below ground archaeological impact.

With regard to archaeology, as recommended by the Heritage Officer, a condition is necessary to secure a written scheme of archaeological work to be carried out including on-site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element.

The site does form part of the setting of two conservation areas (Mont Le Grand Conservation Area and St Leonards Conservation Area) and one locally listed building (St Luke's College), which is a non-designated heritage asset. The proposed redevelopment of the Site would introduce additional height, but would not change the existing character of the heritage assets' settings or the ability to experience and appreciate their significance. The proposed redevelopment is acceptable with respect to impacts on heritage assets; the proposals would preserve the significance of these heritage assets in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Policies C1 and C3 of the Exeter City Local Plan.

8. Residential Amenity

Policy DG4 states that residential development should ensure a quality of amenity which allows residents to feel at ease within their homes and gardens. The Residential Design SPD includes minimum space standards for dwellings, however the Council now applies the national 'Technical housing standards – nationally described space standard' (March 2015), as it was published after the Residential Design SPD was adopted in 2010. The Residential Design SPD also includes minimum garden sizes. Officers do not consider that the local or national space standards should be applied to co-living housing schemes, as they are not standard dwelling types. The SPD states that part of the need for minimum space standards is to ensure that dwellings are flexible and adaptable, so they meet the changing needs of occupiers over time. Conversely co-living housing is a specialist type of housing aimed at a specific sector of the market that might otherwise live in an HMO. The properties typically have similar characteristics to Purpose Built Student Accommodation, but are open to anyone to live in over the age of 18 and have more communal space than other forms of housing. They are characterised by their design and management, which are intended to foster social interaction and a sense of community between residents.

The size of the majority of rooms in the proposed co-living scheme fall below the national space standard for a 1 bed 1 person dwelling of 37 sq m. The room sizes of the studios vary between 18 and 42 sq m. The average size of studio on the Lower Ground, Ground, First, Second and Third Floors is 20 sq m. The eleven studios on the Fourth Floor are more generous in size with an average of 26.5 sq m. This small apartment size would be a concern for an ordinary housing development. However, the proposal is for co-living accommodation with communal amenity areas provided on the ground floor of the building.

The communal kitchen and dining area, workspace, flexible social space and communal area on the lower ground floor provides 409 sq m communal space which equates to 3.1 sq m communal space per studio.

This compares with 667 sq m of additional communal floor space provided for the Co-Living accommodation block recently granted a resolution to approve on the Harlequins Shopping Centre site in the City Centre. This scheme comprises 99 studios and 26 cluster flats with 251 bedspaces overall. The amount of additional communal floor space per bedspace in the Harlequins scheme is 2.66 sq m. Based on the number of units (studios and cluster flats) it is 5.34 sq m.

In order to encourage socialising and a sense of community within the co-living development, officers sought provision to be made on each floor of accommodation for communal areas such as kitchen/dining rooms, living rooms, work spaces, gym etc. The lack of communal amenity space on the four storeys above the ground floor is likely to limit social interaction to some degree.

Policy DG4 still applies to co-living housing and it is important that a quality of amenity is provided to make residents feel at ease within the property, recognising the intrinsic characteristics of the co-living model. There is no national planning guidance at present in this respect, or a local policy that specifically deals with this type of housing. In the case of this proposal, a total of 409 sq m communal space will be provided in the building. The quality of amenity in this respect is considered to be acceptable.

Officers are satisfied that the proposals will provide the environment and be managed in such a way that it will function as a genuine co-living development, taking into account the inclusion of communal spaces to encourage social interaction outside the private spaces and organised social activities in the management plan. The management plan submitted with the application should be secured in a s106 agreement to ensure this remains the case and a condition added prohibiting the use of the communal areas for anything other than the purpose of providing shared amenity space for the residents. The s106 should include provisions for monitoring compliance of the management plan in the future.

In terms of outdoor amenity space, it is considered that the proposed courtyard area on the northern side of the building, adjacent to the service yard, will not adequately cater for the needs of the occupiers of 133 studios in providing outdoor seating and outdoor amenity. Little outdoor amenity space is provided and the space that is provided is on the northern elevation, where the area will lack sunlight. Therefore, it is expected that residents will use the public open spaces within the vicinity of the site for outdoor amenity. A contribution of £50,000 is therefore required for the maintenance and upgrade of off-site public open spaces. This is justified by Policy L4 and section 6 of the Public Open Space SPD. These will be secured through a s106 agreement.

In terms of waste collection, confirmation is awaited from the Waste Collections Manager that the bin store with capacity for 5 no. 1,100 litre bins will be sufficient for the co-living accommodation. An update will be provided at committee. A condition should be added requiring bins to be stored inside the bin store at all times except for when they are being emptied, in the interests of the amenity of the area.

In terms of residential amenity, the proposal is considered to meet with the basic requirements of Policy DG4, however it is accepted that there will be reliance of existing public open spaces nearby to provide outdoor amenity and recreational space, and a contribution is therefore sought to enhance these spaces and their recreational value.

9. Impact on Amenity of Surroundings

The amenity issues to consider are: privacy, outlook, natural light, overshadowing and noise. The adjoining properties that are considered to be most affected by these issues are the residential properties to the north (31 to 51 Sandford Walk odd numbers only and 1 Gladstone Road). The impact of the proposals on Block 7 St Matthews Close is limited due to orientation of the buildings; a blank gable wall of 7 St Matthews Close faces south east towards the site. Blocks 5 and 6 St Matthews Close are positioned further away to the west from the site; the west elevation of the main proposed building will be approximately 36m from 5 & 6 St Matthews Close. Given the large separation distance, impacts on residential amenity arising from the development are considered to be acceptable with respect to 5 & 6 St Matthews Close in the urban context.

Policy DG4 states that residential development should be at the maximum feasible density taking into account site constraints and impact on the local area, and ensure a quality of amenity which allows residents to feel at ease within their homes and gardens. The background text states that 'Residential layout should be at the maximum feasible density taking account of all the design constraints relating to a particular site. Full account should be taken of the need to preserve the amenity of the occupiers of adjoining development, but the urban theme of this design guidance should run through new proposals. An existing suburban context will not be seen as justifying a similar, new, suburban scheme at insufficient densities,' (Paragraph 13.35).

Supplementary guidance on residential amenity is provided in Chapter 7 of the Residential Design SPD. Paragraph 7.2 of the SPD states that the standards are flexible according to site analysis. In addition, the background text of Policy DG4 states that distance standards will be applied flexibly and not at the cost of good townscape and sufficient densities.

Privacy

The Residential Design Guide SPD states that a minimum back to back distance of 22m is required between habitable room windows. Where buildings of different storey heights back onto one another, privacy distances will need to be increased (Paragraph 7.18 Residential Design Guide SPD). The guidance also states that privacy may be achieved by avoiding windows between habitable rooms (living room, dining room, kitchen and bedroom) directly facing one another).

The supporting Design and Access Statement shows how the minimum of 22m distance is achieved between the majority of windows, between the scheme and the rear of Sandford Walk. The Design and Access Statement makes reference to the fact that the majority of the proposed building is not set out at 90 degrees to the Sandford Walk properties. This improves the degree of privacy between

the proposed and existing properties by reducing the amount of direct overlooking.

The gable ends of the wings of the building on the north elevation are the closest parts of the building to the main rear wall of the Sandford Walk properties. The separation distances are 10.5m and 14.5m for the wing towards the east and wing towards the west respectively (diagram on page 50, Design and Access Statement). The windows shown at ground floor level within these gable ends of the wings will be acceptable in terms of privacy to the adjacent neighbours. As a result of the existing boundary wall, ground floor windows within the gable of the wing at the eastern end of the site, opposite numbers 47 and 49 Sandford Walk will not result in any loss of privacy to adjacent neighbours.

The windows in the gable end of the wing at the western end and the first floor window of the wing at the eastern end do not light studio rooms but are lighting circulation space. It is considered reasonable and necessary to condition that these windows lighting circulation space are obscured glazed and non-opening in order to protect the privacy of existing residents on Sandford Walk.

The seven windows lighting studios at first floor level in the main part of the building on the north elevation are considered to be acceptable in terms their relationship to the Sandford Walk properties and degree of privacy. This is by reason of the distance between the proposed windows and the main rear elevation of Sandford Walk properties (which ranges from almost 22m at number 45 Sandford Walk to 25m at number 39).

Numbers 33, 39 and 47 Sandford Walk have windows in rear extensions; detailed reference is made to these windows on Pages 53 & 54 of the Design and Access Statement. One of the windows (no. 33) has opaque glazing and the distance from the main building is 24.5m and so is considered acceptable with regard to impact on privacy. Another window (no. 39) is high level and is at a distance of 21.5m from the main building; this does not raise privacy concerns. The two windows in the rear extension to number 47 are positioned less than the recommended distance of 22m from windows in the main building; the distance is approximately 20m. Potential overlooking from studio windows at first, second and third floor level is reduced to some degree because the windows are not at 90 degrees to one another.

The degree of separation between the main building and Sandford Walk properties is considered acceptable for windows lighting the studios at first floor level. However, with respect to windows at second and third floor level on the north elevation, it is considered reasonable and necessary to condition that the lower parts of the studio windows are glazed with obscured glass in order to reduce the degree of overlooking to the existing residents on Sandford Walk.

In term of use of the courtyard area as outdoor amenity space and use of the cycle store etc, the existing red brick wall to the north of the site is to be retained. The height of the existing wall varies but is around 1.5m in height. Site levels are to be reduced as part of the scheme. Sections shown on page 50 of the Design and Access Statement show how this will improve the relationship between the rear of Sandford Walk dwellings and the site by increasing the height of the wall, improving security and reducing overlooking by residents. A condition is necessary to control the detailed design of boundary treatment for the scheme as a whole, this will enable control to any changes to the northern boundary wall (including any necessary retaining elements within the site as indicated on the Landscape Layout, drawing number 101 Revision Q).

Subject to the conditions discussed in the section above requiring partial obscure glazing to second and third floor studio windows in the northern elevation of the proposed building, and windows in the gable ends of the wings that light circulation spaces to be obscure glazed (not at ground floor level on the wing at the eastern side of the site), the scheme will have an acceptable impact on neighbours with respect to privacy.

Outlook

On the issue of Outlook, the Residential Design Guide SPD states that residents should be able to enjoy good quality outlook, without adjacent buildings being overbearing. 'Where habitable room windows face onto a blank or largely blank wall of another building, a minimum distance equal to twice the height of the blank wall (measured from ground floor level to eaves or parapet) must be provided between the two buildings... Where there is a level difference between the two buildings the distance must increase... or may decrease accordingly,' (Paragraph 7.24).

The current outlook from the Sandford Walk properties is towards the existing buildings on the Ambulance Station site including the warehouse building, carpark, diesel tanker and the two storey flat roof building at the eastern end near Gladstone Road.

Whilst the height, scale and massing of buildings on the site will increase, the proposal will improve the visual appearance of the site in terms of providing a development that is more aesthetically pleasing in terms of architecture with the provision of a high quality building design and landscaping around the buildings.

The developer has provided sections showing the separation distances between the buildings and properties on Sandford Walk (drawing number 2407_374).

In relation to the proposed wings of the buildings, in both instances there would be a distance in excess of twice the height of the eaves level of the gable end walls. Furthermore, the gable end walls will be visually broken up by a number of

window openings. In relation to the relationship with the main part of the building, the distance between the building and Sandford Walk properties is close to or exceeds twice the height of eaves level. Section 01-01 shows that the separation distance between the main part of the building and 49 Sandford Walk falls short of being twice the height of eaves level by 0.35m. In any case, the outlook from Sandford Walk properties will not be on to blank elevations that lack interest.

Given the elevational treatment of the building, the separation distances from neighbouring properties, and having regard to the urban nature of the locality, the visual outlook for residents is considered by officers to be acceptable.

Natural Light

In terms of natural light, the Residential Design SPD states 'Developers should demonstrate that dwellings have sufficient daylight to allow comfortable use and enjoyment of habitable rooms, gardens and communal spaces. Where there is doubt about the quality of daylight developers will be required to produce plans illustrating shadow paths at the winter solstice and spring/autumn equinox (sunrise, midday and sunset),' (Paragraph 7.21). The developer has provided a daylight and sunlight report by a specialist consultancy (Consil) in accordance with the BRE Report 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' 2nd Edition (2011). The report analyses the effect the proposed development would have on the daylight and sunlight amenity to the neighbouring residential properties in St Matthews Close and on Sandford Walk.

The findings of the report are:

Flats 1-8 St Matthews Close

- all the windows would meet the guidance levels for both daylight and sunlight.

Sandford Walk properties including 1 Gladstone Road

- all rooms which are able to benefit from sunlight would meet the annual sunlight requirements.
- in relation to winter sunlight, only one room - at No. 33 Sandford Walk - would fail to meet winter sunlight requirements. However, the report notes (see paragraph 5.4.4) that this impact is unlikely to affect the amenity of the occupier given the high level of annual sunlight which this room enjoys on an annual basis. The report further notes that the BRE numerical guidelines for winter sun is particularly difficult to achieve in urban and semi-urban areas when the sun is lower.
- in relation to the daylight effects the assessment notes (see paragraph 5.4.5 of the Report) that, 58 of 68 (85%) of the windows now fully meet the vertical sky component (VSC) guidelines (i.e. of retaining 0.8+ of existing light levels). Of the other 10 windows, these are only very minor failures with the levels being between 0.71 to 0.79 or more of existing light levels.

- in addition to VSC analysis, the Report also considers the level of daylight distribution (DD). Key conclusions are that 33 of the 42 rooms (79%) would meet the BRE guidance of retaining at least 0.8 hectare the amount of existing sky visibility. Of the remaining nine, three are rooms which have been 'knocked through' and therefore benefit from daylight from the front side of the house, with the failure being confined to the area where the partition wall was originally sited. Of the others, the failure levels vary from 0.53 to 0.77. The report notes that these rooms are generally bedrooms where the level of daylighting is less important.

The report makes reference to the fact that the BRE Report has been in existence for eight years and superseded the 1991 edition. Whilst the 2011 edition provides guidance on adopting a flexible approach and using alternative target values, the testing methods remain largely unchanged from the original publication. Consequently, rigid application of the numerical guidelines could well give rise to an inappropriate form of development for a brownfield site such as this and highlights the importance of the revised NPPF which specifically identifies the need to apply daylight and sunlight guidance flexibly. The NPPF states:

“authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”

Based on the results of the report and given the urban context, officers consider that the impact on natural light to surrounding properties will not be significantly adversely altered. The proposed development will not result in an unacceptable reduction of daylight or sunlight amenity.

Overshadowing

Overshadowing to the rear courtyards is assessed in the Addendum Daylight and Sunlight Report. The report finds that:

- the amount of sunlight currently received varies significantly depending on the location along the terrace and the extent of obstruction from the rear extensions and boundary walls.
- as an example, no part of the rear courtyard to 51 Sandford Walk would receive two hours of sunlight, whereas 39 Sandford Walk would receive 80% and only three courtyards currently receive sunlight to at least half the area.
- for the March period, six of the 12 courtyards would meet shadowing guidelines. For the six courtyards where the guidelines are not met, the impact will be limited due to the existing small size of the courtyards.
- for June period, all courtyards would meet shadowing guidelines.

- the level of lighting which would be provided to the courtyards would be consistent with already encountered by the other terraced properties in the area for example those on the northern side of Sandford Walk and East John Walk

Based on this analysis and given the urban context, it is not considered that the impact of overshadowing to properties would warrant refusal.

Noise

As set out in Section 7 of this report, the application is accompanied by an Ambient Noise and Building Envelope Assessment.

This Assessment concludes that the noise levels recorded mean that the application site is suitable for residential development from a noise perspective, taking into account noise from local road traffic, noise due to the police station and from Waitrose, and acceptable internal noise levels can be achieved provided that adequate acoustic attenuation is provided to habitable areas.

The Assessment also considers noise levels in the external amenity areas. The results of the noise model produced by PDA indicate that the noise level in the courtyard area would be below the national guideline value. The calculations demonstrate that the relevant national criteria (of BS8233:2014) and WHO Guidelines can be achieved both within the proposed accommodation and in the external courtyard area.

ECC Environmental Health raise no objections to the development with respect to noise subject to conditions securing:

- noise impact assessment - impact of noise from the development on local receptors, including noise from plant and equipment as well as noise from deliveries, residents and events. If, following the assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity.
- noise mitigation in-line with recommendations of the report by the Acoustic Consultants
- a Construction Method Statement that includes detail on noise and vibration control (including from piling and compaction activities), and working hours

The recommended conditions summarised above are considered to be reasonable and necessary to make the development acceptable with respect to noise impacts.

Control of Antisocial Behaviour

The Management Plan sets out that the site will have a General Manager and a team (including security contractors) to support with general running of the scheme. The site will likely be staffed 8am to 8pm Monday to Friday with key times covered over weekends. In cases of emergency, the site will be covered by an out of hours help desk. All tenants will sign an Assured Short Hold Tenancy Agreement. A CCTV system is proposed; the management plan sets out that this will be a deterrent to potential Anti-Social behaviour both inside and outside the buildings. Officers consider that the staffing arrangements and security measures are acceptable; the Management Plan and CCTV system will be secured by condition/S106.

Overall, the proposed development is considered to accord with Policy DG4 in terms of its impact on the amenities of surrounding properties, taking into account the urban context.

10. Impact on Trees and Biodiversity

Paragraph 175d) of the NPPF states that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The main arboricultural feature on the site is the Ash Tree on Gladstone Road which is subject to a Tree Preservation Order. The supporting Arboricultural report sets out how the Ash Tree is in declining health. The report states: *At the time that the Tree Preservation Order was served, I was unable to see any clearly apparent symptoms of Ash Dieback Disease within the tree's crown, though I did note symptoms of decline, "manifesting itself with a combination of deadwood throughout the crown, a lower crown density than would be expected of a healthy specimen, considerable secondary foliage sprouting from major limbs, and chlorotic foliage, particularly on the northern side of the lower crown."* I also noted at the time that, based on evidence observed across Devon, it is almost inevitable that the tree will succumb to this endemic disease in the near future; reference to the Forestry Commission's interactive map (<http://chalamap.fera.defra.gov.uk/>) shows that Ash Dieback Disease has been present within the immediate area since 2016.

I re-inspected the tree on Friday 7th August 2020 with my colleague, Joel Gray. It was immediately apparent that the decline noted a year ago has accelerated significantly. The central section of the crown now features a greater proportion of deadwood, and the chlorosis extends throughout the crown. Both myself and Mr Gray are satisfied that this tree is suffering from Ash Dieback Disease, and based on first-hand observations from across the UK and Ireland, but particularly south-west England, I now anticipate this tree's rapid decline, along with the associated reduction in timber strength which is a considerable cause for concern in heavy trafficked areas such as this.

Irrespective of any development proposals, I simply do not consider the retention of this tree to be a viable proposition and, based on current observations, I would expect it to require removal for safety reasons within a maximum of two years, if not less. Set in a development context, British Standard 5837:2012 clearly categorises this as a Category U specimen, described as being, "... in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years." With an actual safe useful life expectancy of well under five years, this categorisation is irrefutable.

The removal of the Ash tree is considered to be acceptable by officers. ECC Tree Manager has raised no arboricultural objection to the proposals.

The Landscape Design Statement sets out that the tree species proposed to the development frontage have been selected for their potential to grow into large naturalistic specimens, complementing the existing trees within the streetscape. The trees are proposed to be planted as extra-heavy standards to create instant impact. This will be conditioned.

The application is accompanied by an Ecological Appraisal. In summary, the report finds:

- The proposal will result in the loss of an area of amenity grassland, this habitat is botanically species-poor and of limited ecological value.
- The proposal will remove a semi-mature ash tree regarded as low value habitat that is very common in the surrounding area.
- The existing building has low/negligible potential to support roosting bats.
- The removal of the semi-mature ash tree is unlikely to negatively impact foraging and commuting bats in the area due to its isolated nature.
- Any additional lighting within the site has the potential to negatively impact foraging and commuting bats in the area.
- Works may result in impacts to nesting birds if works are undertaken within the nesting season.

The Ecological Appraisal makes a number of recommendations:

- Replacement planting at a ratio of 2:1 to mitigate the loss of the ash tree, species planted will be native, appropriate to the locality and berry bearing.
- In relation to bats, as a precautionary measure, works to demolish the building will be undertaken under Reasonable Avoidance Measures and advises that any new lighting schemes for the development of the site to be designed so that they are 'bat friendly'.
- Removal of nesting bird habitat to take place outside the breeding bird season.

In terms of enhancement measures, the Ecological Appraisal recommends the installation of bat and bird boxes on buildings on site and the incorporation of bat friendly features into the new building designs.

In addition, the new trees and planting areas shown on the proposed landscaping plan will not only have a positive visual impact, but will also create habitats and food source for local birds and invertebrates

The above enhancement measures will be an environmental sustainability benefit of the scheme.

With reference to The Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature of the development it has been concluded that an AA is required in relation to the potential impact on the Exe Estuary Special Protection Area (SPA). This AA has been carried out and concludes that the development could have an impact in combination with other residential developments primarily associated with recreational activity of future occupants. However, this impact will be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils, and Exeter City Council (with particular reference to Table 26). An appropriate contribution will be secured from the development towards implementing the non-infrastructure measures within the mitigation strategy, thereby reducing the impacts of the development to a level where the integrity of the European sites will not be adversely affected and the conservation objectives of the SPA are achieved.

Therefore, the proposed development is considered to accord with Policies CP16 and LS4, and Paragraphs 170 and 175 of the NPPF. Conditions should be added to ensure the recommendations of the Ecological Appraisal are secured, including the need to approve the location and details of the integral bird boxes.

11. Contaminated Land

A Ground Investigation Report supporting the application recommends a number of remediation actions and mitigation measures. These are:

- A 600mm clean cover system (comprising clean imported soil overlying a high visibility geotextile membrane) will be required in soft landscaped areas.
- The existing fuel storage tanks and interceptors will require decommissioning and removal prior to the commencement of the redevelopment works. Any hydrocarbon impacted soils and perched groundwater will also require removal and treatment/disposal at a suitably licensed facility.
- Ground gas protection measures will be required, potentially including a hydrocarbon/volatile resistant membrane.

Environmental Health has recommended a full contaminated land condition to ensure that the contamination is remediated prior to occupation of the

development. This accords with Policy EN2 and Paragraphs 118 and 170 of the NPPF. This will be an environmental sustainability benefit of the scheme.

12. Flood Risk and Surface Water Management

Policy EN4 does not permit development if it would be at risk of flooding. The site is within Flood Zone 1 and the proposed uses are classified as 'more vulnerable' (see PPG). 'More vulnerable' uses are appropriate in Flood Zone 1, therefore the proposal accords with Policy EN4.

Policy CP12 requires all development proposals to mitigate against flood risk utilising SUDS where feasible and practical.

Ground infiltration is not feasible, due to low permeability clay strata. As per the existing arrangement, surface water drainage is to discharge to the existing SWW sewer network serving the existing site. Attenuation will be provided in an underground attenuation tank with a restricted discharge rate. The proposed drainage design provides a betterment of greater than 30%, reducing flow rates to the existing network, whilst also considering the impacts of climate change. This will be an environmental sustainability benefit. DCC Lead Local Flood Authority raise no objection subject to a pre-commencement condition relating to the details of the surface water drainage design.

The proposal is considered to be acceptable with respect to flood risk and surface water management in conformity with Policy CP12.

15. Sustainable Construction and Energy Conservation

Policy CP15 requires development proposals to demonstrate how sustainable design and construction methods will be incorporated. An Energy Statement has been provided accordingly. It is proposed that the development would use Combined Heat and Power (CHP) and boilers as a main source of heat for hot water.

Policy CP15 requires residential development to be zero carbon from 2016. However, national Planning Practice Guidance states that local planning authorities can set energy performance standards for new housing that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes. Therefore, this is the standard currently sought in respect of energy and CO2 emissions for residential development within the city.

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

Policy CP13 requires new development with a floorspace of at least 1,000 sq m, or comprising 10 or more dwellings, to connect to any existing, or proposed, Decentralised Energy Network (DEN) in the locality. The site is located within Local Energy Network B, as shown on the Proposals Map of the Development Delivery DPD (Publication Version), therefore a condition will be added to ensure that the development is constructed so that it is capable of connecting to the network.

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

17.0 Conclusion

The development will make effective use of a previously developed ('brownfield') site. The site is in a sustainable, highly accessible location, close to the City Centre. The principle of a specialist housing development (rented studios with tenants having access to communal amenity areas) in this location is acceptable in principle. The development will support economic growth through the creation of jobs and resident expenditure in the City Centre. The scheme will help the Council towards providing a 5 year supply of deliverable housing sites, this benefit is attributed significant weight in favour of the scheme. The co-living accommodation will provide Build to Rent housing, 20% of which will be affordable private rent. The affordable housing provision is a significant positive benefit of the scheme and the percentage is in-line with National Planning Practice Guidance on build to rent schemes. This will be prioritised for essential local workers.

Another positive benefit of the scheme is the inclusive design of the proposals, including but not limited to the provision for 7 of the studios to be fitted out for wheelchair access.

The co-living development will be car free and provides on-site secure cycle storage. The scheme will improve pedestrian crossing facilities on Gladstone Road and will make a contribution towards improving pedestrian / cycling crossing facilities at the Gladstone Road / Heavitree Road junction. The improved crossing facilities for pedestrians and cyclists and other measures in the proposals to give more priority to pedestrians and cyclists are a significant planning benefit of the scheme.

Following pre-application discussions, the applicant has continued discussions during the application and the proposed development has been amended twice since it was submitted. The scheme has been amended in order to reduce its scale and massing and reduce the impacts on adjacent neighbours.

The design and general visual impact of the scheme is considered acceptable. The proposed architecture and use of high quality modern materials and soft/hard landscaping will improve the overall appearance of the site. Gladstone Road will benefit from an increased active frontage and an improved public realm, the proposal will contribute to the vibrancy of the area.

The design of the scheme has been amended so that it respects the form of existing adjacent residential development. The police station site justifies a change in character between the Sandford Walk properties and Heavitree Road in terms of scale of townscape. Given the local and national guidance promoting the efficient use of land, the scale and mass of the development, while larger than the housing in Sandford Walk, is considered to be acceptable in terms of urban design.

The quality of amenity that will be provided within the proposed co-living block is considered acceptable, although officers had sought for provision of communal areas on the upper floors of the building in addition to the lower ground/ground floors. Given the likely reliance on existing public open spaces nearby to provide outdoor amenity and recreational space, a contribution will be secured to enhance these spaces and their recreational value. The impact on the amenity of surrounding properties has been assessed and taking into account the urban context of the site, the impacts are considered to be within acceptable limits.

There are no other material considerations to warrant refusal of this application subject to an appropriate planning obligation under S106 being entered into. Where the proposal does not accord fully with policies, this is considered to be outweighed by other policies of the development plan and material considerations, which are described in the planning assessment above.

Overall the proposed development is considered to be acceptable by officers, it is considered to be sustainable in overall terms.

18.0

RECOMMENDATION

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

- Co-living Management Plan/Monitoring
- 20% of the dwellings within the co-living block will be affordable private rented with first priority to essential local workers. 5% of the affordable dwellings to be fitted out so they are wheelchair accessible.
- £114,247 habitats mitigation.
- £50,000 for maintenance/upgrade of off-site public open spaces.

- Management Plan to ensure no parking is associated with the development
- £65,000 contribution to improve the pedestrian/cycling crossing facilities at the Gladstone Road/Heavitree Road junction.

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

And the following conditions:

(Details to be provided on the Additional Information Update Sheet before Planning Committee)

B) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED BY 16 May 2021 OR SUCH EXTENDED TIME AS AGREED BY THE CITY DEVELOPMENT MANAGER

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

- Co-living Management Plan/Monitoring
- 20% of the dwellings within the co-living block will be affordable private rented with first priority to essential local workers. 5% of the affordable dwellings to be fitted out so they are wheelchair accessible.
- £114,247 habitats mitigation.
- £50,000 for maintenance/upgrade of off-site public open spaces.
- Management Plan to ensure no parking is associated with the development
- £65,000 contribution to improve the pedestrian/cycling crossing facilities at the Gladstone Road/Heavitree Road junction.

the proposal is contrary to Exeter Local Development Framework Core Strategy 2012 Objectives 1, 3, 5, 6, and 10, and policies CP5, CP7, CP9, CP10, CP17 and CP18, Exeter Local Plan First Review 1995-2011 saved policies, L4, T1, C5, LS2, and DS1, Exeter City Council Affordable Housing Supplementary Planning Document 2014, Exeter City Council Sustainable Transport Supplementary Planning Document 2013 and Exeter City Council Public Open Space Supplementary Planning Document 2005.