

APPENDIX 1

Planning Committee Report – 21/1014/FUL

1.0 Application Information

Number:	21/1014/FUL
Applicant:	Mr S. Williams
Proposal:	Demolition of garage workshop and construction of four 3-storey (plus basement) purpose-built student accommodation units, numbering 26 bedrooms
Site Address:	68-72 Howell Road, Exeter, Devon
Registration Date:	23 June 2021
Link to Application:	21/1014/FUL Demolition of garage workshop (Maximum Motors) and construction of four 3-storey (plus basement) purpose-built student accommodation units, numbering 26 bedrooms in total (revised plans). 68-72 Howell Road Exeter Devon EX4 4LZ
Ward Member(s):	Cllr K Mitchell, Cllr M Mitchell, Cllr M Pearce

Reason Application is being reported to the Planning Committee: the application has been subject to a significant number of objections.

2.0 Summary of recommendation

GRANT planning permission subject to conditions

3.0 Reason for the recommendation

Overall, the purpose-built student accommodation would respect and contribute positively towards the area's character and appearance. It would not result in unacceptable harm to the amenity of neighbouring residents – the proposal would ensure there is no harm to neighbouring properties through loss of light, being overbearing or blocking outlook. The proposal makes appropriate provisions for refuse storage and cycle parking. The site is in a sustainable location within walking distance of the University and the city centre; therefore, no car parking is provided or necessary.

In summary, the proposal would be acceptable for the following reasons:

- Demolition of a building which is classified as being one which does not make a positive contribution to the character or appearance of the Longbrook Conservation Area;
- The opportunity to provide a building that would enhance the character and appearance of the conservation area;
- The provision of purpose-built student accommodation in an attractive building which would blend in with this residential area;
- There would be no demonstrable harm to neighbouring residents;
- There would be sufficient space for bicycle parking and bin stores;
- Provision of student housing within walking distance of the University;
- An energy-efficient building providing a sustainable form of development.

Overall, it is considered that the proposal is compliant with Exeter Local Development Framework Core Strategy Policies CP5 - Student Accommodation, CP10 - Meeting Community Needs, CP15 - Sustainable Construction and CP17 - Design and Local Distinctiveness and to Exeter Local Plan First Review 1995-2011 policies AP1 - Design and Location of Development, AP2 - Sequential Approach, H1 - Search Sequence, H2 - Location Priorities, H5 - Diversity of Housing, T1 - Hierarchy of Modes, T2 - Accessibility Criteria, T3 - Encouraging Use of Sustainable Modes, T10 - Car Parking Standards, C1 – Development in Conservation Areas, EN2 - Contaminated Land, EN5 – Noise, DG1 - Objectives of Urban Design, DG2 - Energy Conservation and DG7 - Crime Prevention and Safety and to the NPPF.

4.0 Table of key planning issues

Issue	Conclusion
Principle of Development	<p data-bbox="898 1331 1406 1619">Acceptable This report has been prepared in connection with an application for full planning permission for demolishing the existing building on the site and the erection of a replacement building for student accommodation purposes.</p> <p data-bbox="898 1661 1421 1871">Paragraph 59 of the National Planning Policy Framework (2019) (NPPF) sets out the Government's objective of significantly boosting the supply of homes and that it is important that a sufficient amount</p>

	<p>and variety of land can come forward where it is needed. This paragraph also states that “the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay”.</p>
<p>Impact on Heritage Assets</p>	<p>Acceptable</p> <p>There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision-makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.</p> <p>The conclusions from the Heritage specialist are that “the proposals would significantly enhance this part of the Conservation Area by removing an unattractive utilitarian structure and forecourt parking and strengthening the street frontage with a sympathetically designed response to the architectural character of the Conservation Area. It replicates the scale, architectural form and materials of the Victorian terraces adjacent, thereby preserving the architectural consistency of the streetscape, and reinforcing the elements which contribute positively to its character and appearance”.</p>
<p>Impact on Amenity</p>	<p>Acceptable</p> <p>The neighbouring residents who would be most affected by the development on this site are those immediately adjoining the site, at nos. 69 and 73 Howell Road. The proposed design has ensured it is at a similar height to the adjoining dwellings and is set a significant distance from side windows to</p>

	<p>ensure the building would not appear overbearing or block out sunlight/daylight.</p>
Parking/Accessibility	<p>Acceptable</p> <p>The proposal includes one accessible flat which could be lived in by someone in a wheelchair.</p> <p>Adequate space has been provided for bicycles to be parked safely and securely on the site. Further, sufficient spaces have been provided to store bins at the side of the site.</p> <p>The current double yellow lines in front of the site can be removed/altered to allow for additional resident permit parking</p>
Contamination	<p>Acceptable</p> <p>The application is supported with a phase one contamination report. There is evidence of historic fuel tanks on site which will need to be removed and any contaminants dealt with. As the site is covered with buildings and hard standing, a full ground investigation and suitable remediation will need to be conditioned.</p>
Energy	<p>Acceptable</p> <p>A range of renewable and low-energy technologies have been reviewed as part of this statement. It has been proposed that installing an adequately sized PV and solar thermal hot water system will be the most suitable way to meet Exeter City Council's Policy for reducing the building's carbon emissions.</p> <p>Along with solar technologies, the development will adopt a fabric-first approach to maximise the building</p>

	envelope's thermal performance and minimise the air permeability values.
Scale, design, impact on character and appearance	Acceptable The housing in this area comprises rows of two and three-storey terraced housing with few gaps between buildings. This site, with a low-lying single-storey building, is an anomaly within the street scene. The proposal would infill this gap with a block that appears as terraced housing with adequate spacing between the neighbouring properties.
Impact on Ecology	Acceptable The application is supported by an Ecology Report from EPS Ecology, which concluded that no features of ecological interest were found at the site.

5.0 Description of site

The site comprises a wide plot with a large, corrugated garage building over 6m high, formerly used for vehicle repairs and MOTs, situated on the south side of Howell Road. The area is dominated by terraced housing, predominantly inhabited by students on this part of Howell Road, Danes Road and Hoopern Street.

The site is in the Longbrook Conservation Area.

The site is identified as a building that does not positively contribute to the area's character.

There are no protected trees on or adjacent to the site.

The area is generally residential, although Exeter Prison is close to the west. The Higher Barracks Guardhouse to the north is locally listed. The site is within Flood Zone 1.

Immediately adjacent to the site is no.73 Howell Road, a modern three-storey flat-roofed building subdivided into a block of flats. To the east of the site is no.67 Howell Road, a two-storey residential building that was originally a public house but was converted into a dwellinghouse in 2017.

6.0 Description of development

The original scheme sought to develop 29 accommodation units with central living/kitchen accommodation on the lower ground floor and set back from the roadside to provide front gardens. This was amended to bring the building forward and in line with the existing residential frontage. The current scheme has divided the block horizontally rather than vertically and provided for a large landscaped area at the rear.

The proposal is to demolish the garage and build four flats of purpose-built student accommodation comprising two seven-bed units and two six-bed units to give 26 bed spaces. The design is Edwardian in style to accord with the terrace further along Howell Road. The layout comprises a communal kitchen/dining and lounge room on each floor. The lower ground floor unit has significant garden space. Bicycle and bin stores are provided at the lower ground floor level to the side of the building.

Visually the building will present as a terrace. The bedrooms and communal space comply with current guidance. There is an accessible bedroom on the ground floor.

7.0 Supporting information provided by the applicant

- Planning Statement
- Heritage Statement
- Sunlight/Daylight Assessment
- Contamination Report
- Design and Access Statement
- Energy Statement
- Ecology Report

8.0 Relevant planning history

There is no relevant planning history for this site.

Adjacent buildings

On 20 January 2009, planning permission was granted for the change of use from a dwelling to three self-contained flats and a three-storey extension on the east elevation to provide three self-contained flats (total six), removal of chimney, parking and associated works at the neighbouring site of 73 Howell Road (ref. [08/1969/FUL](#)).

On 10 April 2017, planning permission was granted for the change of use from a public house to a single-family dwelling, with external alterations at the neighbouring property 67 Howell Road (ref. [17/0088](#)).

Pre-application advice

On 29 June 2020, positive advice was given to the applicant for a scheme where the principle of student development was accepted. The applicant was advised to make amendments to the design, reduce the bulk and ensure neighbouring amenity was addressed.

9.0 List of constraints

- Longbrook Conservation Area

10.0 Consultations

RSPB – recommends that the installation of integral bird boxes is made a condition of approval of the development.

Devon And Somerset Fire Rescue Service HQ - raise no objections. The Fire and Rescue Authority is a statutory consultee under the current Building Regulations and will make detailed comments when consulted by Building Control (or an Approved Inspector).

Designing out Crime Devon and Cornwall Police – no objection in principle.

Highway Authority – the proposal does not create any highway capacity or safety issues; the provision of cycle parking is welcomed. No objection subject to conditions requiring a Construction Environment Management Plan and ensuring that there is no surface water drainage onto the highway.

Heritage Officer – no objection on heritage grounds.

Waste And Recycling Team – sufficient space for communal bin storage is provided. No objection.

Environmental Health – requests conditions relating to contamination and a Construction Environment Management Plan.

St James Community Trust – raise concerns on the following grounds:

- Viability of continuing current use and loss of local service and employment

- Design
- Inappropriate alternative use of the site
- Confusion over the description of the proposed development – is it HMO or PBSA?
- Parking and access
- Impact on social sustainability

11.0 Representations

For the original submission (comprising 29 beds), 54 public comments were made in objection to the proposed development. A further 26 representations have been received following a re-consultation on the revised scheme for 26 beds. All but three are objections; two are neutral, and there is one letter of support from the immediate neighbour at 67 Howell Road, superseding a previous objection. This is because the applicant has addressed concerns about the relationship between the properties, and the use is appropriate in this location.

The concerns raised are summarised as follows:

- An increased young population will damage the age group balance of Exeter.
- Development is inconsistent with the neighbourhood plan, most notably with its emphasis on providing affordable housing.
- More students in the area will increase traffic congestion, further limit parking and increase the amount of rubbish in the area.
- Development has too many units.
- More students are problematic as they are noisy, especially when coming back drunk late at night.
- Residents nearest to the site will have less privacy.
- New accommodation should be for residents and not students.
- The student/private housing balance is further tipped.
- Visual appearance is not in keeping with the area.
- The garage to be demolished was an asset to the community in terms of service and employment, whereas the proposed development is 'anything but an asset'.
- Students generally lack pride within the area, and this development will further encourage this.
- The transient student population harms the sense of community within the area.
- The adopted local plan calls for an appropriate mix of housing.

12.0 Relevant policies

Development Plan

National Planning Policy Framework

5. Delivering a sufficient supply of homes which meet the needs of groups with specific housing requirements

7. Requiring good design

12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy 2012

CP1 Spatial approach

CP5 - Student Accommodation

CP10 - Meeting Community Needs

CP15 - Sustainable Construction

CP16 Green infrastructure, landscape and biodiversity

CP17 - Design and Local Distinctiveness.

Exeter Local Plan First Review 1995-2011

The policies which are relevant to this proposal are:

AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence
H2 - Location Priorities
H5 - Diversity of Housing
E3 – Protection of business and employment opportunities
T1 - Hierarchy of Mode
T2 - Accessibility Criteria
T3 - Encouraging the Use of Sustainable Modes
T10 - Car Parking Standards
C1 – Development in Conservation Areas
EN2 - Contaminated Land
EN5 – Noise
DG1 - Objectives of Urban Design
DG2 - Energy Conservation
DG7 - Crime Prevention and Safety

Other material considerations

University Supplementary Planning Guidance
Exeter St James Neighbourhood Plan 2013
Sustainable Transport SPD 2013
Longbrook Conservation Area Appraisal 2005

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

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

It is acknowledged that there are certain properties where they may be some impact (this can be mitigated by conditions – if relevant). However, any interference with the right to a private and family life and home arising from the scheme as a result of the impact on residential amenities is considered necessary in a democratic society in the interests of the economic well-being of

the city and wider area and is proportionate given the overall benefits of the scheme in terms of provision of residential accommodation.

Any interference with property rights is in the public interest and in accordance with the Town and Country Planning Act 1990 regime for controlling land development. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the 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 the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and those who do not.

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

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that is connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that is different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to remove any disadvantage entirely, the Duty is to have “regard to” and remove OR minimise disadvantage. 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 are in s155 of the Housing and Planning Act 2016. This requires that local planning authorities include financial benefits in each report which is:-

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

The information or financial benefits must include a list of local financial considerations or benefits of a development that 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 finds these to be material or not material.

Non-material considerations

CIL contributions

The adopted CIL charging schedule applies a levy on proposals that create additional new floor space over and above what is already on a site. This proposal is CIL liable.

CIL is charged for this development at a rate of £40 per square metre plus new index linking. Confirmation of the final CIL charge will be provided to the applicant in a CIL liability notice issued before the commencement of the development. All liability notices will be adjusted in accordance with the national All-in-Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors for the year when planning permission is granted for the development. Full details of current charges are on the Council's website. This development's rate per square metre granted for 2023 is £63.39.

The proposal will generate Business rates.

16.0 Planning assessment

The primary considerations are the principle of development on this site, the impact of the proposed design upon the character and appearance of the Longbrook Conservation Area and the street scene in general, the amenities of the neighbouring residents, parking/accessibility, energy, contamination and biodiversity.

Principle of development

Policy CP5 of the Core Strategy states that purpose-built student accommodation should be provided to meet housing needs. Paragraph 6.28 states that '75% or

more of additional student numbers should be accommodated in *purpose-built student housing. New purpose-built student housing should be located on, or close to, the University campuses, at sustainable locations at or near to major transport routes, or in the City Centre*'. The supporting text refers to the "75% PBSA target," which has not been met by completed development, indicating a continued need. The proposal complies with this policy.

Exeter Local Plan Policy H5 also supports student accommodation providing that:-

- a) The scale and intensity of use will not harm the character of the building and the locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems;
- b) The proposal will not create an over-concentration of the use in any one area of the city which would change the character of the neighbourhood or create an imbalance in the local community;
- c) Student accommodation is located so as to limit the need to travel to the campus by car.

The City Council does not currently define community imbalance in any planning documents. The forthcoming Article Direction review will consider this, but the work is not yet complete or enshrined in policy. The lack of a definition makes it difficult to provide evidence that the proposal fails to comply with policy H5.

The University Supplementary Planning Guidance set out nine principles which would be material considerations in determining any application. It states that the City Council '*...will seek the provision of as much purpose-built student accommodation as possible to reduce the impact on the private sector housing market (principle 3) and that relatively high-density managed accommodation on appropriate sites will need to make a significant contribution to meeting need (principle 4).*

St James Neighbourhood Plan policy C2: *Large Scale Purpose Built Student Accommodation* states that large-scale purpose-built student accommodation will be permitted in areas where it can be properly integrated into the urban area.

This means locations:

- a) that are not predominantly characterised by intact streets of traditional terraced, semi-detached and detached forms of 2-3 storey residential development
- b) where the servicing and parking requirements could be achieved with no unacceptable impact on the amenity of the adjacent area for residents;
- c) where the scale and massing of any purpose-built accommodation proposed would be broadly similar to that of surrounding buildings.

The applicant has demonstrated that the scheme complies with all three elements of this policy.

The applicant has submitted a Barrister's opinion addressing the relevance of Neighbourhood Plan policy C2. It concludes: "In my opinion...it can be properly said that the redevelopment accords with the relevant provisions of the Neighbourhood Plan. Consequently, Policy C2 requires that planning permission be granted for the proposal".

The opinion also concludes that "given the development plan expressly permits the development, it is my opinion that a costs application against the local planning authority would be highly likely to succeed in the event that the Council determined to refuse planning permission for the purpose-built student accommodation on a brownfield site in the student city of Exeter and where no harm has been evaluated as arising...My view is reinforced by the Secretary of State's decision, dated 19 December 2019, paragraph 86, where he held "local opposition... is not itself sufficient grounds to withhold planning permission" for student accommodation".

CP17 of the Core Strategy states that all development proposals will exhibit a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter's character, local identity and cultural diversity. The proposal complies with this policy.

Overall, the principle of student accommodation in this location is supported by Exeter's development plans, including the Core Strategy, Local Plan, and University Supplementary Planning Guidance, subject to specific criteria.

The proposals are to create student accommodation with the appearance of individual townhouses. The site is ideally located for student accommodation, given its proximity to the main University campus (Streatham Campus) and the City Centre.

The former use of the site as a garage/workshop with parking to the front presents a poor townscape for the area. Therefore, it is appropriate that the site be redeveloped to improve the streetscape. The site employed two people. The loss of employment is negligible; the benefits of this scheme include the provision of a well-designed scheme and the removal of a building which fails to contribute positively to the area's character. It is recognised that the proposal will result in the loss of a local facility and employment site of the type that Local Plan policy E3 seeks to protect, but this is, on balance, outweighed by the scheme's benefits.

The principle of development, including demolishing an unattractive building and replacing it with a well-designed building for student accommodation and focusing on previously developed land, is considered acceptable. However, the impact on local amenities, heritage assets, the safety of local roads, the quality of the local environment, and the impact on community facilities requires careful consideration.

It is recognised that local residents would prefer, if the site is to be redeveloped, to see an alternative form of residential development not occupied by students. However, the local planning authority must determine this application based on current national and local planning guidance. It would be inappropriate for Officers to recommend refusal because an alternative form of occupation would be preferable unless there is a policy basis for doing so.

Scale, design, impact on character and heritage assets

In line with the NPPF, planning decisions should ensure that developments are visually attractive due to good architecture, layout and appropriate landscaping. Development should be sympathetic to local character, and permission should be refused for a poor design that fails to improve an area's character and quality. In line with Policy DG1 of the Exeter Local Plan First Review, new buildings should respect their setting and relate well to the background of existing building blocks and roof shapes.

In terms of such a heritage asset, there is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision-makers to have a special regard for the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Policy C1 states, "*development within or affecting a conservation area (including changes of use, alterations and extensions) must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area*". The supporting text states that "*Conservation areas are not museum pieces and new and old need to be woven together to create a dynamic, living and working community*". In this policy context, the proposal is considered to achieve this by redeveloping a poorly designed site with a new development which sits comfortably within the street scene and a design which takes its cues from the neighbourhood.

The proposed accommodation would be a single terrace of two storeys, a lower ground floor, and an attic with small front and rear dormers. It would be laid out as a terrace of three properties, each comprising three bays with a central front door.

The terrace would be faced with red brick under a slate roof and with similar decorative bands and gauged window heads as those visible at Nos.73 – 82 Howell Road. The windows would be of timber, double-glazed sliding sash design.

The proposals would significantly enhance this part of the Conservation Area by removing an unattractive utilitarian structure and forecourt parking and strengthening the street frontage with a sympathetically designed response to the architectural character of the Conservation Area. It replicates the scale, architectural form and materials of the adjacent Victorian terraces, thereby

preserving the architectural consistency of the streetscape and reinforcing the elements which contribute positively to its character and appearance.

The housing in this area comprises rows of two and three-storey terraced housing with few gaps between buildings. This site, with a low-lying single-storey building, is an anomaly within the street scene. The proposal would infill this gap with a block of student accommodation, designed to appear as terraced housing with adequate spacing between the neighbouring properties, primarily to ensure there is no harmful impact on the windows within the sides of the adjacent properties.

The proposed development positively impacts the Conservation Area. As such, it accords with the statutory and development plan imperative to preserve or enhance the significance and setting of heritage assets. So far as the development plan is concerned, the proposal accords with Policies C1 and DG1 of the Local Plan and policy CP17 of the Core Strategy.

Standard of accommodation

There are no national space standards for student housing, but the proposed unit sizes comply with national standards, with all rooms being a minimum of 11 square metres. The functionality and size of the space have ensured that the units have individual bathrooms and good natural lighting with a shared kitchen/dining/living room on each floor and the lower ground floor sharing a communal garden.

Residential amenity

The two buildings most affected by this development would be those immediately neighbouring the site: 67 and 73 Howell Road. The applicant has commissioned a Sunlight/Daylight assessment demonstrating that there would be no harm to the neighbouring properties. A further assessment was undertaken to show that all assessed rooms, including seven bedrooms and one kitchen/living room on the lower ground floor, meet all relevant daylight and sunlight criteria as per the appropriate national guidance. Therefore, the proposed development will provide future occupants with adequate levels of daylight and sunlight.

The proposed design has ensured it is at a similar height to the adjoining dwellings and is set a significant distance from side windows to ensure the building would not appear overbearing or block out sunlight/daylight.

Transport, access and parking

National and local policy has a presumption favouring sustainable development and creating safe and suitable access. In line with objective 5 of the Core Strategy, development should seek to minimise the need to travel and reduce dependence on the car. The proposal is considered sustainable, within walking and cycling distance of education hubs, the city centre and local parks.

The proposal includes one accessible flat which could be lived in by someone in a wheelchair.

Adequate space has been provided for bicycles to be parked safely and securely on the site. This provision meets the standard set out in the Sustainable Transport SPD. Further, sufficient spaces have been provided to store bins at the side of the site.

The Highway Authority recommends a condition to secure details of the cycle parking and provision before the occupation of the development. For the reasons outlined above, access arrangements comply with the relevant policies within the Local Plan and the Sustainable Transport SPD.

Contamination

The application is supported by a contamination report which concludes that the existing building occupies much of the site area, giving reduced opportunity for investigation pre-demolition. However, investigation works could be carried out indoors with appropriate ventilation.

The recommended preliminary ground investigation of the site comprises five dynamic sample boreholes with the installation of five ground gas and groundwater wells, groundwater and ground gas monitoring, chemical analysis of soils and waters and geotechnical analysis of soils. The applicant is willing to accept conditions which ensure there would be no issues relating to contamination of the land and the proposed development.

Sustainability

A BREEAM Review has been submitted with the application, demonstrating that the proposal would achieve an Excellent rating.

A range of renewable and low-energy technologies have been reviewed. It is proposed that an adequately sized PV and solar thermal hot water system be installed to meet the City Council's Policy for reducing the building's carbon emissions.

Along with solar technologies, the development will adopt a fabric-first approach to maximise the building envelope's thermal performance and minimise the air permeability values. As the design develops, the heating load profiles for the development will need to be produced and revised to ensure the solar systems proposed work optimally. Therefore, the proposed development complies with Policy CP15 of the Core Strategy.

Ecology

No features of ecological interest were found at the site following a preliminary ecological assessment.

To achieve a level of 'biodiversity gain', a total of 6 bat boxes of a suitable design will be mounted on the outside walls of the new development. This will be secured through an appropriately worded condition.

17.0 Conclusion

Overall, the purpose-built student accommodation would respect and contribute positively towards the area's character and appearance. It would not result in unacceptable harm to the amenity of neighbouring residents – the proposal would ensure there is no harm to neighbouring properties through loss of light, being overbearing or blocking outlook. The proposal makes appropriate provisions for refuse storage and cycle parking. The site is in a sustainable location within walking distance of the University and the city centre; therefore, no car parking is provided or necessary.

In summary, the proposal would be acceptable for the following reasons:

- Demolition of a building which is classified as being one which does not make a positive contribution to the character or appearance of the Longbrook Conservation Area;
- The opportunity to provide a building that would enhance the character and appearance of the conservation area;
- The provision of purpose-built student accommodation in an attractive building which would blend in with this residential area;
- There would be no demonstrable harm to neighbouring residents;
- There would be sufficient space for bicycle parking and bin stores;
- Provision of student housing within walking distance of the University;
- An energy-efficient building providing a sustainable form of development.

Overall, it is considered that the proposal is compliant with Exeter Local Development Framework Core Strategy Policies CP5 - Student Accommodation, CP10 - Meeting Community Needs, CP15 - Sustainable Construction and CP17 - Design and Local Distinctiveness and to Exeter Local Plan First Review 1995-2011 policies AP1 - Design and Location of Development, AP2 - Sequential Approach, H1 - Search Sequence, H2 - Location Priorities, H5 - Diversity of Housing, T1 - Hierarchy of Modes, T2 - Accessibility Criteria, T3 - Encouraging Use of Sustainable Modes, T10 - Car Parking Standards, C1 – Development in Conservation Areas, EN2 - Contaminated Land, EN5 – Noise, DG1 - Objectives of Urban Design, DG2 - Energy Conservation and DG7 - Crime Prevention and Safety and to the NPPF.

18.0 Recommendation

GRANT planning permission subject to the following conditions (and their reasons):

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

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

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details as set out in the drawing issue sheet 3615 1 dated 11 October 2022 and received by the Local Planning Authority on 13 October 2022 as modified by other conditions of this consent.

Reason: To ensure compliance with the approved drawings.

3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

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

4) Unless otherwise agreed in writing, a detailed scheme for landscaping, including planting trees or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority. No building shall be occupied until the Local Planning Authority has approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required, together with the timing of the scheme's implementation. The landscaping shall be implemented in accordance with the approved scheme and the agreed programme.

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

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

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

6) Pre-commencement condition: No development shall occur until a Construction and Environment Management Plan CEMP has been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the details and wording of the CEMP, the following restrictions shall be adhered to:

a There shall be no burning on site during demolition, construction or site preparation works;

b Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;

c Dust suppression measures shall be employed during construction to prevent off-site dust nuisance.

The approved CEMP shall be adhered to throughout the construction period.

Reason for the pre-commencement condition: In the interests of the occupants of nearby buildings. This information is required before development commences to ensure that the impacts of the development works are appropriately considered and addressed at the earliest possible stage.

7) Pre-commencement condition: No part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

Reason for the pre-commencement condition: To ensure that adequate on-site facilities are available for the construction traffic attracted to the site. This information is required before development commences to ensure that the impacts of the development works are appropriately considered and addressed at the earliest possible stage.

8) The development hereby approved shall not be brought into its intended use until secure cycle parking facilities for residents have been provided in accordance with the approved details. After that, the said cycle parking facilities shall be retained for that purpose at all times.

Reason: To ensure that cycle parking is provided in accordance with Exeter Local Plan Policy T3.

9) Pre-commencement condition: No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, has been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with, together with confirmation that no unacceptable risks remain.

Reason for the pre-commencement condition: In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are appropriately considered and addressed at the appropriate stage.

10) Pre-commencement condition: Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall achieve a BREEAM excellent standard (minimum 70% score) as a minimum. Before the commencement of development of such a building, the developer shall submit to the Local Planning Authority a BREEAM design (interim) stage assessment report, to be written by a licensed BREEAM assessor, which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required, the developer shall provide, before the commencement of development of the building, details of what changes will be made to the building to achieve the minimum standard for the approval of the Local Planning Authority to be given in writing. The building must be completed entirely in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building. It shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

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

11) Before the occupation of the development hereby approved, details of the provision for nesting swifts shall be submitted to and agreed upon in writing by the Local Planning Authority. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained after that.

Reason: In the interests of preserving and enhancing biodiversity in the locality.

12) The works of demolition hereby authorised shall not be carried out before a contract for the carrying out the works of the redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.

Reason: In the interests of the appearance of the Conservation Area.

13) Pre-commencement condition: Before the commencement of the development, details of the sustainable design and construction methods, including those to optimise energy and water efficiency, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the development's occupation.

Reason for the pre-commencement condition: To ensure that the proposal complies with Policy CP15 of the Core Strategy and Policy SD4 of the Exeter St James Neighbourhood Plan and in the interests of delivering sustainable development. These details are required before the commencement of the development to ensure that they are delivered during the construction.

14) Before the construction of the external walls of the development hereby permitted, details of the following, including confirmation of colour, shall be submitted to and approved in writing by the Local Planning Authority:

- (1) External doors
- (2) Windows, including depth of reveals
- (4) Rainwater goods
- (5) Fascia, soffit and barge boards

The development shall be constructed in accordance with the approved materials/details.

Reason: In the interests of design and the area's character, in accordance with Policy CP17 of the Core Strategy, Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

15) No external lighting shall be installed on the site or the building hereby permitted unless details of the lighting have previously been submitted and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the area's amenities and wildlife.

16) In accordance with details that shall previously have been submitted to and approved by the Local Planning Authority, the provision shall be made within the site for the disposal of surface water so that none drains onto any County Highway.

Reason: In the interest of public safety and preventing highway damage.

17) Unless otherwise agreed in writing by the local planning authority, the dwellings comprised in the development shall not be occupied other than by students, except that the dwellings may be let to persons other than students for periods not exceeding 2 weeks in any one year period during the months of July and August each year.

Reason: The development has been designed for student occupation and is not suitable for unrestricted residential occupation.

18) Unless otherwise agree in writing, no part of the development hereby approved shall be occupied until a management plan has been submitted to and agreed in writing by the local planning authority. The management plan will include:

- i) occupation/letting criteria,
- ii) staff support/control,
- iii) student discipline,
- iv) car ownership/parking and
- v) security, and,
- vi) an arrival/departure procedure.

Immediately upon occupation of the Development, the Developer shall implement the management plan. Following implementation of the management plan, there must be no variation of it without the prior written agreement of the local planning authority.

Reason: In the interests of the proper management of the development and to protect the amenity of occupiers and neighbours.