

ITEM NO.

COMMITTEE DATE:

13/01/2014

APPLICATION NO:

13/4806/03

FULL PLANNING PERMISSION

APPLICANT:

Mr E Nelthorpe
Redrow Homes South West Ltd

PROPOSAL:

Variation to condition 2 of planning permission 11/1800/03 to allow re-siting of previously approved residential units, alterations to house types, minor highway realignment and four additional dwellings

LOCATION:

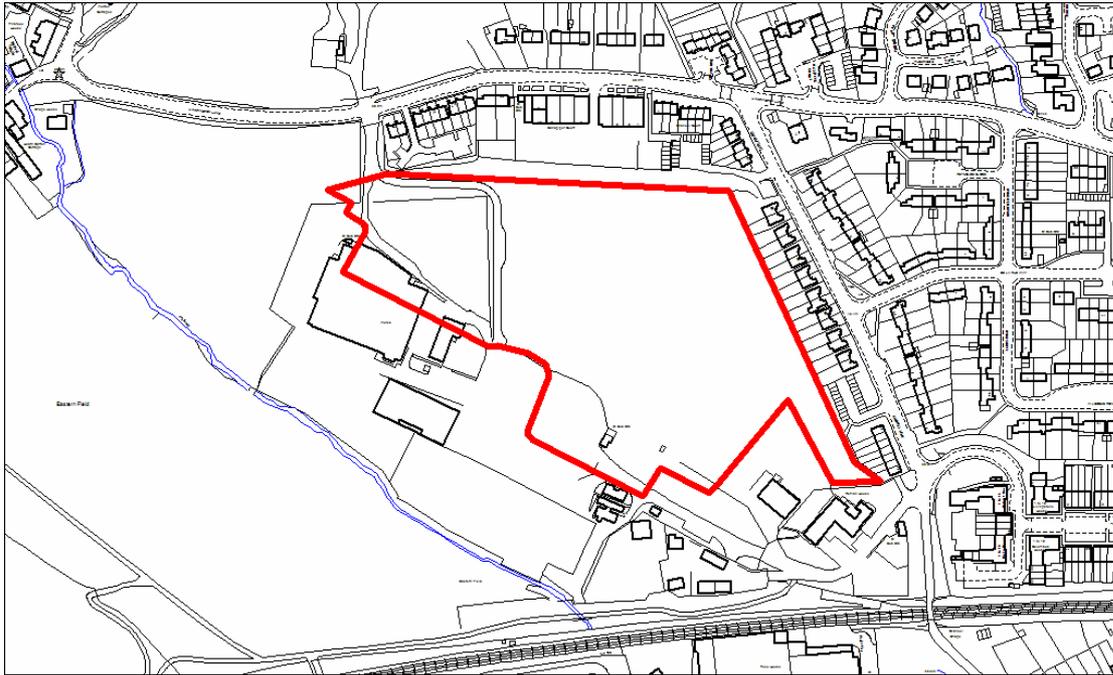
Former Ibstock Brickworks site, land off Harrington Lane, Exeter, EX4 8DT

REGISTRATION DATE:

19/11/2013

EXPIRY DATE:

18/02/2014



Scale 1:5000

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DESCRIPTION OF SITE/PROPOSAL

The site covers approximately 9.7 hectares and comprises part of the former Ibstock Brickworks Plant, a former quarry/landfill site and a field.

Permission was granted in 2012 for the erection of 230 residential units, a 72-bed care home, open space provision and associated infrastructure works. Development of the initial phase of this approval has commenced, with several houses completed and occupied.

Planning permission is now sought for a material amendment to the approved scheme which involves:

- alterations to house types
- minor highway realignment

- re-siting of some of the previously approved units
- four additional dwellings

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

During the intervening period between the initial application and the present, the Redrow housing portfolio has been updated to enhance the individual designs and address amendments to the Building Regulations, and as we strive to offer our customers the best available product we find ourselves needing to seek amendment to the consent.

Construction has commenced on the southern half of the site and these units cannot be changed, but we would wish to construct the northern sector to the latest design. In essence the changes reflect an upgrading of the existing house types but whilst we have been reviewing this we have assessed the overall development format and take this opportunity to refine the site design.

The founding principles of the scheme based on the highway network remain largely unaltered, with only a nominal change planned in the north-west sector. House types remain as approved with amendment to their juxtaposition to aid the 'Garden Village' ethos we are anxious to promote. Double aspecting on some corner plots is delivered through the inclusion of the Shaftesbury house type. The rhythm of the scheme is maintained through a consistent build line. Parking is provided within curtilage, avoiding parking courts and meeting customers expectations.

Overall there is an increase of 4 units achieved through the rationalised layout design.

REPRESENTATIONS

Objections: 1. Principal planning issues raised:

- Impact on countryside and character of area.
- Traffic

CONSULTATIONS

Environment Agency - no objections.

Exeter International Airport - no objections

Network Rail - no objections

Natural England - no objections

South West Water - no objections

County Head of Planning, Transportation and Environment - no objections

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012

Exeter Local Development Framework Core Strategy 2012

CP1 – Spatial approach
CP3 – Housing development
CP4 – Housing density
CP5 – Meeting housing needs
CP7 – Affordable housing
CP9 – Strategic transport measures to accommodate development
CP11 – Pollution and air quality
CP12 – Flood risk
CP15 – Sustainable design and construction
CP16 – Strategic green infrastructure
CP17 – Design and local distinctiveness
CP18 – Infrastructure requirements and developer contributions
CP19 – Strategic allocations for growth

Exeter Local Plan First Review 1995-2011 Saved Policies

AP1 – Design and location of development
AP2 – Sequential approach
H1 – Housing land search sequence
H2 – Housing location priorities
H3 – Housing sites
H6 – Affordable housing
H7 – Housing for disabled people
T1 – Hierarchy of modes of transport
T2 – Accessibility criteria
T3 – Encouraging use of sustainable modes of transport
T10 – Car parking standards
LS4 – Local Nature Conservation Designations/RIGS
EN2 – Contaminated land
EN3 – Air and water quality
EN4 – Flood risk
EN5 – Noise
DG1 – Objectives of urban design
DG2 – Energy conservation
DG4 – Residential layout and amenity
DG5 – Provision of open space and children's play areas
DG6 – Vehicle circulation and car parking in residential developments
DG7 – Crime prevention and safety

Exeter City Council Supplementary Planning Documents

Affordable Housing SPD 2013
Planning Obligations SPD 2009
Public Open Space SPD 2005
Residential Design SPD 2010
Sustainable Transport SPD 2013
Trees and Development SPD 2009

Exeter Development Delivery Policy Statement November 2013

Exeter Development Delivery Document - Draft Development Plan Document 2013

OBSERVATIONS

Since this application was originally submitted it has been modified to address Officer concerns about layout and amenity of future occupants, and to satisfy the Council's affordable housing requirements. The proposal complies with the space standards set out in the Council's Residential Design Supplementary Planning Document, and does not compromise the character and appearance of the development achieved by the original consent.

The Care Home element of the original consent, which is currently under construction, is not affected by this application.

As a consequence of the four additional units proposed, the applicant is offering an additional 2 affordable housing units. This is welcome and must be secured by a Section 106 Agreement.

The Community Infrastructure Levy will be payable in respect of the extra floor space created by the modifications to the permitted scheme. Confirmation of the amount of floor space created is awaited from the applicant.

Approval of this proposal will assist the Council in meeting its housing targets.

NORTHERN AREA WORKING PARTY

Members raised no objection to the proposed modifications to the original approval subject to Officers being satisfied that the appropriate contributions are being made, and that affordable housing is secured in accordance with the Council's policies.

RECOMMENDATION

Subject to completion of a Section 106 Agreement securing 2 additional affordable housing units, **APPROVE** the application subject to the following conditions:

- 1) C05 - Time Limit – Commencement.
- 2) 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 *date (dwg.nos.)*, as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) 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 no building within the development shall be started before the samples for that building have been approved 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.

- 4) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 1995 (and any Order revoking and re-enacting that Order with or without modification), no development of the types described in the following Classes of Schedule 2 shall be undertaken on plots xx-xx (as shown on drawing xx) without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-
- Part 1, Class A (extensions and alterations)
 - Part 1, Classes B and C (roof addition or alteration)
 - Part 1, Class D (porch)
 - Part 1, Class E (swimming pools and buildings incidental to the enjoyment of the dwellinghouse)
 - Part 1, Class F (hard surfaces)

Reason: In order to protect residential amenity and to prevent overdevelopment.

- 5) A detailed scheme for landscaping for the care home site and the residential development site, including the planting of trees and/or shrubs, the use of surface materials and boundary screen walls and fences shall be submitted to the Local Planning Authority together or separately, and no development shall take place until the Local Planning Authority have approved the scheme(s); such scheme(s) 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(s). The landscaping shall thereafter be implemented in accordance with the approved scheme(s) 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.

- 6) Any trees, shrubs and/or hedges on or around the site (other than those permitted to be felled by this permission) shall not be felled, lopped or removed without the prior written consent of 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.

- 7) C37 - Replacement Planting.

- 8) No materials shall be brought onto the care home site or the residential site and no development shall be commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained on either site, 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 5837:2005 - 'Trees in Relation to Construction'. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the subject of this permission on either site is completed unless otherwise agreed in writing by the Local Planning Authority. 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 area, nor shall trenches for service runs or any other excavations take place within the fenced area 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.

- 9) Prior to the commencement of development, a Landscape and Habitat Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved document.
Reason: In the interests of securing a comprehensive approach to the preservation and enhancement of the landscape and ecological interest of the site.
- 10) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority (LPA)), the following components of a scheme to deal with the risks associated with contamination of the site, including gas migration, shall each be submitted to and approved, in writing, by the LPA:
- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) 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.
 - 4) 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 (3) 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 consent of the Local Planning Authority. The scheme shall be implemented as approved.
Reason: To protect controlled waters and in the interests of residential amenity.
- 11) 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 (LPA)) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved. In addition, to prevent pollution, any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.
Reason: To protect controlled waters.

- 12) No building shall be built until a foundation risk assessment for that building has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the conclusions of the assessment.
Reason: In order to ensure that piling does not create new migration pathways for contamination.
- 13) A comprehensive residential travel plan, to be agreed in writing by the Local Planning Authority, in relation to development of the site should be provided, operated and maintained.
Reason: To ensure that sustainable (non private car) trips to and from the site are maximised.
- 14) The proposed estate roads, footways, footpaths, cycle routes, junctions, verges, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture as appropriate for any part of the development shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before construction of that part of the development begins. For this purpose, plans indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.
- 15) Prior to occupation of any dwelling hereby permitted, cycle parking shall be provided for that dwelling or the care home in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be maintained at all times thereafter.
Reason: To ensure that cycle parking is provided, in accordance with Local Plan policy T3, to encourage travel by sustainable means.
- 16) Prior to commencement of the development, a detailed scheme for the pedestrian and cycle network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
- (a) details of routes, road crossings, bridges, surface treatments, lighting, street furniture and signage;
 - (b) a programme for implementation synchronised with the progressive occupation of the development; and
 - (c) such temporary measures as are necessary (such as ramps where routes cross unfinished roads) to ensure the routes are fully usable during the construction period.
- The approved scheme shall be adhered to at all times, including (where applicable) any amendments subsequently agreed in writing by the Local Planning Authority.
Reason: To ensure that the pedestrian and cycle routes are provided and maintained in accordance with Local Plan policy T3, to encourage travel by sustainable means.

- 17) No development shall take place until details of the sustainable urban drainage design serving that part of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved details.
Reason: In the interests of sustainability, and visual and local amenity.
- 18) No construction work shall be undertaken, or machinery operated, within the site outside the hours of 0800 to 1800hrs Mondays to Fridays, 0800 to 1300hrs on Saturdays, nor at any time on Sundays or public holidays without the prior written consent of the Local Planning Authority.
Reason: In the interests of the residential amenity of the occupants of surrounding property.
- 19) A Construction Environmental Management Plan (CEMP) for the development shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.
Reason: In the interest of the environment of the site and surrounding areas.
- 20) Prior to the commencement of any development adjacent to the boundary with the adjacent employment land, detailed plans, including sections of the proposed noise attenuation features, along with a timeframe for their implementation, shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details and no building intended for residential use adjacent to this boundary shall be occupied until the noise attenuation feature has been completed in accordance with the approved details.
Reason: In the interests of the residential amenity of the future occupants of buildings within these phases of the development.
- 21) A detailed scheme(s) for the treatment of the boundary of the site with all adjoining land including the planting of trees and/or shrubs and walls and fences shall be submitted to the Local Planning Authority and no development on any particular part of the site shall take place until the Local Planning Authority have approved a scheme(s); such scheme(s) 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(s). The boundary treatment shall thereafter be implemented in accordance with the approved scheme(s) 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.

- 22) No dwelling hereby approved shall be occupied until the applicant has submitted a SAP calculation which demonstrates that a 10% reduction in CO2 emissions over that necessary to meet the requirements of the Building Regulations current at the time of Building Regulations approval can be achieved through the use of decentralised and renewable or low carbon energy sources. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site.
Reason: In the interests of sustainable development.
- 23) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, and a CSH Level 5 (Zero Carbon) if commenced on or after 1 January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006 and the Code for Sustainable Homes Technical Guide November 2010 (or such equivalent standard that is approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.
Reason: In the interests of sustainable development.
- 24) Prior to commencement of any dwelling the developer shall submit to the Local Planning Authority a Design Stage CSH assessment including the score expected to be achieved and which standard this relates to. Where this does not meet the minimum required standard the developer must provide details of what changes will be made to the development to achieve the minimum standard, and thereafter implement those changes. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until an application for a Final Code Certificate has been made seeking certification that the required Code Level has been achieved and within one year of occupation of any dwelling the developer shall submit to the Local Planning Authority a Final Code Certificate to demonstrate that a Final Code Level of 4 or 5 has been achieved as required above.
Reason: In the interests of sustainable development.
- 25) Where construction of any dwelling hereby permitted has not been commenced before 1 January 2016, the Local Planning Authority shall be notified in writing of the identity of those dwellings for which construction has commenced before 1 January 2016, within 10 working days following that date.
Reason: In the interests of sustainable development.

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