

PLANNING COMMITTEE

4 December 2017

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

Items 4 & 5 :

Pages 5-44

Application Ref: 17/1360/FUL & 17/1361/LBC

16-17 Cathedral Yard and Royal Clarence Hotel, Cathedral Yard, Exeter

One additional representation has been received from the Devon Buildings Group raising the following matters –

- No objection in principle to rebuilding to previous appearance but considered this approach is marred by the detrimental impact of the additional accommodation at roof level. Consider the visual impact would be significant and that the nature of the roof structure proposed is at odds with the period character of the proposed rebuilt elevation.
- Suggest a traditional roof scape should be reinstated.
- Additional roof structure would have same unfortunate visual impact as the Princesshay buildings which project above the old rooflines.
- Suggest argument could have been made for a high quality modern replacement building. However if general consensus is for reinstatement, which it seems to be, it should a faithful replication not an uneasy hybrid which is what they suggest the current approach results in.
- Potential intrusive light and noise impacts associated with roof level accommodation
- Query visual impact of rebuild viewed over buildings on High Street.
- Question economic justification for roof extension balanced against perceived adverse visual impact.
- Concur with views expressed by SPAB (Society for Protection of Ancient Buildings) relating to replacement of timbers within restored Wellhouse element of scheme.

These comments pick up on those raised in representations summarised in main report. Whilst they are acknowledged it is not considered the points raised alter the officer appraisal of the overall merits of the scheme as set out in the main report.

Updated conditions 2 & 9 and additional condition 13

2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 19th October, 22nd, 24th, 29th and 30th November 2017 (including dwg. nos. (04)018 Rev A, (04) 016 Rev A, (04) 017 Rev A, (04) 000 Rev J, (04) 001 Rev H, (04) 002 Rev H, (04) 003 Rev H, (04) 005 Rev H, (04) 006 Rev H, (04) 007 Rev C, (04) 050, (05) 000 Rev E, (05) 002 Rev G, (05) 008, (06) 010 Rev A, (06) 011 Rev A, (06) 013 , (06) 014, (06) 015, (06) 016 Rev A, (06) 017 Rev A, (06) 018 Rev A, (06) 019 Rev A, (06) 021 Rev A, (06) 022 Rev A, (06) 0236 Rev B, (06) 024, (06) 025, (06) 026, (06) 030 Rev B, (06) 031 Rev A, (06) 032 Rev A, (06) 033, (20) 101 Rev C, (20) 102 Rev C, (20) 103 Rev B, (20) 104, (20) 105, (20) 106, (20) 108, (20) 109, (20) 110, (20) 111, (20) 200, (20) 201, (20) 301, (20) 302, (20) 401 Rev B, (20) 402 Rev B, (20_) 403 Rev B, (20) 404 Rev B, (20) 405 Rev C, (20) 406 Rev B, (20) 407 Rev A, (20) 408 Rev B, (20) 409 Rev A, (20) 410 Rev B, (20) 411 Rev B, (20) 412 Rev B, (20) 413 Rev A, (20) 414 Rev C, (47) 001, (20) 310, (20) 311, (20) 314, (21) 000, (21) 001 Rev A, (21) 002, (21) 003 and (21)

004) as modified by other conditions of this consent.

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

9) Prior to the installation of any new plant on the site, details of the plant shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, design (including any compound) and noise specification. The plant shall be designed such that the cumulative façade noise level at 1 m from the worst affected windows of nearby noise sensitive premises does not exceed $L_{Aeq,15min}$ 39 dB during the daytime, and $L_{Aeq,15min}$ 29 dB during the night as set out in Section 7 Conclusion of the Environmental Noise Survey Report ref 17262-R01-A dated 26 June 2017 prepared by Sandy Brown and submitted in support of the application. If the plant exceeds this level, mitigation measures shall be provided to achieve this in accordance with details to be submitted to and approved in writing by the Local Planning Authority. (All measurements shall be made in accordance with BS 4142:2014).

Reason: In the interests of the amenity of the area, especially nearby residential uses. These details are required pre-commencement as specified to ensure that the plant will not give rise to significant adverse impacts on the amenity of neighbouring receptors.

13) Prior to the commencement of the tanking works to the basements details, including sections to a scale of not less than 1:20, demonstrating the method of fixing and installation of the proposed membrane to existing built fabric shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the tanking works shall be carried out strictly in accordance with the approved details.

Reason: To protect and preserve the character of the listed building.

Item 6

Pages 45-62

Application Ref: 17/1086/FUL

Exeter College of Further Education, Hele Road

The following summarises the comments that have been received from consultees after reconsultation on the revised plans:

Arboricultural Officer: No additional comments other than to request that landscape details are submitted and agreed prior to determination and not left to condition. There is no reason why landscape cannot be agreed at the planning stage, leaving landscape to condition nearly always guarantees an inferior scheme.

Lead Local Flood Authority (DCC): No in-principle objection. Due to the change in layout, recommend a condition for a detailed permanent surface water drainage scheme in addition to one for the construction stage previously requested.

Local Highway Authority (DCC): The revised layout is preferred – the amphitheatres provide a refuge allowing pedestrians to stop and wait if they wished. Understand that the car park will be compromised further, but given that the College is aiming for a car-free development and a Travel Plan/Management Plan (for pick up/drop off) is a suggested planning condition, there should be no overspill onto the public highway. Note all student parking should be banned. When phase two of the student accommodation comes forward, more details on vehicular parking and cycle parking will be required, and potentially off-site works. An alternative car park could be explored in a later planning application, as a result of phase 2 eliminating the current car park (including the routes taken by cyclists).

South West Water: No comment on revised plans.

Devon & Somerset Fire & Rescue Service: Made following observations:

- The revised plans appear to show the provision of lobbies to the single staircase demonstrating the intention to provide a protected stair.
- The travel distances within the accommodation appear to be within those recommended by guidance.
- Fire Service vehicular access to the premises does not appear to meet the guidance given under Approved Document B of the Building Regulations.
- Further comments regarding the adequacy of the fire alarm system, fire resistance and general fire strategy cannot be given at this stage until the Fire Authority receives a consultation from the relevant Building Control body under the Building Regulations.

In light of the observation of the Fire & Rescue Service that vehicular access does not appear to meet Building Regulations guidance, the applicant has submitted a sketch showing how fire appliance access is intended to be dealt with. This shows a new path from Howell Road to the building entrance, which “is less than the 18m required from the road to the entry point of the building.” This will necessitate the demolition of a small section of boundary wall on Howell Road. This sketch has been sent to the Fire & Rescue Service for comment.

The following comments have been received from one of the occupiers of The Lodge who previously objected after reconsultation on the revised plans:

“Thank you for sending this over. I have had a look and am struggling to see the difference. It still looking like a massive tower block overlooking my property and St David’s Hill unless I am looking at the wrong plans? In which case my objection still strongly stands. This is a clear infringement of my privacy. Value of my property seriously depreciates. My daylight is taken away. The volume of people using that entrance will also be an issue with noise pollution 24 hours a day. I have enough issues with students as it is leaving the Imperial grounds coupled with the new block of accommodation now built on St David’s Hill, is utter chaos at times.”

A complete set of conditions has been prepared below. These have been sent to the applicant for comment.

1. Standard Time Limit – Full Planning Permission

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans

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

- Location Plan ref. 1259/PL01 Rev A (received 22.11.2017)
- Site layout As Proposed ref. 1259/PL03 Rev B (received 22.11.2017)
- Floor Plans as Proposed Basement to Second Floor Plan ref. 1259/PL04 Rev C (received 22.11.2017)
- Floor Plans As Proposed Third to Roof Plan ref. 1259/PL05 Rev C (received 22.11.2017)
- Elevations As Proposed ref. 1189/PL06 Rev B (received 22.11.2017)
- Sections As Proposed ref. 1189/PL07 Rev B (received 22.11.2017)

- Site Sections As Proposed ref. 1189/PL08 Rev B (received 22.11.2017)

Reason: For the avoidance of doubt and to ensure a satisfactory completion of development.

3. Contamination

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

Reason: To ensure the site is suitable for the use in accordance with Policy EN2 of the Exeter Local Plan First Review and paragraph 121 of the NPPF, taking into account the recommendation in the submitted Phase 1 Desk Study and Phase 2 Preliminary Ground Investigation (Geo Consulting Engineering Ltd, June 2017) for groundwater sampling from the existing standpipes and testing for banded petroleum hydrocarbons. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

4. Archaeology

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

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

5. Badger Sett – Mitigation/Compensation Plan or Licence

No development (including ground works) or vegetation clearance works shall take place until either a mitigation/compensation plan dealing with the affect of the proposed development, including construction, on the badger sett on the site has been submitted to and approved in writing by the Local Planning Authority, or the Local Planning Authority has been provided with a copy of the relevant wildlife licence issued by Natural England authorising the closure of the sett. The mitigation/compensation plan shall be implemented as approved.

Reason: To ensure that badgers (a protected species) are not harmed by the development in accordance with Policy LS4 of the Exeter Local Plan First Review and paragraph 118 of the NPPF, taking into account the recommendation in the submitted Extended Phase 1 Ecological Assessment (Encompass Ecology Ltd., April 2017). This information is required before development commences to ensure that badgers are not killed or otherwise harmed by building operations.

6. Construction Method Statement

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

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) The erection and maintenance of securing hoarding, if appropriate.
- e) Wheel washing facilities.
- f) Measures to control the emission of dust and dirt during construction.

- g) A scheme for recycling/disposing of waste resulting from construction works, with priority given to reuse of building materials on site wherever practicable.
- h) No burning on site during construction or site preparation works.
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

The approved Statement shall be adhered to throughout the construction period of the development.

Reason: To ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses, and in the interests of the safety and convenience of highway users. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

7. Surface Water Drainage Management System (Construction)

No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site. The approved surface water drainage management system shall be implemented and maintained throughout the construction period.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area. (Advice: Refer to Devon County Council's Sustainable Drainage Guidance.) These details are required pre-commencement as specified to ensure that an appropriate drainage system is provided for the construction stage.

8. Detailed Permanent Surface Water Drainage Scheme

No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage scheme for the development has been submitted to and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The scheme shall accord with the principles of sustainable drainage systems, and those set out in the submitted Drainage Statement Rev P01 (Sands, June 2017). The scheme shall include a detailed plan showing the size and location of all parts of the surface water drainage system, and confirm the outfall and discharge rate. It shall also include the arrangements for ongoing maintenance and the management responsibilities for all parts of the site's surface water drainage system. The development shall not be occupied until the permanent surface water drainage scheme has been completed as approved and it shall be continually maintained thereafter in accordance with the approved details.

Reason: To manage water and flood risk in accordance with Policy CP12 of the Core Strategy, Policy EN4 of the Exeter Local Plan First Review and paragraph 103 of the NPPF. These details are required pre-commencement as specified to ensure that an appropriate drainage system is provided for the development and there will be no increased risk of flooding to surrounding buildings, roads and land.

9. Tree Protection 1 – Service Runs

Prior to the commencement of the development, details of all service runs to the development (not including surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority, including depth and any necessary easements. The service runs shall be implemented as approved.

Reason: To ensure the protection of the trees to be retained and new trees. These details are required pre-commencement as specified, as the location of the service runs may influence the construction of the development or conflict with other conditions of this consent.

10. BREEAM

Unless otherwise agreed in writing by the Local Planning Authority the building hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if commenced on or after 1st January 2019. Prior to commencement of development of the building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason: To ensure that the proposal complies with Policy CP15 of the Core Strategy and in the interests of delivering sustainable development. The design stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

11. Tree Protection 2 – Tree Protection Measures

No materials shall be brought onto the site or any development commenced, until the tree protection fencing and other measures shown on the Tree Protection Plan (drawing number TH/X1548/0317 Rev 1.0) attached to the Exeter College – Effect of Proposed Development on Trees letter/report (Advanced Arboriculture, 19th May 2017) submitted with the application have been erected/implemented. The developer shall maintain the fencing and measures to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced areas, nor shall trenches for service runs or any other excavations take place within the fenced area except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason: To ensure the protection of the trees to be retained during the carrying out of the development.

12. Bird Breeding Season

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

Reason: To protect breeding birds in accordance with Policy LS4 of the Exeter Local Plan First Review and paragraph 118 of the NPPF, taking into account the submitted Extended Phase 1 Ecological Assessment (Encompass Ecology Ltd., April 2017).

13. Ecological Mitigation – Badgers

Overnight all excavated holes associated with the construction of the development shall be covered and all trenches shall have sloping planks placed in them.

Reason: To avoid trapping badgers and to provide a means for escape in accordance with the recommendations of the submitted Extended Phase 1 Ecological Assessment (Encompass Ecology Ltd., April 2017).

14. Tree Protection 3 – Arboricultural Method Statement

The Arboricultural Method Statement and Arboricultural Method Statement Plan (drawing number TH/X1548/0317 Rev 1.0) within the Exeter College – Effect of Proposed Development on Trees letter/report (Advanced Arboriculture, 19th May 2017) submitted with the application shall be implemented in full and strictly adhered to during the construction phase of the development.

Reason: To ensure the protection of the trees to be retained during the carrying out of the development.

15. Materials

Prior to the construction of the external walls of the building hereby permitted, samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

Reason: In the interests of design and the character of the area, including the setting of the nearby heritage assets, in accordance with Policy CP17 of the Core Strategy, Policies DG1, C1 and C2 of the Exeter Local Plan First Review, and paragraphs 58 and 131 of the NPPF.

16. Building Details/Obscured Glazing

Prior to the construction of the external walls of the building hereby permitted, details of the following, including confirmation of colour, shall be submitted to and approved in writing by the Local Planning Authority:

- (1) External doors
- (2) Windows, including depth of reveals
- (4) Rain water goods
- (5) Fascia, soffit and barge boards

The north facing, corner windows of the east block and northeast facing windows and glazing of the west block shall be obscured glazed and permanently retained in that condition.

The building shall be constructed in accordance with the approved materials/details.

Reason: In the interests of design and the character of the area, including the setting of the nearby heritage assets, in accordance with Policy CP17 of the Core Strategy, Policies DG1, C1 and C2 of the Exeter Local Plan First Review, and paragraphs 58 and 131 of the NPPF, and to protect the privacy of the dwellings to the north of the site.

17. Noise Impact Assessment – Plant

Prior to the occupation of the development hereby permitted, a noise impact assessment for the building services plant shall be submitted to and approved in writing by the Local Planning Authority. If, following the above assessment, the Local Planning Authority concludes that noise mitigation measures are required, the developer shall then submit a scheme of works to ensure that the development does not have a significant negative impact on local amenity. These measures shall be agreed in writing by the Local Planning Authority and shall be implemented prior to and throughout the occupation of the development.

Reason: In the interests of the amenity of the area, especially nearby residential uses.

18. Detailed Landscaping Scheme

Prior to the occupation of the development hereby permitted, a Detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including details of the stepped footpath from St Davids Hill

and amphitheatres. It shall specify tree and plant species and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation of the development. The soft landscaping shall be planted in the first planting season following the occupation of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of design and the character of the area, including the setting of the nearby heritage assets, in accordance with Policy CP17 of the Core Strategy, Policies DG1, C1 and C2 of the Exeter Local Plan First Review, and paragraphs 58 and 131 of the NPPF.

19. External Lighting Scheme

Prior to the occupation of the development hereby permitted, an External Lighting Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include the location and specification of external lighting and be designed to minimise harm to neighbouring properties and biodiversity. It shall include a bespoke lighting/public art strategy for the stepped pathway. The External Lighting Scheme shall be implemented as approved prior to the occupation of the development. Should any of the external lighting become damaged and need replacement it shall be replaced with external lighting of the same specification. No additional external lighting shall be installed on the site or as part of the development.

Reason: In the interests of design, local amenity, local character and biodiversity in accordance with Policy CP17 of the Core Strategy, Policies LS4, DG1 and DG7 of the Exeter Local Plan First Review, and paragraphs 58, 109, 118 and 125 of the NPPF.

20. Bird and Bat Boxes – biodiversity enhancement

Prior to the occupation of the development hereby permitted, four swift boxes and two bat tubes shall be installed in accordance with the recommendations of the submitted Extended Phase 1 Ecological Assessment (Encompass Ecology Ltd., April 2017).

Reason: To enhance biodiversity in accordance with Policy LS4 of the Local Plan First Review, and paragraphs 109 and 118 of the NPPF.

21. Cycle Parking

Prior to the occupation of the development hereby permitted, design details of the two cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The cycle stores shall be provided in accordance with the approved details prior to the occupation of the development.

Reason: To provide suitable cycle parking in accordance with the Sustainable Transport SPD.