



PLANNING STATEMENT

NCO (SEVEN) LIMITED

FORMER POLICE STATION AND CENTRAL DEVON MAGISTRATES'
COURT, HEAVITREE ROAD, EXETER, EX1 2LS



An isometric illustration of a cityscape with various buildings, streets, and vehicles, rendered in a light blue and white color scheme. The buildings have different architectural styles, including modern skyscrapers and older, more traditional structures. The streets are filled with cars and buses, and there are some trees and green spaces interspersed among the buildings.

PLANNING STATEMENT

On behalf of: NCO (Seven) Limited

In respect of: Former Police Station and Central Devon Magistrates' Court, Heavitree Road, Exeter, EX1 2LS

Date: May 2025

Reference: 6051CA

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1.0 Introduction

1.1 This Planning Statement has been prepared by DPP Planning on behalf of NCO (Seven) Limited ('the Applicant') to support the proposed redevelopment of the former Police Station and Central Devon Magistrates' Courts, Heavitree Road, Exeter, EX1 2LS.

1.2 The application is a full application which seeks planning permission for the:

"Demolition of existing buildings and erection of mixed-use development comprising purpose-built student accommodation (sui generis) and co-living accommodation (sui generis) along with associated infrastructure, landscaping and servicing".

1.3 The proposed development is located at the former Police Station and Central Devon Magistrates' Courts, Heavitree Road, Exeter, EX1 2LS. The site is situated in a central location in Exeter, approximately 350m from Exeter City Centre Boundary to the west of the Site. The site is located directly opposite the Exeter University St Luke's Campus.

1.4 This Planning Statement outlines the site context and assesses the development proposal in the against national and local planning policy. In the context of the dismissal of the previous proposals at the site at appeal, this Statement also sets out how the revised proposals address the concern raised by the Inspector about the appropriateness of the development in its context.

1.5 The proposed development seeks to regenerate a brownfield site in a sustainable location, delivering much needed residential accommodation. The site is considered to detract from the surrounding conservation areas, the proposed development providing well designed purpose-built student accommodation (PBSA) which meets an identified student need. The development also provides high quality Co-Living accommodation for key workers and graduates, providing increased choice of 'living', encouraging students to remain in Exeter rather than moving back to their family home or to other areas for work.

1.6 In considering the planning balance of the proposed development, due consideration is given to the policies contained within:

- National Planning Policy Framework (2024);
- Exeter Core Strategy Development Plan Document (2012);
- Local Plan First Review (2001-2011);
- Sustainable Transport Supplementary Planning Document (2013);
- Residential Design Guide Supplementary Planning Document (2010);
- Supplementary Planning Guidance for Development Related to the University of Exeter (2007);
- Trees and Development Supplementary Planning Documents (2009) and
- The Exeter Plan 2021-2041 Regulation 19 Publication Plan (2024).

1.7 This statement should be read in conjunction with the accompanying suite of technical documents and architectural plans which form this planning application submission:

Document	Consultant	Reference
Existing and Proposed Plans and Elevations	Brown & Company/Oobe	See accompanying schedule
Planning Statement	DPP	6051CA.R001
Statement of Community Involvement	DPP	6051CA.R002
Economic Benefits & Planning Obligations Statement	DPP	6051CA.R003
Housing Statement	DPP	6051CA.R004
Draft Heads of Terms	DPP	6051CA.N001
Affordable Housing Statement	Tetlow King	0809-06.RPT.M23
Design and Access Statement	Brown & Company	20133-BC
Designing Out Crime Statement	Brown & Company	N/A
Waste Audit Statement	Brown & Company / DPP	N/A
Heritage Impact Statement	Montagu Evans	N/A
Archaeological Assessment	Cotswold Archaeology	CR0564
Transport Assessment	Curtins	72032-CUR-XX-XX-T-TP-002-V04_TA
Framework Travel Plan	Curtins	72032-CUR-XX-XX-T-TP-003-V04_FTP
Tree Survey/ Arboricultural Impact Assessment	FLAC	FLAC 43-1027
Ecological Appraisal and BNG Metric Calculation	Ethos	N/A
Topographical Survey	Benchmark Surveys	S2720/09.18/01/DW Rev A
Flood Risk Assessment and Sustainable Drainage Strategy	Curtins	072032-CUR-XX-XX-RP-C-00001
Foul Sewage and Utilities Assessment	Box Twenty	P2081-B20-XX-XX-RP-Y-0002
Sustainability/Energy Statement	Box Twenty	P2081-B20-XX-XX-RP-Y-0001
BREEAM Pre-Assessment Tracker and Statement	Box Twenty	31257
Noise Statement	Box Twenty	11359/CP
Air Quality Assessment	Box Twenty	122333.648389
Ground Investigation	Curtins	072032.100-CUR-00-XX-RP-GE-001-V02
Co-Living Management Plan	Nixon Property	N/A
Student Management Plan	Nixon Property	N/A

Document	Consultant	Reference
Student Need Assessment	Knight Frank	N/A

- 1.8 In addition to the relevant reports and plans outlined above, the following letters and forms are submitted in support of the application:

Other	Consultant	Reference
Cover Letter	DPP	6051CA.L003
Planning Application Form	DPP	N/A
CIL Form	DPP	N/A

2.0 Site Context

2.1 The following section describes the application site, location and surrounding context.

Site Location

2.2 The proposed development is located at the former Police Station and Central Devon Magistrates' Courts, Heavitree Road, Exeter, EX1 2LS. The site is situated in a central location in Exeter, approximately half a mile from Exeter City Centre.

2.3 The site is directly opposite the entrance to the University of Exeter's St Luke's Campus, one of the two key university campuses located within Exeter. The Streatham Campus is approximately a 35-minute walk or a short bus ride away. Please see the location of the proposed development site below (site edged in red):

Figure 1: Site Location



Site Description

2.4 The application site measures approximately 1.25 hectares and consists of a mixture of interconnected buildings varying from two to four-storeys. At present, buildings are located within the centre of the site, fronting Heavitree Road with parking areas surrounding the buildings. The buildings were previously occupied by Devon and Cornwall Police and used by the Exeter Victim

Support Magistrates' Court Witness Service. The site constitutes previously developed land as defined in the National Planning Policy Framework (NPPF).

- 2.5 The character of the surrounding area is mixed in nature and the quality, design and massing of the surrounding buildings varies considerably. Residential housing is located to the north and west of the site with Waitrose and Heavitree Hospital to the east, Exeter University's St Luke's Campus to the south, and St Matt's Church and Newtown Primary School to the north-west.
- 2.6 The site is situated in a highly sustainable location. It is located directly opposite the St Luke's campus of Exeter University, providing a direct walking connection for residents of the proposed development. Regular bus services provide access between the site, city centre, and university campuses. There are also routes serving the wider region. The closest bus stop is directly in front of the site along Heavitree Road. Exeter train station is less than two miles from the site which provides regular routes to London, Bristol, Plymouth, and Penzance.
- 2.7 The site is not within a Conservation Area, nor are there any landscape or technical designations covering the site that would restrict development. The site is adjacent to the Lower Summerlands Conservation Area which is located to the west of the site covering the St Matt's Church buildings and surrounds, and the St Leonards Conservation Area, which covers a much larger area, is located to the south of the application site.
- 2.8 There are no listed buildings or designated heritage assets on the application site itself. Whilst not within the immediate setting, there are statutory listed buildings within the wider vicinity of the application site. The closest being 1-4 and 7-9 Lower Summerlands, a row of Grade II Listed terrace houses, located approximately 100m to the west of the application site. The St Luke's Campus buildings opposite the site are locally listed. The Heritage Impact Assessment prepared by Montague Evans sets out the context and impact of the proposals in heritage terms.
- 2.9 The application site is within Flood Zone 1 and therefore, is at low risk of flooding from rivers or the sea. The site is also predominantly at very low risk of surface water flooding, although the centre of the site does contain pockets of low-risk surface water flooding.

Planning History

- 2.10 Over a number of years, the site has been subject to several planning consents, the majority of which relate to the operation of the previous use and are not considered relevant to this proposal.
- 2.11 An outline application for a mixed-use student accommodation and co-living scheme was submitted under reference 21/1564/OUT in October 2021. This scheme sought approval for the following:

"Outline planning application with all matters considered in detail except landscaping, for the demolition of the existing buildings and construction of mixed-use development comprising Purpose-Built Student Accommodation (Sui Generis) and Co-Living (Sui Generis) with associated infrastructure."

- 2.12 The scheme proposed total of 955 units. These were split across two blocks, separated by their use, each with a central enclosed courtyard.
- 2.13 In February 2023, the application was refused at planning committee. The reasons for refusal included harm to the character of the area, harm to the amenity, privacy and outlook of adjacent residential properties, along with the limited amount of amenity space for residents of the scheme itself.
- 2.14 This scheme was revised and taken to appeal under reference: APP/Y1110/W/23/3328094. The appeal was dismissed in February 2024, following a public inquiry. The key issues were cited as:
- The effects of the proposal on the character and appearance of the area, including its effects on a non-designated heritage asset, St Luke's College.
 - The effects on the living conditions of neighbouring occupiers in Higher Summerlands with regard to privacy and outlook.
- 2.15 The full reasons for refusal have been considered as part of these proposals and the scheme has been significantly amended since to address the concerns raised. A breakdown of how each issue raised during the appeal and how this proposal addresses this is detailed at Section 6.0 of this statement.

Other Relevant Planning Applications

- 2.16 There is relevant planning history within the wider vicinity of the application site, as follows:
- 2.17 **23/0490/FUL** – includes the development of 145 co-living bed spaces up to 6 storeys in height on land off Summerland Street approximately 400m north west of the application site within the Newtown & St. Leonard's ward. The development was approved in October 2024 confirming that the principle of co-living development in the area is considered acceptable.
- 2.18 **19/1417/FUL** – includes the demolition of existing buildings and redevelopment of site to provide co-living accommodation with associated accesses/egresses, landscaping and other external works. This application is directly adjacent to the site at the former Ambulance Station. The application was approved at committee in May 2021 and demonstrates that the Council accept the principle of co-living in this area of the city.
- 2.19 **19/1556/FUL** - includes the development of a Co-Living (Sui Generis) accommodation block and a hotel (Class C1) including bar and restaurant, following the demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street at The Harlequin Centre, Paul Street. This application was permitted in April 2021 and again, demonstrates that the Council agree the principle of co-living is acceptable in this area.
- 2.20 **17/0053/FUL** – includes the demolition and construction of a 7-storey student accommodation building at 1 Cheeke Street. The application is within 200m of our proposed site and proves that the location of student accommodation is acceptable within this part of Exeter.

- 2.21 **16/0481/FUL** – Change of use from office to student accommodation and construction of two additional units and other works at Renslade House, Bonhay Road. This is classed as the 2nd tallest building in Exeter and again shows the council agree in principle that high density student accommodation is acceptable in Exeter.

3.0 Pre-Application Engagement

- 3.1 The Applicant has undertaken extensive pre-application engagement with the Local Planning Authority and has met with the Design West Design Review Panel and Council Member Engagement Forum.
- 3.2 Engagement has helped to shape the development proposals by guiding the scale and appearance of development to ensure that it delivers a high-quality scheme appropriate for its setting.

Pre-Application Process

- 3.3 A formal pre-application enquiry was made to Exeter City Council in April 2024, following which a site meeting was held between the Applicant and the LPA on 2nd May 2024 to discuss draft design proposals for the site to provide a scheme of PBSA and Co-Living development which sought to address the reasons for refusal relating to the previous application and subsequent appeal. A further 3 meetings were held with the LPA including the Urban Design Officer and Highways Team to discuss the evolving design of the proposals.
- 3.4 Following the 4th pre-application meeting held in July 2024, the draft proposals were submitted to the Design West Design Review Panel who provided a response on the draft scheme on 23rd August 2024. Following a detailed review of the draft scheme, the Design Panel recommended the following:
- The proposed height and mass should be informed by key views, a heritage analysis and a measured contribution to landscape.
 - Potential harm to amenity of neighbouring residents could be averted through a considered design of the form and character of the service road, the use of public and private spaces and how access to pedestrians and cyclists is provided.
 - The proposed approach to maximise external space for use by residents was welcomed.
 - The loss of trees and the delivery of BNG will need to be evidenced as part of the proposals.
- 3.5 The draft proposals were amended to account for the feedback provided and revised proposals were shared with the LPA in September 2024. In tandem community consultation was undertaken from 16th September 2024 for 21 days until 7th October 2024. As part of this, an engagement event was held on 25th September 2024 which was attended by 23 members of the public and 3 councillors.
- 3.6 Following the community consultation, 22 comments were received, providing a mix of responses in support, objection and neutral to the proposals. Further information on the outcome of the public consultation and how the comments have been considered are detailed in the Statement of Community Involvement (SCI) submitted as part of this application.

Pre-application Feedback from the Local Planning Authority

- 3.7 Written feedback on the draft proposals was received from the LPA on 11th October 2024 and included responses from the planning department and the following key consultees:
- Urban Design and Landscape Officer
 - Local Highway Authority
 - Active Travel England
- 3.8 At this stage in the pre-application process the draft proposals included PBSA for 399 rooms, 570 sqm of amenity space and 216 cycle spaces across 4 buildings; 'Co-living' accommodation comprising of 363 rooms, 655 sqm of amenity space and 310 cycle spaces across 4 buildings and a Café open to the public (203 sqm net sales area).
- 3.9 The LPA advised that the loss of the existing use was considered to not raise planning concerns and the principle of residential uses in the form of PBSA and Co-living was accepted on the site. However, although the provision of a public café was welcomed, it was noted a sequential test would be required for this commercial use to demonstrate the retail hierarchy and town centre first principle and been appropriately considered. The LPA highlighted considerations relating to residential amenity for future occupiers and neighbouring residents, the importance of design and landscaping, transport considerations relating to safeguarding the potential future bus route along Heavitree Road and the integration of walking and cycling within the scheme and local area, net zero carbon requirements, BNG requirements and confirmation on the current position on planning obligations and CIL requirements.
- 3.10 The written response also highlighted the emerging policies in the regulation 19 plan relating to co-living housing and PBSA developments noting that although the draft policies carry limited weight they provide a useful framework to inform draft proposals and the LPA's assessment of these types of developments.
- 3.11 From receipt of the written feedback to March 2025, the Applicant and project team have continued to engage with the LPA on the development of the design of the scheme. A further pre-application meeting was held with the LPA and Urban Design Officer in January and February 2025 to ensure the amendments to the scheme following the written feedback were addressing the considerations raised by the LPA.
- 3.12 Following the extensive pre-application process outlined above, the draft proposals have been amended from those presented to the public and LPA in September 2024. The key amendments include:
- Inclusion of a permissible active travel route through the scheme travelling north to south.
 - Improvements to amenity space provision for co-living units.
 - Joining co-living blocks 1 and 4 to make one unit to provide greater space between the building and service road.
 - Introduction of glazing to staircases to the co-living blocks to improve the design quality.

- Gable ends have been re-designed to create greater variation and legibility along Heavitree Road.
- Orientation of buildings has been reviewed to improve the outlook of existing neighbouring residents.
- Amenity spaces have been relocated to the southern end of the site away from public views to improve useability for future residents.
- The site boundaries to the west and north will be broadly retained as existing. However, additional native hedge planting is included to these boundaries. A section of the existing brick wall will be removed to accommodate the permissible shared route to the parking area of St Matthews Close.
- 8 trees will be retained, and 183 new trees will be planted across the site, with semi-mature planting focused on the boundaries of the site.

The initial proposal to include a café has been removed from the scheme to address comments relating to highway safety and to reduce the potential for congregation near the Heavitree Road and Gladstone Road junction.

4.0 Proposed Development

4.1 The development proposed is as follows:

“Demolition of the existing buildings and erection of mixed-use development comprising purpose-built student accommodation (sui generis) and co-living accommodation (sui generis) with associated infrastructure, landscaping and servicing”.

4.2 The vision for the proposed development is to redevelop a previously developed site at a sustainable location which is currently detracting with the local environment whilst meeting the urgent housing needs of the city and in so doing, supporting the growth of Exeter University and the city as a whole.

Accommodation Mix

4.3 The application proposal is for a mix of uses on site, across seven separate buildings; including four PBSA blocks and 3 co-living blocks, bisected by a permissible pedestrian route through the site. For the purposes of this report, we refer to these blocks separately as Purpose Built Student Accommodation (PBSA) and Co-Living. The PBSA blocks are located in the eastern half of the site, whilst the Co-Living blocks are located in the western half.

PBSA

4.4 Four PBSA blocks (Sui Generis) occupy the eastern half of the site, two of which will be 5-storey, with one at 4-storeys and one at 6-storey. These will comprise 399 single occupancy studios of the following size.

- 195 studios (17.5 sqm)
- 123 studios (19 sqm)
- 56 studios (21 sqm)
- 4 studios (22.5 sqm)
- 21 Wheelchair Accessible studios (26 to 28 sqm)

4.5 In addition to this, a total of 570sqm of amenity space is proposed throughout the four blocks, as well as the provision of two spacious courtyards which provide outdoor amenity space.

Co-living

4.6 The three co-living blocks comprise a total of 414 co-living units, with two five-storey blocks and one six-storey. Shared amenity spaces and additional kitchen facilities will be provided on each floor.

4.7 The proposed use as co-living accommodation is sui generis i.e., does not fall within any specific Use Class as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).

- 4.8 Whilst there is no universal definition of co-living, it is generally used to define purpose-built and professionally managed rental accommodation where small private living spaces are combined with extensive communal facilities.
- 4.9 Such schemes are aimed at university graduates, young professionals and key workers who typically will not be able to afford to purchase their own property. The concept of co-living is premised on high quality 'leased' products being preferred to the typically lower quality 'owned' alternatives and the downsides that come with them. In addition, many occupiers will be transitioning from occupying purpose-built student accommodation, being used to the high standards of management and amenity space such developments provide.
- 4.10 Co-living is not just about this private physical space but about establishing a community. As such, the provision of communal facilities and curating the experience of these spaces through a strong professional management offer is at the heart of the development, meeting an identified need and complimenting the other approved co-living schemes in the city.
- 4.11 The proposed mix of co-living accommodation is as follows:
- 289 studios (18.3 sqm)
 - 68 studios (20.7 sqm)
 - 37 studios (21.9 sqm)
 - 20 accessible studios (27 sqm)
- 4.12 In addition to this, a total of 655sqm of amenity space is proposed throughout the three blocks in addition to the provision of a large central courtyard.

Layout

- 4.13 The layout of the site will see the PBSA and co-living blocks situated in clusters surrounding a central courtyard, either side of the permissive route. The blocks will be set back from the street, with tree planting surrounding the perimeter of the site.

PBSA

Block 1

- 4.14 The most southeasterly block, at the corner of Gladstone and Heavitree road, will be the smallest of all seven blocks, it will consist of 36 units, including 3 accessible units, across 4 storeys. The ground floor will consist of a 177 sqm amenity space for students, with a staff office located at the centre. A further 367 sqm of amenity spaces to the north, which includes a ground floor entrance area for both Block 1 and Block 4, a games room, cinema, group study area, and gym. A bin store and plant area will be located to the north of the ground floor. The upper storeys will contain clusters of 12 student rooms, with an accessible room at the northwestern corner, and two larger studios to the east at the first and second floors only.

Block 2

- 4.15 Block 2 will be situated directly west of Block 1, fronting Heavitree Road, with significant tree cover retained between the block and the road. The ground floor will contain a bike store for 140 cycles to the east, along with 16 studios, including 4 larger studios to the south. A plant room will be located to the southeast, with the main entrance at the north, fronting the PBSA central courtyard. The upper storeys will contain 24 studios, including 4 larger studios to the south and an accessible studio to the north, opposite the central stair core.

Block 3

- 4.16 Block 3 is situated to the north, across the central courtyard from Block 2. The main entrance is located at the centre of the southern elevation, fronting the courtyard and the ground floor will comprise 21 studios, including 1 accessible studio. A bin store and plant room will be located opposite the entrance, with access from the northern elevation, adjacent to the service road to aid collections. The upper storeys will follow a similar layout, with 24 studios, including an accessible studio at the centre of the floor, opposite the stairs.

Block 4

- 4.17 As mentioned above, Block 4 is located directly north of Block 1 and is connected via the ground floor. This will be the main entrance for the PBSA area, fronting onto Gladstone Road. A bike store with space for 76 cycles will be located at the northwestern corner of the block, along with a bin store directly east. A plantroom and laundry area will be located adjacent to this at the eastern frontage. The southern half of the ground floor will be given over to student amenity space, with 367 sqm of space, including a games room, cinema, gym, and study areas. The northern end of the ground floor will contain a cluster of 10 studios.
- 4.18 At the upper storeys, the L-shaped block will consist of 25 studios, separated into 2 clusters of rooms split off a central stair core. One accessible studio will be provided per floor.

Co-Living

Block 1

- 4.19 The largest of the three co-living blocks, comprising 6 storeys, will be situated directly west of the central permissible route through the site. The main entrance to the co-living scheme will be located at the ground floor gateway, west of Block 1, at the south of the site, connecting to Block 2 to further west. The ground floor will contain two bike stores with space for a total of 310 cycles at the southeastern and northeastern corners. Adjacent to these, two amenity areas will be situated at each end of the block, including a lounge, laundry room, and gym to the north, and workspaces to the south. The central portion will then contain a cluster of 10 studios, along with a kitchen area for these residents.
- 4.20 The first floor will contain 36 studios, along with two kitchen amenity spaces at each wing of the block, with the bin store at the centre of the block, with a double entrance for collections at the

eastern elevation. The upper storeys will follow a similar pattern of development, with 38 studios organised into 3 clusters, with a kitchen area at each side of the block, adjacent to the stairway.

Block 2

- 4.21 Block 2 is situated directly west of Block 1, and is connected via the ground floor gateway which contains the main entrance and reception. At the ground floor, the southern end of the block will contain a theatre and kitchen area, adjacent to the reception area, along with a laundry area and 17 studios. A plant room and bin store will be located at the western side of the block, providing access from the service road for refuse collection.
- 4.22 This block will also contain a lower ground floor level at the northern end of the block, containing 12 studios, including 1 accessible studio, along with a kitchen amenity space at the southeastern corner of the cluster.
- 4.23 The upper storeys will contain 26 studios, including 1 accessible studio, and a kitchen area at the eastern side of the block, directly north of the stair core.

Block 3

- 4.24 This block will be located to the north of Block 2 and will be oriented at an angle when compared to the rest of the blocks. The block will be accessed from the south, just off the central courtyard, and will comprise 20 studios, including one accessible studio, along with a kitchen area to the south, directly west of the stair core. A small plant room will also be located directly opposite the entrance. There will be a total for 21 studios on the first floor, along with a bin store at the centre of the northern elevation, with access directly adjacent to the service road to aid collections. The upper storeys will follow a similar pattern, with the addition of an accessible unit above the bin store to give a total of 22 units at each floor.

Design and Appearance

Materiality

- 4.25 The proposed development has been designed to reflect the character of the area to sit comfortably within the surrounding context. The eastern end of the site responds to the Mont le Grand Conservation Area, while the western end responds to the Summerlands Conservation Area.
- 4.26 The PBSA buildings will primarily be clad in light tone brick, with accents of GRC/stone at lintels and lower levels. At the roof level, the upper storey will be clad in metal standing seam cladding in grey. Window treatments will be clad in dark grey aluminium.
- 4.27 The co-living blocks will be constructed from similar materials, with red brick at the lower storeys, and grey slate roofs at the upper storey. The blocks will feature gable ends with chimney type structures in brick, along with areas of anodised bronze cladding between the roof pitches to visually separate the clusters.

Scale, Massing and Form

- 4.28 In terms of scale, massing and form, as previously outlined, the development proposal is split between seven blocks and the proposed built form will vary the height of the blocks to limit visual impact on the surrounding area. The massing is designed to respond to the medium scale properties that surround the site. To do this, the development responds to the site levels and proposes 6-storeys at the centre of the site, at PBSA Block 3 and Co-Living Block 1, reducing to 4-storeys (plus lower ground level) in height at the western end of the site at co-living Block 2 and 4 storeys at PBSA Block 4. The rest of the blocks are proposed at 5-storeys.
- 4.29 The development is comprised of several blocks to provide visual porosity and openness across the site, which is reflective of the urban grain of the wider area. The blocks will also be connected by single storey entrance gateways, which connect PBSA Blocks 1 and 4, and co-living blocks 1 and 2. These link buildings provide a sense of entrance, enhancing cohesion of the development and legibility of the site, while also maintaining the visual porosity.

Access and Parking

- 4.30 New access and egress junctions are proposed to be created from Heavitree Road (B3183) to the south and onto Gladstone Road to the east. Vehicles would loop around the western and northern perimeters of the site in a one-way direction from Heavitree Road, prior to exiting onto Gladstone Road. It is also proposed that the Heavitree Road access junction would be secured by droppable bollards and barriers to ensure controlled access. These bollards would be set back by 12m from the highway to prevent queuing back onto the highway in the unlikely event that vehicles are required to wait to be cleared for entry.
- 4.31 In addition to the proposed vehicular access, pedestrians and cyclists can access the Co-Living block via the permissible route public pathway, which bisects the PBSA and co-living clusters at the centre of the site. This then connects Heavitree Road and St Matthew's Close to the north.
- 4.32 Regarding the internal layout of the site, it has been designed to be permeable for both pedestrians and cyclists. It is intended to provide appropriately paved surfaces around the perimeter of the blocks to ensure pedestrians can walk safely. Level access will be provided for all types of users regardless of the level of mobility or visual impairment providing access across the site in the form of ramps and lifts where necessary.
- 4.33 In respect of car parking, the development will be car-free as no on-site parking spaces will be provided for students and residents with the exception of 4 accessible parking bays measuring 2.4m x 4.8m each, with an additional 1.2m safety zone on each side, will be provided in compliance with the DfT's inclusive mobility guidelines. These will be located off the service road, with two adjacent to co-living Block 2, at the southwestern corner of the site, and a further 2 spaces at the north of the site, adjacent to PBSA Block 3. Two delivery/drop-off and pick-up areas will be provided adjacent to each pair of accessible spaces in the form of two laybys, which can accommodate up to 3 vehicles. These will be used for refuse collection and other service uses.

- 4.34 Several Car Club spaces are provided within the vicinity of the site which offer a cost-effective, hassle-free, and greener alternative to car ownership and traditional vehicle hire in the Southwest. The car club allows users to view the availability of low emission and electric cars at designated parking bays throughout Exeter.
- 4.35 The nearest to the site is along College Road, EX1 1TG. Due to the proximity of the site to an existing car club bay, it is not considered necessary that a car club bay would be provided onsite as part of the development proposal.
- 4.36 It is envisaged that 526 cycle parking spaces will be provided in the secure stores across the development, within four separate stores. This would include space for 310 cycles in the two cycle stores within Co-living Block 1, along with 140 spaces for students in PBSA Block 2, along with space for a further 76 spaces within PBSA Block 4. These stores would also account for staff spaces. This is one of the many initiatives to encourage more residents to travel by sustainable modes of transport.
- 4.37 Regarding servicing and refuse collection, the internal road network will be designed such that the site can be suitably accessed by refuse vehicles via Heavitree Road. An 11.2m refuse vehicle would be able to manoeuvre across the site via the proposed access point and onto the internal road network, following the one-way arrangement and onto Gladstone Road. Refuse collection will be undertaken by private contract.

Landscaping

- 4.38 Full details of the landscaping proposals will be outlined in the accompanying landscape plans. The landscaping scheme proposes a total of 30 trees to be planted, mitigating a loss of 16 trees across the site. The existing trees to the south which provide screening from Heavitree Road have been retained wherever possible, particularly adjacent to PBSA Block 2. An avenue of trees is also proposed along the western boundary to compensate for the loss of trees deeper into the site and provide screening to the homes at higher Summerlands. Trees will also be planted at the eastern boundary to screen the development from Gladstone Road.
- 4.39 In terms of hard landscaping, the scheme is focused around the two central courtyards within each cluster of blocks. These will be predominantly paved, to provide further amenity space and areas for outdoor seating. The student courtyard to the east will extend towards the southeastern corner of the site, which will be an area of outdoor seating adjacent to the student amenity areas. The western area of the student courtyard will contain some tree planting and soft landscaping to enhance the surroundings. At the west of the site, the co-living courtyard will be slightly sunken to respond to the level changes on site, providing an intimate space to sit and dwell for residents. This courtyard will utilise the existing topography by introducing fixed seats and steps.
- 4.40 The main entrance to each cluster along with the perimeter around the site will also be hard landscaped to aid movement around the site. Finally, the permissible route through the centre of the site between the two clusters will be lined with further planting, providing a visually appealing pedestrian access through the site between Heavitree Road and St. Matthew's Close.

- 4.41 It should also be noted that the building has been set back from Heavitree Road further than the previous scheme, this is to ensure that the land earmarked by the Council to develop a bus lane along Heavitree Road. This land has been retained as soft landscaping, along with an expanded shared cycleway at Heavitree Road itself, which mean the development will not be jeopardised if the bus lane is developed in the future.

5.0 Planning Policy

- 5.1 The development proposals take into account a wide range of planning policies at national and local level. This section provides an overview of the planning policies and guidance which have been identified to be of relevance to the proposals.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. This section sets out the broad planning policy framework against which the proposals must be assessed.
- 5.3 This section sets out the relevant guidance and policies of the National Planning Policy Framework (2024) (the Framework) and Exeter's Core Strategy Development Plan Document ('DPD') adopted in February 2012 with some policies saved from the Local Plan First Review (1995-2011). Relevant Supplementary Planning Documents (SPDs) are also considered and referred to. Furthermore, consideration is also given to the emerging Publication Draft Plan (December 2024).

National Planning Policy

National Planning Policy Framework (December 2024)

- 5.4 The National Planning Policy Framework ('NPPF') sets out the Government's planning policies for England and how these are expected to be applied.
- 5.5 The NPPF at paragraph 7 defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own need". It also sets out three overarching objectives of sustainable development, which are interdependent and need to be pursued in mutually supportive ways. At paragraph 8, these overarching objectives are economic; helping to build a strong, responsive, and competitive economy; social, to support strong, vibrant, and healthy communities, and environmental, to contribute to protecting and enhancing our natural, built and historic environment.
- 5.6 NPPF Paragraph 11 confirms all planning decisions should apply a presumption in favour of sustainable development. It states that this means that development should be approved "without delay" where development accords with an up-to-date development plan.
- 5.7 Paragraph 11 outlines the instances where the 'tilted balance' in decision making comes into effect noting *"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 strong 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, having particular*

regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

- 5.8 The NPPF clarifies under footnote 8 that a local plan can be considered out of date where the LPA “cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years”.

Delivering a Sufficient Supply of Homes

- 5.9 Paragraph 61 states: *“to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”* Paragraph 63 echoes this, stating that within this context the size, type and tenure of housing needed for different groups should be considered.
- 5.10 Paragraph 96 outlines the role planning policies and decisions have in creating healthy, inclusive and safe places. These places should promote social interaction *“for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages”*, are safe and accessible *“for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas”* and enable and support healthy lifestyles.

Promoting Sustainable Transport

- 5.11 Paragraph 109 relates to sustainable transport and states that opportunities to promote walking, cycling and public transport use are identified and pursued, and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. The applicant has sought to do that with the design of the scheme.
- 5.12 Development should be focussed in locations already or are able to be served by a choice of transport modes and are served by a range of services thus limiting the need and frequency to travel. This can not only help to reduce congestion and emissions but can also have a positive impact by and improving air quality and public health and well-being as per paragraph 110 of the NPPF. The site of the proposed scheme is ideally located for different types of public transport.
- 5.13 When assessing applications, paragraph 115 of the NPPF states that the following points should be considered:
- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*

- b) safe and suitable access to the site can be achieved for all users;*
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and*
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*
- 5.14 Paragraph 116 stipulates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Making Effective Use of Land

- 5.15 Section 11 of the NPPF encourages the effective use of land in meeting the need for new development, including homes, while safeguarding and improving the environment.
- 5.16 Paragraph 124 outlines that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for identified needs. It also sets out that local planning authorities should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.
- 5.17 Paragraph 129 states that local planning authorities should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
 - b) local market conditions and viability;*
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
 - e) the importance of securing well-designed, attractive and healthy places.*
- 5.18 Exeter is experiencing a shortage of land for meeting identified housing. Where this is the case, the NPPF paragraph 130 states that “it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site”.

- 5.19 Planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner as per paragraph 196 of the NPPF.

Achieving Well-Designed Places

- 5.20 Paragraph 131 highlights the importance of design by stating that the creation of high-quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve as good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.21 This section of the NPPF identifies that good design is a key aspect of sustainable development. It sets out a list of design-based criteria against which policies and decisions should aim to ensure that development achieves. These are as follows:
- 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; 39*
 - 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. (Paragraph 135)*

Meeting the Challenge of Climate Change, Flooding and Coastal Change

- 5.22 Paragraph 166 of the NPPF expects new development to:
- a) “comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
 - b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.”*

Conserving and Enhancing the Natural Environment

- 5.23 Chapter 15 of the NPPF seeks to conserve and enhance the natural environment. Paragraph 187 outlines that planning policies and decisions should minimise the impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 5.24 Furthermore, paragraph 193 sets out that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 5.25 In addition, it outlines that development resulting in the loss or deterioration of irreplaceable habitats includes ancient woodland or veteran trees should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Local Planning Policy

Exeter Core Strategy Development Plan Document (2012)

- 5.26 The Exeter Core Strategy Development Plan Document, adopted in February 2012, outlines at a local level, the relevant policies against which proposals will be assessed. This document also confirms the various designations relevant to the site. Exeter City Council's adopted Core Strategy sets out the vision, objectives, and strategy for the spatial development of the city up to 2026 and contains the local authority's strategic policies designed to meet these.
- 5.27 Within the adopted Core Strategy, the University of Exeter and Exeter College are identified as being centres of educational excellence, with regional and sub-regional roles. Both of which are expanding.
- 5.28 One of the key employment issues listed within the Core Strategy is the challenge of accommodating university growth. Paragraph 2.11 of the Core Strategy states that the University is very important to the economy and vitality of the city, but the growth of student numbers places pressure on the local community, particularly in terms of facilities and student accommodation and impact on the housing stock.
- 5.29 The continuing growth of the University is seen as important to the future prosperity of the city. Paragraph 6.28 of the Core Strategy states that the University had 12,929 fulltime students living away from home in 2010/11 and envisages that it will have approximately 3,300 additional full-time, living away from home students by 2025/26. The University's aim to provide housing for all full-time students who want it is supported because it will ease pressure on existing family housing.
- 5.30 The Core Strategy 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.

Policy CP1 - Spatial Strategy

- 5.31 Policy CP1 states that over the plan period 2006-2026 provision is made within the city for at least 12,000 dwellings. Local planning authorities should 'identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies'.

Policy CP5 - Meeting Housing Needs

- 5.32 Core Strategy Policy CP5 states that:

- 5.33 *"The supply of housing should meet the needs of all members of the community such that:*

- *all major developments (10 or more dwellings) should include a mix of housing informed by context, local housing need and the most up to date Housing Market Assessment;*
- *specialist housing, such as wheelchair accessible housing, sheltered housing, residential care homes, 'extra care' housing and continuing care retirement communities should be provided as part of mixed communities, where possible, in accessible locations close to facilities;*
- *all housing developments should be designed to meet Lifetime Homes Standards where feasible and practical; and*
- *purpose built student accommodation should be provided to meet the housing need."*

Policy CP11 - Pollution

- 5.34 CS Policy CP11 states that development should be located and designed so as to minimise and if necessary, mitigate against environmental impacts. Within the Air Quality Management Area measures to reduce pollution and meet air quality objectives, that are proposed by the Local Transport Plan and the Air Quality Action Plan, will be brought forward.

Policy CP13 - Decentralised Energy Network

- 5.35 Decentralised Energy Networks will be developed and brought forward. New development (either new build or conversion) with a floorspace of at least 1,000 square metres, or comprising ten or more dwellings, will be required to connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution. Otherwise, it will be necessary to demonstrate that it would not be viable or feasible to do so. Where this is the case, alternative solutions that would result in the same or better carbon reduction must be explored and implemented, unless it can be demonstrated that they would not be viable or feasible.

Policy CP14 - Renewable and Low Carbon Energy

- 5.36 New development (either new build or conversion) with a floorspace of at least 1,000 square metres, or comprising ten or more dwellings, will be required to use decentralised and renewable or low carbon energy sources, to cut predicted CO2 emissions by the equivalent of at least 10% over and above those required to meet the building regulations current at the time of building

regulations approval, unless it can be demonstrated that it would not be viable or feasible to do so.

Policy CP15 - Sustainable Construction

- 5.37 Policy CP15 expects development proposals to demonstrate how sustainable design and construction methods will be incorporated. All development must be resilient to climate change and optimise energy and water efficiency through appropriate design, insulation, layout, orientation, landscaping and materials, and by using technologies that reduce carbon emissions.

Policy CP17 - Design and Local Distinctiveness

- 5.38 CS Policy CS17 echoes this, stating that 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 policy then provides more detail. And states that *‘Development in the City Centre...will:*

- *enhance the city’s unique historic townscape quality;*
- *protect the integrity of the city wall and contribute positively to the historic character of the Central and Southernhay and Friars Conservation Areas;*
- *create places that encourage social interaction, utilising public art as an intrinsic component of a high quality public realm;*
- *enhance and expand the city’s retail function to improve Exeter’s draw as a regional shopping centre;*
- *include residential development in a mix of uses that encourage vitality and establish a safe and secure environment;*
- *create a City Centre that is vital and viable and presents a positive experience to the visitor;*
- *enhance the biodiversity of the City Centre and improve the links to the green infrastructure network;*
- *contribute to the establishment of a decentralised energy network’*

Policy CP18 - Infrastructure

- 5.39 CS Policy CP18 outlines how developer contributions will be sought to ensure that the necessary physical, social, economic and green infrastructure is in place to deliver development. Contributions will be used to mitigate the adverse impacts of development (including any cumulative impact). Where appropriate, contributions will be used to facilitate the infrastructure needed to support sustainable development.

Local Plan First Review (1995-2011)

- 5.40 Although the Exeter Core Strategy Development Plan Document (2012) has now replaced the Local Plan First Review, a number of policies from the Local Plan First Review have been saved and remain relevant to the proposed development. The Proposals Map which accompanies the Local Plan shows that the site is not subject to any specific designations or land use allocations.

5.41 The saved policies relevant to the proposed development include:

Policy H5 – Student Housing

5.42 Saved Policy H5 states that:

“The conversion of dwellings to flats, self-contained bedsitters or houses in multiple occupation and the development of special needs or student housing will be permitted provided that:

- *the scale and intensity of use will not harm the character of the building and locality and will not cause an unacceptable reduction in the amenity of neighbouring occupiers or result in on-street parking problems;*
- *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;*
- *special needs housing is located close to local shops and services, community facilities and bus routes;*
- *student accommodation is located so as to limit the need to travel to the campus by car.”*

Policy DG1 - Good Design

5.43 The LP seeks to promote good design in all development proposals and LP Policy DG1 states that development should:

- a) *“be compatible with the urban structure of the city, connecting effectively with existing routes and spaces and putting people before traffic;*
- b) *ensure that the pattern of street blocks, plots and their buildings (the grain of development) promotes the urban character of Exeter;*
- c) *fully integrate landscape design into the proposal and ensure that schemes are integrated into the existing landscape of the city including its three-dimensional shape, natural features and ecology;*
- d) *be at a density which promotes Exeter's urban character, and which supports urban services;*
- e) *contribute to the provision of a compatible mix of uses which work together to create vital and viable places;*
- f) *be of a height which is appropriate to the surrounding townscape and ensure that the height of constituent part of buildings relate well to adjoining buildings, spaces and to human scale;*

- g) ensure that the volume and shape (the massing) of structures relates well to the character and appearance of the adjoining buildings and the surrounding townscape;*
- h) ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape;*
- i) use materials which relate well to the palette of materials in the locality and which reinforce local distinctiveness”.*

Policy DG2 - Sustainable Design

5.44 The layout of new development and the design of buildings should contribute to the conservation of energy and LP Policy DG2 states that new development ‘*should be laid out and designed to maximise the conservation of energy. proposals should:*

- a) “retain and refurbish existing buildings on site except where retention is unviable or the buildings are detrimental to the character of the site or would prejudice the best use of land;*
- b) aim to gain maximum benefit from solar gain;*
- c) be subject to landscape schemes which provide landform and planting that acts as a shelter for buildings”.*

Policy DG7 - Safe Design

5.45 Policy DG7 outlines that the design of all development should seek to provide a safe and secure environment for users. In order to achieve this, proposals should:

- a) “ensure pedestrian routes and public spaces are overlooked and subject to natural surveillance;*
- b) provide enclosure of properties, so that private spaces are well defined and fulfil the role of defensible space;*
- c) ensure that lighting is located and designed in such a way as to deter and reduce the fear of crime;*
- d) ensure that schemes for landscape design, including new planting, do not create opportunities for crime and that, where appropriate, species of plants are used to deter criminal or anti- social behaviour;*
- e) integrate crime prevention measures in an unobtrusive manner, such that the fear of crime is not raised, and that there is no detrimental effect upon townscape and amenity.”*

Policy T1 - Transport Hierarchy

5.46 LP Policy T1 states that development should facilitate the most sustainable and environmentally acceptable modes of transport, having regard to the following hierarchy:

1. Pedestrians
2. People with mobility problems
3. Cyclists
4. Public transport user
5. Servicing traffic
6. Taxi users
7. Coach borne visitors
8. Powered two wheelers
9. Car borne shoppers
10. Car borne commercial/ business users
11. Car borne visitors
12. Car borne commuters.

Policy T2 - Accessibility

5.47 LP Policy T2 states that in accordance with the accessibility criteria set out in schedule 1, *“residential development should be located within walking distance of a food shop and a primary school and should be accessible by bus or rail to employment, convenience and comparison shopping, secondary and tertiary education, primary and secondary health care, social care and other essential facilities. Non-residential development should be accessible within walking distance and/or by bus or rail to a majority of its potential users”*.

Policy T3 - Linking to Existing or Proposed Developments and Facilities

5.48 LP Policy T3 seeks development laid out and linked to existing or proposed developments and facilities in ways that will maximise the use of sustainable modes of transport. The Policy states that proposals should ensure that:

- a) *“all existing and proposed walking and cycle routes are safeguarded or that alternative reasonably convenient routes are provided;*

- b) suitable cycle parking provision is provided in accordance with the standards set out in schedule 2;*
- c) where more than 20 people are employed facilities for showering and changing are provided;*
- d) full account is taken of the needs of bus operation through and alongside new development by the provision of lay-bys, roads and other associated facilities;*
- e) where appropriate, pedestrian and cycling links are provided to existing or proposed rail stations;*
- f) the particular needs of people with disabilities are taken into account”.*

Policy T10 - Limit Parking Capacities

- 5.49 LP Policy T10 states that development will not be permitted with more parking than the standards set out in schedule 3 except as part of a phased development, guided by a travel plan and incorporated into a legal agreement. The policy also states that car parking provision should be made for people with mobility problems in accordance with the standards set out in schedule 4, which will be applied throughout the city.

Policy EN1 - Hazardous Installations

- 5.50 Policy EN1 sets out the developments that may be liable to cause pollution, including proposals which allow the use, movement or storage of hazardous substances will only be permitted if the health, safety and amenity of users of the site or surrounding land are not put at risk. And, the quality and enjoyment of the environment would not be damaged or put at risk, development on or in the vicinity of the site that may be liable to cause pollution will only be permitted if there is no unacceptable risk to the health and safety of its users.

Policy EN2 - Contaminated Land

- 5.51 CS Policy EN2 states that where development is proposed on or near a site where there is contamination (or good reason to believe that contamination may exist) the developer should carry out a site assessment to establish the nature and extent of the contamination. Development will not be permitted unless, in relation to the specific use for which permission is being sought, practicable and effective measures are to be taken to prevent unacceptable risks to human health or the environment. Remediation measures must ensure that the proposal will not:

- a) “expose the occupiers of the development and neighbouring land uses to unacceptable risk;*
- b) threaten the structural integrity of any building built, or to be built, on or adjoining the site;*
- c) lead to the contamination of any watercourse, water body or aquifer;*
- d) cause the contamination of adjoining land or allow such contamination to continue.*

- 5.52 *Contamination should be treated on site if possible. Any permission for development will require that the remedial measures agreed with the authority must be completed before the development is occupied”.*

Policy EN3 - Air and Water Quality

- 5.53 Under Policy EN3, development that would harm air quality would not be permitted unless mitigation measures are possible and are incorporated as part of the proposal.

Other Material Considerations

Five Year Housing Supply Statement (May 2024) and Interim Position Statement (January 2025)

- 5.54 The published Five Year Housing Supply Statement was informed by a previous version of NPPF which allowed LPAs were certain criteria were met to demonstrate a four year land supply. Based on the previous national policy position Exeter City Council was able to demonstrate a supply of five years and one month for the period commencing 1 April 2024. This amounts to a surplus of 675 homes.
- 5.55 In January 2025, the LPA published an interim position statement to reflect the changes in NPPF following its update in December 2024. The interim position statement confirms the LPA has an under supply of 128 homes equating to a four years and ten month land supply, below the reinstated five year housing supply requirement.
- 5.56 Therefore, based on the Interim Position Statement the presumption in favour of sustainable development (the ‘tilted balance’) applies to decisions where the criteria of NPPF paragraph 11 apply.

Sustainable Transport Supplementary Planning Document (2013)

- 5.57 The adopted Sustainable Transport Supplementary Planning Document (SPD) provides further detail in relation to Core Strategy and Local Plan policies.
- 5.58 The SPD sets out within Table 2 the minimum cycle parking standards for student accommodation development. For the first 10 bedrooms one cycle space per bedroom is required. For the 11th bedroom upwards, one cycle space per two bedrooms is required. In respect of visitors, one space per 20 bedrooms is required with a minimum of two cycle spaces to be included.
- 5.59 For other residential blocks, such as co-living schemes, 1 cycle space is required per bedroom. In terms of visitor parking, 1 or 2 spaces are required for ad hoc callers.
- 5.60 There are also cycle parking requirements for the staff which will be working in the blocks, these include:
- For first 4 full time equivalents (FTEs) - 1 per FTE; and

- For subsequent staff - 1 per 7 FTEs (minimum 4 spaces).

- 5.61 Chapter 8 of the SPD covers travel plans and sets out Devon County Council's general requirements. Comprehensive travel plans are required for student accommodation schemes with 50 or more rooms.
- 5.62 Chapter 9 of the SPD covers off-site improvements and states that where improvements to transport networks are necessary to accommodate journeys generated by the development, and to enable and encourage use of sustainable modes for those journeys, the development will be expected to make a financial contribution towards those improvements.

Residential Design Guide Supplementary Planning Document (September 2010)

- 5.63 This SPD provides guidance for all those involved in building new homes in Exeter. The SPD includes guidance on design objectives and design process, layout design, parking, residential amenity, bin storage, building design and public realm design.

Supplementary Planning Guidance for Development Related to the University of Exeter (June 2007)

- 5.64 This supplementary planning guidance (SPG) was agreed by Exeter City Council's Executive in June 2007 and is a material consideration in the determination of planning applications.
- 5.65 The SPG sets out nine principles, of which the following relate to the proposed development:
- *"The City Council supports the intention of the University to expand. The City Council, where appropriate, will impose planning conditions or seek a planning obligation to ensure that expansion in the University's teaching, research and general facilities is accompanied by the provision of significant increases in purpose-built student residential accommodation, such that 75% or more of the additional student numbers are accommodated."*
 - *"The City Council seeks the provision of as much purpose-built student housing as possible to reduce the impact on the private sector housing market."*
 - *"The City Council recognises that relatively high-density managed accommodation on appropriate sites will need to make a significant contribution to meeting future needs. Developments will be permitted subject to management and supervision arrangements appropriate to the size, location and nature of occupants of schemes."*
 - *"The City Council..... expects accommodation providers to rigidly enforce no car tenancies."*

Trees in relation to Development Supplementary Planning Document (September 2009)

- 5.66 This supplementary planning document (SPD) was agreed by Exeter City Council's Executive in September 2009 and is a material consideration in the determination of planning applications.

- 5.67 The SPD sets out the requirements needed to allow the LPA to assess the impact development proposals could have on existing trees. It sets out the likely conditions to be used to secure proposed tree planting is delivered among other considerations pre, during and post application.

Emerging Local Plan

- 5.68 On 12 December 2024, the City Council published the Publication Draft Exeter Plan which they intend to submit to the Secretary of State in the Summer 2025 for examination. This draft plan currently holds little weight in terms of decision making, as it is still subject to public consultation and subsequently examination. Most policies are retained in a materially similar manner, however under the regulation 18 draft Plan the Site was included within the strategic East Gate allocation for 750 homes and a mix of other uses. The recent Regulation 19 Plan removes the Site from the strategic allocation but retains it as a large-scale residential allocation under draft Policy H2.

- 5.69 Based on the above the following draft policies are considered relevant to the proposals:

- **Policy H2: Housing Allocations and Windfalls** sets the allocation of the site for 350 homes. Discussions with the Local Plan team have confirmed that the 350 homes figure is intended to provide a comparable figure against which other forms of residential development such as PBSA and Co-Living can be provided at differing densities/units.
- **Policy H6: Co-living housing** establishes a specific policy for this type of accommodation. It sets out that co-living development will be supported where they provide high quality accommodation built specifically for rent, provide each resident with an en-suite bathroom, and provide communal facilities such as a kitchen, amenity space for dining, and other services. Paragraph 6.37 states that co-living counts towards Exeter's housing requirement at a ratio of 1.8:1, in accordance with the Governments Housing Delivery Test Rulebook.
- **Policy H10: Purpose Built Student Accommodation** sets out that PBSA development will be supported where they are located in locations that are well connected to Exeter's campuses, provide residents with high quality housing with a private bathroom in a cluster or studio, afford adequate living space with sufficient communal facilities. Paragraph 6.63 states that most forms of student development will count towards Exeter's housing requirement at a ratio of 1.8:1, as set out in the Housing Delivery Test Rulebook.

6.0 Planning Assessment

- 6.1 This section assesses the planning balance of the development proposal in the context of the relevant national and local planning policy considerations outlined in Section 5 above.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the relevant development plan, unless material considerations indicate otherwise.

Response to Appeal Decision

- 6.3 As noted under Section 2.0 above, the application site has been subject to an outline application (21/1564/OUT refers) which was recently dismissed at appeal (APP/Y1110/W/23/3328094 refers) on 2nd February 2024. The appeal relating to a similar form of development described as *“demolition of the existing buildings and construction of mixed-use development comprising Purpose-Built Student Accommodation (Sui Generis) and Co-Living (Sui Generis) with associated infrastructure.”*
- 6.4 Whilst dismissing the appeal, the Inspector concluded the following:
- **The proposals would assist in meeting the unmet needs in relation to market and affordable housing;**
 - **The proposals would be likely to free up market housing elsewhere in Exeter;**
 - **The provision of affordable housing through the proposals should be afforded significant weight**
 - **The proposals would not result in harmful effects either in terms of outlook or privacy for residents of Higher Summerlands;**
 - **It is inevitable that whatever is developed on the site will have some effect on the view towards the college building from Gladstone Road;**
 - **There was no harm to the historic significance of the locally listed St Luke’s college building; and**
 - **The proposals would not result in harm to the significance of the Conservation Area or on the Listed Building within it. St Lukes listed building.**
- 6.5 The Inspector dismissed the appeal on the basis that the proposals *“would cross the line of acceptability in terms of its effects on the local area into which it would not satisfactorily integrate”*. As such, he concluded that the level of harm that would result is sufficient to outweigh the benefits
- 6.6 Importantly, the Inspector noted that *“It is also possible that another scheme of different form which is acceptable to the Council might come forward on the appeal site albeit not necessarily on the scale proposed in this appeal.”* This revised application does exactly that.
- 6.7 Following the Inspector’s decision, the applicant has reviewed the scope of the proposals and made substantial amendments resulting in a new scheme being proposed which is the subject of this

application. It is important to note that the proposals presented are subject to a full application allowing the applicant to provide greater detail and certainty on the design of the proposals.

- 6.8 The current proposal has been informed by the same principles which were considered acceptable at appeal while addressing the issues of scale, height and massing. In the table below the reasons which informed the inspector's decision to dismiss the previous proposal have been identified. A response as to how this current proposal responds to the appeal issues is outlined to demonstrate how the proposal addresses these considerations.

Appeal Consideration	Response to Appeal
Proposal not in-keeping with mainly suburban local area.	<p>The Inspector characterised the local area as predominantly suburban with sporadic urban elements. Since the appeal decision, there has been limited change within the local area and it is considered the local character of the area remains as identified within the appeal decision.</p> <p>To better address the local character, the current proposal has a reduced height and the proposed co-living and PBSA units are split across 7 separate blocks. The differing heights of the proposed buildings spread across the site range from 4 to 6 storeys. The proposals break up the built form within the site reducing the scale, height and massing of the proposed development which is considered to represent an urban development which complements the wider suburban character. It was agreed at the appeal that the site could accommodate transformational change, so an increase in height from the existing context is to be expected, however, the changes to the scheme ensure the proposed development appropriately reflects the local setting.</p> <p>Furthermore, while it is accepted the local area is predominantly suburban, the junction of Gladstone Road and Heavitree road has several larger buildings, including the recently developed Gorge development, a Waitrose supermarket, while other larger buildings such as St Lukes campus and Heavitree Hospital all provide a context for the wider area which supports an element of change in building heights at the site which sits at the junction between Gladstone Road and Heavitree Road. The junction location represents an opportunity to improve legibility as part of the existing built form through the inclusion of development which is set apart from the general form of development in the area while still respecting the prevailing local character.</p>
Disproportionate massing of built form.	<p>The Inspector considered the massing of the appeal scheme would have a negative impact on the character of the area. The Appeal scheme included two large buildings accommodating PBSA and Co-living units, although the two</p>

Appeal Consideration	Response to Appeal
	<p>buildings were separated by a pedestrian route it was considered the height of the buildings coupled with their position within the site would result in the built form being viewed as one homogenous block when viewed from Heavitree Road.</p> <p>To address these concerns the current proposal has broken up the development on the site by provided the co-living and PBSA units across 7 blocks, 3 blocks for Co-living and 4 blocks for PBSA. The spacing between the blocks reduces the overall massing of the development. This is further emphasised through the orientation of the proposed taller buildings on the site which includes Co-living Block 1 and PBSA Block 4 which provides a reduced width of built form facing towards Heavitree Road.</p> <p>A permissible route accessible to the public runs through the centre of the site separating the Co-living units from the PBSA further breaking up the built form on the site and reducing the massing of the proposal. The separation distances between the blocks ranges from 9m to 20m across the Site which is considered to appropriately break up the built form and addressing the massing concerns raised under the appeal decision.</p>
Prominence of built form within Heavitree Road street scene.	<p>The Inspector noted that the appeal scheme was positioned close to Heavitree Road which coupled with the proposed height of the buildings resulted in an overly prominent form of development. It was noted that the proposed landscaping along the site frontage would improve the situation although this would take time to establish. Overall, it was considered the proposed landscaping would not be sufficient to address the concerns relating to prominence within the street scene along Heavitree Road.</p> <p>The current proposal provides a mix of set back distances along Heavitree road with the closest building being approximately 12m away from the pedestrian walkway along Heavitree Road ranging to 16m at its furthest distance. In comparison the appeal scheme was setback approximately 9m along the whole site frontage.</p> <p>By providing a greater setback distance the majority of the existing trees along Heavitree Road are retained and further planting is proposed to reinforce the landscaping along this frontage.</p> <p>Therefore, the proposed scheme retains more of the existing trees along Heavitree Road, providing additional screening</p>

Appeal Consideration	Response to Appeal
	from the road. The buildings are also set back further from the street to safeguard the route of the proposed bus lane development, which further lessens the prominence of the built form along Heavitree Road. Furthermore, the height of the buildings has been reduced which also reduces the overall prominence of the built form. These measures considered together ensure the proposal results in a development which fits within the existing street scene without appearing overly prominent when viewed from Heavitree Road and other vantage points in the local area.
Overbearing nature of built form along Heavitree Road.	As above, the revised scheme lessens the impact of the built form along Heavitree Road by setting the building back from the boundary, retaining more of the existing trees, and reducing the overall height of the buildings. All of these will ensure the proposal will not have an overbearing impact on public amenity within the local area.
Emphasis on the proposed height of buildings due to arrangement of windows in a vertical plane.	<p>The Inspector noted that the height of the appeal scheme was further emphasised through the inclusion of large windows in the vertical plane.</p> <p>In response to these concerns, the current proposal sees a reduction in the overall height of the buildings proposed. The proposed buildings range from 4, 5 and 6 storeys across the site with the tallest buildings measuring approximately 19m. In comparison the appeal scheme was predominantly 7 to 8 storeys in height with elements of 5 storeys within building 2.</p> <p>Although the scheme retains windows in the vertical plane, the reduced building heights across the scheme coupled with the development provided over multiple blocks is considered to ensure the proposed window design is appropriate.</p>
Gateway proposal in this location at odds with local environment.	<p>The Inspector highlighted in their decision that the delivery of a 'gateway' proposal on the application site would be in the wrong place based upon the separation of the site from the defined boundary of the City Centre which is approximately 350m west of the site.</p> <p>The reference of the site as a 'gateway' development reflected the emerging local plan position under the regulation 18 draft Plan which included the Site within the strategic East Gate allocation for 750 homes and a mix of other uses. The recent Regulation 19 Plan removes the Site from the strategic allocation but retains it as a large-scale residential allocation under draft Policy H2.</p> <p>This change in the emerging policy position has been reflected in the current proposal which provides a reduced scheme. It is</p>

Appeal Consideration	Response to Appeal
	still considered the proposal represents a 'gateway' development leading towards the more urbanised area of Exeter City Centre, however, the reduced scale, lower building heights and looser grain of built form all ensure the proposal reflects the local environment while also meeting the Council's aim to provide transformational change on the site through an efficient and high-quality scheme.

- 6.9 The above table demonstrates the new proposals submitted under this application, fully addresses the reasons for dismissal of the previous co-living and PBSA scheme on the site through a reduction in orientation, scale, height and massing. The changes to the current scheme ensure important views within the local area are maintained and reflect the suburban character with sporadic urban elements of the local area.

Key Planning Considerations

- 6.10 Based on the previous appeal decision, national and local planning policy, the key planning considerations arising from the proposed development are considered to be as follows:

- The Principle of Development
- The Presumption in Favour of Sustainable Development
- High Quality Design
- Heritage
- Transport and Accessibility
- Ground Conditions
- Flood Risk and Drainage
- Daylight and Sunlight
- Ecology

- 6.11 These are considered in turn below:

The Presumption in Favour of Sustainable Development

- 6.12 As set out in the Council's interim Five-Year Housing Land Supply Position Statement (January 2025), the Council are unable to demonstrate a five-year supply, instead they are only able to demonstrate a 4 year and 10-month supply.
- 6.13 In accordance with NPPF Paragraph 11, the local plan policies most important to determining the application should be considered out of date and permissions granted without delay due to the absence of a five-year housing land supply. This means the 'tilted balance' applies to the proposal as it is not within an identified protected area and, as this statement sets out below, the proposal would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits of the proposed development.

- 6.14 The impacts associated with the previous proposal on the site have been fully addressed as detailed in the table above, demonstrating this proposal is within a highly sustainable location, makes efficient use of brownfield land, provides a high-quality design and makes a contribution to affordable housing.
- 6.15 In relation to housing land supply, Governments guidance on the Housing Delivery Test measurement rule book (December 2024) notes that student and other communal accommodation are applied using two nationally set ratios, based on England Census data. For student accommodation the current ratio is 2.4 (Census 2021) and for other communal living accommodation such as co-living the current ratio is 1.9 (Census 2021). The proposed development provides 399 PBSA units and 414 Co-living units so applying these ratios, the proposals will contribute 384 'dwellings' to the Council's housing land supply as well as specifically addressing the housing needs of specific groups, primarily for students and the rental market.
- 6.16 Given the above, significant weight should be afforded to the contribution that the proposals make to meeting the shortfall in the Council's housing land supply, meaning that the application should be approved 'without delay'.

Principle of Development

Re-use of Previously Developed Land

- 6.17 Section 11 of the NPPF on 'making effective use of land' states that planning policies and decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs' (paragraph 125c).
- 6.18 Based on the January 2025 Interim Housing Supply Statement, Exeter is experiencing a shortage of land for meeting identified housing needs. Where this is the case, NPPF paragraph 130 states that "it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site". The development proposal has made optimal use of its site that will free existing capacity of the current housing stock within Exeter and therefore providing a positive contribution to the supply of housing.
- 6.19 The previous use of the site related to the operation of Devon and Cornwall Police. The operation has been relocated to a new site next to the existing Police Headquarters on Sidmouth Road, Middlemoor, therefore leaving the site vacant and disused. As such, the proposed development seeks to bring back into viable use a central site in Exeter and the loss of the existing building and associated use in the area has already been addressed through its relocation to an alternative site which has been operational since 7th April 2020.

Co-Living

- 6.20 Co-Living is a relatively new form of high-density accommodation, which has certain characteristics like other uses, including Build to Rent accommodation. As such, it is not an identified use class

within the relevant legislation (Town and Country (Use Classes) Order) 1987 (as amended)). Therefore, the use does not fall within the normal categorisation of residential uses; C2 Residential Institutions, C3 Dwelling houses or C4 Houses in Multiple Occupation. It is therefore considered to be a “Sui Generis” use. The same applies to PBSA which traditionally been classed as “Sui Generis”.

6.21 Understandably, the Development Plan does not refer to this innovative form of housing. There are no allocations for this use, nor are there suitable locations specified in policy. However, the emerging Plan does include a specific policy on co-living development under draft Policy H6 Co-living housing. Although it is noted that limited weight can be attributed to this policy due current stage of the emerging plan it does provide a useful framework to consider this type of development. The proposal has been designed to meet the minimum requirements set out in the policy to ensure the proposal can be defined as Co-living development. The proposed scheme includes the following communal spaces:

- A kitchen;
- Other internal space for dining and socialising;
- Collaborative workspace;
- Outdoor amenity space (roof terrace and/or garden);
- Laundry and drying facilities; and
- Storage and refuse facilities

6.22 In terms of adopted Local Planning Policy, the proposed Co-Living development, when considered against housing policy, is compliant. Policy CP1 outlines that over the plan period of 2006-2026, provision of at least 12,000 dwellings should be made. The Council are unable to demonstrate the required 5-year housing land supply and therefore, the presumption in favour of sustainable development should apply since the proposal will provide new homes.

6.23 In line with Policy CP5, the proposed Co-Living accommodation element of the development ensures that the needs of all members of the community are met. For one, wheelchair accessible units are provided.

PBSA

6.24 In addition, the scheme also provides purpose-built student accommodation to meet the requirements of students at Exeter University. The supporting text to Policy CP5 explains that the growth of the University is important to the future prosperity of the city and that the growth in student numbers to 2025/26 is around 3,300.

6.25 The University’s aim is to accommodate the students in purpose-built student accommodation. The approval of this scheme would also help to alleviate the pressure currently placed on family homes which have been lost through conversion to HMOs, as it will deliver purpose-built accommodation designed to meet the needs of that part of the population that traditionally occupy HMOs. It will therefore free up these homes to allow families to live there, rebalancing the mix of communities in the area. This approach is in accordance with the principles held within the Supplementary Planning Guidance for Development Related to the University of Exeter.

- 6.26 The proposed development will also comply with saved Policy H5 by ensuring that the character of the area, and the amenity of neighbouring occupiers, is not adversely impacted. This is discussed in more detail below. In accordance with this policy, the development will not result in an over concentration of student accommodation and will instead, free up previously traditional family homes for non-student residents in areas currently subject to a high concentration of students, as discussed above. Due to the site's proximity to Exeter city centre and St Luke's Campus, future occupants will not be required to travel far to key facilities and services.

Local Benefits

- 6.27 The scheme would also provide local benefits, as has been demonstrated with other accommodation schemes delivered across Exeter.
- 6.28 The University of Exeter is a Russell Group University known for its research and teaching excellence. Universities in the Russell Group have been evidenced to have a major impact not only on the local economy but on the UK as a whole. In overall rankings the university has maintained its position in the top 20 universities in the UK for the last five years.
- 6.29 The provision of high quality, purpose-built student accommodation would support the university, which is a key economic driver in the city and wider region. As summarised in the previous section, the adopted Core Strategy states that the continuing growth of the university is important to the future prosperity of Exeter. However, the growth of Exeter University naturally places pressure on the local community, particularly in terms of the impact on the housing stock. Providing purpose-built student accommodation will ease the pressure on existing family housing.
- 6.30 Furthermore, the proposed Co-Living element of the development ensures that graduates of the University of Exeter remain in the area to work and live. With an increase in student numbers, it is clear that there will be increased graduate numbers alongside other key workers requiring flexible accommodation space. The proposed scheme is clearly increasing the supply of housing by freeing up existing capacity and providing flexible housing options that meet the needs of a group of people struggling to access the housing market.
- 6.31 In addition to the above, local businesses and facilities would be supported by the increased expenditure of students, graduates and key workers.
- 6.32 Based on the above, the principle of the proposed co-living accommodation and student accommodation is therefore considered to be wholly compliant with the provisions of national policy and the relevant development plan policy, as well as supporting supplementary planning guidance.

High Quality Design

- 6.33 National and local planning policy seeks high quality design in new development that responds to the surrounding built environment and contributes to the character of the area.

- 6.34 Paragraph 131 of the NPPF highlights the importance of design by stating that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve as good design is a key aspect of sustainable development, as well as creating better places in which to live and work, and helping make development acceptable to communities. The applicant has undertaken a collaborative process with the relevant stakeholders to ensure that the design is of sufficient quality, providing a significant improvement on what is currently located on the site.
- 6.35 The Adopted Local Plan seeks to promote good design in all development proposals and Policy DG1 states that developments should contribute to the provision of a compatible mix of uses which work together to create vital and viable places, and ensure that all designs promote local distinctiveness and contribute positively to the visual richness and amenity of the townscape.
- 6.36 The site is located on the edge of Exeter's city centre where there is a rich diversity of architectural styles which define the character of the area. As such, the elevations have been developed to present contemporary buildings which establish a bold approach, and the result is a high-quality architectural approach which enhances Heavitree Road. The site's current design has aged and is no longer a modern or suitable design for such a prominent road into Exeter. The building frontages have clearly been neglected and they are now unused.
- 6.37 The proposed materials palette for the development takes its cues from local buildings and will utilise a predominantly brick and metal material palette which harmonises with the existing and emerging character of the area. The landscape approach provides a quality setting for the buildings with enhancements to the public realm, particularly along Heavitree Road, which will enhance the quality of this prominent route into the city. As such, is it considered that the buildings represent a high-quality approach to the site and its surroundings, in line with national and local planning policy, and enhance the site in terms of quality design when comparing the scheme to the buildings currently on the site.

Heritage and Archaeology

- 6.38 The architectural landscape of Exeter plays a major role in defining the character of the city. Despite the damage and destruction inflicted during WWII, there are a wealth of historic buildings that remain. As such, one of the key visions for Exeter City Council is to protect and enhance the city's unique historic character and townscape and its archaeological heritage. In particular, Policy CP4 of Exeter's Core Strategy sets out that all residential development should achieve the highest appropriate density compatible with the protection of heritage assets.
- 6.39 Cotswold Archaeology have conducted an assessment to identify known archaeological remains within the site and local area and determine the likelihood of archaeological significant materials which could be affected by the proposed development.
- 6.40 Regarding the physical effects of development, their report outlines that there is potential for Roman and post-medieval/modern remains to be present within the site. However, due to the

widespread impacts which have taken place subsequently within the site, the overall potential for the survival of archaeological remains is low.

6.41 Montagu Evans LLP have undertaken a Heritage impact assessment (HIA) which considers the potential non-physical impacts of the proposed development on neighbouring heritage assets. The heritage assets identified as having the potential to be impacted are listed below:

- St Leonards Conservation Area
- Lower Summerlands Conservation Area
- Mont le Grand Conservation Area
- Grade II 1-4 and 7-9 Lower Summerlands
- Grouping of Grade II Eaton Place and Grade II Eaton's Place
- Grouping of Grade II Grendon's Almshouses and Grade II Attwill-Kingdom Almshouses
- Locally Listed St Luke's College
- Locally Listed 15, 17, 19, 21, 23, 35, 37 Heavitree Road
- Locally Listed 22 Spicer Road, The Lodge

6.42 The detailed assessment on the potential impact on the significance of the identified heritage assets above concludes there will be no harm caused to the significance of the identified designated and non-designated heritage assets by the Proposed Development. The proposals would result in a modest enhancements to the setting of heritage assets as a result of the Proposals improving the quality of architecture on the Site.

6.43 Therefore, the Proposed Development complies with the policies set out in the NPPF, the Exeter Local Plan First Review 1995-2011 and Exeter Core Strategy (2012).

Townscape and views

6.44 In the previous appeal decision, the Inspector characterised the local area as predominantly suburban with sporadic urban elements. Since the appeal decision, there has been limited change within the local area, and it is considered the local character of the area remains as identified within the appeal decision.

6.45 The proposal includes differing building heights ranging from 4 to 6 storeys. The introduction of separate blocks break up the built form within the site reducing the scale, height and massing of the proposed development which is considered to represent an urban form of development which complements the wider suburban character.

6.46 Furthermore, while it is accepted the local area is predominantly suburban, the junction of Gladstone Road and Heavitree road has several larger buildings, including the recently developed Gorge development, a Waitrose supermarket, while other larger buildings such as St Lukes campus and Heavitree Hospital all provide a context for the wider area which supports an element of change in building heights at the site which sits at the junction between Gladstone Road and Heavitree Road. The junction location represents an opportunity to improve legibility as part of the

existing built form through the inclusion of development which is set apart from the general form of development in the area while still respecting the prevailing local character.

- 6.47 The current proposal provides a mix of set back distances along Heavitree road and provides a mix of building heights which together ensure the proposal results in a development which fits within the existing street scene without appearing overly prominent when viewed from Heavitree Road and other vantage points in the local area. Additionally, the position of PBSA blocks 1 and 4 which have a staggered set back along Gladstone Road coupled with the reduced height of the proposals ensures the views of St Luke's Campus building are maintained with the majority of the heritage asset remaining visible from this viewpoint.
- 6.48 Within the accompanying Design and Access Statement, a number of illustrative views are shown including the approach from Heavitree Road (east and west), the approach from Gladstone Road, the view from St Luke's Campus gardens, the approach from Spicer Road and Spicer Road junction which demonstrate the proposal would represent an appropriate addition to the built fabric of the area and retain important views of the locality.

Ground Contamination

- 6.49 The site lies on the edge of the city centre and has been developed numerous times. As such, there have been many previous uses on the site including residential which was destroyed after heavy bombing in WWII and more recently as Devon Magistrates Courts and a Police Station. There is the potential for contamination to be present and Policy EN2 states that where development is proposed on or near a site where there is contamination, the developer should carry out a site assessment to establish the nature and extent of the contamination.
- 6.50 As the site is developed and remains in operation, the opportunity for significant on-site investigations have been limited. However, a Phase 1 PRA and Phase 2 Ground Investigation Report has been undertaken and accompanies this planning application.
- 6.51 Risk mapping for UXO's has placed the site in a high-risk area. The Envirocheck Report historical mapping shows the site was residential during WWII and analysis of online sources do not indicate any bomb strikes or military activity within 1km of the site. the likelihood of encountering UXO onsite as part of the ground investigation or development works is considered high and a watching brief from a specialist UXO contractor is recommended.
- 6.52 In summary the report prepared by Curtins outlines the presence of one elevated concentration of lead in the made ground soils which presents a potential risk to site and users. It is therefore recommended that in area of the exceedance, 450mm clean and inert cover is installed to break the source-pathway-receptor (SPR) linkage. Concrete classification for the made ground would be classed as DS-1 and AC-1 and the natural ground would also be classed as DS-1 and AC-1. In addition, specialist UXO monitoring would be in attendance during construction work.

Flood Risk and Drainage

- 6.53 As detailed previously in this Planning Statement, the application site is within Flood Zone 1 and therefore, is at low risk of flooding from rivers or the sea. The site is also predominantly at very low risk of surface water flooding, although the centre of the site does contain pockets of low-risk surface water flooding.
- 6.54 Paragraph 170 of the NPPF states that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*
- 6.55 The Flood Risk and Drainage Strategy Report prepared by Curtins concludes that in respect of flood risk, the proposed development is appropriate for this location and Flood Zone Classification.
- 6.56 As for the drainage strategy, the proposed surface water drainage network has been designed to safely accommodate storms up to and including the 1 in 100-year event plus a 40% climate change allowance. It has been demonstrated that reducing run-off rates to greenfield values is unfeasible for the site. Therefore, it is proposed to provide a betterment of 50% on existing surface water discharge rates.
- 6.57 A new surface water network is proposed to serve the site. This will commute discharge from the proposed buildings and hardstanding areas of hardstanding around the site to the existing surface water manhole beneath the existing entrance to the site. Discharge from the site will be limited by the use of two below ground attenuation tanks and two vortex flow-control chambers across the proposed drainage network.
- 6.58 A further dedicated foul water network will commute discharge from both blocks to the existing foul water manhole beneath the existing entrance road to the site before discharging to the combined sewer beneath Heavitree Road.

Transport and Accessibility

- 6.59 Within Exeter’s Local Development Plan, there is an overarching aim to provide adequate transport infrastructure that will mitigate and adapt to climate change, encourage the transition to sustainable transport modes, and promote development that contributes to a healthy population. Core Strategy Policy CP9 sets out the Comprehensive Strategic Transport Measures required to accommodate additional development proposed in the city. Most notably, it outlines a push towards sustainable transport modes as well as improving pedestrian and cycling facilities.
- 6.60 Local Plan Policy T1 provides a hierarchy of transport modes in which developments should facilitate. The hierarchy places pedestrians, people with mobility problems, cyclists, and public transport users first.

- 6.61 Furthermore, Local Plan Policy T10 states that development will not be permitted with more parking than the standards set out in schedule 3 except as part of a phased development. The policy also states that car parking provision should be made for people with mobility problems in accordance with the standards set out in schedule 4, which will be applied throughout the city.
- 6.62 The nature of the proposal and the sustainable location means that car parking facilities are not included within the scheme. Notwithstanding, to accommodate those with reduced mobility, disabled parking spaces are provided to the north of the Site. Given the car-free credentials of the proposed development, vehicular trips generated by the proposals will largely comprise of trips associated with delivery, maintenance and servicing vehicles, disabled users, and students moving in and out of accommodation on scheduled days. Vehicular trips are therefore considered to be negligible in the context of impact upon the local highway network. This approach is consistent with the Council's wider sustainable travel plans and reduced private car use as set out in the Sustainable Transport Supplementary Planning Document published in 2013.
- 6.63 The trip generating potential of the proposed development has been considered and in terms of the student accommodation, most trips made by students are expected to be walking and cycling trips, reflecting the accessible location of the site and its proximity to surrounding amenities and services. Additionally, a significant number of trips made by residents of the co-living flats are public transport trips. It has been established that the proposed site could generate a total of c.331 and 371 two-way person trips in the typical AM and PM peak hours of 08:00-09:00 and 17:00-18:00 respectively across pedestrian, cycling and public transport modes of travel.
- 6.64 Vehicular trips generated by the proposals will largely comprise of trips associated with delivery, maintenance and servicing vehicles, disabled users, and students moving in and out of accommodation on scheduled days. Therefore, it is considered the vehicular movements associated with the proposal will be negligible. In comparison to the extant use of the site the proposal would represent a significant reduction in vehicular trips across the peak periods and across the day.
- 6.65 To ensure the modal shift towards active travel and public transport is realised, the proposal is supported by Travel Plan which seeks to reduce single occupancy car travel to and from the site through the promotion of alternative modes of transport. The Travel Plan measures seek to promote active travel use and targets to reduce car travel. These measures will be monitored and reviewed by the Travel Plan Co-ordinator to identify issues and propose mitigating actions
- 6.66 The site's location within proximity to the city centre means it is considered to have excellent connections to active public transport routes and sustainable transport provision. The proposal will provide a policy compliant level of on-site, secure cycle parking facilities which will be located on the lower and upper ground floors of the proposed blocks.
- 6.67 Alongside the on-site secure cycle parking, the proposed development ensures the site frontage is safeguarded for the future development of a bus route along Heavitree Road with the proposed buildings being set-back from the Site frontage. Additionally, a permissible route for both pedestrians and cyclists is proposed through the centre of the site linking to St Matthews Close

providing a more pleasant active travel route through the quieter residential streets towards Belmont Park and other amenities north of the site.

- 6.68 Consequently, the proposals are considered to be in accordance with both national and local policy in promoting sustainable travel and ensuring that developments do not have adverse impacts upon highways safety and capacity.

Air Quality

- 6.69 CS Policy CP11 states that development should be located and designed to minimise and if necessary, mitigate against environmental impacts. Within the Air Quality Management Area measures to reduce pollution and meet air quality objectives, that are proposed by the Local Transport Plan and the Air Quality Action Plan, will be brought forward. It should be noted that the site is adjacent to the Exeter Air Quality Management Area.
- 6.70 Saved policy EN3 sets out that development would not be permitted unless mitigation measures in respect to air quality and pollution are possible and are incorporated as part of the proposal.
- 6.71 In their Air Quality Assessment which accompanies this planning application, Lucion identifies that there is a medium to low risk of dust soiling impacts, and a low to negligible risk of increases in particulate matter concentrations due to unmitigated construction activities. However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulate matter releases would be significantly reduced.
- 6.72 Regarding the operational traffic associated with the proposal, this would have a negligible impact on nearby receptors and the residual effects are considered to be not significant.
- 6.73 Based on the above, it is considered that the proposed development complies with national and local policy for air quality.

Trees

- 6.74 The current site features a reasonable level of low-density vegetation cover consistent with municipal facilities though there are some areas which are completely devoid of trees, while others feature a greater level of tree planting.
- 6.75 Due to the character and distribution of the existing trees on site, it has been necessary to seek the clearance of the majority of existing vegetation. However, several trees along the southern boundary have been retained which will continue to provide an element of public amenity along Heavitree Road.
- 6.76 One tree has been identified as Category A and will be retained on site. A further 7 category B and C trees will also be retained on the site equating to a total of 8 trees being retained. The remaining trees and tree groups are proposed for removal. It is acknowledged that a large amount of existing

trees are required to be removed to facilitate the development, however, none of the trees are particularly old or qualify as veteran trees.

- 6.77 To mitigate the loss of the existing trees, the proposed development is supported by a robust landscaping scheme with all four boundaries benefitting from substantial new planting resulting in a considerable net increase in new tree numbers on the site equating to 183 new trees. Of note is the dense new planting of trees along the western boundary which once established will provide further screening between Higher Summerlands and the proposals without resulting in an unduly dominating impact or detracting from the availability of natural light.

Ecology

- 6.78 The NPPF sets out the Government's vision for biodiversity in England with the broad aim that planning, construction, development and regeneration should maintain and enhance, restore or add to biodiversity and geological conservation interests. In addition, Policy CP17 sets out Exeter City Council's aim to enhance the biodiversity of the City Centre and improve the links to the green infrastructure network.
- 6.79 The Ecological Appraisal prepared by Ethos outlines that the proposed development site on Heavitree Road is of low ecological value. Moreover, ecological enhancements will be incorporated within the design and layout of the scheme to provide new habitat features and incorporation of native plant species. This ensures the scheme achieves the statutory 10% BNG requirement within the site. The submitted BNG Report confirms the proposals result in a gain of 0.58 area habitat units, generating a percentage gain of 14.03%, and a gain of 0.91 linear hedgerow units, representing a percentage gain of 1186.76% for linear habitats. This exceeds the statutory requirement for BNG demonstrating the scheme positively contributes to biodiversity within the local area.
- 6.80 The proposed site is located within 3.3km of the Exe Estuary SPA and for planning permission to be granted, mitigation measures need to be put into place to reduce the recreational impacts to the SPA. This mitigation is proposed through a financial payment. The Southeast Devon Habitat Regulations Executive Committee will use this money in order to protect the SPA.
- 6.81 In respect of bats, the buildings and trees within the site were assessed as holding negligible bat roosting opportunities. However, prior to demolition of the buildings, an inspection will be carried out to ensure no bats are roosting in the vacant buildings and trees identified for removal. It is expected this measure can be secured via planning condition. In an event a bat is encountered, it is noted that a licence from Natural England will be required to facilitate work on site.
- 6.82 Overall, the proposed development is compliant with policy and ensures enhancement of biodiversity.

Energy and Sustainability

- 6.83 Paragraph 166 of the NPPF expects new development to provide a decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. Exeter's Core Strategy has a focus on mitigating climate change through minimising carbon emissions and managing and adapting to climate change and encouraging low and zero carbon development. Policies CP13 and CP14 set out that new development will be required to either develop or use decentralised and renewable low carbon energy resources. Policy CP15 requires development proposals to demonstrate how sustainable design and construction methods will be incorporated.
- 6.84 The Energy and Sustainability Statement prepared by Box Twenty considers the energy efficiency and sustainability of the proposed development. Overall, the report demonstrates that across the whole development, consideration has been given to the use of de-centralised and renewable energy sources.
- 6.85 All residential elements will be served by air source heat pumps, providing domestic hot water to each unit. Both blocks will have MVHR units serving each cluster on roadside facades, and MEC units serving clusters on quieter facades. En-suite bathrooms and kitchen units in all other spaces will have local extracts. VRV heat pumps will provide heating and cooling in amenity areas, while all other spaces including the residential units will have electric panel heaters installed.
- 6.86 Simplified Building Energy Model (SBEM) calculations for the proposals confirm the development can achieve a reduction of at least 10% from the Part L 2021 Building Regulations. The total savings from the baseline emissions provided by the proposals equates to 12.8%, exceeding the required minimum 10% reduction.
- 6.87 In addition, Planning Policy CP15 requires a BREEAM Excellent rating for non-domestic buildings. The submitted Energy and Sustainability Statement confirms the proposals achieve a BREEAM rating of Excellent. A score of 70.1% which exceeds the minimum score of 70% providing a small margin of flexibility as the detailed construction elements progress.
- 6.88 Based on the above the proposals comply with Local Plan Policies CP13, CP14 and CP15.

Noise

- 6.89 The Noise Technical Note prepared by Acoustic Consultants Ltd sets out that the main source of noise expected to affect the site is traffic on Heavitree Road with secondary sources of noise being road traffic on Gladstone Road, the car park of the Waitrose food store to the East and the school playgrounds to the Northwest. The technical note sets out that the proposed development will be compliant with local and national policy subject to a 3.5m acoustic barrier installed to the south east corner of the site. To address this the layout of the proposal has been subsequently amended to move the external amenity area away from this location towards a central courtyard with the proposed buildings effectively screening the external amenity areas from the road noise reducing this to acceptable levels.

Planning Balance

- 6.90 In addition to the above considerations, the proposed development will deliver significant public benefits which are summarised in the table below against the NPPF sustainable development objectives:

Sustainable Development Objective	Proposed Development Contribution
Economic - build a strong, responsive and competitive economy.	The proposal provides a form of residential accommodation increasing the active economic population within the local area, supporting the local economy.
	Provision of 210 direct construction jobs over the 2.5-year construction period contributing to the local economy and job opportunities in the Council area.
Social - support strong, vibrant and healthy communities.	Provision of affordable housing within the co-living units (20%) including the provision of accessible units in both the PBSA and Co-Living units.
	Delivery of 399 PBSA units and 414 co-living units addressing the housing needs of different groups of people and contributing to housing land supply within Exeter which it cannot currently meet.
	Improved public access links associated with active travel through the site improving community connections north and south.
Environmental - protect and enhance our natural, built and historic environment.	Retention of high value trees within the site and enhancement through substantial new tree planting.
	Wide range of ecological enhancements and delivery of BNG on-site
	Proposed design of dwellings reflective of the historic and cultural heritage of the local area contributing positively to the built and historic environment.

- 6.91 The benefits of the scheme outlined above demonstrate the proposed development is sustainable and would meet the overarching objectives of NPPF and those associated with the adopted Local Plan. Consequently, based on the above planning considerations the proposal is considered to represent an appropriate form of development.

7.0 Conclusion

- 7.1 This planning Statement has been prepared on behalf of NCO (Seven) Limited in support of an outline planning application for the redevelopment of the former Police Station and Central Devon Magistrates' Courts, Heavitree Road, Exeter, EX1 2LS.
- 7.2 The applicant is proposing the following:
- “Demolition of the existing buildings and erection of mixed-use development comprising purpose-built student accommodation (sui generis) and co-living accommodation (sui generis) with associated infrastructure, landscaping and servicing”.
- 7.3 In dismissing the previous proposals at the site, the Inspector described the proposals as crossing the line of acceptability in terms of its effects on the local area. In so doing, found in favour of the proposals in all other respects and accepted that another scheme of different form which is acceptable to the Council might come forward on the appeal site albeit not necessarily on the scale proposed in this appeal.
- 7.4 As summarised in previous sections, the continuing growth of the university is important to the future prosperity of Exeter. However, the growth of Exeter University naturally places pressure on the local community, particularly in terms of the impact on the housing stock. Providing purpose-built student accommodation will ease the pressure on existing family housing and support the expansion of Exeter University.
- 7.5 Furthermore, the proposed Co-Living element of the development ensures that graduates of the University of Exeter remain in the area to work and live. This increase in student numbers, will, in turn, increase graduate numbers alongside other key workers requiring flexible accommodation space. Also, the proposed scheme is clearly increasing the supply of housing by freeing up existing capacity and providing flexible housing options that meet the needs of a group of people struggling to access the housing market.
- 7.6 In addition to the above, local businesses and facilities would be supported by the increased expenditure of students, graduates and key workers.
- 7.7 This Planning Statement has demonstrated how the current proposals have fully addressed the reasons for refusal set out by the appeal decision. The planning assessment above clearly demonstrates the proposal represents a sustainable form of development in accordance with national and local planning policies and critically, the Council's current under provision of housing results in the tilted balance being applied.
- 7.8 The proposal would result in sustainable form of development that makes efficient use of brownfield land, provides a high-quality design and contributes to affordable housing. The proposal would provide a contribution of 384 'dwellings' accounting for the relevant ratios to the Council's housing land supply and meet the needs of the ongoing growth in student numbers and the needs of the rented sector.

- 7.9 In conclusion, there are no planning policy or technical reasons not to approve the application. The application has significant benefits for the growth of Exeter University and Exeter's economic prosperity. For all the reasons we have set out in this Statement, and having considered the planning balance, particularly in relation to the presumption in favour of sustainable development, planning permission should be granted without delay.



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