

**PLANNING COMMITTEE**  
**(HELD AS A VIRTUAL MEETING)**

Monday 26 October 2020

**Present:-**

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

**Also Present**

Chief Executive & Growth Director, Director City Development, Housing & Supporting People, Principal Project Manager (Development) (MD), Principal Project Manager (Heritage), City Development Consultant, Legal Advisor, Democratic Services Officer (HB) and Democratic Services Officer (SLS)

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**DECLARATIONS OF INTEREST**

No declarations of interest were made by Members.

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**PLANNING APPLICATION NO. 19/1556/FUL - THE HARLEQUIN CENTRE,  
PAUL STREET, EXETER**

The Principal Project Manager (Development) (MD) presented the application for the development of a Co-Living (Sui Generis) accommodation block and a hotel (Class C1) including bar and restaurant, following demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street to Co-Living (Sui Generis), and all associated works including parking, landscaping, amenity areas, public realm improvements, new pedestrian bridge and provision of heritage interpretation kiosk. (Revised)

The Principal Project Manager (Development) set out a detailed description of the site and surrounding area, including: site photographs, views towards the site from surrounding streets, the location of Central and St David's conservation areas, the location of listed and locally listed buildings, and the character of the surrounding built environment. He also showed photos of views from the existing building towards the neighbouring properties along Northernhay Street, noting the level difference between the site and properties to the west. He then presented the proposed scheme, including: layout plans, highways plans, floor plans, elevations, indicative 3D views and sections, the latter of which showed the relationship of the buildings to the neighbouring properties, including separation distances and sightlines. He commented that the architecture of the two buildings had been amended to achieve more distinctive design and reduce the continuous built form across the site. The roofline was modulated to respond to the sloping topography. Both buildings included green roofs and photovoltaic panels. The buildings also incorporated artwork panelling on the ground floors. The Hotel included a green wall on part of the building facing Northernhay Street. The public spaces included new hard and soft landscaping, including a habitat pocket park with a footpath through it linking Paul Street near the junction with North Street to the City Wall.

The Principal Project Manager (Development) then presented the Landscape and Visual Impact Assessment illustrative views of the proposal from the surrounding streets, as well as Northernhay and Rougemont Gardens, and views from within the site near the scheduled City Wall. He then reported the following late matters:

- the agreement of Natural England with the conclusion of the appropriate assessment carried out by the Council under the Habitats and Species Regulations 2017 (as amended), provided the assessment is precise in setting out the number of units to be granted;
- confirmation by Devon County Council as the Lead Local Authority that surface water drainage detail can be dealt with a by pre-commencement condition;
- a request to delay the decision of the application from the Exeter Science Centre stating that the site would be appropriate for a STEAMM (Science, Technology, Engineering, Art, Maths and Medicine) Discovery Centre in the City Centre;
- a further objection from Mr Gavin Hall including a reference to material flaws in the committee report, a failure to meet the tests for some conditions as set out in the National Planning Policy Framework (NPPF) and stating that the public benefits would not outweigh the identified harm to heritage assets; and
- the written response of the planning agent refuting Mr Gavin Hall's letter.

With regard to the request from the Exeter Science Centre, the Principal Project Manager (Development) stated that it would be inappropriate to give due consideration to this proposal given the absence of any substantive planning details and that the focus should be solely on the planning issues relating to the application before Members.

With regard to the objection from Mr Gavin Hall, the Principal Project Manager (Development) responded as follows to the main issues raised:-

- the Co-living part of the application could be considered as contributing to the five year housing supply figures;
- the rationale for the affordable housing provision of 20% rather than 35% was detailed in the report as were the reasons for not recommending acceptance of the national space standards;
- the reduction in car parking spaces of 52% was not considered a significant loss as set out in the report and was also considered to comply with the Council's movement towards promoting more sustainable transport modes and its Net Zero 2030 vision;
- the identified conditions are not considered to fail the tests for planning conditions; and
- the comments on the impact on heritage assets disagree with the professional views of the Council's Heritage Officer and the conclusions of the report.

The Principal Project Manager (Development) also explained that the planning agent had corrected the estimated expenditure figures in the report which related to the first rather than the second set of revised plans being determined. The hotel was estimated to generate £3.5 million visitor expenditure per year instead of £3.9 million. The Co-living accommodation block was estimated to generate £4.8 million resident expenditure per year instead of £4.9 million. Whilst these figures had reduced it did not alter the conclusion that the public benefits of the proposal were considered to outweigh the harm to the significance of heritage assets, or the overall conclusion that there were no adverse impacts considered to significantly and demonstrably outweigh the economic, social and environmental benefits of the scheme.

He responded as follows to Members' queries:-

- there was no data on the national average length of occupancy for Co-living schemes, but it was felt acceptable that national space standards would not apply to this type of residential development. It was the first Co-living scheme

for Exeter, although this type had been built elsewhere, especially in London and are geared to a particular section of the market, that is, individuals seeking such accommodation in preference to a house in multiple occupation and wanting to live in a shared and well managed residential environment. Whilst the studio sizes were smaller than the relevant national space standard, the residents would have the benefit of shared facilities;

- Co-living is a new use that does not fit into a standard use class category making it sui-generis;
- there were 26 cluster flats, 99 studios and 251 bed-spaces overall. 152 bedroom spaces formed part of cluster apartments. Each cluster flat had a separate kitchen and amenity room to be shared by the residents of each flat within the cluster and the number of bedrooms in each cluster varied between four and eight;
- the boundary of the application site abuts the side elevation of the Guildhall Shopping Centre with the developer owning the Harlequin Centre itself and the removal and replacement of the footbridge would necessitate some works to the side elevation in this area;
- the management plan for the Co-living block stated that occupation would be for 18 years of age and over and would require on-site staff and/or a warden to ensure that the building was well managed;
- each flat within a cluster had their own kitchen and amenity room with additional communal spaces provided in the building on the lower ground floor, ground floor and upper ground floor with the higher floors to possess an extra amenity/kitchen combined space for use by all residents in the building, although the greater use was likely to come from the occupiers of those higher floors;
- there was no restriction on the type of lease other than a minimum of three months with longer tenancy agreements on offer to provide stable accommodation; and
- average dimensions of rooms vary, with studios between 18 to 21 square metres, the larger ones being for people with disabilities, and cluster bedrooms between about 12 and 16 square metres.

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

- recognise the necessity for more dense housing developments and options, including shared living in the City Centre and support the re-development of the failed Harlequin Centre. However, object to the application, as does Councillor Sills, a fellow St. David's Councillor, who is unable to attend, and is concerned about the development on grounds of massing, Co-living and the impact on heritage;
- the proposed design, scale and mass of the Co-living tower block and hotel will not make a positive contribution to the local character of either Conservation Area and both buildings will be overbearing on designated heritage assets. Historic England's letters have focused significantly on the City Wall, a scheduled monument, and the archaeology on the site, rather than on detailed impacts on nearby heritage assets and the heritage setting;
- this overdeveloped site fails to meet the requirements of CP17 to "enhance the city's unique historic townscape quality";
- the developer has failed to justify the harm that will occur on the wider area and heritage assets. It is claimed the public benefits of the scheme outweigh this level of harm, but this has not been justified;
- the City Council has a duty to assess the impact of these proposals on individual Grade II listed buildings under the Planning (Listed Buildings

and Conservation Areas) Act 1990. It is acknowledged by both the developer's and residents' structural engineers that there are known risks from pile driving and no safeguards to address any damage;

- the Local Plan Review sets out the Council's commitment to the conservation and improvement of Exeter's distinctive character by protecting the townscape;
- the height and dated look of the Co-living tower block at seven storeys tall and the hotel relate poorly to adjoining listed buildings, especially those on Northernhay Street. The proximity of the new development in one place is less than the 22 metres minimum distance from habitable rooms required in the Council's design guide - leading to fixed obscured windows in the Co-living block and the City Wall is not tall enough to mitigate overlooking;
- the developer has refused to supply a model to show proposed buildings and their relationship to the surrounding area. Moreover, the plans are not complete with some doors, showers and toilets missing;
- the harm to heritage are not outweighed by the asserted public benefits with the report recommending setting aside material conflicts with national guidance, standards and the Council's own policies;
- this is the first Co-living development to be determined by the Council but there is no Council policy defining Co-living nor do policies CP5 or CP7 sufficiently provide a basis for determining a Co-living application;
- no evidence to show that this type of accommodation will contribute to housing supply numbers, as it looks like Purpose Built Student Accommodation (PBSA), a type of specialist housing recognised by the Council, but not contributing to the housing supply. Co-living development is the same, the lease agreement asking tenants to keep rooms tidy - which is more akin to a student licence. If it cannot be demonstrated as long term living it is a big risk when a five year land supply is such a crucial issue;
- the site needs to be considered as part of the City's plans for housing in a planned fashion. It is ideal for new housing but will lead to more ad hoc development, further undermining housing supply requirements;
- the report does not explain the departure from the Nationally Described Space Standard or the City Council's own policies on residential space. A 2019 Centre for Cities report ranks the city as having one of the lowest average floor space per resident which must not be exacerbated by ignoring the Government's recommended space standards or dropping the Council's own policy for minimum space standards. These are intended as primary, permanent homes not accommodation for nine months;
- the application has been made as "sui generis" - the same category as a House in Multiple Occupation (HMO) with more than six rooms - and is effectively a block of flats to be used as a series of vertically stacked HMO's and should therefore be registered as a HMO;
- Exeter has a real shortage of affordable housing, especially for one bedroom accommodation. The City Council has a clear policy in CP7, going beyond the National Planning Practice Guidance and Government guidance on build to rent and seeks 35% affordable housing of which 70% should be provided as social rented housing with other developments. This proposal, however, seeks 20% affordable 'rooms' - none cited as social rented levels and no offsite alternative provision. This would be a precedent for other developers to avoid these responsibilities. Other local planning authorities, have sought to address the above weakness with Co-living schemes by adopting specific policies requiring Co-living developers to pay a financial contribution towards affordable housing;
- the Local Highway Authority has confirmed that safe and suitable access will be achieved, with no significant impacts on the transport network in line with the NPPF. However, there is no evidence that the removal of the right-

turn lane and queueing lane on Paul Street for traffic entering the Guildhall Car Park will reduce queueing traffic along Paul Street. It is likely that traffic will go around the block, which will increase journeys along St. David's Hill and increase air pollution;

- the Iron Bridge - a listed heritage asset - has a three tonne weight limit and should not be subject to the risk of increased queueing traffic and pollution;
- if the Committee are minded to approve this application, the following is suggested:-
  - (a) in the event of the failure of the Green Wall it should be replaced in a timely way to the same or better standard with a guarantee to maintain the required standard;
  - (b) the investment of funds for an off-site open space and play equipment in the St. David's ward as there is no play equipment in the city centre for use by the significant number of people including children in the Fore Street/Preston Street areas for whom Bury Meadow is not a local park;
  - (c) the sum for the protection and maintenance of the City Wall is insufficient;
  - (d) a condition is required that any damage to local assets is paid by the developer;
  - (e) a provisional sum should be set aside to monitor and mitigate the impact of the traffic and air pollution on St. David's Hill, a residential area, and the Iron Bridge. This sum should allow for traffic counts and speed and air quality assessments, and monitor the impact on the Iron Bridge. If these issues worsen after the first year of operation, then the sum should be used to introduce measures such as traffic calming and/or filtered permeability on St. David's Hill;
  - (f) measures are put in place to mitigate the impact of pile driving on the City Wall and adjacent listed properties and compensation arrangements for the Council and property owners of the listed buildings should structural damage occur;
  - (g) the Section 106 Agreement should include the £108,000 sum included in the capital assets programme for repairs to the Council's Paul Street Car Park ramp; and
  - (h) an addition to condition 51 tying the developer to ensure the free use of the "communal areas". Co-living developments in London make further charges for shared spaces - so called membership. Having to pay to access the communal amenity space is wrong.

Councillor D. Moore stated that this dominant, overbearing development in such a sensitive position linking the historic city centre and a residential area with significant negative impact on the heritage environment and offering a poor standard, but expensive, accommodation option was not a good development. On behalf of Councillor Sills, residents and herself she asked that the application be rejected.

Mary Chichester spoke against the application. She raised the following points:-

- the proposed seven storey tower block in the core of Exeter's Central Conservation area will overshadow surrounding three and four-storey listed buildings and dwarf the Roman city wall, a national monument;
- the Historic Environment report finds that the level of harm to most of the listed buildings in Northernhay Street is 'moderate to substantial adverse';
- the claim that the public benefits of this scheme outweigh this level of harm

is not justified as the benefit argument is highly contentious because a four-storey building would have the same public benefit as a seven-storey building, but avoid the potential harm to the city. An inspiring building, causing no harm to the ancient city, should be the goal;

- hundreds of Exeter residents have expressed strong objections with over 4,000 people having signed the 'Save Our Historic Exeter' petition. The Georgian Group, the Victorian Society, Exeter Civic Society and many local historians conclude that the proposal will harm the city's heritage assets. The proposal will harm the listed buildings on Northernhay Street, Queen Street and the RAMM, with the proposal being significantly higher and more dominant than the Guildhall Shopping Centre;
- the Heritage report refers to 'harm' and 'impact' but dismissing these as 'less than substantial'. There is a cumulative impact to the Conservation Area which qualifies as 'substantial harm';
- residents of neighbouring listed buildings have a legal duty to protect and maintain the Heritage assets and the duty of care should be reciprocated by the Local Authority; and
- the seven storey proposal is double and, in some cases triple, the height of neighbouring houses in Northernhay Street. The loss of amenity through noise, overlooking, overshadowing, light pollution, loss of daylight, loss of privacy and late night activities have not been given enough consideration.

The meeting was adjourned at 19:16 and re-convened at 19:25.

Chris Dadds spoke in support of the application. He raised the following points:-

- the application helps to deliver the Council's Liveable Exeter Vision;
- the Harlequin Centre has struggled as a retail location for many years and there are no calls for the use, or the centre itself, to be retained;
- the proposal will bring activity to Paul Street and increase the space for pedestrians and cyclists and removes vehicles from the area next to the City Wall, improving its setting by introducing high quality landscaping and a new interpretation building;
- because of public objections following public consultation in the summer of 2019 to a 140 bed hotel and just under 340 student beds in buildings of up to 11 storeys, the application was amended to provide a 114 bed hotel and just under 300 Co-living beds in buildings of up to eight storeys;
- the impact on the heritage assets of the area is less than substantial;
- to address the issues of climate change and to achieve the City's target of net zero carbon, high density living is required within the city and Co-living is a well-managed form of high density living with the alternative, not a suburban house, but a room in a house in multiple occupation;
- the hotel will achieve BREEAM Excellent standard with a Co-living block designed to Passivhaus principles; and
- all statutory consultees support the application and the impacts are outweighed by the substantial benefits this scheme will bring.

He responded as follows to Members' queries:-

- the accommodation provided is for Co-living only and therefore there is no breakdown between student and Co-living occupation;
- on site management will be on a 24/7 basis with staff on call at all times with no sleeping accommodation provided for these staff;
- the original proposal was for student occupation but changed to Co-living, a

new departure for Curlew in the UK, though the company have developed the Co-living concept in the Netherlands;

- the Co-living units provide greater level of shared facilities than PBSA;
- Curlew's intention is to develop further examples of Co-Living and, as such, this development will be a model and Curlew seek to retain long term management;
- surveys have been undertaken with adjacent property owners and, in consultation with the City Council, a construction management plan will be agreed as a condition to ensure any damage will be mitigated. It is not anticipated that any problems will be caused by pile driving;
- the management agreement also covers maintenance of the hard and soft landscaping areas;
- units will be constructed to Passivhaus standard;
- each bedroom has en-suite shower and toilet and plans will be fully amended to show door access; and
- there is a market interest in the location for the hotel development and Curlew are in discussion with hotel operators. The city centre location will encourage visitors without cars in line with the City Council's Net Zero 2030 goal.

Members expressed the following views:-

- development does not respect the city's heritage, notably the RAMM and views of the Cathedral and St Michael's Church, Mount Dinham. It is a prestige site for development but not one of this height, mass and design and it is a poor fit for the area;
- hotel visitors will always bring cars to the city and the argument that there will be reduced reliance on cars is flawed;
- no clear planning definition of Co-living and the continental definition of inter-generational living would be a better aspiration where young people live alongside the elderly and benefit from reduced rent;
- premise of sharing facilities and living next to other young people does not meet the definition of housing provision but that of shared accommodation. It does not provide affordable housing for 20 to 30 year olds and is PBSA in all but name when there is already a surfeit of PBSA accommodation in the city centre;
- if the scheme is not successful a change to occupation by students linked to a 12 week, short term occupation matching university terms may result;
- the City Council, as site owner, should seek to enhance the city centre and respect local heritage assets;
- the size of units is a concern and do not provide enough living space. Such sizes, which are akin to hotel rooms, although possibly of benefit to individuals in transition, do not provide a settled home environment;
- the development meets the pressing need for housing in Exeter. The Council is obliged to meet a five year housing supply in line with the National Policy Framework and the presumption of sustainable development should apply;
- the development addresses public concerns regarding the recent number of PBSA developments in the city centre and meets the associated demand for non-student accommodation;
- the development accords with the Core Strategy which sets out the need for sustainable developments to provide housing, jobs and supporting infrastructure on previously developed land, developments which should be of a high density and offering a variety of accommodation types and maintaining a vital and valuable mix of uses in the city centre;

- the development enhances Exeter's position as a premier retail and cultural destination;
- the development provides greater space standards than apply in respect of the conversion of office buildings to residential;
- given the severity of the housing shortage it is vital to provide housing for those in transition who would welcome this housing opportunity, as would recent graduates, key workers such as RD&E employees and others seeking to remain in the city;
- Co-living offers affordable housing provision which a PBSA would not;
- the amendments to the scheme are well considered and seek to protect listed and locally listed buildings, the Conservation Areas and the setting of the City Wall as well as improving the dead frontage of Paul Street and the rear of the site adjacent to the City Wall;
- the proposal meets the challenge of providing a high density development in the centre of an historic city with a positive impact on the Conservation Areas;
- demand for retail space in the city centre has reduced and a hotel and residential development offer a better alternative;
- many people will welcome the opportunity for leasing from a recognised housing company;
- the Harlequin Centre does not contribute aesthetically to the city centre, many units are vacant and the site is in need of re-development;
- city centre living represents a new phase in accommodation provision and, although much earlier housing was also of high density, a Co-living option offers high density but of a much higher quality, including Passivhaus;
- many young people seek greater flexibility in housing provision which is met by this offer allowing them to enjoy central living close to shops, restaurants, bars etc;
- the opportunity for a new type of city centre accommodation should be embraced, with the developer helping address the housing problem in a new way;
- city centre hotels can be attractive to those looking for city breaks or business trips but not bringing their own vehicle to the city; and
- the development supports the City Council Net Zero 2030 aspirations, boosts the local economy by providing jobs during construction, helps local business trade and introduces road safety improvements.

The recommendation was for approval, subject to the completion of a Section 106 Agreement and the conditions as set out in the additional information sheet.

The recommendation was moved, seconded and carried.

**RESOLVED** that:-

- (1) subject to the completion of a Section 106 Agreement under the Town and Country Planning Act 1990 to secure:-
  - co-living Management Plan/Monitoring;
  - 20% of the dwellings within the Co-living block to 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 Variable Message Signs/signage to manage the use of the Guildhall car park;
- a 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; and
- rights of access for all users to the City Wall.

all Section 106 contributions to be index linked from the date of resolution.

the Assistant Service Lead City Development be authorised to **APPROVE** planning permission for the development of a Co-Living (Sui Generis) accommodation block and a hotel (Class C1) including bar and restaurant, following demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street to Co-Living (Sui Generis), and all associated works including parking, landscaping, amenity areas, public realm improvements, new pedestrian bridge and provision of heritage interpretation kiosk. (Revised) and, subject also to 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

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 7<sup>th</sup> 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 29<sup>th</sup> 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 20<sup>th</sup> August 2020 and 6<sup>th</sup> 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 subdivided 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.

- (2) the Assistant Service Lead City Development be authorised to **REFUSE** planning permission if the legal agreement under Section 106 Agreement under the Town and Country Planning Act 1990(as amended) is not completed by 21 April 2021 or such extended time as agreed by the Assistant Service Lead City Development for the reasons set out below:-

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 Variable Message Signs/signage to manage the use of the Guildhall car park;

- a 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); and
- 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.

(The meeting commenced at 5.30 pm and closed at 8.23 pm)

Chair