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Town and Country Planning Act 1990 and its orders **OUTLINE PLANNING PERMISSION GRANTED**

Part I - Particulars of Application

DATE RECEIVED: 16 July 2015

APPLICATION NUMBER: 15/0791/01

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.

LOCATION: Exeter Bus & Coach Station Redevelopment Area, Paris Street, Exeter, EX1

Part II - Particulars of decision

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

- 1 Approval of the details of the layout, scale, appearance of the buildings, the means of access thereto and the landscaping for each parcel 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 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 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.

Reason: To ensure compliance with section 91 - 93 of the Town and Country Planning Act 1990.

- 3 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 and 4 July 2016 (dwg. Nos GA0005 rev01, PP9001 rev 11, PP9002 rev 11, PP9003 rev 11) as modified by other conditions of this consent.

Reason: In order to ensure compliance with the approved drawings.

- 4 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.

Reason: To define the scope of this permission.

- 5 Unless otherwise agreed in writing by the Local Planning Authority the development shall be undertaken in accordance with the agreed Development Parcels Masterplan (drawn no. (04)160128.1 rev E) received 4 July 2016 showing the individual development parcels.

Reason: To enable the site to be delivered in discrete parcels by different developers.

- 6 The gross internal area of the development hereby approved shall not exceed 27,547 square metres.

Reason: In order to ensure that development accords with the submitted information.

- 7 The gross internal area of the development hereby approved used for A1 (shops) shall not exceed 11,000 square metres.

Reason: In order to ensure that development accords with the submitted information.

- 8 The gross internal area of the development hereby approved uses 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 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 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 The area shown as Bus Station being a minimum of 3200 square metres and a maximum of 3700 square metres on Plan PP-9001 rev 11 received 4 July 2016 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 The Ground and First Floor level Block A shall comprise an overall 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 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 Notwithstanding condition no 3 no work to the superstructure of any parcel shall commence until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority in so far as they relate to that parcel and shall thereafter be provided in accordance with the agreed details:

- a) Weather protection strategy
- b) A shopfront and advertisement design guide
- c) Public Art strategy
- d) Sustainable fit-out guidance for landlord and tenant areas

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.

- 15 Notwithstanding condition no. 3 full details of all external lighting in any parcel shall have been submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of that parcel. External lighting shall thereafter only be provided in accordance with such approved details.

Reason: Insufficient information has been submitted with the application and in the interests of amenity.

- 16 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:

- a) All external plant and plant operating in externally ventilated plant rooms
- 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.

Reason: Insufficient information has been submitted with the application and in the interests of amenity.

- 17 A detailed specification for the Bus Station shall be submitted to and approved in writing by the Local Planning Authority before development of that parcel commences.

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.

- 18 Prior to the commencement of superstructure works in any parcel, samples of the external materials to be used 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.

Reason: To ensure that the materials conform with the visual amenity requirements of the area.

- 19 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.

Reason: 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.

- 20 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.

Reason: 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.

- 21 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.

Reason: 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.

- 22 Submission of Reserved Matters for any parcel shall be accompanied by a strategy for the future connection of buildings within that parcel to a District Heating Network which shall be submitted to and approved in writing by the Local Planning Authority before development in that parcel commences.

Reason: In accordance with the requirements of policy CP13 of the Exeter Core Strategy 2012 and in the interests of sustainable development.

- 23 No development shall take place in any parcel 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, contamination, waste management and ecology.

Notwithstanding the details and wording of the CEMP the following restrictions shall be adhered to:

- a) There shall be no burning on site during demolition, construction or site preparation works.
- 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;
- c) Noise and dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance.
- d) Noise and dust monitoring shall be undertaken to an agreed programme.
- e) Site hoarding shall be kept clear of graffiti and fly-posting.

The approved CEMP shall be adhered to throughout the construction period.

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.

- 24 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 facade of any residential receptor shall be taken as 44 dB LA90, 1 hour daytime (07:00-23:00) and 39 dB LA90, 15 minute at night (23:00-07:00).

Before any plant related to an individual unit or block is first brought into use the developer shall submit noise limits for building services mechanical plant at specified receptor locations. The development shall thereafter only be occupied in accordance with the agreed noise limits.

Reason: In the interests of residential amenity.

- 25 Prior to occupation in any parcel a noise management plan controlling timings of activities (for external spaces, leisure uses, deliveries) for that parcel of the development has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of residential amenity.

- 26 A surface water management strategy for each parcel of the development shall be submitted to and approved in writing by the Local Planning Authority before development of that parcel commences on site. The approved strategy shall subsequently be implemented on site before any building in that parcel is first brought into use.

Reason: In the interests of sustainable drainage.

- 27 No development related works shall take place in any parcel until a written scheme of archaeological work for that parcel 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.

- 28 A detailed scheme for landscaping for each parcel of the development, including the planting of trees and/or shrubs, the use of surface materials and shall be submitted to and approved by the Local Planning Authority prior to occupation of any part of that parcel.

Such a 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.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 29 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.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

- 30 Prior to works on the superstructure in any parcel, a Landscape and Ecological Management Plan for each parcel 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 parcel shall be carried out and managed strictly in accordance with the approved measures and provisions of the Landscape and Ecological Management.

Reason: In the interests of protecting and improving existing, and creating new ecological and landscape enhancements in the area.

- 31 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.

Reason: In the interests of preserving the visual amenity and openness of the site.

- 32 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.

Reason: In the interests of preserving the visual amenity and to ensure advertisements are erected in accordance with the requirements of condition 13 part (b).

- 33 Unless otherwise agreed in writing, no development shall take place in any parcel 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:

- a) 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.
- b) The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) 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 (b) are complete

and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To prevent pollution to controlled waters and unacceptable risks from contamination.

- 34 No occupation of any part of the permitted development / of each parcel 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.

Reason: To protect the water environment, to prevent pollution and prevent unacceptable risks from contamination.

- 35 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.

Reason: To prevent pollution of controlled waters and prevent unacceptable risks from contamination.

- 36 No construction within any development parcel of the approved development shall take place 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 Authority for approval in writing prior to the commencement of the development.

Reason: In the interests of public safety.

- 37 No part of Paris Street will be closed to taxis or private vehicles unless and until the following Highway Works, as shown on drawing reference 31125-SK-249 rev D received 23rd December 2015, with the exception of the works to Bampfylde Street, Cheeke Street (between the junctions of Belgrave Road and Sidwell Street) and Paris Street Lower Section (between the junctions of Dix's Field and Paris Street roundabout), 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:

- a) Road closures and vehicle movement prohibitions;
- b) Traffic circulation including one-way working, bus lanes, and other restrictions and exemptions;
- 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);
- d) Cycle parking around the site; and
- e) Other changes to the highway network as shown on that plan.

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

- 38 Within 3 months of the new Bus Station being brought into use the following highway works in Bampfylde Street, Cheeke Street (between the junctions of Belgrave Road and Sidwell Street) and Paris Street Lower Section (between the junctions of Dix's Field and Paris Street roundabout) 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:

- a) Road closures and vehicle movement prohibitions;
- b) Traffic circulation including one-way working, bus lanes, and other restrictions and exemptions;
- 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
- d) Cycle parking around the site; and
- e) Other changes to the highway network as shown on that plan.

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

- 39 Before Paris Street is stopped up or otherwise closed to buses or public service vehicles or the Bus and Coach Station is taken out of operational use interim arrangements for the operation of bus and scheduled coach 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:

- a) Provision for the circulation, stopping and layover of buses;
- b) Waiting facilities with protection from the weather and information for passengers.
- c) Office and staff facilities

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.

- 40 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 Authority before development of the new bus station commences.

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.

- 41 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.

Reason: To ensure suitable alterations to the Highway Network are put in place in a timely manner.

- 42 No part of any of the development parcels shall be occupied until details of the cycle parking provision for visitors and staff within that part of the development 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.

Reason: To provide adequate facilities for sustainable transport.

- 43 A comprehensive Framework Travel Plan for each parcel shall be submitted to and approved in writing by the Local Planning Authority in advance of occupation of that part of the development. The approved travel plan measures will be implemented to the satisfaction of the Local Planning Authority

A review of travel patterns for each parcel shall be undertaken within 6 months of occupation of that part of the development and updated on a basis as agreed in writing with the Local Planning Authority thereafter.

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.

- 44 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, E or the Leisure Centre shall be brought into its intended use until adequate provision 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.

Reason: To ensure that adequate facilities are available for the service traffic.

- 45 A CCTV strategy for each parcel of the development shall be submitted to and approved in writing by the Local Planning Authority before development of that parcel commences on site. The approved strategy shall subsequently be implemented on site, in accordance with a specification that has been approved in writing by the Local Planning Authority before any building in that parcel is first brought into use.

Reason: In the interests of public safety.

Notes to Applicant:

In accordance with paragraphs 186 and 187 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.

Notes to Applicant:

A legal agreement under Section 106 of the Town and Country Planning Act 1990 relates to this planning permission.

Notes to Applicant:

Please note that this is not a decision under the Building Regulations.

Signed:



Dated: 8 July 2016

Assistant Director City Development