

## PLANNING

Date: Monday 15 November 2021  
Time: 5.30 pm  
Venue: Guildhall, High Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

### *Membership -*

Councillors Morse (Chair), Williams (Deputy Chair), Bialyk, Branston, Buswell, Denning, Hannaford, Mrs Henson, Lights, Martin, A, Mitchell, M, Moore, D, Sparkes and Sutton

## Agenda

### Part I: Items suggested for discussion with the press and public present

#### 11 Update Sheet

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#### Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 13 December 2021** at 5.30 pm.

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## PLANNING COMMITTEE – 15 November 2021

### ADDITIONAL INFORMATION Correspondence received and matters arising following preparation of the Agenda

#### **Item 5: Planning Application No. 21/1104/FUL - The Harlequin Centre, Paul Street, Exeter**

The following conditions are added to the Recommendation in Section 18.0 of the Planning Committee Report, which otherwise remains the same:

#### 1. Standard Time Limit – Full Planning Permission

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

#### 2. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

#### Received 12 July 2021

- B1 Paul Street Elevation (19720-0330 P-00)
- B1 Elevation Courtyard 1 (19720-0331 P-00)
- B1 Elevation Courtyard 2 (19720-0332 P-00)
- B1 Elevation Queen Street 1 (19720-0333 P-00)
- B1 – Northernhay Elevation (19720-0334 P-00)
- B1 Landscape Gardens 1 (19720-0335 P-00)
- B1 Elevation Landscape Gardens 2 (19720-0336 P-00)
- B1 Elevation Landscaped Gardens 3 (19720-0337 P-00)
- B1 Sections 1 of 3 (19720-0350 P-00)
- B1 Sections 2 of 3 (19720-0351 P-00)
- B1 Sections 3 of 3 (19720-0352 P-00)
- GA – Ground Floor Plan (19720-2003 P-00)
- GA – Mezzanine Floor Plan (19720-2004 P-00)
- GA – First Floor Plan (19720-2005 P-00)
- GA – Second Floor Plan (19720-2006 P-00)
- GA – Third Floor Plan (19720-2007 P-00)
- GA – Fourth Floor Plan (19720-2008 P-00)
- GA – Fifth Floor Plan (19720-2009 P-00)
- GA – Roof Plan (19720-2010 P-00)
- B2 Elevation Landscaped Gardens (19720-0342 P-00)

- GA Ground Floor Plan (19720-2103 P-00)
- GA First Floor Plan (19720-2104 P-00)
- GA Second Floor Plan (19720-2105 P-00)
- GA Third Floor Plan (19720-2106 P-00)
- GA Fourth Floor Plan (19720-2107 P-00)
- GA Roof Plan (19720-2108 P-00)
- Stumpery Detail (19720-6001 P-00)
- Landscape Details 2 of 2 (19720-6003 P-00)
- Insect Hotel Detail (19720-6004 P-00)
- Footbridge Sections (19720-6020 P-00)
- Interpretation Centre (19720-6030 P-00)
- Proposed Highway Layout Plan (Paul Street) (0779 PHL-101 J)
- Queen Street/Paul Street General Arrangements (0779 GA-101 D)
- North Street/Paul Street General Arrangements (0779 GA-102 E)

Received 3 September 2021

- Rooftop Softworks Plan (19720-0012 P-01)
- B2 Paul Street Elevation – Block 2 (19720-0340 P-01)
- B2 Northernhay Elevation (19720-0341 P-01)
- B2 Iron Bridge 2 (19720-0343 P-01)
- B2 Iron Bridge Elevation (19720-0344 P-01)
- B2 Northernhay Elevation 2 (19720-0345 P-00)
- Proposed Site Sections (19720-0353 P-01)
- B2 Sections 1 of 2 (19720-0354 P-01)
- B2 Sections 2 of 2 (19720-0355 P-01)
- Streetscenes – Proposed NW & SE Elevations Proposed NW and SE Elevations (19720-0390 P-01)
- Street Scenes – Proposed NE & SW Elevations (19720-0391 P-01)
- GA – Lower Ground Floor Plan (19720-2002 P-01)
- GA Roof Plan (19720-2108 P-01)
- Landscape Details 1 of 2 (19720-6002 P-01)
- Indicative 3D views (19720-6040 1)
- Electrical Services External Lighting Strategy Ground Floor (EHQ-HYD-XX-00-DR-ME-00010 P08)

Received 15 October 2021

- GA Lower Ground Floor Plan (19720-2102 P-04)

Received 27 October 2021

- Softworks Landscape Plan (19720 0011 P-03)

Received 10 November 2021

- Hardworks Landscape Plan (19720 0010 P-04)

**Reason:** To ensure the development is constructed in accordance with the approved plans, unless modified by the other conditions of this permission.

### ***Pre-commencement Details***

#### **3. Programme of Archaeological Work**

No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.

#### **4. Contaminated Land**

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

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

#### **5. Surface Water Drainage**

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- a) Detailed proposals for the management of surface water and silt run-off from the site during the demolition and construction phases of the development.

No development hereby permitted, except demolition works, shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- b) A detailed drainage design based upon the submitted Drainage Strategy (Ref. CB1780-Rep01-M; Rev. M; dated 2<sup>nd</sup> September 2021);
- c) Proposals for the adoption and maintenance of the permanent surface water drainage system; and
- d) A plan indicating how exceedance flows will be safely managed at the site.

The details under a) shall be implemented as approved throughout the demolition and construction phases. No building hereby permitted shall be occupied until the approved details under b) have been implemented, which shall be maintained thereafter in accordance with the approved details under c) and d).

**Reason:** To ensure that surface water drainage is managed sustainably in accordance with Policy CP12 of the Core Strategy and paragraph 169 of the NPPF (2021). These details are required pre-commencement as specified to ensure that appropriate surface water drainage management systems are in place during the demolition/construction phases and after the development has been completed, and that these systems will be properly maintained to prevent adverse risk to the environment.

#### 6. Foundation Details, Landscaping Formation Levels and Service Trench Routes

No development shall take place within the application site until the following details have been submitted to and approved in writing by the Local Planning Authority:

- the means of construction of the foundations of the buildings;
- landscaping formation levels; and
- service trench routes (including foul drainage).

The details shall be implemented as approved.

**Reason:** To ensure that disturbance to important archaeological remains is minimised in accordance with saved Policy C5 of the Exeter Local Plan First Review, and that there will be no impact to controlled waters in accordance with saved Policy EN3 of the Exeter Local Plan First Review. These details are required pre-commencement as specified to ensure that no works commence that may impact archaeological remains and controlled waters.

#### 7. Construction and Environmental Management Plan (CEMP)

No development (including ground works) or vegetation clearance works shall take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The document shall provide for:

- a) Demolition and construction programme including integration of archaeological tasks from Condition 3.
- b) Protection and monitoring arrangements and measures for the City Wall adjoining the site during the demolition and construction phases taking into account the recommendations of the submitted reports regarding the City Wall (*as referred to in the Heritage Officer's comments dated 20<sup>th</sup> August 2020 and 6<sup>th</sup> October 2020 under application ref. 19/1556/FUL*).
- c) The site access point(s) of all vehicles to the site during the demolition and construction phases.
- d) The parking of vehicles of site operatives and visitors during the demolition and construction phases.
- e) The areas for loading and unloading plant and materials during the demolition and construction phases.
- f) Storage areas of plant and materials during the demolition and construction phases.

- g) The erection and maintenance of securing hoarding.
- h) Wheel washing facilities.
- i) Strategy to measure and control the emission of dust and dirt during the demolition and construction phases (including boundary dust monitoring).
- j) No burning on site during the demolition and construction phases, or site preparation works.
- k) Strategy to measure and minimise noise/vibration nuisance to neighbours from plant and machinery during the demolition and construction phases.
- l) Demolition/construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
- m) No driven piling without prior consent of the Local Planning Authority.
- n) Details and timing of any lighting.

The approved document shall be strictly adhered to throughout the demolition and construction phases of the development.

**Reason:** To ensure that the demolition and construction works are carried out in an appropriate manner to preserve and protect heritage assets, in the interests of the safety and convenience of highway users, and to minimise the impact on the amenity of the properties in the neighbourhood. These details are required pre-commencement as specified to ensure that a plan is in place to ensure that the development works are carried out in an appropriate manner.

#### 8. Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

**Reason:** To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that waste generated during demolition and construction is managed sustainably.

#### 9. Tree Protection / Tree Protection Plans

No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, Demolition and Construction (or any superseding British Standard). Unless otherwise agreed in writing with the Local Planning Authority, the developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced areas, nor shall trenches for service runs or any other excavations take

place within the fenced areas except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

**Reason:** To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

#### 10. Wildlife Licence

Demolition works, or any other works which cause disturbance to bats, shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

**Reason:** To ensure that Natural England as the licencing body is satisfied that the works can proceed without causing harm or disturbance to bats. This evidence is required before development begins to ensure that the works are not carried out without a wildlife licence being obtained.

#### ***Pre-tree and Vegetation Clearance Works***

#### 11. Bird Nesting Season

No tree works or felling, or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to September, inclusive. If this period cannot be avoided, these works shall not be carried out unless they are overseen by a suitably qualified ecologist and the reasons why have previously been submitted to and approved in writing by the Local Planning Authority, including the date of the intended works and the name and contact details of the ecologist. If nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.

**Reason:** To protect nesting birds in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 180 of the NPPF (2021).

#### ***During Demolition and Construction Phases***

#### 12. Unsuspected Contamination

If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.



Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately for the protection of future occupiers and of controlled waters.

### ***Pre-Specific Works***

#### 13. Energy Performance (Policy CP15)

Before commencement of construction of the superstructure of each co-living block hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented and within 3 months of practical completion of each building the developer will submit a report to the Local Planning Authority from a suitably qualified consultant to demonstrate compliance with this condition.

**Reason:** In the interests of sustainable development and to ensure that the development accords with Policy CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure that the requirements of Policy CP15 are met and the measures are included in the construction of the buildings.

#### 14. Materials

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved materials.

**Reason:** In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021).

#### 15. Green Roofs – Details/Maintenance

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), the detailed design of the green roof systems together with a scheme for their management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green roof systems shall be constructed, managed and maintained as approved.

**Reason:** In the interests of good design and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review, and paragraphs 130, 135 and 180 of the NPPF (2021).

#### 16. Green Wall – Details/Maintenance

Prior to the construction of Block 2 (not including the foundations), the detailed design of the green wall system together with a scheme for its management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green wall system shall be constructed, managed and maintained as approved.

**Reason:** In the interests of good design, the character and appearance of the Conservation Area and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130, 135 and 180 of the NPPF (2021).

#### 17. Nesting and Roosting Boxes

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), details of the provision for nesting birds and roosting bats in the built fabric of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as part of the development and retained thereafter.

**Reason:** To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021). Also to provide mitigation for the impact on bats in accordance with paragraph 4.4 of the submitted Ecological Assessment Addendum Report.

#### 18. Obscured Glazing

Prior to the construction of the Co-Living accommodation blocks (not including the foundations), details of the obscured glazing indicated on the approved elevations shall be submitted to and approved in writing by the Local Planning Authority, which shall include the level of obscurity of the glazing. In addition, details of low level obscured glazing on the four windows nearest to Northernhay Street not indicated as obscured on drawing number 19720-0344 P-01 ('B2 Iron Bridge Elevation') shall be submitted to and approved in writing by the Local Planning Authority. The approved details under this condition shall be implemented as approved and maintained at all times thereafter.

**Reason:** To protect the privacy of neighbouring properties in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

#### 19. Bridge

The new footbridge over Paul Street shall not be constructed until an Approval in Principle for the design of the bridge has been agreed by the Local Highway Authority. The footbridge shall be constructed as approved.

**Reason:** To ensure the safe construction of the footbridge and the integrity of adjacent structures and land.

#### 20. Arboricultural Method Statement

The submitted Arboricultural Method Statement for the construction of a path through the root protection areas of the trees to be retained within the pocket park shall be implemented in full. Prior to the commencement of these works, the Council's Tree Manager shall be notified of the date of the intended works.

**Reason:** To protect the trees in Tree Group 2 in the interests of the amenities of the area.

***Pre-occupation***

21. Detailed Landscaping Scheme

Prior to the occupation of the development hereby permitted, a Detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including street furniture and all boundary treatments (including the design and security rating of the gates indicated on drawing number 19720 0010 P-04). Where applicable, it shall specify tree and plant species and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation of the development. The soft landscaping shall be planted in the first planting season following the occupation of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason:** In the interests of good design in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraphs 130 and 135 of the NPPF (2021).

22. Landscape and Ecology Management plan (LEMP)

Prior to the occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be prepared in accordance with the specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard) and shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures for biodiversity features included in the LEMP.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

The landscape on the site shall be managed in accordance with the approved LEMP.

**Reason:** In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 130 and 180 of the NPPF (2021).

#### 23. CCTV

Prior to the occupation of the development hereby permitted, a strategy for the distribution and management of CCTV on the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include the location and design of CCTV cameras, which should be integrated in an unobtrusive manner. The strategy shall be implemented as approved prior to occupation and maintained thereafter.

**Reason:** In order to help prevent/detect crime, disorder and anti-social behaviour in accordance with the advice of the Police Designing Out Crime Officer and saved Policy DG7 of the Exeter Local Plan First Review.

#### 24. Under-croft Parking Area

Prior to the occupation of the development hereby permitted, Secured by Design measures for the under-croft parking area beneath Block 2 shall be submitted to and approved in writing by the Local Planning Authority. The measures shall address the issues raised by the Police Designing Out Crime Officer in their comments on the application. The measures shall be implemented as approved prior to the occupation of the development and maintained thereafter.

**Reason:** In the interests of crime prevention in accordance with saved Policy DG7 of the Exeter Local Plan First Review.

#### 25. External Lighting Scheme

Prior to the occupation of the development hereby permitted, an External Lighting Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location, type, illuminance and light spill of the external lighting on the site. The scheme shall be implemented and maintained as approved.

**Reason:** In the interests of good design (including public safety) and the character and amenity of the area, in accordance with Policy CP17 of the Core Strategy, saved Policies DG1, DG4 and DG7 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021). Also to minimise disturbance to bats in accordance with paragraph 4.6 of the submitted Ecological Assessment Addendum Report.

#### 26. Lighting Impact Assessment

Prior to the occupation of the development hereby permitted, a Lighting Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall assess the impact of internal and external light spill on neighbouring properties (taking into account the details submitted under conditions 24 and 25). The recommendations of the approved Lighting Impact Assessment to minimise harm to the neighbouring properties, including any timing controls, shall be implemented in full.

**Reason:** In the interests of the amenity of neighbouring properties, in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

### 27. Detailed Design and Management of the Interpretation Centre

Prior to the occupation of the development hereby permitted, the detailed design and management of the Interpretation Centre shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed site interpretation panels. The Interpretation Centre shall be constructed and managed as approved.

**Reason:** In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021).

### 28. Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on Paul Street (loading bays, vehicular access points and improved pedestrian/cycleway facilities), as indicated on drawing number PHL-101 Rev J ('Proposed Highway Layout Plan (Paul Street)'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

**Reason:** To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

### 29. Queen Street/Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on Queen Street/Paul Street, as indicated on drawing number GA-101 Rev D ('Queen Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

**Reason:** To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

### 30. North Street/Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on North Street/Paul Street, as indicated on drawing number GA-102 Rev E ('North Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

**Reason:** To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

### 31. Pedestrian Routes

No part of the development shall be occupied until the pedestrian routes through the site linking Paul Street to Northernhay Street via Maddocks Row have been provided in accordance with details that shall previously have been submitted to and approved in

writing by the Local Planning Authority, in consultation with the Local Highway Authority.

**Reason:** To provide safe and suitable access for pedestrians, in accordance with paragraphs 110 and 112 of the NPPF (2021).

### 32. Electric Hire Bikes

No part of the development shall be occupied until a facility for the hire of electric bicycles has been provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The facility shall be maintained at all time thereafter unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interests of encouraging sustainable travel.

### 33. Cycle Parking

The Co-Living accommodation blocks shall not be occupied until secure cycle parking for the residents of the buildings has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The secure cycle parking shall be maintained at all times thereafter.

**Reason:** To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

### 34. Cycle Parking – Public Realm

Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until the cycle parking shown on the approved drawings within the public realm for use by the general public has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. This general cycle parking shall be maintained at all times thereafter.

**Reason:** To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

### 35. Electric Vehicle Charging Points

No part of the development shall be occupied until the two electric vehicle charging bays beneath Block 2 have been provided in accordance with details of the charging points previously submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging bays/points shall be maintained at all times thereafter.

**Reason:** To ensure that this aspect of the application is delivered and in the interests of encouraging sustainable travel in accordance with the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).

### 36. Car Club

Unless otherwise agreed in writing with the Local Planning Authority, the two electric vehicle charging bays beneath Block 2 shall be used exclusively to provide a car club facility on the site utilising electric vehicles only. The development shall not be occupied until this facility has been provided and it shall be maintained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To discourage the use of private cars in the interests of sustainable travel in accordance with the Sustainable Transport SPD and chapter 9 of the NPPF (2021).

#### 37. Travel Pack

Prior to the occupation of the development hereby permitted, a travel pack shall be provided informing all residents and staff of the car free status of the development, and the walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car clubs and electric bike hire facilities available, the form and content of which will have previously been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

**Reason:** To ensure that all residents and staff of the development are aware of its car free status and the available sustainable travel options.

#### ***Post Occupancy***

#### 38. Waste and Recycling Bins

No waste or recycling bins or containers shall be stored outside the integral bin stores of the buildings hereby approved except upon the day(s) of collection.

**Reason:** In the interests of the amenity of the neighbourhood.

#### 39. Communal Spaces

The communal and local amenity rooms within the Co-Living accommodation blocks, as shown on the approved floor plans, and the private outdoor amenity areas shall be used for communal use purposes only and shall not be sub-divided in any way to create additional private bedrooms/spaces.

**Reason:** To ensure sufficient communal space is available for the residents of the Co-Living accommodation blocks in the interests of residential amenity.

#### 40. Plant Noise

The total noise from mechanical building services plant on the site shall not exceed the noise levels shown in the table of paragraph 9.3.8 of the submitted Acoustic Design Statement (Clarke Saunders Acoustics, 2 July 2021) (Report Ref. AS10946.1901009.R3.1.docx).

**Reason:** To protect the amenity of sensitive receptors in the vicinity of the site.

#### 41. Access Control Measures

Access control measures shall be implemented for all access points to the buildings to prevent access by non-residents or staff.

**Reason:** In the interests of crime prevention in accordance with saved Policy DG7 of the Exeter Local Plan First Review, taking into account the recommendations of the Police Designing Out Crime Officer.

**Item 6: Planning Application No. 21/1119/FUL - The Mews, Bowling Green Road, Riversmeet, Tospham, Exeter**

A email has been received from the agent (11.11.21), querying three points in the Committee report, as follows:

Where is the proof that the boundary wall along Bowling Green Road is listed?

How/why was this application referred to the Planning Committee?

How could it be realistic to remove the window from the rear facing elevation adjacent to the Coach House?

A response was sent as follows: (summary):

“The Historic England website: listing SX9706187279 identifies the “wall at Riversmeet House” which includes the stone gate piers and later brick arch, which I believe is the entrance to The Mews. So it seems to me the wall is listed, either on its own terms or as a curtilage structure. Either way, it’s in the Conservation Area and is identified in the Appraisal for Topsham as a key feature.”

Re the second query – “I understand it was referred to the Planning Committee by a local member.”

Re the third query – “The report summarises the content of a representation expressing concern about the window...”

**Item 7: Planning Application No. 21/1054/RES - Land for Residential Development at Hill Barton Farm, Hill Barton Road, Exeter**

The applicant has provided a response to the detailed design matters raised by the Highway Authority (DCC) and having considered this response and the revised drawings submitted the Highway Authority have made the following formal consultation response –

**“Observations:**

*The submitted reserved matters application is for 198 dwellings pursuant to application 19/1375/OUT granted 15th June 2021 at Hill Barton, Exeter which secured consent for up to 200 dwellings.*

*All matters were reserved other than the vehicular access points and thus this reserved matters application seeks approval for the scale, appearance, landscape and layout of the development.*

**Access**

*The proposals submitted by the applicant largely reflect the detailed illustrative masterplan on which the outline planning permission was based. The Highway Authorities response to application 19/1375/OUT stressed the need to maximise permeability with the wider Monkerton and Hill Barton Strategic Allocation.*

*Vehicle access to the site was agreed as part of the outline consent. Revised vehicle tracking has been submitted under Drawing No 16341-HYD-XX-XX-DR-C-2400 P05*



and 16431-HYD-XX-XX-DR-C-2401 P05 and is deemed acceptable. In line with the highways condition secured as part of the outline application, visibility splays shall remain free of any obstruction that prevent forward visibility.

The main connection to strategic cycle routes is via the south and east through fixed cycle and pedestrian entrance points delivered through adjacent sites approval. Drawing No “20019 GA 0 1 P1 12.10.21 Revised General Arrangement” shows that suitable connection facilities to these routes have been provided.

The movement strategy for the development is provided on Page 13 of the Design and Access Strategy (DAS) (22/10/2021 version). This shows that permeability for pedestrian / cycles is provided through a network of shared surface areas. Page 13 of the DAS outlines a dedicated cycle east-west route from the Persimmon site to the east. However, on the general arrangement plan, two flights of stairs are shown on the footway / cycleway to the south of plot 191. Stairs create a number of barriers to accessibility, especially for cyclists, vulnerable users, wheelchair and pram users. These users will face a significantly longer route through the site. Therefore, a condition is recommended to secure details of the gradients of this route and information to agree a suitable arrangement.

At the north western entrance to the site, the applicant is proposing a footway to the boundary of the site (west of property 84) which does not match the existing layout and footpath on Membury Crescent / Cranbrook Walk. A condition is therefore included to secure an appropriate pedestrian connection to the existing network.

Whilst pedestrian priority has been provided within the internal roads of the development, the side road junctions are currently designed to prioritise vehicle movements into the site. A condition is recommended to secure side-road priority on all junctions to prioritise pedestrians rather than a traditional bellmouth junction.

### **Internal Layout**

The applicant has indicated that the proposed roads/footways serving the site will become HMPE and therefore a S38 agreement will need to be entered into. Refer to the ownership plan (Drawing No 2 0 0 1 9 / O P \_ 0 1 P1 12.10.21)

To manage vehicle speeds, shared surface squares have been proposed along the internal layout to keep vehicle speeds below 20mph. In line with Manual for Streets this is acceptable to promote a safer environment for pedestrians and vulnerable users. However, the applicant is also reminded that the highway authority will expect blacktop and/or imprint on the adoptable areas (and not block paving) once maintenance is required. Rumble strips often result in accessibility and noise issues and therefore are not recommended by the Highway Authority. We would request different colour imprint to delineate the change in surfacing instead.

The rest of the layout is broadly acceptable for a residential development and has been through a number of iterations with the applicant. There are however a few elements of the design which should be refined through the S38 process.

*It is noted that suitable locations for bus stop facilities have not been identified as part of this reserved matters application. However, this is acceptable given the pre-occupation condition secured as part of the outline consent.*

### **Parking**

*Car and cycle parking has been provided in accordance with the Council's standards and the Residential Design Guide (see DAS, Schedule 6). The parking schedule included in the DAS shows 221 parking spaces will be allocated, along with 93 unallocated spaces (an average of 1.59 spaces per dwelling).*

*Cycle parking provision is outlined in the DAS, proposing a mixture of communal cycle stores and private stores within residential garages. It is not clear if secure covered cycle parking has been provided for all of the dwellings proposed. The applicant should provide further detail and the quantum should meet the standard set out in the Sustainable Transport SPD. Sheffield or M-profile back racks should be provided instead of the semi-vertical bike racks as shown on Drawing No 20019\_EXD\_06. To complement the good links to cycle routes, a condition is recommended to ensure secure cycle parking is provided.*

### **Summary**

*The Highway Authority has been clear that it is the responsibility of the development to ensure appropriate permeability to the wider strategic allocation and onwards connections to Exeter. Subject to conditions to finalise the last outstanding technical aspects of the layout, the Highway Authority has no objections to this application."*

In line with the recommendation of the Highway Authority the following conditions are proposed in addition to those set out as part of the recommendation in the main agenda –

**11)** Prior to occupation of the apartments included within the development, details shall be submitted to the Local Planning Authority of the secure covered cycle parking provision to serve the apartments. The apartments shall not be occupied until such details have been agreed in writing by the Local Planning Authority, and the cycle parking has been provided in accordance with the approved details.

**Reason:** To comply with the standards set out in the Sustainable Transport SPD and provide for sustainable travel.

**12)** Prior to occupation of the development, details shall be submitted to the Local Planning Authority of the proposed tie in connections to Membury Crescent/Peppercombe Avenue and Cranbrook Walk. Access must be provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority in conjunction with the Local Highway Authority and retained for that purpose at all times.

**Reason:** To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF.

**13)** Prior to occupation of the development, details shall be submitted to the Local Planning Authority of suitable priority for pedestrians on all side road junction. Access must be provided and maintained in accordance with details that shall have been

submitted to, and approved in writing, by the Local Planning Authority in conjunction with the Local Highway Authority and retained for that purpose at all times.

**Reason:** To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF.

14) Prior to occupation of the development, details shall be submitted to the Local Planning Authority of suitable pedestrian and cycle access on the east – west route through the site (to the south of plot 189). Access must be provided and maintained in accordance with details that shall have been submitted to, and approved in writing, by the Local Planning Authority in conjunction with the Local Highway Authority and retained for that purpose at all times.

**Reason:** To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraphs 108 and 110 of the NPPF.

Since preparation of the main report DCC (LLFA) have advised that following clarification of detailed drainage design matters the submitted information is considered acceptable pursuant to the relevant condition (no. 17) of the outline planning permission.

A further representation on behalf of the adjoining landowner has been received reiterating previous comments that the road/pedestrian/cycle connections to the western boundary of the site cannot be delivered as shown due to landownerships outside the applicant's control. This matter was previously raised at outline stage. The proposals will deliver the layout as indicated up to the applicant's landownership boundary the landownership matters beyond the application site are considered matters to be resolved outside the scope of this application through negotiations between the relevant parties.

Following discussions with the applicant's agent the wording of condition 3 is recommended to be changed as follows –

Amended Condition no. 3

The details to be submitted pursuant to Condition 9 of the outline planning permission shall include information stating how vehicles, machinery and other equipment involved in the construction phases of the scheme will be deployed and managed to prevent interference and obstruction to Met Office satellite receivers in relation to their operational schedules, and construction work shall subsequently be undertaken strictly in accordance with the agreed plan.

**Reason** - To ensure adequate protection to the line of sight of the Met Office satellite reception facility at Met Office during construction.

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