

**OFFICER'S REPORT AND RECOMMENDATION**

**EXPIRY DATE: 19 Oct 2015**

**PLANNING OFFICER: HHS**

**APPLICATION NO: 15/0791/01**

**LOCATION: Exeter Bus & Coach Station Redevelopment Area, Paris Street, Exeter.**

**PROPOSAL: Demolition of existing buildings at Exeter Bus & Coach Station, no. 188 Sidwell Street & nos 1-29 (odds) Paris Street for a comprehensive retail-leisure led mixed use development comprising Use Classes A1, A2, A3, A4, A5 [retail including food & drink uses], D2 [assembly & leisure] & including a new Leisure Centre & new Bus Station, with associated access landscaping and public realm works.**

## **HISTORY OF SITE**

12/0249/31

Request for a Screening Opinion

Not EIA

## **DESCRIPTION OF SITE/PROPOSAL**

The site is defined by Sidwell Street, Cheeke Street and Paris Street and extends to 3.3 hectares and including the upper portion of Paris Street and a part of Dix's Field where it joins Paris Street.

This is an outline planning application for retail and leisure led mixed use development with all matters reserved. The reserved matters comprise: Access, Appearance, Landscaping, Layout and Scale. The application is accompanied by a Design and Access statement and 3 parameters plans shown extent of site and uses, access and circulation routes, and building heights are submitted for approval.

The proposals involve the demolition of existing buildings at Exeter Bus and Coach Station, 188 Sidwell Street and 1-29 (odds) Paris Street.

The scheme will provide a new mixed use development of up to 27,547 square metres (sqm) of new floorspace and for the demolition of 7195 sqm of existing floorspace. It is proposed that the scheme include between 5,000 and 11,000 sqm of Class A1 (retail), between 5,000 and 9,500 sqm of Class A3 (restaurants and cafes), a total maximum of 750 sqm of A2, A4 and A5 (financial services, drinking establishments and hot food takeaways), between 1,300 sqm and 4720 sqm of D2 (assembly and leisure) and a between 5,500 and 6,100 sqm floorspace for the leisure centre and 760 sqm for the bus station building with associated access, landscaping and public realm works.

The proposals provide 5 new blocks of development, varying between two and four commercial storeys (between 12.0 and 23.0 metres) arranged around a terraced central open space. Pedestrian routes would connect that space directly with surrounding streets. The Bus Station concourse would provide another through route to the site.

The submitted application includes the closure of Paris Street to vehicular traffic between Dix's Field and High Street and the laying out of this as a public open space. The proposals would also see Bampfylde Street (between Paris Street and Cheeke Street) and Bude Street extinguished, with a service yard providing rear access to retained units on Sidwell Street.

The application is accompanied by a Transport Statement and a scheme of highways alterations to the wider network to accommodate traffic generated by the development and displaced by the closure of Paris Street and relocation of the Bus Station. These works are within the highway and do not require planning permission. These details are submitted to demonstrate that there are reasonable prospects that at all of the actions required to accommodate displaced traffic on the highway network can be put in place within the time-limit imposed by any permission. Highways consents (Section 278 approval of works and Traffic Orders for restrictions on vehicle movement and stopping) would be separately required for these changes to the network.

In summary the highway alterations proposed are: Provision is made for turning of buses in Paris Street at the junction with Dix's Field following closure of Paris Street between that junction and High Street, a dedicated bus lane is created in Paris Street westbound. Private vehicles are excluded from Cheeke Street between Belgrave Road and Bampfylde Street. Cheeke Street becomes bus only southbound from Belgrave Road to Paris Street roundabout. Belgrave Road becomes one way for westbound traffic with customer parking bays for the Post Office on that side of the road. Summerland Street becomes one way eastbound between Belgrave Road and Western Way, with a contraflow cycle lane. York Road is closed to vehicles westbound from King William Street with a cycle lane only westbound between that junction and the Longbrook Street Junction. Leighton Terrace junction with York Road becomes right-in, right out only. King William Street is proposed to be one way only westbound with one lane for car park traffic along its length, and the other dedicated for through traffic. The junction of King William Street and Longbrook Street is signalised with timing coordinated with signals at the New North Road and Longbrook Street Junction. New North Road is made bus only (two way) between High Street and Longbrook Street junctions. Traffic signals are removed at High Street junction with Paris Street. Two additional bus stops are provided in Sidwell Street (each side) and four scheduled coach stops are provided in Bampfylde Street. Six daytime bus layover bays are proposed to be provided in Red Lion Lane and Verney Street, with two in Sidwell Street. An overview plan of the proposed highway arrangements is attached as appendix 2.

The application was submitted in July 2015 and amended in November 2015 and by subsequent submissions. The amendments include revisions to the Transport Statement (including the highways network proposals) by submission of an Addendum document and replacement of the Design and Access Statement. Further work on Air Quality and Noise Assessment and further illustrative design material has also been submitted.

Since first submission the application information has been amended remove the proposed tourist coach parking at Parr Street Car Park and proposed junction changes at the junctions of Blackall Road with New North Road Pennsylvania Road and remove proposed alterations to kerb line at Well Street outside the primary school.

## **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

### **July 2015 original submission documents**

Site Plan

Application Form (and associated notices) (*Withdrawn November 2015*)

Planning Statement

Existing Plans  
Demolition Plan and Parameter Plans (*Withdrawn November 2015*)  
Habitat Survey  
Arboricultural Impact Assessment (*Withdrawn November 2015*)  
Transport Assessment  
Travel Plan  
Air Quality Assessment  
Noise Assessment  
Flood Risk Assessment  
Utility Infrastructure Servicing  
Waste Management Plan  
Statement of Community Involvement  
Design and Access Statement (*withdrawn November 2015*)  
Heritage Statement  
Environmental Risk Assessment

### **Revised and additional information**

Covering letter accompanying resubmission documents.  
Application Form (and associated notices) (resubmission)  
Demolition Plan and Parameter Plans (resubmission)  
Illustrative Scheme Plans  
Arboricultural Impact Assessment (resubmission)  
Transport Assessment Addendum  
Replacement Design and Access Statement and Design Code  
Revised Highway Capacity Assessment  
Air Quality Report Update  
Traffic Noise and Plant Noise Update  
Illustrative Design Addendum

### **REPRESENTATIONS**

The application was advertised by letter to local residents, by site notices and by press notice at initial consultation (July 2015) and reconsultation (November 2015). Local special interest groups, residents groups and bus operators were also consulted by letter.

### **Public Responses**

A total of 247 public responses have been received raising the following issues:

- Use of Parr Street for Tourist Coaches unacceptable impact on residential amenity.
- Use of Parr Street for Tourist Coach parking unsafe access.
- Loss of residents parking at Parr Street Car Park
- Insufficient information
- Support in principle but object to closing Paris Street
- No evidence to show development is viable
- Proposed pool should be of Olympic (50m) standard
- Empty Shops elsewhere in City Centre, no need for more
- Theatre should be built on this site.
- Service access to Sidwell Street must be maintained, front and rear.
- No demand for another cinema.
- Lack of/Loss of parking
- Loss of local businesses, replaced with 'national chains'

- Effect of traffic on St. Sidwells School
- Reduced air quality in York Road by school and Mosque
- Routing buses past John Lewis rather than Longbrook Street welcomed.
- No need to pedestrianise Paris Street
- Consider alternative to closing Paris Street
- Detriment to safety of reducing pavement outside school
- Failure to consult with School
- Poor use of council money
- Proposed bus station is too small
- Loss of Bude Street Car Park will compound parking problems suffered by residents.
- Poor provision for Coach Passengers being dropped on street
- York Road is gridlocked at weekends and will be worse
- Paris Street should return to two-way to reduce traffic queueing in St. James.
- Bus Station is too far from the High Street
- Coach Station should be put near M5.
- Bus station should take priority over commercial development
- Covered area in bus station is not big enough
- Bus Station must be of High Quality
- Bus Station should be put on Bus Depot site.
- Development will lead to increased congestion
- Not enough being done to discourage car travel
- Streets surrounding Bus Station will be unattractive full of bus stops and layovers.
- Not enough shops for local businesses
- Interchange between bus services will be harder
- No proposals to address climate change
- No support from local community
- Full details should be available now
- Provision should be made for bus passengers during construction
- Contaminated land risks not addressed
- Widespread detriment to air quality
- Insufficient cycle stands
- Only providing for existing bus demand is short sighted
- Increased difficulty crossing roads in St. James
- Paris Street space has no purpose
- Options to retain traffic in Paris Street should be explored
- Size and location of swimming pools
- Passivhaus standard wrong and will lead to extra cost
- Lack of car parking

Of the public responses received: 21 were concerned specifically with the parking of tourist coaches at Parr Street Car Park; 69 were concerned specifically with the potential traffic and air quality impacts on St. Sidwell's Primary School; and 93 were concerned specifically with the leisure centre or swimming pools.

### **National Express**

We are very disappointed that the revised planning application has failed to address the critical issue of long-distance coaches using the station. The station central to all of our services to and from Devon. Year to date in 2015, National Express has delivered over 340,000 passenger journeys between Exeter and over 30 regional and national locations. We would urge the Council to take the needs of passengers with reduced mobility and those with large amounts of luggage into consideration when deciding whether an on-

street coach stop outside of the station is acceptable. We would also need to ensure that there is adequate space for people meeting and greeting scheduled coach passengers to be able to wait near the stop safely. Regrettably that the current plans do not support the delivery of the County's Local Transport Plan 3 objectives. The proposed development would do little to support local population growth, enhance the city's visitor economy, or meet the needs of the hundreds of thousands of residents and visitors already choosing to travel to and from Exeter by coach each year. While we recognise that a larger station suitable for use by coaches may be less commercially attractive to the developers, we believe that the new station must first and foremost meet the fundamental requirements of public transport users.

### **Civic Society**

We are against the closure of Paris Street to traffic. We are concerned about the impact of diverting traffic away from this arterial route through the city centre, and onto roads that were not designed for this function. And we are also concerned that local traffic will start to use routes further afield, such as Union Road and Prince of Wales Road, both of which have carriageways that are not wide enough for two vehicles to pass comfortably at 30 mph along several parts of their length. We believe that Paris Street is not a difficult road to cross, and with some additional traffic management strategies it could be made safer, particularly if park & ride buses were removed from the upper part of Paris Street. It should be possible to prevent traffic turning right into Sidwell Street (except buses), and this may result in a reduction in traffic using Paris Street because it will find alternative routes.

We believe the development should be considered in the context of the Development Principles which talk about making it easier to walk around this area, more permeable access from Sidwell Street, and for the provision of active frontages. It also supports improvements for the Sidwell Street market and the improvement of shops in Sidwell Street. The proposals for on-street stopping of buses and coaches in this application should not diminish the possibility of future development complying with the Development Principles [The submission includes analysis of the proposal in relation to each Principle].

We also make the following specific observations regarding the proposed development: The Design Principles call for the development to have its own identity and we would request that the colour palette has a resemblance to the Grecian quarter; The Design & Access statement proposes that there may be public art and this should be subject to proposals by the council and the public; The service yard between the new buildings and the back of Sidwell Street shops will be shielded from public view and it is not clear how service vehicles will access this area.

The application includes proposals to have bus 'layover' stops and bus stops positioned on neighbouring roads of Bampfylde Street, Belgrave Road, and Summerland Street, which may be acceptable if pavements are wide enough for bus shelters and people queuing. We are concerned that the level of activity associated with National Express coaches involves the loading and unloading of luggage, and buses leaving from early in the morning to late at night. This activity may be acceptable on minor roads with bus shelters, but is not suitable for busier roads such as Belgrave Road and Summerland Street. Passengers need a reasonably comfortable, well lit, enclosed waiting space because people sometime need to wait for hours (especially when coaches are delayed), and this can be late at night. There needs to be drop off capability at all times.

It is proposed that the length of Cheeke Street between Bampfylde Street and Belgrave Road is for buses and cyclists only, this seems OK. But we believe higher priority should be given for pedestrians and cyclists to cross Cheeke Street to help improve access to and from Bampfylde Street and Belgrave Road and to meet the Development Principles criteria of permeability.

It may also be desirable to make adjustments to bus stops in Sidwell Street so that buses stop closer to the Cheeke Street junction to facilitate access to and from the bus station for those city centre routes that do not use Cheeke Street in an endeavour to have an integrated transport system.

Proposals to locate the existing Park & Ride buses to the lower part of Paris Street could be successful as long as pavements are wide enough for shelters as well as pedestrians. Although the County Council has plans for two new Park & Ride services from Ide and Cowley Bridge there is no indication in the application if there will be capacity for these services in this locality, so it is essential that there should be capacity for additional services.

The County Council has plans in its Local Transport Plan 3 to increase cycling rates from 6% to 20% (240% increase) by 2026, but this aspiration is not reflected in this application. There should be a greater allowance for cycle stands, even if provided on neighbouring streets.

We are not in favour of losing public car parking in Parr Street car park for coach parking.

The Society is in favour of the development of the bus station as it is currently an eyesore and an under-utilised city centre site. We understand that development can generate benefits for the city, that there is a loose development strategy being followed to provide leisure activities in the city centre, linked to, and easily accessible from the heart of the city centre. This has been recognised in City Council and County Council policy/strategy statements which have said that for the bus station site provides a once-in-a-lifetime opportunity for a “step change in the quality, capacity, and environmental performance of public transport, especially between the City Centre and the proposed developments adjoining the City” (a quote from Policy CP9 of the Core Strategy, 2012).

The Exeter Growth Bus Strategy 2012 provided a comprehensive and detailed description of how bus services should be improved and expanded. Notably the strategy focuses on the details of route and service frequency improvements, including new Park & Ride sites and services, but does not talk about the need for bus station facilities in the City centre.

The encouragement of public transport in the City is fundamental for a transport system, which also encourages walking and cycling, with direct benefits for air quality and the wider and fundamental issues of sustainability. Easy and attractive access to the City centre by bus is a key issue in encouraging people to use buses, and the bus station development proposal focuses discussion on how much a comprehensive, well-organised bus station can provide a welcoming gateway to the City.

The proposed scheme does not appear to meet these aspirations. There is a strong impression that the bus station has been given a low priority.

The Statement of Community Involvement (SCI) records concerns raised as a result of their consultation event in November 2014. None have resulted in any changes or adjustments to the proposals. The city council has not issued specific written guidance to the applicants regarding the extent of consultation required, as required by your own SPD for community engagement.

The closure of Paris Street can make a contribution to the public realm, but the proposed traffic diversion route raises complex traffic management issues, the impacts of which have not yet been fully addressed by the applicants.

On recent weekends traffic has queued from the John Lewis car park. The proposals to make King William Street one-way will not mitigate this problem because the bottle neck is the narrowness of York Road which will not allow through traffic to pass queuing traffic. The highway authority / applicant assumes that 15% of traffic currently using Paris Street will divert to this route. The applicant has not demonstrated that they can mitigate the congestion caused by traffic queuing in this area, the alternative highways route should be rejected by councillors and residents of the city.

The applicants assert that 85% of traffic using Paris Street will divert via Exe bridges to head northwards. Whilst this alternative route may function adequately during most daytime hours, regular users of roads in the city centre will know that at peak time's traffic heading towards Exe bridges from the Paris Street roundabout experiences queues which extend towards Blackboy Road and into Heavitree Road. Any additional traffic will add significantly to this congestion. The council will be displaying gross negligence if they approve a scheme where they know that congestion will be made worse as a consequence of it. The applicants should be asked to undertake highway improvements over a wider area to support the wider dispersion of traffic which they suggest may happen.

Decisions about road closures and changes to the highways are being made without a Stage 1 Road Safety Audit. This should demonstrate dangers the bus and traffic management arrangements.

The bus station will be reduced from 15 to 12 bays. But our own observations of the bus station on two days in November around 5 - 6pm suggests that even the existing provision of 15 stops is barely able to cope with existing demands. Our simple observation of the bus station shows that 12 bays will be inadequate to provide for even current levels of traffic.

Residential expansion of Exeter's will generate additional trips to the City Centre in the future, and these trips will add to road traffic and parking volumes, unless public transport, cycling, and walking options are made more attractive and accessible. An increase in bus volumes and passenger numbers seems inevitable, but development proposals ignore the need to provide additional facilities, and it is disappointing that the highways authority has not planned for this.

We understand that the requirement for 12 bays came out of work by the City Council, the County Council, and Stagecoach, we have concerns that Stagecoach would prefer to use on-street stops because using a bus station adds to their overheads. They are not therefore a good partner for the design process. For bus users, a covered environment, information and ticketing facilities, and provision for interchange are an important part of

efficient travel. Twelve bays fail to: meet aspirations, policies, and strategies set out very clearly in City and County Council policy documents; make provision of bus stops and stands to be maintained on-site, make a 'step change in the quality, capacity, and environmental performance of public transport, especially between the City Centre and the proposed developments adjoining the City'.

The proposal for Park & Ride services to u-turn at the junction of Paris Street with Southernhay East will place that movement in direct conflict with movement - and queues - of cars into and out of the Princesshay car parks and Dix's Field. The Civic Society thinks that this proposal is worryingly ill-considered and potentially very problematic for those frequent times of cars queuing to get into the Princesshay car parks, resulting in congestion onto Western Way and Heavitree Road.

Tourists are an important aspect of Exeter's economy, and tourist coach facilities must be located conveniently in the city centre. Currently facilities in the bus station for tourist coaches will be lost, but there appears to be a lack of coordinated proposals for convenient coach parking in the city.

In conclusion: The society objects to the closure of Paris Street and the alternative highway arrangements because the alternative routes do not adequately mitigate the impact of the proposals. The society objects to the provision of on-street bus stops because we believe an appropriately sized bus station should be a priority for Exeter and its size should not be determined as a result of what is affordable or the land available after all other matters have been considered.

#### **Civic Society – Planning Sub committee**

Planning Sub-committee is happy to welcome some of the proposals. We were concerned that the rear of the Sidwell Street shops backing on to the present Bude Street would remain unsightly. The fact that the Sidwell Street shops will not be demolished at least means that they will continue as small units which we consider necessary in the area. We are also assured that in the area of the access to the service yard provision is made for drop off points and a turning circle for cars bringing passengers with limited mobility who need to reach buses or coaches, but we trust that a separate lane or priority will be provided for such cars. Planning sub-committee finds the location of the new Bus Station satisfactory and we have no means of knowing whether the space it provides is adequate for the number of vehicles using it in the future. Of course the situation could be eased if long-distance National Express coaches were to drop passengers whose destination is Exeter at, for instance, Sandy Gate Services, providing a shuttle service with adequate space and assistance for luggage to bring those passengers who are not collected at that point into the bus station and freeing the coach to continue its journey north or south without delay and without overburdening the road through Heavitree. We look forward to seeing the design for the new bus station with arrangements for booking, waiting etc.

We agree that space for part-day parking of visiting coaches is necessary but are concerned that part of the residents' parking in Parr Street would be lost. Perhaps it is essential that such coach parking should be within reach of the bus station for the convenience of drivers who will be waiting for several hours. If so this must be explained. If not satisfied we object and request that the location is reconsidered.

The proposals for public realm within the development seem satisfactory and we like the stepped area which seems to make good use of the change in level and the need to



incorporate as much grassed and planted surface as possible. It will need high maintenance but we know that Princesshay Estates will care for the area as well as they do for the existing Princesshay. We look forward to hearing of any activities for use of the space and for planting of a good number of interesting trees. We agree that removal of the trees designated in the application is inevitable.

Towards the edge of the development on Lower Paris Street Planning sub-committee sees no need for a Cinema. Planning sub-committee realizes that any idea of a theatre on this site is unrealistic although again that might not be the general view.

The brief parking of Park and Ride buses on Lower Paris Street seems possible but we are not clear about the turning of these vehicles at the entrance to Dix's Field. We would be concerned if space for this was created by the removal of the two recently planted trees opposite Berkeley House and would certainly object to felling of the very large conifer.

Planning sub-committee realizes that in order to be economically viable and to attract the desired mix of high quality retailers and restaurants it is necessary for the coherence of the related schemes to appear to customers crossing from Princesshay Lane to its sister development (or vice versa), comfortably assuring them that they are remaining in the Princesshay environment; but we remain unconvinced that this can only be achieved by complete closure of the street to traffic. Relocation of the Park and Ride buses and strict control of speed could allow the roadway to be narrowed, planting to be added on either side of a wide crossing area and possibly even kiosks. Much work is now being done on arrangements for dual use of such situations and we would like to know that the developers have fully investigated such possibilities. We cannot accept that the dangers and inconveniences of the alternative convoluted route, and any further ramifications from it which frustrated and inventive drivers would develop, would compensate for the loss of the present straightforward and short direct route through the city towards North and Northwest Devon. The suggested diversion or its further ramifications would not only reduce the quality of life for the inhabitants of St James and Newtown but would adversely affect all Exeter residents who use that part of the City and would confound visitors from Devon and beyond, however explanatory the direction signs. Those signs would need to be numerous, large and comprehensible and much extra fuel and skill would be needed to follow them. The tortuous route would also engender fumes from engines due to increased turns and low gear driving.

Planning sub-committee therefore wishes to record objections on the matter of the removal of traffic from Upper Paris Street, the unacceptable diversions which this would entail, the possible widening of that part of Dix's Field which carries well-grown trees, the loss of residents' parking in Parr Street, the apparent closure of Cheeke Street to cars delivering or collecting disabled travellers to or from the bus station, and the absence of any mention of local traders.

### **Transition Exeter Transport Group**

Transition Exeter Transport Group believes that a good quality bus service is a vital part of a sustainable transport future for Exeter, and so we welcome the redevelopment of the bus and coach station to provide a welcoming, attractive and efficient facility. However, we have a number of concerns, in particular: the siting of the bus station at the part of the site most distant from the city centre and the main train stations; the reduction in size of

the bus station; the removal from the bus station of facilities for long-distance coach travellers; and lack of facilities for people wanting to combine bus and bicycle travel.

What is proposed is a replacement bus station which is further from the city centre; at the minimum size that Stagecoach feels able to operate in at the present time, and presumably therefore takes no account of the inevitable increase of Exeter's transport needs due to the growth areas around the city; that cannot even cope with regular express coach services (which are pushed around the corner); that results in bus "lay over" spaces being spread around the area. All of these points to a decline in standard that in no way could be described as a "step change". We can only hope that the facilities in the station itself are up to modern standards, otherwise this is extremely disappointing and shows that an increase in bus use is a lower priority for developers than the provision of extra shops.

### **RSPB**

We would strongly recommend that if Planning Permission is granted we are given the opportunity to work with your GI Team on what the Agents/Adviser are proposing in a Landscape and Ecological Management Plan which should be a condition of the consent and reflect what is currently considered as best practice. This should include the creation of an urban tree canopy with permeable pavements to encourage root growth. living roofs, green walls and rain gardens where practicable, ground level planting to encourage a broad range of invertebrates and pollinators, realistic numbers of nest/roost boxes for building dependant species, experience in Exeter and elsewhere suggests that Swift Bricks will be used by most species including crevice roosting bats so we tend to recommend them exclusively and bee bricks in appropriate locations.

### **Devon Senior Voice**

Redevelopment is welcomed and this is an opportunity for the city to have a quality bus station. The bus station is placed as far from the High Street as possible and has a ramp access these will cause problem for people with mobility issues. Regrettable that there is no room for scheduled coaches and fewer bays for buses. Taxi drop off required. Not enough room for facilities. If there is no provision for expansion the momentum for increasing routes will be lost. Devon Senior Voice is of the opinion that the needs of passengers using the new bus station have not been fully understood or taken into account.

### **Exeter Walking and Cycling Steering Group**

If Bampfylde Street cycle route cannot be retained then the developer must pay for re-signing of route and any physical alterations required as a result and cyclists should still be able to enter the development to reach their destination within it.

Paris Street / New North Road must remain cyclable throughout in both directions.

Summerland Street / Western Way junction should retain straight across movement for cyclists.

There should be a presumption that all junctions should be all moves for cyclists. One way streets should allow two way cycling.

It is essential that sufficient cycle parking is provided from day one. If they can demonstrate that our standards would result in over provision, the amount of cycle parking should be pro rata that in Princesshay plus 30%.

Cycle is needed within the development, in the amphitheatre area and other internal locations, not just at entry points.

Routes along desire lines must be legible, with crossing facilities, for example from bus station to proposed coach stops on Belgrave Road.

Passenger waiting area at new bus station must be fully covered to give protection from weather.

Phasing arrangements secured by s106 agreement should ensure existing station remains in use until a contract has been let for construction of the new station.

The exclusion of long distance coaches from the bus station is regrettable. To have passengers waiting for long periods at a stop on the street is not acceptable, especially at night. Substantial shelters are required for weather protection, together either an out of hours bay in the Bus Station or waiting facilities in Bampfylde Street.

It is understood that Parr Street car park is being considered for parking of tourist coaches. This would be preferable to having them add to traffic congestion by having to drive down to Haven Banks and back.

### **Exeter Green Party**

We welcome: The redevelopment of the site which is tired and doesn't make best use of the available city centre land and its emphasis on leisure uses. The proposals seek to create a development which ties into, rather than separates itself off, from the neighbouring areas. The inclusion of sustainable urban drainage, and the stated commitment to improve the ecology of the site – using green roofs etc. The statement that the walking areas will be flat or very gently undulating. The stated goal to build the new development to BREEAM excellent standards and the swimming pool to the passiv standard. Such standards are crucial not only to tackle climate change but also to create buildings which are more affordable to run and more comfortable to use and live in. We support the proposed new swimming pool.

The following need further clarification: Market square: The proposed retail/restaurant units are more of the same type of units already available along the High Street and Princesshay. Opportunity for a square which celebrates the distinctiveness and diversity of the 'Best of Devon' should be incorporated.

Economic strategy and viability: We are particularly concerned that the centre will focus on high-end/exclusive restaurants and food businesses attract new businesses to the City. We are concerned that existing local business will move out of the area. The development focuses exclusively on restaurants which does not create an interesting and mixed offer. The units should be a mix of commercial uses. The development lacks any housing on the site.

Leisure uses: Would like there to be a wide range of affordable leisure activities, especially for young people. Concerns have been raised that the pool will not be Olympic

sized, which will inhibit elite sports development in the City. The pool should also include fun features for children and be fully accessible for people with disabilities. We are concerned that the cinema might affect the viability of local arts venues in particular the Phoenix Picture House and innovative local theatre such as the Bike Shed.

Inclusion: We would urge that streetscape is designed to be safe, especially for children, easily used by less ambulant people/people with disabilities.

Ecology: We note that there was no indication of planting, including of trees, in the development which is a concern. Lighting should be low energy and have a reduced impact on ecology as possible.

Transport integration: There is a lack of evidence about how this site will connect up with public transport.

Bus Station: The siting of the bus station is of concern as this is far away from the High Street. Is the station sufficiently large enough to accommodate both local and Devon wideservices? The permeability to the site from Sidwell Street needs to be maintained.

National Express station: This must be easy and safe to connect with the bus station and other local services across the road.

Cycling: Covered cycle parking should be provided and current provision and proposal is inadequate. The cycle routes need distinct entry and exit points from/to the road and across the "shared use" spaces. Cycle routes shown are unsafe and have unresolved conflicts [specific detailed recommendations are included in the submission].

Walking: the site needs to be easily accessed and traversed by foot.

Energy: Renewable energy should be included on site.

Freight: The objective of reducing freight movements is not addressed.

Disposal of surface water:

Allocation of public space: We note with concern the new open space and amphitheatre is not specified as formal public space. We request that that these areas shall be adopted by Exeter City Council as formal public spaces giving the public the right to access and the right to assembly etc rather than the open spaces and amphitheatre being a privately owned and managed open space.

Zero Waste: The site should be based on a zero waste policy.

### **St. Sidwell's Primary School**

We object to the proposed traffic changes. We are concerned that the school was not involved at an earlier stage. Our main concerns are: An increase in traffic driving through our area; An increase in traffic at the junction by the top school gate; A reduced area of pavement where children and parents congregate outside that gate; A likely increase in congestion and slow moving traffic on York Road and other local roads as a result of additional traffic using this route and increased congestion particularly at peak times; Potential increase of traffic on other local roads as people look for quicker routes through this area and try to avoid congestion; An increase risk to parents and children as pedestrians.

These proposals raise concerns for us over reduced rather than improved air quality for the school, as well as reduced road safety particularly in the immediate vicinity of the school. We question whether these negative outcomes for the school and local community outweigh the benefit of a pedestrianised space on Paris Street. The safety of children must be paramount.

### **Prospect Park Residents Association**

We wish to object over the impact of traffic on the neighbourhood of St James as a result of the proposed closure of Paris Street, the negative implications for the local community

of the proposed traffic changes are; a significant increase in traffic driving through our area use of roads not designed for the purpose of a 'through route', and which have sensitive users such as St Sidwells primary school; likely increase in congestion and slow moving traffic; likely increase of traffic on local roads; inconvenience for local residents; reduced area of pavement outside the top gate of the primary school; concerns for road safety, particularly around the school; concerns over an increase in air pollution in our area due to the increased traffic volumes; stationary and slow moving traffic through the area, adjacent to St Sidwells primary school; concerns about the suitability of the proposed route for the volume of traffic expected; concerns about the traffic modelling which does not account for local issues such as articulated lorries reversing at Acland Road; concerns about current traffic problems with queueing for car parks along King William Street, and traffic backing up York Road as a result;

The St James community produced the Exeter St James Neighbourhood Plan in 2013 and to set out our vision for our area. We do not believe that the proposed traffic proposals provide any benefit to our community or area but would leave us with a number of negative impacts which further degrade St James contrary to policies T1, T2 and T3 of that plan.

We question whether these negative outcomes for the school and local community outweigh the benefit of a pedestrianised space on Paris Street. We question the fundamental principle of whether the removal of traffic from Paris Street is even necessary to enable a retail/leisure development on the Bus and Coach Station site. We believe that crossings are adequate for shoppers in the city centre going between the High Street side of town and Sidwell Street side and believe that this space could be improved through good design to accommodate both pedestrians and vehicles if required, possibly including the addition of another level signalised crossing.

#### **Devonshire Place Residents Association**

DPRAs objects to the closure of Paris Street to traffic. The DPRAs urges the council to reject the requirement that Paris Street be closed to traffic because the reasons for doing so are not supported by evidence. A second reason for our objection is that there are no viable, alternative routes for cross-city traffic and that evidence demonstrates that the one proposed will have a significantly detrimental effect on surrounding residential areas. Drivers will use alternative routes along narrow residential roads as they seek to avoid the congestion. This is the experience of local residents since the 2012 development of the John Lewis store subsequently evolved rat-runs, including in and around St Sidwell's school, where there have been accidents. We think changes to the kerb line outside the school are an ill considered and dangerous proposal that will expose children to unnecessary risk and will be exacerbated by drivers' use of the routes described above. The DPRAs urges the council to reject the requirement that traffic be rerouted from Paris Street on the basis of evidence of its potentially detrimental effect on local residential streets and increased danger to school children and pedestrians.

The proposals will breach of policies T1, T2 and T3 of the Exeter St James Neighbourhood Plan adopted by ECC in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004. The DPRAs believes that the council should reject the requirement that traffic should be rerouted from Paris Street on the basis of evidence that acceptance will lead to breaches of ECC commitments to the Neighbourhood Plan adopted in July 2013.

We believe the new bus station to be of insufficient size. We consider the proposal for coaches to be sited on a neighbouring road unsatisfactory and more likely to deter rather than encourage an increase in the use of public transport.

We urge the council to ensure that occupation of the site will not be the preserve only of large scale high street names, such as is the case in many city centre retail spaces, and that there will be affordable opportunities for local producers, farmers etc.

#### **Bury Meadow Residents Association**

We are concerned that that existing roads in St. James Ward will not be able to cope with any traffic increase without congestion, air pollution and road safety issues for local families, residents and businesses.

#### **Exeter St James Forum's Planning & Design Panel**

We have significant concerns about the proposal to close Paris Street and re-route traffic through the St James area of the City. We note that, at the time of writing, Devon County Council has numerous reservations about the proposals and officers have stated that they are 'unable to support the proposals from a transportation perspective'. ESJF PDP would like the opportunity to provide more detailed comments on this application (in particular the proposed changes to the road network within St James) once revised proposals for the changes to the highways and junctions become available. Our specific concerns and objections relate to: The closure of Paris Street the need to ensure that the proposals address and comply with ESJF Neighbourhood Plan Policy T2 'Through Traffic'.

### **CONSULTATIONS**

#### **Environment Agency**

We have no objection to the proposal provided the recommended planning conditions are included. These conditions are attached to the recommendation as conditions 31, 32 and 33.

#### **Historic England**

Raise no objections to the principle of redevelopment of this site subject to appropriate recording of buildings proposed for demolition. We note the application is light on architectural detail in regards to the proposed buildings, and encourage your authority to apply appropriately-worded planning conditions to any approval in order to ensure quality in the delivery of the scheme.

#### **Twentieth Century Society**

No response received.

#### **Natural England**

No objection. Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.

#### **Devon and Somerset Fire and Rescue**

The revised plans address the concerns previously raised with regards access across the London Inn Square, with access out of city for buses and emergency vehicles now being from New North Road – London Inn – Sidwell Street – Cheeke Street route. The Fire service would request that a route through Paris Street is available for response within the bus station and as an alternative route out of the city and that this will be taken into

consideration when planning the road furniture and pedestrian area. 45 metre access is required to the furthest point within a building.

### **Devon County Council Flood Risk Management**

For all brownfield developments we would expect to see betterment to the current control of surface water and encourage the use of above ground sustainable drainage (SuDS). Where possible water features should be introduced into the landscape architecture to enhance the SuDS capabilities. It is noted in this outline application that SuDS are to be considered for the site, although the anticipated method is to drain the site to the existing public surface water and/or combined sewers. Direct discharge to the sewers does not follow the SuDS train and has no benefit for water quality, amenity or biodiversity. The use of some form of SuDS for the first flush, as a minimum, is therefore encouraged to provide a form of treatment to improve water quality.

A surface water management strategy needs to be submitted with the detailed application to show how surface water will be controlled on the site up to the 1 in 100 year +30% allowance for climate change and provide evidence that the new development buildings will not be at risk of flooding nor will there be any increase to off-site flows. Peak flow control must not exceed the rate of discharge prior to redevelopment. A condition is attached to the recommendation as condition 24.

### **Devon County Council Highways Development Management**

The Highway Authority has been in discussion with the applicant's transport consultants and ECC City Development regarding this scheme for a considerable time. The County Council's Development Management Committee considered the proposals on Wednesday 25th November 2015. Members confirmed the officer recommendation that there is no objection in principle to the development but that some of the highway and transport aspects will require greater refinement before detailed planning conditions or legal agreement clauses can be drafted. The report contains items at Appendix IV that members would like included in the conditions and S106 heads of terms.

Specifically, the minutes of the meeting resolved the following:

- (a) that Exeter City Council be advised that the County Council, as Highway Authority raises no objection to the proposal subject to the signing of a Legal agreement and imposition of planning conditions as set out in Appendix IV to this Report;
- (b) that Officers continue to work with the applicant with the aim of refining the highway proposals in advance of the application being determined by Exeter City Council;
- (c) that authority to determine the detailed wording of the Legal Agreement and planning conditions be delegated to the Head of Planning, Transportation and Environment;
- (d) that as part of the above legal agreement a bond of £500,000 be provided to be made available to the Highway Authority to fund any future alterations or improvements which are considered necessary to address any adverse impacts to the highway network resulting from the development.

The minutes are expected to be confirmed at the next meeting of the Development Management Committee on January 27th 2016. Since the Development Management Committee, the applicants submitted a revised capacity assessment, based on further sensitivity tests of floor space scenarios requested by the City Council. The County Council accepts that the conclusions remain unchanged on the basis of the negligible increases in vehicle trips.

We provided further comments in relation to recommendations b), which relates to the continued work to further refine the highway proposals and d), which relates to the requested bond to address any adverse impacts to the highway network.

Following the 25th November Development Management Committee officers have continued to liaise with the applicants transport consultant to refine the proposals.

Particular focus has been on the interaction of bus turning area and cross city cycle routes on Paris Street, design of Cheeke Street/Belgrave Road, Summerland Street/York Road and junction of Longbrook Street/ King William Street. Whilst further iterations of these arrangements have been provided, there remain a number of design and road safety elements, particularly with regards suitability of the pedestrian and cycle routes, which will require further changes. Consequently, although the plans going to committee show an overview of the highway works they do not represent the final works.

Nevertheless, and as highlighted in the committee report, it is accepted that suitable arrangements can be achieved. It is common for the applicant to continue finalising details following committee, notably as part of the detailed design and response to Stage 1 and 2 Road Safety Audits provided as part of the S278 process for works on the public highway.

We [DCC] will continue to work with the applicant to agree the full details of the mitigation works and conditions to ensure the agreement of appropriate details are provided prior to commencement of any part of the development and that these works are provided prior to the prohibition of traffic across Paris Street are recommended.

The greatest areas of debate related to the adequacy of the bus station. Since the Committee a series of discussions and meetings have been held, involving Stagecoach, the applicant's consultants and Exeter City Council officers.

It was recognised that during certain relatively short periods of the day there is high demand for bus arrivals at the bus station. Nevertheless, it was agreed that some services did not need access to the bus station and with additional stops provided elsewhere, potentially on Sidwell Street, it was agreed that the Local Bus element (predominantly Stagecoach) of the bus station could operate effectively with 12 stands.

During the consultation process and at Development Management Committee, members expressed concerns about the lack of provision for National Express / Megabus coaches. Specifically, the report stated "...that bus station facilities (waiting rooms, information, toilets etc) are essential for people who may need to wait for long periods of time. In this respect, passengers on less frequent bus services or long distance coaches may expect to have their bus service accommodated in the bus station, particularly if they are infrequent travellers and are unfamiliar with the city they are visiting". On this basis, the County Council seeks that provision for such services are accommodated within the bus



station or, if this is not possible, suitable similar appropriate provision for passengers and vehicles is made.

The applicants are proposing to close Paris Street traffic between the Dix's Field junction and Sidwell Street. There are a series of wider network changes that will also be delivered by the developers to mitigate the impacts of reassigned traffic. Whilst, the County Council concluded that the transport-related impacts were not considered to be severe in accordance with National Planning Policy Framework, it is not always possible to completely predict driver behaviour, particularly where the scale of change is so significant. Consequently, the sum of £500,000 was recommended in the event that future minor alterations or improvements may be required. This should be secured by an appropriate legal agreement and last for 5 years from occupation of the development.

Six conditions have been recommended to be attached to any consent. [The suggested conditions have been included within conditions 35 to 40 attached to this report]. In addition to securing the bond, it is recommended that the following matters are secured through appropriate legal agreement:

- a) The full cost of any highway mitigation works (Including: Road closures and any stopping up of existing highway; All associated highway works, signage and markings, including one way working, bus lanes, bus layovers, cycle and pedestrian routes and other restrictions and exemptions applicable to various types of traffic; Traffic Regulation Orders relating to the proposals; Cycle and pedestrian signage; Installation, modification, removal and/or replacement of traffic signals; Bus and coach stops with appropriate facilities; and S278 fees incurred by DCC, including legal costs and inspection fees).
- b) Paris Street to be rededicated as public highway after completion of the works
- c) Phasing of all of the above, including temporary arrangements during construction.
- d) Approval of the temporary bus station arrangements, including circulation, stopping, layover and passenger waiting facilities

In conclusion, it is considered that the opportunities for sustainable transport will improve with the proposed application. As well as the closure of Paris Street and greater priority for buses on the High Street/Sidwell Street corridor there will be a new modernised bus station, Bus services will continue to have convenient, direct access to an expanding city centre and safe and suitable access for pedestrians and cyclist in and around the site can be achieved. Although the proposals will be less convenient for drivers the cumulative impacts are not severe and any adverse impacts can be adequately mitigated through the recommended conditions and Section 106 requirements.

### **Exeter City Council Environmental Health**

The air quality assessment uses some conservative input data. It assumes maximum likely traffic generation and traffic flows. It also assumes no improvement in vehicle emission factors over time. It does not explicitly take account of the fact that current real world emissions are higher than those expected based upon vehicle technology standards. But, they have verified their model against local monitoring data to take some account of this. As such, it is a good example of work to predict future air pollution levels.

Air quality modelling and monitoring are inherently uncertain though. For example even after model adjustment and verification, the applicant's air quality model under-predicts NO<sub>2</sub> concentrations at our monitoring point on York Road by 15%. However the expected

change as a result of the development should not be affected by this under-prediction. So the expected increase of 1 ug/m<sup>3</sup> with development in this area is likely to be correct, and this is unlikely to result in sustained exceedances of the objective level at relevant receptors.

The development will also deliver some improvements in air quality, particularly in the area by St Sidwell's School and these are to be welcomed. No objection to the development in air quality terms.

I would be grateful if you could include a mechanism within the consent where the developer provides a bond against future exceedances of the objective levels. This would ensure that if actual traffic levels were greater than predicted, and caused higher concentrations of local air pollution, funds would be available to the local authorities to implement mitigation works.

I am also keen that every opportunity is taken during the process of delivering the development to ensure that those who are either making new journeys to the city centre, or who are forced to change their journeys as a result of the development, can make sustainable travel choices. I appreciate that this is likely to be beyond the scope of this application alone.

The approach to the limiting and control of noise from the development is acceptable. A condition that requires the developer to submit specific noise limits for approval is recommended.

Recommendation: Approval with conditions (Construction Environmental Management Plan, Contaminated Land, Unexploded Ordnance, plant noise limit, noise management plan, air pollution mitigation, kitchen extraction). The requested conditions, or alternative wording, are attached to the recommendation as conditions 21, 22, 23, 31, 32, 33 and 34.

### **Exeter City Council – Heritage**

Impact of the proposals on significant buried remains: The heritage statement, based on and including the results of previous assessment and site investigations (evaluation as per NPPF para 128) undertaken in 2008 & 2010, provides sufficient supporting information on which to determine this application. This work has identified no surviving remains of major significance on the site, and as a result there are no constraints in this respect on the principle or layout of the proposed development. There are however areas of potential survival of remains, and other areas where current site uses have precluded site investigation. The loss of these is however acceptable, subject to the satisfactory completion of a programme of archaeological work secured via the standard condition for all areas covered by the proposed development.

This programme, as it involves preliminary works after demolition to slab level and before construction works start in an area, will need to be managed and planned for from the start of the tendering and development process, so that sufficient time and resource is allocated for the archaeological work to be completed on site, and so that no avoidable or unnecessary delays are caused to the construction process itself. The archaeological work should be treated as a full part of the development/construction programme from the start. More specific guidance can be provided in due course, and the detail can be discussed and agreed with the development team once more specific construction details are available, but in outline the programme of archaeological work would include:

- a) Further site investigation in areas where access has not been possible to date, such as the footprints of the Paris Street shops, and of the bus station structure and turning areas, for example,
- b) Full archaeological excavation of certain areas where surviving remains are identified; to be undertaken and completed before construction or enabling ground works start in those areas,
- c) Archaeological monitoring and recording during construction ground works in certain areas of lower potential survival, if required, and
- d) Conservation of finds, and analysis, reporting and archiving of the significant results of the work, to a level appropriate to their relative importance.

Item d) would be completed whilst construction was ongoing, and if necessary shortly after the latter is completed, in accordance with an agreed timescale in the written scheme required for approval under the relevant planning condition.

Impact of the proposals on the settings of nearby or adjoining conservation areas: We concur with the conclusions of the heritage statement on this, as summarised in sections 11.6 – 11.8 and note that Historic England also have a similar view.

Impact of the proposals on any buildings of heritage value within the site: The heritage statement does not identify any buildings of particular value within the site, though Historic England do note that the canopy of the bus station and the shops along Paris Street do have some merit as typical 1950s buildings of their time and style, but accept their removal in order to achieve a better townscape overall. We concur with these views, and advise that a basic photographic and descriptive record is made of the post war buildings prior to and during their demolition, as a condition of consent. This can be covered by the same standard condition as above. The requested condition is attached to the recommendation as condition 25.

### **Exe Access/Shopmobility**

We object to the loss of our parking bay outside 8-10 Paris Street. We understand that this is proposed to be replaced with a bay at the entrance to Dix's Field but have reservations about this as it could be subject of abuse.

### **Living Options**

We look forward to seeing further detail of this re-development and hope it will meet the needs of everyone. From the drawings and conversations it would appear the only access for wheelchair users to the amphitheatre will be at the top or bottom of the steps/seating. It is hoped the architect can come up with a suitable solution to allowing space for wheelchair users to sit along-side their non-wheelchair using companions rather than have to be either behind them (at the top) or in front (at the bottom). It is not comfortable being the one sitting out the front on one's own or causing an obstruction at the back.

## **PLANNING POLICIES/POLICY GUIDANCE**

### **Central Government Guidance**

NPPF - National Planning Policy Framework  
NPPG – National Planning Practice Guidance

**Exeter Local Development Framework Core Strategy February 2012**

CP1 - The Spatial Approach  
CP2 – Employment  
CP8 – Retail  
CP10 - Meeting Community Needs  
CP11 - Pollution and Air Quality  
CP13 - Decentralised Energy Networks  
CP15 - Sustainable Construction  
CP17 - Design and Local Distinctiveness  
CP18 - Infrastructure  
CP19 - Strategic Allocations

**Exeter Local Plan First Review 1995-2011 March 2005**

AP1 - Design and Location of Development  
AP2 - Sequential Approach  
S1 - Retail Proposals /Sequential Approach  
S3 - Shopping Frontages  
S5 - Food and Drink  
TM1 - Hotel Development  
T1 - Hierarchy of Modes  
T2 - Accessibility Criteria  
T3 - Encouraging Use of Sustainable Modes  
T4 - Circular Walking Route  
T5 - Cycle Route Network  
T6 - Bus Priority Measures  
T9 - Access to Buildings by People with Disabilities  
T10 - Car Parking Standards  
T11 - City Centre Car Parking Spaces  
C1 - Conservation Areas  
C5 – Archaeology  
EN2 - Contaminated Land  
EN3 - Air and Water Quality  
EN4 - Flood Risk  
EN5 – Noise  
DG1 - Objectives of Urban Design  
DG2 - Energy Conservation  
DG3 - Commercial Development  
KP1 - Pedestrian Priority Zone  
KP3 - Bus and Coach Station

**Exeter St. James Neighbourhood Plan March 2013**

C4 - St. James Local Community Hub  
T1 - Sustainable Transport (proposals should make walking and cycle in more attractive)  
T2 - Through Traffic  
T3 - Residential Streets

**Exeter City Council Supplementary Planning Documents:**

Sustainable Transport SPD March 2013

**Emerging Local Planning Policy**

**Development Delivery Development Plan Document (publication version) July 2015**

DD1 – Sustainable Development

DD5 – Access to Jobs  
DD13 – Residential Amenity  
DD14 - Bus and Coach Station  
DD15 – Retail Centres  
DD16 – Tourist and Cultural Facilities  
DD20 – Accessibility and Sustainable Movement  
DD21 - Parking  
DD26 – Designing Out Crime  
DD25 - Design Principles  
DD27 – Shop Fronts  
DD31 - Biodiversity  
DD32 – Local Energy Networks  
DD34 – Pollution and Contaminated Land

**Other documents:**

Exeter Retail Capacity Study 2008  
Sidwell Street and Environs Urban Analysis 2007  
City Centre Vision April 2011  
Bus and Coach Station Area Development Principles 2012

**OBSERVATIONS**

As set out in the Planning Acts decisions on applications for planning permission must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan comprises the Exeter Core Strategy the Exeter Local Plan First Review. Whilst the Exeter St. James Neighbourhood Plan area does not include the site has been adopted for the St. James area.

The National Planning Policy Framework represents up-to-date Government planning policy and must be taken into account where it is relevant to a planning application or appeal.

**National Planning Policy Framework (NPPF).**

The NPPF stresses the importance of having a planning system that is genuinely planned. Where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development.

The NPPF is strongly supportive of the centre first hierarchy requiring that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. Also that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

**National Planning Policy Framework (NPPF).**

The NPPG states Local planning authorities should assess and plan to meet the needs of main town centre uses in full, adopting a ‘town centre first’ approach and taking account

of specific town centre policy and that this positive approach should include seeking to improve the quality of parking in town centres (in line with the National Planning Policy Framework) and, where it is necessary to ensure the vitality of town centres, the quantity too.

### **Exeter Core Strategy**

The Core Strategy was adopted in February 2012, is up to date and relevant and sets out the strategic vision for development in the City including “maintaining a vital and viable mix of uses in the City Centre and delivering development to enhance Exeter’s position as a premier retail and cultural destination.”

This vision is supported by the Objectives set out in the Core Strategy document and by the policies of the Local Plan and the emerging Development Delivery DPD.

The Core Strategy Policy CP8 proposes ‘around 3,000 square metres of net retail convenience floorspace and around 37,000 square metres of net retail comparison floorspace’ in the City Centre, including ‘up to 30,000 square metres of comparison floorspace in the Bus and Coach Station area, to be developed as part of a mixed-use scheme by around 2016’. The need for the retail space set out in this policy is evidenced by the Exeter Retail Study 2008

The Site falls within the Grecian Regeneration area as defined by the Core Strategy. The Core Strategy Policy CP17 guides that “All proposals for development will exhibit a high standard of sustainable design that is resilient to climate change and complements or enhances Exeter’s character, local identity and cultural diversity.” Development in the City Centre and Grecian Regeneration Area will: “enhance the city’s unique historic townscape quality; protect the integrity of the city wall and contribute positively to the historic character of the Central and Southernhay and Friars Conservation Areas; create places that encourage social interaction, utilising public art as an intrinsic component of a high quality public realm; enhance and expand the city’s retail function to improve Exeter’s draw as a regional shopping centre; include residential development in a mix of uses that encourage vitality and establish a safe and secure environment; create a City Centre that is vital and viable and presents a positive experience to the visitor; enhance the biodiversity of the City Centre and improve the links to the green infrastructure network; contribute to the establishment of a decentralised energy network.”

### **The Exeter Local Plan First Review**

The Exeter Local Plan First Review was adopted in March 2005. The policies of this plan are saved policies by virtue of Direction of the Secretary of State until such time they are superseded. The Local Plan First Review sets out that the Council’s overriding commitment to maintain and enhance the vitality of the City Centre. The key aims are: to expand the quality and quantity of retail attractions providing for national multiples as well as for speciality retailing; to provide City Centre jobs by further encouraging the office market; to diversify the attractiveness of the City Centre through expansion of leisure, entertainment and amenity uses; to encourage City Centre living by continuing to expand the housing stock.

This goes on to set out key proposals in the City Centre including the Bus & Coach Station: enhancement of the bus station, commercial leisure, retail, housing and short stay car parking.

The adopted Local Plan sets out key proposals in the City Centre including the Bus & Coach Station. Supporting text to Policy KP3 states that; the site provides the best location in the City for commercial leisure facilities because of its close proximity to the primary shopping area of the City Centre, good public transport connections and proximity to public parking, that a multiplex cinema and a nightclub would be justified, that other leisure facilities such as a health and fitness centre and family entertainment centre might be introduced as well as restaurants and public houses supporting a commercial leisure uses and that the scheme must ensure that the bus station is well located to provide an effective bus network and is substantially enhanced.

Policy KP3 is included here and Policy DD14 of the emerging Development Delivery DPD does not significantly depart from this approach.

KP3: COMPREHENSIVE REDEVELOPMENT OF THE BUS STATION/SIDWELL STREET/PARIS STREET IS PROPOSED, REFLECTING ITS STRATEGIC AND HIGHLY SUSTAINABLE LOCATION. THE DEVELOPMENT SHOULD PROVIDE AN ENHANCED BUS STATION, COMMERCIAL LEISURE FACILITIES INCLUDING POTENTIALLY A MULTI-SCREEN CINEMA, RETAIL FLOORSPACE, AN EXTENDED STREET MARKET, SHORT-STAY PARKING AND POSSIBLY NON-FAMILY HOUSING.

THE AMOUNT OF RETAIL FLOORSPACE SHALL BE DETERMINED FOLLOWING AN ASSESSMENT OF CAPACITY AND DEMAND AFTER THE IMPACT OF THE PRINCESSHAY DEVELOPMENT HAS BEEN ASSESSED. SUCH RETAIL DEVELOPMENT SHALL NOT HARM THE VIABILITY AND VITALITY OF THE CITY CENTRE AS A WHOLE.

THE DEVELOPMENT SHOULD:

(a) MAKE A POSITIVE CONTRIBUTION TO THE ENHANCEMENT OF THIS PROMINENT AREA OF CITY CENTRE TOWNSCAPE;

(b) BE FULLY INTEGRATED INTO THE CENTRAL SHOPPING AREA AND PRINCESSHAY AND HAVE HIGH QUALITY ACTIVE FRONTAGES WHICH FACE SURROUNDING STREETS;

(c) IMPROVE PERMEABILITY AND THE SAFETY AND CONVENIENCE OF PEDESTRIAN ACCESS TO THE SITE ESPECIALLY ACROSS PARIS STREET FROM THE PRIMARY SHOPPING AREA AND PRINCESSHAY TO/FROM THE PUBLIC TRANSPORT INTERCHANGE AND KING WILLIAM STREET CAR PARK AND,

(d) MAINTAIN A CYCLE ROUTE THROUGH THE SITE FROM PARIS STREET TO SUMMERLAND STREET.

Applications for retail and commercial leisure uses on Honiton Road near to M5 Junction 29 have recently been refused planning permission by the City Council and are subject of appeal by public inquiry. The availability of a sequentially preferable, accessible site in the city centre was one reason for refusal of that scheme. The applicants here have made the case at the appeal that such a development would impact on the viability of their

proposals and would undermine their planned investment in the Bus and Coach Station and Princesshay site. This scheme therefore represents the opportunity to achieve redevelopment of the site that may otherwise be lost to out of centre proposals, which would be contrary to the guidance of the NPPF and the Development Plan Strategy.

Exeter City Centre has maintained retail vitality through the recent years economic downturn, and increasing online retailing, due to an expanding catchment and population and timely investment in Princesshay, followed by John Lewis, the Guildhall Centre and other improvements. The proposed scheme is anticipated to be complete in three years and maintain the momentum of investment in the city centre.

### **Exeter St. James Neighbourhood Plan March 2013**

This neighbourhood plan set out policies for the St. James area of the city rather than the application site) but includes policies relating to transport and the improvement of the Queen Crescent open space. The proposed alternative traffic arrangements to Paris Street displace some traffic to roads in the St. James area. It was adopted in 2013. Policy T1 guides that development in St. James should enhance the attractiveness of walking, cycling and public transport. Policy T2 guides that highways proposals that mitigate the impact of traffic through St. James will be supported and that traffic management measures should minimise impact of traffic on residential and community streets and direct traffic around St. James. T3 guides that proposals to protect and mitigate against the impact of traffic within residential streets will be supported. Policy EN3 regarding development at Queens Crescent Garden seeks to improve the character, accessibility appearance and general quality and amenity value of the garden.

### **Development Delivery DPD (publication version)**

The DD DPD is emerging policy defines the Bus and Coach Station Area and contains Policy DD14 *“Retail and leisure development and an enhanced bus station is proposed as part of a comprehensive mixed use development. The amount of retail floorspace will be determined in accordance with the Core Strategy and the most up to date assessment of retail capacity. Such retail development must not harm the viability and vitality of the City Centre as a whole. In addition offices, hotels and housing will be acceptable uses”*. This policy is given lesser weight than the Core Strategy and Local Plan policies and is written to replace rather than amend those policies. As such, and in the interests of ease of reading, limited further reference is made to it though it continues to be a material consideration.

### **Sustainable Transport Supplementary Planning Documents March 2013**

The document sets out guidance about how the need to travel arising from development is met in a sustainable manner and how developments can be made accessible in order to meet the requirements of the Development Plan policies. It sets out principles to make development accessible to all, cycle and car parking standards, the need for development to make connections to its surroundings, guidance on Travel Plans and Car Clubs.

### **Sidwell Street and Environs Urban Analysis 2007**

This analysis of the context and townscape of the area sets out a Development Framework for the area. The Framework sets out the opportunity for landmark buildings at Paris Street and Sidwell Street junction and at Paris Street roundabout; pedestrian improvements in London Inn Square, Paris Street and Sidwell Street and creating a local [traffic] distributor route via King William Street.



### **Exeter Retail Study 2008**

This is the most recent forecast of need for new retail floorspace in Exeter. The report was published in February 2009. For comparison goods development its forecasts are based on two scenarios. Scenario 2 tested the potential for a major city centre retail development scheme anchored by a front rank department store to increase the market shares of comparison goods expenditure attracted by the city centre from the catchment area. Even under Scenario 1, where major city centre retail development did not increase the city centre's market share, there was considered to be capacity for such a development by about 2021 or soon after. Under the more realistic Scenario 2, there was forecast to be sufficient expenditure available to support such a development a little earlier, by late in the period 2016. The conclusions of this study support the Core Strategy Retail Policy CP8.

### **City Centre Vision April 2011**

This sets out a vision for the spatial development of the city centre to inform and coordinate various initiatives and deliver the City Vision and harness the potential of the city centre for the city as a whole. It incorporates principles to guide change and sets out four 'big moves' as one way of delivering that change. The 'big moves' include an area termed the 'east quarter' which includes the site as an extension to the city centre with a public space at the Paris street Sidwell Street junction.

### **Bus and Coach Station Area Development Principles June 2012**

This draws on the Exeter Vision, the City Centre Vision and the Traffic, Retail, Building Heights and Urban analyses and relevant Local Planning Policies and sets out a series of 10 Principles to guide development proposals in the area between Paris Street and Summerland Street. It was subject of public consultation and was approved for Development Control Purposes in 2012, but has limited weight, not being a Supplementary Planning Document.

The Development Principles are:

Principle A: Development must be viable.

Principle B: The development will be a retail and leisure led mixed use development incorporating a new bus station.

Principle C: An accessible new bus and coach station must be provided to agreed standards.

Principle D: Development must reinforce Sidwell Street, complement the High Street and Princesshay and form a gateway to the city centre.

Principle E: Development must positively respond to site context including urban grain, archaeology and site levels.

Principle F: Development must create a high quality public realm with active frontages.

Principle G: Development must create a network of accessible open streets and spaces.

Principle H: Buildings must be individual and of a high architectural quality, with landmark buildings and gateways formed at key locations using materials appropriate to the location.

Principle I: Vehicular traffic servicing and car parking must be accommodated in such a way as to minimise their impact.

Principle J: The development must adopt high standards of sustainable design and enhance biodiversity.

The application is made in outline with all matters reserved. The proposals are considered to accord with the development principles in so far as detail is presented at this stage.

Conditions and a legal agreement attached to any consent can be used to secure additional details necessary to ensure that reserved matters submissions and further matters may be secured to accord with the Development Principles.

### **Environmental Impact**

The proposals involve a significant intensification of development and the provision of a significant amount of new commercial floorspace. In 2012 the development off a wider site was screened and that development not considered EIA development. The application scheme has been screened in respect of Environmental Impact Assessment (EIA) and having considered the characteristics of the development, the location of the development and the characteristics of the potential impacts it was concluded that the development does not require Environmental Impact Assessment. It was considered that impacts of the development on archaeological, biodiversity, air quality and noise issues have been adequately assessed in the supporting information, without the need for a full EIA, and that mitigation measures can be addressed satisfactorily through the existing powers available to the Local Planning Authority in determining the application.

### **Need for redevelopment**

The site is the first point of arrival for many visitors coming to Exeter by road and approaching on Heavitree Road and the Bus Station itself is one of the key arrival points in the City Centre as recognised by the City Centre Vision 2011. The age and appearance of buildings in this area and the large surface areas given over to car and bus parking currently provide a negative first impression of Exeter for many.

Those buildings fronting Paris Street and Sidwell Street that are identified for demolition have been assessed as poor quality.

The proposed Leisure Centre is identified to provide a replacement for the facilities at the Pyramids Centre on Heavitree Road which are a physically poor offer to residents and visitors and discourage participation in sport.

### **Location**

The site is within the City Centre as defined by the Exeter Local Plan First Review. Parts of the site (Paris Street and Sidwell Street frontages) are designated as secondary retail and secondary retail frontage adjoining the primary retail area and primary frontage and as such are part of Exeter's primary shopping area as defined in the NPPF for the purposes of the sequential test and referenced in policies S1 and S5 of the Exeter Local Plan First Review and Policy CP8 of the Exeter Core Strategy and the site is therefore considered to be a city centre site. The site extends back from those frontages and if disaggregated areas of the site, such as land adjacent Paris Street roundabout could be considered to be edge of centre as defined in the Exeter Local Plan First Review and NPPF. No part of the site is more than 300 metres from the primary retail frontage and the whole of the site is functionally and physically linked to the primary retail area. The submitted parameters plans set out the area proposed for A Class (retail) uses on those parts of the site adjoining and closest to Paris Street and Sidwell Street. There are no sequentially preferable sites for the development and the site is allocated for mixed use (including retail and leisure uses) in the development plan by virtue of policies KP3 of the Exeter Local Plan First Review and CP8 of the Exeter Core Strategy. No retail impact assessment is required.

The case for redevelopment is compelling and has been recognised in successive adopted Local Plan documents. Policy S3 of the Exeter Local Plan adopted November 1984 proposed major retail development at the Bus and Coach Station site, as did Policy 3S of the Exeter Local Plan First alteration November 1993 which remained unaltered by the Second Alteration adopted November 1997. The Exeter Local Plan First Review adopted March 2005 is part of the development plan and contains Policy KP3 discussed elsewhere.

The scheme proposes A1 retail floorspace of between 5,000 to 11,000 square metres, which is within the limits proposed by the 2008 Exeter Retail Study (the most recent) and the 30,000 square metres set for the site in Core Strategy Policy CP8. This remains true even if account is allowed for the 11,000 square metres retail floorspace delivered for and additional department store (John Lewis at 1 Sidwell Street formerly Debenhams) which the Core Strategy anticipated might be delivered as part of the Bus and Coach Station redevelopment.

The total floorspace, and floorspace approved for particular uses, approved as part of any consent is recommended to be controlled by conditions, such conditions are attached to the recommendation as conditions 6 – 11 and 13. Condition 12 is attached to secure the building (Block A) at the junction of Paris Street and Sidwell Street as being occupied by 75% as retail in the interest of supporting the High Street area as a place with a primary retail function.

Whilst in outline form the proposals have been informed by the Urban Analysis carried out in 2007 and ongoing process of Design Review. In particular the scheme will deliver; an opportunity for a landmark leisure centre building on Paris Street Roundabout; extensive accessible public realm including new public space in Paris Street and a green amphitheatre space within the site; improved pedestrian access from the site to the city centre; integration with the city centre; and a level traffic free route between the bus station and the city centre. The scheme also provides the opportunity for a new bus station. The design matters and the details of the bus station are discussed further later in this report.

The site represents the only significant current redevelopment opportunity in the city centre, but outside the historic core. As identified in the City Centre Vision 2011 it represents the opportunity to accommodate a grouping of large floorplate modern buildings without damaging the fine grained nature of the core. It is a highly sustainable location in transport terms being at the heart of the bus network, having good access to the rail network, linked to a network of cycle routes as well having good road access.

### **Alternative uses**

The proposed retail and leisure facilities (including health and fitness uses) are main town [city] centre uses as defined in the NPPF. A number of representations have been received that have expressed a preference for a theatre over the uses proposed within the application. The application however needs to be determined on its merits. In the absence of any safeguarding policy or other constraints there is no valid planning reason to refuse the application on the grounds that it does not include a theatre.

### **Viability**

An independent assessment of the viability of the proposed development has been undertaken on behalf of the Council. The conclusion of this is that the scheme delivers a

less than normal return to the developers. This is on the basis the City Council fund the development of the Bus Station and the leisure centre elements of the proposed development but that necessary off site highway works to accommodate traffic displaced by the closure of Paris Street are funded by the developer, as such the proposals are considered to accord with Development Principle A. Viability issues having been demonstrated the scheme is not able to support off site public realm improvement such as the improvement of Sidwell Street or New North Road pavements.

The scheme is a mixed leisure and retail scheme with a bus station and as such accords with uses listed in Exeter Local Plan First Review Policy KP3 and Development Principle B. Policy KP3 also lists the possibility of 'non-family housing' but does not seek to require it. Whilst the inclusion of some other uses on upper floor uses (such as residential, student accommodation or a hotel) may have perceived benefits in townscape terms or vitality the limited scope for such additional floorspace and the current market position does not deliver a positive return. The scheme creates street level of restaurant and leisure uses which are likely to generate activity in the evening incompatible with a high standard of amenity in residential accommodation. Policy KP3 acknowledges that the site has potential for non-family housing but does not make this a requirement. The cost of building above buildings in other uses are abnormal additional costs requiring a larger floorspace than could be accommodated within the proposed development for such uses to be viable.

## **Transport**

The NPPF is strongly supportive of the centre first hierarchy focusing significant development in locations which are or can be made sustainable and actively managing patterns of growth to make the fullest use of Public Transport walking and cycling.

Policy T1 of the Exeter Local Plan First Review sets out a hierarchy of modes of transport based on sustainability and states that development should facilitate the most sustainable and environmentally friendly modes of transport. Key to achieving this is locating development in places that are well served by public transport and other sustainable modes.

Locating the proposed development in the City Centre accords with the aims of the NPPF and the Development Plan and will ensure the proposed leisure and retail uses are accessible by all modes, but that provides the greatest possible access potential by modes other than the private car. The loss of car parking at Bampfylde Street, on-street and in the surface car park is acceptable given the capacity of other car parks in the area and the potential to increase public use of Princesshay 2 (formerly Dix's Field) Car Park.

The NPPF further guides that developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport.

Policy KP3 of the Exeter Local Plan First Review guides that development on this site should ... (b) be fully integrated into the Central Shopping Area ... and (c) improve the

permeability and the safety and convenience of pedestrian access to the site especially across Paris Street. The proposals to pedestrianise upper Paris Street and reduce part of New North Road to bus, taxi and emergency vehicles only are considered to accord with this policy aim and to better connect the bus station to the city centre.

Policy KP3 of the Exeter Local Plan First Review guides that development on this site should... (d) maintain a cycle route through the site from Paris Street to Summerland Street. The change in levels across the Site between Sidwell Street and Paris Street roundabout, together with the position of the bus station, the position of which is discussed elsewhere, and the need for the bus station stands to be on no or very gentle incline have restricted the potential to achieve a cycle route through the site without conflict with pedestrians. The proposals to pedestrianise Paris Street and accommodate cycles within that vehicle free environment linking through to Sidwell Street, which has seen a reduction in vehicle movements through other recent changes to the network since KP3 was adopted in 2005, are considered to be an acceptable alternative for route for cycles. The application is accompanied by proposed highways works including in Paris Street where good provision for cycles to connect between trafficked and traffic free areas are considered to be able to be further improved upon through the highways works consenting process. DCC Highways conclusion that the opportunities for sustainable transport will improve with the proposed application is noted.

The highway network bounding the site and the areas where traffic is forecast to be displaced to suffers from some congestion in the a.m. and p.m. peak hours on weekdays and occasionally at other times. HGV vehicles reverse into Acland Terrace to service the rear of shops on Sidwell Street disrupt traffic on York Road and are a potential danger to other highway users. Traffic queuing on the highway to enter Princesshay Car Park and King William Street car parks when those car parks are full to capacity causes further problems with traffic flows on the network. Buses and large vehicles making the difficult turning manoeuvre right from Longbrook Street into York Road cause delay to traffic on York Road. Notwithstanding the principle that the development cannot be required to address existing problems the proposed highway works do have the potential to reduce the impact of car park traffic in King William Street, to reduce busses traffic at the Longbrook Street junction with York Road and to make the right turn manoeuvre easier through removal of traffic approaching Longbrook Street on York Road.

The use of King William Street in providing a less direct alternative to Paris Street is supported in principle. Whilst it is anticipated that the closure of Paris Street and the need to use less direct routes to access the area west of Sidwell Street will lead to a reduction in traffic overall in the area (with through traffic discouraged or displaced to signed routes) the Transport Assessment submitted by the applicant assumes all traffic from Paris Street is reassigned to other routes in the immediate area and a ten percent increase is applied to surveyed traffic flows to ensure robustness.

The application is accompanied by a Transport Statement and a scheme of highways alterations to the wider network to accommodate traffic generated by the development and displaced by the closure of Paris Street and relocation of the Bus Station. These works are within the highway and do not require planning permission. These details are submitted to demonstrate that there are reasonable prospects that all of the actions required to accommodate traffic can be put in place within the time-limit imposed by any permission. The effective stopping up of part of Paris Street to vehicular traffic and the extinguishment of parts of Bampfylde Street and Bude Street as public highway are likely

to be progressed by the developer through an application to the Secretary of State. Consents for the other alterations to the network are likely to be made by the developer to Devon County Council as Highway Authority under Section 278 of the Highways Act (for approval of works) and by Traffic Orders (for restrictions on vehicle movement and stopping) separately required for these changes to the network.

Grampian type conditions may be used to prohibiting parts of the development authorised by the planning permission to ensure that a particular element in a scheme, in this case the proposed alternative highway arrangements to Paris Street are provided before Paris Street is closed to traffic. Such a condition is attached to the recommendation as condition 35. This condition is further worded to accommodate improvements to that scheme of works that may emerge during the consultation on the proposed traffic orders or the detailed design of the works.

### **Paris Street Closure.**

The submitted application includes the closure of Paris Street to vehicular traffic between Dix's Field and High Street and the laying out of this as a public open space. Alternatives to the full closure (for example part time closure and vehicle type restrictions) have been explored but the applicants view remains that without closure and the creation of attractive public realm the reduced footfall crossing Paris Street will continue and negatively affect the viability of the proposed development. Given the position with regards viability discussed elsewhere the need to improve connectivity is accepted as essential to the delivery of this development.

The Exeter Core Strategy recognises that, in addition to infrastructure improvements and the delivery of a new bus station, there are other measures that are needed in relation to the efficient and sustainable functioning of the City Centre and surrounding area including removing through-traffic from the city centre. Alternative arrangements should provide for local access but not provide a route that encourages cross city movement. The proposals are considered to reflect that objective. The closure of Paris Street and the reduction in traffic movements that conflict with the significantly greater number of pedestrian movements and the better connection of Sidwell Street with High Street are welcome in principle, and the developers have satisfied the Council that alternative arrangements are work and are deliverable, subject to some matters of detail being resolved through safety audit and section 278 agreement.

The proposals to prohibit vehicular traffic on the top section of Paris Street between Dix's Field and Sidwell Street are an opportunity to create a new public space. This area has a very high pedestrian movement and clear, safe routes between the development (including the new Bus Station), Park and Ride stops and the High Street (and on towards the Cathedral) will ensure safe, easy access on foot for all. Provision of cycle access through this space to connect with Sidwell Street is considered to be an acceptable alternative route for cyclists to the existing route through Bampfylde Street that will be lost and is considered to satisfy the objective of Exeter Local Plan Policy KP3 (d) which seeks to ensure the existing cycle route across site via Bampfylde Street is maintained, though Policy T3(a) acknowledges that safeguarding should occur unless alternative reasonably convenient routes are provided. The potential for cycling through the site is limited by high pedestrian flows and the arrangement of the Bus Station which dictates levels and layout of the Cheeke Street side of the site.

The Honiton Road and Sowton Park and Ride services are proposed to stop in Paris Street adjacent to the new development, having turned at the junction with Dix's Field, and this is likely to be the optimum location, taking into account the developer's intentions to make the northern section of Paris Street free from all traffic. Thus a pedestrianised route between these bus stops and the city centre is maintained.

#### **Traffic impact assessments.**

The current road network suffers from congestion during busy periods and particularly at the peak times of weekday rush hours and Saturday lunchtimes. The closure of Paris Street will transfer additional traffic onto alternative routes, therefore a number of changes to the network are proposed by the applicants and these are described below. It has been assumed that no reduction in vehicle journeys occurs and that 85% of traffic will transfer to the King William Street route and given the variations that occur a 10% increase to all base flows has been applied. Previous restrictions in Paris Street and New North Road have resulted in a reduction in journeys in the local network, modelling has assumed 15% of trips currently on Paris Street are displaced to the wider network. These assumptions are considered to make the applicant's traffic assessments robust.

With significant alterations to the highway there is likely to be a settling down period in which traffic flows adjust to the new network conditions. For this reason the performance of the network cannot satisfactorily be assessed immediately after changes have been made. It is suggested that monitoring take place 6 months and 12 months after implementation. Further changes could be made in the light of that monitoring to be funded by the developer.

#### **New North Road (between High Street and Longbrook Street junctions)**

Proposals remove private vehicles and enable bus movements in both directions in New North Road outside John Lewis. This is a positive change as it improves pedestrian connectivity and avoids buses making the difficult manoeuvre between Longbrook Street and York Road, which can cause congestion problems and delay bus services. This route would also be available two-way for emergency vehicles.

#### **Cheeke Street, Belgrave Road, Western Way, Summerland Street.**

From Paris Street Roundabout, a form of gyratory is proposed with northbound traffic using Cheeke Street and Belgrave Road and all southbound traffic being directed along Summerland Street to Western Way. Additional capacity is proposed to be built into Summerland Street/Western Way signals by removing the left turn from Western Way. This will help accommodate southbound traffic that previously split between using the signals and routing via Belgrave Road. The proposals include 12 echelon, short-stay parking spaces for the Royal Mail collection office in Belgrave Road and a lane is also provided for access to the NCP car park which also functions as a manoeuvring lane for vehicles parking in spaces.

Making Cheeke Street a bus only section between Sidwell Street and Belgrave Road will ensure that convenient bus access to the main routes (Heavitree Road and New North Road via Sidwell Street) is achieved through the development and to the new Bus Station.

With increased traffic on the approach from Summerland Street towards York Road, the signalised junction where the routes meet Sidwell Street becomes the critical junction on the network. The modelling work carried out by the applicants indicates that this junction will operate at capacity during the weekday peak hours. On occasions queues will occur

at this junction, as happens elsewhere on the network. It should be noted that this is based on robust traffic figures and an assumption that a high proportion of traffic switches to Summerland Street. In reality traffic may disperse more widely across the network. Summerland Street itself is of sufficient width and geometry to accommodate additional traffic.

Currently traffic flows eastbound on Summerland Street significantly exceed that westbound as some westbound traffic uses Paris Street. Closure of Paris Street and diversion of traffic to Summerland Street will more closely balance flows east and west bound at the Junction with Sidwell Street without requiring the phasing of the existing signal to be changed.

### **York Road and Well Street**

Over 60% of movements westbound on York Road go to Blackall Road and on to New North Road at the Prison. It is proposed to route this traffic through King William Street, with York Road becoming one-way (south bound only) between Longbrook Street and King William Street. As King William Street primarily functions as an access to the multi-storey car parks and servicing for the rear of Sidwell Street businesses, it is considered a preferable route for directing through traffic, rather than along York Road, which passes a primary school. Dedicated lanes are provided on King William Street to accommodate the increased traffic and arrangements are considered sensible. The impacts of this will be a 33% reduction of traffic passing the school on York Road, and one way running eastbound between Longbrook Street and Well Street. Westbound this section of road will be dedicated as a cycle lane. This will also improve pedestrian connection across York Road between Queens Crescent open space and community buildings including the Mosque and Primary School. The proposals have been amended since first submitted and the entire pavement widening carried out in 2012 outside the School is shown as retained. As such the proposals in York Road are considered to accord with the aims of policies EN3, T1 and T2 of the Exeter St. James Neighbourhood Plan.

### **King William Street**

The applicant has proposed signalling the junction of King William Street and Longbrook Street. Considering the traffic flows across all of the arms and available road space, it has been demonstrated that an acceptable solution can be achieved.

The proposals involve an increase in traffic through the York Road and King William Street junction and King William Street becoming one-way. Concern has been raised that this potentially makes King William Street harder to cross. However traffic in King William Street would only be one way, and there would be gaps in that flow due to the close proximity to the signals on York Road and Sidwell Street junction, the direction from which most traffic will have arrived. The detailed arrangements for pedestrian crossing of King William Street is one of a number of areas where further work on matters of detail should be continued to reduce or avoid a negative impact on non-vehicular users of the highway. It is considered that these matters of detail can be resolved satisfactorily through safety audit and section 278 agreement processes.

### **'Rat running'**

Public Responses have raised concerns about an increase in rat running, the possibility of this happening through Well Street and Devonshire Place or Howell Road being particular examples raised by objectors. Traffic flow modelling does not indicate any time advantage to using such alternative routes, but it does not allow for human behaviours. The applicant



has agreed to the request of the Highway Authority that any Section 106 agreement will require the developer to fund (up to £0.5 million) further works to mitigate unforeseen traffic impacts and/or air quality exceedances arising as a direct result of the development. This could fund adjustments to the network changes should the proposals result in unpredicted problems such as rat running as described occur.

### **Bus Station**

The current Bus and Coach Station has 16 operational stands, three of which are used for scheduled Coaches, and there are 6 layover bays. There is one stand which caters for disabled access requirements of coaches. Passengers leaving the bus station are afforded a poor view of the city on arrival, are in conflict with buses leaving the bus station and are poorly served by facilities. The existing toilets are on the lower level with the access from the concourse being stepped.

There is no statutory obligation on the City Council or on Devon County Council as Transport Authority to provide a bus or coach station. It is however a commitment of planning policy adopted by the City Council as Local Planning Authority that a replacement bus station be provided as part of redevelopment of the existing Bus and Coach Station site. The Exeter Local Plan First Review Policy KP3 states that “The development should provide an enhanced bus station...” and this is restated in the Development Principles. The Exeter Core Strategy Policy CP9 guides that comprehensive strategic transport measures... including a step change in the quality, capacity and environmental performance of public transport, especially between the city and proposed developments to the east and in East Devon...and in Teignbridge. It further states that contributions to transport infrastructure will be secured through the application of Policy CP18. That Policy sets out key Infrastructure needs and partners in provision. The provision of a new Bus and Coach Station is listed with ECC and DCC being key partners in provision and funding coming from developer contributions and direct provision.

New railway stations have been opened in 2015 connecting Cranbrook and Newcourt area to the city centre via Central Station. The proposed development includes a Bus Station and opportunities for scheduled coaches have also been identified. The opportunity for further expansion of the proposed bus station can be safeguarded in the detailed design of the Bus Station to allow future expansion at such time the opportunity for the redevelopment of adjacent buildings arises.

The provision of a new Bus and Coach Station is featured in Devon and Torbay Councils' statutory Local Transport Plan (LTP3) which covers the period up to 2026 with this facility noted as being provided as part of redevelopment.

The location of the proposed bus station on Cheeke Street is supported given the need for the Bus Station to work in terms of the bus network, the need to avoid, as far as possible, the circulation of buses from crossing pedestrian desire lines and to allow for interchange between different travel modes. As discussed elsewhere, the proposed arrangements allow for a level, traffic free movement of pedestrians between the bus station and the city centre. The proposed bus Station includes 12 stands and 5 layover bays. It meets the minimum requirements established with Devon County Council in 2013 as meeting the requirements of services at that time. Notwithstanding the reduced area available that will mean scheduled coaches and some other passing services will be displaced to stops immediately outside the bus station, a new more modern building with improvements to passenger facilities such as seating, toilets and service information

integrated into good quality public realm with good connection to the city centre as proposed is considered to provide an enhancement over the existing bus station and to help deliver greater public transport use.

Cheeke Street and Sidwell Street bus stops provide interchange between city bus services (including the H service to the Hospital) and the longer distance services which use the bus station. The distance is reduced and safety of making this connection is improved in the proposed arrangement. Cheeke Street between Bampfylde Street and Belgrave Road effectively operates as an extension to the bus station. The provision for drop off by taxi or private vehicle is maintained.

The development is constrained by the overall viability of the scheme and the significant cost of including and redeveloping existing buildings such as the rear part of the Co-operative supermarket which has residential accommodation above. The cost of taking that building alone into the scheme is estimated as £6M which could not be borne by the development whilst delivering a reasonable return in investment to the developer.

The proposals include a bus station with 5 layover bays within the station. The relocation of the bus depot and overnight parking area to Matford means that 8 additional layover bays are required. The additional layover bays, which are required for short periods during the morning and afternoon, can be accommodated on the highway in locations that are well related to their routes.

The parameters plans include an area of up to 3700 square metres for the Bus Station that includes the buildings and bus manoeuvring area with access from Cheeke Street. Pedestrian access can be achieved from Cheeke Street in two locations (near Co-op and Vue Cinema) and through the site to Paris Street and Cheeke Street. Taxi drop off and disabled parking is shown on the indicative plans in the retained Bampfylde Street. Illustrative plans demonstrate that this can be laid out for 12 bus departure stands and 5 layover stands. The application forms include for 760 square metres of internal floorspace for bus station and the parameters plans allow for this to be arranged over two storeys. This allows for the operation requirements identified with Devon County Council and the principle bus operator in 2013. It includes allowance for public toilets, travel information kiosk, driver welfare, back offices and operational facilities.

### **Scheduled Coaches**

Of the three dedicated coach stands within the current bus station only one provides properly for access to luggage storage and accommodates disabled passenger lifts positioned along the side of the vehicle. Coach stands require an additional space along the side of the vehicle and in a saw tooth stand arrangement take more space than ordinary bus stands. The proposals do not accommodate scheduled coach stands within the bus station; it is proposed that such stands are made in kerbside arrangement in Bampfylde Street.

Whilst there is some direct interchange between out of town buses and scheduled coach passengers also arrive by other modes such as the city bus services, taxi and private vehicle.

Provided adequate provision is made for passengers, on street departures in direct line of sight and a short travel distance from the Bus Station with good opportunity for collection and drop of passengers by car and taxi is considered acceptable. The provision of

information and passenger facilities in this location is essential to the success of this arrangement and the opportunity to achieve this exists through the improvement of the public realm and through the redevelopment of the buildings in that location. All such bays would be disabled accessible for coaches. There is the potential for one disabled accessible coach bay to be provided within the proposed Bus Station and this could be used for night time departures if that is considered preferable, however the splitting of departure location in this way has the potential to create confusion. There are currently a maximum of 14 scheduled coach departures between 9pm and 6am on any day. The recent exhibition of development proposals for the Bus Depot area and the creation of active frontages and more attractive public realm in Bampfylde Street are also noted.

Toilet facilities at the existing Bus and Coach Station are poorly located to serve scheduled coach passengers with only stepped access. The proposals will bring toilet facilities within a similar distance but without the stepped route, all be it with the need to cross a road.

### **Bus Station Conclusions**

Notwithstanding the reduced area available that will mean scheduled coaches and some other passing services will be displaced to stops immediately outside the bus station, a new more modern building with improvements to passenger facilities such as seating, toilets and service information integrated into good quality public realm with good connection to the city centre as proposed is considered to provide an enhancement over the existing bus station and to help deliver greater public transport use in accordance with the requirements of Policy KP3 of the Exeter Local Plan First Review, Policy CP9 of the Exeter Core Strategy and Development Principle C.

### **Tourist Coach Parking**

A survey of the existing use of the lower part of the bus station for tourist coach parking indicates that demand can be accommodated at the existing coach park at Haven Banks which is currently under used and where 8 spaces are available. The proposal that two additional touring coach stopping bays be created on South Street is considered a suitable solution as it offers convenient access to the Quay and Cathedral. Given that South Street is one way this would provide the opportunity to create stopping bays that allow foreign coaches to allow passengers to alight onto the pavement on the south side of the street.

### **Car Parking**

The proposals would result in the redevelopment of Bampfylde Street Park with a loss of 88 spaces from the car park and approximately 22 on street spaces. However recent surveys of car parking have shown that adequate car parking provision exists in the city centre to meet normal demand, there is also a new 175 space private car park in Southernhay that provides an overall increase in parking spaces close to the City Centre. There is no objection given the poor appearance of this area and the existence of capacity in other car parks.

Users of the Residents Parking scheme Zone A have raised concerns about their ability to circulate to find spaces in that zone given the proposed highways network changes. The City Council can provide for increased evening/overnight use of car parks in the area by residents.

### **Cycling and pedestrians**

Existing cycle parking at Princesshay demonstrates that there is high demand for cycling parking with the stands often full. The commitment to provide stands in numbers pro rata to the number provided for Princesshay +25% is noted, the strategy of positioning stands at all arrival points to the new development is endorsed and officers will continue to work with the applicant to include some cycle parking in the heart of the scheme. This is an area that can be agreed as a matter of detail and can be secured by conditions and or legal agreement.

Provision for cyclists is improved in some areas as discussed above with dedicated cycle lanes being provided in a number of locations, however there are details such as at the Paris Street / Dix's Field Junction and in Summerland Street that need to be resolved as these are existing routes into the city centre and need to continue to offer safe and convenient access for cyclists. There are opportunities for further improvement of matters of detail in the on highway provision for cyclists that can continue to be looked at as part of the highways works consenting (Safety Audit, Traffic Order and S278) processes. The conclusion of the Highway Authority that safe and suitable access for pedestrians and cyclists in and around the site can be achieved is noted.

### **Emergency Services.**

Proposals to enable emergency vehicle movements to/from New North Road from Sidwell Street is a positive solution as it allows emergency vehicles a more direct route on roads that are free from private cars. The need to accommodate Fire appliance access in upper Paris Street to serve the development and existing Princesshay will mean that an access route is maintained and could be used for emergency vehicles routing through. In practice this will be similar to the layout of the highway in parts of Bedford Street.

### **Air Quality**

The effects on air quality relate to the proposed traffic changes. The traffic modelling and air quality modelling both use conservative assumptions and make robust assessments. The proposals result in negligible or neutral effects in terms of particulates. In terms of nitrogen dioxide the redistribution of traffic that is modelled to result from the closure of Paris Street results in moderate or slight adverse effect on York Road (between Sidwell Street and King William Street) and moderately adverse on King William Street. In King William Street, notwithstanding the adverse effect, air quality will still be well below objective levels. At the kerbside monitoring location on York Road near the junction with Sidwell Street air quality is close to threshold levels but it is considered unlikely that the proposals will result in sustained exceedances of the objective level at relevant receptors. Beneficial effects are predicted on York Road (between King William Street and Longbrook Street) with negligible or neutral effects elsewhere. It is noted that the development will also deliver some improvements in air quality, particularly in the area by St Sidwell's School and these are to be welcomed. It is noted that the reduction in bus traffic on York Road due to the introduction of two-way running of buses outside on New North Road outside John Lewis will also contribute to improvements in air quality.

Condition 35 is recommended to be attached to any consent to ensure that all arrangements shown in the scheme of highways works and considered necessary to be implemented before Paris Street is closed to vehicular traffic are carried out in a timely manner. The provisions of this condition are supplemented by provisions recommended to be made in a legal agreement under Section 106 of the Planning Act the detailed heads of terms of which are set out below.

Condition 37 is recommended to be attached to any consent to ensure alternative provision for tourist coach stopping is made before the parking area on the lower part of the bus station site is taken out of use.

Condition 36 is recommended to be attached to any consent to ensure that any interim arrangements for temporary bus stops are put in place before the bus and coach station is taken out of use. The provisions of this condition are supplemented by provisions recommended to be made in a legal agreement under Section 106 of the Planning Act the detailed heads of terms of which are set out below.

### **Conclusions on Transport**

The proposed closure of Paris Street to vehicular traffic and the alternative arrangements for traffic and transport are considered to accord with the aims of policies KP3b & c, T1 and T3 of the Exeter Local Plan First Review and Policy CP9 of the Exeter Core Strategy. The alterations to lower York Road are considered to accord with the aims of policies EN3, T1, T2 and T3 of the Exeter St. James Neighbourhood plan. The routing of additional traffic in upper York Road and King William Street is contrary to the aims of T2 of that plan, however the low level of residential properties on those roads is noted as is the unattractive nature of that route to through traffic. Although overall the proposals will be less convenient for drivers the cumulative impacts are not severe and any adverse impacts can be adequately mitigated through the recommended conditions and Section 106 requirements. The proposed 106 agreement will require the developer to fund (up to £0.5 million) further works to mitigate unforeseen traffic impacts and/or air quality exceedances arising as a direct result of the development.

### **Design Matters**

In May 2010 a methodology was agreed to enable development principles and a concept master plan to be prepared using 'design review' by way of a series of collaborative design workshops. This was before the local Design Review Panel was set up. These workshops were attended by representatives of Exeter City Council (working with an independent urban design advisor), Devon County Council, then owners Land Securities, their architects and planning consultant, English Heritage and a representative nominated by CABI. The outcome of these workshops was a series of key Development Principles which were then the subject of public consultation and subsequently endorsed to be used in decision making by the Executive of Exeter City Council in June 2012.

The City Centre Vision 2011, the Height Constraints Analysis 2008, and the Sidwell Street and Environs Urban Analysis 2007 informed the Development Principles.

The application is accompanied by a Design and Access statement which explains the applicant's analysis of the site and draws on the detailed constraints and opportunities work undertaken collaboratively in preparation of the Development Principles. The application includes 3 parameters plans to set the constraints of any outline consent but also Design Codes and supporting illustrative material to guide the next phase of detailed design and reserved matters submissions. The reserved matters comprise: Access, Appearance, Landscaping, Layout and Scale and approval is secured by recommended condition 2.

The fall in ground level across the site from 47 metres Above Ordnance Datum (AOD) on Sidwell Street to 36 m AOD represents a significant challenge to development of the site and restricts the position of the Bus Station given that buses need to stand on a level

parking position and disabled accessible pedestrian routes can slope no more than 1 in 20. There are three key ways in which the scheme responds to the levels issues. Firstly the Bus Station is elevated to 45.00 metres to achieve easy access to and from Sidwell Street and High Street areas. Whilst this means a stepped/ramped access is required to Belgrave Road area there is lower footfall in that direction. Secondly the scheme incorporates a stepped amphitheatre style central space making the transition from upper (High Street/Sidwell Street) to lower (Paris Street) levels. Thirdly the lowest ground floor level within the leisure centre block is elevated above Paris Street roundabout which also allows natural light and solar gain, whilst maintaining privacy levels. The proposals are considered to accord with the aims of Principle E in this respect.

The site contains no buildings considered worthy of retention, though it is recommended that a photographic record is made of the bus station and shops on Paris Street before demolition, and contains significant areas of hard standing with low visual and ecological value. The opportunity exists to create a better quality urban structure with landmark building on Paris Street roundabout, the position of a building of high quality at that location is critical to success in redefining a sense of the arrival at the city centre. The leisure centre is well located to perform that function. As such the proposals are considered to accord with Policy KP3a of the Exeter Local Plan first Review, CP17 of the Exeter Core Strategy and Development Principles D and H.

A further public space is created by the closure of Paris Street to all but emergency vehicles. This will become a space off the High Street much as Bedford Street is and offers the capability to host events. The market space on Sidwell Street will become more easily accessible and visible and better connected to the High Street Area as the building line of Sidwell Street that currently steps forward at the High Street end will be realigned. As such the proposals are considered to maintain and extend opportunities of street markets and to accord with Policy KP3 of the Exeter Local Plan First Review and Principles D, F and G.

The levels change across the site creates a number of difficulties including providing adequate step free routes for those with mobility impairments. As discussed the raising of the Bus Station area in the scheme gives a level access to Cheeke Street, Sidwell Street and Paris Street. The leisure centre building has the potential to be accessed from that level and lower level. The difficulty then remains with the lesser trafficked but important routes between the Bus Station and upper site level with lower Cheeke Street and Lower Paris Street. Illustrative plans show the stepped routes around the amphitheatre to Paris Street being augmented by a lift and the route towards lower Cheeke Street having a ramp. The proposals are therefore considered to make adequate provision for disabled access in accordance with the requirements of policies T3 and T9 of the Exeter Local Plan First Review. Physical aids to wayfinding for the visually impaired in the scheme and particularly to and from bus services can be considered further at detailed reserved matters stages.

The application is made in outline with all matters reserved. The reserved matters comprise: Access, Appearance, Landscaping, Layout and Scale. Three parameters plans have been submitted for determination, approval of reserved matters is secured by recommended condition 1 attached. The parameters defined on plan are: The extent of uses and buildings; Access and Circulation Routes, and Building Heights. Condition 3 is recommended to be attached to any consent to secure the development to be in accordance with those parameters plans. The application is accompanied by a Design

and Access Statement including Design Codes. The Design Codes set out more detailed guidance on matters including the location of entrances, building frontages, the design of streets and open spaces access, positioning of cycle parking and other matters. Condition 4 is recommended to be attached to any consent granted to ensure that reserved matters submissions are guided by that Design and Access Statement and through agreed Design Codes. Further illustrative material has also been submitted to show graphically how the scheme can be delivered within the agreed parameters as defined by the application, parameters plans and the Design Codes.

Condition 18 is recommended to secure approval of external materials. Condition 15 is recommended to be attached to any consent to secure approval of external lighting, condition 16 all external plant, condition 18 is recommended to secure approval of external materials and condition 29 and 30 are recommended to control matters that would normally be permitted development (means of enclosure) and advertisements normally benefitting from deemed consent. A set of guidance to set out what types of advertisement are acceptable is also proposed to be secured from the developer by condition 14 part b. These restrictions are recommended in the interests of visual amenity in accordance with the aims of Policy KP3 of the Exeter Local Plan First Review, Policy CP17 of the Exeter Core Strategy and Development Principles F and H.

The current relative lack of ecological value and lack of attenuation of surface water run off of the existing site create opportunities for betterment through redevelopment. Condition 24 is proposed to be attached to any consent to secure details of the sustainable drainage of the site. The application is supportive of measures to improve biodiversity and condition 28 to be attached to any consent is proposed to secure details of measures to enhance biodiversity and to ensure the ongoing management of such measures. The imposition of these conditions on any consent will secure the requirements of Development Principle J.

The South West of the UK receives above average rainfall. The provision of weather protection in the form of colonnades, projecting canopies, cantilevered upper storeys, arcades and other structural devices can be observed around the city centre and plays a role in making the city centre an attractive destination even in poor weather. The introduction of a degree of weather protection is considered important. These matters of detail can be secured by condition and should be presented at reserved matters stage. Condition 14 part a) is proposed for this reason.

#### **Other matters.**

**Archaeology:** The submitted Heritage Statement, based on and including the results of previous assessment and site investigations undertaken in 2008 & 2010, provides sufficient supporting information on which to determine this application. This work has identified no surviving remains of major significance on the site, and as a result there are no constraints in this respect on the principle or layout of the proposed development. There are however areas of potential survival of remains, and other areas where current site uses have precluded site investigation. The loss of these is however acceptable, subject to the satisfactory completion of a programme of archaeological work secured via the standard condition attached to the recommendation as condition 25.

**Sustainable Energy:** The application is made in outline. A condition is imposed to secure a BREEAM score of 60% with mandatory credits in categories other than energy from

shell only construction (that is not including services) phase and another to secure a strategy for the connection of buildings to the proposed City Centre Local Energy Network (attached to recommendation as conditions 19 and 20 respectively. Guidance on sustainable fit out of that shell for landlord and tenant area is proposed as part of condition 14 as recommended. The imposition of these conditions will secure the requirements of Development Principle J and the aims of policy CP15 of the Exeter Core Strategy.

Ground contamination: Whilst work done so far has identified low risk contamination, conditions are proposed to be imposed on any consent to cover the further investigation and the control of details such as foundation design in the interests of protecting the environment and human health. Such conditions are attached to the recommendation as conditions 31, 32 and 33.

Phases: The development as proposed is comprised of distinct buildings, open spaces and streets and to include a leisure centre and bus station adjacent commercial leisure. The elements of the scheme may be subject of reserved matters and conditions discharge by different parties. A condition to secure identification of phases within the scheme as is proposed to be attached to any consent and condition 5 is attached to the recommendation.

### **Community Infrastructure Levy**

The proposed uses, including City Centre Retail are not CIL liable.

### **Section 106 Agreement**

A legal agreement is recommended to be required to secure:

#### **Bus Station**

- The construction of the new bus station is secured by letting of a contract before the current one is taken out of use;
- Programme to minimise duration of temporary arrangements as far as reasonably possible.
- Operation of those temporary arrangements –
  - Circulation, stopping and layover arrangements
  - Waiting facilities with protection from the weather and information for passengers.
  - Office and staff facilities for bus operators.
- A minimum site area, identified on plan, for the replacement bus and coach station, to accommodate bays (including layover bays) and circulation/turning area
- LPA to approve management arrangements for the bus and coach station, as well as on-street stops and layover facilities.
- Public Toilet arrangements

#### **Highways**

- Funding for matters listed below and (up to £0.5 million) further works to mitigate unforeseen traffic impacts and/or air quality exceedances arising as a direct result of the development within the first two years from the opening of the development
- Closure of existing accesses, interim arrangements, and creation of new accesses, including timing.
- Road closures



- Traffic circulation arrangements with all associated signage and markings, including one way working, bus lanes, and other restrictions and exemptions applicable to various types of traffic
- Installation, modification, removal and/or replacement of traffic signals
- Bus layover bays
- Bus and coach stops, with shelters and real time information, for services not accommodated in the bus station forming part of the Development
- Signed walking routes between the bus station and the stops.
- Cycle routes with directional and regulatory signage, including a fully signed route to replace the existing route between Paris Street and Cheeke Street via Bampfylde Street
- Cycle parking within the Development and on adjacent highways, and access to the Development for cyclists
- Traffic Regulation Orders
- Taxi stands,
- Occupier Travel Plans
- Financial contributions as necessary to secure the above.
- S278 fees incurred by DCC, including legal costs and inspection fees
- Phasing of all of the above, including temporary arrangements during construction.

**Public Realm**

- Future Maintenance/management provision (inc amphitheatre)
- Walkways access agreement
- CCTV

**Other matters:**

- Local labour agreements

**RECOMMENDATION**

It is recommended that authority be delegated to the Assistant Director City Development and chair of Planning Committee to **APPROVE** the application subject to:

- a Section 106 Agreement to secure the matters identified in this report;
- the following conditions (which may be varied or supplemented as appropriate):

	Condition	
1	Commencement	Approval of the details of the layout, scale, appearance of the buildings, the means of access thereto and the landscaping for each phase of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before that part of the development is commenced.  Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.
2	Reserved matters	Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of

		<p>three years from the date of the permission and the development hereby permitted shall be begun before the expiration of five years from the date of the permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved whichever is the later.</p> <p>Reason: To ensure compliance with section 91 - 93 of the Town and Country Planning Act 1990.</p>
3	Approved plans	<p>The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 11 November 2015 (dwg. Nos GA0005 rev01, PP9001 rev 05, PP9002 rev 05, PP9003 rev 05) as modified by other conditions of this consent.</p> <p>Reason: In order to ensure compliance with the approved drawings.</p>
4	Design Codes	<p>The submission of all reserved matters and the implementation of development shall be carried out in substantial accordance with the Design and Access Statement received 12 November 2015 and with Design Codes agreed in writing by the Local Planning Authority.</p> <p>Reason: To define the scope of this permission.</p>
5	Phasing	<p>Before the submission of the first application for reserved matters approval a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the development shall be undertaken in accordance with the agreed phasing plan.</p> <p>Reason: To enable the site to be delivered in discrete phases.</p>
6	Floor spaces and uses condition 1	<p>The gross internal area of the development hereby approved shall not exceed 27,547 square metres.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
7	Floor spaces and uses condition 2	<p>The gross internal area of the development hereby approved used for A1 (shops) shall not exceed 11,000 square metres.</p> <p>Reason: In order to ensure that development accords with the submitted information.</p>
8	Floor spaces and	<p>The gross internal area of the development hereby approved</p>

	uses condition 3	used for A3 (restaurants and cafes) shall not exceed 9,500 square metres.  Reason: In order to ensure that development accords with the submitted information.
9	Floor spaces and uses condition 4	The gross internal area of the development hereby approved used for A2 (financial and professional services), A4 (drinking establishments) and A5 (hot food takeaways) shall not exceed 750 square metres in total.  Reason: In order to ensure that development accords with the submitted information.
10	Floor spaces and uses condition 5	The gross internal area of the development hereby approved used for D2 uses (assembly and leisure) including cinema, sports and leisure shall not be less than 6,800 square metres.  Reason: In order to ensure that development accords with the submitted information.
11	Floor spaces and uses condition 6	The area shown as Bus Station being a minimum of 3200 square metres and a maximum of 3700 square metres on Plan PP-9001 received 12 November 2015 shall be retained for the purpose of a Bus Station.  Reason: In order to ensure that development accords with the submitted information and to replace the existing bus station with a facility that will contribute to achieving a step change in the quality and capacity of public transport, in accordance with policy CP9 of the adopted Core Strategy.
12	Floor spaces and uses condition 7	Block A shall comprise a minimum of 75% floorspace in A1 (shops) use, unless otherwise agreed in writing by the Local Planning Authority.  Reason: In the interests reinforcing the retail function of the High Street in Exeter.
13	Floor spaces and uses condition 8	Kiosk buildings in Paris Street shall total no more than 5 in number, and have a footprint of no more than 50 square metres each, a total combined footprint of no more than 200 square metres, and shall be A1 (shops), A3 (restaurants) or A5 (hot food takeaways) unless otherwise agreed in writing by the Local Planning Authority.  Reason: In order to ensure that development accords with the submitted information.
14	Additional details	Notwithstanding condition no. 3 no work shall commence on

	(prior to commencement)	<p>any phase under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority in so far as they relate to that phase and the following shall thereafter be provided in accordance with such details:</p> <ul style="list-style-type: none"> <li>a) Weather protection strategy</li> <li>b) A shopfront and advertisement design guide;</li> <li>c) Public Art strategy.</li> <li>d) Sustainable fit-out guidance for landlord and tenant areas.</li> </ul> <p>Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.</p>
15	External lighting	<p>Notwithstanding condition no. 3 full details of all external lighting shall have been submitted to and approved in writing by the Local Planning Authority and shall thereafter only be provided in accordance with such approved details.</p> <p>Reason: Insufficient information has been submitted with the application and in the interests of amenity.</p>
16	Plant Details	<p>Notwithstanding condition no. 3 full details of the following shall have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter only be provided in accordance with such approved details:</p> <ul style="list-style-type: none"> <li>a) All external plant and plant operating in externally ventilated plant rooms</li> <li>b) Kitchen extraction and discharge, including, smoke grease and odour control in accordance with DEFRA Guidance on the control of odour and noise from commercial kitchen exhaust systems.</li> </ul> <p>Reason: Insufficient information has been submitted with the application and in the interests of amenity.</p>
17	Bus Station specification	<p>A detailed specification for the Bus Station Shall be submitted to and approved in writing by the Local Planning Authority before development of that phase commences. A contract for the construction of the bus station in accordance with the approved specification shall be let before the current bus station is closed.</p> <p>Reason: To replace the existing bus station with a facility that will contribute to achieving a step change in the quality and capacity of public transport, in accordance with policy CP9 of the adopted Core Strategy.</p>

18	Materials	<p>Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.</p> <p>Reason: To ensure that the materials conform with the visual amenity requirements of the area.</p>
19	Environmental performance	<p>Unless otherwise agreed in writing by the Local Planning Authority the buildings hereby approved shall achieve an overall BREEAM scoring of 60 percent or greater and shall achieve the mandatory credits required for BREEAM 'excellent' standard for shell only, with the exception of Ene01. Prior to commencement of such a building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report, the score expected to be achieved. Where this does not meet the above requirement the developer must provide details of what changes will be made to the development to achieve that standard, and thereafter implement those changes. A post completion BREEAM report shall be submitted to the Local Planning Authority within 3 months of the substantial completion of any such building hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.</p> <p><b>Reason:</b> To ensure that the proposal is in accordance with the aims of Policy CP15 of Council's Adopted Core Strategy and in the interests of delivering sustainable development.</p>
20	District Heating	<p>Submission of Reserved Matters for any phase shall be accompanied by a strategy for the future connection of buildings within that phase which shall be submitted to and approved in writing by the Local Planning Authority before development in that phase commences.</p> <p>Reason: In accordance with the requirements of policy CP13 of the Exeter Core Strategy 2012 and in the interests of sustainable development.</p>
21	CEMP	<p>No development shall take place in any phase until a provision is made for a Construction and Environment Management Plan (CEMP) for that part of the development and this has been submitted to, and approved in writing by, the Local Planning Authority. This shall address the following issues: Noise, dust, vibration, construction access, hours of work, dirt on the highway, protection of the public, protection from</p>

		<p>contamination, waste management and ecology.</p> <p>Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:</p> <p>a) There shall be no burning on site during demolition, construction or site preparation works;</p> <p>b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;</p> <p>c) Noise and dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.</p> <p>d) Noise and dust monitoring shall be undertaken to an agreed programme.</p> <p>e) Site hoarding shall be kept clear of graffiti and fly-posting.</p> <p>The approved CEMP shall be adhered to throughout the construction period.</p> <p>Reason: In the interest of the protection of public health and the avoidance of unnecessary nuisance to existing and future residents these matters need to be agreed before development starts.</p>
22	Noise limit for all plant	<p>The rating level of the total noise emissions from plant installed at the development shall not exceed the existing background noise levels at any existing residential receptor, assessed in accordance with BS 4142: 2014. Unless otherwise agreed in writing with the Local Planning Authority, the existing background noise levels at one metre from the façade of any residential receptor shall be taken as 44 dB <math>L_{A90, 1 \text{ hour}}</math> daytime (07:00-23:00) and 39 dB <math>L_{A90, 15 \text{ minute}}</math> at night (23:00-07:00).</p> <p>Before any individual unit is first brought into use the developer shall submit noise limits for building services mechanical plant at specified receptor locations for each unit. The unit shall thereafter only be occupied in accordance with the agreed noise limits.</p> <p>Reason: In the interests of residential amenity.</p>
23	Noise management plan (operational phase)	<p>Prior to occupation in any phase a noise management plan controlling timings of activities (for external spaces, leisure uses, deliveries) for that phase of the development has been submitted to, and approved in writing by, the Local Planning Authority.</p> <p>Reason: In the interests of residential amenity.</p>

24	Drainage scheme	<p>A surface water management strategy for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before development of that phase commences on site. The approved strategy shall subsequently be implemented on site before any building in that phase is first brought into use.</p> <p>Reason: In the interests of sustainable drainage.</p>
25	Archaeology	<p>No development related works shall take place in any phase until a written scheme of archaeological work for that phase 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.</p> <p>Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.</p>
26	Landscaping scheme & maintenance details	<p>A detailed scheme for landscaping for each phase of the development, including the planting of trees and/or shrubs, the use of surface materials and shall be submitted to the Local Planning Authority and no building in that phase shall be brought into use until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.</p> <p>Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.</p>
27	Replacement planting	<p>In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.</p> <p>Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.</p>

28	Wildlife Plan	<p>A Landscape and Ecological Management Plan for each phase of the development, which demonstrates how the proposed development has been designed to enhance the ecological interest of the site, and how it will be managed in perpetuity to enhance wildlife shall be submitted to and approved by the Local Planning Authority. Thereafter the development of that phase shall be carried out and managed strictly in accordance with the approved measures and provisions of the Landscape and Ecological Management.</p> <p>Reason: In the interests of protecting and improving existing, and creating new ecological and landscape enhancements in the area.</p>
29	Permitted Development restrictions	<p>Notwithstanding the provisions of Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) no fences, walls or other means of enclosure shall be erected within the site without the prior written approval of the Local Planning Authority.</p> <p>Reason: In the interests of preserving the visual amenity and openness of the site.</p>
30	Advertisement restrictions	<p>Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 or any Order revising, revoking and re-enacting that Order with or without modification), no advertisements shall be erected under deemed consent without the prior approval of the Local Planning Authority.</p> <p>Reason: In the interests of preserving the visual amenity and to ensure advertisements are erected in accordance with the requirements of condition 14.</p>
31	Pollution Control 1	<p>Unless otherwise agreed in writing, no development shall take place in any phase until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:</p> <ol style="list-style-type: none"> <li>1) A site investigation scheme, based on the preliminary Risk Assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.</li> <li>2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be</li> </ol>



		<p>undertaken.</p> <p>3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</p> <p>Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>Reason: To prevent pollution to controlled waters and unacceptable risks from contamination.</p>
32	Pollution Control 2	<p>No occupation of any part of the permitted development / of each phase of development shall take place until a verification report demonstrating completion of 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. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason: To protect the water environment, to prevent pollution and prevent unacceptable risks from contamination.</p>
33	Pollution Control 3	<p>Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To prevent pollution of controlled waters and prevent unacceptable risks from contamination.</p>
34	Unexploded Ordinance	<p>No phase of the approved development shall take place on site until an investigation has taken place to determine the risk posed by Unexploded Ordinance relating to that part of the site and the results, together with any further works necessary, have been agreed in writing by the Local Planning Authority. The approved works shall be implemented in full and a completion report shall be submitted to the Local Planning</p>

		<p>Authority for approval in writing prior to the commencement of the development.</p> <p>Reason: In the interests of public safety.</p>
35	Off-site highway works	<p>Before Paris Street is stopped up or otherwise closed to vehicular traffic the following measures, as shown on plan 31125-SK-249 rev D received 23rd December 2015, or such alternative measures as may be agreed in writing by the Local Planning Authority in consultation with the Local Highway Authority, shall have been implemented:</p> <ul style="list-style-type: none"> <li>a) Road closures;</li> <li>b) Traffic circulation including one-way working, bus lanes, and other restrictions and exemptions;</li> <li>c) Layover bays; bus and coach stops with shelters and real time information for services not accommodated in bus station; and signed walking routes to and from these stops; cycle routes with directional and regulatory signage (including fully signed route to replace existing route via Bampfylde Street);</li> <li>d) Cycle parking within and around the site, and access for cyclists; and</li> <li>e) Other changes to the highway network as shown on that plan.</li> </ul> <p>Reason: To ensure suitable mitigation works are in place to prevent a severe impact on the local highway network, in accordance with Paragraph 32 of the NPPF.</p>
36	Interim Arrangements for buses	<p>Before Paris Street is stopped up or otherwise closed to vehicular traffic or the Bus and Coach Station is taken out of operational use and interim arrangements for the operation of bus services (including the necessary legal arrangements) as agreed by the Local Planning Authority in consultation with the Local Highway Authority, shall have been implemented. This shall include:</p> <ul style="list-style-type: none"> <li>a) Provision for the circulation, stopping and layover of buses;</li> <li>b) Waiting facilities with protection from the weather and information for passengers.</li> </ul> <p>Reason: To provide suitable public transport facilities and ensure that adequate provision is made for sustainable modes, in accordance with section 4 of the NPPF.</p>
37	Bus and Coach Stops	<p>The detailed provision for accommodating buses and coaches in the bus station and adjacent highway network shall be submitted to and approved in writing by the Local Planning</p>

		<p>Authority before development of the bus station commences.</p> <p>Reason: To provide appropriate access to public transport facilities and ensure that adequate provision is made for sustainable modes in accordance with section 4 of the NPPF.</p>
38	Tourist coach stops	<p>Before the existing Bus and Coach parking area is taken out of operational use alternative off-site arrangements for visiting touring coaches to set down and pick up passengers, as shown on plan 31125-SK-240 revision A received 11 November 2015 or such alternative measures as may be agreed by the Local Planning Authority in consultation with the Local Highway Authority, shall have been implemented.</p> <p>Reason: To ensure suitable alterations to the Highway Network are put in place in a timely manner.</p>
39	Highways	<p>No part of any of the development shall be occupied until details of the cycle parking provision for visitors and staff have been submitted to and approved in writing by the Local Planning Authority and have been provided for those purposes. These facilities shall be maintained for those purposes thereafter.</p> <p>Reason: To provide adequate facilities for sustainable transport.</p>
40	Highways	<p>A comprehensive Framework Travel Plan for each phase shall be submitted to and approved in writing by the Local Planning Authority in advance of occupation of the development. The approved travel plan measures will be implemented to the satisfaction of the Local Planning Authority</p> <p>A review of travel patterns for the site shall be undertaken within 6 months of occupation of the development and updated on a basis as agreed in writing with the Local Planning Authority thereafter.</p> <p>Reason: To ensure that the development promotes all travel modes to reduce reliance on the private car, in accordance with paragraph 36 of the NPPF.</p>
41	Service yard management	<p>Unless otherwise agreed in writing by the Local Planning Authority no part of Blocks C or D as shown in the approved plans shall be brought into its intended use until the access to commercial vehicle loading/unloading area from Cheeke Street has been provided, surfaced and marked out in accordance with the requirements of this permission and shall be retained for those purposes at all times. No part of Blocks A, B or E shall be brought into its intended use until adequate provision</p>

		<p>for loading/unloading of service vehicles has been provided, surfaced and marked out in accordance with the requirements of this permission and shall be retained for those purposes at all times.</p> <p>Reason: To ensure that adequate facilities are available for the service traffic.</p>
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APPENDIX 1 Plan, demolition plan, parameters plans (3)  
APPENDIX 2 Highways overview plan.