

**ITEM NO. 8****COMMITTEE DATE:** 20/03/2017

**APPLICATION NO:** 17/0053/03 FULL PLANNING PERMISSION  
**APPLICANT:** C/O Agent  
Exeter SPV Limited  
**PROPOSAL:** Demolition of existing building and construction of a 7-storey building including basement to provide student accommodation (*Sui Generis*) and associated works and improvements; and the provision of a new coach passenger waiting room (*Sui Generis*).  
**LOCATION:** British Heart Foundation, 1 Cheeke Street, Exeter, EX1 2DD  
**REGISTRATION DATE:** 09/01/2017  
**EXPIRY DATE:** 10/04/2017

**HISTORY OF SITE**

02/0665/03 -	Change of use from shop (Class A1) to cafe (Class A3), internal and external alterations to include replacement and removal of doors and windows on front and side elevations	REF	11/09/2002
06/1702/03 -	Alterations to entrance doors on south west elevation	PER	13/10/2006
11/1852/05 -	Internally illuminated fascia sign and projecting sign on south west elevation, non-illuminated fascia signs on south (1), south east (1) and north east (2) elevations	PER	19/12/2011

**DESCRIPTION OF SITE/PROPOSAL**

Demolition of existing building and construction of a 7-storey building including basement to provide 150 rooms of student accommodation (*Sui Generis*) and associated works and improvements; and the provision of a new coach passenger waiting room (*Sui Generis*).

**SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

- CIL Form
- Application Drawings
- Design and Access Statement
- Planning Statement
- Geotechnical and Geo-environmental Desktop Study
- Noise Assessment
- BREEAM Pre-Assessment report
- Transport Statement
- Historic Environment Desk Based Assessment

**REPRESENTATIONS**

The application has been advertised by site notices, press notice and neighbour letters. In addition to those representations set out below two **public responses** were received raising the following issues:

- Site should be used for a proper coach station
- Campus for students should be provided outside the city

- Hong Kong densities should be provided with Hong Kong Public Transport
- Will make on street parking worse
- Increased number of students impact on infrastructure
- Imbalance of students and residents

**South West Water:** Should the development encroach on the 3 metre easement, the water main will need to be diverted at the expense of the applicant. South West Water is able to provide clean potable water services from the existing public water main for the above proposal. South West Water advises a Planning Condition to emphasise that: Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer. The statutory Water and Sewerage Undertaker supports the Planning Policy Guidance for Flood Risk & Coastal Change statement. The applicant must demonstrate how its proposed development will have separate foul and surface water drainage systems and not be detrimental to existing infrastructure, the public and environment (and that any provisions for protecting infrastructure have been agreed with SWWL as service-provider). The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable): That Hierarchy is 1. Discharge into the ground (infiltration); or where not reasonably practicable, 2. discharge to a surface waterbody; or where not reasonably practicable, 3. discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable, 4. Discharge to a combined sewer. ( Subject to Sewerage Undertaker carrying out capacity evaluation)

**Wales & West Utilities** has pipes in the area. Our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable. You must not build over any of our plant or enclose our apparatus.

**Transition Exeter Transport Group** are pleased to see that this application includes provision for waiting coach passengers. This would be well located in relation to the planned coach stops and addresses a concern we have raised repeatedly in the plans for redeveloping the Bus and Coach Station site. However, it is disappointing that the proposed room has half the floor area of the current waiting room, and the lack of toilet provision is still a concern. If toilets cannot be added to the current application, perhaps a free-standing installation could be considered, as in the new Plymouth Coach Station. Including it in the plans for this site would allow the water and sewerage works to be done at the same time as those for the building, and it seems an appropriate extension to the developer's contribution to the area.

We note that "Exact details of the management and operation of this facility are still to be agreed with the council." Given that coaches run at all times of the day and night, it is important that 24 hour access is maintained. We welcome the open design of the space, with full height glazing on two sides: this offers shelter against poor weather while providing good visibility into and out of the room so that waiting passengers will feel safe. We hope that CCTV surveillance of the site (Design and Access Statement item 5.3) will extend to the coach passenger waiting area and we note that Devon and Cornwall Constabulary have commented on the need for effective monitoring in this area.

The provision of information for coach passengers is not mentioned in this application. There must be scope to install electronic displays with live information and WiFi access for coach passengers, and to upgrade in future as technology develops. There also needs to be clear signage linking the coach waiting area to the new Bus Station, and provision to cross Cheeke Street safely.

We have concerns about the amount of cycle parking planned. Section 3.12 of the Design and Access Statement states:

"During early conversations with the Council the applicant was advised that the number of cycle storage provision could be phased from the first occupation of the building and therefore space should be provided for cycle storage numbers to increase as and when required. The proposals are to initially provide 40 number of cycle bays with flexibility for a further spaces to be added as and when required. In addition several visitor cycle stands are to be provided along Bampfylde Street."

Why not provide the full number of cycle bays from the start? Alternatively, start with single-tier storage using the full space allocated and add a second tier as needed. Double-tier racks can be awkward to use and provide a disincentive to cycle owners – perhaps leading to higher than expected levels of on-street cycle parking. The number of visitor cycle stands needs to be quantified: 3 are shown on the ground floor plan, but this is well below the 6 required by the Sustainable Transport SPD. We support the detailed comments on cycle parking made by Exeter Cycling Campaign.

**Exeter Cycling Campaign** in summary supports the development of high density residential development in the city centre from a sustainable transport perspective. However, we must express CONCERN about the current proposals for the following reasons: The Proposed Development significantly under-provides cycle parking spaces and the quality of provision should be enhanced to enable use by people of reduced mobility or with specially adapted cycles; Insufficient consideration has been given to the highway network around the Proposed Development, particularly in terms of how residents and coach passengers using the new waiting room will access passenger facilities and shopping and leisure uses on the opposite side of Cheeke Street. Detailed comment and bullet-point recommendations are provided. The Applicant should be made to address the detailed comments before any consent is granted and improvements to the proposals must be secured by planning condition.

**Exeter Civic Society:** The coach travellers experience will be the tiniest of rooms with no facilities. The application should be refused. We are not attracted to the bulk, look nor height of this student tower block and would be pleased to see reconsideration of the whole proposal.

## **CONSULTATIONS**

**Natural England:** No comments to make on this application.

**Devon and Cornwall Police:** The current bus station generates a high level of Police calls. The concern with this proposal is that the issue of formal surveillance and management is not clearly addressed for the coach waiting area. Currently Bampfylde Street and Cheeke Street is not covered by the monitored city cctv network. The design of this proposal offers no formal physical surveillance over the waiting area. I have had no detail of a management plan of this area (opening times, management and control etc). Coupled with the lack of formal surveillance in the area I am concerned this element of the application will create a crime and disorder risk owing to unauthorised use. To reduce this risk options would include: Re-designing a section of the GF floor plan so the staffed office has a one way viewing window with direct surveillance over the coach waiting area. Secondly, extension of the city monitored CCTV camera coverage to include the area. Owing to the number and nature of calls to Police associated with these facilities, 'in house' CCTV managed by the development itself would not be acceptable to manage a public facility.

The student community is historically at risk of being victims of acquisitive crime, police approved physical security standards will need to be adopted by the applicant. Therefore doors and windows should meet general Secured by Design standards. Windows with direct

access to the public realm should also not be capable of opening (there are no approved restricting methods). All external access doors to the public realm should meet the above standards for doors. Note that bin stores, fire exits and doors where communal access is provided to private outdoor space are at higher risk. Electronic access control should meet the guidance in British Security Industry Association (BSIA) 'A specifiers guide to the Security classification of access control systems'.

**ECC Environmental Health:** Recommend approval with condition (noise limits, AQIA, CEMP).

**DCC Development Management (Highways):** The proposed development is being promoted as car free, which for a sustainably located city centre student development is acceptable. Being situated in the city centre the site is well located to access a variety of amenities by sustainable modes. With 150 bedrooms, the proposed development is expected to generate a considerable number of new pedestrian and cycle movements to and from the site. Indeed the TA sets out the proposed development is expected to generate approximately 500 two way pedestrian movements per day. The majority of pedestrian movements are expected to be heading northwards towards Sidwell Street for access to the City Centre and/or University. However, there will also be a demand for pedestrians heading west for access to the Bus Station. To provide for this, a new informal "imprint" crossing has been proposed. The principle of this is acceptable, and the detailed design will need to be secured through a S106/278 agreement.

Access for cyclists is primarily taken from an entrance located to the east of the building – an external door and dropped kerb on Stover Court should be provided, giving convenient access for users who wish to cycle to and from the site. This will provide access to a store for 80 secure cycle parking spaces, meeting the standard set out in the Sustainable Transport SPD. In addition, the applicant has shown 4 Sheffield cycle stands located next to the main entrance – these will provide a facility for visitors and short stay trips and are welcomed. The redundant dropped kerbs on Stover Court that were used to serve the previous use must be reinstated to a full height kerb in the interest of safety.

Two parking spaces to the east of the site provides facilities for student pick up/ drop off at the start/end of term. Combined with the off street parking (namely Stover Court located immediately next to the site) 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 the designated spaces. These arrangements can be agreed through either a Travel Plan or a management plan as part of any legal agreements attached to the site. To provide for deliveries to the site and the servicing of the building, it is proposed that service vehicles would access the site/unload on Bampfylde Street and / or Stover Court (as per existing use). Although this is acceptable, the applicant is advised that this should be monitored carefully to ensure vehicles do not block access to the coach stops proposed on Bampfylde Street (which is being delivered as part of the Bus Station redevelopment works).

The site is located in a prominent city centre location adjacent to a number of traffic sensitive streets – particularly Cheeke Street for bus services. Consequently, demolition and subsequent construction will therefore need to be carefully managed to ensure the impact of these is minimised and the potential for large plant, including cranes, on the highway is likely to be limited. It is therefore recommended that a condition for a Construction Traffic Management Plan (CTMP) is attached in the granting of any permission and the applicant is advised that adequate areas will need to be made available within the site to accommodate construction vehicles off of the public highway.

In summary, the impact of the development is acceptable in highway terms and suitable loading and 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, proposed informal crossing on Cheeke Street, Travel Plan and to agree construction management arrangements.

Therefore, subject to the inclusion of a pedestrian crossing in an appropriate legal agreement and appropriate conditions being attached in the granting of any permission, no objection.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance

NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy

CP1 - The Spatial Approach

CP2 - Employment

CP3 - Housing Distribution

CP5 - Meeting Housing Needs

CP8 - Retail

CP10 - Meeting Community Needs

CP11 - Pollution and Air Quality

CP13 - Decentralised Energy Networks

CP15 - Sustainable Construction

CP17 - Design and Local Distinctiveness

CP18 - Infrastructure

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

AP2 - Sequential Approach

E3 - Retention of Employment Land or Premises

H1 - Search Sequence

H2 - Location Priorities

H5 - Diversity of Housing

H6 - Affordable Housing

H7 - Housing for Disabled People

S1 - Retail Proposals /Sequential Approach

S3 - Shopping Frontages

S5 - Food and Drink

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T5 - Cycle Route Network

T6 - Bus Priority Measures

T9 - Access to Buildings by People with Disabilities

T10 - Car Parking Standards

T11 - City Centre Car Parking Spaces

C1 - Conservation Areas

C5 - Archaeology

EN2 - Contaminated Land

EN3 - Air and Water Quality

EN4 - Flood Risk

EN5 - Noise

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG3 - Commercial Development

KP1 - Pedestrian Priority Zone

## **OBSERVATIONS**

The Core Strategy was adopted in February 2012, is up to date and relevant and sets out the strategic vision for development in the City including “maintaining a vital and viable mix of uses in the City Centre and delivering development to enhance Exeter’s position as a premier retail and cultural destination.” This vision is supported by the Objectives set out in the Core Strategy document and by the policies of the Local Plan and the emerging Development Delivery DPD. The site is currently occupied by a retail unit and is at the edge of the identified secondary retail area. However the proposals include active ground floor frontage and introduce residential population which will add to the vitality of the area and hence the loss of retail frontage is not resisted.

The site falls within the Grecian Regeneration area as defined by the Core Strategy. The Core Strategy Policy CP17 guides that “All proposals for development 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.” Development in the City Centre and Grecian Regeneration Area 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.”

The site is considered to be well located for student housing development, provided that provision can be adequately made for living conditions of occupiers, outside the areas of restriction of student housing, with good links to transport facilities and amenities and good links to the two University Campuses. The provision of purpose-built student housing in the city centre and near transport nodes is supported by Policy CP5 of the Core Strategy. Given the pressure on the city to accommodate the rising number of students, the capacity of the site to meet this specific housing need should be developed to the highest appropriate density as guided by Policy CP4 of the Core Strategy. The site is much less well suited to other housing types for amenity reasons. The Council also supports the development of purpose-built student housing to meet housing need and to help ease pressure on family housing. It is not current policy to seek affordable housing from purpose-built student accommodation developments. As such the proposals are considered to comply with policy H5 of the Exeter Local Plan First Review.

In principle the redevelopment of this site for student accommodation on the upper floors, with active functions on the ground floor facing street level, is therefore supported in principle.

The key issues in determining this application are considered to be: the height, massing and design of the proposed building, potential for contamination and relationship with neighbouring residential units.

## Design

The height and massing of the proposed building is a key issue in determining this application. The 'Grecian Quarter Height Constraints Analysis 2008' produced for Exeter City Council looked at the potential for tall buildings in this area to impact on views through the site. It recommended that buildings in the identified areas should be up to 21 metres in height with variation in massing of up to 25 metres in height. It acknowledges that impact on views is one factor which needs to be considered the appropriate height of buildings. The site is outside the most sensitive part of the study area for which an absolute height limit was recommended. The location of the site means that the building will be a skyline feature when viewed from public spaces in Newtown, St. James and Lower Pennsylvania.

The proposed building introduces pitched roofs and significant articulation of the building elements to create what officers consider a roof design of some merit. The proposed building would be a prominent feature in some public views but the design is considered effective in breaking up the massing integrating it with views across the wider roofscape of the city. The highest part is a minor part of the overall footprint with lower elements arranged either side. The three elements of the building are articulated effectively at roof level and further differentiated by materials. The main external materials are two contrasting brick colours, the approval of all external materials can be reserved by condition. The highest point of the building is just under 25 metres above ground floor level, with the top of the mansard roof of the main element being 22.4 metres above ground floor. The eaves line of the main part of the building is set at 19.8 metres above ground floor level with the 7th storey set in a mansard roof. On the south elevation the parapet of the brick facade is cut into to extend the roof level windows down to the storey below which further breaks up the horizontal emphasis of the parapet line and the apparent mass of the building. The building also steps down on Cheeke Street to preserve light to the flats above the shop units on Sidwell Street. The lower element is articulated and uses a different brick to maintain a strong vertical emphasis and visually split the two elements of the facade to reduce the roof height on Belgrave Road and Bampfylde Street towards the north end of those streets. The entrance is located on the corner of Bampfylde and Cheeke Street and the highest part of the building and entrance arrangements give suitable prominence and legibility to that entrance.

The site falls within the area to which the Bus and Coach Station Area Development Principles apply and were approved for Development Control Purposes in June 2012. They draw on the Exeter Vision, the City Centre Vision and the Traffic, Retail, Building Heights and Urban analyses and relevant Local Planning Policies and sets out a series of 10 Principles to guide development proposals in the area between Paris Street and Summerland Street. It was subject of public consultation and was approved for Development Control Purposes in 2012, but has limited weight, not being a Supplementary Planning Document.

The Development Principles are:

Principle A: Development must be viable.

Principle B: The development will be a retail and leisure led mixed use development incorporating a new bus station.

Principle C: An accessible new bus and coach station must be provided to agreed standards.

Principle D: Development must reinforce Sidwell Street, complement the High Street and Princesshay and form a gateway to the city centre.

Principle E: Development must positively respond to site context including urban grain, archaeology and site levels.

Principle F: Development must create a high quality public realm with active frontages.

Principle G: Development must create a network of accessible open streets and spaces.  
Principle H: Buildings must be individual and of a high architectural quality, with landmark buildings and gateways formed at key locations using materials appropriate to the location.  
Principle I: Vehicular traffic servicing and car parking must be accommodated in such a way as to minimise their impact.  
Principle J: The development must adopt high standards of sustainable design and enhance biodiversity

The Design Review Panel considered the scheme at pre-application stage in March 2016 as presented in the Design and Access Statement. The Panel were generally supportive of the design of the building but raising specific points of concern to be addressed. Following the presentation of the scheme to the Panel the roof design and external cladding were revisited and greater emphasis given to the entrance to address the concerns raised.

A condition is proposed to secure the details of the landscaping to the courtyard area and ecological enhancements.

Following the amendments to the design since during the pre-application (which include changing facade materials to introduce brick, window and roof design on Cheeke Street facade, reducing the height of parts of the roof and amendments to the landscaping) and during the application (reducing height and introducing window surrounds to the blank windows) the design is now considered to accord with the aims of policy CP17 of the Exeter Core Strategy, policies DG1, DG3 and DG4 of the Exeter Local Plan and with the Bus and Coach Station Area Development Principles 2012.

The development will introduce further residential accommodation into the 'Grecian Quarter' regeneration area which will support street level activity. The ground floor is designed to have active and transparent frontages contributing positively to the redevelopment of the area. The ground floor common room links well to a small private external courtyard at the rear for occupier use.

### **Relation with neighbours**

As discussed above the building design steps down to four storeys along the Cheeke Street facade to preserve light and avoid overbearing impact to the four flats above the shop units on 157-158 Sidwell Street which, share an outdoor space at first floor level and have windows of habitable rooms facing the site. The windows in the end elevations of the proposed building which face directly towards these properties are windows to stairwells and can be secured to be obscure glazed to protect privacy of occupiers of these four flats. This being the case the window to window distance between unobscured opposing habitable rooms is a minimum of 23 metres which is considered adequate to maintain in-building privacy.

### **Transport**

Coach Passenger's waiting room is provided on the ground floor. This is 32m<sup>2</sup> and is laid out with 27 seats. It is glazed on two sides. The enclosed waiting room is smaller than that currently provided in the existing bus station however that caters for bus and coach service passengers and a fully enclosed concourse for bus passengers is provided as part of the new bus station details of which were approved as application reference 16/0890/02. The scheme of highways works with the outline permission for the redevelopment of the Bus and Coach Station site include provision of two large 'bus' shelters on the pavement outside the waiting room. The waiting room and shelters serve four scheduled coach bays on Bampfylde Street. Four stops are required to serve the peak demand. The City Council has indicated that it will take responsibility for the management of the waiting room, including provisions for maintenance, security provision of information for passengers and cleaning. A condition to



secure approval of a scheme of management of the waiting room before it is first brought into use is proposed to be attached to any consent.

The application has been amended since first submitted so as that occupier cycle parking is provided to the appropriate standard from first occupation. The development proposes two on-site car parking spaces reserved for disabled drivers. Given the City Centre location, the access to a full range of local facilities and the public transport, pedestrian and cycle provisions this is considered acceptable pursuant to Local Plan Policy and the National Planning Policy Framework. The application is accompanied by a Transport Statement and a condition is recommended to be attached to any consent to ensure that detailed measures are implemented to promote sustainable transport use, including restriction on occupier's cars. The extent of on-street parking controls in the area of the site, and cost of public and private parking facilities, are considered to be a significant deterrent occupiers parking nearby. The development proposes improvements to pedestrian routes towards the west, through an informal pedestrian crossing with associated drop kerbs and has been amended to provide secure cycle storage for 80 bicycles at first occupation. The public realm includes four on-street cycle stands for visitors.

There is availability of parking and loading in Stover Court in addition to the two on site spaces to accommodate arrivals and departures from the student residential accommodation on managed basis. The management of arrivals and departures should be set out in a Management Plan secured by the consent.

### **Contaminated Land/Unexploded Ordnance**

The potential for the site to be subject of contamination and the potential presence of unexploded ordnance require further investigation including following clearance of the site and conditions are proposed to be attached to any consent to secure this.

### **Noise**

A Construction Environment Management Plan can be secured by recommended condition to protect the living conditions of nearby occupiers and the natural environment during the construction phase.

The development is proposed in an area where there are existing noise generating uses nearby, most notable the night club, car repair garages on Summerland Street and the bus station, all of which have the potential to impact on residential occupiers of the site. The further assessments are required to be carried out in support of the application to determine the design of any measures to mitigate the impact of noise on future occupiers. Such measures that may be necessary can be incorporated within the fabric of the building and as such officers are happy that approval of any such details be secured by condition.

Internal bin stores are provided hence there will be no need for bins on street.

### **Sustainability**

A pre-assessment BREEAM scoring submitted with the application indicates that 'excellent' (70%) can be achieved and a condition is proposed to be attached to any consent to enable officers to continue to work with the developer towards the achievement of BREEAM Excellent.

A condition to secure details of foul and surface water drainage is proposed to be attached to the consent.

## Financial Considerations

The development is estimated to yield £194,000 of New Homes Bonus (NHB) payable to the City Council assuming the current rules regarding the period of payment, baseline and on abatements continue to prevail following completion of the scheme.

Community Infrastructure Levy (CIL):

Out of Centre Retail floorspace: 0

Residential floorspace: 0

Student Accommodation floorspace: 4,711.6 square metres

Other floorspace: 32.0 square metres

Demolished floorspace: 1,164.9 square metres

Student Accommodation (2016) CIL rate: £51.07 per square metre

CIL PAYABLE (2016). Net gain in floorspace in qualifying use (student accommodation) minus demolitions and non-qualifying floorspace, multiplied by 2016 CIL rate (student accommodation) = £181,129.96

### Section 106 matters

- District Heating Contribution £25,228
- Student Management Plan
- Off-site highway works (including crossing improvements)
- Traffic Order costs

## RECOMMENDATION

**APPROVE** subject to conditions, which may be varied, amended or supplemented as appropriate, and completion of a Section 106 Agreement for the matters listed above.

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
**Reason:** To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received on 6 January 2017 and as superseded by revised details received on 28 February 2017 by the Local Planning Authority and 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 to the visual amenity requirements of the area.
- 4) A detailed scheme for landscaping and ecological enhancement of the site, including the planting of trees and/or shrubs, the use of surface materials and opportunities for wildlife (such as nesting bricks or boxes) shall be submitted to the Local Planning Authority and the development shall not be brought into use until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any

earthworks required together with the timing of the implementation of the scheme. The landscaping and ecological enhancement measures shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.

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

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

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

- 6) No development related works, with the exception of demolition works, shall take place 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.

- 7) No development approved by this planning permission (excluding demolition), shall take place 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 scheme shall include the following components:

a) A preliminary risk assessment which has identified: All previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** To protect human health and controlled waters.

- 8) 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 a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason:** To protect human health and controlled waters.

- 9) No development activities, including demolition or earthworks, shall take place on site until a Construction and Environment Management Plan (CEMP) for those activities 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) Site hoarding shall be kept clear of graffiti and fly-posting.

An approved CEMP shall be adhered to throughout the demolition and construction period.

**Reason:** In the interest of amenity of nearby occupiers.

- (10) The level of noise emitted from the site shall not exceed the limits presented in Table 1, as measured on the specified boundary of the site and specified time of day. Further, plant items associated with the development should be controlled to a 'rating' level of not more than 50dB L<sub>Ar,1hr</sub> during the daytime (0700-2300hrs) and 45dB L<sub>Ar,1hr</sub> during the night-time (2300-0700hrs) outside any openable study/bedroom windows of the proposed development itself. The developer shall demonstrate by measurement compliance with this level prior to occupation of the development and as requested by the LPA thereafter.

**Table 1. Plant Noise Limits at Nearby Existing Residences**

Location	Recommended Plant BS4142 Rating Noise Limit		
	Day (0700-1900hrs) dB L <sub>Ar,1hr</sub>	Evening (1900-2300hrs) dB L <sub>Ar,1hr</sub>	Night (2300-0700hrs) dB L <sub>Ar,15min</sub>
Existing Residences to Southwest of Site	51	47	44
Proposed Residences to Southeast of Site	48	45	44
Existing Residences to North of Site	43	40	39

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

- 11) Notwithstanding condition no. 3 no works other than demolition shall commence

under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority in so far as they relate to that phase and the following shall thereafter be provided in accordance with such details:

- a) Detailed layout(s) of any plant room(s) associated with the provision of heat
- b) The entrance canopy.
- c) The Fire Access door onto Stover Court.

**Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

- 12) No part of the development hereby approved shall be brought into its intended use until the informal pedestrian crossing on Cheeke Street has 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 safe and suitable access and adequate facilities for traffic attracted to the site.

- 13) 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.

- 14) Prior to commencement of the development (excluding demolition), details of visitor and resident cycle parking provision for the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be occupied until the secure resident cycle parking facilities have been provided in accordance with the submitted details.

**Reason:** To provide adequate facilities for sustainable transport.

- 15) The student accommodation hereby approved shall be constructed with heating systems that have been designed and constructed to be compatible with a low temperature hot water District Heating Network in accordance with the CIBSE guidance "Heat Networks: Code of Practice for the UK". The layout of the plant room, showing provision for heat exchangers and for connection to a District Heating Network in the Highway shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented on site unless otherwise agreed in writing.

**Reason:** In accordance with the requirements of policy CP13 of the Exeter Core Strategy 2012 and in the interests of sustainable development.

- 16) Unless otherwise agreed in writing by the Local Planning Authority student accommodation hereby approved shall achieve an overall BREEAM scoring of "excellent" (70 percent or greater). Prior to commencement of development, excluding demolition, the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved. Where this does not meet the above requirements the developer must provide details of what changes will be made to the development to achieve that standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of any such building hereby approved. The required BREEAM

assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.

**Reason:** To ensure that the proposal is in accordance with the aims of Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.

- 17) Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.  
**Reason:** To ensure the discharge of drainage from the Development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment.
- 18) No development (with the exception of demolition) shall take place on site until an air quality assessment has been carried out in accordance with a programme and methodology to be agreed in writing by the Local Planning Authority and the results, together with any mitigation measures necessary, have been agreed in writing by the Local Planning Authority. The development shall not be occupied until the approved mitigation measures have been implemented.  
**Reason:** In interest of the amenity of future occupiers of the development.
- 19) A Management Plan for the Coach Waiting Facility shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority before that facility is first brought into use. The operation of the Coach Waiting Facility shall only be carried on in accordance with the terms of the Management Plan. The Management Plan shall include provisions for maintenance, security, cleaning and the provision of information to Coach Passengers.  
**Reason:** In the interests of ensuring the facility is maintained for the purposes of a Coach Passenger waiting room.
- 20) No development shall take place on site until an investigation has taken place to determine the risk posed by Unexploded Ordnance and the results, together with any further works necessary, have been agreed in writing by the Local Planning Authority. The approved works shall be implemented in full and a completion report shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development.  
**Reason:** In the interest of public safety.
- 21) The applicant shall submit a scheme for protecting occupiers of the development from noise. This shall be submitted to and approved by the Local Planning Authority before construction (excluding demolition) commences and shall be implemented before any part of the residential accommodation is first occupied.  
**Reason:** In the interests of the living conditions of future occupiers.
- 22) The windows to stairwells and corridors in the Northwest elevation shall be constructed as obscure glazed, as shown on the approved plans, and maintained as such thereafter.  
**Reason:** In the interests of the amenity of neighbouring occupiers.
- 23) No part of the development hereby approved shall be brought into its intended use until secure cycle parking spaces and vehicular spaces as indicated on "*GA Plan Ground Floor Plan 0787-JSA-XX-00-DR-A-02001Rev P3*", 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 safe and suitable facilities for the traffic attracted to the site.

- 24) No part of the development hereby approved shall be brought into its intended use until the redundant dropped kerbs have been reinstated on Stover Court 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 safe and suitable access and adequate facilities for traffic attracted to the site.

- 25) 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.

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