

ITEM NO. 6**COMMITTEE DATE:** 09/01/2017

APPLICATION NO: 16/1505/03 FULL PLANNING PERMISSION
APPLICANT: Mr Lovell
Heritage Developments (SW) Ltd
PROPOSAL: Construction of 7 residential units (flats), access and associated infrastructure works.
LOCATION: Land bounded by Exeter Road and The Retreat Drive (Heritage Homes Office), Exeter Road, Topsham, Exeter, EX3
REGISTRATION DATE: 18/11/2016
EXPIRY DATE: 13/01/2017

HISTORY OF SITE

16/0963/03 - Erection of a B1 Office Building, access and associated infrastructure works REF 04/11/2016

DESCRIPTION OF SITE/PROPOSAL

The application site lies on the southern side of Exeter Road and immediately adjacent to the east side of the M5 motorway bridge and embankment on the corner of Exeter Road and The Retreat Drive.

To the east, along Exeter Road, is the site where new houses have recently been approved for Heritage Homes, followed by a continuous frontage of housing accessed off a separate service road. To the west, on the opposite side of the M5 motorway embankment and facing the Topsham Football Club lies the site where a retail store is under construction and a further new housing development (Seabrook Orchards). The site is flat, with open frontages to the Exeter Road and The Retreat Drive, but contained on the southern boundary where there is an existing boatyard, by a row of mature trees.

An application was recently refused on this site for a new office building for Heritage Homes. This application is for the construction of seven residential flats.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Planning, Design & Access Statement, Environmental Noise Assessment, Air Quality Assessment, Preliminary Ecological Appraisal, Interim Results of an Archaeological Excavation and Archaeological Evaluation Report have been submitted in support of the application.

REPRESENTATIONS

129 letter of objection have been received. A summary of the concerns is below:

- The site was original planned as an open green area and it should become that;
- The City Council originally decided that this piece of land was not suitable for development, please stick to that decision;
- The plans to build a block of offices was rejected. A much larger, taller block of residential flats is totally unreasonable;
- Unacceptable noise and pollution from the motorway and impact on health - environmental quality;
- Air Quality Assessment is flawed and likely to represent the best case for the applicant at the expense of the site's potential residents;
- The site is part of the Topsham Gap. The site should be returned to green land after the site office has gone;
- The land was intended to be kept for wildlife and as a green wedge;

- The population has reached saturation point in Topsham with the Doctors Surgery under strain, shortages in school places and grid locked local traffic;
- The building is inappropriately placed, too big and out of balance with the rest of the development on the other side of The Retreat Drive;
- An unsightly addition to the skyline;
- Unsuitable size of project and unhealthy nature of site - proximity to the motorway;
- Excessive height;
- Lack of daylight through low levels of windows;
- Balconies would not provide open space but are to attenuate traffic noise and would be used for storage and hanging washing;
- No archaeological report has been carried out;
- Increased parking and traffic issues;
- Site is supposed to be part of the Topsham Gap;
- Access onto The Retreat Drive may impede the ability to access or exit the boatyard. Safe access to this junction is required for heavy goods vehicles/deliveries and the impact of overflow parking on this road would cause both nuisance and safety hazards. It is suggested that the entrance is pushed back to Exeter Road as originally proposed in earlier plans for the office building.
- With more housing so close to the junction it is likely to become an accident blackspot.

An objector has prepared a report concerned with the future noise impact from the motorway. The full report can be viewed on the website under the reference Dr A N Graham- Cumming or copies can be provided if requested. In response to the comments raised, the applicant's Noise Assessor has advised that the noise survey work is robust and consistent; the acoustic modelling has been carried out using state of the art 3D modelling software incorporating the latest amendments to requirements of ISO 9613; the building upgrades, namely triple glazing with acoustic glass, sound block plasterboard to upper floor ceilings, mechanical heat recovery ventilation systems with no trickle vents and no opening windows nor any habitable rooms facing the motorway will achieve internal sound levels compliant with BS 8233:2014 as required by ECC.

The Topsham Society has provided a detailed report which is reproduced below:

<p>Observations: (to include effect on town's landscape and the conservation area if applicable)</p>	<p>This site is part of the general area known as the Topsham Gap and is protected by LS1 Landscape setting designation.</p> <p><i>The Society has previously made strenuous objections to the predecessor application for this site, reference 16/0963/03, on the grounds of its breach of policy LS1, inappropriate design and overbearing scale and massing. Whilst the use of this proposal differs from its predecessor, the fundamental points that formed the basis of the previous objection, still stand. Therefore, the Society would confirm that this current objection should be read in conjunction with its previous submission dated 9.09.16.</i></p> <p>The Society would add;</p> <ul style="list-style-type: none"> • <i>Councillors have previously refused applications on this site on the basis of its location within LS1 land. This is still the case and therefore this position should prevail.</i> • <i>At the planning committee where the earlier office application was determined, members expressed particular concern that the site has been previously subject to a S106 agreement specifically preventing development.</i> • <i>The current scheme is of almost identical scale/massing to the previously refused office application.</i> • <i>The proposals are 4 storey and significantly higher than the scale of recently approved adjoining dwellings along the Exeter Rd frontage, which are generally 2 storey with only a small tower of 3 storey at the</i>
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	<p><i>entrance of The Retreat Drive. This scale is eventuated by poor articulation of form which along with use of visually dominant cladding, giving the block and excessively bulky appearance, out of keeping with the surrounding context.</i></p> <ul style="list-style-type: none"> • The applicant refers in its Design and Access Statement to the proposal integrating into the “urban fabric”, ignoring the fact that this is not an urban site, but a fringe of a small town. This highlights the lack of understanding the applicant has to this site. • <i>The current scheme accesses from Retreat Drive which is not an adopted highway, it is a private road in the ownership of the DoT/Highways England and therefore the applicant does not have automatic right to access as claimed.</i> • <i>The noise report presented in support is flawed, being based on survey undertaken for an adjacent but more distant site and fails to take account of repetitive noise of vehicles over bridge expansion joints. The Society would refer to the detailed objection in this respect made by Dr A Graham-Cumming dated 7.12.16. Clearly this location abutting/projecting above the M5 carriageway is not a suitable location for housing.</i> • The applicant states that this site was considered unsuitable for recreational use due to the proximity of the M5. The Society would question why they believe it is therefore suitable for housing? • <i>Whilst it is acknowledged that ECC are under housing allocation pressure following the recent Home Farm and Exeter Rd appeals, the number of units offered by this proposal are minimal and do not provide sufficient benefit to outweigh the serious harm that would occur by ignoring the policy constraints of LS1.</i> • The Society is convinced that any intensification of development within the Gap landscape Setting Area, will weaken ECC’s stated policy objective to maintain the Gap and avoid coalescence of the Town with the City. <p><i>Considering that the Planning Committee have previously overturned officers recommendation in respect of this site and that members clearly have strong views about the manner in which applications on this site have been engineered by the applicant, the Society would strongly suggest that <u>officers make no recommendation</u> and leave members to make their own decision, without officer pressure or threat of a decision counter to a recommendation would expose the Council at appeal.</i></p>
<p>Recommendations:</p>	<p>The Topsham Society urges ECC officers and members to refuse this application for the same reasons as the previous application 16/0963/03.</p>

CONSULTATIONS

Wales & West Utilities: No plant may be enclosed or built over. The plan shows that the utility pipes are beneath The Retreat Drive and Exeter Road.

Environmental Health: The noise assessment concludes that it is possible to achieve internal noise levels that meet satisfactory criteria, and external spaces can, to some extent, be protected from noise. However in order the achieve this the quality of life of the future occupants will be affected. For example they will not be able to open their windows without being exposed to a significant level of noise, particularly on the third floor. Road traffic noise has proven negative health effects, which a simple comparison of noise levels against standards for this site cannot quantify.

The air quality assessment concludes that the future occupants of the site are unlikely to be exposed to concentrations of air pollution that exceed the relevant objective levels. This is based on measured levels of pollution from nearby monitoring sites. However none of the monitoring sites are particularly good proxies for this site, especially the proposed third floor which overlooks the motorway.

Can the applicant please respond to this concern - This is currently under review by the Environmental Health Team and an update will be provided at the Planning Committee Meeting on the 9th January 2017.

If this information is satisfactorily received then the following conditions are proposed:

Construction/demolition work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

Before the development commences, a scheme for the protection of the occupants from ambient noise shall be submitted to and approved in writing by the LPA. This shall include mechanical ventilation such that the future occupants do not need to rely on open windows for ventilation. The approved measures shall be implemented in full prior to occupation and maintained thereafter.

Air pollution mitigation measures (as required).

Devon County Council Highways Engineer: The vehicular access off The Retreat Drive is acceptable. It is requested that the applicant provides a pedestrian/cycle link onto Exeter Road.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012:

1. Introduction

*P.14: At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For **decision-taking** this means:*

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
Specific policies in this Framework indicate development should be restricted.*

4. Promoting Sustainable Transport

6. Delivering a wide choice of high quality homes

P.49: Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing.

7. Requiring good design

8. Promoting healthy communities

11. Conserving and enhancing the natural environment

P.109: The planning system should contribute to and enhance the natural and local environment by:

- *Protecting and enhancing valued landscapes, geological conservation interests and soils.*

12. Conserving and enhancing the historic environment

Exeter Local Development Framework Core Strategy

- CP1 Providing for Growth - Spatial Strategy
- CP3 Housing Distribution
- CP4 Housing Density
- CP5 Meeting Housing Needs
- CP11 Pollution
- CP12 Flood Risk
- CP14 Renewable and Low Carbon Energy in New Development
- CP15 Sustainable Construction
- CP16 Green Infrastructure

The character and local distinctiveness of the areas identified below, will be protected and proposal for landscape, recreation, biodiversity and educational enhancement brought forward, in accordance with guidance in the green Infrastructure Strategy, through the Development Management DPD:

- *The hills to the north and north west;*
- *Knowle Hill to the south west;*
- *The strategic gap between Topsham and Exeter;*
- *And the Valley Parks: Riverside, Duryard, Mincinglake, Ludwell, Alphington to Whitestone Cross, Savoy Hill and Hoopern.*

CP17 Sustainable Design

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
- H7 Housing for Disabled People
- L3 Protection of Open Space
- T1 Hierarchy of Modes
- T2 Accessibility Criteria
- T3 Encouraging Use of Sustainable Modes
- T5 Cycle Route Network
- T9 Access to Buildings by People with Disabilities
- T10 Car Parking Standards
- C5 Archaeology
- LS1 Landscape Setting

Development which would harm the landscape setting of the city will not be permitted.

Proposals should maintain local distinctiveness and character and:

- a) *Be reasonably necessary for the purposes of agriculture, forestry, the rural economy, outdoor recreation or the provision of infrastructure; or*
- b) *Be concerned with change of use, conversion or extension of existing buildings.*

Any built development associated with outdoor recreation must be essential to the viability of the proposal unless the recreational activity provides sufficient benefit to outweigh any harm to the character and amenity of the area.

- EN2 Contaminated Land
- 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
- DG7 Crime Prevention and Safety

**Exeter Development Delivery Document – Publication Version 2015
Development Delivery Development Plan Document (Publication Version):-**

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

- DD1 Sustainable Development
- DD8 Housing on Unallocated Sites
- DD9 Accessibility, Adoptable and Wheelchair User Dwellings
- DD13 Residential Amenity
- DD20 Sustainable Movement
- DD21 Parking
- DD22 Open Space
- DD25 Design Principles
- DD26 Designing Out Crime
- DD33 Flood Risk

**Exeter City Council Supplementary Planning Documents
Sustainable Transport SPD March 2013**

OBSERVATIONS

The application site is identified in the Exeter Local Plan as Landscape Setting and therefore the site is covered by Local Plan Policy LS1 and Core Strategy Policy CP16 which relates to the harm that development would cause to the landscape setting of the city and the protection of the strategic gap between Topsham and Exeter. The proposed residential flats represent a potential conflict with these policies and therefore an assessment against the relevant criteria contained within these policies is needed.

Development Plan and NPPF Policy Context

The proposed residential use must be considered against relevant national and development plan policies, particularly in light of the appeal decision at a site further along from the site now under review, in Exeter Road, Topsham. The principal finding of this Inspector's decision letter was to conclude that the Council could not demonstrate that it has a five year supply of deliverable housing sites. This conclusion is important as NPPF paragraph 49 states that relevant policies for the supply of housing should not be considered up to date when a Local Planning Authority is in this situation.

Legal advice has further clarified how such planning applications should be determined following confirmation that the Council's policies for the delivery of housing are deemed out of date as a result of the Council not having a 5 year housing supply. The legal view is that housing applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise and this will depend on assessing whether the proposal is in accordance with the Development Plan (as a whole) and if it is not, on the weight afforded to the relevant Development Plan policies under consideration both in themselves and relative to the other material considerations.

**Assessment of relevant Local Plan Policies and weight afforded to out of date
Development Plan Policies**

Notwithstanding NPPF paragraph 49 in respect of out of date planning policies (which it is accepted is applicable here because of the 5 year shortfall), recent case law has maintained that the starting point for considering planning applications is still the Development Plan as recognised in paragraph 11 of the NPPF, which states that planning permission must be

determined in accordance with the Development Plan unless material consideration indicate otherwise. This maintains that the local planning authority must still continue to weigh up all the relevant Development Plan policies irrespective of whether they are now deemed out of date. The fact that a policy is out of date does not mean it is dis-applied and nor does it mean that the policy must carry only limited weight. Weight is a matter for planning judgement depending on the facts of the case. For this application the most relevant policies are Core Strategy CP16 'Green Infrastructure and Local Plan LS1 'Landscape Strategy'.

The site was until recently, a piece of land which had most recently been used for agricultural purposes, planted with maize. The land is now currently a staging site for the site offices for Heritage Homes during the construction of the adjacent residential dwellings. Prior to the construction of the site offices, the site was cleared of any self-seeded vegetation and a boundary hedge, to allow for the extension of the archaeological excavation. The site was not a formal open space, but contributed to the openness of the area through the agricultural use and the green hedging. The proposed landscaping around the proposed residential building, proposed to reintroduce a visual buffer around the perimeter of the site through the planting of low level bushes/hedging and taller trees.

NPPF paragraph 49 renders the Council's policies in respect of housing delivery out of date and consequently the weight attached to relevant policies requires reassessment. Recent legal judgements have clarified that it is still for the decision maker (ie the local planning authority) to make the planning assessment as to how much weight each policy is given. However what the Courts have made clear is that the lack of a 5 year housing supply may influence how much weight these out of date development policies are given. This is dependent on the specific scheme and will include for example the extent of the Council's 5 year supply shortfall, what the Council is doing to address this issue and the particular purpose of the restrictive policy, in this instance, again, Core Strategy Policy CP16 and Local Plan Policy LS1. The Council currently has an approximately 2 year 4 month supply of housing and the intention to address this matter will rely on co-operation with neighbouring authorities, although this is unlikely to occur in the short term. Given these circumstances it is considered that the restrictive policies would be afforded less weight given the limited progress made in respect of the housing shortfall. However, the protection of the landscape setting remains a strong theme of the NPPF and the Development Plan policies themselves are generally consistent with the approach in the NPPF and would ordinarily carry due weight in line with paragraph 215 of the NPPF.

Applicant Response

Policy CP16 sets out the strategic green infrastructure network, identified for the purposes of protecting and enhancing current environmental assets and local identity and to provide a framework for sustainable new development. The policy identifies the character and local distinctiveness of the strategic gap between Topsham and Exeter and references proposal for enhancement which will be brought through the Development Management DPD in due course. Strategic Green Infrastructure includes the Topsham Gap.

The site lies within the Topsham Gap which is a strategic gap to stop the merging of Exeter and Topsham. However, reference is made to a recent appeal decision (Ref. No. APP/Y11110/W/15/3005030) for land north of Exeter Road, Topsham made on 27 April 2016. That appeal was for a 60 bed residential care home, 47 assisted living apartment and 55 age restricted dwellings. The appeal was dismissed. However, one of the main issues that was under dispute was the effect of development on the setting and separate identity of Topsham. The Planning Inspector concluded that 'The degree of harm (to the Topsham Gap) would be relatively modest. The reasons for this are to do with the location of the site towards the eastern part of the gap, and the character of its surroundings'.

The application site is located on the corner of Exeter Road and The Retreat Drive to the east of the M5 motorway bridge and to the west of the recently consented residential development on land between Exeter Road and Wessex Close. The siting and location of this site means that the M5 forms a boundary between the site in Topsham and Exeter City. Similar to the cited appeal the application site is strongly influenced by the suburban fringes of Topsham. On the 27/07/2015 permission granted for the development of up to 23

dwelling, access and associated services (planning ref: 14/1605/01). This development was approved because the character of the southern side of Exeter Road is for the most part, residential within the urban setting of wider city and that the extent of the previously designated gap in this location was not required nor that development of this small area would significantly harm the landscape setting of Exeter or Topsham. This development is currently under construction. There is no longer any physical or perceived gap to the south of Exeter Road. This is in contrast to the open nature of the land to the north of Exeter Road. Not only therefore is the proposed development in keeping with the residential character of the area to the south of Exeter Road but it enhances the urban fabric by improving the existing, otherwise poor visual impact of the motorway across Exeter Road. In summary therefore, the proposed apartment building has been designed to the high standard of the residential scheme granted on the opposite side of The Retreat Drive. The development will be in keeping with the surrounding neighbourhood. It will be clearly possible to distinguish the character of development from developments of Exeter. The development would have a negligible impact on the Topsham Gap.

Policy LS1 is considered to be a relevant policy for the supply of housing and is not up to date. Policy LS1 should therefore be set aside in favour of sustainable development. Notwithstanding this it is not considered that the site would harm the landscape setting of Exeter or Topsham because no perception of openness remains in this location to the south of Exeter Road but more significantly, the development reflects the character of the local residential area to the south and east and enhances the urban fabric of the locality through improving the visual outlook towards the motorway bridge.

The Topsham Gap

During the recent appeal on land close to this site, the Inspector noted that the "relatively flat fields of which the appeal site forms a part, between the west fringes of the town and the M5 also contribute to Topsham's separation". It was also noted that "the M5 forms a very strong boundary to the City's developed area and therefore the open land seen after the M5 when travelling towards Topsham is and will be, important in maintaining the separate character of Exeter and Topsham. This includes the University Sports Ground and two or three fields of agriculture and nursery land separated by hedges. The land to the west, even allowing for the M5 and the recently permitted housing south of Exeter Road, has a more open setting".

Residential Use

The principle of residential accommodation in this location has been agreed previously by the approval of the new residential housing on the adjacent plots. The site is also considered to be acceptable due to the close proximity to both Topsham and Exeter City Centre. It is a sustainable location in that it is on a major bus route, has a dedicated cycle path and is easily accessible on foot. A new Aldi supermarket has also opened within a few minutes walking distance from the site.

Design Principles

The building has been designed to sit adjacent to the embankment of the M5 bridge, set back within the site with the main entrance facing The Retreat Drive. The site was originally identified as potential open space for the adjacent Phase 1 residential scheme. However, as the land off Wessex Close (Phase 2) is now under the same ownership by the developer, the open space will be provided within the residential development, negating the need to use this site as designated open space.

An archaeological investigation has been carried out and completed and the site has been re-laid with hardcore. The site is currently being used as a storage area and for offices during the construction of the adjacent residential development.

The building has been designed to reflect the contemporary design of the adjacent residential development. It is a 3 storey building, with a fourth floor added and set back to reduce the visual impact. The fourth floor has a flat roof and would be clad with metal sheeting flat roof to minimise the overall height and to appear as a contemporary mansard roof.

The height of the building has been designed to reflect that of the 3 storey elements of the residential properties opposite. The building has been set back from The Retreat Drive in order to reduce any loss of privacy to the residential dwellings, which do not have any habitable room windows on the elevation facing the new residential building. The distance between the two residential buildings is approximately 20m. The unit sizes comply with the National Housing Standards for overall sizes and the open space complies with the ECC Residential Guide requirements. Each unit is designed to energy standards above Code 4 for Sustainable Homes.

The elevations are predominantly brick and render with two curved acoustic balconies to each side to provide an element of private open space for each unit. A lift as well as central stair case is also provided to all floors providing full accessibility.

The site would be accessed from The Retreat Drive, utilising an existing access into the site and on a stretch which is under the ownership of Highways England. Parking is proposed to be provided along The Retreat Drive and to the side of the property adjacent to the Boatyard boundary. Car parking for 12 cars is proposed, which is just slightly above the requirement. Secure cycle parking for 10 cycles is also proposed, which would be provided in a single storey section of building at the rear. The bus stop will be relocated to the front of the adjacent residential development, but still in immediate proximity to the office building. Landscaping is proposed around the car park area to screen the parking and the building to include low level shrub/hedge planting and semi mature trees. Details of specimens are to be agreed. A fence is also proposed but no details have been provided.

Bin storage areas are proposed in the rear single storey section to the rear of the building.

Relevant Planning History

An application for the siting of an office building was recently refused at Planning Committee in October 2016 due to the further loss of the Topsham Gap.

CIL Liability

There is also a requirement for CIL contributions amounting to £56,602.12 at 2016 rates. This would need to be revised to 2017 rates once they are released.

Conclusion

The final recommendation on this application is finely balanced. The proposal does provide an additional seven residential units immediately adjacent to new residential dwellings and is therefore in-keeping with adjacent uses. However, development on this site does not comply with Policies LS1 and CP16 in terms of the landscape setting and retention of the strategic gap.

Having considered all of the relevant policies for this site, the remaining Topsham Gap and the possible future use for this land, it is considered that the principle of residential accommodation on this site is appropriate. The key land identified in the recent appeal decision refers specifically to land north of Exeter Road although it was also stated that the first open land seen after the M5 when travelling towards Topsham is important to be maintained. With regard to this proposal site, it is considered to be such a narrow site that there is minimal contribution to this open aspect as it is screened by the M5 bridge and embankment. Any development will also have a strong backdrop of trees on the embankment, plus a strong landscape element to the boundary to enhance the green element of the site.

The building has been set back into the site more than the previous office building so that it is not dominant in the street scene when exiting from beneath the M5 bridge towards Topsham and the overall height, scale, massing and design approach is considered to be acceptable in this location. The design also ties in with the recently approved residential dwellings on the adjacent land.

RECOMMENDATION

APPROVE 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 18 November 2016 (*Dwg. No(s). APTS-003; APP-01*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) **Pre-commencement Condition:** No development shall take place until details of the implementation, maintenance and management of the sustainable urban drainage system have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i) timetable for its implementation; and
 - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.**Reason for pre-commencement condition:** To ensure the satisfactory drainage of the development. This information is required before development commences to ensure that any drainage scheme is properly designed and implemented at the appropriate stage.
- 4) C17 - Submission of Materials
- 5) No development shall take place, including any works of demolition, until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials and 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, measures to minimise the impact on the adjacent footpath and timings of the proposed works. The approved Statement shall be adhered to throughout the construction period.
Reason: In the interests of highway safety and public amenity.
- 6) A detailed scheme for landscaping, 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 and no development shall take place until the Local Planning Authority have approved a scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and any earthworks required together with the timing of the implementation of the scheme. The landscaping shall thereafter be implemented in accordance with the approved scheme in accordance with the agreed programme.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 7) No part of the development hereby approved shall be brought into its intended use until secure cycle parking facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
Reason: To provide for sustainable transport and ensure that adequate facilities are available for the traffic attracted to the site.
- 8) No development shall take place until a Construction and Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning

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

- a) There shall be no burning on site during demolition, construction or site preparation works;
- b) Unless otherwise agreed in writing, no construction or demolition works shall be carried out, or deliveries received, outside of the following hours: 0800 to 1800 hours Monday to Friday, 0800 to 1300 on Saturdays, and not at all on Sundays and Public Holidays;
- c) Dust suppression measures shall be employed as required during construction in order to prevent off-site dust nuisance;
- d) Details of access arrangements and timings and management of arrivals and departures of vehicles.

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

Reason: In the interests of the occupants of nearby buildings.

- 9) No part of the development hereby approved shall be brought into its intended use until the visibility splays and on-site parking have been provided in accordance with the requirements of this permission and retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 10) Before commencement of development the applicant shall submit a SAP calculation which demonstrates that a **19%** reduction in CO2 emissions over that necessary to meet the requirements of the 2013 Building Regulations can be achieved. The measures necessary to achieve this CO2 saving shall thereafter be implemented on site and within 3 months of practical completion of any dwelling the developer will submit a report to the LPA from a suitably qualified consultant to demonstrate compliance with this condition.
Reason: In the interests of sustainable development and to ensure that the development accords with Core Strategy Policy CP15.
- 11) C47E - Noise Insulation

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