

COMMITTEE DATE: 25/06/2018

APPLICATION NO: 18/0534/FUL

APPLICANT:

PROPOSAL:

Construction of 48 dwellings (use class C3), means of access, public open space and associated infrastructure.

LOCATION:

Land West Of Ringswell Avenue, Comprising Part Of The Grounds Of The Former St Luke's School Exeter

REGISTRATION DATE: 04/04/2018

EXPIRY DATE:

HISTORY OF SITE

The site forms part of the former St Lukes High School and as such the following planning history relating to the whole former school site is considered relevant in terms of the context to the current application.

05/0177/03 - Single storey buildings to provide primary school, car parking, vehicular and pedestrian accesses and associated works. (St Nicholas Catholic Primary School). Approved 12/05/2006. This application related to the southernmost part of the former St Lukes school site.

07/1898/26 - Change of use of part of former school to use as offices, external alterations including provision of new lift, associated access alterations and car parking. This was a Devon County Council application to which the City Council raised no objection on 16/10/2007.

12/0584/01 - Demolition of former school buildings, erection of Academy for Deaf Education with associated residential accommodation, open space, car parking and landscaping (All matters reserved for future consideration apart from access). Approved 10/07/2012. This application related to the same portion of the former school site as the current application.

13/0105/02 - Erection of Academy for Deaf Education with associated residential accommodation, open space, car parking and landscaping (approval of reserved matters on Ref. No. 12/0584/01 granted 10-07-12) for appearance, landscaping, layout and scale. Approved 29/04/2013. This application related to the same portion of the former school site as the current application.

15/0475/37 - Alterations to approved layout and elevations (Non Material Amendment to Reserved Matters Approval 13/0105/02). Approved 23/06/2015.

DESCRIPTION OF SITE/PROPOSAL

The application site forms part of the remaining former St Lukes High School site that was left following the construction of the St Nicholas Catholic Primary school. The site has an area of 1.52 hectares and has been cleared ready for development with the demolition of all the former school buildings that occupied the site. To the north the site is bounded by another part of the former school site which is currently still owned by Devon County Council and a small wooded area that lies between the site and the rear of properties on Bramley Avenue. To the east it is bounded by Ringswell Avenue and to the south by the St Nicholas Catholic Primary School. The site has a short western boundary that abuts the rear of existing properties on Warwick Road

Full planning permission is now sought for redevelopment of the site to provide 48 dwellings with vehicular access from Ringswell Avenue, associated parking provision (including 9 visitor parking spaces), landscaping and public open space in the south-east corner of the site. The proposals also include a foot/cycle path connection to Ribston Avenue to the north and a foot/cycle path up to the application site boundary in the south-west corner of the site to facilitate connection to the existing footpath leading from Warwick Road into the school. The 48 dwellings comprise the following mix of house types, 5 x 1bed, 13 x 2bed, 16 x 3bed, 12 x 4bed and 2 x 5bed.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents –

- Planning Statement
- Design & Access Statement
- Affordable Housing Statement
- Transport Assessment
- Ecological Appraisal
- Tree Survey and Arboricultural Impact Assessment Report
- Statement of Archaeological Survival, Impact and Mitigation
- Flood Risk Assessment
- Ground Investigation Report
- Spoil Validation Sampling Report
- Construction Environmental Management Plan (CEMP)
- Statement of Community Involvement
- Draft Section 106 Agreement

REPRESENTATIONS

25 letters of representation/objection, including letters from the Ringswell Avenue Resident's Association, Governing Body and Headteacher of the Roman Catholic primary school, have been received raising the following issues –

- Concerns relating to proposed public footpath connection to Warwick Road in terms of –
 - Impact on residential amenity of existing properties – noise, anti-social behaviour, loss of privacy, hours of use and potential light pollution if lit path.

- Loss of wildlife habitat
 - Potential to increase current parking issues and traffic congestion on Warwick Road
 - Question need for/benefits of provision of such a link.
- Overdevelopment of site
- Exeter not need more development comprising housing
- Impact on existing property values
- Ecological impact
- Loss of trees
- Desire for children's play area
- Lost opportunity for a community based development project on the site
- Lack of adequate parking provision to serve development
- Lack of sustainable transport provision i.e. cycle parking and car club provision.
- Ringswell Avenue inappropriate for vehicular access to serve the development because –
 - Junction with Honiton Road already congested, compounded at school drop-off/pick-up times, and will be exacerbated by additional traffic associated with the development
 - Traffic jams arising from vehicles to turn right out of Ringswell Avenue, and increased disturbance to free-flow of traffic on Honiton Road with vehicles queuing trying to enter Ringswell Avenue
 - Ringswell Avenue is a narrow poorly surfaced cul-de-sac
 - Difficulties of access for emergency vehicles
- Road safety concerns, conflict with school traffic/pedestrians including children accessing school. Vehicles frequently already have to mount pavement to negotiate junction and parked vehicles
- Increased traffic adding to congestion problems, associated air quality impacts including health implications
- Increase pressure on existing street parking in Ringswell Avenue which some properties rely on
- Removal of existing turning circle would exacerbate all current problems
- Damage to resident's vehicles and property
- Link to Ribston Avenue should be suitable for cyclists and pedestrians
- Applicant's traffic measurements/predictions not accurate representation of reality
- School used/hired outside of school hours so problems not confined to school drop-off/pick-up times
- Impact of construction traffic associated with development on Ringswell Avenue
- Problems likely to be exacerbated by future development on other part of former school site
- Proposal is one of many developments in general locality adding significant further traffic to already congested roads e.g. Moor Exchange and Middlemoor
- Previous proposals for development of land were to be accessed via Bramley Avenue/Ribston Avenue as Ringswell was not considered appropriate
- Vehicular access via Bramley Avenue/Ribston Avenue would have less adverse consequences and facilitate easier dissipation of traffic onto wider road network.

CONSULTATIONS

ECC Housing Services – Confirm that level of affordable housing provision (including wheelchair accessible unit), tenure, clustering and house types/mix are all acceptable and compliant with relevant adopted policy requirements.

County Head of Planning, Transportation and Environment (Highways) – A comprehensive consultation response has been provided which will be referred to later in this report in respect of the assessment of transportation impacts. The consultation response concludes with the following summary –

“The site is located within an existing urban area and the applicant has made an effort to improve pedestrian/cycling linkages promoting modal change. Overall these proposals represent sustainable development with safe and suitable access for all users achieved. Therefore, subject to appropriate contributions (S106 to enable DCC to make the connection to Warwick Road) and conditions being attached in the granting of any consent, no objection.”

Recommended conditions relate to foot/cycle path connections, travel pack provision, highway construction details, CEMP and cycle parking provision.

DCC (Lead Local Flood Authority) – Response as follows “Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage. Following my previous consultation response FRM/EC/0534/2018, dated 15th May 2018, the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

- Email dated 17th May 2018 Application 18/0534/FUL - Ringswell

The information submitted answers my concerns raised in my previous response and we are happy to remove the objection.”

DCC (Education) – Comment on the additional need for school places generated by the proposal and the need to secure appropriate contributions from the CIL collected in connection with the development to facilitate the additional capacity/provision generated by the proposed housing.

Environmental Health – Recommends conditions relating to contaminated land, Construction Environmental Management Plan (CEMP) and Air Quality Impact Assessment.

Natural England – highlight need for mitigation of potential impacts on Natura 2000 sites to be secured. Refer to standing advice in respect of protected species considerations, and highlight benefits of biodiversity and landscape enhancements.

RSPB – Comment of level of bird box provision proposed and suggest additional boxes should be provided to reflect advice in the Council’s Residential Design SPD.

Devon and Somerset Fire & Rescue Service – Highlight that they are a statutory consultee at Building Regulation stage and would make detailed comments at that point. However on basis

of submitted drawings state that scheme appears to satisfy criteria for access under building regulations and therefore have no objection to this development at this time.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework (NPPF):-

4. Promoting sustainable transport
5. Supporting high quality communication infrastructure
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

Paragraph 11 - Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Exeter Local Development Framework Core Strategy 2012

Objectives 1-10

- CP1 – Spatial approach
- CP3 – Housing development
- CP4 – Housing density
- CP5 – Meeting housing needs
- CP7 – Affordable housing
- CP9 – Strategic transport measures to accommodate development
- CP10 – Meeting Community Needs
- CP11 – Pollution and air quality
- CP12 – Flood risk
- CP14 – Renewable and low carbon energy
- CP15 – Sustainable design and construction
- CP16 – Strategic green infrastructure
- CP17 – Design and local distinctiveness
- CP18 – Infrastructure requirements and developer contributions

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
- H7 – Housing for disabled people
- L4 – Provision of playing pitches
- T1 – Hierarchy of modes of transport
- T2 – Accessibility criteria

T3 – Encouraging use of sustainable modes of transport
T5 – Cycle Route Network
T10 – Car parking standards
C5 – Archaeology
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

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
DD25 - Design Principles
DD26 - Designing Out Crime
DD30 - Green Infrastructure
DD31 - Biodiversity
DD34 - Pollution

Exeter City Council Supplementary Planning Documents

Affordable Housing SPD 2013
Archaeology and Development SPG 2004
Planning Obligations SPD 2009
Public Open Space SPD 2005
Residential Design SPD 2010
Sustainable Transport SPD 2013
Trees and Development SPD 2009

OBSERVATIONS

Introduction

There are a number of detailed material planning considerations that need to be assessed in connection with this application. However, before examining each of those issues individually it is important to set the context in respect of the position in relation to the Council's 5 year housing land supply. The Council is still unable to demonstrate a five year housing land supply, with the current position being a supply equating to just under 2 years and 2 months.

Development Plan and NPPF Policy Context

Notwithstanding the Council's inability to demonstrate a five year housing land supply this application should be determined in accordance with the Development Plan unless material considerations indicate otherwise (NPPF paragraph 11). The absence of a five year housing land supply can legitimately be considered to constitute an 'other material consideration' in the context of the assessment of the merits of this application and the absence of a 5 year land supply means that Development Plan policies for the supply of housing should not be considered up-to-date.

The main considerations in respect of this application relate to the acceptability in principle of the development, highway/transportation matters, affordable housing provision, design/layout/amenity standards, relationship to surrounding land/properties, landscaping/ecology/sustainability/drainage,

Context/background

Following St Lukes High School relocating to brand new premises at Hill Barton part of the site was redeveloped to provide St Nicholas Catholic Primary school while the remainder was used for a variety of education related uses until the part of the former school comprising the current application site was sold to the Exeter Royal Academy for Deaf Education (eRADE) for the demolition of existing buildings and redevelopment to relocate the deaf school on Topsham Road on this site. However, following demolition of the existing buildings the relocation plans of eRADE switched to a location outside the city boundaries. Thereby the application site became surplus to requirements and available for alternative redevelopment proposal resulting in the current proposal.

Principle of development

The site comprises previously developed land within the urban area, and is a sustainable location in terms of access to facilities, and sustainable transport (bus and train). The site is not allocated for any specific use in the adopted development plan, nor is it subject to any landscape designations. In this respect the principle of residential development of the site is considered acceptable and consistent with relevant development plan policies relating to the provision of additional housing.

Highway/Transportation matters

There have been a significant number of representations in respect of this application with principle concerns raised relating to highway matters, especially in regard to the suitability of Ringswell Avenue as the means of vehicular access to serve the development and the impacts of highway safety. The existing problems on Ringswell Avenue being particularly difficult around school drop-off and pick-up times.

Representations submitted have made reference to previous permissions for development of the site for educational use using Ribston Avenue as the main point of access and suggesting that should also be the case for this residential development. The applicant's submitted Transport Statement has compared likely traffic generated by the development with previous education use of the site to argue a net decrease in trips by comparison. Notwithstanding acknowledgement of both these positions the Highway Authority have rightly pointed out that

the application, with the proposed access from Ringswell Avenue, needs to be looked at on its own merits and state –

“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 public transport services on Honiton Road/Ribston Avenue and therefore, from a transport perspective, is a sustainable site.”

The Highway Authority acknowledge in their consultation response that Ringswell Avenue experiences a level of congestion during school pick up/drop off periods but state the following –

“However, although busy during these periods, this situation is not dissimilar to roads serving schools around Exeter during the AM peak. Note there will be very little interaction of traffic generated by the development during school pick up/drop off in the afternoon peak and no interaction at all in the PM peak.”

The Highway Authority also state the following –

“The Highway Authority have raised concerns over the right turn out from Ringswell Avenue onto Honiton Road (as at times it can become constrained), but the increase in trips during peak hours is not significant enough to form a reason for refusal given the lack of clarity to the original consent and the proposed mitigation put forward by the applicant (as highlighted later in the text). Furthermore, operation of the junction with Ringswell Avenue/Honiton Road is not classed to be unsafe. Review of our accident records shows no Personal Injury Accidents, for the years between 2012-2016.”

More generally in their response the Highway Authority have highlighted the importance of the pedestrian/cycle links to Ribston Avenue and Warwick Road in terms of permeability and promoting/facilitating use of sustainable transport modes by both residents of the proposed development and existing surrounding houses. Particularly it is suggested that the Ribston link could act as a shortcut through the new development for those wishing to access the school on Ringswell Avenue.

The level of parking provision is considered acceptable and the potential benefits of the proposed visitor spaces adjacent the public open space in terms of facilitating a car club parking space and easing congestion/parking problems during pick up/drop off times is acknowledged.

Whilst it is acknowledged that other alternatives to the means of vehicular access proposed exist (i.e. via Ribston Avenue rather than Ringswell Avenue) the proposal has to be considered on its merits as submitted.

The applicant's submitted Transport Assessment states the following as part of its summary –

“The general impacts of the development are modest and are unlikely to generate any material concern with the operation of the road network or local junctions. While it is recognised that there are localised issues around the school drop-off and collection period, these are largely due to illegal parking by parents and poor enforcement of parking restrictions.”

The Transport Assessment also concludes as follows –

“In conclusion, the development site is considered to be well located with regard to accessibility to local facilities and sustainable modes of transport. As development traffic impact is negligible and there are no obvious highway safety issues, it is concluded that the development should be considered acceptable on transport terms.”

The Highway Authority conclude as follows in their consultation response –

“The site is located within an existing urban area and the applicant has made an effort to improve pedestrian/cycling linkages promoting modal change. Overall these proposals represent sustainable development with safe and suitable access for all users achieved. Therefore, subject to appropriate contributions (S106 to enable DCC to make the connection to Warwick Road) and conditions being attached in the granting of any consent, no objection.”

Based on the proposal as submitted, notwithstanding the representations, having regard to the consultation response of the Highway Authority and the following advice in paragraph 32 of the NPPF which states –

“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.”

it is not considered that the highway impacts would be so severe as to justify refusal and therefore the proposal is considered acceptable on transportation impact grounds.

Design/layout/amenity standards

The proposed development has an overall density of 32 dwellings/ha which is considered appropriate given the context of the site and its surroundings. A central spine road running through the site with dwellings either side, and a small group of dwellings around a private courtyard accessed via the spine road, comprises the most logical approach to the layout of the development. This facilitates a majority of dwellings fronting the road provided natural surveillance and maximum opportunity for interaction between potential residents.

In terms of internal space standards the house types proposed in this application are broadly in accordance with the National Space standards published by the DCLG in March 2015. Consequently the proposal is considered acceptable in this respect.

All of the dwellings are provided with private gardens, the majority of which comply with the space standards advocated in the Council's adopted Residential Design SPD. In the context of achieving an overall layout that is acceptable in design terms the level of private amenity space provision across the scheme is considered acceptable.

The central road running through the site providing access to the proposed houses and their parking incorporates two turning heads, the middle one of which incorporates a change in surface material and links to an area of private parking effectively forming an open square fronted by houses.

The most significant tree on the site, as identified in the submitted Tree Survey, has been retained within the main area of proposed public open space which equates to marginally under 10% of overall site area. In the context of the site this level of open space provision is considered appropriate.

The foot/cycle path links to Ribston Avenue to the north and Warwick Road to the west (the latter to be delivered by the DCC) will create permeability and facilitate the use of sustainable modes of transport both by residents of the new development and of existing properties in the locality.

Overall the proposed layout is considered a suitable response to the shape and constraints of site that delivers an appropriate number of houses in a visually acceptable manner with good levels of amenity for prospective residents.

Relationship to surrounding land/properties

The proposed layout has taken into consideration the location of existing properties surrounding the site and achieves appropriate separation distances that are generally in excess of those recommended in the Council's adopted Residential Design SPD. Existing properties on Bramley Avenue to the north of the site are separated from the proposed dwellings by an existing area of vegetation that is outside the application site and provides a visual barrier between the existing and proposed housing.

Affordable housing

The proposal includes 17 affordable dwellings which equates to 35% of the total number of dwellings to be provided on site, 12 for social rent and 5 for shared ownership. The affordable housing is distributed throughout the site in clusters of less than 10. The mix of house types includes one wheelchair accessible bungalow. This provision is compliant with Core Strategy policy CP7 and has been agreed with officers. The provision of the affordable housing will be secured through relevant obligations within a Section 106 Agreement.

Landscaping/ecology/drainage

The ecological appraisal submitted concludes based on appropriate surveys undertaken that there is no ecological barrier to the development of the site subject to appropriate mitigation measures relating to protected species, which will include translocation of reptiles and timings of construction work to avoid the nesting season, along with appropriate licences being obtained from Natural England relating to badger mitigation.

The proposal also incorporates a full landscaping scheme and provision of integral bat/bird nesting, the number of which have been increased in response to comments from the RSPB. The mitigation and enhancement measures as set out in ecological appraisal will be secured via an appropriate condition. Although there is some necessary removal of existing trees on the site, to facilitate the development and achieve an appropriate density, the mitigation measures and landscaping scheme proposed will ensure an overall positive contribution to the ecological value of the site.

Drainage will be dealt with by way of connection to the public sewer systems for both foul and surface water. The adopted approach to surface water drainage will incorporate underground attenuation with controlled discharge rates to the public surface water sewer system. This approach has been accepted by DCC as the Lead Local Flood Authority.

Financial Considerations

The proposal will be CIL liable at a rate of £111.79/m². Based on an initial calculation of the floor area proposed this would equate to £563,115.29p before the application of any relief associated with affordable housing. The developer would however be entitled to claim relief from CIL in respect of the affordable housing units in which case the final sum payable in such circumstances would be £404,201.34p.

The scheme will also generate New Homes bonus in respect of the new dwellings in line with legislation in force at the relevant time.

Section 106

A Section 106 agreement would be required in the event of approval of the application in respect of the following matters –

- Affordable housing provision.
- Open space – provision/maintenance.
- Contribution to footpath connection to Warwick Road.
- TRO contribution relating to extension of existing 20mph zone into development site.

Conclusions

Based on the above appraisal of the proposal the application is considered to be compliant with relevant development plan policies. Specifically in relation to transportation impact, having regard to the advice in paragraph 32 of the NPPF that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe, and the absence of an objection from Highway Authority, the application is considered acceptable in transportation terms. Consequently overall the proposal is considered acceptable.

Member Site Inspection Panel (12/06/18)

Members noted the position of the proposed access to serve the development and the existing highway issues associated primarily with drop-off/pick-up times of the school. Members noted the potential for additional traffic on Ringswell Avenue associated with the development to exacerbate the problems and queried whether an alternative vehicular access via Ribston Avenue might alleviate any such issues. Members also discussed the merits of facilitating a pedestrian/cycle link to Warwick Road and the potential for formation of further on road parking spaces at the top end of Ringswell Avenue by replacing the existing footpath and grass verge that leads to a dead end.

RECOMMENDATION

Subject to completion of a S106 covering the matters referred to above **APPROVE** the application subject to the condition listed below:-

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 City Development Manager to **REFUSE** permission for the reason that inadequate provision has been made for the matters which were intended to be dealt with in the section 106 agreement.

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

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 4th April and 31st May 2018, the specific drawings referred to on the Bean Designed drawing register dated 30th May 2018, and the following additional drawings by redbay design landscape consultants - 475/01 Rev B, 475/02 Rev B and 475/03 Rev B as modified by other conditions of this consent.

Reason - In order to ensure compliance with the approved drawings.

3) The materials to be used in the construction of the development hereby approved shall be in strict accordance with the details specified in the submitted plot finishes schedule received by the Local Planning Authority on the 31st May 2018.

Reason - In the interests of the character and appearance of the development and the wider locality.

4) The development hereby approved shall be carried out in strict accordance with the findings and mitigation measures identified in the Ecological Appraisal by Tor Ecology dated 5th February 2018 document ref TEO122/EA/B except as modified by drawing no. P1610:08 Rev A and agent email dated 31st May 2018 in respect of the location, number and type of swift bricks to be incorporated within the development. Any licences required from Natural England in respect of the mitigation measures set out in the Ecological Appraisal shall be obtained prior to the commencement of the development.

Reason - To ensure that the development is implemented in a manner that minimises the direct ecological impact of the construction of the development and incorporates features that contribute to ecological enhancement of the site post development.

5) The landscaping scheme comprised in red bay design landscape consultants drawing nos. 475/01 Rev B, 475/02 Rev B and 475/03 Rev B shall be fully implemented in accordance with a timetable that shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the commencement of the development.

Reason - To ensure that the landscaping of the development is carried out in an appropriate manner in the interests of the character and appearance of area and the ecological enhancement of the site.

6) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by 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) **Pre-commencement condition:** No materials shall be brought onto the site or any development commenced, until the developer has erected tree protective fencing around all trees or shrubs to be retained, in accordance with the recommendations contained in the Arboricultural Impact Assessment Report by Aspect Tree Consultancy document ref 04921 AIA 29.3.18.Docx and Aspect Tree Consultancy drawing no 04921 TPP. The developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development the

subject of this permission is completed. 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 for pre-commencement condition - To ensure the protection of the trees during the carrying out of the development. This information is required before development commences to protect trees during all stages of the construction process.

8) **Pre commencement condition:** No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by any contamination of the land and the results together with any remedial works necessary have been agreed in writing by the Local Planning Authority. The buildings shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.

Reason for pre-commencement condition - In the interests of the amenity of the occupants of the buildings hereby approved. This information is required before development commences to ensure that any remedial works are properly considered and addressed at the appropriate stage.

9) The development hereby approved shall be implemented strictly in accordance with the provisions and details set out in the submitted Construction Environmental Management Plan (CEMP) Revision B dated 30th May 2018. Explicitly there shall be use of Ringswell Avenue by any vehicular traffic associated with the construction of the development, including that related to construction workers employed on the site.

Reason - In the interests of the occupants of nearby buildings and to minimise impact of the construction of the development on highway safety in Ringswell Avenue.

10) Before commencement of construction of the superstructure of the development hereby permitted, 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) **Pre-commencement condition:** The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of all dwellings and the final levels of all roads forming part of the development, in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details

Reason for Pre-commencement condition: In the interests of the visual amenities of the area and the residential amenities of future occupants of the development and the occupants of existing neighbouring properties.

12) The development hereby approved shall be implemented in accordance with drainage strategy contained within the Flood Risk Assessment dated 28 March 2018 submitted by Hydrock (document ref RIN-HYD-PH1-XX-RP-D-5001 S2 P1).

Reason - To ensure that the approach to surface water drainage of the site is acceptable.

13) Prior to occupation of any individual dwelling comprised in the development hereby permitted, a travel pack shall be provided to the prospective occupants informing them of walking and cycling routes and facilities, public transport facilities including bus stops, rail stations and timetables, car sharing schemes and car clubs, as appropriate, the form and content of which shall have previously been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason - To ensure that all occupants of the development are aware of the available sustainable travel options

14) No part of the development hereby approved shall be brought into its intended use until the pedestrian/cycleway adjacent to plot A38/A37 to the western site boundary as indicated on the adoptable highways plan (Drawing No. P1610:09) has been provided in accordance with details and specifications that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.

Reason - To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the NPPF and CP9 of the ECC Core Strategy

15) No part of the development hereby approved shall be brought into its intended use until details of pedestrian and cycle linkages/facilities from the northern site boundary to Ribston Avenue have been approved in writing by the Local Planning Authority. No part of the development shall be occupied until the links/facilities have been provided, surfaced and marked out in accordance with the approved plans 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 NPPF

16) No part of the development hereby approved shall be brought into its intended use until details of the extension of the shared use path on Ringswell Avenue fronting the development site have been approved in writing by the Local Planning Authority and carried out in accordance with the approved details.

Reason – To ensure that a safe and suitable access to the site is provided for all users, in accordance with Paragraph 32 of the NPPF

17) Prior to commencement of the development details of secure cycle parking provision to serve each dwelling comprised in the development shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

Reason - To provide adequate facilities for sustainable transport.

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