

ITEM NO. 3

COMMITTEE DATE: 18/02/2008

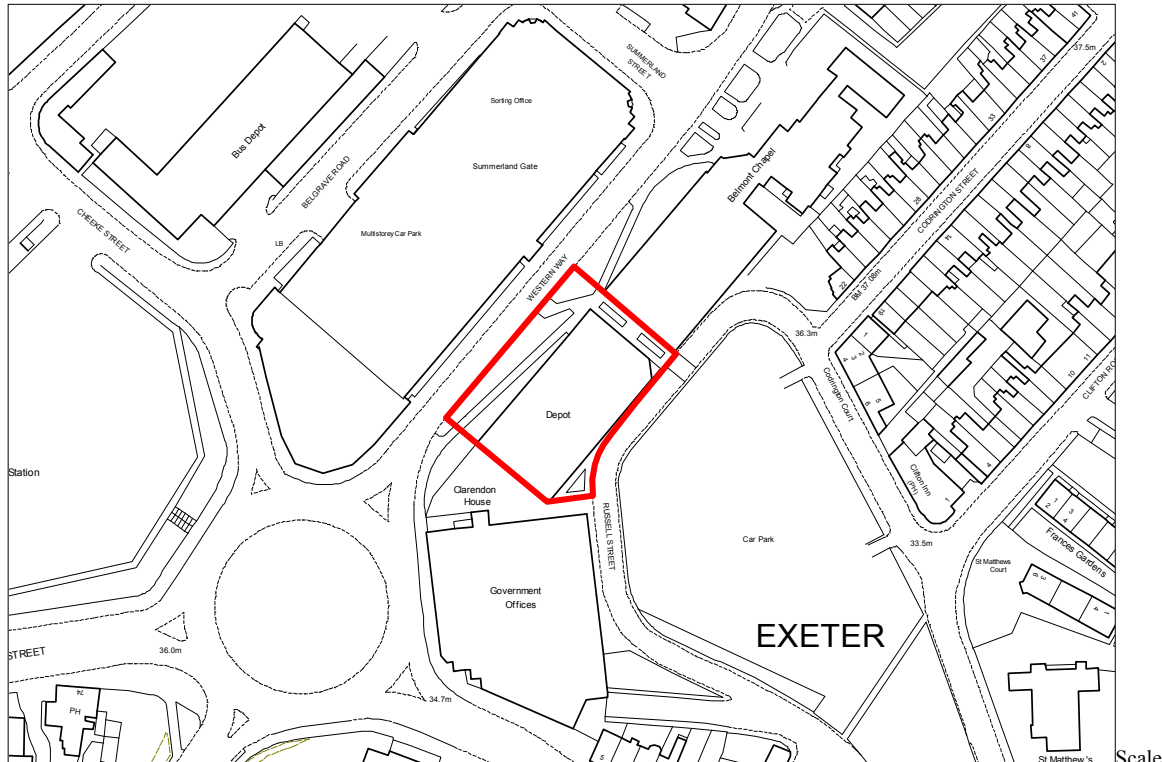
APPLICATION NO: 07/1400/03 **FULL PLANNING PERMISSION**

APPLICANT: McAleer & Rushe Limited

PROPOSAL: Detached building to provide hotel (Class C1) comprising 170 rooms, conference facilities, restaurant/bar, ancillary offices, alterations to vehicular accesses to provide lay-by on Western Way and delivery area off Russell Street, parking and associated works

LOCATION: Carnegie House, Western Way, Exeter, EX1 2DB

REGISTRATION DATE: 13/09/2007



1:2000

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HISTORY OF SITE

99/0331/03 -	Change of use from storage/distribution (Class B8) WDN to night club to include new entrance/exit doors	18/06/1999
99/0652/03 -	Change of use from storage/distribution (Class B8) WDN to Night Club (Class D2), external alterations and provision of temporary barrier.	07/10/1999
04/1714/03 -	Partial change of use from storage/distribution PER (Class B8) to bulky goods retail (Class A1)	09/11/2004
05/0284/05 -	Non illuminated fascia signs on front, rear and side elevations	05/05/2005

DESCRIPTION OF SITE/PROPOSAL

The site comprises the existing 2 storey warehouse building on Western Way located between the Department of Social Security building and the Belmont Chapel Hall, and opposite the new car park attached to the Vue Cinema. The site has frontage to Western Way and Russell Street and the Triangle Car Park to the rear. The application site also includes an area of land in front of the building and the pedestrian link between Russell Street and Western Way.

The proposed development comprises the demolition of the existing building and the erection of a new hotel. The new building would extend over 7 storeys (counting the basement) and provide a 170 bed hotel with associated conference facilities, restaurant and bar. Plant associated with the building would be accommodated on the roof. The proposal includes the provision of a new coach/taxi drop off/pick up area accessed from a new pull in off Western Way. Servicing would take place from the rear of the building. No parking facilities are proposed as part of the proposal.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by a Design and Access Statement, Transport Statement and Framework Travel Plan. A supporting letter from Penrilla Consultants Limited also concludes that the development complies with the sequential approach to site selection by virtue of its location within the City centre area.

Design and Access Statement

The Design and Access Statement examines the context of the site and its compliance with relevant Local Plan policies. The existing characteristics of the site, in terms of its visual character and accessibility, are appraised and the proposal and Architects rationale behind the design set out. Finally the wider accessibility of the site, and accessibility within the building, are appraised and the Transport Statement and Travel Plan summarised.

Transport Statement

Concludes as follows:-

"10.1 Summary of Development

The proposed development will comprise solely of a Jurys Inn Hotel. The proposed hotel will include 170 rooms spread over 6 storeys. The gross floor area of the proposed hotel will be 6,457 sq m.

As there is an under-utilised car-park adjacent to the site, no car parking will be provided as part of the proposed development. In addition to private vehicle parking, the site is earmarked as having a high level of accessibility, due to the proximity to local bus services. Servicing and deliveries will be carried out via Russell Street.

10.2 Summary of Transport Impacts

According to the TRICS database a total of 86 person trips in the AM peak and 65 person trips in the PM peak are forecast to be generated by the proposed development. Given the expected modal split as discussed in Section 4.5, it is considered that the development will have a minimal impact on the surrounding highway network. Accordingly, a detailed highway impact assessment is not considered necessary.

10.3 Summary of remedial measures

10.3.1 Cycle parking

Accessible cycle parking will be provided within the site, with likely provision for approximately 34 cycles to park will be made, which should also encourage more users of the development to consider cycling.

10.3.2 Western Way and Russell Street

It is suggested that whilst alterations to the highway in the vicinity of the site will not be necessary, further tactile paving and dropped kerbs should be provided at crossings around the development to improve the existing pedestrian facilities."

The Travel Plan sets an overall framework from which a detailed Travel Plan tailored to the specific characteristics of the occupier of the building would be developed.

REPRESENTATIONS

4 letters of representation have been received raising the following issues:-

- adverse visual impact (height)
- Highway implications associated with dropping off point and tortuous route for large vehicles to the delivery/service area to the rear of the building
- number of rooms suitable for occupation by disabled people
- Conference facilities (will they be fitted with induction loops)
- need for such a hotel
- construction hours (proximity to Church)

CONSULTATIONS

Environment Agency - standing advice regarding surface water drainage arrangements and the use of Sustainable Urban drainage solutions.

Environmental Health - Recommends condition regarding construction hours, details of all plant/machinery associated with the development and clarification of refuse storage facilities.

Head of Leisure and Museums - recommends condition regarding submission of a Wildlife Plan to enhance biodiversity of the site.

County Director of Environment, Economy and Culture - Comments as follows -

"The proposed hotel is to be located on the south eastern side of Western Way and north of the Paris Street roundabout. This central location is close to public transport, central pedestrian routes, leisure facilities and shopping facilities and when taking these items into consideration it is appropriate that this is a car free development. Should long term car parking be required, spaces are generally available in the adjacent Triangle car park and short term parking is also available on the opposite side of Western Way in the newly completed NCP car park. To facilitate access to the front of the hotel and also to satisfy and address pedestrian desire lines, it is essential that the proposed access including landscaping facilities are provided on the Western Way frontage and the link to Russell Street, all in accordance with details to be submitted to, agreed and approved by the local planning authority. It is essential that these works are secured by an appropriate Legal Agreement, which is to include the future maintenance of this area for an agreed period of time. Although a Green Travel Plan is to be promoted by the operators of the proposed hotel, it is unfortunate that secure parking facilities have not been incorporated in the design. Off site accommodation and access works including the relocation of the signal patrolled crossing are secured by an appropriate Legal Agreement."

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001-2016

ST1 - Sustainable Development
ST10 - Exeter Principle Urban Area
CO6 - Quality of New Development
CO8 - Archaeology
TR1 - Devon Travel Strategy
TR2 - Coordination of Land Use/Travel Planning
TR3 - Managing Travel Demand
TR4 - Parking Strategy, Stands and Proposals
TR7 - Walking and Cycling
TR10 - Strategic Road Network and Roadside Service Areas
TO2 - Tourism Development in Other Settlements

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development
AP2 - Sequential Approach
TM1 - Hotel Development
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
T10 - Car Parking Standards
C5 - Archaeology
DG1 - Objectives of Urban Design
DG2 - Energy Conservation
DG3 - Commercial Development

PPS1 - Delivering Sustainable Development
PPS6 - Planning for Town Centres
PPG13 - Transport
PPG16 - Archaeology and Planning
Department for Communities and Local Government - Good Practice Guide on Planning for Tourism.

Exeter Hotel Study - The study was jointly commissioned by Exeter City Council, East Devon District Council and the New Growth Point Board and was conducted by The Tourism Company. The study is a material consideration in the determination of planning applications for hotel related development. The study concludes that based on continued economic growth and 70% occupancy rates there is likely to be a need for 279-357 hotel rooms by 2011 rising to 506-741 rooms by 2021. The majority of the demand is for 3 and 4 star accommodation.

OBSERVATIONS

The main issues in respect of this application relate to the acceptability of the use in this location, its visual impact, transportation and accessibility and relationship to surrounding properties.

Principle of the Proposed Use

The Exeter Hotel Study was commissioned to provide background information in order to develop planning policies for hotel development and evaluate planning applications for new hotels. The study identifies a clear demand for additional hotel rooms (mainly of 3 and 4 star quality) to serve the City and surrounding area in both the short and long term. The study identified demand for both city centre and edge of/out of town sites. In the light of the conclusions of the study it is considered that the current proposal for a 170 bedroom hotel would contribute towards meeting the identified demand without itself directly resulting in an over provision. The sites central location is consistent with the 'sequential test' approach to site selection set out in PPS 6. In this context the principle of the redevelopment of this site for hotel accommodation is considered acceptable.

Visual Impact

Western Way is an important and busy distributor route through the City and therefore the sites fronting this stretch of road are visually very prominent. The recently constructed Vue Cinema, NCP car park and new residential units have set a context for the potential scale of any redevelopment on the opposite side of Western Way. Whilst these new buildings are hard up against the public highway those buildings on the opposite side are set further back from the carriageway with some intervening public space. The overall height and mass of the building has been designed taking reference from the new buildings opposite and this is considered to be an acceptable approach. The site is somewhat unusual in that all 4 elevations of any building occupying it are clearly visible from the public realm and therefore require a high standard of design. In this context there were some concerns with the originally submitted design. In particular these related to the quality of the elevations facing towards the Paris Street roundabout and Triangle Car Park, the visual interest of the main elevation fronting Western Way and the prominence of the associated plant on the roof of the building.

As originally submitted the side elevation of the proposed building facing towards the Paris Street roundabout was considered to constitute a particularly bland facade. In visual terms this will be one of the most prominent views of the building. Consequently the applicant was asked to re-consider this elevation and add greater interest. Initially the applicant advocated achieving greater interest by way of a scheme of lighting without really addressing the design more fundamentally. This approach was not considered acceptable and through negotiations the extent of the recessed element of this elevation was increased in width and additional windows introduced. These alterations add significant visual and 3-dimensional interest to this elevation and this is now considered acceptable.

It was also considered important to improve the front elevation of the building (facing Western Way) by introducing a greater 3 dimensional feel to what is essentially a long flat elevation. This has been achieved by introducing a degree of projection to elements of the fenestration and staggering them across the two different horizontal bands. Included within the proposal is the creation of a lay-by off Western Way for drop-off/pick up and emergency access. The creation of this lay-by and associated reconfiguration of planting and new surface treatments will enhance the street scape along this section of Western Way and the link through to Russell Street to the rear. The canopy design has also been re-considered and a lighter glazed structure with stays back to the building facade introduced.

Although essentially the rear of the building, the elevation facing the Triangle Car Park will also be very visible to the public domain. As originally submitted this elevation was considered to have a weak design. Through negotiations further windows have been introduced and part of the ground floor canopy changed to a glazed structure to add more interest. A planter has been introduced to help screen the service area and various improvements to the Surfacing of Russell Street itself have also been incorporated. As a result

this elevation and its relationship to the highway and Triangle car park have been significantly improved.

The amount of plant and associated enclosure on the roof of the building has been significantly reduced in response to concerns expressed about its prominence. This coupled with the replacement of the stair enclosure to the roof with a hatch access for maintenance and increase in height of the parapet around the building has reduced the visual prominence of additional structures required on the roof to an acceptable level.

Overall the design and visual impact of the proposed building is now considered acceptable.

Relationship to Surrounding Buildings

The site is tightly constrained by road frontages and the proximity of neighbouring buildings. The adjoining Belmont Chapel is largely two storey in height. Although the proposed building would be significantly higher (approx 3.5 storeys higher) there are minimal fenestration openings in the elevation of the Chapel facing the proposed hotel. In this context it is not considered that the proposed building would have any significant adverse impact on this building. Likewise although it would be significantly higher than the nearest part of the neighbouring Social Security building (Clarendon House) it is not considered that it would relate poorly to this building in scale and massing terms.

The submitted sections show that the building would have a similar scale and massing to those recently constructed on the opposite side of Western Way. Given that the buildings opposite comprise a car park there is not likely to be any significant adverse impact upon this building.

Transportation and Accessibility

Although the proposal incorporates no parking on site there are public car parks in close proximity including the Triangle Car Park to the rear and the new Summerland Gate NCP car Park opposite. The site is also close to the Bus Station and within walking distance of Central Train Station. In this respect the proposed development is well capable of being served by a variety of transport modes other than the private car, although the presence of nearby car parks also makes this a realistic option for potential visitors to the hotel.

The proposal incorporates the provision of a new layby/pull in off Western Way which would provide a drop off/pick up facility for the hotel. This would involve removal of existing vegetation along Western Way and reorganisation of pedestrian routes across the site. The Highway Authority have suggested that moving the existing pedestrian crossing closer to the Paris Street roundabout would be desirable as part of these works, to be secured by way of an appropriate legal agreement.

As the site has double road frontage (to the front and rear of the building) it is possible to keep servicing of the hotel to the rear and enhance the public realm in front of the building. The proposal also includes the removal of the planters along the link between Russell Street (Triangle Car Park) and Western Way and replacement with new surface treatment and trees in grates. Potentially these improvements would make this link more attractive and welcoming to users and thereby strengthen the link between the Triangle Car Park and the City Centre.

Negotiations have also secured improvements to Russell Way in the form of carriageway improvements and surface treatments.

The County Director of Environment, Economy and Culture has confirmed that there is no objection to the proposal in terms of highway impact subject to an appropriate legal agreement and conditions to cover various highway improvements.

SOUTHERN AREA WORKING PARTY (17/10 /07)

Members noted that this application had been subject to pre application negotiations. The proposed design and materials and car free nature of the development were noted. A number of outstanding concerns were expressed by Officers and Members noted that the application would be the subject of further negotiations with the agents before going to Planning Committee.

SOUTHERN AREA WORKING PARTY (30/01/08)

Members noted the improvements secured to the design and elevational treatment of the building, the reduction in extent of plant on the roof, and improvements to the space around the building. Members raised the question of the incorporation of renewable technologies within the building design and officers undertook to raise this issue with the applicant. It was noted that the application would be determined by the forthcoming Planning Committee (18/02/08).

Conclusions

The recent Exeter Hotel Study referred to above identifies a need for further provision of hotel rooms in the foreseeable future. The level of provision identified equates to 279-357 rooms by 2011, rising to 506-741 by 2021. This site is well located in terms of proximity to the City centre and therefore complies with Good Practice Guidance on Tourism related developments in terms of the sequential approach to site selection. The design of the building and treatment of external spaces as amended following negotiations are considered acceptable. Given the context of the site, the massing of the building and its relationship to surrounding buildings is considered appropriate. The Transportation issues surrounding the hotel, including the provision of an appropriate lay-by for drop off/pick up, provision for cycle parking and proposed improvements to the public realm and highway proposed are satisfactory and there is no objection from the Highway Authority.

RECOMMENDATION

Subject to completion of a section 106 agreement in respect of access arrangements, accommodation works (including relocation of the signal controlled crossing) and landscaping works on the Western Way frontage, together with arrangements for future maintenance of the works, payment by the developer of the cost of any new or revised traffic orders and a contribution towards public art, APPROVE subject to the conditions listed below.

In the event that the section 106 agreement is not completed within 6 months of the date of this committee meeting, authority be delegated to the Head of Planning Services to REFUSE permission for the reason that in the absence of a section 106 agreement, inadequate provision is made for access arrangements, accommodation works and landscaping works on the Western Way frontage, their future maintenance, payment by the developer of the cost of any new or revised traffic orders and public art.

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) Prior to the development being occupied, or at such other time as may be agreed by the Local Planning Authority in writing, a sustainable drainage solution such as a soakaway, designed and constructed in accordance with Building Research Establishment Digest 365; or a Sustainable Urban Drainage System, in accordance with Construction Industry Research and Information Association Document 522 for surface water disposal shall be installed and the system shall be maintained effective at all times thereafter. Clean surface and roof water shall be kept separate from the foul drainage system. Unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to reduce surface water runoff in a catchment area where flooding occurs.
- 6) C35 - Landscape Scheme
- 7) C57 - Archaeological Recording
- 8) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the building in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- 9) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.
Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 10) No part of the development hereby approved shall be brought into its intended use until the visibility splays, on-site parking, turning, loading and unloading facilities and associated landscaping have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be permanently retained for those purposes at all times unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of public safety and to ensure that adequate facilities are available for the traffic attracted to the site.
- 11) In accordance with details that shall previously have been submitted to and approved by the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains onto any County Highway.
Reason: In the interests of public safety and to prevent damage to the highway.

- 12) No part of the development hereby approved shall be commenced until adequate areas have been made available within the site to accommodate operatives' vehicles, construction plant and materials during the construction period in accordance with a detailed Construction Management Plan that shall previously have been submitted to, agreed and approved in writing by the Local Authority.
Reason: In the interests of public safety and to avoid obstruction of and damage to the adjoining highway.
- 13) Prior to the commencement of the development hereby approved a scheme of phasing for the implementation of the development shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is implemented in a logical and appropriate manner in the interests of the amenity of the area
- 14) Prior to the commencement of the development hereby approved details of all plant and machinery associated with the building and its use shall be submitted to, and be approved in writing by the Local Planning Authority. The submitted information shall include details of the siting, appearance and noise levels associated with the equipment.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- 15) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
- a) details of refuse storage facilities
- Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 16) Construction work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of residential amenity.

**Local Government (Access to Information) 1985 (as amended).
Background papers used in compiling the report:**

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223