

**ITEM NO.****COMMITTEE DATE:**

27/03/2017

**APPLICATION NO:**

16/1616/02

**APPROVAL OF RESERVED MATTERS****APPLICANT:**

The Crown Estate and TIAA Henderson Real Estate

**PROPOSAL:**

Application for approval of the details of the layout, scale and appearance of the buildings, the means of access thereto and the landscaping for: Paris Street (Parcel P) and commercial developments (Parcel C).

**LOCATION:**

Exeter Bus &amp; Coach Station Redevelopment Area, Paris Street, Exeter, EX1

**REGISTRATION DATE:**

13/12/2016

**EXPIRY DATE:**

14/03/2017

**HISTORY OF SITE**

12/0249/31	Request for an EIA Screening Opinion	NOT EIA DEV'T	06/03/2012
15/0791/01	Demolition of existing buildings at Exeter Bus & Coach Station, no. 188 Sidwell Street & nos 1-29 (odds) Paris Street for a comprehensive retail-leisure led mixed use development comprising Use Classes A1, A2, A3, A4, A5 [retail including food & drink uses], D2 [assembly & leisure] & including a new Leisure Centre & new Bus Station, with associated access landscaping and public realm works.	PER	08/07/2016
16/0890/02	Application for approval of the reserved matters of the layout, scale, appearance of the buildings, the means of access thereto and the landscaping relating to the new Bus Station (Parcel B) and Street C: Pedestrian Access (Parcel Y).	PER	07/10/2016
16/0891/02	Application for approval of the reserved matters of the layout, scale, appearance of the buildings, the means of access thereto and the landscaping relating to St. Sidwells Point Leisure Centre (Parcel L).	PER	07/10/2016

**DESCRIPTION OF SITE/PROPOSAL**

This application is made for approval of 'Reserved Matters' pursuant to Outline consent ref. 15/0791/01. The outline planning permission was granted for retail and leisure led mixed use development with all matters reserved. The Design and Access Statement and 3 parameters plans showing the extent of site, buildings and uses, public spaces, access and circulation routes, and building heights and extents were submitted for approval at outline stage are attached to the outline consent. The outline consent included the closure of part of Paris Street to vehicular traffic and laying out as a public space.

The site is currently occupied by 3 storey shop units on Paris Street and Sidwell Street, the surface car park at Bude Street, and the Bus and Coach Station on Paris Street and by highway in upper Paris Street, Bude Street and Bampfylde Street. The extent of the site that the application relates to is shown as Parcels P and C in the Development Parcels Plan attached as Appendix 1. Applications for reserved matters made for the other parcels

(Leisure Centre (parcel L), Bus Station (parcel B) and 'Street C' (parcel Y)) have been previously considered and separately approved.

The Reserved Matters for which approval is now sought are: Means of access, Appearance, Landscaping, Layout and Scale. Scale and Layout of the development are substantially established at outline stage as set out in the approved parameters plan. The Traffic Order relating to extinguishment of vehicular rights and stopping up of highways are subject of separate applications to the Secretary of State.

The proposals provide 5 new blocks of development (named Block A to E) , varying between two and three commercial storeys (between 12.0 and 23.0 metres) arranged around a terraced central open amphitheatre space and pedestrian routes that connect the space directly with surrounding streets and the public space in Paris Street (between Dix's Field and High Street). Details of three single storey kiosk units in Paris Street are included, as are details of the formation of a service yard at the rear of existing buildings on Sidwell Street accessed via Bampfylde Street from its junction with Cheeke Street.

The proposals to which this reserved matters application relates creation of a total gross internal floorspace of 17,739 square metres following the demolition of 7,195 square metres of existing buildings at Exeter Bus and Coach Station, 188 Sidwell Street and 1-29 (odds) Paris Street.

The details of the reserved matters must be in line with the outline approval, including any conditions attached to the permission. The outline consent established the principle of development, the quantum of development and placed upper and lower floorspace limits in respect of particular uses on the site. It established the position, and minimum and maximum extent of buildings, and the position of spaces, including the laying out of upper Paris Street as a pedestrianised space following the exclusion of vehicular traffic. Attached to the outline consent were parameters plans setting out land uses, access and circulation routes and building heights. A set of Design Codes were required to be submitted and have subsequently been approved.

This reserved matters application was submitted in December 2016 and amended by subsequent submissions. The amendments include revisions the proposed cycle parking strategy, provision of detailed drawings of the kiosk buildings, amendments to the landscaping scheme and to the detailed design and appearance of buildings.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

- Application Forms
- Design and Access Statement
- Statement of Community Involvement
- Planning Statement
- Landscaping and Public Realm Strategy
- Bat Emergence Survey
- Application Drawings
- Fire Strategy
- Waste Strategy
- Weather Protection Strategy
- Draft Retail Shopfront Strategy
- Draft Restaurant Shopfront Strategy
- Sustainable Fit Out Guide Retail and Leisure
- BREEAM Pre-Assessment
- District Heating Network Connection Plan
- Surface Water Management Strategy

- Archaeological Statement
- Landscape and Ecological Management Plan
- Geo-environmental Assessment
- Remediation Strategy and Verification Plan
- CCTV Strategy

## **REPRESENTATIONS**

The application was advertised by letter addressed to neighbours and all those who made comments in respect of the outline application, by site notice and by press advertisement.

**Exeter Cycling Campaign:** Object to the Proposed Development for the following reasons:

- Non compliance with cross site cycle routes in outline permission 15/0791/01;
- No detailed highways drawings provided;
- Unsafe access arrangements along Paris Street and at the junction of Paris Street and Dix's Field;
- Double counting and under-provision of cycle parking spaces;
- Inadequate facilities for employee cycling.

Exeter Cycling Campaign supports the principle of the Proposed Development and wishes to be a constructive partner in discussions regarding how to improve access, safety and legibility of the scheme for all modes of transport.

**Exeter Civic Society Planning Sub Committee:** As the last element in the whole of the wider Princesshay development, we find this a disappointment, showing little imagination; and that little has been learned from the process of development of the earlier stages. Firstly, the leading images can easily be characterised as significantly misleading. Exeter is not Provence. Grounded realism needs primary provision to be made for and shown as in the weather conditions we are having now; the grey winter season over the months either side of the solstice.

It follows that a big drive in the development of Princesshay 1 was to provide outside weather cover. Exeter is notable for its rain. This had significant success. There is decent provision of colonnades and canopies. A prime example of its thoughtless omission is with Block A on London Inn Square. Currently, the building to be demolished has a wide canopy, affording good shelter to recoup, having skipped across Paris Street from Next in the lashing rain. This provision is wholly absent from the new proposals and the same applies anywhere else in them.

It was also a feature of the work done with Land Securities on Princesshay 1 that the original in-house plans were considered uniform, unimaginative and bland. The result was a competitive situation was set up with three practices involved and a transformed outcome which we now have. Not, of course, perfect; but a great improvement; in particular, architectural interest when looking above street level. This is wholly lacking in these proposals where the small streets are small, smooth sided canyons; holding no interest, to scuttle through as quickly as possible;

We have a similar view of the Cinema elevation on Paris Street. It is blank, entirely lacking in interest. Again, across Paris Street much work was done to hide the difficult feature of the multi storey car park. Paul Street and its service entrance is a constant stark reminder of how to get it wrong. The blank side of the cinema is weak and thoughtless in comparison. Given therefore the variety and practicality that was eventually achieved in Princesshay 1 and the modern, innovative and controversial leisure centre, we consider that for the reasons above, these proposals for the last phase fail, should be rejected and substantially reconsidered.

**Devon Wildlife Trust:** We welcome the proposed incorporation of bat boxes and swift boxes into the building fabric and the provision of bee boxes. However, given the scale of the

project, we believe that the limited provision of trees is disappointing. We are also concerned that there has been no recognition of the opportunity provided by the large area of roof space for green roof provision. We believe that this project should strive to provide an example of best practice in incorporating biodiversity in a town centre. With ambitious incorporation of the above, this might be achievable.

**RSPB:** Pleased that they propose to install fourteen swift boxes within the façade to the rear of the building above the service yard. The illustrations are of Schwegler model 17 triple cavity boxes are suitable, where we suggested locating them and likely to be occupied by sparrows and starlings as well as swifts, we recommend that they are made a condition of the consent if granted. We also asked for living roofs and green walls to be considered due to the large areas of hard surfaces and are disappointed that none have been included particularly as we understand that underground cabling and pipes limit street tree planting. If appropriately planted both would encourage occupation by bees and other invertebrates as well as birds, contribute to attenuating storm water, improving air quality, reducing air temperature in hot weather and if properly maintained enhance the appearance of the site, we recommend that their inclusion is given further consideration.

**Living Options:** The steps at the amphitheatre drawings are not detailed enough to show whether handrails are included, needed on both sides. Lifts shown, but no sizes are given, needs to accommodate mobility scooters/electric wheelchairs. Will lifts be provided in individual units?

**Exeter Chamber of Commerce:** An attractive and exciting development for the bus station site is pivotal for the regeneration of this area of our city and will provide a more fitting gateway into the city for our visitors. The pedestrianisation of Paris Street is supported.

In addition to those responses above **twenty five public responses** have been received of those fifteen are in objection, nine in support and these responses raised the following points:

- Loss of mature Plane tree, which is a roosting site for Wagtails
- Closure of Paris Street to traffic and impact on other roads
- Poorly designed, little imagination shown
- Closure of Paris Street will cause major traffic problems
- Pedestrian overpass should be built rather than close Paris Street
- Will result in bus congestion in Sidwell Street
- Will be great upgrade to the area
- Increased air pollution in residential area and near school
- Alternative route is ridiculous and danger to pedestrians and cyclists
- Does not reflect Exeter's architectural history
- Another cinema not needed
- Will remove route for emergency response vehicles
- Will create jobs and improve retail and leisure offer
- Regenerates and important part of the city
- Support pedestrianisation of Paris Street but better public transport and cycle provision needed
- Investment great news, should include ice rink
- Density should be greater and some elements taller
- Design and materials not locally distinctive
- Should include residential units
- There needs to be tactile and contrasting surfaces for safety and navigation by partially sighted
- Demarcation of cycle routes needs to be obvious
- Cycle racks should not cause obstruction to thoroughfares
- A gully (like the one in the High Street) would assist with wayfinding across the gap from the Cinema to the Leisure Centre.
- Pedestrian routes may not be wide enough and should be free of obstruction

## **CONSULTATIONS**

**Devon County Council Development Management (Highways):** There are a number of matters of detail which although not fully resolved in the submitted details, are covered by conditions in the outline consent. Furthermore, with Paris Street remaining as HMPE the final detailed arrangements for this will be agreed through the Section 278 process.

Paris Street. The proposals for Upper Paris Street are for a shared area of approximately 110 metres in length and a width of 25 metres at the south widening to 35 metres at the northern end (Sidwell Street). The provision of a shared area is considered the most appropriate arrangement for the mix of pedestrians and cyclists. Noted that some consultation comments refer to a dedicated cycle route being provided across the pedestrianised area and /or making the presence of cyclists more prominent. However, the proposed arrangements which broadly mirror the shared area of Bedford Street are more suitable as they encourage lower cycle speeds and therefore provide a safer environment for pedestrians. It is also reflective of the design hierarchy in Manual for Streets, which places pedestrians at the top.

Critical to providing a suitable route for cyclists into the site, and crossing the city centre, is the positioning of dropped kerbs at either end and suitable tie into the onward routes. The location of a loading bay for the existing community transport are could impact on the access from Paris Street for pedestrians and cyclists. However, it is felt that a suitable solution exists, including potentially on Princesshay arm to replace the current left turn lane which will no longer be required following the pedestrianisation of Paris Street. A number of new trees proposed, and the County Council can provide detail on tree pits it has previously accepted. The details for tree planting are covered under condition 28 of the outline.

The proposed arrangements are generally acceptable there are a few areas of detail to be refined as outlined above and these can be finalised through the S278 for Paris Street.

The Lighting Strategy for the site is set out in Drawing HED. 1132.500. However, the details confirming the resulting lighting levels are yet to be provided. The proposed changes have the potential to impact on the lighting of the public highway and therefore the County Council will need to review and approve any such plans to ensure compliance with relevant standards for illumination of the highway. It is noted that this is covered under condition 15 of the outline consent.

Commercial Scheme Streets. The streets making up the commercial development (Parcel C) are to be private land, with pedestrian access provided in perpetuity. As private land, the County need not comment on the details. It is however pleasing to see that the arrangements initially submitted have been revised such that the positioning of slot drains through the site serves as a navigation aid for the route from the Bus Station through to Paris Street for those with visual impairments.

Cycle Parking. Through the outline application the applicant committed to providing the levels of cycle parking at Princesshay plus 25%, which we believed to represent 59 additional stands. The submitted Cycle Parking Strategy plans (rev 6) indicate 62 new cycle parking stands. The 12 existing spaces on Sidwell Street are also being relocated towards the Cheeke Street junction. The proposed spaces are spread across the entry points of the development and whilst it is disappointing that the opportunity to provide a high quality covered facility for shoppers has not been taken up, the indicated provision accords with the commitment in the outline and therefore considered acceptable. There are 3 stands shown on Cheeke Street which it is unclear how these will work with the proposed highway changes. If this proves to be problematic it is recommended these could be off-set by additional spaces on the New North Road approach. The Bampfylde Street entrance would

also be a sensible location to consider the installation of electric bike hire that is currently being trialled in the city.

Cycle facilities for staff are provided by 40 spaces in a covered double tier shelter behind Block C. The 40 spaces is below the Exeter City Council standard of 43 spaces, however with the additional spaces for visitor parking, on balance, considered a suitable level of provision. Exact details of the shelter type have not been provided, but noted that approval of details is covered by condition (32) of the outline consent.

**Bampfylde Street- Service Yard Access.** As one of the main gateways into the Bus Station redevelopment, site and access to a major public transport interchange the design of this need to reflect the dominant pedestrian movement and provide a suitable gateway that integrates the scheme with the city centre. Insufficient details are provided at this stage, a condition is therefore recommended that no part of the site comes into use until Bampfylde Street has been enhanced in accordance with designs agreed in writing by the Local Planning Authority.

Overall the submitted proposals are acceptable. Whilst there are still some outstanding details, these are covered by conditions attached to the outline consent or are discharged and through the Section 278 agreement and a further condition requiring the proposals for Bampfylde Street is recommended to be incorporated to any grant of permission.

**Historic England:** The proposed development represents an opportunity to reintegrate the bus station site (and land beyond) into the surrounding streetscape, but looking at the proposed designs we are not convinced that this chance is being capitalised upon. The proposed Block B, which would address Paris Street, has a particularly inactive elevation with poor interaction with the street at pavement level. The proposed use of the building as a cinema does not, of course, lend itself to an active facade, but nevertheless we would encourage further consideration into how the development might better address Paris Street and the setting of the conservation area opposite.

**Natural England:** No further comment to our standing advice.

**Devon and Somerset Fire and Rescue:** Emergency Vehicle Access/egress. I am satisfied that our primary route out of the city will be out along New North Road, left at London Inn into Sidwell Street and then right into Cheeke Street and then onwards out of the city. DSFRS does require that emergency vehicle access is maintained from London Inn across the proposed pedestrian area into Paris Street. We do ask that no physical barriers are placed across the proposed pedestrian area from London Inn to Paris Street to prevent vehicle access and use, including bollards, barriers or raised kerbs. Fire appliances will need to proceed through the pedestrian area at reduced speeds for access to the new development, into Princesshay and Dix's Field as well as having the ability to proceed through into Paris Street. Detailed comments are provided on the fire strategy.

**Devon County Council Flood Risk Management Team:** We have been formally consulted to provide comments in relation to the discharge of conditions, and our formal response to these will be provided in due course.

## **PLANNING POLICIES/POLICY GUIDANCE**

Central Government Guidance  
NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy  
CP1 - The Spatial Approach  
CP2 - Employment

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  
CP19 - Strategic Allocations

Exeter Local Plan First Review 1995-2011  
AP1 - Design and Location of Development  
AP2 - Sequential Approach  
S1 - Retail Proposals /Sequential Approach  
S3 - Shopping Frontages  
S5 - Food and Drink  
TM1 - Hotel Development  
T1 - Hierarchy of Modes  
T2 - Accessibility Criteria  
T3 - Encouraging Use of Sustainable Modes  
T4 - Circular Walking Route  
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  
KP3 - Bus and Coach Station

**Other planning documents:**

Exeter City Council Sustainable Travel Supplementary Planning Document  
Exeter City Council Development Delivery DPD (publication draft)  
Sidwell Street and Environs Urban Analysis 2007  
City Centre Vision April 2011  
Bus and Coach Station Area Development Principles 2012

**OBSERVATIONS**

A number of comments and objections have been made on matters of principle that are not material to the consideration of this reserved matters application, those matters having been addressed at the outline planning permission stage.

Objections have been made with regards the closure of Paris Street to vehicular through traffic. This matters was considered as part of the Outline Planning application and was given planning approval at that stage. The various Traffic Orders relating to the closure or formation of highways and the extinguishment of vehicular rights are currently subject of consideration by the Secretary of State.

Objections have been made with regards the loss of the Plane tree on Sidwell Street however the loss of this and a number of other trees within the site in Paris Street and Bampfylde Street was considered at outline application stage as part of the approval of the layout and scale of development. The landscape proposals, including replacement tree planting, are properly part of the consideration of this reserved matters application.

Details of external materials are considered in the appearance of the development. Submission of materials samples and approval of specific material types are further reserved by condition 18 attached to the outline consent.

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Details of the management of the service areas we are required by condition 44 attached to the outline consent.

Details of a scheme of CCTV for the development site are required by condition 45 attached to the outline consent.

The **Reserved Matters** for which approval is now sought are: Appearance, means of access, landscaping, layout, and scale.

- **Appearance** - aspects of a building or place which affect the way it looks, including the exterior of the development.
- **Means of access** - covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site. Points of access having been established at the outline permission stage. The outline consent established, through the approved parameters plans and the design codes, the routes to and through the site including specifying routes for service vehicles, pedestrian and cycle access.
- **Landscaping** - the improvement or protection of the amenities of the site and the area and the surrounding area, this includes both soft landscaping (planting) and hard landscaping (surface finishes).
- **Layout** - includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development. The outline consent established through the approved parameters plans the routes through the site and spaces to be created between buildings. The layout of the development was thereby substantially established by the outline consent.
- **Scale** - includes information on the size of the development, including the height, width and length of each proposed building. The outline consent established through the approved parameters plan the minimum and maximum building heights and the minimum and maximum extent of building footprints.

The Traffic Order relating to extinguishment of vehicular rights and stopping up of highways are subject of separate applications to the Secretary of State.

As set out in the Planning Acts decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan comprises the Exeter Core Strategy the Exeter Local Plan First Review.

The National Planning Policy Framework represents up-to-date Government planning policy and must be taken into account where it is relevant to a planning application or appeal.



## **National Planning Policy Framework (NPPF).**

The NPPF is strongly supportive of the centre first hierarchy requiring that planning policies should be positive, promote competitive town centre environments.

## **Exeter Core Strategy**

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 Exeter Local Plan First Review**

The Exeter Local Plan First Review was adopted in March 2005. The policies of this plan are saved policies by virtue of Direction of the Secretary of State until such time they are superseded.

The adopted Local Plan sets out key proposals in the City Centre including the Bus & Coach Station. Supporting text to Policy KP3 states that; the site provides the best location in the City for commercial leisure facilities because of its close proximity to the primary shopping area of the City Centre, good public transport connections and proximity to public parking, that a multiplex cinema and a nightclub would be justified, that other leisure facilities such as a health and fitness centre and family entertainment centre might be introduced as well as restaurants and public houses supporting a commercial leisure uses and that the scheme must ensure that the bus station is well located to provide an effective bus network and is substantially enhanced.

Policy KP3 is included here and Policy DD14 of the emerging Development Delivery DPD does not significantly depart from this approach.

KP3: COMPREHENSIVE REDEVELOPMENT OF THE BUS STATION/SIDWELL STREET/PARIS STREET IS PROPOSED, REFLECTING ITS STRATEGIC AND HIGHLY SUSTAINABLE LOCATION. THE DEVELOPMENT SHOULD PROVIDE AN ENHANCED BUS STATION, COMMERCIAL LEISURE FACILITIES INCLUDING POTENTIALLY A MULTI-SCREEN CINEMA, RETAIL FLOORSPACE, AN EXTENDED STREET MARKET, SHORT-STAY PARKING AND POSSIBLY NON-FAMILY HOUSING.

THE AMOUNT OF RETAIL FLOORSPACE SHALL BE DETERMINED FOLLOWING AN ASSESSMENT OF CAPACITY AND DEMAND AFTER THE IMPACT OF THE PRINCESSHAY DEVELOPMENT HAS BEEN ASSESSED. SUCH RETAIL DEVELOPMENT SHALL NOT HARM THE VIABILITY AND VITALITY OF THE CITY CENTRE AS A WHOLE.

THE DEVELOPMENT SHOULD:

(a) MAKE A POSITIVE CONTRIBUTION TO THE ENHANCEMENT OF THIS PROMINENT AREA OF CITY CENTRE TOWNSCAPE;

(b) BE FULLY INTEGRATED INTO THE CENTRAL SHOPPING AREA AND PRINCESSHAY AND HAVE HIGH QUALITY ACTIVE FRONTAGES WHICH FACE SURROUNDING STREETS;

(c) IMPROVE PERMEABILITY AND THE SAFETY AND CONVENIENCE OF PEDESTRIAN ACCESS TO THE SITE ESPECIALLY ACROSS PARIS STREET FROM THE PRIMARY SHOPPING AREA AND PRINCESSHAY TO/FROM THE PUBLIC TRANSPORT INTERCHANGE AND KING WILLIAM STREET CAR PARK AND,

(d) MAINTAIN A CYCLE ROUTE THROUGH THE SITE FROM PARIS STREET TO SUMMERLAND STREET.

### **Development Delivery DPD (publication version) July 2015**

The DD DPD is emerging policy defines the Bus and Coach Station Area and contains Policy DD14. This policy is given lesser weight than the Core Strategy and Local Plan policies and is written to replace rather than amend those policies. As such, and in the interests of ease of reading, limited further reference is made to it though it continues to be a material consideration.

### **Sustainable Transport Supplementary Planning Documents March 2013**

The document sets out guidance about how the need to travel arising from development is met in a sustainable manner and how developments can be made accessible in order to meet the requirements of the Development Plan policies. It sets out principles to make development accessible to all, cycle and car parking standards, the need for development to make connections to its surroundings, guidance on Travel Plans and Car Clubs.

### **Sidwell Street and Environs Urban Analysis 2007**

This analysis of the context and townscape of the area sets out a Development Framework for the area.

### **Bus and Coach Station Area Development Principles June 2012**

This draws 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.

### **Environmental Impact**

The proposals involve a significant intensification of development and the provision of a significant amount of new commercial floorspace. In 2012 the development off a wider site was screened and that development not considered EIA development. The outline application scheme was again screened in respect of Environmental Impact Assessment (EIA) and having considered the characteristics of the development, the location of the development and the characteristics of the potential impacts it was concluded that the development does not require Environmental Impact Assessment. It was considered that impacts of the development on archaeological, biodiversity, air quality and noise issues have been adequately assessed in the supporting information, without the need for a full EIA, and that mitigation measures can be addressed satisfactorily through the existing powers available to the Local Planning Authority in determining the application. This reserved matters application accords with the parameters established at the outline consent stage.

The Reserved Matters being considered are: Access, Appearance, Landscaping, Layout and Scale.

### **Means of access**

Local Plan policy KP3 Parts c and d and Development Principles G and I are particularly pertinent to issues of access.

Servicing will be from both the service yard access from Cheeke Street and Paris Street where a service bay is proposed. The scheme of highways alterations to accommodate the closure of Paris Street to vehicular traffic include for the turning off buses in the junction of Paris Street with Dix's Field and the provision of a bay for the Exeter Community Transport vehicle. The detailed layout and construction of the arrangements within the public highway are further controlled by the County Council as Highways Authority through Section 278 and Section 171 of the Highways Act.

The parameters plans attached to the outline consent establish movement routes through the site. These set out pedestrian access from Paris Street through the centre of the site linking to the new Bus Station, with routes linking to Paris Street and Sidwell Street.

As discussed at the outline planning stage, the cycle route through the site on Bampfylde Street that policy KP3 guided should be re-provided in any development was not considered necessary given the actual and further proposed traffic reductions in upper Paris Street and Sidwell Street. The parameters plans establish that Paris Street should provide a route for cycles following extinguishment of vehicular rights. However, this space has a high number of crossing pedestrian movements in its current arrangement which will increase following the proposed redevelopment. Cyclist and pedestrian crossing movements will need to be accommodated safely and this sharing of space will need to encourage reduced speed and mutual awareness. The layout provides adequate widths and space to accommodate this. The emphasis in the layout of design details crossing the space between Sidwell Street and High Street sides aids the partially sighted and emphasises the cross movement. It is not considered desirable to create a differently surfaced route for cyclists through the space either in terms of amenity considerations or in the interests of managing conflict. What will make the accommodation of movement successful is the detail of signage and surfacing and officer will continue to work with the applicant and the County Council as Highway Authority in the discharge of conditions.

Part of Bampfylde Street is retained in narrowed form between the junction with Cheeke Street and the end of the existing Co-Op Supermarket building and will provide access to the service yard with an upgraded surface treatment as this also give access to the Bus Station. The inclusion of a service yard for the new buildings, and the existing buildings on part of Sidwell Street including the Co-Op Supermarket, minimises the impact of servicing. Details of the gates entrance to the service yard with timber faces and steel framing are provide and a condition is proposed to be attached to any consent to further control details of the appearance of these gates.

Design Codes to guide detailed design and the reserved matters were submitted with the outline application and have been approved. The proposed development accords with the Design Codes in positioning the principal entrances to the key corners and using alignment of buildings to visually draw people through the site.

The wider site includes the new bus station and the development is well served by modes of public transport. The development provides step free connection between the High Street, and the new bus station and leisure centre. Car parking provision is not made within the site, car parks in Paris Street/Dix's Field are a sort distance and the existing Princesshay Car Park (linked to the shop-mobility unit) will have pedestrianised, step free level access to the site with the exclusion of traffic from upper Paris Street.

The cycle parking strategy include staff cycle parking located within the service yard at the heart of the scheme and with direct access. Provisions are to be made for cyclists within the individual units and the central shower/changing facility for cyclists in the existing Princesshay are available to this site.

The Cycle Parking Strategy has been amended since the application was first submitted to increase cycle parking provision. Visitor cycle parking is provided at the arrival points in accordance with the approved Design Codes, and on highway in the wider area of the site. Numbers of stands accord with the requirements specified for the development, this being a 25% uplift on the provision at Princesshay. Given the width of Street A and the heavy footfall that this will experience, and the position of restaurant seating and shopfront it is not considered desirable to position cycle stands in this area, it is considered regrettable that the layout of cycle parking does not include provision in Street B. Whilst some of the proposed stands are off-site they are within highway land and land under the control of the applicant they do all cater for identified need in the area.

The means of access of the proposals accord with the Design Codes and with the aims of Local Plan Policies T1, T3, T9, T10 and KP3; the proposals prioritise sustainable modes of transport, make provision for disabled access, link to existing development and are fully integrated in surrounding development. The proposals meet the aims of the Bus and Coach Station Area Development Principles providing a network of attractive spaces by presenting active and attractive facades to the public realm and accommodates servicing in a manner that minimises visual impact.

## **Layout and Scale**

Local Plan policy KP3 Parts a, b and c, and Development Principles D, E, F, G and H are particularly pertinent to consideration of matters of layout and scale.

The outline consent has established uses (and constraints on the quantum of uses), minimum and maximum parameters for each of building blocks height and footprint. In doing so the layout and scale of development is established.

The proposed blocks A-E and the kiosks comply with the floorspace parameters plans in terms of height and footprint, the uses fall within the floorspace limits for the retail (A1) uses

totalling 6170 sqm (greater than 5000 and less than 11,000sqm) and restaurants (A3) totalling 9,531sqm (greater than 5000 and less than 9,500sqm) and commercial leisure (D2) uses being 1,888sqm (greater than 1,300 and less than 4,720sqm). Kiosk units have a floor space of 50 sqm total 150 sqm, not greater than the limits set by the outline consent of 50sqm each and 200sqm maximum total.

Street A links Paris Street as a direct continuation of Princesshay Lane and runs through the heart of the site to the amphitheatre space. It terminates at the Bus Station and Leisure centre entrances. This route is a continuation of a car free route parallel to High Street and Sidwell Street that is variously enclosed by buildings and opened out into public spaces along its length. The continuation of this route is a key feature of the layout and townscape of the scheme. Street A is flanked by retail units on Paris Street, uses transition through smaller A3 unit to the terraced restaurants at the amphitheatre space. Street B links Street A to Sidwell Street in the location of the exiting alleyway, however the over-sailing element is removed and the route wider.

The amphitheatre space accommodates a stepped level change necessitated by the topography of the site and links Street A with lower Paris Street, the stepped nature of the space is carried on into buildings which incorporates terraces either for access to the upper level units or as seating areas. In upper Paris Street, Block A stands up to 9 metres back from the existing façade line creating a space that is over 32 metres wide at that point. For comparison Bedford Square is 26 metres wide. The introduction of kiosks will bring activity to the space.

The potential for the site to accommodate taller buildings was discussed at outline application stage, and the lack of viability of upper floor uses was a key consideration in approval of the parameters plan setting building heights in the parameters plan attached to the consent. Building heights for the blocks A-E and the kiosks sit within the minimum and maximum storey heights and absolute heights established in the parameters plan. The scale of buildings is appropriate to the width of spaces and streets providing a varied townscape.

The layout and scale of the proposals accord with the Design Codes and with the aims of Local Plan Policy KP3; they make a positive contribution and are fully integrated in surrounding development. The proposals meet the aims of Exeter Local Plan Policy DG1 and Exeter Local Development Framework Core Strategy Policy CP17. It is of a height that is appropriate to surrounding townscape and it contributes to a city centre that is vital and a viable mix of uses and which presents a positive experience to visitors.

### **Appearance and Landscaping.**

Local Plan Policy KP3 Parts a, and b, and Development Principles F, H and J are particularly pertinent to consideration of issues of appearance and landscaping.

The Design Codes to guide detailed design and the reserved matters were submitted alongside the outline application and have been approved.

The wider 'Bus and Coach Station area' has a number of preceding planning consents designed by different architectural hands and together the developments have ensured that there is no single architectural hand, which can have a monotonising effect, but that a variety of building which meet the established principles contribute to a varied built streetscape as sought by the Bus and Coach Station Development Principles.

The proposals make provision for the weather protection of restaurant terrace and ground floor seating areas with parasols and no fixed weather protection measures are proposed. The seating areas in front of restaurant units limits the opportunities to include fixed weather protection for the benefit of pedestrians in the form of canopies. The lack of some element of

fixed weather protection, particularly along the route to and from the bus station, is considered regrettable but not on balance a reason for refusal.

The development sits between the Leisure Centre which forms the key landmark building on approach to the city centre and the retail core of the High Street signposted by the John Lewis building. The buildings therefore need to create a transitional space that, whilst it is active and of high quality, does not compete with the established landmarks or confuse.

**Block A** is a two and three storey block at the junction of Paris Street and Sidwell Street. It provides 2017 square metres of retail (A1) use at ground and first floor and 913 square metres of restaurant (A3) use at second floor level. Block A is required by condition of the outline planning consent to be 75% A1 (shops) use to reinforce the retail function of the High Street, and the layout achieves this. This block is exposed to street elevations on four sides. Through positioning of service core and access on to Street B the ground floor of elevations on Paris Street and Street A are wholly glazed with only a minor section of solid wall on Sidwell Street ground floor elevation and around 50% glazed facing Street B. It is considered the layout of the building is successful in creating active frontages.

The block is arranged with two large double height retail units on the Paris Street side with entrances located at the corners of the building. Street A is addressed by two smaller units which are intended to be food uses and at the corner of Street B with Sidwell Street an entrance is formed to a vertical glazed stairwell which will give access to the third storey restaurant which has an element of outdoor seating at roof level. A condition is proposed to secure approval of the details of this prominent section of glazing.

With Sidwell Street being off-set southwards from High Street, and Paris Street curving in towards Block A on the eastern approach, long range views of this block are relatively limited. The building stands at the cross roads with John Lewis and Next buildings and compliments them architecturally. The building will appear in the foreground of the Next building in the longer range views down Sidwell Street, and the full three storey access stairwell and lift core can provide a suitable scale and quality architectural feature in this view. Details of this element are proposed to be controlled by condition.

Where the existing building over-sails the pedestrian walkway between Sidwell Street and Bude Street Car Park is demolished that building is shown as being made good with the introduction of render elements and re-opening of windows at ground floor. A condition is proposed to ensure flexibility in the approach to making good following demolition.

**Block B** is the largest of the proposed new buildings. It accommodates 4,153 square metres of retail (A1) and 3,608 square metres of (A3) restaurant floorspace at different levels along with the cinema. Block B necessarily accommodates a change in levels, with the eastern end of the building being a full storey lower than the western end. The level change is accommodated by incorporating an understorey facing Paris Street and the lower part of the amphitheatre. The short stepped transition between levels in the amphitheatre has allowed those elevations to retain a high proportion of glazing at each street level. The Paris Street levels change is dictated by existing levels and is more gradual, this is an impediment to active ground floor frontages across the whole elevation as the internal ground floor sinks relative to street level. A condition is proposed to allow officer to work with the future occupiers in the interests of maximising active glazed frontages onto Paris Street at street level. The cinema sits above a retail/leisure understorey in this location. The requirements of the cinema operator regarding internal layout are not yet know and hence the elevation shown is proposed to be subject to a condition to allow officers to explore the potential for alterations in the façade with the future occupier. The entrance to the cinema block is arranged as a two storey glazed façade above and single storey restaurant unit at the eastern end of the building on Paris Street. This three storey arrangement, with glimpsed views into the amphitheatre area will be a positive contribution to the Paris Street approach

to the city centre and together with Block E will help create an attractive gateway to the amphitheatre space. The proposals include using two different brick types in the facades with glazing and render elements, also metal cladding for parts of the cinema building

The restaurant units along Street A and facing the amphitheatre benefit from terraces at first floor level overlooking the main pedestrian areas and contributing to a high level of activity and interaction to those spaces. Block B is two storeys high at the gateway to Street A on Paris Street opposite block A which is also two storey in that location.

**Block C** provides three smaller ground floor units totalling 300 square metres aimed at food and drink uses. It flanks the route to the amphitheatre public space when approaching along Street A from Paris Street. It articulates Street A and has strong vistas towards it along Street A from the Bus Station and the Leisure Centre. Block C screens views of retained buildings of Sidwell Street from street level views with a raised parapet or false first floor. The frontages will be brick with glazed ground floor frontages and inset panels above to maintain vertical emphasis. The frontage accommodates outdoor seating that further activates the street.

**Block D** is two storey with a terrace at first floor level, it stands at the back of the upper level of the amphitheatre and flanks the eastern part of Street A. It links to the Bus Station at the eastern end of the façade. Block D consists of large restaurant units (Use Class A3) trading on ground and first floor and totalling 2800 square metres. There are areas allocated for outdoor seating along Street A at ground level, and terraces at first floor level. Glazed frontages and ground and first floor level are framed with brick and with some use of metal cladding at first floor level. There is a shared architectural and language and materials palette across Blocks B, D and E which brings unifies these buildings as a formally designed arrangement without overbearing uniformity.

**Block E** provides restaurant (A3) use accommodation over three floors facing the amphitheatre totalling 1,800 square metres. The design of this block has been developed to produce a building which integrates with the amphitheatre and the Leisure Centre. The provision of a public lift in the corner of the building fronting Paris Street has been used as an opportunity to articulate the design of the amphitheatre and Paris Street elevations of the block. The facade design has a strong relationship with the elevation of Block B on the amphitheatre side. There are areas allocated for outdoor seating facing the amphitheatre at the upper and lower ground levels. The building is considered to successfully complete the amphitheatre space and the massing of that block as a whole. A condition to secure the detail of the junction between Block E and the Leisure Centre building is proposed to be attached to any consent. The materials (brick, glazing and metal cladding proposed) to be used externally in Paris Street will give a modern and urban character and one which is sympathetic to the mix of materials in already used in Paris Street complimenting the Leisure Centre proposals and the Paris Street elevations of the existing Princesshay scheme.

Roof top plant on each block is arranged in enclosures set back from roof edges so as not to be visible from street level. Away from access cores and plant areas lightweight roofs are used.

The materials and appearance are considered appropriate to the setting, appropriate to the identified need to successfully link between existing landmarks and tie in to existing development on Paris Street and Sidwell Street. Approval of samples of external materials is secured by condition of the outline consent.

**Kiosks:** The proposals include three new kiosk buildings within the two areas identified in the outline consent within the pedestrianised upper Paris Street. These are flexible between retail (A1), restaurant (A3) uses and food takeaways (A5) are 50 square metres each, with a total area of 150 square metres. The proposals are flat roofed with a metal frame and part glazed, part timber clad facades. The inclusion of kiosks within the created space is welcome and the detail of the arrangement of panels within the kiosk buildings and siting are proposed

to be controlled by condition. Careful consideration of these matters is required alongside other conditioned matters for example to avoid hidden areas which are not covered by natural surveillance or monitored CCTV, and to ensure intervisibility between cyclists and pedestrians.

In upper Paris Street the existing pavement on southern side granite slabs and kerb line are proposed to be retained, with a rectangle of granite setts to demarcate the cross roads with Princesshay Lane. Textured aggregate sets are proposed to be used in the created open space and to extend to Street A and B. These also to be used in the lower level of the amphitheatre, with four shades being used in a regular pattern to add interest. The amphitheatre structure is proposed to be fair faced concrete risers and edges with the surfaces of the steps and the central part of the lower section being laid as grass. A row of 5 trees with benches in between mark the top of the amphitheatre. The entrance to the amphitheatre is centrally planted with a new tree. The tree planting around the amphitheatre are Lime trees. The landscape and ecological enhancement proposals include for provision of swift boxes on Blocks C and D and Bat Boxes on Block B. Slot drains within the paving in Street A and at the upper amphitheatre space have been amended to facilitate navigation.

The built footprint results in limited opportunities for soft landscaping, with services in Paris Street restricting the opportunity for additional tree planting there. Five trees are proposed at the upper level of the amphitheatre, a tree at the entrance of the amphitheatre will have space to mature to provide a significant visual and ecological benefit. The extent of existing services within highways on the site is a very significant constraint to replacement tree planting on site. The proposals involve a net loss of trees, which could be further mitigated by provision off-site in the locality in neighbouring highways where there is capacity and fewer service constraints. This can be secured by a Grampian condition given the potential to site trees in highway land and the degree of certainty over delivery that would exist.

The appearance and landscaping proposals are considered to accord with the aim of Local Plan Policy KP3 and DG1, Exeter Local Development Framework Core Strategy Policy CP17 and the Bus and Coach Station Area Development Principles; they make a positive contribution to the enhancement of this prominent area and have high quality active frontage where practically possible, are fully integrated in surrounding development, and contribute positively with a palette of materials that is sensitive to the location and integration of the development with the context, streetscape and neighbouring landmark buildings.

#### **Financial considerations:**

The proposed uses, including City Centre Retail are not CIL liable, and do not attract New Homes Bonus payments.

#### **CONCLUSIONS**

This application is made for approval of 'Reserved Matters' pursuant to Outline consent ref. 15/0791/01. The outline consent established the principle of development, the quantum of development and placed upper and lower floorspace limits in respect of particular uses on the site. It established the position, and minimum and maximum extent of buildings, and the position of spaces, including the laying out of upper Paris Street as a pedestrianised space following the exclusion of vehicular traffic.

The Reserved Matters for which approval is now sought are: Means of access, Appearance, Landscaping, Layout and Scale.

The Design and Access statement and 3 parameters plans showing the extent of site, buildings and uses, public spaces, access and circulation routes, and building heights and extents were submitted for approval at outline stage are attached to the outline consent.



The details of the reserved matters now being considered are in line with the outline approval, including conditions attached to the permission that have been discharged, including the Design Codes.

The means of access of the proposals accord with the Design Codes and with the aims of Local Plan Policies T1, T3, T9, T10 and KP3.

The layout and scale of the proposals are considered to meet the aims of Exeter Local Plan Policy DG1 and KP3, Exeter Local Development Framework Core Strategy Policy CP17, and to accord with the aims of the Bus and Coach Station Area Development Principles, the approved Design Codes and with the aims of Local Plan Policy KP3.

The appearance and landscaping proposals are considered to accord with the Design Codes, with the aim of Local Plan Policy KP3 and DG1, Exeter Local Development Framework Core Strategy Policy CP17 and the Bus and Coach Station Area Development Principles.

### **RECOMMENDATION**

It is recommended that this application is APPROVED subject to the conditions set out below (which may be varied or supplemented as appropriate).

- 1) Unless otherwise agreed the means of access, landscaping, appearance, layout and scale of development hereby approved shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 13 March, 14 March and 15 March 2017, as modified by other conditions of this consent.

**Reason:** In order to ensure compliance with the approved drawings.

- 2) Notwithstanding condition no. 1, before the respective Blocks referred to in the sub-parts below are first brought into use the following specified details shall have been submitted to and approved in writing by the Local Planning Authority and implemented on site:

1. The detailed design of the junction between Block D and the Bus Station building, or the eastern elevation of Block D
2. The detailed design of the junction between Block E and the Leisure Centre building, or the northern and eastern elevations of Block D.

**Reason:** Additional details on these matters, which are dependent on the timing of delivery of the adjoining development, will be required in the interests of visual amenity.

- 3) No part of the development hereby approved shall be brought into its intended use until a strategy for the planting of 3 trees in the vicinity of the site and on land in the control of the applicant, the City Council or the Highway Authority has been submitted to and approved in writing with the Local Planning Authority.

**Reason:** In the interest of sustainable development.

- 4) Prior to the commencement of superstructure works to Block A, plans and elevations of the north-west stair core showing separation from the glazing shall be submitted to and approved by the local planning authority.

**Reason:** To secure the detail of the design of this prominent element in the interests of visual amenity.

- 5) Prior to the installation of the cladding to the Paris Street elevation of the cinema, new elevations at a scale of 1:200, along with 1:20 detailed drawings of the cladding detail and method of installation shall be submitted to and approved by the local planning authority.  
**Reason:** To secure the detail of the design of this prominent element in the interests of visual amenity.
- 6) Notwithstanding the submitted details, prior to the installation of each kiosk, detailed elevational drawings at a scale of 1:100 shall be submitted to and approved by the local planning authority, the kiosks shall thereafter only be constructed in accordance with the approved details.  
**Reason:** In the interests of amenity and public safety.
- 7) Detailed drawings of the Block B ground floor elevations fronting Paris Street (South) shall be submitted to and approved by the local planning authority. The approved details shall be installed prior to the first operation of the retail unit to which they relate and retained thereafter unless otherwise agreed in writing.  
**Reason:** In the interest of visual amenity.
- 8) Detailed drawings of the Block B lower ground floor (street level) restaurant elevation fronting Paris Street shall be submitted to and approved by the local planning authority. The approved details shall be installed prior to the first operation of the restaurant unit to which they relate and retained thereafter unless otherwise agreed in writing.  
**Reason:** In the interests of visual amenity.
- 9) The staff and visitor cycle parking shown on Drawing HED.1132.510 received on 13 March 2017 shall be installed and made available for its intended use in accordance with an agreed phasing plan, and shall in any case shall all be installed before any more than 50% of the floorspace to which this approval relates has first been brought into use.  
**Reason:** To maximise the opportunities to promote and enhance use of sustainable modes, in accordance with Section 4 of the NPPF.
- 10) Notwithstanding the approved plans, the service yard shall not be brought into operational use until details of the design, layout and surface treatment of Bampfylde Street between the service yard gates and the junction with Cheeke Street have been submitted to and agreed in writing by the local Planning Authority and subsequently implemented on site.  
**Reason:** In the interests of amenity and public safety.
- 11) Notwithstanding the approved plans, the service yard shall not be brought into operational use until 1:20 detailed drawings of the service yard gates on Bampfylde Street have been submitted to and approved by the local planning authority and subsequently implemented on site.  
**Reason:** In the interests of amenity and public safety.

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