

PLANNING COMMITTEE

Monday 19 January 2026

Present:-

Councillor Knott (Chair)
Councillors Rolstone, Asvachin, Atkinson, Banyard, Hussain, Mitchell, M, Pole, Williams, M and Bennett (as substitute for Councillor Ketchin)

Apologies

Councillors Hughes and Ketchin

Councillors in attendance under Standing Order No. 44

Councillor Moore speaking on items 5 and 6 (Minute No. 56 and 57 below)

Also Present

Strategic Director for Place, Planning Solicitor, Principal Project Manager (Development) (HS), Principal Project Manager – Development Management, Principal Project Manager (Heritage) and Democratic Services Officer

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APOLOGIES

Apologies were received from Councillor Ketchin, with Councillor Bennett attending as his substitute. It was confirmed Councillor Bennett had undertaken the required training and understood the responsibilities of the role.

Apologies were also received from Councillor Hughes.

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MINUTES

The minutes of the meeting held on 1 December 2025 was taken as read, approved and signed by the Chair as correct.

The minutes of the meeting held on 8 December 2025 was taken as read, approved and signed by the Chair as correct.

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DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

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LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the Strategic Director for Place was noted.

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APPEALS REPORT

A Member thanked officers for their work and engagement for the appeal 24/0714 for Greencroft, Streatham Rise.

The report of the Strategic Director for Place was noted.

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PLANNING APPLICATION NO. 25/0895/FUL & 25/0896/LBC - SITE OF ROYAL CLARENCE HOTEL

The Chair invited Councillor Moore to speak under Standing Order No. 44, who made reference to:

- the site being of significant historic importance and of ongoing public interest;
- she enquired on the expected timescale for delivery of the redevelopment, given that the developer had referred to the timelines from the previous committee stage;
- having a reputable developer with heritage experience was welcomed, but emphasised the need for clarity on public expectations; and
- a timescale was needed on record and sought confirmation on when works were likely to commence and complete.

No Member questions were raised for Councillor Moore.

The Chair confirmed there were no public speakers registered to speak on the item.

The Principal Project Manager – Development Management presented the application for the redevelopment of the Royal Clarence, to include 25 new residential dwellings on the upper floors with part residential on the ground and part basement floor and commercial on the remaining ground and basement floor as a public house and restaurant.

Members received a presentation which included:

- the application was for ground floor commercial units for a public house and restaurant, and 25 residential apartments above, creating a five and six storey mixed development use;
- the applicants had submitted an updated phasing plan (Condition 4), which was found to be acceptable and would limit heritage harm;
- the phasing schedule outlined when works were expected to commence and complete on the site;
- a previous consent was granted for a similar scheme with ground floor commercial use and flats above, with a similar external appearance;
- the current proposal included revised internal layouts, including a repositioned stair core, altered internal walls, larger lightwells and updated heritage considerations;
- the site was a Grade II listed building, surrounded by multiple high-value heritage assets and was located within a central conservation and archaeologically sensitive area;
- the buildings current condition was poor, having suffered fire damage, structural deterioration and water ingress;
- the proposed apartments met national space standards and offered acceptable resident amenities and the development would be car free; and
- the development would use obscured glazing, screening and noise controls to ensure there were no significant amenity impacts to neighbours.

The Principal Heritage Officer advised:

- he had visited the site repeatedly over the past six years, and his most recent visit he noted the extent of degradation and that the building was unsafe;
- specialists now understood how and why the structure was moving, and how it could be remedied;
- Heritage officers and historic specialists had worked closely with the developer in recent weeks to accelerate solutions and the proposed scheme was considered acceptable;
- the developers could deliver a suitable resolution and urged Members to grant permission so work could begin as soon as possible; and

- he would be closely involved throughout construction, providing advice and monitoring to ensure the heritage fabric was properly protected.

The Principal Project Manager – Development Management advised:

- the Heritage impacts were of significant consideration, and officers and specialists had undertaken extensive discussions throughout the project;
- the upper floors of the Well House were proposed for demolition down to the third floor level due to structural collapse and instability;
- a new steel frame was proposed to support the remaining historic fabric and carry the reconstructed upper levels, and stabilising the existing wall spine and adjoining structures;
- details on how the steel frame would integrate with original fabric were not yet finalised, but would be secured by a planning condition;
- externally, the scheme was similar to the approved 2022 design, restoring the historic appearance facing Cathedral Green and Martins Lane;
- the scheme included 25 market dwellings, with no on-site affordable housing, due to mixed ownership being difficult to deliver and high heritage and structural costs affecting viability;
- off-site affordable housing and GP surgery contributions had been proposed;
- due to significant financial constraints, a clawback mechanism was needed following completion to capture any surplus value;
- currently there was a lack of five-year housing supply, which meant that a tilted balance applied in favour of sustainable development;
- the public benefits included preventing further deterioration and returning the site to active use and the officer recommendation was to approve; and
- the developer intended to start on the site between late January and early February 2026, subject to legal agreement completion.

The Principal Project Manager – Development Management responded to Member questions and clarification points as follows:-

- there were some minor roofline alterations proposed compared with the 2022 approval, which was a small increase to a central roof area;
- the overall design remained similar to the 2022 approval and Historic England had not raised any objections;
- additional flats would be created by reducing the size of some larger units from 3-bed units to 2-bed units;
- all flats would meet space standards;
- there would be sufficient fire exits, which would be assessed by Building Regulations, and discussions with building control was already underway;
- the viability assessment showed that the scheme could not support affordable housing or GP contributions at this stage;
- a further viability reassessment through the clawback mechanism would determine what contributions could be paid once the scheme was built and the sale prices were known;
- there were no delivery time restrictions included in the conditions, but noise controls did apply;
- deliveries were usually encouraged for early mornings or evenings to avoid conflicts with Cathedral Green footfall;
- small parcel residential deliveries were not regulated through planning, but commonly occurred during normal working hours;
- a Construction Management Plan had been submitted and conditioned for construction, working hours restricted to 8am–6pm weekdays, 8am–1pm Saturdays, and no Sunday or bank holiday work;
- the contractor compound would be located at the front of the site, and any

- extension to the compound required an agreement with the Council or Cathedral;
- bin storage would be located at ground floor level, accessed from Martin's Lane, which was considered suitable by the waste team;
- management conditions would ensure bins were ready for collection and not left on the street;
- the developer submitted an Energy & Sustainability Statement advising that the scheme would likely achieve policy requirements for CO₂ reduction. A post-completion energy statement would be required within three months to confirm actual performance; and
- restricting Saturday construction times was technically possible but rarely imposed. A strong justification would be needed to restrict standard permitted hours and could be considered unreasonable and would extend the overall build time.

During debate, Members expressed the following views:-

- supported the proposal to restore the look and feel of Cathedral Green and regenerate a long-vacant city centre site;
- the development would deliver new housing, particularly sustainable homes in a central location;
- there were some concerns about construction impacts, especially disruption to Saturday mornings and city centre activity;
- the complexity of the site was highlighted, including high costs and challenges following the 2016 fire;
- the homes would not be low-cost or starter units, due to the expense and complexity of redevelopment;
- the developer was commended for committing to the project and working closely with council officers;
- there was an emphasis on urgency, with calls to complete the development quickly to reduce impacts on nearby businesses, tourism, and the wider city;
- retaining the historic frontage was a respectful tribute to the original Royal Clarence building;
- some heritage loss was acknowledged, but restoring an active, living frontage was important; and
- the proposal was viewed as a necessary and hopeful step toward healing a long-standing wound in the city centre.

The Strategic Director for Place made the following concluding points:

- the building was iconic, both for its historic significance and the narrative surrounding the fire;
- officers had spent significant time working closely with the developer, professional teams, and Historic England to ensure the scheme was deliverable;
- there had been a focus on remaining close to the original consented scheme while preserving as much historic fabric as possible;
- structural integrity and building conditions were a concern, particularly due to prolonged exposure to the weather and the Well House and other elements had deteriorated more than expected;
- the site condition was terrible in places, requiring intensive work over the past six months to stabilise it and the building was now stable and capable of being developed;
- the development would require a carefully phased construction approach;
- officers had applied a planning balance, acknowledging some loss of historic buildings;

- the harm was assessed as less than substantial, and was outweighed by the benefits of restoring the iconic building; and
- if approved, the expectation was for a rapid delivery, with work potentially starting in February 2026 and preparations were already underway on site.

The Chair moved, and Councillor Mitchell seconded the recommendation, which was voted upon and CARRIED unanimously.

Application No. 25/0895:

RESOLVED to delegate to the Head of Service (City Development) to GRANT permission subject to completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- £1,284.72 per dwelling for recreational impacts on the Exe Estuary protected marine site.

Subject to a Deferred Contributions Mechanism:

- 35% Affordable Housing to be paid as a financial contribution of £2,394,258.82;
- £16,083 for expansion of oversubscribed GP surgeries at Barnfield Hill, Southernhay House, St Leonards Practice and St Thomas Health Centre; and
- the conditions set out in the application report and supplementary information sheet.

Application No. 25/0896:

RESOLVED to delegate to the Head of Service (City Development) to GRANT building consent subject to the conditions as set out in the committee report and supplementary information sheet.

The meeting was briefly adjourned at 18:12 and resumed at 18:17.

57 **PLANNING APPLICATION NO. 25/0781/FUL - MARY ARCHES STREET CAR PARK**

The Chair invited Councillor Moore to speak under Standing Order No. 44, who made reference to:

- the site being a flagship, council-owned site, and her comments reflected those of herself and Councillor Read, and the work undertaken with local residents;
- the proposal referred to a gate in an existing alleyway between 20 and 21 North Street;
- the alleyway provided a historic, publicly owned access used by residents and a gate would create a dead-end, increasing community safety risks rather than reducing them;
- a gate would also restrict evening and winter access, contradicting claims of community involvement. The access routes were important for public access to the rear of the properties, and for bin collection and needed to be retained;
- a gate would also conflict with the NPPF and Local Plan, which required connectivity and respect for existing urban structure;
- the Frank Knight report failed to reference the Exeter Local Housing Needs Analysis 2024 and the demand for co-living was not evidenced, with growth in single-person households was predicted to be low;

- the financial contribution toward housing supply was noted but units were not suitable as long-term homes and there was a lack of futureproofing if demand dropped;
- the area already had a high concentration of co-living and student accommodation, which conflicted with policy and the need for a mixed community;
- the development was a very high density, with a proposed sixth floor and rooftop equipment, which made the height five metres higher than the existing car park and created a visual dominance over Mary Arches Street and Bartholomew Cemetery;
- there was a conflict with emerging Local Plan D1, which required appropriate density and compatibility with its surroundings and this was not sufficiently sympathetic to nearby heritage buildings;
- the development would damage the medium and short range views around the city centre;
- the views from Mount Dinham and St. David's Hill into the conservation area would be lost;
- longer distance views would result in a solid block, which was contrary to council development plans;
- there was an issue with disabled parking allocations which was not clear;
- the synagogue had requested dedicated disabled parking for deliveries and access with one space was allocated, so disabled parking for residents would be insufficient;
- disabled parking needed to be provided proportionally to the housing units; and
- greater horseshoe bats were present in St. Bartholomew Cemetery but were not referenced in the report and appropriate mitigation for light impacts and bat flight paths was needed.

In responses to questions from Members, Councillor Moore made the following further points:

- the alleyway access routes were not public rights of way, but were public footpaths;
- there were two alleyways off North Street which served properties on both sides and provided access to buildings at the rear and connected through to Mary Arches Street;
- the proposed locking of gates at night would prevent winter access and make the routes unusable during evenings;
- gates would also be placed at the end of the alleyways, creating dead ends and increasing safety issues;
- the historic public routes as open and accessible thoroughfares needed to be retained;
- greater horseshoe bats were rare and had a high conservation protection status in Devon and had been sighted at St Bartholomew's Cemetery;
- the ecology report did reference greater horseshoe bats and the developer's submissions had not recognised the cemetery's ecological and amenity value;
- the omission was considered to be a serious material planning issue, not a minor ecological concern; and
- if the development was approved Section 106 funding should contribute to investment in the cemetery.

The Chair invited Mr Gert Vonhoff, to speak for five minutes, to speak against the application, who made the following points:

- the Exeter Civic Society urged the Planning Committee to challenge the

Officer Assessment and consider further points submitted in writing (on the planning portal);

- the site needed re-development; however, the current proposal did not deliver the improvement required for a conservation area;
- the Exeter Civic Society agreed with Historic England that the proposal would intensify discordance within the inner-city conservation area;
- the proposed increase in height would deepen the disparity between new and historic structures and the officer recommendation was seen as normalising harm, because the existing structure was already poor;
- harm was assessed at the upper end of being less than substantial, despite acknowledging it was a missed opportunity to repair post-war damage and set a dangerous precedent for new schemes;
- such cumulative harm conflicted with NPPF requirements to avoid entrenching decline and the least harmful option had not been demonstrated, contrary to NPPF expectations;
- the proposal did not meet Exeter's demonstrated housing need and co-living was not an appropriate response to local housing demands;
- Exeter's housing register showed there were 2,000–2,200 single-person households waiting for affordable, self-contained one-bedroom homes;
- census data from 2021 showed that people over 55 made up more than half of single-person households and those under 35 accounted for only around 30%;
- Mary Arches was highly suitable for older residents, but they were unlikely to afford this development and co-living accommodation was unsuitable for over-55s;
- the scheme therefore failed to address elderly housing need and diverted land away from urgently needed conventional housing;
- the Exeter Civic Society submitted a vision for North Street improvements and sought developer contributions which were not reflected in the Section 106 report;
- given the site was council owned, the scheme should be held to a higher standard; and
- the Exeter Civic Society urged the Committee to refuse to the proposal.

No Member questions were raised for Mr Vonhoff.

The Chair invited Mr Scott Hammond, to speak for five minutes to speak in support of the application, who made the following points:

- welcomed being selected by the City Council as preferred partner following a competitive tender process;
- the proposal was designed to be sensitive to its surroundings and aligned with the Council's development brief, in which, all criteria of that brief had been met;
- council officers were thanked for their support and collaboration, highlighting the importance of public to private partnership working;
- Utopia Homes' specialised in urban brownfield regeneration, which was described as environmentally sustainable and protected greenfield land;
- he highlighted how Utopia Homes' had invested in Exeter, citing successful delivery at Exmouth Junction with council support;
- the height, scale, and massing were shaped through the pre-application process, which involved Design South West, Planning officers and Historic England;
- the Design Review Panel had been generally supportive of the scheme;
- the scheme had been amended multiple times at officers' request, including reducing the building footprint to retain nearby trees;
- the development was aiming to create a greener, more welcoming environment, with new tree planting, a green pedestrian route and pocket park

- on the site;
- if approved, there was an intention to remove the footbridge over North Street and begin demolition of the bridge and car park promptly; and
- he requested committee support for the officer recommendation for approval.

Mr Hammond responded to Members' questions as follows:

- there was a strong belief in the co-living model in Exeter, which was described as a high-quality and needed product and needed to be located in urban, city-centre locations;
- there was a discounted market rent for key workers, similar to their Exmouth Junction scheme, where around 60% of residents were healthcare workers;
- there was strong demand for co-living from young professionals, and continued investment demonstrated confidence in demand for the product;
- the preference for co-living was not a viability issue, but a deliberate choice to meet perceived market demand;
- there was a planning condition requiring the scheme to be future-proofed, should co-living become unviable, in which officers could provide more detail on;
- the company would not invest millions of pounds without confidence in demand and expressed confidence in the Knight Frank report, market research and experience;
- he had strong confidence that demand existed and would continue to exist;
- the gating issues arose primarily from police consultation, based on security and crime prevention advice. They had no objection to public routes through the site and were willing to support ungated public access if the council preferred that;
- heritage was a key consideration for the site and initial surveys had already been undertaken with extensive engagement with the Council;
- planning conditions required further archaeological investigations before any commencement and ongoing archaeological monitoring during development; and
- concerns raised in the updated heritage officer report would be best addressed by officers rather than responding directly at the meeting.

The Principal Project Manager (Development) presented the application for the demolition of the multi-storey car park and construction of a co-living development alongside public realm improvements, landscaping, cycle and car parking, servicing, refuse and recycling provision, and associated works.

Members received the following updated information:

- the site plan included in the committee report was incorrect and had been updated and circulated;
- further representations had been received from the Exeter Civic Society and was published on the website as noted on the update sheet;
- the Synagogue had re-confirmed their objection due to loss of parking;
- final comments had been received from the Urban Design & Landscape Officer and were appended to the update sheet, and a letter from the pre-application Design Review Panel had been added to the website;
- there were two updates to the planning obligations, which included a decimal point adjustment to the car club sum on pages 37, 74 and 77 and the archaeology public engagement contribution was confirmed as £93,035;
- there was a planning balance assessment set out in the update sheet to clarify the stages of assessment and the weight given to benefits and harms, which did not change the officer recommendations; and
- there was an updated condition which included the full set of plans to be

approved.

Members received a presentation which included:

- there were several alleyways between North Street and Bartholomew Street, but none had public rights of way throughout and the route through Mecca Bingo site was gated;
- the application was for the multi-storey car park at the corner of North Street and Bartholomew Street East and the surface car park along Mary Arches Street;
- following an ecological assessment reviewed by Dorset Council ecology specialists, Greater Horseshoe bats had been identified in the area. The species were highly light-sensitive and considered very unlikely to be around the multi-storey car park or other lit areas;
- existing trees on Bartholemew Street East would be lost due to development, but key trees on Mary Arches Street and Mitre Lane would be retained;
- replacement tree planting would be secured by conditions and the proposed additional planting would be sought to support biodiversity net gain;
- nearby heritage assets included St Mary Arches Church (Grade I) and the Synagogue (Grade II*) as well as Grade II and Locally Listed Buildings;
- the existing multi-storey car park and the open spaces had been identified as making a negative impact on the conservation areas, and re-development would remove those harmful aspects;
- under historic alignment, Mary Arches Street was widened during post-war redevelopment with historic frontages remaining on the south side;
- views looking up and down North Street showed a steep gradient, the repaired city wall opposite, and existing car park frontage with landscaped beds and ornamental tree planting;
- the extent of the application site was outlined, including the existing alleyway serving rear commercial properties;
- the alleyway adjacent 21 North Street would be gated, with access retained as required and that buildings to the right would be demolished;
- a condition had been proposed for buildings at Bartholomew Street East requiring obscure glazing to affected windows for the side elevation;
- existing and proposed tree retention was explained around Mitre Lane and Mecca Bingo;
- Highways matters were outlined, including revised loading bay arrangements and amendments requested by Devon County Highways;
- the current situation around Synagogue Place, including the synagogue location, motorcycle parking, and surrounding historic buildings was explained;
- an intrusive archaeological investigation confirmed Roman and medieval remains on site and a Written Scheme of Investigation would secure archaeological recording prior to development;
- public engagement and exhibitions linked to the archaeology would be provided and supported by a financial contribution;
- the proposal involved demolition of the existing car parks and redevelopment with two linked co-living blocks:
 - Block A fronting North Street / Bartholomew Street corner; and
 - Block B fronting Mary Arches Street.
- the buildings would be linked at the ground floor level,;
- a three-storey block was proposed over the existing alleyway, with a one-and-a-half storey height passageway beneath to maintain access with a gated street frontage;
- police concerns had been raised regarding potential antisocial behaviour,

particularly at night, but passageway control would be the responsibility of the applicant, and managed through an agreed management plan secured by the S106 agreement;

- matters relating to opening hours and measures to address antisocial behaviour would be controlled through the management plan and did not need to be fixed at this stage;
- the buildings being up to six storeys, five storeys in parts and four-storey elements incorporating a rooftop garden terraces;
- building B lacked a ground floor, resulting in a five-storey appearance;
- a pocket park was being proposed on Mary Arches Street, with landscaping and layout designed to reduce antisocial behaviour;
- the scheme would also include two on-site disabled parking bays;
- there has been some significant amendments since the application was first submitted;
- the development included lounges, shared kitchens, gym, co-working spaces, media rooms, laundry, cycle stores, and bin storage;
- the development would be car-free, with delivery servicing available from a new on-street lay-by;
- residential accommodation would comprise of 297 co-living units, primarily single-occupancy studios (18–27 sqm), with shared kitchens on each floor;
- the building was designed to be adaptable, to allow for future conversion to standard flats, if required which would be secured by conditions;
- landscaping proposals included replacement tree planting, biodiversity enhancements, and further tree planting to be secured by a condition;
- planning benefits, included:
 - 297 co-living units;
 - 60 affordable private rent units, including three wheelchair-accessible units;
 - regeneration of an underused site;
 - removal of buildings harming the conservation area; and
 - sustainable, city-centre, car-free development.
- identified harm for impacts on listed buildings and loss of trees, had been assessed as being less than substantial harm;
- the planning balance benefit outweighed the harms, both with and without the tilted balance;
- visual assessments and verified views demonstrate no unacceptable impact on key views, including views of the Cathedral;
- Section 106 contributions were highlighted; and
- there would be a restriction on full-time student occupation offered voluntarily by the applicant and the recommendation was for approval delegated to Head of City Development.

The Strategic Director Place, the Principal Project Manager (Development) and the Principal Project Manager (Heritage), responded to Member questions and clarification points as follows:-

- the former restaurant and a nail bar units would be lost and not be replaced;
- the existing solar panels on the car park roof would be removed and an investigation in a potential relocation was underway;
- the new building would not include rooftop solar panels but exceeded energy standards through fabric efficiency, airtightness, and heat pumps;
- there was no requirement for a one-to-one ratio between wheelchair units and disabled parking spaces;
- the site would be highly accessible and parking allocations would be managed through a management plan;

- officers were not aware of any confirmed parking agreements with the synagogue;
- the city centre had a wide mix of accommodation types and officers did not consider the scheme would create an unacceptable community imbalance under Policy H5;
- planning rules could not prevent car ownership for tenants, however, nearby streets were subject to extensive parking controls;
- car-club provisions and sustainable travel measures were included to encourage sustainable travel;
- the applicant was selected through a competitive tender process and there was no development partnership. The Council's intention was to dispose of the site subject to planning permission;
- a full excavation would take place under a Written Scheme of Investigation, but currently only regionally significant remains were known. If any nationally important relics are found, Historic England could intervene if required;
- there were three disabled wheelchair accessible units in the scheme and two disabled parking spaces shown on the development;
- parking space use would be controlled through the site management plan;
- Traffic Regulation Orders could be explored to create on-street disabled parking and S106 funding was available for any such highway changes;
- officers had worked with the applicant for six months and secured a number of improvements, particularly to internal layout and accommodation quality;
- further design refinements may be possible, but officers considered the scheme as acceptable, as the benefits outweighed the identified harms;
- following legal advice, restrictions on student occupation could not be imposed through planning conditions, as the development was market housing;
- student occupation concerns arose during consultation and were discussed with the applicant; however, they cannot be used as grounds for refusal;
- the proposed 10% student cap was a voluntary offer, not a planning requirement and there was no local or national planning policy allowing student occupation to be restricted in market housing;
- imposing such a condition would fail the legal tests for planning conditions;
- a separate land covenant prevented the site from being used as purpose-built student accommodation (PBSA), but it did not prevent students from occupying units;
- communal areas and internal accommodation would meet required accessibility standards;
- there would be no internal electric cycle charging provided due to safety concerns and there was no requirement for internal electric charging;
- the management plan matters would be addressed through planning conditions and S106 obligations;
- gate access would be at street level on both North Street and Mary Arches Street and properties requiring access would be accommodated through controlled entry;
- the pocket park would include seating and landscaping along the street and the existing tree would be retained;
- the landscape areas would be inside the development boundary;
- the pocket park and walkway area was intended to remain publicly accessible and the developer was willing to keep it permanently open;
- public access and maintenance would be managed through the management plan;
- the site was currently entirely hard surfaced and the proposed landscaping and rain gardens would support the reduction of water runoff and improve drainage;
- there were no significant shadowing or loss of light issues anticipated and the development would not obstruct key views of the Cathedral;

- any heritage harm was considered to be less than substantial;
- deliveries to the site would use Mitre Lane and a layby on Bartholomew Street East; and
- traffic orders could also be amended to address loading and access issues if required.

The Planning Solicitor Advised Members that they were considering the planning application only and discussions around land deals was a separate process.

During debate, Members expressed the following views:-

- heritage was central to the decision which was at the heart of Exeter's identity;
- officers were thanked for the comprehensive report;
- the proposed conditions and Section 106 obligations were welcomed;
- there were two key concerns, on the impact to heritage assets and of Block B, notably its setting and relationship to surroundings;
- the site should be an exemplar development for Exeter;
- improvements made since earlier versions were acknowledged and the housing benefit was recognised;
- the application involved a difficult balancing exercise;
- concerns were raised about co-living accommodation and its demand, but it was acknowledged it was not a material planning consideration;
- the importance of the site within the city was highlighted;
- the developer's willingness to include a 10% non-student restriction, to address public perception was welcomed;
- a Member expressed a preference for one and two-bedroom homes, which would better serve local residents;
- the scheme was considered to still be a work in progress;
- there was an opportunity to properly regenerate a key part of the city and that further improvements should be sought;
- replacing the existing multi-storey car park, introducing the small pocket park and improved cycle parking were positive aspects;
- concerns were raised on massing and height, notably to surrounding buildings on North Street;
- NPPF guidance, stated that new developments should take the least harmful approach and officers had considered that parts of the design were sub-optimal;
- Historic England had objections, regarding the increased height and harm to the conservation area and listed buildings;
- the design appeared to still resembles a car park or office block in appearance and further work to address the sub-optimal design issues was needed;
- a Member was disappointment that the urban design officer was not in attendance to explain potential improvements;
- the developer's indication that they were open to further design refinement was welcomed;
- a Member in supporting the permissive public access route, highlighted that a further condition was needed to requested that any restriction on access be limited to cases of demonstrable antisocial behaviour;
- a further suggested additional condition for consideration should be on exploring disabled parking provision on Mary Arches Street with the County Council;
- the car park was owned by the City Council, and therefore had a duty to secure the best possible replacement;
- concerns were raised that the height of Block A exceeded that of the existing car park, which was inappropriate in a conservation area;

- the proposal would overshadow or dominate nearby listed buildings;
- the archaeological conditions were welcomed;
- there was an opportunity to reflect both Exeter's past and future, however, the current proposal did not achieve this;
- a Member noted the surrounding buildings included the Guildhall, Mecca Bingo Hall and other large, bulky buildings and highlighted the setting would never be picturesque;
- the site's sunken position was highlighted and the enclosed context limited design possibilities;
- the development would support city centre housing on a Brownfield site;
- the proposal was sympathetic and appropriate in relation to the site;
- the archaeological strategy was supported for the handling of the heritage beneath the site;
- Block A was acceptable in terms of massing and scale;
- the loss of retail/commercial space, was understandable given the site constraints;
- the development offered practical advantages for future residents, including proximity to shops and delivery access points;
- significant concerns were raised about Block B, including its impact on the surrounding area, physical presence and scale and that it was one storey too high;
- the difficulty of balancing harms against benefits was acknowledged, notably for upper end of less than substantial harm and sub-optimal design; and
- the committee needed to consider the application as a whole, not selectively and the decision of Members was difficult.

The Strategic Director for Place made the following concluding points:

- Members were thanked for their considered and thoughtful contributions;
- the importance of applying the planning balance, giving appropriate weight to the full range of material considerations, and avoiding undue weight being placed on any single issue was highlighted;
- the application needed to be considered as a whole, and that although the proposal brought together two distinct elements, it was submitted as one planning application;
- while Members had concerns with individual elements of the scheme, the decision needed to be based on whether the overall proposal was acceptable;
- he clarified that ownership of the land by the City Council was not a material planning consideration and did not justify applying a higher test or quality threshold than would be applied to any other application;
- he noted Members considered Block A to be an acceptable replacement for the existing multi-storey car park;
- he noted that Members considered that Block B would result in some harm, particularly due to its five-storey height within a sensitive conservation area and its proximity to listed buildings;
- the identified heritage harm was assessed as being less than substantial, and therefore not in breach of heritage policy;
- officers concluded that the public benefits of the scheme outweighed the identified harm, and that the proposal was acceptable on balance;
- Members were reminded that they must assess the proposal on its merits as submitted, and should not base their decision on a preferred alternative scheme; and
- he outlined the available decision options for Members and concluded that officers had provided a technical assessment and professional recommendation, but that the final decision rested with the committee.

The Chair moved, and Councillor Pole seconded the recommendation.

Councillor Atkinson proposed and Councillor Mitchell seconded an amendment to the Section 106 to secure:

- that the pedestrian route shall be treated as a permissive path and be kept open to the public at all times, unless closure was subsequently justified by demonstrable incidents of anti-social behaviour, as identified through the management plan required by the Section 106 Agreement.

It was clarified that the purpose of the amendment was to ensure the route remained ordinarily open, with gates positioned in the open state as a default, while allowing the management plan to authorise temporary closure only where evidence-based antisocial behaviour required it. Officers confirmed the wording would be embedded within the Section 106 Agreement and governed through the management plan.

On being put to the vote, the amendment was CARRIED unanimously.

RESOLVED that the Section 106 Agreement include a requirement that the pedestrian route shall be treated as a permissive path and kept open to the public at all times, unless closure is subsequently justified by demonstrable incidents of anti-social behaviour, as identified through the management plan secured within the Section 106 Agreement.

It was proposed by Councillor Rolstone and seconded by Councillor Mitchell that the following amendment be made to the motion as follows:

- that the committee note the officers report, and request officers to go back to the developer to seek further consideration on scale and massing, and design issues regarding the street facing aspects. To enable this, the planning committee defer the decision to a subsequent planning committee.

During the debate on the amendment, the following points were made:

- the amendment to the motion was a positive way forward and reflected the importance of the site;
- the developer was amenable and open to removing the gated elements and taking pride in the quality of their developments;
- it was hoped that the developer would be willing to come back with a scheme that was not sub-optimal which was excellent rather than merely acceptable;
- the scheme was close to being acceptable scheme, but was not yet at the required standard;
- the significance of the site was highlighted and its overbearing would impact on the surrounding area;
- there was a need to get the scheme right before wider regeneration proposals alter the area further and ensure long-term suitability for future residents;
- Members had concerns on the massing and views from the cathedral;
- viability constraints were acknowledged, but further redesign were possible;
- Council ownership gave no extra planning powers, but create a responsibility to leave a positive legacy for Exeter;
- it would have been helpful for Members to have additional and alternative viewpoints and visual perspectives of the site;
- further views from other angles would provide greater reassurance to members and help contextualise the scale of harm more clearly;
- a Member clarified his concerns related to specific elements rather than the

- scheme as a whole and understood the intent and principle of the amendment;
- the amendment to be a sensible way forward;
- the developer had indicated a willingness to improve sub-optimal aspects of the scheme;
- Block B as the primary area of concern;
- the site had significant potential and the developer had made a lot of progress addressing earlier concerns;
- the proposal would sit reasonably well in the area overall;
- the amendment sought consideration of the entire scheme, not just individual elements; and
- it was preferable to defer rather than refuse the application.

Councillor Rolstone in closing the amended motion, made the following points:

- her initial concern was with Block B, but the amended motion addressed the scheme more widely;
- the developer needed the opportunity to re-consider the design and respond to the concerns raised by Members;
- it was hoped that the developer representatives present had listened to the concerns of Members, notably Block B;
- the scheme had improved significantly since earlier iterations;
- it was unfortunate that external design quality, particularly Block B, had not progressed to the same extent;
- it was fair and reasonable to allow further consideration rather than moving directly to refusal; and
- the developer could return to advised that further changes were not viable and allow the committee to re-assess the application on balance.

On being put to the vote, the amendment to defer the motion was CARRIED (8 in favour, 2 against and 0 abstentions).

RESOLVED that the Committee DEFER determination of the application, on the grounds that further discussions were required between officers and the applicant to address:

- the scale and massing of the proposed development;
- the design quality and treatment of the street-facing elevations; and
- that these matters be explored and reported back to a subsequent meeting of the Planning Committee.

(The meeting commenced at 5.30 pm and closed at 8.31 pm)

Chair