

Phil Norrey
Chief Executive

To: The Chairman and Members of
the Development Management
Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 12 July 2016
Please ask for : Gerry Rufolo

Tel.01392 382299

Email: Gerry.rufolo@devon.gov.uk

DEVELOPMENT MANAGEMENT COMMITTEE

Wednesday, 20th July, 2016

A meeting of the Development Management Committee is to be held on the above date at 2.00 pm in the Committee Suite, County Hall, Topsham Road, Exeter to consider the following matters.

P NORREY
Chief Executive

AGENDA

PART 1 - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the Meeting held on 15 June 2016 (previously circulated)

3 Items Requiring Urgent Attention

Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.

MATTERS FOR DECISION

4 Devon Minerals Plan (Pages 1 - 56)

Report of the Head of Planning, Transportation and Environment (PTE/16/37) attached

Electoral Divisions(s): All Divisions

- 5 County Matter: Minerals: East Devon District: Variation of conditions 1 and 4 of planning permission DCC/3003/2010 to allow for the importation of as-dug sand and gravel from Houndaller (Hillhead) Quarry for processing at Blackhill Quarry, Woodbury, Near Exeter (Pages 57 - 78)

Report of the Head of Planning, Transportation and Environment (PTE/16/38) attached

Electoral Divisions(s): Exmouth Halsdon and Woodbury

- 6 Highway Consultation: Exeter City: Outline planning application for up to 123 houses and associated infrastructure, with all matters reserved except for access at Land adjoining the West of England School, Topsham Road, Exeter (Pages 79 - 88)

Report of the Strategic Director Place (SPL/16/1) attached

Electoral Divisions(s): St Loyes & Topsham

OTHER MATTERS

- 7 Delegated Action- Schedules (to include ROMPS Actions) and Summary Schedule (Pages 89 - 90)

Report of the Head of Planning, Transportation and Environment (PTE/16/39) attached

Electoral Divisions(s): All Divisions

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership
Councillors J Brook (Chairman), P Bowden, A Dewhirst, G Dezart, P Diviani, A Eastman, G Gribble, R Hannaford, J Hawkins, R Hosking, E Morse, P Sanders, R Vint, E Wragg and J Yabsley
Declaration of Interests
Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.
Access to Information
Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Gerry Rufolo. Agenda and minutes of the Committee are published on the Council's Website.
Webcasting, Recording or Reporting of Meetings and Proceedings
The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: http://www.devoncc.public-i.tv/core/ In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening. Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.
Public Participation
Any member of the public resident in the administrative area of the County of Devon may make a presentation to the Committee on a planning application being considered by the Committee, or any consultation on a proposal by a Government Department (but not when the County Council is consulted on a proposal by a District Council) or a Review of Old Minerals Permissions applications.

Any request to make a presentation must be given to the Office of the Chief Executive's Directorate by 12 noon on the third working day before the date of the meeting. For further information please contact Exeter 01392 382299.

Emergencies

In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

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Induction loop system available

- (a)
- (b)

SPL/16/1

Development Management Committee
20 July 2016

Highway Consultation

Application: Outline application for up to 123 houses and associated infrastructure, with all matters reserved except for access at the land adjoining the West of England School, Topsham Road, Exeter

Applicant: ADP&E Farmers

Application No: 15/0436/01

Date application registered by Exeter City Council: 16 April 2015

Report of the Strategic Director Place

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that:

- (a) Exeter City Council be advised that Devon County Council as Local Highway Authority, raises no objections to the application subject to the Applicant entering into an appropriate Legal Agreement and imposition of planning conditions as set out in Section 4 of this report;
- (b) The detailed wording of any legal agreement and planning conditions be delegated to the Strategic Director – Place.

1. Summary/Background

- 1.1 The report relates to an outline planning application to build up to 123 houses on land to the north of the West of England School for the Blind.
- 1.2 The application includes two points of vehicular access. One will be by utilising the existing School ghost island right turn junction on Topsham Road and the other will connect to Wendover Way, an existing residential street in the Tollards/Southbrook estate that provides an additional access to Topsham Road via the Tollards Road signalised junction.
- 1.3 Permeability for pedestrians and cyclists will be provided in all directions, including direct linkages onto the primary cycle route adjacent the A379 and remodelling of the existing pedestrian/cycle connection from Wendover Way to Pynes Hill business Park to provide improved visibility for pedestrians and cyclists where this joins Wendover Way.
- 1.4 To minimise the impact of construction traffic on local residents a temporary construction access from the A379 is proposed. Details to confirm the suitability of this had been awaited for some time, and were provided in July 2016 confirming that a satisfactory A379 diverge arrangement could be retained alongside the proposed left in left out construction access.
- 1.5 An application for 140 dwellings on this site was previously made in 1996. This application also included access onto Wendover Way and Topsham Road (Blind School access). Although the appeal was refused, the vehicular access

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arrangements and transport impact were considered acceptable to the planning inspector.

2. Planning Policy Considerations

2.1 The Highway Consultation Response is made in accordance with the policy provisions of the National Planning Policy Framework (NPPF), and in particular Section 4 on Transport.

2.2 With regards decision-making, within section 4 the framework states that the following matters need to be taken into account:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

2.3 Whilst there is no definition of severe Members will recall from previous meetings of this committee of the varying interpretations of severity. In that respect it is worth revisiting the 1996 appeal which was considered against TRN11 of the then County Structure Plan 1989-2001, the relevant criteria of which was as follows;

- Access being provided to the appropriate standard and only where it does not detract from or conflict with the function of the route;
- Consideration of the effects of development on the highway network as regards traffic and road safety.

2.4 The criteria above are a much less stringent test than severity. Although some time has passed since that decision, the inspector's response also identified that in 1996 Topsham Road operated at capacity during peak hours and is congested in the vicinity of its access road to the appeal site. These conditions are consistent with the current conditions on Topsham Road.

3. Highways Response

3.1 The key transportation issues for consideration in this application are with regards safe and suitable access for all users. Specifically, with regards the vehicular accesses onto Topsham Road, provision for pedestrians and cyclists and the arrangements for construction traffic.

Development Traffic

3.2 The Transport Assessment submitted alongside the application sets out the expected trip generation and distribution from the development. This analysis is consistent with other sites in the vicinity (Newcourt and Land at Wear Barton Road) and suggests the site will generate approximately 60 peak hour vehicle trips, 60% of which will head towards Countess War roundabout and 40% inbound towards the city.

3.3 In terms of impact on Topsham Road the period of biggest concern is the AM peak when some 40-45 vehicles (70% of movements) are expected to leave the site.

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Considering appropriate bands to allow for daily variations this will comprise 20-30 movements turning left out of the site and approximately 15-20 turning right.

Vehicular Access

- 3.4 The application includes two points of vehicular access. One will be by utilising the existing School ghost island right turn junction on Topsham Road and the other will connect to Wendover Way and onwards to Topsham Road via the Tollards Road signalised junction.
- 3.5 To accommodate the additional traffic and maintain a safe route for pupils at the Blind school access a number of minor improvement to the junction are proposed. These have been progressed through liaison with the developer and Blind School and are accompanied by a Road Safety Audit. These proposals are therefore accepted as being suitable.
- 3.6 A key concern is the ability of development traffic wishing to turn right out of the site at the Blind School access in the AM peak. The left turn movements out of this access, giving way to a single stream of traffic with gaps created by the Tollards Road signalised junction, and right turn in, for which a ghost island provides a refuge so these do not block ahead traffic on Topsham Road, are not a significant concern.
- 3.7 The additional right turn demand from this development is expected to be 15-20 movements. Topsham Road is extremely busy in this location and the right run movement out of the Blind School access will be difficult to make with potential to impact on the operation of Topsham Road in proximity to Countess Wear roundabout.
- 3.8 The proposed connection to Wendover Way provides an alternative access to Topsham Road via the Tollards Road signalised junction. With a dedicated phase to allow traffic from Tollards Road out it is expected that some of those from the new development wishing to turn right onto Topsham Road will use Tollards Road junction where they are guaranteed a phase to allow them out within a reasonable amount of time .
- 3.9 Similarly, without a signal phase the Blind School junction would potentially be quicker for vehicles wishing to turn left onto Topsham Road. This is certainly a possibility for those living at the top in the Wendover Way/Swallowfields Road part of the Tollards/Southbrook estate and it is expected that some of the existing left turn traffic at The Tollards Road junction (45 movements in the AM peak) would transfer to use the Blind School access. This would offset the additional right turn traffic generated by the new development utilising the Tollards Road signals.
- 3.10 With the opportunity for traffic from the new development and the existing Tollards estate to utilise two access points it is expected that an equilibrium would occur such that additional traffic demand can balance itself across both access to ensure that safe and suitable operation of the two Topsham Road junctions is maintained.

Pedestrian/Cycle Accessibility

- 3.11 Permeability for pedestrians and cyclists is provided in all directions. The Blind school access provides a route heading south, the connection to Wendover way provides a route to the west, the Pynes Hill path a route to the north and the two connections to the east onto A379 also offer access onto the Primary Cycle route heading north and south. These connections are of a safe and suitable standard.

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- 3.12 In addition the existing pedestrian/cycle connection from Wendover Way to Pynes Hill business Park will be remodelled to provide improved visibility for pedestrians and cyclists where the path joins Wendover Way. The changes to the Blind School access will also provide some minor benefits for crossing Topsham Road and the raised table at the side road part of the junction will provide an improved facility for those crossing the side road. A high quality east west route through the site to form part of the Newcourt to City Centre cycle route will be sought through future reserved matters applications
- 3.13 Overall, the pedestrian and cycle facilities for the site are considered suitable.

Construction

- 3.14 To minimise the impact of construction on local residents and the adjacent Blind School a temporary construction access is proposed from the A379. This access will be a left in/left out only located in the south east corner of the site where the diverge lane on the A379 starts.
- 3.15 Reflecting the nature of this route the applicants were asked to provide further details to confirm that a suitable standard of diverge lane to accord with appropriate guidance would be achieved alongside the construction access. Further information was requested in December 2015, which was provided in July 2016.
- 3.16 This further information confirmed that a temporary construction access can be provided such that the required minimum diverge taper of 75 metres, as set out in appropriate guidance (TD22/06), is retained. It is therefore accepted that a temporary construction access that does not adversely impact the operation of the A379 can be achieved.
- 3.17 These arrangements should be provided at part of the commencement works and the cost of reinstating the road to the previous layout will need to be covered by the developer.

Road Network Impacts

- 3.18 Although additional traffic from the proposed development is undesirable, the magnitude of additional traffic is small. This is not expected to significantly impact on the operation of Topsham Road and therefore unlikely to result in any impacts that could be defined as severe. This conclusion is consistent with the 1996 appeal proposals which were found not to conflict with the much weaker test of objectives in TRN11.
- 3.19 Alongside any impacts it should be borne in mind that the site is in a sustainable location where residents of both the proposed development and adjacent Tollards Estate have access to public transport and walking and cycling routes that offer an alternative to the private car.

4. Recommendation/Conclusions

- 4.1 The site is located within an existing urban area where foot and cycle are a realistic choice for a wide range of journeys. The site has access to frequent public transport services on Topsham Road and therefore, from a transport perspective, is a sustainable site. Efforts have been made to provide good pedestrian and cycle permeability onto the rest of the network.

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- 4.2 The two points of vehicular access will help to enable traffic to balance across these to self-manage an efficient operation ensuring that the operation and function of Topsham Road is not compromised. Proposals to minimise the impact of construction on residents have been put forward and considered suitable.
- 4.3 Overall these proposals represent sustainable development with safe and suitable access for all users achieved. For these reasons, and consistent with the outcome of the 1996 appeal, the development is felt to be acceptable on highways and transport grounds.
- 4.4 Therefore, subject to appropriate contributions and conditions being attached in the granting of any consent, no objection. Should Exeter City Council recommend approval, the local highway authority would seek that the following are secured either by condition or via an appropriate legal agreement:
- A financial contribution towards residential Travel Planning.
 - Securing routes from the site to adjacent network for pedestrians and cyclists.
 - Appropriate timing of the Wendover Way access to ensure that the Blind School access continues to operate efficiently.
 - Provision of enhancements to the Blind School access.
 - Provision of temporary construction access from the A379 and a Construction Traffic Management Plan.

Heather Barnes
Strategic Director Place

Electoral Division: St Loyes & Topsham

Local Government Act 1972: List of Background Papers

Contact for enquiries: Will Pratt

Room No: AB2 Lucombe House

Tel No: 01392 383000

Background Paper	Date	File Ref.
Casework File	Current	15/0436/01

wp080716dma
sc/cr/application 123 houses west of England school topsham road
03 120716



LEGEND
 Site boundary

LDĀDESIGN

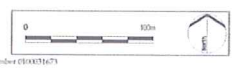
PRODUCT TITLE
 LAND AT COUNTESS WEAR

DRAWING TITLE
 Illustrative Masterplan

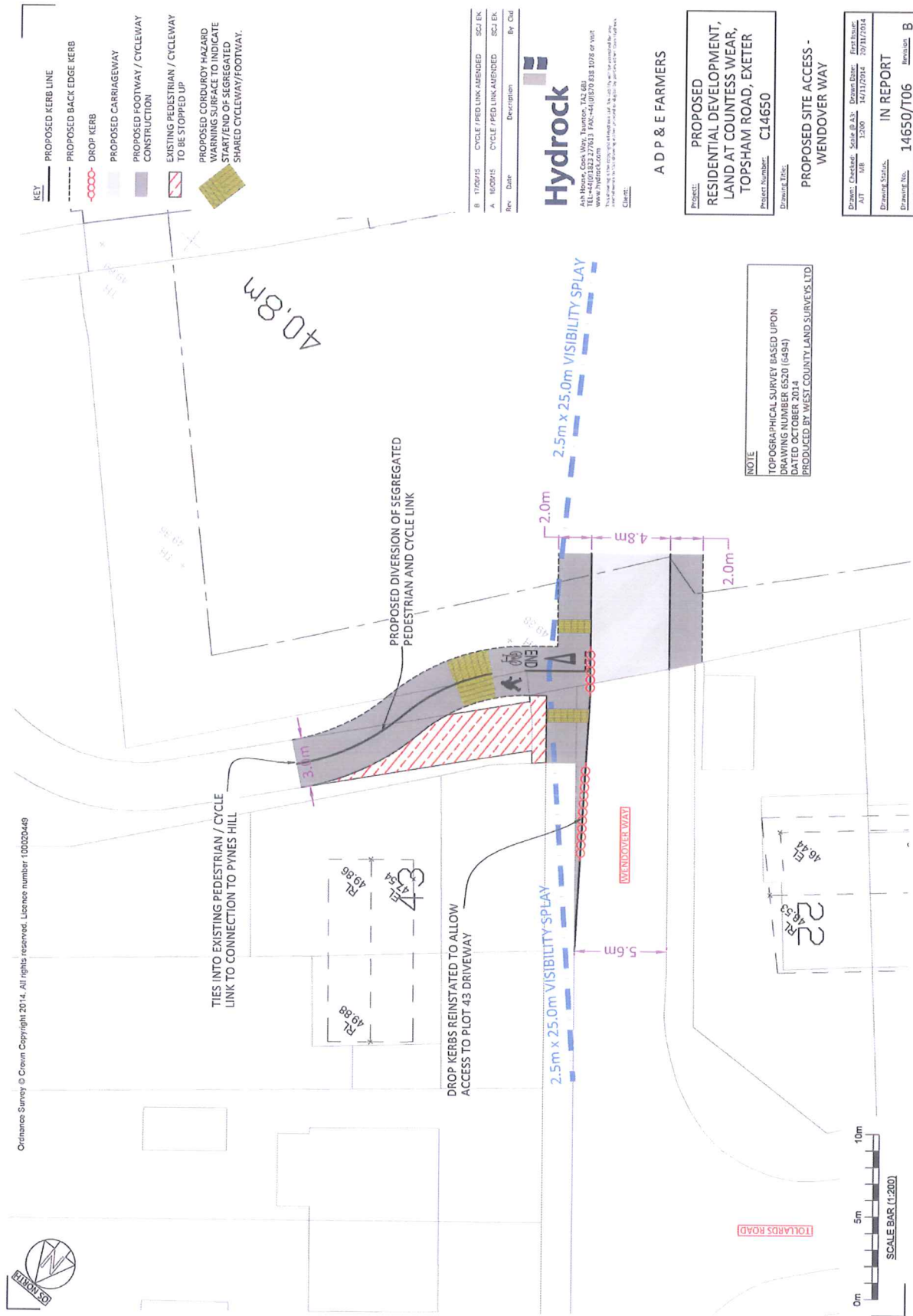
ISSUED BY	Exeter	T: 01392 260430
DATE	November 2014	DRAWN TS
SCALE	A3 1:2500	CHECKED MS
STATUS	Draft	APPROVED MS

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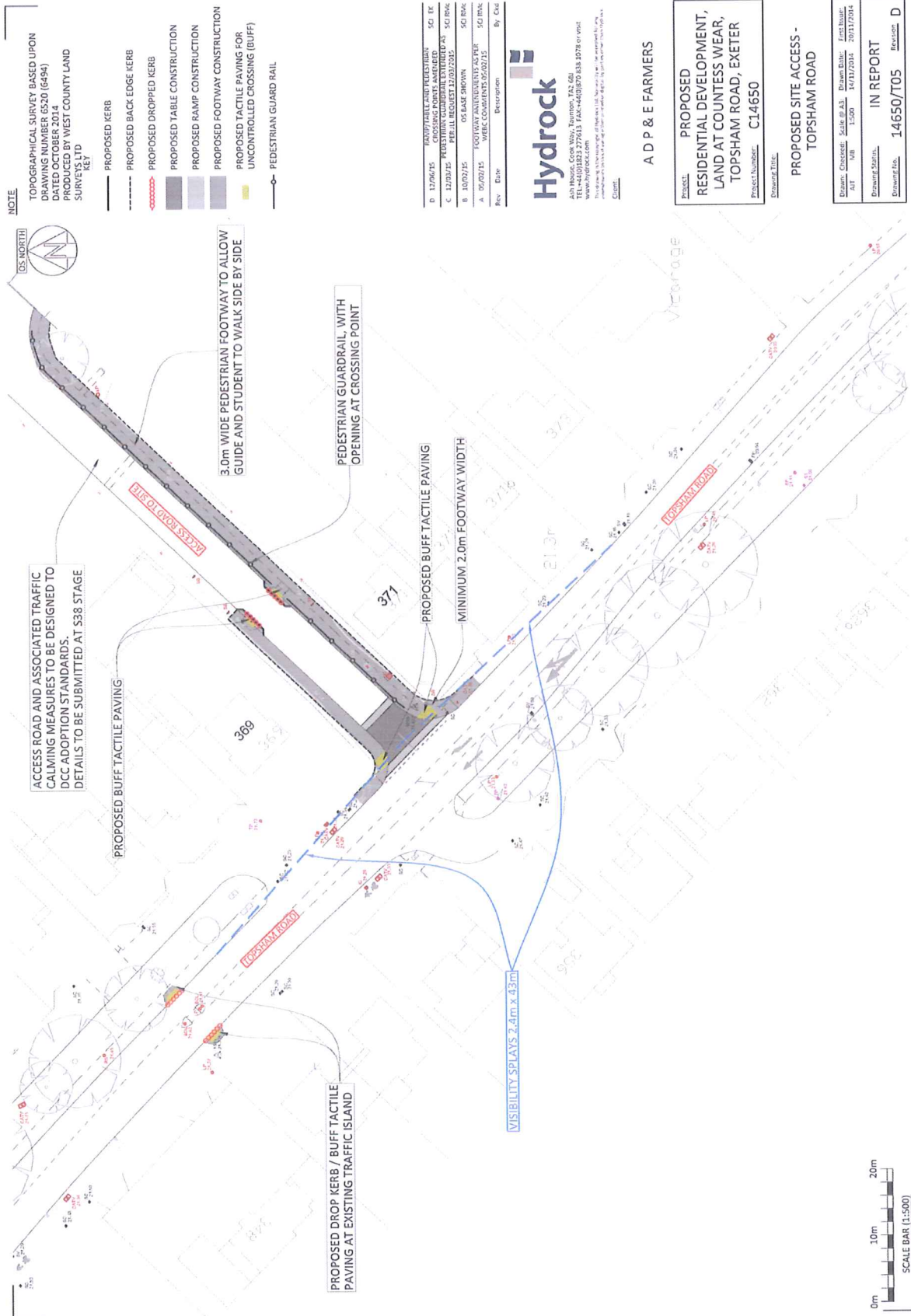
No dimensions are to be scaled from this drawing.
 All dimensions are to be checked on site.
 Area measurements for indicative purposes only.
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NOTE
 TOPOGRAPHICAL SURVEY BASED UPON
 DRAWING NUMBER 6520 (6494)
 DATED OCTOBER 2014
 PRODUCED BY WEST COUNTY LAND
 SURVEYS LTD

- PROPOSED KERB
- - - - - PROPOSED BACK EDGE KERB
- - - - - PROPOSED DROPPED KERB
- PROPOSED TABLE CONSTRUCTION
- PROPOSED RAMP CONSTRUCTION
- PROPOSED FOOTWAY CONSTRUCTION
- PROPOSED TACTILE PAVING FOR UNCONTROLLED CROSSING (BUFF)
- PEDESTRIAN GUARD RAIL

B	12/06/15	PROPOSED TACTILE PAVING	SGD BK
C	12/06/15	PROPOSED TACTILE PAVING	SGD BK
B	10/07/15	OS BACK SHOWN	SGD BK
A	06/07/15	FOOTWAY AND TACTILE PAVING	SGD BK
		WORKS COMPLETED	SGD BK
Rev	Date	Description	By

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A D P & E FARMERS
 PROJECT: PROPOSED RESIDENTIAL DEVELOPMENT, LAND AT COUNTRESS WEAR, TOPSHAM ROAD, EXETER
 Project Number: C14650

Drawn:	Checked:	Scale:	Drawn Date:	Issue Date:
RAJ	MB	1:500	14/11/2015	20/11/2015
IN REPORT				
Drawing No:	14650/T05	Revision:	D	

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Appendix I To SPL/16/1

Recommendation:

THE STRATEGIC DIRECTOR OF PLACE, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT THE FOLLOWING CONDITIONS SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION:

1. A financial contribution of £500 per dwelling towards residential Travel Planning to be secured by an appropriate agreement.
2. No part of the development shall be occupied until the proposed raised table access, footways, informal crossing of Topsham Road and other works, as indicated on Proposed Site Access – Topsham Road Drawing 13650/T05 Rev D, has been provided in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and retained for those purposes at all times.

REASON: To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the National Planning Policy Framework.

3. No more than 50% of the development hereby approved shall be occupied until the vehicular access to Wendover Way and enhancements to the pedestrian cycle connection to Pynes Hills, as indicated on the Proposed Site Access Drawing 13650/T06 Rev B, has been provided in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and retained for those purposes at all times.

REASON: To provide safe and suitable pedestrian and cycle access to and from the site to local amenities, in accordance with Section 4 of the NPPF.

4. No more than 50% of the development hereby approved shall be occupied until two dedicated pedestrian/cycle routes heading east on the A379 have been provided in accordance with details to be agreed in writing by the Local Planning Authority and maintained for this purpose at all times.

REASON: To provide safe and suitable access for sustainable modes, in accordance with Section 4 of the NPPF.

5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement should include details of access arrangements and timings and management of arrivals and departures of vehicles. The approved Statement shall be adhered to throughout the construction period.

REASON: In the interests of highway safety and public amenity

