PLANNING

Date: Monday 26 October 2020
Time: 5.30 pm
Venue: Legislation has been passed that allows Council's to conduct Committee meetings remotely

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Membership -
Councillors Morse (Chair), Williams (Deputy Chair), Bialyk, Branston, Foale, Ghusain, Hannaford, Harvey, Mrs Henson, Mitchell, M, Sparkes, Sutton and Wright

Agenda

Part I: Items suggested for discussion with the press and public present

5 **Update Sheet** (Pages 3 - 18)

Date of Next Meeting

The next scheduled meeting of the Planning Committee will be held on **Monday 16 November 2020** at 5.30 pm in the Civic Centre.

Find out more about Exeter City Council services by looking at our web site *http://www.exeter.gov.uk.* This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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PLANNING COMMITTEE – 26TH October

ADDITIONAL INFORMATION

Correspondence received and matters arising following preparation of the Agenda

Planning Application No. 19/1556/FUL - The Harlequin Centre, Paul Street, Exeter

The Council's locum planning solicitor has confirmed that the Local Highway Authority's request to include details of the type of materials used on the highways under Section 44 of the Highways Act 1980 can be included within the s106 agreement. This is to ensure that the materials used on the unadopted parts of the highway are maintained by the owners of the Co-Living accommodation block and hotel in perpetuity. Final comments are still awaited from the Lead Local Flood Authority. Therefore, the recommendation in Section 18.0 of the Planning Committee Report is updated to:

18.0 RECOMMENDATION

A) DELEGATE TO CITY DEVELOPMENT MANAGER TO GRANT PERMISSION SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO SECURE THE FOLLOWING:

- Co-living Management Plan/Monitoring
- 20% of the dwellings within the co-living block will be affordable private rented with first priority to essential local workers.
- £107,375 habitats mitigation.
- £25,000 towards management, maintenance, repair and promotion of City Wall.
- £100,000 for maintenance/upgrade of off-site public open spaces.
- £25,000 for maintenance/upgrade of off-site play areas.
- £10,000 towards traffic regulation orders in the area.
- Details of VMS/signage to manage the use of the Guildhall car park
- Details of the type of materials used on the highway (section 44 of the Highways Act 1980)
- Management Plan to ensure no parking is associated with the development and to ensure the operational facilities of the loading bays (in conjunction with the Guildhall)
- Rights of access for all users for the new footbridge over the highway
- Rights of access for all users to the City Wall

All S106 contributions should be index linked from the date of resolution.

And the following conditions:

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 and Documents

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

- Existing Site Location Plan (EHQ-LHC-EX-ZZ-L01.01 C02)
- GA Plan (EHQ -LHC-ZZ-XX-DR-L - 02-01 C06)
- Hardworks Plan (EHQ -LHC-ZZ-XX-DR-L - 93-01 C05)
- Softworks Plan (EHQ -LHC-ZZ-XX-DR-L - 94-01 C05)
- Rooftop Softworks Plan (EHQ -LHC-ZZ-ZZ-DR-L - 94-02 C04)
- Footbridge Sections (EHQ -LHC-XX-XX-DR-A - 03.04 C02)
- Indicative 'Insect Hotel' to Green/Brown Roofs (EHQ -LHC-ZZ-XX-DR-L - 93.40 C02)
- Indicative Information Kiosk Layout (EHQ -LHC-XX-XX-DR-AR - 97.01 C02)
- Landscape Details Sheet 1 of 2 (EHQ -LHC-XX-XX-DR-L - 93.10 C03)
- Landscape Details Sheet 2 of 2 (EHQ -LHC-XX-XX-DR-L - 93.20 C03)
- 'Stumpery' Detail to Habitat Pocket Park (EHQ -LHC-XX-XX-DR-L - 93.30 C02)
- Proposed SE and SW Elevations (EHQ -LHC-ZZ-ZZ-DR- A - 04.10 C05)
- Proposed NE and NW Elevations (EHQ -LHC-ZZ-ZZ-DR- A - 04.11 C05)
- Proposed Site Sections 1-1 and 2-2 (EHQ -LHC-ZZ-ZZ-DR- A - 03.10 C03)
- Proposed Site Sections A-A and B-B (EHQ -LHC-ZZ-ZZ-DR- A - 03.11 C03)
- Proposed Site Sections C-C, D-D and E-E (EHQ -LHC-ZZ-ZZ-DR- A - 03.12 C03)
- Proposed Site Sections F-F and G-G (EHQ -LHC-ZZ-ZZ-DR- A - 03.13 C02)
- Proposed Site Sections H-H and I-I (EHQ -LHC-ZZ-ZZ-DR- A - 03.14 C02)
- Proposed Site Sections J-J and K-K (EHQ -LHC-ZZ-ZZ-DR- A - 03.15 C02)
- Proposed Site Section L-L (EHQ -LHC-ZZ-ZZ-DR- A - 03.16 C02)
- B1 Lower Ground Floor Plan (EHQ -LHC-01-LGF-DR-A-02.01 C04)
- B1 Ground Floor Plan (EHQ -LHC-01-GF-DR-A-02.02 C04)
- B1 Upper Ground Floor (Mezzanine) Plan (EHQ -LHC-01-UGF-DR-A-02.03 C04)
- B1 First Floor Plan – Sheet 1 of 2 (EHQ -LHC-01-01-DR-A-02.04 C04)
- B1 First Floor Plan – Sheet 2 of 2 (EHQ -LHC-01-01-DR-A-02.11 C04)
- B1 Second Floor Plan – Sheet 1 of 2 (EHQ -LHC-01-02-DR-A-02.05 C05)
- B1 Second Floor Plan – Sheet 2 of 2 (EHQ -LHC-01-02-DR-A-02.12 C04)
- B1 Third Floor Plan (EHQ -LHC-01-03-DR-A-02.06 C04)
- B1 Fourth Floor Plan (EHQ -LHC-01-04-DR-A-02.07 C04)
- B1 Fifth Floor Plan (EHQ -LHC-01-05-DR-A-02.08 C04)
- B1 Roof Plan (EHQ -LHC-01-06-DR-A-02.09 C04)
- B1 North East Elevation (EHQ -LHC-01-ZZ-DR-A-04.02 C03)
- B1 South-East Elevation (EHQ -LHC-01-ZZ-DR-A-04.01 C03)
- B1 South West Elevation (EHQ -LHC-01-ZZ-DR-A-04.04 C03)
- B1 Colonnade Elevation (EHQ -LHC-01-ZZ-DR-A-04.06 C03)
- B1 North West Elevation (EHQ -LHC-01-ZZ-DR-A-04.03 C03)
- B1 S-E 2 and N-W 2 Elevations (EHQ -LHC-01-ZZ-DR-A-04.05 C03)
- B1 Section A-A (EHQ -LHC-01-ZZ-DR-A-03.01 C03)
- B1 Section B-B (EHQ -LHC-01-ZZ-DR-A-03.02 C03)
- B1 Section C-C (EHQ -LHC-01-ZZ-DR-A-03.03 C03)
- B1 Section D-D (EHQ -LHC-01-ZZ-DR-A-03.04 C03)
- B2 Car Park Plan (EHQ -LHC-02-LGF-DR-A -02.02 C04)
- B2 Entrance Levels Floor Plan (EHQ -LHC-02-02-DR-A -02.01 C04)
- B2 Ground Floor Plan (EHQ -LHC-02-G-DR-A -02.03 C04)
- B2 First Floor Plan (EHQ -LHC-02-01-DR-A -02.04 C04)

- B2 Second Floor Plan (EHQ -LHC-02-02-DR-A -02.05 C04)
- B2 Third Floor Plan (EHQ -LHC-02-03-DR-A -02.06 C04)
- B2 Fourth Floor Plan (EHQ -LHC-02-04-DR-A -02.07 C04)
- B2 Roof Plan (EHQ -LHC-02-05-DR-A -02.08 C04)
- B2 North East Elevation (EHQ -LHC-02-ZZ-DR-A -04.04 C03)
- B2 South East Elevation (EHQ -LHC-02-ZZ-DR-A -04.01 C03)
- B2 South West Elevation (EHQ -LHC-02-ZZ-DR-A -04.02 C03)
- B2 North West Elevation (EHQ -LHC-02-ZZ-DR-A -04.03 C04)
- B2 Section 1-1 (EHQ -LHC-02-ZZ-DR-A -03.01 C04)
- B2 Section 2-2 (EHQ -LHC-02-ZZ-DR-A -03.02 C04)
- B2 Section 3-3 (EHQ -LHC-02-ZZ-DR-A -03.03 C04)
- B2 Section A-A (EHQ -LHC-02-ZZ-DR-A -03.04 C04)
- B2 Section B-B (EHQ -LHC-02-ZZ-DR-A -03.05 C04)
- B2 Section C-C (EHQ -LHC-02-ZZ-DR-A -03.06 C04)
- B2 Section D-D (EHQ -LHC-02-ZZ-DR-A -03.07 C04)
- B2 Section E-E (EHQ -LHC-02-ZZ-DR-A -03.08 C04)
- Proposed Highway Layout Plan (Paul Street) (PHL-101 I)
- Queen Street/Paul Street General Arrangements (GA-101 C)
- North Street/Paul Street General Arrangements (GA-102 D)

- Arboricultural Impact Assessment Report (Aspect Tree Consulting, 07/10/2019)
- Ecological Assessment Report (EAD Ecology, October 2019)
- Technical Note – Ecological Assessment Report Addendum – Biodiversity Net Gain Assessment (EAD Ecology, 12/05/2020)
- Drainage Strategy Rev H (Cambria Consulting Ltd, May 2020)
- Passivhaus Planning Package Pre-assessment Report Rev 04 (Exeter City Living, May 2020)
- Archaeological Addendum Report (Cotswold Archaeology, August 2020)
- Exeter City Wall, Lying Between Northernhay Street and Paul Street – Preliminary Assessment of the Environmental and Conservation Impact of the Development of the Harlequins Centre (Tobit Curteis Associates LLP, July 2020)
- Exeter City Wall Section Between Northernhay Street and Paul Street Condition Survey and Conservation Appraisal (Odgers Conservation Consultants, July 2020)
- Exeter City Wall, lying between Northernhay Street and Paul Street – Overview report on the Structural Condition, relating to the Harlequins Centre Redevelopment (Mann Williams Consulting Civil and Structural Engineers, July 2020)
- Exeter City Wall, Section Between Northernhay Street and Paul Street Conservation Assessment Summary Results (Tobit Curteis, David Odgers, John Mann, 21/07/2021)

Reason: To ensure the development is constructed in accordance with the approved plans and documents, unless modified by the other conditions of this permission.

Pre-commencement Details

3. Programme of Archaeological Work

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.

4. Contaminated Land

No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

5. Surface Water Drainage (TBC by LLFA)

No development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

a) A detailed drainage design based upon the submitted Drainage Strategy (Ref. CB1780-Rep01-H; Rev. H; dated 7th May 2020);
b) Detailed proposals for the management of surface water run-off from the site during the demolition and construction phases of the development;
c) Proposals for the adoption and maintenance of the permanent surface water drainage system; and
d) A plan to show how exceedance flows will be managed at the site.

The development shall not be occupied until the works approved under (a)-(d) above have been implemented in accordance with the approved details under (a)-(d).
Reason: To ensure that surface water drainage is managed sustainably in accordance with Policy CP12 of the Core Strategy and paragraph 165 of the NPPF (2019). These details are required pre-commencement as specified to ensure that appropriate surface water drainage management systems are in place during the demolition/construction phases and after the development has been completed, and that these systems will be properly maintained to prevent adverse risk to the environment.

6. Foundation Details, Landscaping Formation Levels and Service Trench Routes

No development shall take place within the application site until the following details have been submitted to and approved in writing by the Local Planning Authority:

- the means of construction of the foundations of the buildings;
- landscaping formation levels; and
- service trench routes (including foul drainage).

The details shall be implemented as approved.
Reason: To ensure that disturbance to important archaeological remains is minimised in accordance with saved Policy C5 of the Exeter Local Plan First Review, and that there will be no impact to controlled waters in accordance with saved Policy EN3 of the Exeter Local Plan First Review and the Environment Agency response dated 29th November 2019. These details are required pre-commencement as specified to ensure that no works commence that may impact archaeological remains and controlled waters.

7. Construction and Environmental Management Plan (CEMP)

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

a) Demolition and construction programme including integration of archaeological tasks from Condition 3.
b) Protection and monitoring arrangements and measures for the City Wall adjoining the site during the demolition and construction phases taking into account the recommendations of the submitted reports regarding the City Wall, as referred to in the Heritage Officer's comments dated 20th August 2020 and 6th October 2020.
c) The site access point(s) of all vehicles to the site during the demolition and construction phases.
d) The parking of vehicles of site operatives and visitors during the demolition and construction phases.
e) The areas for loading and unloading plant and materials during the demolition and construction phases.
f) Storage areas of plant and materials during the demolition and construction phases.
g) The erection and maintenance of securing hoarding.
h) Wheel washing facilities.
i) Strategy to measure and control the emission of dust and dirt during the demolition and construction phases (including boundary dust monitoring).
j) No burning on site during the demolition and construction phases, or site preparation works.
k) Strategy to measure and minimise noise/vibration nuisance to neighbours from plant and machinery during the demolition and construction phases.
l) Demolition/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.
m) No driven piling without prior consent of the Local Planning Authority.

The approved document shall be strictly adhered to throughout the demolition and construction phases of the development.
Reason: To ensure that the demolition and construction works are carried out in an appropriate manner to preserve and protect heritage assets, in the interests of the safety and convenience of highway users, and to minimise the impact on the amenity of the properties in the neighbourhood. These details are required pre-commencement as specified to ensure that a plan is in place to ensure that the development works are carried out in an appropriate manner.

8. Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.
Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that waste generated during demolition and construction is managed sustainably.

9. Tree Protection

No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, Demolition and Construction (or any superseding British Standard). Unless otherwise agreed in writing with the Local Planning Authority, the developer shall maintain such fences 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 areas 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 during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

10. Co-Living Energy Performance (Policy CP15)

Before commencement of construction of the superstructure of the co-living accommodation block hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of the building the developer will submit a report to the Local Planning Authority from a suitably qualified consultant to demonstrate compliance with this condition.
Reason: In the interests of sustainable development and to ensure that the development accords with Policy CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure that the requirements of Policy CP15 are met and the measures are included in the construction of the building.

11. Hotel to achieve BREEAM ‘Excellent’ standards (Policy CP15)

Unless otherwise agreed in writing by the Local Planning Authority, the hotel hereby approved shall achieve a BREEAM excellent standard (70% score) as a minimum. Prior to commencement of development of the hotel, the developer shall submit to the Local Planning Authority a BREEAM design (interim) 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, 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 (interim) stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

Pre-tree and Vegetation Clearance Works

12. Bird Nesting Season

No tree works or felling, or other vegetation clearance works shall be carried out on the site during the bird nesting 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 nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.
Reason: To protect nesting birds in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 175 of the NPPF (2019).

During Demolition and Construction Phases

13. Unsuspected Contamination

If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amended investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority.
Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

Pre-Specific Works

14. Demolition

The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.
Reason: In the interests of the appearance of the Conservation Area.

15. Materials – Co-Living

Prior to the construction of the Co-Living accommodation block (not including the foundations), 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 good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 127 and 130 of the NPPF (2019).

16. Materials – Hotel

Prior to the construction of the hotel (not including the foundations), 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 good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 127 and 130 of the NPPF (2019).

17. Artwork – Co-Living

Prior to the construction of the Co-Living accommodation block (not including the foundations), details of the artwork that will be incorporated on the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved details.
Reason: In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 127 and 130 of the NPPF (2019).

18. Artwork – Hotel

Prior to the construction of the hotel (not including the foundations), details of the artwork that will be incorporated on the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved details.
Reason: In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 127 and 130 of the NPPF (2019).

19. Co-living Green Roof – Details/Maintenance

Prior to the construction of the Co-Living accommodation block (not including the foundations), the detailed design of the green roof system together with a scheme for its management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green roof system shall be constructed, managed and maintained as approved.
Reason: In the interests of good design and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review, and paragraphs 127, 130 and 175 of the NPPF (2019).

20. Hotel Green Roof – Details/Maintenance

Prior to the construction of the hotel (not including the foundations), the detailed design of the green roof system together with a scheme for its management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green roof system shall be constructed, managed and maintained as approved.
Reason: In the interests of good design and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review, and paragraphs 127, 130 and 175 of the NPPF (2019).

21. Hotel Green Wall – Details/Maintenance

Prior to the construction of the hotel (not including the foundations), the detailed design of the green wall system together with a scheme for its management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green wall system shall be constructed, managed and maintained as approved.

Reason: In the interests of good design, the character and appearance of the Conservation Area and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 127, 130 and 175 of the NPPF (2019).

22. Co-Living Integral Bird Boxes

Prior to the construction of the Co-Living accommodation block (not including the foundations), details of the provision for nesting birds in the built fabric of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as part of the development and retained thereafter.
Reason: To enhance biodiversity on the site in accordance with Policy CP17 of the Core Strategy, the Residential Design Guide SPD (Appendix 2) and paragraph 175 of the NPPF.

23. Hotel Integral Bird Boxes

Prior to the construction of the hotel (not including the foundations), details of the provision for nesting birds in the built fabric of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as part of the development and retained thereafter.
Reason: To enhance biodiversity on the site in accordance with Policy CP17 of the Core Strategy and paragraph 175 of the NPPF.

24. Co-Living Obscured Glazing

Prior to the construction of the Co-Living accommodation block (not including the foundations), details of the provision of obscured glazing on the northwest elevations of the building shall be submitted to and approved in writing by the Local Planning Authority. This shall include the frosted privacy glass windows indicated on the approved floor plans and frosted glazing indicated on the N-W 2 elevation, which shall be permanently fixed closed, and the windows of the cluster rooms and studios on the N-W 2 elevation with a line of sight to 39 Northernhay Street, which shall be partially obscured at a low level. The details shall include the level of obscurity of the glazing. The details shall be implemented as approved and maintained at all times thereafter.
Reason: To protect the privacy of neighbouring properties in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

25. Hotel Obscured Glazing

Prior to the construction of the hotel (not including the foundations), details of the provision of obscured glazing on the northwest elevations of the building shall be submitted to and approved in writing by the Local Planning Authority. This shall include the frosted glass to NW corridor glazing indicated on the North West Elevation drawing, which shall be permanently fixed closed, and the windows of the bedrooms on the first, second and third floors facing northwest, which shall be partially obscured at a low level. The details shall include the level of obscurity of the glazing. The details shall be implemented as approved and maintained at all times thereafter.
Reason: To protect the privacy of neighbouring properties in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

26. Bridge

The new footbridge over Paul Street shall not be constructed until an Approval in Principle for the design of the bridge has been agreed by the Local Highway Authority. The footbridge shall be constructed as approved.

Reason: To ensure the safe construction of the footbridge and the integrity of adjacent structures and land.

Pre-occupation

27. 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 all boundary treatments. Where applicable, 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 good design in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraphs 127 and 130 of the NPPF (2019).

28. Landscape and Ecology Management plan (LEMP)

Prior to the occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be prepared in accordance with the specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard) and shall include the following:

a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
g) Details of the body or organisation responsible for implementation of the plan.
h) On-going monitoring and remedial measures for biodiversity features included in the LEMP.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

All post-construction site management shall be undertaken in accordance with the LEMP.
Reason: In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 127 and 175 of the NPPF.

29. 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 details of the location, type, illuminance and light spill of the external lighting on the site. The scheme shall be implemented and maintained as approved.

Reason: In the interests of good design and the character and amenity of the area, in accordance with Policy CP17 of the Core Strategy, saved Policies DG1 and DG4 of the Exeter Local Plan First Review, and paragraphs 127 and 130 of the NPPF (2019).

30. Lighting Impact Assessment

Prior to the occupation of the development hereby permitted, a Lighting Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall assess the impact of internal and external light spill on neighbouring properties. The recommendations of the approved Lighting Impact Assessment to minimise harm to the neighbouring properties, including any timing controls, shall be implemented in full.
Reason: In the interests of the amenity of neighbouring properties, in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

31. Detailed Design and Management of the Interpretation Centre

Prior to the occupation of the development hereby permitted, the detailed design and management of the Interpretation Centre shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed site interpretation panels. The Interpretation Centre shall be constructed and managed as approved.
Reason: In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 127 and 130 of the NPPF (2019).

32. CCTV

Prior to the occupation of the development hereby permitted, a strategy for the distribution and management of CCTV on the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include the location and design of CCTV cameras, which should be integrated in an unobtrusive manner. The strategy shall be implemented as approved.
Reason: In order to help prevent/detect crime, disorder and anti-social behaviour in accordance with the advice of the Police Designing Out Crime Officer and saved Policy DG7 of the Exeter Local Plan First Review.

33. Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on Paul Street (loading bays, vehicular access points and improved pedestrian/cycleway facilities), as indicated on drawing number PHL-101 Rev I ('Proposed Highway Layout Plan (Paul Street)'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.
Reason: To provide a safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 108 and 110 of the NPPF (2019).

34. Queen Street/Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on Queen Street/Paul Street, as indicated on drawing number GA-101 Rev C ('Queen Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.
Reason: To provide a safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 108 and 110 of the NPPF (2019).

35. North Street/Paul Street Highway Works

No part of the development shall be occupied until the proposed highway works on North Street/Paul Street, as indicated on drawing number GA-102 Rev D ('North Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.
Reason: To provide a safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 108 and 110 of the NPPF (2019).

36. Pedestrian Routes

No part of the development shall be occupied until the pedestrian routes through the site, indicated on the diagrams in section 4.10 of the Design and Access Statement, linking Paul Street to Northernhay Street via Maddocks Row have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.
Reason: To provide a safe and suitable access for pedestrians, in accordance with paragraphs 108 and 110 of the NPPF (2019).

37. Electric Hire Bikes

No part of the development shall be occupied until a facility for the hire of electric bicycles has been provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The facility shall be maintained at all time thereafter unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure that this aspect of the application is delivered and in the interests of encouraging sustainable travel.

38. Cycle Parking – Co-Living

The Co-Living accommodation block shall not be occupied until secure cycle parking for the residents of the building has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The secure cycle parking shall be maintained at all times thereafter.
Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

39. Cycle Parking – Hotel

The hotel shall not be occupied until secure cycle parking for the employees and guests of the hotel have been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The secure cycle parking shall be maintained at all times thereafter.
Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

40. Cycle Parking – Public Realm

Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until the cycle parking shown on the approved drawings within the public realm for use by the general public has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. This general cycle parking shall be maintained at all times thereafter.

Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.

41. Car Club

Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until a car club facility has been provided on the site in accordance with details (location, number of vehicles, operator) previously submitted to and approved in writing by the Local Planning Authority. The facility shall be maintained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To discourage the use of private cars in the interests of sustainable travel in accordance with the Sustainable Transport SPD and chapter 9 of the NPPF (2019).

42. Electric Vehicle Charging Points

No part of the development shall be occupied until the two electric vehicle charging bays indicated in the application have been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging bays shall be maintained at all times thereafter.
Reason: To ensure that this aspect of the application is delivered and in the interests of encouraging sustainable travel in accordance with the Sustainable Transport SPD and paragraph 110 of the NPPF (2019).

43. Proposed New Car Park Access Barriers

No part of the development shall be occupied until the proposed new car park access barriers indicated on drawing number 0779 PHL-101 I ('Proposed Highway Layout Plan (Paul Street)') have been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The access barriers shall be maintained at all times thereafter.
Reason: To provide a safe and suitable access for pedestrians and cyclists, in accordance with paragraphs 108 and 110 of the NPPF (2019).

44. Hotel Vehicle Management Plan

The hotel shall not be occupied until a vehicle management plan for the hotel has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the timing of deliveries and the arrangements and limitations of pick-up/drop-off parking for guests. The vehicle management plan shall be implemented as approved.
Reason: To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 108 and 110 of the NPPF (2019).

45. Travel Plan – Co-Living

No part of the Co-Living accommodation block shall be occupied until a travel plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the travel plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.
Reason: To encourage travel by sustainable means, in accordance with saved Policy T3 of the Exeter Local Plan First Review.

46. Travel Pack – Co-Living

Prior to occupation of the Co-Living accommodation block hereby permitted, a travel pack shall be provided informing all residents and staff of the car free status of the development, and the walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car clubs and electric bike hire facilities available, the form and content of which will have previously been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.
Reason: To ensure that all residents and staff of the development are aware of its car free status and the available sustainable travel options.

47. Travel Plan – Hotel

No part of the hotel shall be occupied until a travel plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the recommendations of the travel plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.
Reason: To encourage travel by sustainable means, in accordance with saved Policy T3 of the Exeter Local Plan First Review.

48. Travel Pack – Hotel

Prior to occupation of the hotel hereby permitted, a travel pack shall be provided informing all staff of the car free status of the development, and the walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car clubs and electric bike hire facilities available, the form and content of which will have previously been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.
Reason: To ensure that all staff of the development are aware of its car free status and the available sustainable travel options.

49. Commercial Kitchen Extraction

Prior to occupation of the hotel hereby permitted, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.
Reason: In the interest of the amenity of the neighbourhood.

Post Occupancy

50. Waste and Recycling Bins

No waste or recycling bins or containers shall be stored outside the integral bin stores of the buildings hereby approved except upon the day(s) of collection.
Reason: In the interests of the amenity of the neighbourhood.

51. Co-Living Communal Spaces

The communal areas, multi-use space and shared kitchen/amenity rooms within the Co-Living accommodation block, as shown on the approved floor plans, and the external courtyard to the rear of the building shall be used for communal use by all the residents of the Co-Living

accommodation block only and shall not be sub-divided in any way to create additional private bedrooms/spaces.
Reason: To ensure sufficient communal space is available for the residents of the Co-Living accommodation block in the interests of residential amenity.

52. Plant Noise

The total noise from mechanical building services plant on the site shall not exceed the noise levels shown in the table of paragraph 9.3.8 of the Acoustic Design Statement (Clarke Saunders Acoustics, 23 December 2019) (Report Ref. AS10946.1901009.R2.4).
Reason: To protect the amenity of sensitive receptors in the vicinity of the site.

B) REFUSE PERMISSION FOR THE REASONS SET OUT BELOW IF THE LEGAL AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) IS NOT COMPLETED BY 26 APRIL 2021 OR SUCH EXTENDED TIME AS AGREED BY THE CITY DEVELOPMENT MANAGER

In the absence of a Section 106 legal agreement in terms that are satisfactory to the Local Planning Authority being completed within an appropriate timescale, and which makes provision for the following matters –

- Co-living Management Plan/Monitoring
- 20% of the dwellings within the co-living block will be affordable private rented with first priority to essential local workers.
- £107,375 habitats mitigation.
- £25,000 towards management, maintenance, repair and promotion of City Wall.
- £100,000 for maintenance/upgrade of off-site public open spaces.
- £25,000 for maintenance/upgrade of off-site play areas.
- £10,000 towards traffic regulation orders in the area.
- Details of VMS/signage to manage the use of the Guildhall car park
- Details of the type of materials used on the highway (section 44 of the Highways Act 1980)
- Management Plan to ensure no parking is associated with the development and to ensure the operational facilities of the loading bays (in conjunction with the Guildhall)
- Rights of access for all users for the new footbridge over the highway
- Rights of access for all users to the City Wall

the proposal is contrary to Exeter Local Development Framework Core Strategy 2012 Objectives 1, 3, 5, 6, 8 and 10, and policies CP4, CP7, CP9, CP10, CP16, CP17 and CP18, Exeter Local Plan First Review 1995-2011 saved policies TM5, L4, T1, C5, LS2, LS3 and DS1, Exeter City Council Affordable Housing Supplementary Planning Document 2014, Exeter City Council Sustainable Transport Supplementary Planning Document 2013 and Exeter City Council Public Open Space Supplementary Planning Document 2005.