

PLANNING COMMITTEE

Monday 29 October 2018

Present:-

Councillor Sutton (Chair)

Councillors Lyons, Bialyk, Branston, Edwards, Foale, Harvey, Mrs Henson, Morse, Prowse, Sheldon, Thompson and Vizard M

Also Present

City Development Manager, Principal Project Manager (Development) (PJ), Principal Project Manager (Development) (HS) and Democratic Services Officer

179

MINUTES

The minutes of the meeting held on 1 October 2018 were taken as read, approved and signed by the Chair as correct.

180

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

181

PLANNING APPLICATION NO. 18/1185/RES - EAST PARK, UNIVERSITY OF EXETER, STREATHAM CAMPUS, EXETER

The Principal Project Manager (Development) (PJ) presented the application for development to build student accommodation and central amenity facilities up to a maximum of 32,230 square metres with associated infrastructure (Reserved matters application for access, appearance, landscaping, layout and scale following outline permission 16/1232/OUT granted 5 July 2017).

The Principal Project Manager (Development) explained that outline permission had been previously granted with associated conditions and a Section 106 Agreement and detailed the layout plans, elevational details, access arrangements, computer generated images and the elements of the student management plan. He reported the receipt of a further email in respect of the number of students to be accommodated and concerns regarding parking, the City Development Manager referring to changes to conditions three and five as requested by the applicant.

Councillor Owen, having given notice under Standing Order No. 44, spoke on the item. He raised the following points:-

- it is accepted that outline planning permission has been granted but there remain a number of issues of concern to local residents;
- submitted drawings are believed to be incorrect;
- an access road is too close to the arboretum;
- concerns that the pedestrian/cycle route into Higher Hoopern Lane will be used by motorcycles and scooters with fast food deliveries late at night to a large market at great disturbance to neighbouring residents;
- working hours should not include 8:00am to 1:00pm on Saturdays and should be restricted to the normal five day working week and that the hours during the working week, as set out in the condition, should be strictly adhered to unlike in some other developments in the city. The residents have already suffered from certain Sunday working on the campus and the justification put forward for this by the University is not valid;

- Hill Crest Park residents have complained about noise resulting from work near the entrance to the site;
- request that any proposed bund or bank be of sufficient height to reduce noise and dust pollution during construction;
- assurances sought that the northern meadow will not be used for locating caravans accommodating workers;
- a robust student management plan is necessary to prevent anti-social behaviour including the prevention of student parties and bar-b-ques on the northern meadow;
- best practice to be utilised on external lighting to prevent overspill of artificial light;
- residents request that tree screening is effective and that new trees are at least five years old and of significant size and that the University engages with residents on the landscape details; and
- the local community have requested compensation such as the provision of super fast broad band to the residents of Higher Pennsylvania and that a strategy be agreed to facilitate its provision prior to the occupation of the first student flat. This has been achieved in Cambridge as part of planning permission agreed by South Cambridgeshire District Council.

The Principal Project Manager responded to the queries raised:-

- the correct revised drawings had been submitted and changes to the master plan were inevitable during the detailed drawing up of developments and were within the limits set by outline conditions for this development;
- the access road near the arboretum had been narrowed slightly in consultation with Natural England;
- access on to the site by scooters and motorbikes would be difficult to control by condition and would be for the University to monitor;
- a bund/bank may assist in reducing noise and because of concerns around noise during construction. The extra half day construction period would assist in the earlier completion of the development. Further, the central communal area would be located away from residential properties;
- construction vehicles and accommodation facilities were not being provided in the paddock to the north of the site;
- meadow to the north would remain and enhanced as part of the landscape/biodiversity plan;
- a condition had been imposed on the original outline requiring the submission of external lighting details;
- the University would liaise with residents on the tree strategy; and
- the applicant had fully consulted with the Police and Fire authorities

Mr McNeile spoke against the application. He raised the following points:-

- it is understood that this is a reserved matters hearing and that the proposed development has already been approved in principle;
- many of the objectors, and a far greater number at the provisional application, believe it is a development on too large a scale for the site despite the requirement placed on the developers to reduce the quantum and scale of the development;
- significant areas of the site include five storey, 50 bedroom extensions running north/south on the site and is combined with some significantly misleading illustrations in the current submission;
- little faith in the planning process nor the relationship between the University and its immediate neighbours in respect of planning issues;
- it is a done deal and therefore not worth pursuing other than to provide context

- to the remaining areas of objection which are largely concerned with the impact on immediate neighbours of the nearly, three year-long construction period;
- concerns regarding noise generated by vehicles and machinery and power tools as well as generation of dust and overspill of floodlighting during periods of darkness. This is in contrast to the natural and peaceful amenity that has been so important to many local and University residents;
 - the immediate access to quiet green space has been trumpeted as an important part of the University's offer and is also recognised as important in the city's green space strategy;
 - request that building operations are limited to week days only to provide some respite over the prolonged building period to neighbours on and off campus; and
 - request that residents and neighbours are consulted in the development of the detailed tree planting strategy to ensure that sufficiently mature trees (at least five years old) are planted in strategic locations to reduce line of sight overview and reduce acoustic transmission from the finished development and that existing trees are properly maintained in the boundary valleys.

Mr Upton spoke in support of the application. He raised the following points:-

- representing WYG planning consultants. Outline planning permission has been granted for the scale of the development proposed by this reserved matter application, subject to a number of strict parameters;
- the main purpose is to accommodate more students, particularly first years, on campus to benefit the wider community by reducing pressure on the City's housing stock and support the University's plans for gradual growth over the next few years;
- the proposed floor area, the height of each building and the location of each building within the site accords with the approved parameters for the site. On average, the proposed buildings are over one metre lower than the approved height parameters, with some of them being as much as four metres lower than the approved scheme;
- the key considerations are the design and appearance of the buildings and the proposed landscape setting with the design evolved through a number of meetings with key stakeholders such as the Design Review Panel, the Fire and Police services and Council's officers as well as consultation with the local community;
- the scheme has been improved since outline permission by retaining trees and hedges, enhancing the overall bio-diversity of the site through the creation of wild meadows and the planting of over 450 trees and lowering the buildings;
- care had been taken to reduce environmental and residential amenity impacts through submitted bespoke construction management plans, noise, air quality, lighting and noise assessments;
- a Combined Heat and Power system is proposed to provide electricity and heat to the whole site to ensure the outline permission requirement for a BREEAM excellent rating and carbon reduction is achieved; and
- the approach taken is considered to be logical in design terms and is landscape led, proposing buildings set into the landscape and using high quality materials.

He responded as follows to Members' queries:-

- a condition requiring the provision of broad band to the wider community would not be practical. Although infrastructure can be provided there would be difficulties in agreeing provision with the utilities. It would be for the community and the University to lobby separately;
- the landscape scheme will include the larger "heavy standard" trees and these

will be provided in key locations to provide additional screening as well as ensuring that any gaps in the hedgerows are replaced to accord with the existing hedge height. Consultation will take place with residents on the scheme;

- lifts within the blocks can accommodate heavy electric wheelchairs;
- development includes sprinklers and any fire alarms will be filtered through the campus wide control centre before emergency vehicles are called. Devon and Somerset Fire and Rescue Service consulted and access roads to the campus fully "tracked";
- Natural England consulted on biodiversity issues;
- students will be required to sign a residents' agreement;
- a mitigation manager will meet fortnightly with residents to discuss the construction plan and seek to resolve any problems including those relating to noise. Construction will not occur on Sundays; and
- the construction and environment plan identifies a site within the development in the south west corner away from neighbouring properties and adjacent streets for the location of vehicles and materials.

The Principal Project Manager (Development) (PJ) further explained that a student management plan will include 24 hour warden living on the site, additional University Partnerships Programme staff and a 24 hour security presence. The developer and University had undertaken to ensure robust tenant liaison. In response to a Member, he also confirmed that a five and a half day working week was standard practise and had been set out in the outline permission.

The recommendation was for approval, subject to the conditions as set out in the report.

RESOLVED that planning permission for development to build student accommodation and central amenity facilities up to a maximum of 32,230 square metres with associated infrastructure (Reserved matters application for access, appearance, landscaping, layout and scale following outline permission 16/1232/OUT granted 5 July 2017) be **APPROVED**, subject to the following conditions:-

- (1) The development hereby approved must be begun with five years from the date of the grant of outline planning permission, or two years from the final approval of the reserved matters, whichever is the longer.
Reason: To ensure compliance with section 91 and 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 by the Local Planning Authority on 9 August 2018 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. The following materials shall not be used before their approval is obtained in writing and the materials used in the construction of the development shall correspond with the approved samples in all respects.
 - i) hard surfacing material;
 - ii) external light fittings.**Reason:** To ensure that materials conform with the visual requirements of the area.

- (4) All conditions imposed on notice of outline approval (ref no. 16/1232/FUL) are hereby reiterated in as much as they relate to the development and have yet to be discharged in writing by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
- (5) Notwithstanding condition 2, no superstructure work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and shall thereafter be provided in accordance with such details:
- i) brick detailing including mortar colour;
 - ii) cladding including colour and fixings;
 - iii) windows framing including reveals and cills;
 - iv) roofing material.
- Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.

Notes to Applicant:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. A Liability Notice is attached to this permission. It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid Commencement Notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.
3. In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. This AA has been carried out and concludes that the development is such that it is highly unlikely to have a significant impact on protected habitats, alone or in combination with other plans or projects.

PLANNING APPLICATION NO 18/1405/FUL - LAND AT SUMMERLAND STREET, EXETER

The Principal Project Manager (Development) (HS) presented the application for demolition of existing buildings (Transport Club and Exeter Auto Centre) and redevelopment to provide student accommodation (sui generis), ancillary facilities, and ground floor uses in classes A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements.

The Principal Project Manager (Development) reported that the application was a revised design following issues raised at this Committee in July of this year when the previous application had been refused, The design now presented being that

preferred after a series of options had been put to the Planning Member Working Group. He detailed the amendments being revision to the external design and increase in the number of studio rooms by three through sub-division of a larger studio and enlargement of the top floor. The design and materials also better reflected that of the adjoining Phase 1 of the overall development.

The key issues remained noise impact on residents, contamination (both of which could be dealt with by condition following submission of surveys) and design.

Mr O'Brien spoke in support of the application. He raised the following points:-

- represent the applicant, Graduation Exeter (Phase 2) Limited. The previous refused scheme had been acceptable in all respects apart from appearance and shape;
- since July, there had been engagement on design options, the revised design seeking to address concerns and the reason for refusal and then put to the Planning Member Working Group on 28 August 2018, with feedback confirming that the design was preferred over the other options presented;
- City Council planning officers were fully supportive of all aspects of the revised application;
- the applicant is keen to deliver this scheme at the earliest opportunity following the progress being made on the construction of Phase 1 and to speed up delivery of Phase 2, the majority of the vacant buildings on site having been demolished;
- the scheme offered a good quality development delivering purpose built accommodation to assist in reducing the current shortfall in supply. The smaller rooms of Phase 2 delivered an affordable option to students with rents being lower than those of Phase 1. It completed the development of this key city centre site and was a further step to the delivery of the Council's vision for the Grecian Quarter. The introduction of ground floor retail and leisure floor-space would create activity along Summerland Street and public realm improvements, including widening of pavements and tree planting as well as new employment opportunities. The development would complete this key city centre block following the Phase 1 development.

He responded as follows to Members' queries:-

- although precise data could not be provided at the meeting there was significant evidence from other University Cities that there was a shift in student occupation from houses in multiple occupation to purpose built student accommodation. This was a feature particularly in towns and cities with University's with growing student numbers, as was the case in Exeter, where it was also a key economic driver;
- prior permission had been obtained for demolition; and
- no application had been made for additional hours of construction.

Responding to Members, who referred to problems reported regarding working outside permitted hours on Phase I, the Principal Project Manager (Development) advised that these issues had been taken up with the developer and that more formal action would be taken by the planning authority should the issues persist. The City Development Manager further advised Members that occupancy of purpose built student accommodation was very close to 100% with information on the University web showing that many were full prior to the beginning of the student year.

Some Members expressed continued disquiet regarding the design considering it

to be over dominant in the skyline with one Member referring to a view that the revision had still failed to address the rectangular block nature of the proposal. It was explained that no pedestrian access had been lost and the pavements would be widened by stepping back of the building line.

Other Members, whilst in support, referred to the growing preponderance of new student blocks in the city centre, one suggesting that locations slightly peripheral to the centre would be more appropriate along with on campus locations. Another Member, in addition to referring to the need for data to be provided on the existing and predicted student occupancy rates across all types of accommodation, was concerned that such developments were at the expense of general housing provision, particularly given the continuing pressures on the housing market. There was some consensus that clarity on the delivery of student accommodation versus demand was necessary to better inform and monitor the background to, and decisions on, such applications.

The City Development Manager referred to the report of Professor Smith of Loughborough University to the Planning Member Working Group in July which concluded that the provision of purpose built accommodation was the appropriate way forward and that there was evidence that such provision was freeing up houses in multiple occupation for use by the wider population and keeping rent levels down.

The recommendation was for approval, subject to the conditions as set out in the report.

RESOLVED that, subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990, securing:-

- a restriction to student occupation;
- a Student Management Plan;
- a financial contribution of £19,968.72 towards District Heating delivery to this site;
- occupation to be in conjunction with the Phase I development; and
- off site highway works;

planning permission for demolition of existing buildings (Transport Club and Exeter Auto Centre) and redevelopment to provide student accommodation (sui generis), ancillary facilities, and ground floor uses in classes A1, A2, A3, A4, B1, D1 and D2, cycle parking provision and public realm improvements be **APPROVED**, subject also to the following conditions:-

- (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 by the Local Planning Authority as listed below and as modified by other conditions of this consent.
Floor and roof plans 001224-AHR-AP-010 rev P03, AP-011 rev P03, AP-012 rev P03, AP-013 rev P03, AP-014 rev P03, AP-015 rev P03, AP-016 rev P03, and AP-017 rev P03 received 26 September 2018.
Elevations 001224-AHR-AP-110 rev P03, AP-111 rev P03, AP-112 rev

P03, and AP-113 rev

P03 received 26 September 2018.

Sections drawings 001224-AHR-AP-200 rev P03, AP-201 rev P03, and AP-202 rev P03, and

AP-203 rev P03 received 26 September 2018.

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

- (3) a schedule of all materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. Samples of the materials shall be submitted as requested. 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 materials 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 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) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning

Authority in writing until condition 4 has been complied with in relation to that contamination.

a. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include;

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to;
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes adjoining land,
 - ground waters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

d. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part c.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- (8) 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, which shall be kept clear of graffiti and fly-posting
 - (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 and vibration nuisance to neighbours from plant and machinery
 - (j) No driven piling without prior consent from the LPA
 - (k) 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: In the interest of reasonable amenity of surrounding occupiers.

- (9) Details of the storage and management of waste for each commercial unit and the residential accommodation shall be agreed in writing by the Local Planning Authority before that part of the development is first occupied.

Reason: In the interest of public health and amenity and to ensure footways are not obstructed.

- (10) The applicant shall make recommendations for sound insulation based

on the submitted Mach Residential Environmental Noise Assessment revision P08 dated 21 September 2018. The sound insulation measures shall be submitted to the LPA for approval in writing prior to commencement of the development, and implemented in full prior to occupation of the development. The approved insulation shall be maintained as agreed thereafter. Measures to protect against noise should not conflict with the needs of future occupants to prevent and address over-heating.

Reason: In the interests of the living conditions of future occupiers.

- (11) Prior to the commencement of any commercial kitchen, the kitchen ventilation system for kitchen shall be installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The details shall include drawings of the location and design of the system, and information on how odour emissions shall be controlled, including abatement, and how the system shall be maintained to ensure it does not adversely affect the amenity of surrounding uses. The applicant is advised that further guidance on the required information is available in annex B of the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

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

- (12) Before any unit is brought into an A3, A4, D1 or D2 use, a noise assessment shall be undertaken and submitted for approval to the LPA. This shall assess the impact of noise from the use on nearby receptors, and make recommendations for mitigation or control measures where necessary. The report shall be approved in writing by the LPA, and any agreed mitigation and control measures implemented in full prior to the commencement of the use.

Reason: In the interests of residential amenity.

- (13) 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 cumulative noise from all plant shall not exceed 5dB below the existing background noise level at the site boundary. 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.

- (14) The Energy Plant installed and operated at the development shall meet all the criteria and specifications described in section A4 of the submitted report 'Air Quality Assessment: Land Off Summerland Street Exeter' (ref J322), from Air Quality Consultants dated 18 April 2018. Any changes to the criteria and specifications (either at the time of installation or at any point thereafter) should be agreed in writing in advance with the Local Planning Authority.

Reason: In the interests of protecting air quality.

- (15) No part of the development hereby approved shall be brought into its intended use until further details of pedestrian/cycle facilities/crossing points in the immediate area (including from the site to Belgrave Road/Bampfylde Street) have been approved in writing by the Local

Planning Authority. No part of the development shall be occupied until the facilities have been provided, surfaced and marked out in accordance with the approved plans retained for those purposes at all times. The applicant will need to enter into a S278 agreement.

Reason: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the NPPF

- (16) No part of the development hereby approved shall be brought into its intended use until the redundant dropped kerbs adjacent to the site have been reinstated 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.
- (17) 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.
- (18) No development shall take place until adequate areas shall have been made available within the site, or other areas as agreed in writing by the local planning authority, to accommodate operatives' vehicles, construction plant and materials and a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.
The statement should include details of access arrangements, measures to minimise the impact on the adjacent footpath and timings of the proposed works. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and public amenity
- (19) Details of secure 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 cycle parking facilities have been provided in accordance with the submitted details.
Reason: To provide adequate facilities for sustainable transport.
- (20) The residential accommodation shall be constructed with centralised hot water 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.
- (21) Unless otherwise agreed, notwithstanding condition no. 3, no work shall

commence on the fit-out of tenant and associated landlord areas of the A, B and D class units on the ground and lower ground floors until 'Sustainable Fit-out Guidance' for these areas has been submitted to and approved by the Local Planning Authority. The fit-out of these areas shall only thereafter be carried out in accordance with the approved guidance.
Reason: Insufficient information has been submitted with the application and in the interests of sustainable development.

- (22) Unless otherwise agreed in writing by the Local Planning Authority the A, B and D class units on the ground and lower ground floors hereby approved shall achieve an overall BREEAM scoring of 60 percent or greater for shell and core only. Unless otherwise agreed in writing by the Local Planning Authority the residential units hereby approved shall achieve an overall BREEAM scoring of "excellent" (70 percent or greater). Prior to commencement of any above ground construction works the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report(s) to demonstrate 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 the 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.

- (23) The recommendations in section 8 of the Explosive Ordnance Desk Top Study for Stagecoach Bus Depot, Belgrave Road, Exeter (project 15200) dated 11/05/2015 shall be complied with in full, throughout the works to implement this consent.
Reason: In the interests of public safety.

Informatives

1. In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. The Local Planning Authority considers that this development will be CIL (Community Infrastructure Levy) liable. Payment will become due following commencement of development. Accordingly your attention is drawn to the need to complete and submit an 'Assumption of Liability' notice to the Local Planning Authority as soon as possible. A copy is available on the Exeter City Council website.
It is also drawn to your attention that where a chargeable development is commenced before the Local Authority has received a valid commencement notice (ie where pre-commencement conditions have not been discharged) the Local Authority may impose a surcharge, and the ability to claim any form of relief from the payment of the Levy will be foregone. You must apply for any relief and receive confirmation from the Council before commencing development. For further information please see www.exeter.gov.uk/cil.
3. A legal agreement under Section 106 of the Town and Country Planning Act

1990 relates to this planning permission.

4. In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Areas (SPA), the Exe Estuary and East Devon Pebblebed Heaths, which are designated European sites. This AA has been carried out and concludes that the development is such that it is highly unlikely to have a significant impact on protected habitats, alone or in combination with other plans or projects.

183 **PLANNING APPLICATION NO 18/1241/ECC - ARENA SKATE PARK, SUMMER LANE, EXETER**

The Principal Project Manager (Development) (PJ) presented the application for replacement of existing skate facility with the addition of a lighting system. He reported that the application did not involve a change of use and that six lighting columns, eight metres in height would be provided. No light spillage was anticipated as the site was separated from residential properties by the railway line. Users of the facility had been consulted, many having asked for usage beyond daylight hours.

The applicant was Exeter City Council.

Paul Faulkner responded to Members' queries on behalf of the City Council. Noting a request for lights to be downward facing onto the site, he advised that hours of use would be controlled by a passive infrared sensor light control mechanism and that the lighting would be turned off at 9:30pm, starting to fade prior to that to alert users to the termination time.

A Member welcomed the proposal for this community driven project in a ward where much additional housing was being developed.

The recommendation was for approval, subject to the conditions as set out in the report.

RESOLVED that planning permission for replacement of existing skate facility with the addition of a lighting system be approved, subject to the following conditions:-

- (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 and 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 by the Local Planning Authority on 15 August 2018 (including concept drawings, light spillage ISO contours plan, light spillage results plan, and technical specification for lights), and 26 September 2018 (dwg. no. Exeter-DLP01) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- (3) No site machinery or plant shall be operated, no process shall be carried

out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 8am to 6pm Monday to Friday, 8am to 1pm Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

- (4) The floodlights hereby approved shall only be illuminated between 16.00 hours and 21.30 hours Monday to Sunday.

Reason: In the interests of residential amenity.

184

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

185

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

186

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 20 November 2018 at 9.30 a.m. The Councillors attending will be Foale, Sutton and Thompson.

(The meeting commenced at 5.30 pm and closed at 7.32 pm)

Chair