

ITEM NO. 7**COMMITTEE DATE: 25 JULY 2016**

APPLICATION NO: 16/0662/03 FULL PLANNING PERMISSION
APPLICANT: Mr Demetriou
Quintana Exeter Limited
PROPOSAL: The demolition of 23-27 Mary Arches Street and Quintana Gate, Bartholomew Street West, and the construction of 127 student flats and studios (sui generis use), communal facilities and associated infrastructure
LOCATION: Land at 23-26 Mary Arches Street and Quintana Gate, Bartholomew Street West, Exeter, EX4
REGISTRATION DATE: 23/05/2016
EXPIRY DATE: 22/08/2016

HISTORY OF SITE

04/2160/03	Change of use from offices (Class B1) to six self-contained flats on second floor and alterations to include dormer windows on front elevation	PER	14/02/2005
05/1155/03	Change of use from offices (Class B1) to six self-contained flats on first floor and alterations to roof to provide additional storey comprising six self-contained flats	PER	15/11/2005
06/0315/03	Change of use from commercial offices (Class B1) to breast screening unit (Class D1)	PER	13/04/2006
13/5115/40	Proposed change of use from office to residential (14 flats)	PAN	05/02/2014
14/1134/03	Change of use of listed building from offices to 3 self-contained flats	PER	17/06/2014
14/1141/40	Change of use of non-listed parts of building from offices to 16 self-contained flats	PAN	12/06/2014

DESCRIPTION OF SITE/PROPOSAL

The application site (0.137ha) is located on the corner of Bartholomew Street East and West and Mary Arches Street. There are existing buildings within the site, Quintana Gate to Bartholomew Street East and 23-26 Mary Arches Street, with a car park between the two sets of buildings on the junction of the two roads. It lies within the Central Conservation Area and is immediately adjacent to Grade II and Grade II* Listed Buildings.

The Quintana Gate buildings are relatively modern and are currently office space. The buildings to Mary Arches Street are flat roofed and poor quality. Number 23 was previously a Grade II Listed Building but has been de-listed. The site slopes downward along Mary Arches Street and to a lesser degree along Bartholomew Street West. To the rear are existing residential properties as well as St Olaves Court Hotel.

The application proposes to demolish all of the existing buildings and to construct one 4 storey building with facades to Mary Arches Street and Bartholomew Street East/West with a courtyard garden to the rear, providing 127 bed spaces of student housing development with communal common room, study rooms, gymnasium and laundry facilities, creating a total floor area of 4,029m². The accommodation is laid out as:

- 6 cluster flats
- 114 studio apartments

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The following reports have been submitted as supporting information with the application: Planning Statement, Design & Access Statement; Transport Statement; Utilities Technical Note; Statement of Community Involvement; Noise Assessment; Archaeological Assessment of Potential Survival and Impact; Results of an Archaeological Trench Evaluation; Ecological Appraisal; Flood Risk and Drainage Technical Note; Geotechnical Investigation and Contamination Assessment; Mechanical & Electrical Services Planning Strategy and Heritage, planning & Justification Statement.

REPRESENTATIONS

Thirteen letters of objection have been received concerned with the following points:

- The site forms a prominent end of the line of buildings leading down Mary Arches Street and facing both the listed church, listed buildings facing the graveyard and the graveyard. It also occupies a historic site within the city walls.
- The design is functional and described by local residents as 'prison like'. There will be an adverse impact to the surrounding area due to poor design.
- Effect upon the adjacent listed buildings and their setting. The application does not deal with the effect of such a large and incongruous building will have on the listed buildings. The application is in contrast to local policies and the statutory duty.
- Lack of parking and increased pressure for parking in the immediate vicinity in facilities which are already oversubscribed.
- No provision for drop off/pick up spaces for when students are arriving/departing.
- Lack of cycle parking and overspill into the street. Location of the cycle parking within the building and access to the entrance door.
- Noise from the central communal courtyard which will affect the neighbouring properties.
- Loss of local wildlife from the graveyard due to over use of the site.
- Lack of need for additional student housing so far from the University. Recent permissions have allowed for development that will satisfy the predicted need for additional accommodation for at least the next two to three years.
- The site could provide a mixed use with accommodation available for residents rather than students. Need to consider what will happen to the amount of student accommodation should the University fail to deliver upon its expectations and the ghettoisation of Exeter.
- The height will overwhelm the St Olaves Mews residential development.
- The development is too big for the site and the area. Monolithic elevations are out of place in the West Quarter of the City which has traditionally smaller buildings and more varied facades.
- The raised roofline will detract from the view of the listed buildings on Bartholomew Street East. The height should be restricted to 2 storeys.
- The facade along Mary Arches Street will damaged the street scene.
- The number of students will unbalance the population of the area on top of the plans for Renslade House and Radmore and Tucker sites. There will be a change in the character of the Friernhay Burial Ground and Grade II* listed park below the Catacombs.
- The management plan needs to guarantee staff on site 24 hours per day.
- Overlooking of adjacent properties and loss of tenants to the private rented properties.
- The site is ideal for affordable housing and social housing which would also offer more consistent, year round support for local businesses and cultural/social activities.
- Concern over how the no car rule will be applied and enforced.
- Use of pavements by cyclists and danger to pedestrians. Signage should be increased with the wording No Cycling.

Exeter Civic Society also object, commenting that:

The impression of the elevations is one of bulk, with weighty detailing adding to this aspect. It is at odds with its adjacent street scene neighbours. It is higher than surrounding

properties, with the top fourth storey capped with unattractive dark grey standing seam metal facing, interrupted by windows.

The undercut ground floor at the two corners is an oddity and enhances the feeling of bulk.

This is accentuated by the red sandstone cladding.

This is visually too big, too high, dominant and overbearing and strongly urge refusal. Any resubmission should be restrained and light in order not to obliterate the visual statements of surrounding buildings and the historic atmosphere of the area. They also note the reservations of Historic England and would support many of these.

CONSULTATIONS

The Design Review Panel:

Generally, subject to the comments below being addressed, The Design Review Panel are supportive of the proposals:

- The analysis may benefit from illustrating wider pedestrian and cycle connectivity.
- The proposals could be improved through the exploration of different combinations & mixes of materials, perhaps including the incorporation of more brick.
- The panel supports the overhang on the corners and the use of a right angled corner.
- The proposals may benefit from the corner element and the two book ends relating to each other better.
- Detailing of the soffit to the corner overhang needs careful consideration.
- Concern that the proposed laundry is poorly positioned in terms of security and is also very small.
- Access to the proposed bike store needs to be robust and easily accessible.
- Concern over the length of the internal corridors with little natural daylight.
- Ground floor fenestration along Mary Arches Street requires further design development.
- An appropriate management strategy should be implemented in regard to the propose courtyard areas to ensure that there is no noise disturbance to neighbouring properties.
- An appropriate start/end of term drop off and collection strategy should also be considered at an early stage.

Devon & Somerset Fire Service:

Full consultation on the build itself shall take place. Limited comments are provided as follows:

- Recommend a sprinkler system.
- Developer to carry out a review of current provision and pressure of fire hydrants.
- Special attention and review of provided external smoking areas to include the collection and removal of smoking materials.
- Special attention to the external rubbish storage areas with robust management of communal spaces, to include no flammable risk, scooters, for example.
- If photovoltaic panels are considered within design then full isolation system and instructions to be provided.

DSFS would hope to see a full fire strategy with plans along with a management plan on how the premises will be managed once occupied. It is important that compliance with codes and standards are being considered for fire crews and fire appliances for this development.

Environmental Health:

Has requested additional information regarding the Contaminated Land Report and the Noise Assessment. Subject to the answers being satisfactorily answered, there is no objection subject to the addition of conditions regarding the submission of a CEMP, Contaminated Land if the additional information is not satisfactory and Noise Assessment if the additional information is not satisfactory.

South West Water:

No objection.

Historic England:

Are generally supportive but have some concerns regarding the following:

- Steps have been taken to set the building back from the main frontage of St Olave's Home. However, its height and massing in relationship to the Grade II* Listed Building results in the proposed building have a very assertive appearance within the street scene, eroding the primacy held by the Grade II* listed building, forming a conspicuous addition that does not reflect the strong rhythmical articulation that characterises the street and the listed buildings.
- The western corner of the development should sit below the parapet level of the Grade II* listed building which would only result in the loss of one unit. This section also includes the stairwell and fire escape, and it is questioned if this could be re-oriented to sit further within the plot and have a visually lightweight construction to remain subservient to the Grade II* listed building.
- There is concern regarding the overhang, which is utilitarian in character and this should be omitted to soften the corner and draw the visitor around into this primarily domestic architectural area. The black brick panel will draw increased attention and there is a lack of articulation within the facade to address the strong bay rhythm seen within the surrounding context.
- The proposed choice and quality of materials and fenestration is key in ensuring the building reflects its surrounding context.

Highways Officer:

Access - Being situated in the city centre the site is well located to access a variety of amenities by sustainable modes. The site is adjacent formal crossing facilities on Mary Arches Street and Bartholomew Street to provide safe access for users of varying mobility and suitable for the level of development proposed.

Access for cyclists is primarily taken from an 'at grade' access and dropped kerb to the rear of the building facing onto Bartholomew Street. This will provide access to a store for 73 secure cycle parking spaces. This level of provision exceeds the standard set out in the Sustainable Transport SPD and reflecting the proximity to the existing cycle network, is welcomed. In addition, the applicant has shown five on street Sheffield Stands at the front of the site to provide a convenient facility for visitors and short stay trips to the site. The applicant is advised that it would be preferable for some of these to be located closer to the front door.

Loading - To provide for deliveries, servicing of the building and assist with Student Pick up drop off the applicants have proposed a loading bay along Bartholomew Street. The loading will be achieved by extending the existing kerb line of Mary Arches into Bartholomew Street to provide a 3.0 metre loading bay, with a 2.1 metre footway and 6.0 metre road width retained on Bartholomew Street. These widths are sufficient for two vehicles to pass and to maintain a suitable pedestrian facility. This arrangement is acceptable in principle and the exact specifications, including a construction that is suitable for accommodating heavy vehicles and allows pedestrian use when not used for loading will need to be agreed with the Highway Authority.

This loading bay will need to be provided prior to the site coming into occupation and the applicant is advised that these works will need to be carried out under a suitable agreement (Section 278 of Highways Act 1980). The applicant must apply for and get permission to work on the highway before undertaking any such works.

Management - The proposed layby provides space for student pick up/drop off at the end of term. Combined with the on-street and off street parking in the vicinity to the site this is felt to provide adequate provision. The applicant is advised that the peak periods of student drop off and collection should be carefully managed to make best use of these spaces. The loading bay will need to be accompanied by a Traffic Regulation Order (TRO) and this

provides an opportunity to review the specific parking arrangements in the vicinity and potential for flexible uses of the layby.

Construction - The proposals will require demolition/construction work adjacent to a busy environment. To protect the safety of users of the public highway it is essential that the construction arrangements are carefully managed and that appropriate space is available off the highway for all construction plant/vehicles. A condition is recommended to ensure this and the applicant is advised to meet to agree suitable working arrangements prior to commencement.

Summary - The impact of the development is acceptable in highway terms and suitable cycle parking facilities are proposed for the traffic attracted to the site. Conditions as part of any planning approval are therefore recommended to ensure adequate on secure cycle parking facilities, the proposed loading bay, Travel Plan and to agree construction management arrangements.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012:

4. Promoting Sustainable Transport
7. Requiring good design
8. Promoting healthy communities
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy

CP2 – Retention of Employment Land or Premises

CP5 – Student Accommodation

CP15 – Sustainable design and construction

CP17 – Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011

AP1 – Design and Location of Development

AP2 – Sequential Approach

C1 – Conservation Areas

C2 - Listed Buildings

C5 - Archaeology

H1 – Housing land search sequence

H2 – Location Priorities

H5 – Diversity of Housing

Relevant text – 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 overconcentration 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;*
- *Student accommodation is located so as to limit the need to travel to the campus by car.*

T1 – Hierarchy of modes of transport

T2 – Accessibility criteria

T3 – Encouraging use of sustainable modes of transport

EN2 – Contaminated land

DG1 - Objectives of Urban Design

DG2 – Energy conservation

DG7 – Crime prevention and safety

Exeter Development Delivery Document – Publication Version 2015

DD1 – Sustainable Development

DD7 – Allocated Housing Sites

DD12 – Purpose Built Student Accommodation

This policy seeks to protect residential amenity and to ensure that purpose built student accommodation is fit for purpose;

Purpose built student accommodation will be permitted provided the proposal:

- a) Respects, and contributes positively towards, the character and appearance of the area;*
- a) Does not result in unacceptable harm to the amenity of the neighbouring residents;*
- b) Provides sufficient internal and external space for future occupiers;*
- c) Makes appropriate provision for refuse storage, operational and disabled persons parking, servicing and cycle parking;*
- d) Reduces the need to travel and would not cause unacceptable transport impacts; and,*
- e) Is accompanied by a suitable Management Plan secured by planning obligation to demonstrate how the property will be managed in the long term.*

DD13 – Residential Amenity

DD20 – Sustainable Movement

DD21 - Parking

DD25 - Design Principles

DD26 - Designing out Crime

DD28 - Heritage Assets

Exeter City Council Supplementary Planning Documents

Sustainable Transport SPD March 2013

Development Related to the University June 2007

Archaeology & Development SPG 2004

OBSERVATIONS

Student Use

The principle of student accommodation in this City Centre location is supported by the Core Strategy and the emerging Development Delivery Development Plan Document. Policy CP5 of the Core Strategy states that purpose built student accommodation should be provided to meet housing need. Paragraph 6.28 states that '75% or more of additional student numbers should be accommodated in purpose built student housing. New purpose built student housing should be located on, or close to, the University campuses, at sustainable locations at or near to major transport routes, or in the City Centre'.

It is considered that the application site meets these locational criteria, being centrally located to the various campus sites across the City. Although planning permission for other PBSA schemes have been granted recently, it is still considered likely that some of the future increase in student numbers would be housed in further shared student houses unless more PBSA is delivered.

Design Principles

From the outset there has been considerable pre-application discussions and a collaborative approach to the overall design of this site between the developer and the Local Authority. An initial scheme was submitted which was not representative of the proposed use and further development led to a revised design which was more contemporary and created strong elements to the corner of Mary Arches Street and Bartholomew Street East as well as the corner of Bartholomew Street East and West. Subsequent to this, the design was refined to break up the massing, ensure that locally appropriate materials were used and better window proportions.

The site forms an important gateway from the Iron Bridge, into the central part of the city and is clearly visible in the longer views from Mount Dinham. It lies within the Central Conservation Area and is adjacent to the Bartholomew Street Cemetery (a Grade II* Historic Park and Garden) and the Catacombs (Grade II) and to the city wall (Scheduled Monument). It also lies within the Statutory Area of Archaeological Importance and within the footprints of the walled city and earlier Roman legionary fortress. Immediately adjacent to the site is the Grade II* listed No. 32 Bartholomew Street West. On Mary Arches Street, No. 23 has been delisted and is proposed to be demolished together with nos. 24-26 Mary Arches Street which are identified in the Conservation Area Appraisal as making a negative contribution to the Conservation Area. To the other side of this lies number 20 and St Olaves Hotel, which are both Grade II listed buildings. The Quintana Gate building, although of a more in-keeping design, is also to be demolished and is considered to be neutral in the Conservation Area Plan. To the rear of the site there lies the residential properties of St Olaves Mews and Carpenter Close.

The principle of the redevelopment of the entire site is considered to be acceptable and has indeed been established through the planning history over the years. In the site's history, there have been a number of different buildings and although some initial archaeological works have been undertaken in four trenches across the site, further investigation will be required.

The final proposed scheme as submitted seeks to replace the existing buildings with a 4-storey building (G + 3 floors), forming almost a U shape, whilst also creating a central courtyard open space for use by the students of the residences. The courtyard creates a buffer between the St Olaves Mews residences and the new building. Angled windows have been introduced to the student rooms which overlook the courtyard to ensure that there is no direct loss of privacy between student rooms. A further non-accessible (except for maintenance) green roof garden at first floor height above the cycle store and plant roof provides a further buffer.

Although the extra top floor adds additional height, this has been visually minimised by introducing a mansard roof behind a parapet, to the third floor. It is considered that this will not be detrimental to the adjacent listed buildings where on Mary Arches Street the top of the mansard roof is only 0.8m above the adjacent roof line and 1.2m above the roof line of 32 Bartholomew Street West. A glass enclosed staircase has also been introduced immediately adjacent to 32 Bartholomew Street to provide a break between the Grade II* listed building and the new building. Historic England have raised concerns that although steps have been taken to set the new building back from the listed building, the height and massing will still result in a very assertive appearance within the street scene and erode the primacy held by the listed building. It has been suggested that the stairwell is reoriented to site further within the plot and to reduce the height of the building in this corner, which would result in the loss of one unit. However, having considered the comments and viewed the relationship between the two buildings, the separation from the listed building by the glazed stair housing, which is set back from the front of the listed building by 2.8m, is considered to be acceptable as a design solution to create a visual break without the need to reduce the height of the building or set the staircase further into the site.

Following a series of meetings and discussions, the long elevations have been broken up into sections to reduce the overall mass of the building, with set-backs and projections allowing the introduction of varying colours and materials and to reflect the design of adjacent buildings. The building is proposed to be finished with buff, red and black brick work with the mansard roof clad with a dark grey standing seam metal and dark grey aluminium doors and windows. It was suggested that the mansard windows were a little overlarge and therefore out of scale with the windows to the lower floors. The windows have now been reduced in width by 20cm to still allow adequate light to these slightly smaller top floor rooms, while reducing the overall scale to be more fitting with the overall window design.

Two strong corner feature elements, have been introduced, with the upper floors projecting out across the pavement, reintroducing the building line and removing the previously chamfered corner. The main feature to the Mary Arches corner would be clad in red sandstone to highlight that this is the main entry point to the building. This has been supported by The Design Review Panel and the Local Authority. The path of larger vehicles has also been tracked as part of the submission and has confirmed that even with the projections, lorries will still be able to turn without damage to the property. Further concerns have been raised by Historic England regarding the overhang at the corner of Bartholomew Road East and West. However, it is considered that the corner feature respects the building line without compromising views to the Listed Buildings of Bartholomew Street West and enables the scheme to tie together as a whole.

The windows have been designed to open to allow natural air ventilation but it is recognised that this could allow the dropping of rubbish or other items and therefore a louvre has been added to the external face of the windows to prevent full opening of the windows but still allowing fresh air to flow. Bin storage is to be provided within a central area within the building with collection taking place from Mary Arches Street. It is intended that the site manager would move the bins to Mary Arches Street for collection and then return to the bin store once emptied. Recycling facilities are also proposed.

Relevant Planning History

There are a number of applications on both sites for complete redevelopment dating back to 1985. The principle of conversion to residential was established through approved proposals for sheltered housing and residential flats. An application was refused in 1985 for sheltered flats on Mary Arches Street because of the mass and height of the proposed building, which would have overwhelmed the adjacent Listed Building. In comparison the current proposal, with the mansard roof, steps back from the Listed Building from the front and side elevation, thereby substantially reducing any visual impact.

In 2005, an application was permitted to increase the height of the Quintana Gate buildings by one additional storey, which is in line with what is now proposed.

Impact of Residential Amenities

The application site does lie immediately adjacent to residential dwellings. However, the plans and additional information provided indicate that an on-site management presence would be available at all times, which given the size of the proposed development is to be expected. A Student Management Plan would be required as part of the Section 106 Agreement if planning permission is granted, to control such things as safety and security matters, arrivals/departments arrangements as well as providing local residents with contact details for potential student disturbance issue if they were to arise. It is therefore considered that the site does provide a suitable location for student accommodation in terms of its impact on residential amenity.

Loss of Employment

Although the Quintana Gate building has been used as offices previously, the premises have been vacant for some time and although marketed, has not received much interest. This is also a secondary office area and therefore, although the redevelopment would result in the loss of office space, the loss is not considered to be unacceptable and with the buildings being empty, there is no loss of employment. The redevelopment would require an on-site management team for servicing and maintenance and would therefore ensure some continuation of employment.

Highways

The site is within the centre of the City, well connected by footpaths and a bus service and within a few minutes' walk of both the Bus Station and the Train Station negating the requirement for private transport. There is no parking provision proposed on site and students are excluded from joining the residential permit scheme. A new layby is proposed on Bartholomew Street West, adjacent to the proposed development to allow for vehicles up

to 7.3m long to undertake deliveries. This will also be used as temporary vehicle parking during arrivals and departures at the beginning and end of term. Time slots would be allocated to spread arrivals throughout a 3 day period, managed by the site staff. Cycle parking (79 no. spaces) is proposed to be provided within the building. There are also new bike stands proposed on an area of enhanced footway adjacent to the proposed layby for visitors and public. A shared cycle scheme is also proposed of 20 bicycles which residents can borrow for free. The Travel Plan seeks to promote sustainable forms of transport, given that there would already reduction in the use of private vehicle trips. An on-site Travel Plan Coordinator is proposed to be in place at first occupation of the building to lead on the delivery of the Travel Plan and future monitoring of student travel options.

Flood Risk/Drainage

The site is within a Flood Risk Zone 1, at low risk of flooding. South West Water has confirmed that storm water run-off from the development can continue to discharge into the public surface water sewer beneath Mary Arches Street. There will be a reduction of approximately 10% in the impermeable catchment compare do the existing site. SWW has also confirmed that the existing sewerage network has capacity to accommodate foul flows from the proposed development.

Landscaping

There is currently no landscaping on the site so there is an opportunity to create a small communal space for the residents. The courtyard is proposed to be finished with grass, some tree planting to soften the area and hedging.

Section 106

A Management Plan for the day to day operation of the Student Accommodation is required to be implemented by way of a legal agreement. There is also a requirement for CIL contributions amounting to £133,694.96. The site will also generate New Homes Bonus. The units would all be rated as Band A properties generating up to £672.000 over a 6 year period, subject to any Government revisions or changes.

Summary

The principle of student use in this location is appropriate. The overall height, scale, massing and design approach is considered to be acceptable. In particular it is considered that the proposed buildings will provide a positive contribution to the townscape, this part of the Conservation Area and the street scene. The importance of this site in the context of its setting and the number of Listed Buildings, the cemetery and catacombs is recognised and it has been paramount therefore to develop a respectful design, which takes into account the setting of these buildings and monument and which also allows the buildings to be reflective of the current architectural period. The application is therefore recommended for approval.

RECOMMENDATION

APPROVE subject to the completion of a Section 106 agreement for the Operational Management Procedures, the CIL provision and the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 4th July 2016 (*1435_P2.01_B; 1435_P2.02_B; 1435_P2.03_D; 1435_P2.04_H*) and 8th July 2016 (*Dwg. No(s). 1435_P2.14_G; 1435_P2.24_F; 1435_P2.34_F; 1435_P2.51_E; 1435_P2.50_D; 1435_P2.52_D; 1435_P2.53_C; 1435_P2.54_C; 1435_D.01_A*) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external

finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.

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

- 4) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To provide for sustainable transport and ensure that adequate facilities are available for the traffic attracted to the site.
- 5) Travel Plan measures including the provision of sustainable transport welcome packs and details of the arrangements of how student pick up/drop off will be managed, shall be provided in accordance with details agreed in writing by the Local Planning Authority and Local Highway Authority in advance of occupation of the development.
Reason: To promote the use of sustainable transport modes and in the interest of highway safety, in accordance with paragraphs 32 and 36 of the NPPF.
- 6) 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 building(s) hereby approved.
- 7) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:
 - a) There shall be no burning on site during demolition, construction or site preparation works;
 - b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
 - c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance;
 - d) details of access arrangements and timings and management of arrivals and departures of vehicles.

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

Reason: In the interests of the occupants of nearby buildings.

- 8) In the event of failure of any trees planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 9) Prior to commencement of the development, the developer shall submit for the approval in writing by the LPA a Scheme for sound insulation and ventilation of the approved residential units. The scheme shall achieve at least the levels of acoustic performance specified in Section 4.1 of the Noise Assessment (Waterman Infrastructure and Environment Ltd May 2016) submitted with the application. The approved insulation and ventilation works shall be implemented in full prior to occupation of the development and maintained thereafter.
Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.
- 10) 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.
- 11) Prior to occupation of any dwelling hereby approved details of provision for bats and nesting swifts shall be submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB and DBRC. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.
Reason: In the interests of preservation and enhancement of biodiversity in the local
- 12) The rating noise level (measured in accordance with BS4142:2014) from all mechanical building services plant shall not exceed 40 dB (07:00-23:00) and 35 dB (23:00-07:00) at any noise sensitive receptor.
Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.
- 13) No part of the development hereby approved shall be brought into its intended use until the onsite loading bay on Bartholomew Street West, as indicated on Drawing Proposed Site Plan 1435_P2.04_H, has been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.
Reason: To provide suitable facilities for the traffic attracted to the site.
- 14) No development shall take place, including any works of demolition, until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials and a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The statement should include details of access arrangements, measures to minimise the impact on the adjacent footpath and timings of the proposed works. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and public amenity.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

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