

COMMITTEE DATE: 25/06/2018

APPLICATION NO: 18/0221/FUL
APPLICANT: Barchester Healthcare Ltd
PROPOSAL: Construction of care facility (66 beds) with associated means of access, access road, car parking, landscaping and associated infrastructure.
LOCATION: Land West Of Cumberland Way, Hollow Lane
Exeter, EX1 3RW
REGISTRATION DATE: 07/02/2018
EXPIRY DATE:

HISTORY OF SITE

There is no relevant planning history for the site.

DESCRIPTION OF SITE/PROPOSAL

The site consists of a broadly triangular parcel of land to the west of Cumberland Way opposite Exeter College Technology Centre. The site is in Pinhoe ward. The site is 0.45ha. As existing it comprises part of an agricultural field of improved grassland and part of the garden of a large residential property ('Hessary'), including part of a tennis court. There are a few trees on and around the site. The site slopes down to the south east. The site is bounded by remaining areas of the field/garden to the north, west and south, and Cumberland Way to the east. There are shared pedestrian/cycle paths on both sides of Cumberland Way and bus stops served by 2B, 78 (Dartline Coaches), B and red (P&R).

The site is within the Monkerton/Hill Barton Strategic Allocation in the Core Strategy. This supersedes the Landscape Setting designation in the Local Plan First Review. The site is within 'The Picturesque Ridge' character area in the Monkerton & Hill Barton Masterplan Study (November 2010) and recommended for residential use. The site is in Flood Zone 1. There are no above ground heritage assets in the vicinity. The Ecological Assessment submitted with the application states that the site has limited ecological value as existing. The site is within Local Energy Network Area A.

The proposal is to construct a 66-bed care facility (Use Class C2 – Residential Institutions) on the site with new vehicular access onto Cumberland Way. The intended operator is Barchester Healthcare. The care facility will be a single 3-storey building with a flat roof. The bedrooms will include en-suites. Communal, therapy and dining rooms will be provided, as well as offices for staff and a café on the ground floor. The facility will employ 40 full-time staff and 20 part-time staff. The building will also include kitchen, laundry and plant room on a smaller, lower ground floor level. A car park will be provided to the front of the building with 29 spaces (1 reserved for doctor and 1 reserved for manager). A Landscape Scheme has been included in the submission, which includes a new 'high diversity' native woodland to the north of the site.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Planning Statement (Rocke Associates, February 2018)
- Design and Access Statement (February 2017)

- Heritage Desk-Based Assessment (Cotswold Archaeology, February 2017)
- Transport Statement (Vectos, January 2018)
- Flood Risk Assessment & Drainage Strategy (Clancy Consulting, 29th January 2018)
- Geo-Environmental Appraisal Report (Clancy Consulting, January 2018)
- Ecological Assessment (Sunflower Ecological Consultancy, November 2017)
- Tree Report/Letter (Doug Pratt Tree Consultancy, 9th March 2018)
- BREEAM Pre-Assessment Report (Darren Evans Building Energy Efficiency, November 2017)

REPRESENTATIONS

No public representations have been received.

CONSULTATIONS

Local Highway Authority (Devon County Council): The proposal is unlikely to have a significant effect on the highway network in terms of trip generation. The proposed access to Cumberland Way is acceptable in principle, however some features of the raised crossing will need to be amended at s278 stage. A contribution of £3,000 towards Traffic Regulation Orders is required. The principle of a new junction in this location is acceptable. The 2m footways on either side of the access road are acceptable, however one is recommended to be widened (preferably to 3m) following the shared footway/cycleway into the site. An existing bus stop will need to be relocated further north along Cumberland Way. The footway/cycleway should be widened around the back of the new bus shelter to provide sufficient space for cyclists; further details can be agreed at s278 stage. Cycle parking standards should, where practical, be exceeded; a condition is recommended accordingly. There is sufficient car parking for the proposed use. Tracking diagrams have been provided showing vehicles can turn on the site and exit in forward gear. Conditions recommended for a Travel Plan/Parking Management Plan and Construction Method Statement.

Natural England: Considers the proposal will not have likely significant effects on the Exe Estuary SPA and Ramsar Site, and has no objection subject to the LPA recording its decision that a likely significant effect can be ruled out and justifying this. Provided suggestions for suitable justification. In regard to SSSIs, stated that providing appropriate mitigation is secured to avoid impacts upon the European sites occurring there should be no additional impacts upon the SSSI interest features of the Exe Estuary or the East Devon Pebblebed Heaths. Provided general advice on protected species and other natural environment issues.

Lead Local Flood Authority (Devon County Council): Objects – requested further information and detail regarding the proposed surface water drainage system (consisting of an infiltration blanket beneath the car park). After the developer requested this matter be dealt with by pre-commencement condition, they confirmed that the condition drafted by the planning officer was acceptable.

South West Water: No objection.

RSPB: Strongly recommend a Landscape and Ecological Management Plan (LEMP). Support proposed nest/roost boxes. Green wall panels should also be considered to enhance biodiversity.

Devon & Somerset Fire & Rescue Service: No observations – comments will be made at Building Regulations stage.

Arboricultural Officer: No arboricultural objections, as no significant trees within or adjacent to the site will be affected.

Place Making Officer: Whilst the elevation drawings are generally acceptable, drawings showing the detailed design of the elevations are required, particularly the brickwork detailing related to window and door openings, parapet and other proposed elements of the elevations. The quality of brickwork, brick and other materials will be essential to achieving an appropriate quality of development. The proposed trees nearer the building should be container grown specimens. Part of the proposed grass area to the north of the building should be seeded with wildflowers. Full details of hard and softworks will be required together with contours of the proposed mounds. The existing hedge fronting Cumberland Way will require a robust level of protection, details of which should be submitted.

Heritage Officer: Originally recommended the standard C57 archaeology condition, but withdrew this following the submission of further information.

Environmental Health: Recommend approval with conditions (construction/demolition hours, unsuspected contamination, ambient noise levels from transport sources, submit sound levels).

Building Control: No response.

Exeter International Airport: The proposal does not appear to conflict with safeguarding criteria (safeguarding notes attached). No safeguarding objections provided that all safeguarding criteria are met.

Living Options Devon: No response.

Exeter Cycling Campaign: Withdrew original objection, subject to s278 condition to carry out improvements to the proposed access and relocated bus stop on Cumberland Way to take into account cyclists. The original objection raised concerns in this regard, as well as the level of cycle parking provision. It also encouraged a connection across the site to improve access to Ellen Tinkham School, in order to avoid Hollow Lane (which is stated as being congested and dangerous to walk or cycle along at school drop-off/pick-up times).

PLANNING POLICIES/POLICY GUIDANCE

Government Guidance

National Planning Policy Framework (NPPF) (March 2012)

National Planning Policy Framework – Draft text for consultation (March 2018)

Planning Practice Guidance (PPG)

Core Strategy (Adopted 21 February 2012)

Core Strategy Objectives

CP1 – Spatial Strategy

CP4 – Density

CP5 – Mixed Housing

CP9 – Transport

CP12 – Flood Risk
CP13 – Decentralised Energy Networks
CP15 – Sustainable Construction
CP16 – Green Infrastructure, Landscape and Biodiversity
CP17 – Design and Local Distinctiveness
CP18 – Infrastructure
CP19 – Strategic Allocations

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

AP1 – Design and Location of Development
AP2 – Sequential Approach
H1 – Search Sequence
H2 – Location Priorities
H5 – Diversity of Housing
T1 – Hierarchy of Modes
T2 – Accessibility Criteria
T3 – Encouraging Use of Sustainable Modes
C5 – Archaeology
LS2 – Ramsar/Special Protection Area
LS3 – Sites of Special Scientific Interest
LS4 – Nature Conservation
EN4 – Flood Risk
DG1 – Objectives of Urban Design
DG2 – Energy Conservation
DG4 – Residential Layout and Amenity
DG6 – Vehicle Circulation and Car Parking in Residential Development
DG7 – Crime Prevention and Safety

Devon Waste Plan 2011 – 2031 (Adopted 11 December 2014) (Devon County Council)

W4 – Waste Prevention
W21 – Making Provision for Waste Management

Development Delivery Development Plan Document (Publication Version, July 2015)

DD1 – Sustainable Development
DD13 – Residential Amenity
DD20 – Accessibility and Sustainable Movement
DD21 – Parking
DD25 – Design Principles
DD26 – Designing out Crime
DD30 – Green Infrastructure
DD31 – Biodiversity
DD32 – Local Energy Networks

Exeter City Council Supplementary Planning Documents

Archaeology and Development SPD (Nov 2004)
Sustainable Transport SPD (March 2013)
Residential Design Guide SPD (Sept 2010)

Trees and Development SPD (Sept 2009)

Devon County Council Supplementary Planning Documents

Minerals and Waste – not just County Matters Part 1: Waste Management and Infrastructure SPD (July 2015)

OBSERVATIONS

The key issues are:

1. The Principle of the Proposed Development
2. Access and Impact on Local Highways
3. Parking
4. Design and Landscape
5. Impact on Heritage Assets
6. Residential Amenity
7. Impact on Amenity of Surroundings
8. Impact on Trees and Biodiversity
9. Flood Risk and Surface Water Management
10. Sustainable Construction and Energy Conservation

1. The Principle of the Proposed Development

The proposed development is considered to be acceptable in principle. It will provide specialist housing in accordance with Policy CP5. It will also provide employment (although is not considered to fall within the definitions of employment land in the Core Strategy or Local Plan First Review). It also accords with the Masterplan, as it is a form of residential development.

2. Access and Impact on Local Highways

The new access to Cumberland Way will cross a shared pedestrian/cycle path and necessitate the relocation of a bus shelter. Following issues raised by the Local Highway Authority and Exeter Cycling Campaign, a more detailed access proposal was submitted in order to incorporate the pedestrian/cycle path into the scheme. The Local Highway Authority has recommended conditions to refine this design and widen the path behind the relocated bus shelter. Exeter Cycling Campaign has withdrawn its original objection to the application on this basis. Therefore, the proposed access to the site is considered to be acceptable, subject to a s278 condition addressing these matters.

The proposed development is predicted to generate 6 trips during the AM peak period and 10 trips during the PM peak period. Therefore, the Local Highway Authority does not consider the proposal will have an adverse impact on the function of the local highway network.

The Local Highway Authority has recommended a condition to secure a Travel Plan. It also requires the developer to pay £3,000 towards the cost of relevant Traffic Regulation Orders. The developer has confirmed that they are happy to pay this.

3. Parking

The proposal includes a car park with 29 spaces (2 disabled). Indicative car parking standards are set out in Table 3 of the Sustainable Transport SPD, however there is no standard for C2 uses. The Local Highway Authority is satisfied with the level of car parking proposed, based on TRICs analysis and comparison with similar facilities.

4 cycle loops are proposed adjacent to the building entrance spaced 0.6m apart, allowing for a maximum of 6-8 cycles. Minimum cycle parking standards are set out in Table 2 of the Sustainable Transport SPD, split between parking for residents, parking for staff and parking for visitors/customers. There is no standard for C2 uses in terms of cycle parking for residents. The general rule for staff is 1 space per first 4 FTEs and 1 space per 7 subsequent FTEs (minimum 4 spaces). Based on the information provided, a minimum of 9 cycle parking spaces should be provided for the 40 full-time staff. A further 3 spaces should be provided for the 20 part-time staff if counted as FTEs. Therefore, around 10-12 spaces must be provided for staff as a minimum, which should be provided in a secure location (ST SPD Para 5.3.1). In addition, a minimum of 1 or 2 spaces should be provided for visitors, which should be located by the main entrance and be well over-looked (ST SPD Para 5.4.1).

It is considered that the proposed 4 cycle loops are appropriate for visitors, but separate provision must be provided for staff, which should ideally be incorporated into the building (RD SPD Para 6.59). A condition should be added to secure this accordingly in the interests of sustainable transport. In addition, showers, lockers and space to dry clothes for staff must be provided in accordance with paragraph 5.3.1 of the Sustainable Transport SPD. A condition should be added accordingly.

4. Design and Landscape

The Masterplan states that the 'Picturesque Ridge' character area will be defined by a composition of distinctive, exceptional 'set piece' buildings set within a strong landscape structure. The architect worked with officers at pre-app stage to design a building form that reflects the pattern of larger use types in the area. The Place Making Officer has asked for more detail in terms of elevation materials and detailing. These can be addressed using suitable conditions. The new building will be set within a strong landscape structure, including new native woodland to the north. A detailed landscaping scheme should be secured by condition, together with a Landscape and Ecological Management Plan (LEMP). This should include a wildflower meadow to the north.

5. Impact on Heritage Assets

The proposal will not affect any above ground heritage assets and the Heritage Officer has confirmed on the basis of the information provided that an archaeological condition is not required.

6. Residential Amenity

The national space standards do not apply to C2 uses that do not include dwellings. The floor plans appear to show that residents will have good standards of residential amenity, i.e. good levels of privacy, natural light and outlook. There will also be ample amenity space for residents to use.

7. Impact on Amenity of Surroundings

Some of the rooms will face towards the existing dwelling, 'Hessary'. However, the separation distance between the buildings will be over 22m and existing tree screening will help to mitigate any privacy issues.

Environmental Health have recommended pre-commencement conditions for an Acoustic Design Statement in accordance with Professional Practice Guidance regarding Planning and Noise for New Residential Development (May 2017), and details of the plant, including sound power levels and predicted sound pressure levels at a specified location outside the building envelope. Officers do not consider the details of plant are justified, as the plant on the lower ground floor will not be located near to sensitive noise receptors beyond the site. The effects on residents of the development can be addressed as part of the Acoustic Design Statement, which should also take into account the proximity to the traffic on Cumberland Way. No plant is proposed on the roof of the building.

8. Impact on Trees and Biodiversity

Some of the existing trees on the site will need to be removed, however none are of exceptional quality and they will be adequately mitigated by the proposed tree planting on the site. A condition should be added protecting the trees/hedgerows to be retained during the construction phase.

Natural England does not consider that the proposal will have likely significant effects on the Exe Estuary Special Protection Area (SPA) and Ramsar Site. They state that the following may provide a suitable justification for the Council to conclude the same:

“The application site is within 4.2km of the Exe Estuary Special Protection Area (SPA) and Ramsar Site and 8.6km from the East Devon Pebblebed Heaths Special Area of Conservation (SAC) and East Devon Heaths SPA. This is within the 10km zone within which impacts of residential development on the aforementioned sites could reasonably be expected to arise in the absence of appropriate mitigation.

We understand that the proposed care home would 'provide for varying levels of care, from those who require little more than assisted living to full nursing care' (para 4.2 of the Planning Statement).

You may need to seek clarification on a number of points, such as:

- (i) Can residents keep animals (e.g. dogs which then need walking)?
- (ii) The degree of independent living (e.g. going out walking/cycling)?
- (iii) Will residents have cars/still be driving?

Any or all of the above will have relevance as to whether the development will lead to recreational impacts. *Care home residents almost certainly would not have an impact but those living in 'retirement accommodation' might and so a contribution towards the mitigation of recreational impacts would be required.*”

The proposal is described as a care home on the plans. Residents will occupy en-suite bedrooms, as opposed to self-contained retirement accommodation. Therefore, officers agree with Natural England that the proposal will not have likely significant effects on either the Exe

Estuary SPA and Ramsar Site, the East Devon Pebblebed Heaths Special Area of Conservation (SAC), or the East Devon Heaths SPA. Therefore, a habitats contribution is not required.

In terms of local ecological impacts, the Ecological Assessment states that the site has limited ecological value as existing. In terms of the NPPF and Residential Design SPD requirements to enhance biodiversity, the Ecological Assessment recommends bird boxes be incorporated in the building – this can be secured by condition. Further enhancement can be addressed as part of the Detailed Landscaping Scheme and LEMP.

9. Flood Risk and Surface Water Management

Policy EN4 does not permit development if it would be at risk of flooding. The site is within Flood Zone 1 and the proposed use is classified as 'more vulnerable' (see PPG). 'More vulnerable' uses are appropriate in Flood Zone 1, therefore the proposal accords with Policy EN4.

Policy CP12 requires all development proposals to mitigate against flood risk utilising SUDS where feasible and practical. The developer has proposed a natural SUDS system, with infiltration into the ground, however further ground investigations and details have been requested by the Lead Local Flood Authority to ensure this is feasible. The developer requested that this be dealt with by pre-commencement condition. Notwithstanding the LLFA's objection, officers are content with this and a draft condition has been agreed with the LLFA.

10. Sustainable Construction and Energy Conservation

Policy CP13 requires new development with a floorspace of at least 1,000 sq m to connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution. The proposed development will have a gross internal floor area of 3,357 sq m and the site is located in one of the network areas. Therefore a condition is required to ensure the building is connected to the network or is constructed to be connected in the future.

Policy CP15 requires all non-domestic development to achieve BREEAM 'Excellent' standards from 2013 and be zero carbon from 2019. A condition should be added securing a BREEAM design stage assessment report and post-completion report to ensure Policy CP15 is complied with. A pre-assessment report submitted with the application predicts the building as proposed will achieve BREEAM 'Very Good' (59.3%).

CIL/S106

The development is not CIL liable and a s106 legal agreement is not considered necessary.

RECOMMENDATION

APPROVE with the following conditions:

1. Standard Time Limit – Full Planning Permission

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 comply with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the approved plans listed below, unless modified by the other conditions of this consent:

- ☒ Location Plan 1:1250
- ☒ Draft Site Plan (05/08/2017 01)
- ☒ Proposed Plans (05/08/2017 02)
- ☒ Elevations Sheet 1 (05/08/2017 03)
- ☒ Elevations Sheet 1 (05/08/2017 04)
- ☒ Landscape Scheme (314.1 Rev 0)
- ☒ Preliminary Access Design Option 1 (162471_PHL_01 Rev F)

Reason: To ensure the development is constructed in accordance with the approved plans.

Pre-Commencement Details

3. Cycle Parking 1

Notwithstanding the approved plans in condition 2, prior to the commencement of the development hereby permitted, details of the location and design of cycle parking for staff as well as showers, lockers and space to dry clothes for staff shall be submitted to and approved in writing by the Local Planning Authority. These details shall be provided in the development as approved.

Reason: To accord with paragraph 5.3.1 of the Sustainable Transport SPD in the interests of sustainable transport. These details are required pre-commencement as specified to ensure that these facilities are provided in the building.

4. Surface Water Drainage Management System (Construction)

No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site. The approved surface water drainage management system shall be implemented and maintained throughout the construction period.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area. (Advice: Refer to Devon County Council's Sustainable Drainage Guidance.) These details are required pre-commencement as specified to ensure that an appropriate drainage system is provided for the construction stage.

5. Detailed Permanent Surface Water Drainage Scheme

Prior to the commencement of the development hereby permitted, a detailed permanent surface water drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The scheme shall accord with the proposed drainage strategy in the submitted Floor Risk Assessment & Drainage Strategy Rev A (Clancy Consulting, 29.01.2018) (Ref.

8/1683), subject to the submission of further details to address the matters raised in the Lead Local Flood Authority consultation response (14.03.2018), unless an alternative sustainable drainage system is agreed with the Local Planning Authority in consultation with Devon County Council as the Lead Local Flood Authority. The scheme shall include a detailed plan showing the size and location of all parts of the surface water drainage system, and confirm the make and specification of any attenuation features (including the outfall and discharge rate). It shall also include the arrangements for ongoing maintenance and the management responsibilities for all parts of the site's surface water drainage system. The development shall not be occupied until the surface water drainage scheme has been completed as approved and it shall be continually maintained thereafter in accordance with the approved details. (Any soakaways shall be designed in accordance Building Research Establishment Digest 365, and evidence that trial holes and infiltration tests have been carried out in the same location as the soakaways must be provided.)

Reason: To manage water and flood risk in accordance with Policy CP12 of the Core Strategy, Policy EN4 of the Exeter Local Plan First Review and paragraph 103 of the NPPF. These details are required pre-commencement as specified to ensure that an appropriate drainage system is provided for the development and there will be no increased risk of flooding to surrounding buildings, roads and land.

6. Ambient noise levels from transport sources

Prior to the commencement of the development hereby permitted, an Acoustic Design Statement shall be submitted to and approved in writing by the Local Planning Authority. Any necessary mitigation measures required shall be implemented in full prior to occupation of the development, and maintained thereafter. (Advice: The Professional Practice Guidance Note (ProPG): Planning and Noise for New Residential Development May 2017 (ANC, IoA and CIEH) describes the expected content and approach of an Acoustic Design Statement.)

Reason: In the interests of residential amenity. These details are required pre-commencement as specified to ensure that any mitigation measures are incorporated into the construction of the building.

7. District Heating Network

Unless it is demonstrated in writing prior to commencement that it is not viable or feasible to do so, the building comprised in the development hereby approved shall be constructed in accordance with the CIBSE Heat Networks Code of Practice so that its internal systems for space and water heating are capable of being connected to the proposed decentralised energy (district heating) network. Prior to occupation of the development, the necessary on site infrastructure, including appropriate space for plant and machinery, shall be put in place for connection of those systems to the network at points at the application site boundary agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposal complies with Policy CP13 of the Core Strategy and paragraph 96 of the NPPF, and in the interests of delivering sustainable development. If it is demonstrated that it is not viable or feasible to construct the building in accordance with the CIBSE Heat Networks Code of Practice, this information must be provided to the Council prior to commencement of the development because it will affect the construction of the building.

8. BREEAM

Unless otherwise agreed in writing by the Local Planning Authority the building hereby approved shall achieve a BREEAM 'excellent' standard as a minimum, and shall achieve 'zero carbon' if

commenced on or after 1st January 2019. Prior to commencement of development of the building the developer shall submit to the Local Planning Authority a BREEAM design stage assessment report to be written by a licensed BREEAM assessor which shall set out the BREEAM score expected to be achieved by the building and the equivalent BREEAM standard to which the score relates. Where this does not meet the BREEAM minimum standard required by this consent the developer shall provide prior to the commencement of development of the building details of what changes will be made to the building to achieve the minimum standard, for the approval of the Local Planning Authority to be given in writing. The building must be completed fully in accordance with any approval given. A BREEAM post-completion report of the building is to be carried out by a licensed BREEAM assessor within three months of substantial completion of the building and shall set out the BREEAM score achieved by the building and the equivalent BREEAM standard to which such score relates.

Reason: To ensure that the proposal complies with Policy CP15 of the Core Strategy and in the interests of delivering sustainable development. The design stage assessment must be completed prior to commencement of development because the findings may influence the design for all stages of construction.

9. Construction Method Statement

No development (including ground works) or vegetation clearance works shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) The site access point(s) of all vehicles to the site during the construction phase.
- b) The parking of vehicles of site operatives and visitors.
- c) The areas for loading and unloading plant and materials.
- d) Storage areas of plant and materials used in constructing the development.
- e) The erection and maintenance of securing hoarding, if appropriate.
- f) Wheel washing facilities.
- g) Measures to control the emission of dust and dirt during construction.
- h) No burning on site during construction or site preparation works.
- i) Measures to minimise noise nuisance to neighbours from plant and machinery.
- j) Construction working hours and deliveries from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason: To ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the safety and convenience of highway users. These details are required pre-commencement as specified to ensure that building operations are carried out in an appropriate manner.

10. Waste Audit Statement

Prior to the commencement of the development hereby permitted, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document.

11. Tree/Hedgerow Protection Measures

No development (including ground works) or vegetation clearance works shall take place until fences have been erected and any other protection measures put in place for the protection of trees and/or hedgerows to be retained around the site boundary in accordance with a Scheme which has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall be prepared in accordance with British Standard BS 5837:2012 (or any superseding British Standard). The fences and any other protection measures required in the approved Scheme shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by the fences.

Reason: To protect the trees and hedgerows to be retained around the site boundary, particularly fronting Cumberland Way, in the interests of the amenities of the area and biodiversity, in accordance with Policy LS4 of the Exeter Local Plan First Review and the Trees in Relation to Development SPD (September 2009). These details are required pre-commencement as specified to ensure that trees and hedgerows to be retained are not damaged by building operations or vegetation removal, including their biodiversity interests.

During Construction

12. Unsuspected Contamination

If, during development, contamination not previously identified is found to be present at the site then the Local Authority shall be notified as soon as practicable and no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted an investigation and risk assessment, and where necessary a remediation strategy and verification plan, detailing how this unsuspected contamination shall be dealt with. Thereafter and prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise contamination risks to future users of the site and surrounding land, including controlled waters, and to ensure the development can be carried out safely.

Pre-Specific Works

13. Materials

Prior to the construction of the external walls of the building hereby permitted, samples and/or product specification sheets, including confirmation of colour, of the external facing materials and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved materials.

Reason: In the interests of design and the character of the area, in accordance with Policy CP17 of the Core Strategy, Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

14. Building Details

Prior to the construction of the external walls of the building hereby permitted, details of the following, including confirmation of colour, shall be submitted to and approved in writing by the Local Planning Authority:

- (1) External doors
- (2) Windows, including depth of reveals
- (4) Rain water goods
- (5) Fascia, soffit and barge boards

The building shall be constructed in accordance with the approved materials/details.

Reason: In the interests of design and the character of the area, in accordance with Policy CP17 of the Core Strategy, Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

15. Bird Boxes

Prior to the construction of the external walls of the building hereby permitted, details of the provision for nesting birds (e.g. swifts, sparrows and/or house martins) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be fully implemented as part of the development and retained thereafter.

Reason: To enhance biodiversity (taking into account the recommendations of the submitted Ecological Assessment).

16. External Lighting

No external lighting shall be installed on the site or on the building hereby permitted unless details of the lighting have previously been submitted to and approved in writing by the Local Planning Authority (including location, type and specification). The details shall demonstrate how the lighting has been designed to minimise impacts on local amenity and wildlife (including isoline drawings of lighting levels and mitigation if necessary). The lighting shall be installed in accordance with the approved details.

Reason: To ensure lighting is well designed to protect the amenities of the area and wildlife.

Pre-occupation

17. Detailed Landscaping Scheme

Prior to the first occupation or use of the development hereby permitted, a Detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including all boundary treatments. Where applicable, it shall specify tree and plant species and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation/use of the development. The soft landscaping shall be planted in the first planting season following the occupation/use of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of good design in accordance with Policy DG1 of the Exeter Local Plan First Review and paragraph 58 of the NPPF.

18. Landscape and Ecological Management Plan (LEMP)

Prior to the first occupation or use of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be prepared in accordance with the specifications in clause 11.1 of BS 42020:2013 (or any superseding British Standard) and shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures for biodiversity features included in the LEMP.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

All post-construction site management shall be undertaken in accordance with the LEMP.

Reason: In the interests of biodiversity and good design in accordance with Policy CP16 of the Core Strategy, Policies LS4 and DG1 of the Local Plan First Review and paragraphs 58, 109 and 118 of the NPPF.

19. Travel Plan

No part of the development shall be occupied until a Travel Plan (including recommendations and arrangements for monitoring and review) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. Thereafter the recommendations of the Travel Plan shall be implemented, monitored and reviewed in accordance with the approved document, or any amended document subsequently approved in writing by the Local Planning Authority.

Reason: To encourage travel by sustainable means, in accordance with Policy T3 of the Local Plan First Review and the Sustainable Transport SPD.

20. S278 Agreement

The development shall not be occupied or brought into use until a Section 278 Highways Agreement has been entered into in order to secure the necessary works to the public highway. The s278 works shall include, but not be limited to: further details of the proposed vehicle access/raised crossing on Cumberland Way and further details of the relocated bus stop/shelter on Cumberland Way. The works shall be implemented prior to the occupation/use of the development.

Reason: To ensure safe and suitable access is achieved for all users, and to protect the function of the cycle route along Cumberland Way.

21. Car Parking Provision

No part of the development shall be occupied until all of the car parking spaces and access thereto shown on the approved plans have been provided and made available for use. The car parking spaces shall be kept permanently available for parking and access purposes thereafter.

Reason: To ensure that adequate off-street parking and access thereto is provided and kept permanently available for use in the interests of highway safety and to protect the amenities of the neighbourhood.

22. Cycle Parking 2

The development shall not be occupied or brought into use until the four cycle loops shown adjacent to the disabled parking spaces on the approved Draft Site Plan have been provided.

Reason: To accord with the Sustainable Transport SPD in the interests of sustainable transport.

INFORMATIVES:

1. Although not matters contained within the scope of this application, the applicant should be advised to contact the Commercial Section of Environmental Health Services (01392 265148) in order to ensure that the following items will comply with all relevant British Standards, Regulations and guidance:
 - Food safety issues - design and layout of the kitchens including fixtures, fittings, storage and ventilation.
 - Adequate provision of WCs.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

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