



City Development, Civic
Centre, Paris Street
Exeter, EX1 1NN

01392 265223

www.exeter.gov.uk/planning

Mr Chris Dadds
JLL [Jones Lang LaSalle]
The Senate
Southernhay Gardens
Exeter
EX1 1UG

Curlew Alternatives
Property LP
C/o JLL

Town and Country Planning Act 1990 and its orders

FULL PLANNING PERMISSION GRANTED

LOCATION: The Harlequin Centre, Paul Street, Exeter, Devon, EX4 3TT

PROPOSAL: Development of two Co-Living (Sui Generis) accommodation blocks, following demolition of existing shopping centre and pedestrian bridge, change of use of upper floors of 21-22 Queen Street to Co-Living (Sui Generis), and all associated works including parking, landscaping, amenity areas, public realm improvements, new pedestrian bridge and provision of heritage interpretation kiosk. (Revised)

APPLICATION NUMBER: 21/1104/FUL

The Local Planning Authority grants planning permission for the above development subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

Received 12 July 2021

- B1 Paul Street Elevation (19720-0330 P-00)
- B1 Elevation Courtyard 1 (19720-0331 P-00)
- B1 Elevation Courtyard 2 (19720-0332 P-00)
- B1 Elevation Queen Street 1 (19720-0333 P-00)
- B1 - Northernhay Elevation (19720-0334 P-00)
- B1 Landscape Gardens 1 (19720-0335 P-00)
- B1 Elevation Landscape Gardens 2 (19720-0336 P-00)

- B1 Elevation Landscaped Gardens 3 (19720-0337 P-00)
- B1 Sections 1 of 3 (19720-0350 P-00)
- B1 Sections 2 of 3 (19720-0351 P-00)
- B1 Sections 3 of 3 (19720-0352 P-00)
- GA - Ground Floor Plan (19720-2003 P-00)
- GA - Mezzanine Floor Plan (19720-2004 P-00)
- GA - First Floor Plan (19720-2005 P-00)
- GA - Second Floor Plan (19720-2006 P-00)
- GA - Third Floor Plan (19720-2007 P-00)
- GA - Fourth Floor Plan (19720-2008 P-00)
- GA - Fifth Floor Plan (19720-2009 P-00)
- GA - Roof Plan (19720-2010 P-00)
- B2 Elevation Landscaped Gardens (19720-0342 P-00)
- GA Ground Floor Plan (19720-2103 P-00)
- GA First Floor Plan (19720-2104 P-00)
- GA Second Floor Plan (19720-2105 P-00)
- GA Third Floor Plan (19720-2106 P-00)
- GA Fourth Floor Plan (19720-2107 P-00)
- GA Roof Plan (19720-2108 P-00)
- Stumperry Detail (19720-6001 P-00)
- Landscape Details 2 of 2 (19720-6003 P-00)
- Insect Hotel Detail (19720-6004 P-00)
- Footbridge Sections (19720-6020 P-00)
- Interpretation Centre (19720-6030 P-00)
- Proposed Highway Layout Plan (Paul Street) (0779 PHL-101 J)
- Queen Street/Paul Street General Arrangements (0779 GA-101 D)
- North Street/Paul Street General Arrangements (0779 GA-102 E)

Received 3 September 2021

- Rooftop Softworks Plan (19720-0012 P-01)
- B2 Paul Street Elevation - Block 2 (19720-0340 P-01)
- B2 Northernhay Elevation (19720-0341 P-01)
- B2 Iron Bridge 2 (19720-0343 P-01)
- B2 Iron Bridge Elevation (19720-0344 P-01)
- B2 Northernhay Elevation 2 (19720-0345 P-00)
- Proposed Site Sections (19720-0353 P-01)
- B2 Sections 1 of 2 (19720-0354 P-01)
- B2 Sections 2 of 2 (19720-0355 P-01)
- Streetscenes - Proposed NW & SE Elevations Proposed NW and SE Elevations (19720-0390 P-01)
- Street Scenes - Proposed NE & SW Elevations (19720-0391 P-01)
- GA - Lower Ground Floor Plan (19720-2002 P-01)
- GA Roof Plan (19720-2108 P-01)
- Landscape Details 1 of 2 (19720-6002 P-01)
- Indicative 3D views (19720-6040 1)
- Electrical Services External Lighting Strategy Ground Floor (EHQ-HYD-XX-00-DR-ME-00010 P08)

Received 15 October 2021

- GA Lower Ground Floor Plan (19720-2102 P-04)

Received 27 October 2021

- Softworks Landscape Plan (19720 0011 P-03)

Received 10 November 2021

- Hardworks Landscape Plan (19720 0010 P-04)

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

Pre-commencement Details

3. No development related works shall take place within the site until a written scheme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include on site work, and off site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development. This information is required before development commences to ensure that historic remains are not damaged during the construction process.
4. No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.
5. No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
 - a) Detailed proposals for the management of surface water and silt run-off from the site during the demolition and construction phases of the development.

No development hereby permitted, except demolition works, shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- b) A detailed drainage design based upon the submitted Drainage Strategy (Ref. CB1780-Rep01-M; Rev. M; dated 2nd September 2021);

- c) Proposals for the adoption and maintenance of the permanent surface water drainage system; and
- d) A plan indicating how exceedance flows will be safely managed at the site.

The details under a) shall be implemented as approved throughout the demolition and construction phases. No building hereby permitted shall be occupied until the approved details under b) have been implemented, which shall be maintained thereafter in accordance with the approved details under c) and d).

Reason: To ensure that surface water drainage is managed sustainably in accordance with Policy CP12 of the Core Strategy and paragraph 169 of the NPPF (2021). These details are required pre-commencement as specified to ensure that appropriate surface water drainage management systems are in place during the demolition/construction phases and after the development has been completed, and that these systems will be properly maintained to prevent adverse risk to the environment.

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

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

The details shall be implemented as approved.

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

- 7. No development (including ground works) or vegetation clearance works shall take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The document shall provide for:
 - a) Demolition and construction programme including integration of archaeological tasks from Condition 3.
 - b) Protection and monitoring arrangements and measures for the City Wall adjoining the site during the demolition and construction phases taking into account the recommendations of the submitted reports regarding the City Wall (*as referred to in the Heritage Officer's comments dated 20th August 2020 and 6th October 2020 under application ref. 19/1556/FUL*).
 - c) The site access point(s) of all vehicles to the site during the demolition and construction phases.
 - d) The parking of vehicles of site operatives and visitors during the demolition and construction phases.
 - e) The areas for loading and unloading plant and materials during the demolition and construction phases.
 - f) Storage areas of plant and materials during the demolition and construction phases.
 - g) The erection and maintenance of securing hoarding.
 - h) Wheel washing facilities.
 - i) Strategy to measure and control the emission of dust and dirt during the demolition and construction phases (including boundary dust monitoring).

- j) No burning on site during the demolition and construction phases, or site preparation works.
- k) Strategy to measure and minimise noise/vibration nuisance to neighbours from plant and machinery during the demolition and construction phases.
- l) Demolition/construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.
- m) No driven piling without prior consent of the Local Planning Authority.
- n) Details and timing of any lighting.

The approved document shall be strictly adhered to throughout the demolition and construction phases of the development.

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

8. Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. These details are required pre-commencement as specified to ensure that waste generated during demolition and construction is managed sustainably.

9. No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with a plan that shall previously have been submitted to and approved in writing by the Local Planning Authority. This plan shall be produced in accordance with BS 5837:2012 - Trees in Relation to Design, Demolition and Construction (or any superseding British Standard). Unless otherwise agreed in writing with the Local Planning Authority, the developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission is completed. The level of the land within the fenced areas shall not be altered without the prior written consent of the Local Planning Authority. No materials shall be stored within the fenced areas, nor shall trenches for service runs or any other excavations take place within the fenced areas except by written permission of the Local Planning Authority. Where such permission is granted, soil shall be removed manually, without powered equipment.

Reason: To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

10. Demolition works, or any other works which cause disturbance to bats, shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure that Natural England as the licencing body is satisfied that the works can proceed without causing harm or disturbance to bats. This evidence is required before development begins to ensure that the works are not carried out without a wildlife licence being obtained.

Pre-tree and Vegetation Clearance Works

11. No tree works or felling, or other vegetation clearance works shall be carried out on the site during the bird nesting season from March to September, inclusive. If this period cannot be avoided, these works shall not be carried out unless they are overseen by a suitably qualified ecologist and the reasons why have previously been submitted to and approved in writing by the Local Planning Authority, including the date of the intended works and the name and contact details of the ecologist. If nesting birds are found or suspected during the works, the works shall cease until the ecologist is satisfied that the nest sites have become inactive.

Reason: To protect nesting birds in accordance with saved Policy LS4 of the Exeter Local Plan First Review and paragraph 180 of the NPPF (2021).

During Demolition and Construction Phases

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

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately for the protection of future occupiers and of controlled waters.

Pre-Specific Works

13. Before commencement of construction of the superstructure of each co-living block hereby permitted, the applicant shall submit a SAP calculation which demonstrates that a 19% reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented and within 3 months of practical completion of each building the developer will submit a report to the Local Planning Authority from a suitably qualified consultant to demonstrate compliance with this condition.

Reason: In the interests of sustainable development and to ensure that the development accords with Policy CP15 of the Core Strategy. These details are required pre-commencement as specified to ensure that the requirements of Policy CP15 are met and the measures are included in the construction of the buildings.

14. Prior to the construction of the Co-Living accommodation blocks (not including the foundations), samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved materials.

Reason: In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021).

15. Prior to the construction of the Co-Living accommodation blocks (not including the foundations), the detailed design of the green roof systems together with a scheme for their management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green roof systems shall be constructed, managed and maintained as approved.

Reason: In the interests of good design and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review, and paragraphs 130, 135 and 180 of the NPPF (2021).

16. Prior to the construction of Block 2 (not including the foundations), the detailed design of the green wall system together with a scheme for its management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The green wall system shall be constructed, managed and maintained as approved.

Reason: In the interests of good design, the character and appearance of the Conservation Area and biodiversity, in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130, 135 and 180 of the NPPF (2021).

17. Prior to the construction of the Co-Living accommodation blocks (not including the foundations), details of the provision for nesting birds and roosting bats in the built fabric of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as part of the development and retained thereafter.

Reason: To enhance biodiversity on the site in accordance with paragraph 9.28 and Appendix 2 of the Residential Design Guide SPD, and paragraph 180 of the NPPF (2021). Also to provide mitigation for the impact on bats in accordance with paragraph 4.4 of the submitted Ecological Assessment Addendum Report.

18. Prior to the construction of the Co-Living accommodation blocks (not including the foundations), details of the obscured glazing indicated on the approved elevations shall be submitted to and approved in writing by the Local Planning Authority, which shall include the level of obscurity of the glazing. In addition, details of low level obscured glazing on the four windows nearest to Northernhay Street not indicated as obscured on drawing number 19720-0344 P-01 ('B2 Iron Bridge Elevation') shall be submitted to and approved in writing by the Local Planning Authority. The approved details under this condition shall be implemented as approved and maintained at all times thereafter.

Reason: To protect the privacy of neighbouring properties in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

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

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

20. The submitted Arboricultural Method Statement for the construction of a path through the root protection areas of the trees to be retained within the pocket park shall be implemented in full. Prior to the commencement of these works, the Council's Tree Manager shall be notified of the date of the intended works.

Reason: To protect the trees in Tree Group 2 in the interests of the amenities of the area.

Pre-occupation

21. Prior to the occupation of the development hereby permitted, a Detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including street furniture and all boundary treatments (including the design and security rating of the gates indicated on drawing number 19720 0010 P-04). Where applicable, it shall specify tree and plant species and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation of the development. The soft landscaping shall be planted in the first planting season following the occupation of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of good design in accordance with Policy CP17 of the Core Strategy, saved Policy DG1 of the Exeter Local Plan First Review and paragraphs 130 and 135 of the NPPF (2021).

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

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

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

The landscape on the site shall be managed in accordance with the approved LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policies CP16 and CP17 of the Core Strategy, saved Policies LS4 and DG1 of the Local Plan First Review and paragraphs 130 and 180 of the NPPF (2021).

23. Prior to the occupation of the development hereby permitted, a strategy for the distribution and management of CCTV on the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include the location and design of CCTV cameras, which should be integrated in an unobtrusive manner. The strategy shall be implemented as approved prior to occupation and maintained thereafter.

Reason: In order to help prevent/detect crime, disorder and anti-social behaviour in accordance with the advice of the Police Designing Out Crime Officer and saved Policy DG7 of the Exeter Local Plan First Review.

24. Prior to the occupation of the development hereby permitted, Secured by Design measures for the under-croft parking area beneath Block 2 shall be submitted to and approved in writing by the Local Planning Authority. The measures shall address the issues raised by the Police Designing Out Crime Officer in their comments on the application. The measures shall be implemented as approved prior to the occupation of the development and maintained thereafter.

Reason: In the interests of crime prevention in accordance with saved Policy DG7 of the Exeter Local Plan First Review.

25. Prior to the occupation of the development hereby permitted, an External Lighting Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location, type, illuminance and light spill of the external lighting on the site. The scheme shall be implemented and maintained as approved.

Reason: In the interests of good design (including public safety) and the character and amenity of the area, in accordance with Policy CP17 of the Core Strategy, saved Policies DG1, DG4 and DG7 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021). Also to minimise disturbance to bats in accordance with paragraph 4.6 of the submitted Ecological Assessment Addendum Report.

26. Prior to the occupation of the development hereby permitted, a Lighting Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall assess the impact of internal and external light spill on neighbouring properties (taking into account the details submitted under conditions 24 and 25). The recommendations of the approved Lighting Impact Assessment to minimise harm to the neighbouring properties, including any timing controls, shall be implemented in full.

Reason: In the interests of the amenity of neighbouring properties, in accordance with saved Policy DG4 of the Exeter Local Plan First Review.

27. Prior to the occupation of the development hereby permitted, the detailed design and management of the Interpretation Centre shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed site interpretation panels. The Interpretation Centre shall be constructed and managed as approved.

Reason: In the interests of good design and the character and appearance of the Conservation Area, in accordance with Policy CP17 of the Core Strategy, saved Policies C1 and DG1 of the Exeter Local Plan First Review, and paragraphs 130 and 135 of the NPPF (2021).

28. No part of the development shall be occupied until the proposed highway works on Paul Street (loading bays, vehicular access points and improved pedestrian/cycleway facilities), as indicated on drawing number PHL-101 Rev J ('Proposed Highway Layout Plan (Paul Street)'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

29. No part of the development shall be occupied until the proposed highway works on Queen Street/Paul Street, as indicated on drawing number GA-101 Rev D ('Queen Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

30. No part of the development shall be occupied until the proposed highway works on North Street/Paul Street, as indicated on drawing number GA-102 Rev E ('North Street/Paul Street General Arrangements'), have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for vehicles, pedestrians and cyclists, in accordance with paragraphs 110 and 112 of the NPPF (2021).

31. No part of the development shall be occupied until the pedestrian routes through the site linking Paul Street to Northernhay Street via Maddocks Row have been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: To provide safe and suitable access for pedestrians, in accordance with paragraphs 110 and 112 of the NPPF (2021).

32. No part of the development shall be occupied until a facility for the hire of electric bicycles has been provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The facility shall be maintained at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of encouraging sustainable travel.

33. The Co-Living accommodation blocks shall not be occupied until secure cycle parking for the residents of the buildings has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The secure cycle parking shall be maintained at all times thereafter.

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

34. Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until the cycle parking shown on the approved drawings within the public realm for use by the general public has been provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. This general cycle parking shall be maintained at all times thereafter.
Reason: To encourage sustainable travel in accordance with saved Policy T3 of the Exeter Local Plan First Review and the Sustainable Transport SPD.
35. No part of the development shall be occupied until the two electric vehicle charging bays beneath Block 2 have been provided in accordance with details of the charging points previously submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging bays/points shall be maintained at all times thereafter.
Reason: To ensure that this aspect of the application is delivered and in the interests of encouraging sustainable travel in accordance with the Sustainable Transport SPD and paragraph 112 of the NPPF (2021).
36. Unless otherwise agreed in writing with the Local Planning Authority, the two electric vehicle charging bays beneath Block 2 shall be used exclusively to provide a car club facility on the site utilising electric vehicles only. The development shall not be occupied until this facility has been provided and it shall be maintained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To discourage the use of private cars in the interests of sustainable travel in accordance with the Sustainable Transport SPD and chapter 9 of the NPPF (2021).
37. Prior to the occupation of the development hereby permitted, a travel pack shall be provided informing all residents and staff of the car free status of the development, and the walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car clubs and electric bike hire facilities available, the form and content of which will have previously been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.
Reason: To ensure that all residents and staff of the development are aware of its car free status and the available sustainable travel options.

Post Occupancy

38. No waste or recycling bins or containers shall be stored outside the integral bin stores of the buildings hereby approved except upon the day(s) of collection.
Reason: In the interests of the amenity of the neighbourhood.
39. The communal and local amenity rooms within the Co-Living accommodation blocks, as shown on the approved floor plans, and the private outdoor amenity areas shall be used for communal use purposes only and shall not be sub-divided in any way to create additional private bedrooms/spaces.
Reason: To ensure sufficient communal space is available for the residents of the Co-Living accommodation blocks in the interests of residential amenity.
40. The total noise from mechanical building services plant on the site shall not exceed the noise levels shown in the table of paragraph 9.3.8 of the submitted Acoustic Design Statement (Clarke Saunders Acoustics, 2 July 2021) (Report Ref. AS10946.1901009.R3.1.docx).
Reason: To protect the amenity of sensitive receptors in the vicinity of the site.

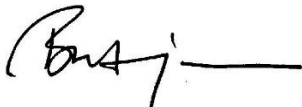
41. Access control measures shall be implemented for all access points to the buildings to prevent access by non-residents or staff.

Reason: In the interests of crime prevention in accordance with saved Policy DG7 of the Exeter Local Plan First Review, taking into account the recommendations of the Police Designing Out Crime Officer.

INFORMATIVES

1. A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.
2. In accordance with Chapters 1 and 2 of the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA). Given the nature of the development, it has been concluded that an AA is required in relation to potential impact on the relevant Special Protection Area (SPA), the Exe Estuary, which is a designated European site. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South East Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the Community Infrastructure Levy (CIL) collected in respect of the development being allocated to fund the mitigation strategy. Or, if the development is not liable to pay CIL, to pay the appropriate habitats mitigation contribution through another mechanism (this is likely to be either an undertaking in accordance with s111 of the Local Government Act 1972 or a Unilateral Undertaking).
3. A licence will be required for the erection of scaffolding or hoardings on the public highway. Further information is available at the following website
<https://new.devon.gov.uk/roadsandtransport/make-a-request/scaffolding/>.
4. In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

Signed



Bindu Arjoon
Deputy Chief Executive

Date: 24th January 2022

**Notification where planning permission refused or granted subject to conditions
Town and Country Planning Act 1990**

**Article 35(3) of The Town and Country Planning (Development Management Procedure)
(England) Order 2015 (as amended)**

Appeal

If you are aggrieved by the decision of the Local Planning Authority to either refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. Only the person who made the application can appeal.

To submit an appeal, please go to the Planning Inspectorate website:

<https://www.gov.uk/government/organisations/planning-inspectorate>

Appeals must be made using a form, which can either be completed and submitted online or can be sent to you in the post by the Planning Inspectorate. To request a form, please contact the Planning Inspectorate using their contact details below:

The Planning Inspectorate, Room 3/13, Temple Quay House,
2 The Square, Temple Quay, Bristol, BS1 6PN

Planning Inspectorate customer support team: 0303 444 5000

enquiries@planninginspectorate.gov.uk

A copy of the completed form and all supporting plans and documents must also be sent to the Local Planning Authority. The Planning Inspectorate will be able to advise you on the best way to do this. Please use the Council's contact details at the top of the decision notice.

If you want to make an appeal you must do so within **6 months** of the date of this notice, unless it is a **householder appeal** in which case you must do so within **12 weeks** of the date of this notice. The date is at the bottom of the decision notice. Please note that if you intend to submit an appeal which you would like examined by inquiry then you must notify us and the Planning Inspectorate at least 10 days before submitting the appeal

(inquiryappeals@planninginspectorate.gov.uk). Further details are on GOV.UK:

<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>

If an enforcement notice has been served relating to the same or substantially the same land and development as in your application, and you want to appeal against the Local Planning Authority's decision on your application, then you must do so within **28 days** of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application, and you want to appeal against the Local Planning Authority's decision on your application, then you must do so within whichever period expires earlier out of the following:

- 28 days of the date of service of the enforcement notice, or
- 6 months of the date of this notice, unless it is a householder appeal in which case 12 weeks of the date of this notice.

Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. Guidance on planning appeals is available on the Planning Practice Guidance website: <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part 6 of the Town and Country Planning Act 1990.