

ITEM NO.

7

COMMITTEE DATE:

25/07/2011

APPLICATION NO:

11/0787/01

OUTLINE PLANNING PERMISSION

APPLICANT:

Mr I Jones
Helical (Exeter) Ltd

PROPOSAL:

Outline application for the redevelopment of the southern part of the site, including the demolition of structures, to provide up to 63 dwellings along with children's play area, landscaping, associated roads, garaging, car parking and bin and cycle stores, in place of 71 retirement dwellings approved under application 09/0832/01

LOCATION:

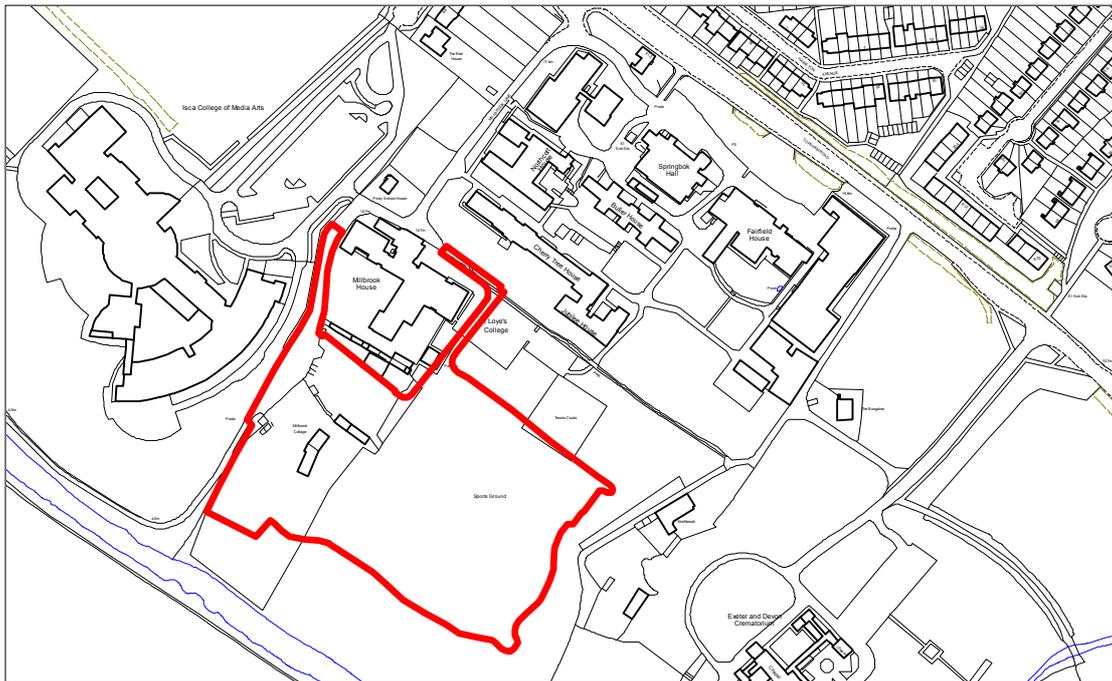
Millbrook Village (Former St Loye's College), Topsham Road, Exeter, EX2 6EP

REGISTRATION DATE:

04/05/2011

EXPIRY DATE:

03/08/2011



Scale 1:4000

This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Exeter City Council 100049053

HISTORY OF SITE

There is an extensive history of applications relating to the previous use of the site by St Loyes College Foundation however none of these are considered directly relevant to the current proposal.

When the Authority became aware that the St Loyes Foundation was considering vacating the site, the decision was taken to prepare a Planning Brief to guide future development proposals. The Council subsequently adopted the St Loyes College Development Brief on 3rd July 2007.

Since then the following planning applications have been submitted that are considered relevant to this proposal.

09/0832/01 - Outline application for the redevelopment of the former St. Loyes Foundation to form a retirement village comprising the retention of Fairfield Lodge for use as heritage centre, refurbishment and conversion of Fairfield House to provide two retirement apartments and an Estate Managers unit, partial demolition, conversion and

extension of Springbok Hall to provide a Central Facilities Building and two retirement units, demolition of remaining existing buildings, construction of a further 202 retirement homes, 50 Extra Care housing units, 50 bed residential care home and associated roads, footpaths, cycle and car parking spaces, open space, balancing pond and associated landscaping works and ancillary works and structures. Approved 24th September 2010 subject to conditions and a Section 106 Agreement covering the age restricted occupation of the dwellings, provision of foot/cycle path, affordable housing contribution (£5.65 million made up of two elements - £3.8 million envisaged as being towards provision of extra care housing on part of the site transferred to the Council, and £1.85 million towards off site provision), transfer of land to ECC for provision of an Extra Care Housing development, and pitch improvements at Wonford Sports Centre or in lieu of works a contribution of £250,000 towards playing pitch provision/improvement within the City.

10/1893/02 - 135 retirement units, 1 warden's unit, central facilities building and hard and soft landscaping (approval of reserved matters on Ref. No. 09/0832/01). Approved 19th January 2011.

11/0780/02 - 71 retirement units on the southern part of the site, and hard and soft landscaping (approval of reserved matters on Ref. No. 09/0832/01 approved 24 September 2010). Approved 30/06/2011

DESCRIPTION OF SITE/PROPOSAL

The application site lies to the south of Topsham Road. The site falls away from Topsham Road towards the Mill Race at the southern most extremity of the site. To the east lies the Crematorium and the West Isca College of Media Arts (formerly known as Priory High School) and residential properties. Access to the site is obtained via Millbrook Lane which feeds onto Topsham Road by way of a traffic controlled junction. The site was used by the St Loyes Foundation as an educational training facility for the provision of training and support for people with disabilities and long term ill-health, to assist them to gain employment. As well as the use by the St Loyes Foundation other parts of the site were used by the University of Plymouth for parking, training and the Little Gems day nursery. This application relates specifically to the lower part of the site.

Following the grant, in September 2010, of outline consent for redevelopment of the site as a Retirement Village the majority of the buildings have been cleared from the site and an extensive archaeological investigation of the site has been undertaken. These investigations revealed further information, and facilitated recording of, the remains of a 1st Century Roman Fort on the top part of the site.

Retained buildings on site include Fairfield Lodge at the front of the site, (a Statutory Listed Building (Grade II)), Fairfield House (locally listed) and Springbok Hall. The site contains a number of visually important trees and the whole site is covered by a Tree Preservation Order. All of these factors form constraints affecting the potential layout of any redevelopment of the site.

At the outline stage the layout of the buildings, scale and means of access were all fixed and approved leaving only the appearance of the buildings and landscaping of the site as 'reserved matters'. Subsequently 135 retirement units on the top part of the site were the subject of a 'reserved matters' application (ref no. 10/1893/02) that was approved in January of this year.

In response to the current economic climate, funding issues, and to avoid a protracted build programme, the applicant is exploring the option of developing the lower part of the

site for open market housing. Consequently outline planning permission is now being sought for up to 63 dwellings with associated roads, parking facilities, children's play area and landscaping in lieu of the remaining 71 retirement dwellings on the southern part of the site. The site layout, appearance of the dwellings and detailed landscaping arrangements are being reserved at this stage and would be the subject a separate 'reserved matters' application in due course.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents -

- Planning Statement
- Design and Access Statement
- Landscape and Visual Appraisal
- Ecology
- Arboricultural Survey and Constraints Plan
- Arboricultural Implications Assessment
- Transport Assessment
- Flood Risk Assessment
- Air Quality Assessment

REPRESENTATIONS

3 letters of representation have been received raising the following comments -

- desire that rest of site is developed as previously approved and that this application would not lead to a change for the whole site
- suggestion that revised nature of this application will put more pressure on the junction with Topsham Road and exacerbate problems for Burnthouse Lane during busy periods.
- potential disturbance of mourners in gardens of remembrance on adjoining crematorium
- apparent absence of affordable housing provision

CONSULTATIONS

South West Water - No objection in terms of capacity within our infrastructure to serve the development.

Environment Agency - Providing development proceeds in accordance with the submitted flood risk assessment dated April 2011 Rev 1 there are no objections to the proposed development.

Head of Environmental Health - recommends conditions regarding Green Travel Plan, contaminated land, Construction Environmental Management Plan, hours of construction work

County Director of Environment, Economy and Culture - No objections subject to the imposition of a Travel Plan condition.

County Director of Children and Young People's Services - identifies the need for provision of additional school places to meet likely demand arising from this development and consequently seeks an education contribution of £351,321.08 via a Section 106 Agreement.

RSPB - comments are provided in respect of impact associated with the application in terms of (i) risks to Natura 2000 sites and (ii) the adoption and securing of ecological

enhancements. Express concern that both the original outline, and subsequent 'reserved matters' applications for the top part of the site were determined without an Appropriate Assessment to determine impact on nearby site of international wildlife importance. State that they do not accept that simply because the accommodation is limited to residents over 55 years of age they will not use the Natura 2000 and therefore not generate an impact upon it. Also express concern regarding ecological enhancement of the site as part of the development. Make recommendations regarding ecological enhancement to be incorporated into proposal, such as bird boxes. Regarding the proposal overall they state -

"We consider that Exeter City Council will not be in a position to make an informed decision and grant the application consent until:

- the work to understand the risks from this application to the Natura 2000 sites is undertaken, such as via an appropriate assessment and the measures necessary to avoid and minimise risks are identified and secured, such as contributions to the creation, enhancement, on-going management of Suitable Alternative Natural Green Spaces."

Police Architectural Liaison Officer - Concludes - "As this application is for outline permission only at this stage there is little detail to comment on. However, I would like to make the following general points which can be addressed at the next stage of the planning process:

- Where possible, all homes should have adequate defensible space to the front of the property
- All rear and side boundaries should be a minimum of 1.8m
- Where gated access is provided to rear gardens the gates need to be lockable from both sides
- Adequate parking should be provided to help prevent disputes between neighbours
- All car parking spaces should be well overlooked to help prevent crime
- Provision for cycle storage should meet SBD requirement to help prevent theft"

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPS5 - Planning for the Historic Environment

PPS5 PG - Planning for the Historic Environment: Historic Environment Planning Practice Guide (March 2010)

PPS9 - Biodiversity and Geological Conservation

PPG13 - Transport

PPG17 - Planning for Open Space, Sport and Recreation

PPS25 - Development and Flood Risk

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST3 - Self Sufficiency of Devon's Communities

ST4 - Infrastructure Provision

ST10 - Exeter Principle Urban Area

ST17 - Housing and Employment Provision

ST18 - Affordable Housing

ST18a - Mix and Type of Housing

CO6 - Quality of New Development

CO7 - Historic Settlements and Buildings

CO8 - Archaeology

CO11 - Conserving Energy Resources
CO13 - Protecting Water Resources and Flood Defence
TR1 - Devon Travel Strategy
TR2 - Coordination of Land Use/Travel Planning
TR3 - Managing Travel Demand
TR4 - Parking Strategy, Stands and Proposals
TR5 - Hierarchy of Modes and Transport Assessment
TR9 - Public Transport
TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence
H2 - Location Priorities
H5 - Diversity of Housing
H6 - Affordable Housing
H7 - Housing for Disabled People
L3 - Protection of Open Space
L4 - Provision of Playing Pitches
L5 - Loss of Playing Fields
L7 - Local Sporting Facilities
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
T10 - Car Parking Standards
C2 - Listed Buildings
C3 - Buildings of Local Importance
C5 - Archaeology
EN3 - Air and Water Quality
EN4 - Flood Risk
EN5 - Noise
DG1 - Objectives of Urban Design
DG2 - Energy Conservation
DG4 - Residential Layout and Amenity
DG6 - Vehicle Circulation and Car Parking in Residential Development
DG7 - Crime Prevention and Safety

Core Strategy Submission Document

Exeter City Council Supplementary Planning Documents

Residential Design SPD
Affordable Housing SPD
St Loyes College Development Brief
Trees and Development
Archaeology and Development

OBSERVATIONS

This proposal needs to be considered in the context of relevant national planning advice and local plan policies, including the adopted Development Brief that forms a material planning consideration in respect of redevelopment proposals for this site. Consideration of the application also needs to take into account the supporting information submitted by the applicant, existing permissions on surrounding land, and the consultation responses/letters of representation.

Background to the current application

This outline application covers the built-up element of the lower part of the site covered by the original outline permission for a retirement village (ref 09/0832/01), and the subsequent 'reserved matters' application that was approved on the 30th June 2011 (ref 11/0780/02). It represents an alternative option for the development of the lower part of the site. The central area of open space, landscape belt running along the eastern site boundary and the southern landscaped part of the overall former St Loyes College site (including the surface water attenuation pond and new bat house) were included in the previous 'reserved matters' application approved in January this year (ref 10/1893/02). The Care Home and the 50 unit extra care affordable housing block that formed part of the original outline application will be subject to separate subsequent applications.

The detailed layout of the site, appearance/design of the dwellings, and the landscaping of the site are reserved for subsequent approval. This consent only seeks approval in principle for the quantum of development (up to 63 dwellings in a mix of 2 and 2.5 storey buildings), the access points to the site from Millbrook Lane, and the principle of internal loop roads within the site. This proposal would actually result in a decrease in the number of dwellings units on this part of the site from the 71 previously approved to a maximum of 63. Although occupying the same part of the site the decrease arises from the provision of private amenity space to serve each dwelling rather than relying on communal provision as in the retirement scheme.

The main considerations in respect of this proposal relate to the principle of non age restricted dwellings on this site, the capacity of the site to accommodate the number of dwellings proposed, affordable housing, education provision, highway matters, sustainability, ecological issues/impact on Special Protection Areas, and Flood Risk/Drainage issues.

Principle/Quantum of development

Provided that adequate amenity space, parking, play area, affordable housing is provided, and the number of dwellings proposed would not generate unacceptable highway impacts, the principle of non age restricted dwellings on this site is considered acceptable. The application is accompanied a feasibility layout which indicates that the site is capable of providing up to 63 dwellings with appropriate levels of internal and external amenity space, parking facilities, a children's play area and road access. This plan also demonstrates that this could be accommodated in a layout that respects the principles established in the previous consents for retirement a and perimeter blocks. A draft Building for Life Assessment of the feasibility layout scores the scheme as 16.5/20 which classifies as "excellent".

The submitted Design and Access Statement sets out the following principles -

- General Character - clear distinction between public and private space, with garaging and parking a key element in the character of the public realm.
- Landscape Design - High quality surface materials to enhance public realm and encourage pedestrian activities
- Parking - in streets around the blocks, adoption of a mix of visitor and on-plot spaces for private parking.
- Privacy - Minimum distance of 21 metres between rear face elevations of properties.
- Security - Building to face public realm and provide natural surveillance to streets
- Servicing and Storage - provision for refuse and recycling bin storage facilities for each property, and dedicated cycle storage facilities for each property
- Street Design - widths to varying according to street hierarchy to accommodate a wider range of parking types, priority to disabled/pedestrians/cyclists, use of fenestration to avoid blank walls, and gaps in runs of on-street parking bays to providing planting or crossing opportunities.

The feasibility plans demonstrate a formal frontage to the central open space with 2.5 storey buildings, and a more informal frontage (2 storey) to the lower part of the site facing the Mill race. It also demonstrates the potential for a children's play area in the south-west corner of the site incorporating partial retention of the existing orchard.

Overall it is considered that the submission demonstrates that the site has the potential to satisfactorily accommodate the potential number of dwellings proposed.

Affordable Housing

The applicant stated that notwithstanding the decrease in number of dwellings proposed on this part of the site through this application (up to 63 instead of the 71 previously approved) they were prepared to proceed with the affordable housing offer previously negotiated in the outline planning permission for the retirement village (provision of serviced land for 50 extra care units, £3.8 million towards provision of extra care housing on this land, and £1.85 million towards off site provision).

However, given that unrestricted occupancy open market housing is now being proposed it was considered by officers that the previously approved off-site contribution needed to be reconsidered. This has been the subject of considerable negotiation, with the developer's agent advocating the case for a reduction in the agreed contribution and the Council's housing officers seeking a higher figure to reflect the changed nature of the application. Notwithstanding the advice of their agent the developer has now agreed to an increased off-site contribution of £2,003,617, in conjunction with the previously agreed provision of land and contribution of £3.8 million towards extra care affordable housing provision on part of the former college site.

It is considered that this package represents appropriate provision to address affordable housing issues associated with this application and the related retirement village proposals.

Education

The Education Authority (Devon County Council) have calculated that this proposal would generate an increased demand for both primary and secondary school places, 15.75 and 9.45 spaces respectively. Consequently they are seeking an education contribution of £351,321.08 to be secured via a Section 106 Agreement.

The developer's agent has disputed the methodology and assumptions that have resulted in the requested contribution, particularly in the light of a recent appeal decision in respect of residential development at Hill Barton in Exeter. Furthermore, they have argued that on the whole there is currently a surplus of school places across Exeter, with only a small deficiency in Reception and Year 1 of primary schools (namely for 4 and 5 year old children). They have argued that this constitutes two-sevenths of a primary school cohort and therefore advocate reduced contribution would be appropriate and reasonably related to the impact of the proposed development. Consequently they have proposed a contribution of £51,126.76.

Given the recent appeal decision referred to above, and the absence of an agreed methodology for calculating education contributions, it is considered that the proposed figure is accepted.

Highways

The submitted Design and Access Statement identifies that a Travel Plan will be produced at the 'reserved matters' application stage setting out a series of initiatives to encourage future residents to use sustainable modes of travel. It also states that a key

aspect of the highway network within the site will be to achieve a maximum design speed of 20mph on the main access points/streets, and further reductions on shared surface streets and private drives through traffic calming techniques. It is anticipated that the primary method will be variations in horizontal alignment reinforced by building form and a combination of hard and soft landscaping.

The Highway Authority have confirmed that they have no objections to the scheme. They have highlighted a potential future issue in respect of possible conflict between vehicles and pedestrians/cyclists, and to the parking spaces off the access road due to their proximity to the entrance to the development. However they have indicated that they consider that detailed design solutions can be secured when the reserved matters application(s) are considered and that this concern does not warrant withholding planning permission.

Sustainability

The submitted Design and Access Statement indicates that the proposed dwellings will be fitted with solar water heating panels integrated into the fabric of the buildings. It also states a commitment to achieving Code Level 3 of the Code for Sustainable Homes. There is a further commitment to supplying 10% of predicted energy demand by on-site renewable through a range of methods to be set out at the 'reserved matters' stage.

Ecology/Protected Area Impact

The application is accompanied by an Ecological Appraisal which addresses the general ecological impact of the development, and specifically the impact on the Exe Estuary Special Protection Area (SPA).

The Appraisal concludes that no Appropriate Assessment is required in terms of the impact of the development upon the Exe Estuary SPA by virtue of the distance of the site from the SPA and the degree of open space provision on the site. The City Council is the 'competent authority' in terms of determining the need for an Appropriate Assessment, and in determining this issue consulted Natural England for advice. In development of its Core Strategy the Council also commissioned a Habitats Regulations Assessment (HRA) which concluded that all additional development within the City could result in potentially significant negative effects on the SPA unless mitigated. Following consultation with Natural England it was decided that a contribution to mitigate the impact of the potential 63 dwellings comprised in this application was required to obviate the need for an appropriate assessment (on the grounds that the impact was being mitigated). Although initially resistant the applicant has now agreed to a contribution of £17,514 towards future management of the Exe Estuary SPA.

In relation to more general ecological issues the submitted appraisal highlights agreed mitigation matters in relation to the development of the whole of the former St Loyes College site, such as the proposed Bat House, and identifies further mitigation measures specifically appropriate to the current application. These include trapping and translocation reptiles within the orchard area (suggested as potential location for the children's play area) to an alternative part of the site, preparation of an overall Landscape and Biodiversity Management Plan, incorporation of bat/bird boxes within the development as part of the enhancement of the site for the benefit of wildlife in accordance with PPS9. These matters can be secured by appropriate conditions.

Flood Risk/Drainage

The Environment Agency have advised that provided the development proceeds in accordance with the submitted Flood Risk Assessment they have no objection to the proposal. The detailed drainage arrangement associated with the development will be covered by a condition requiring subsequent approval. In response to comments from the

Council's Drainage Engineer the applicant has indicated that a revised Flood Risk Assessment and drainage strategy is being prepared that does not rely on the use of soakaways. The receipt of this, and further comments of the Environment Agency will be reported to Committee.

SAWP (08/06/11)

Members noted that this application would be determined by Planning Committee, and that negotiations were continuing regarding affordable housing and education contributions, and highway matters. Members queried whether open market housing would generate more traffic and the potential conflict with pedestrians on Mill Lane.

Conclusion

The submitted information, including feasibility plans, demonstrates that the site is capable of accommodating up to 63 open market dwelling in compliance with relevant local plan policies and national government guidance. It is considered that the proposals in relation to affordable housing, education provision, and SPA impact mitigation are considered acceptable. Consequently the proposal is recommended for approval.

RECOMMENDATION

Subject to completion of a Section 106 Agreement linking this proposal to the provisions of the previously agreed Section 106 agreement on the outline consent for the retirement village, and including the revised off-site affordable housing contribution and additional contributions in respect of education provision and future maintenance of the Exe Estuary SPA - Conditional Approval.

APPROVE subject to the following conditions:

- 1) Approval of the details of the layout, appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any 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 five 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. The reserved matters application shall accord with the contents of the submitted Design and Access Statement dated April 2011.
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 accordance with the submitted details received by the Local Planning Authority on 4th May 2011 (*dwg. nos. TP-01 Rev B, 13, and TP-05 Rev B*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 4) The development shall not begin until full details of drainage works have been submitted to and approved by the Local Planning Authority in writing.
Reason: To ensure the satisfactory drainage of the development.
- 5) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority and the

development shall not be started before their approval is obtained in writing and 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.

- 6) C38 - Trees - Temporary Fencing
- 7) Prior to the commencement of the development a detailed phasing plan for the construction of the development, and laying out of the open space, shall be submitted to and be approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is implemented in a logical and appropriate manner in the interests of the amenity of the area.
- 8) None of the dwellings/buildings hereby approved shall be brought into their intended use until the visibility splays, on-site parking, turning, loading and unloading facilities to serve those dwellings have been provided in accordance with the requirements of this permission. Thereafter the said facilities shall be permanently retained solely for those purposes at all times, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that adequate facilities are available to cater for the traffic attracted to the site.
- 9) The development hereby approved shall not be commenced until details of all proposed boundary walls and fences have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until these have been provided in accordance with the approved details.
Reason: In the interests of the amenities of the area.
- 10) The development hereby approved shall be constructed in accordance with detailed drawings, which shall previously have been submitted to, and approved in writing by, the Local Planning Authority, showing the datum levels at which the development is to be constructed in relation to an agreed fixed point or O.S datum.
Reason: To ensure that the development is constructed at levels appropriate to the surroundings in terms of visual impact and relationship to adjoining properties.
- 12) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 or any Order revoking and re-enacting that Order, no extension, garages or other development shall be carried out within the curtilage of the dwellings without the formal consent of the Local Planning Authority.
Reason: In order to protect the visual and residential amenities of the surrounding area and to prevent overdevelopment.
- 13) C34 - Landscape Scheme - Outline
- 20) Prior to the commencement of the development hereby approved a timeframe for the implementation of the landscaping scheme approved as a subsequent reserved matter shall be submitted to, and be approved in writing by, the Local Planning Authority.
Reason: To ensure that the landscaping of the site is carried out within an appropriate timeframe in the interests of the character and visual amenity of the area.
- 21) Unless otherwise agreed in writing by the local planning authority, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until Points 1 to 4 below have been complied with. If

unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the contamination to the extent specified in writing by the local planning authority until Point 4 has been complied with.

1. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments; and

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

2. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
3. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (other than development required to carry out remediation) unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme,

a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 6.1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Point 2, which is subject to the approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Point 3.
5. A monitoring and maintenance scheme to include monitoring the long term effectiveness of the proposed remediation, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11.

Reason: In the interests of the amenity of the occupants of the building(s) hereby approved.

- 22) Prior to any works commencing on any phase of the development site, a Construction Environmental Management Plan (CEMP) relating to that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimize the creation and impact of noise, vibration, dust, waste resulting from the site preparation and construction phases of development. Once approved the CEMP shall be adhered to at all times, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of the environment of the site and surrounding areas.
- 23) No construction works shall take place and no deliveries taken at the site outside the following times: 8am – 6pm Monday to Friday, 8am – 1pm Saturday nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of residential amenity.
- 24) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan. The details submitted pursuant to this condition will be expected to include a Landscape

and Biodiversity Management Plan as recommended in the submitted Ecological Appraisal, and incorporate the mitigation measures identified in Section % of the Ecological Appraisal.

Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.

- 25) Prior to commencement of the development a scheme using renewable or low carbon technology and generating a minimum 25% improvement in carbon emissions as measured via the SAP (Standard Assessment Procedure) for dwellings shall be submitted to, and be approved in writing by, the Local Planning Authority. The approved scheme shall be implemented before any of the dwellings are first occupied and shall thereafter be maintained so that it provides the required level of generation.

Reason: To ensure that the development contributes towards the achievement of sustainable development in accordance with guidance contained in PPS1 - Delivering Sustainable Development and PPS22 - Renewable Energy and that the scheme is developed in such a way as to reduce consumption of non-renewable energy sources and maximise energy efficiency in the interest of sustainable development.

- 26) Prior to the first occupation of any individual unit of residential accommodation comprised in the development a Green Travel Plan (including recommendations and monitoring/review arrangements) shall be submitted to, and be approved in writing by the Local Planning Authority. Thereafter the recommendations of the Travel Plan shall be implemented and monitored in accordance with the approved document.

Reason: In order that the development promotes public transport, walking and cycling and limits the reliance on the private motor car in the interests of sustainability.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

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