

ITEM NO. 5**COMMITTEE DATE:****29 JUNE 2015****APPLICATION NO:**

15/0457/03

FULL PLANNING PERMISSION**APPLICANT:**

Persimmon Homes (SW) Ltd

PROPOSAL:

Development of 18 dwellings and associated works.

LOCATION:

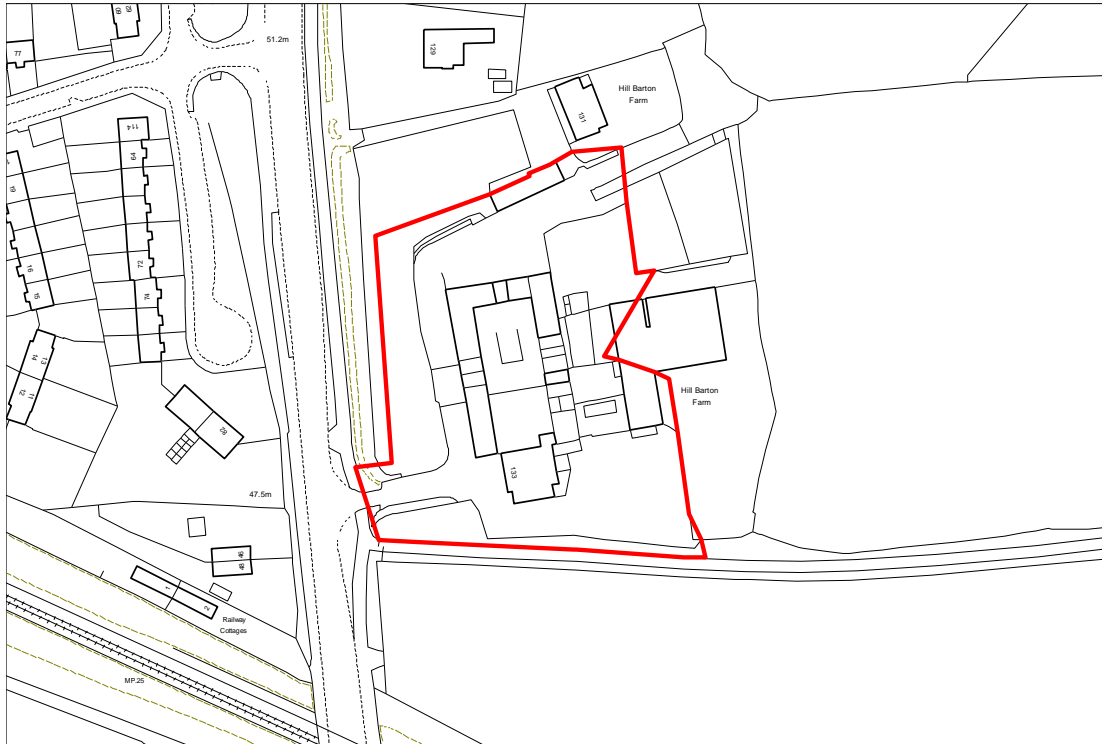
Hill Barton House, 133 Hill Barton Road, Exeter, EX1 3PP

REGISTRATION DATE:

23/04/2015

EXPIRY DATE:

23/07/2015



Scale 1:2000

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HISTORY OF SITE

01/1312/03 -	Change of use to home for adults with learning difficulties (Class C2)	PER	19/10/2001
14/1788/19 -	Prior notification of proposed demolition of 133 Hill Barton Road, and some associated outbuildings, to enable construction access relating to application 12/0472/01	PER	20/08/2014
Relevant history on adjoining land			
12/0472/01 -	Mixed use scheme comprising up to 750 dwellings, a local centre (A1, D1, D2), public open space, demolition of buildings, landscaping, highway access to Hill Barton Road and associated infrastructure works (all matters reserved for future consideration apart from access)	Per	29/11/2013
14/0832/03 -	Variation of condition 25 relating to timing of provision of a vehicular link between the site and Oberon Road (Ref. No. 12/0472/01 granted 29-11-2013)	Per	13/06/2014

14/4806/03 -	Construction of a new roundabout access junction from Hill Barton Road and associated landscaping and infrastructure works.	Per	03/03/2015
14/2063/32 -	Details for Phase 1 of the development pursuant to Condition 4 (framework plan and statement on appearance palette) of applications 12/0472/01 and 14/0832/03.	PER	02/04/2015
14/2062/02	Reserved matters application for construction of 160 dwellings and associated works. (Phase 1 development area).	Also on this agenda	

DESCRIPTION OF SITE/PROPOSAL

The application site is situated on the east side of Hill Barton Road and comprises Hill Barton House and curtilage, and associated outbuildings (the site area is 0.69 of a hectare). The site is surrounded by land which has the benefit of outline planning permission for residential development and lies within the Monkerton and Hill Barton Strategic Allocation.

Full planning permission is sought for the erection of 18 dwellings (7 x 2bed, 8 x 3bed and 3 x 4bed). Three of the properties would be served by the existing access off Hill Barton Road with the remainder accessed via the new road network forming part of the 1st phase of the residential development that wraps around the site. The application includes associated parking and private amenity space to serve the proposed dwellings and an area of open space occupied by existing trees that are to be retained as part of the development.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents -

- Planning Statement
- Design & Access Statement
- Written Scheme for a Staged Programme of Archaeological Work
- Results of an archaeological trench evaluation of Phase 1 development land
- Geotechnical and Geo-environmental Report
- Transport Technical Note
- Technical Note - Ecological Addendum
- Arboricultural Constraints Report
- Flood Risk Statement

REPRESENTATIONS

2 letters of representation (1 objection, 1 comment) have been received raising the following issues -

- loss of habitat for bats and nesting birds
- long term danger to cyclists arising from new road cutting across existing cycle way
- inconvenience to cycling traffic during period of construction works
- what measures will be in place to ensure pedestrians/cyclists are still able to use combined path from Hill Barton Road to Met Office during construction?

CONSULTATIONS

Met Office - "no objection to the proposal subject to the ridge heights of the completed dwellings being no higher than as shown within drawing no 2104/HB-125 C1 dated April 2015 provided by the applicant, which indicates ridge heights of each individual plot of between 55.2 to 59.7 AOD."

Exeter Airport - "Exeter International Airport has no safeguarding objections to this development provided that all safeguarding criteria are met, as stipulated in the AoA Advice Notes, and there are no changes made to the current application."

Wales and West Utilities - conclude "Wales & West Utilities have no objections to these proposals, however our apparatus may be at risk during construction works and should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversion works be required these will be fully chargeable."

Environmental Health - recommends conditions relating to Construction and Environment Management Plan (CEMP) and land contamination.

Police Architectural Liaison Officer - No objection, subject to minor design comments regarding surveillance and ownership boundaries.

DCC (Education) - "This letter provides Devon County Council's response to the above planning application on education matters. Due to the number of families and children expected to move into this development, it is anticipated that this application will put pressure on local schools, where there is limited capacity to accommodate them. Exeter City have set out that they intend school facilities to be funded through CIL. It should be noted that this development will create the need for funding of new school places and it is anticipated that these will require funding equivalent to £49,182 for primary school facilities and £22,340 for secondary school facilities, equivalent to 3.69 and 1.22 children respectively. These figures have been calculated in accordance with the County Councils Education Infrastructure Plan and S106 approach and takes into account existing capacity in the surrounding schools. It is anticipated that these contributions would be provided for through CIL. If the application is approved we will deem the houses to be built and the number of school spaces considered to be available in Exeter will be reduced accordingly - this will be taken into account when calculating contributions from future applications. I trust the above provides information that will be helpful in the determination of the application."

DCC (Head of Planning, Transportation and Environment) - Formal observations awaited. However it is understood that there are no fundamental issues with the proposal from a transportation perspective.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

NPPF - National Planning Policy Framework
Planning Practice Guidance

Exeter Local Development Framework Core Strategy

CPA - The Spatial Approach

CP3 - Housing Distribution

CP4 - Density

CP5 - Meeting Housing Needs

CP7 - Affordable Housing

CP10 - Meeting Community Needs

CP11 - Pollution and Air Quality

CP12 - Flood Risk

CP13 - Decentralised Energy Networks

CP14 - Renewable and Low Carbon Energy

CP15 - Sustainable Construction

CP16 - Green Infrastructure

CP17 - Design and Local Distinctiveness

CP18 - Infrastructure

CP19 - Strategic Allocations

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

AP2 - Sequential Approach

H1 - Search Sequence

H2 - Location Priorities

T2 - Accessibility Criteria

T5 - Cycle Route Network

LS1 - Landscape Setting

H7 - Housing for Disabled People

L4 - Provision of Playing Pitches

EN4 - Flood Risk

EN5 - Noise

DG1 - Objectives of Urban Design

DG4 - Residential Layout and Amenity

DG5 - Provision of Open Space and Children's Play Areas

DG6 - Vehicle Circulation and Car Parking in Residential Development

C5 - Archaeology

Exeter City Council Supplementary Planning Document

Residential Design Guide (adopted September 2010)

Monkerton and Hill Barton Master plan Study (adopted November 2010)

OBSERVATIONS

Background

The current application site is surrounded by land that is under the control of the Hill Barton Consortium, and which benefits from outline planning permission for residential development. At the time the outline planning permission was granted Hill Barton House and curtilage was under different owner. Since that time Persimmon (one of the parties making up the Consortium) have acquired Hill Barton House and its curtilage and are now looking to redevelop it for residential purposes in conjunction with the development of the Consortium land. Persimmon have applied for 'reserved matters' approval for the first phase of the wider outline application site and this is also on this agenda (application 14/2062/02). In order to achieve efficient planning of the area the two schemes have been worked up together. This has meant that the application boundary for this full application is larger than the confines of Hill Barton House and its curtilage and includes part of the site that already benefits from the outline consent (this has avoided the situation of an application site boundary bisecting through the middle of houses or having houses within one application site and their garden within another).

The main considerations in respect of this application relate to the principle of residential redevelopment of the site, design/layout/amenity standards, transportation matters, ecology/sustainability and affordable housing.

Principle of residential redevelopment of site

The site lies within the boundary of the Monkerton/Hill Barton Strategic Allocation as identified in the Council's adopted Core Strategy and is subject to Policy CP19 of that document. This policy identifies the strategic allocation area for the provision of around 2500 dwellings, 5 hectares of employment land and all associated infrastructure. Given this context the principle of residential redevelopment of the site is acceptable.

Design/layout/amenity standards

The layout and form of this proposal has quite properly been developed in conjunction with the adjoining 'reserved matters' application to produce a logical layout and maximise the site's potential. Had this site been considered in isolation its potential, in terms of the number of dwellings it could have delivered, would have been relatively limited. Considering the two together has allowed the road layout/access to be consistent. The 18 dwellings proposed for this site comprise a mix of 2, 3 and 4 bed properties, and include detached, semi-detached and small terraces of dwellings. This is considered an acceptable mix of properties that would relate well to the adjoining site. All of the properties are provided with private gardens that comply with the standards set out in the Council's Residential Design SPD. The separation distances between individual properties are such that appropriate levels of privacy will be afforded to future residents of the development.

The initial submission proposed the use of the small house type (Alnwick) that was also proposed on the adjoining reserved matters application site. This was considered unacceptable as it fell significantly short of the internal space standards within the Residential Design SPD. However the developer has now agreed to substitute this house type with an alternative that is more compliant and considered acceptable in the context of the overall scheme.

The layout incorporates an area of open space that contains some prominent trees that are to be retained and is contiguous with an area of open space being provided on the adjoining site. Together these two elements combine to create a more attractive space that will contribute positively to the overall character of the area.

Transportation matters

The existing access to Hill Barton House is to be improved to serve 3 detached dwellings directly from Hill Barton Road. Whilst this approach maintains a vehicular access that crosses the foot/cycle path running alongside Hill Barton Road, given the limited number of properties it serves, and the fact that users of the foot/cycle path in this location are already used to traffic in association with the original use of Hill Barton House entering/leaving the site at this point, it is considered that this is acceptable. The remainder of the properties are accessed via the new main road off Hill Barton Road into the adjoining wider development site and the internal road network within that site. This approach is considered acceptable. In the interests of permeability it is considered that the footpath from the road within the site should be extended across the frontage of plot 18 to link to the pavement on the main road.

Parking to serve the properties is almost entirely provided on-plot except for 3 properties in the corner of the site where the parking spaces are provided in a group accessed off the turning head of the road. These spaces are directly overlooked by the properties they serve. Each property is provided with a minimum of 2 parking spaces.

Ecology/Sustainability

There is existing potential habitat on site, principally for birds and bats. The submitted information in relation to ecological matters refers to timing of works and mitigation measures that would be adopted in the implementation of the development to ensure that ecological interests were protected. Across the site slow worms had already been translocated to suitable habitat elsewhere on site. The outline for the wider site contains a condition relating to the submission and agreement of an Ecological Construction Method Statement and Ecological Management Plan, and it would seem prudent and logical to reiterate that condition in respect of this application. This would ensure that any protected species are satisfactorily dealt with and that the ecological interest of the site is appropriately protected and enhanced.

The drainage scheme incorporates underground surface water attenuation tanks to limit the discharge rate of surface water, and the submitted Flood Risk Statement indicates that the discharge rate and connection point have been agreed with South West Water.

As with other developments within the Monkerton/Hill Barton Strategic Allocation these dwellings will be required to connect to the proposed decentralised energy network in the locality and this will need to be secured through an appropriate Section 106 Agreement.

Affordable Housing

Although the submitted layout does not identify any affordable housing within the 18 plots subject to this full application (part of which for the reasons previously identified in this report overlaps with the extant outline consent) the adjoining 'reserved matters' application does identify 41 affordable houses equating to almost 25% of the total number of units provided across the two sites (total number of dwellings across two schemes is 166, 25% = 41.5 dwellings). Negotiations are on-going to secure 42 affordable dwellings across the 2 sites to reflect the rounding up provisions within the S106 Agreement. Subject to this being achieved this is considered an acceptable approach given that a scheme purely confined to the site area of Hill Barton House would not in itself deliver a sufficient number of dwellings to trigger the provision of affordable housing. A further legal agreement will be required in connection with this application to ensure that the required level of affordable housing is delivered across the two sites.

CIL/S106

The 18 houses the subject of this application will be CIL liable. The Education Authority have referred to funding of additional school places through CIL contributions derived from this proposal. However, no decision on the allocation of CIL contributions associated with this application have been taken, and therefore there can be no assumptions made in this respect.

A Section 106 Agreement will be required in respect of connection of houses to district heating and affordable housing.

Conclusions

Looking at the layout comprehensively as part of the wider development surrounding it is a sensible approach and ensures that housing delivery across the two sites is maximised, and that the most appropriate design solution is achieved. The scheme has been amended following negotiations and is considered to be acceptable in the context of the site constraints and surrounding development proposals.

RECOMMENDATION

Approve subject to the completion of a Section 106 Agreement covering the items referred to above, and subject to the following conditions:

In the event that the Section 106 Agreement is not completed within 6 months of the date of this committee meeting, authority be delegated to the Assistant Director City Development to REFUSE permission for the reason that inadequate provision has been made for matters which were intended to be dealt with in the Section 106 Agreement.

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings

- 3) C17 - Submission of Materials
- 4) C11 - Sewage Disposal
- 5) C35 - Landscape Scheme
- 6) C70 - Contaminated Land
- 7) C57 - Archaeological Recording
- 8) Unless otherwise agreed in writing by the Local Planning Authority, prior to commencement of development or site preparation, an Ecological Method Statement and an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. They shall include (but not be limited to) a lighting plan to ensure a dark corridor for commuting bats, a reptile mitigation plan and opportunities for enhancement.
Reason: In accordance with the terms of the submitted Environmental Statement and to protect and enhance biodiversity.
- 9) C38 - Trees - Temporary Fencing
- 10) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site 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.
- 11) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of the amenity of occupants of nearby buildings.
- 12) Prior to the commencement of the development a Sustainable Urban Drainage Scheme (SUDS) to deal with surface water associated with the development shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Devon County Council as the Lead Local Flood Authority). The said scheme shall include details of the on-going maintenance arrangements associated with any drainage system to be installed. The development shall be implemented strictly in accordance with the approved scheme.
Reason: To ensure the satisfactory drainage of the development.
- 13) Unless it is demonstrated in writing prior to commencement that it is not viable or feasible to do so, the buildings comprised in the development hereby approved shall be constructed so that their internal systems for space and water heating are capable of being connected to the proposed decentralised energy (district heating) network. Prior to occupation of the development the necessary on site infrastructure shall be put in place for connection of those systems to the network at points at the application site boundary agreed in writing by the LPA.
Reason: To ensure that the proposal complies with Policy CP13 of Council's Adopted Core Strategy and paragraph 96 of the NPPF and in the interests of delivering sustainable development.

- 14) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, and CSH Level 5 (Zero Carbon) if commenced on or after 1st January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006, the Code for Sustainable Homes Technical Guide November 2010 and the Code Addendum May 2014 (or such equivalent standard that maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.
Reason: In the interests of sustainable development.
- 15) The Local Planning Authority shall be notified in writing of the identity of all dwellings for which construction has commenced before 1 January 2016, within 10 days following that date.
Reason: In the interests of monitoring compliance with sustainable development requirements.
- 16) Prior to the occupation of each dwelling hereby approved, ducting or equivalent service routes should be installed capable of accommodating at least 6 separate fibre-optic cables that enable electronic communications services network suppliers to freely connect between the boundary of the site and the inside of each dwelling for the purposes electronic communications.
Reason: To contribute to the development of high speed broadband communication networks and to ensure that adequate provision is made to meet the needs of future occupants of the dwellings for high speed internet access in line with paragraph 42 of the NPPF.
- 17) The proposed estate road, cycleways, footways, footpaths, verges, junctions, 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 shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing prior to occupation of any dwelling hereby permitted, For this purpose, plans and sections 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.

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